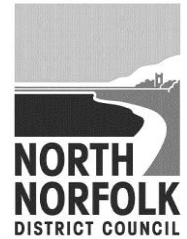


Development Committee



Please contact: Linda Yarham

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

TO REGISTER TO SPEAK PLEASE CALL 01263 516150

10 April 2018

A meeting of the **Development Committee** will be held in the **Council Chamber** at the Council Offices, Holt Road, Cromer on **Thursday 19 April 2018 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 10 May 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 17 April 2018** 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 Claussen-Reynolds, 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 S Shaw, Mr R Shepherd, Mr B Smith, Mrs V Uprichard

Substitutes: Mr D Baker, Dr P Bütikofer, Mrs S Bütikofer, Mr N Coppack, 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 P Rice, Mr E Seward, Mr D Smith, Mr N Smith, Mrs L Walker, Ms K Ward, 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 22 March 2018.
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) **RAYNHAM - PF/17/0729** - **Erection of 94 dwellings with associated infrastructure; conversion of former NAAFI building to provide community centre; new allotments (within Kipton Wood); new play area (within The Orchard). [REVISED DESCRIPTION]; Kipton Wood and The Orchard, Former RAF Base, West Raynham, NR21 7DQ for Mr Fox**

Page 4

- (2) **HELHOUGHTON - PF/17/0519 - Retrospective change of use of community centre to children's nursery (use class D1); The Burr Centre, Blenheim Square, West Raynham, FAKENHAM, NR21 7PA for Thalia Investments Ltd** Page 39
- (3) **APPLICATIONS RECOMMENDED FOR A SITE INSPECTION** Page 49
- (4) **CHANGES TO THE SCHEME OF DELEGATION, COMMITTEE PROCEDURES AND OTHER PROCEDURAL CHANGES** Page 50
(Appendix 1 – page 65)
- (5) **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – YEAR END 2017/18** Page 55
(Appendix 2 – page 66; Appendix 3 – page 67)
- (6) **NEW APPEALS** Page 62
- (7) **INQUIRIES AND HEARINGS - PROGRESS** Page 62
- (8) **WRITTEN REPRESENTATIONS APPEALS - IN HAND** Page 63
- (9) **APPEAL DECISIONS – RESULTS AND SUMMARIES** Page 64
(Appendix 4 – page 68)
- (10) **COURT CASES – PROGRESS AND RESULTS** Page 64
- 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 - 19 APRIL 2018**

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) **RAYNHAM - PF/17/0729 - Erection of 94 dwellings with associated infrastructure; conversion of former NAAFI building to provide community centre; new allotments (within Kipton Wood); new play area (within The Orchard). [REVISED DESCRIPTION]; Kipton Wood and The Orchard, Former RAF Base, West Raynham, NR21 7DQ for Mr Fox**

Major Development

- Target Date: 20 July 2017

- Extension of Time until 31 May 2018

Case Officer: Jo-Anne Rasmussen

Full Planning Permission

RELEVANT CONSTRAINTS

Within Countryside Policy Area

Defined Technical Area (Adjacent to site)

Tree Preservation Order – affecting the whole site

The site is within the catchment area of the River Wensum Special Area of Conservation

Surface Water Flooding

Controlled Water Risk - Medium (Ground Water Pollution)

Controlled Water Risk - Low (Ground Water Pollution)

Contaminated Land Buffer

Mineral Safeguard Area

The Rural Tourism Asset Zone

Grade II Listed 'Very Heavy Bomber Control Tower' (adjacent to site)

RELEVANT PLANNING HISTORY

PLA/2008/0506

RAF West Raynham, Massingham Road, West Raynham

Erection of Fifty-Eight Dwellings

Planning committee resolution to approve subject to completion of S106 obligations - No decision issued and application held in abeyance at request of original applicant. If this scheme were ever to be progressed for approval, given the passage of time it would be necessary to bring the application back before Development Committee for further consideration. It is more likely that if Committee resolve to approve application PF/17/0729 then the 2008 application would be withdrawn or formally disposed of.

PLA/20080511

RAF West Raynham, Massingham Road, West Raynham.

Use of Former MOD buildings as squash court and Gymnasium and Area 23 as Tennis Courts.

Withdrawn 2013.

PLA/20080510

Use of building 28 as A1 (Retail shop)

Non-determined – Finally disposed of 2016.

PLA/20080509

RAF West Raynham, Massingham Road, West Raynham

Change of use of former MOD buildings to Community Centre, crèche, Health care clinic, Aviation Museum and church

Non-determined – Finally disposed of 2016

PLA/20080508

RAF West Raynham, Massingham Road, West Raynham

Change of use of community centre to site office/sales centre and barrack block 101 as temporary housing for site construction workers.

Withdrawn – 2013

DB/15/0001

Former RAF Base, West Raynham

Proposed Development Brief

04 Nov 2015

Members may recall that a development brief was submitted to establish if there was support in principle for the re-use of the former RAF West Raynham site for residential and employment purposes which could be enabled through the erection of 509 dwellings (69 conversions and 440 new build units). Officers considered that the scale of growth required to financially enable the development was such that a settlement of considerable size would be created with little or no certainty that residents of the new development would have reasonable access to shops and services necessary for day-to-day living without the need to travel by car to higher order settlements such as Fakenham. Officers considered that the benefits of the re-use of existing buildings including the creation of new homes and employment opportunities would be outweighed by the harm resulting from the creation of an unsustainable form of development contrary to the three strands of sustainability set out in the National Planning Policy Framework. The development brief was withdrawn by the landowner prior to consideration by the Planning Policy and Built Heritage Working Party on 19 Sept 2016. As no formal decision was reached by the Council, it is considered that little or no weight can be attributed to the recommendations contained within the brief.

DE21/16/0895

Former RAF Airfield site, West Raynham

Consultation from OFWAT: Proposal to grant a licence to Icosa water to enable it to supply water and wastewater services to the former RAF Airfield developed site at West Raynham (172 residential properties & 7 non-residential premises)

NNDC Raised No Objection 05/09/2016

PF/17/0519 – Also on this agenda for consideration

Change of use of community centre to children's nursery (use class D1)

The Burr Centre, Blenheim Square, West Raynham.

THE SITE AND SURROUNDINGS

The former RAF West Raynham site covers an area of approximately 158 acres and was originally developed as an airbase between 1937 and 1939, in preparation and support of the Second World War. The base was closed by the Ministry of Defence in 1994. The site is currently owned by Thalia Investments Ltd (in Administration). Investec Bank is the principal creditor of this company and is financing the development.

The redundant airbase site comprises a large area of former runway, grass apron, substantial operational buildings including four large hangars, 171 existing dwellings and blocks of former airmen's accommodation. The main runways have now been removed for aggregate and much of this area is now developed as one of the largest solar farms in the District.

The site occupies a relatively remote, rural location and is surrounded by open Countryside. The site is served by 'C' class country roads, many of which are of single carriageway. The nearest settlements of Helhoughton and West Raynham are approximately 3km and 3.5km by road to the east. The site is approximately 3.5km to the south of East Rudham (with connection to the A148), and approximately 5.5km by road from Weasenham St Peter (with connection to the A1065). The distance to the centre of Fakenham by road depends on the route taken, the most direct and quickest being via Helhoughton (approximately 10km) and other routes via East Rudham and Weasenham St Peter are in the region of 15km.

The former RAF base provided both operational infrastructure and residential accommodation for its service personnel. These were broadly divided into two distinct areas as reflected base service hierarchy. The planning application is similarly proposed within the same two distinct area and the application relates to approximately 18 hectares of the site.

Kipton Wood to the north-east of the site would traditionally have housed non-commissioned airmen and is predominantly of two-storey terrace and semi-detached properties. The 130 dwellings, which are uniformed in their design, are set at relatively high densities, within small plots but set around areas of communal open space. There are several former accommodation blocks for single persons to the west of that, although these H-Blocks remain in a dilapidated condition and do not form part of this application. The Kipton Wood half of the site also contains the small village shop, café and the children's nursery in the location now known as the 'Hub'.

The Orchards is 700m to the south-west of Kipton Wood and forms a relatively separate housing area. The 42 dwellings within The Orchards historically housed commissioned Officers and their families. The properties of the Orchards are much larger than those seen at The Kiptons being mostly detached dwellings set in generous plots.

In total, the original on-site "married quarters" number 171 dwellings and have now been refurbished and the majority are occupied once more. It is understood the majority of the properties in The Orchards are now owner-occupied, whilst the majority of houses in Kipton Wood are privately let.

The two residential areas are separated by open space and a number of the original RAF buildings, including the Officers Mess, cricket ground, sergeant's mess and NAFFI building. The geographical separation and architectural character and density of the built form give an impression of two very separate and distinct developments

A number of the RAF accommodation and recreation buildings have not been renovated to date and are dilapidated and disused. Most have been subject to some form of vandalism and are in a relatively poor state of repair. None of the residential and employment areas are served by publically-adopted highways.

The site operations were undertaken in the “Technical Area” to the south, comprising hangers and offices and industrial activity; this area is experiencing ongoing gradual conversion. The once-operational aircraft hangars and associated technical buildings to the south-east of the site have been mostly renovated and re-branded as West Raynham Business Park. A number of these hangars have been subject to planning permissions to change their use to class B2 (general industrial) and B8 (storage and distribution) uses.

THE APPLICATION

Seeks permission for erection of 94 new dwellings split across both Kipton Wood and The Orchard, built in areas of land historically forming parts of the site associated with the married quarters. The proposal also includes associated infrastructure, new roads, landscaping, improved pedestrian linkages through the site, renovation of existing bus stops, a new bus stop and parking for new properties and community centre. No works are proposed within the employment / technical area.

Within The Orchards area the applicant proposes 50 new detached houses, a play park and demolition of garage blocks. A gate adjacent to the boundary with Massingham Road is proposed, which will allow access to a refurbished cycle path and public bridleway heading north-west from the site.

Within the Kipton Wood area there are proposed to be 44 new semi-detached and terrace dwellings alongside demolition of garage blocks and reconfiguration of the private road network. Other works proposed include allotments and conversion of part of the RAF's former NAAFI (social and restaurant) building to a community centre.

As part of the application, the following features are proposed as planning obligations within a Section 106 Agreement.

- Conversion of parts of the NAAFI for community use
- £7,050 Library contributions
- £197,948 contributions for Education
- £50 per dwelling towards monitoring and managing visitor impact at SAC and SPA sites.
- 1,789 sqm of allotment space in The Kiptons
- Play equipment adjacent to The Orchards
- £50 per dwelling towards green infrastructure and public rights of way enhancement

No affordable housing is proposed as part of the development. A Viability Assessment has been submitted which details why the applicant contends that providing affordable housing would make the scheme unviable.

This application PF/17/0729 is presented as an enabling development, with the applicant making the case that the 94 dwellings are necessary to ‘back-fund’ essential upgrades to the water supply and sewage treatment infrastructure serving the 171 historic married quarters which have now been renovated and are now mostly occupied. This is in effect “retrospective enabling” as the infrastructure, has already been upgraded and a new sewage treatment package plant is in place and operational.

The application includes the following documents and supporting information:

- Location plan showing new footpath links
- Location Plan
- Proposed Site Plans

- House type layout and elevations
- Garage elevations
- Materials Plan for The Orchards and Kipton Wood
- Category Two housing plan ('accessible' housing capable of conversion)
- Statement of Community Involvement
- Transport Statement and Additional Traffic Survey
- Arboriculture Impact Assessment
- Flood Risk Assessment
- Archaeological report
- Design and Access Statement
- Drainage, sewage treatment and water supply statement
- Ecology report
- Statement for renewable energy
- Habitats Regulations Assessment
- Preliminary Risk Assessment
- Noise Assessment
- Viability Appraisal including public statement
- Details of air source heat pumps.

In addition to this proposal the Council is also considering application ref: PF17/0519, for the retrospective change of use from RAF community centre building within the central hub of the site, into a new children's pre-school nursery. This application has remained undetermined whilst the wider application has investigated how to propose a new community facility, part of which would justify loss of the original. This application is considered separately on this agenda.

REASONS FOR REFERRAL TO COMMITTEE

- 1) At the request of Ward Councillor Palmer owing to the scale of the development and its importance within the District.
- 2) Objection from the Highway Authority which has severe concerns about the safety of the surrounding highway network.

REPRESENTATIONS

71 letters were received in respect of the application, 9 of which were in support/neutral to the development whilst 62 objected.

Comments made in objection:

Highways

1. Surrounding road network is not capable of coping with existing traffic. Roads surrounding site are too narrow to cope with additional traffic. Roads are in poor condition / of poor construction and are not gritted in winter.
2. Increase of traffic through nearby villages will be detrimental to the residents of those villages.
3. Increase of traffic dangerous to pedestrians and other road users.
4. Car parking being reduced/ garages to be demolished. Negatively affects disabled residents on the site.

5. Agricultural vehicles/ machinery use roads.
6. Transport statement does not adequately assess the impact of additional traffic on the surrounding villages (Helhoughton, East Rudham, Great Massingham, Weasenham)
7. Lack of public transport, residents are/will be reliant on private car, not sustainable.
8. There are no pedestrian or cycle routes connecting base to amenities. Remote from services and amenities.
9. The local road network is dangerous and specific areas of concern are:
 - a. Junction with A148/East Rudham
 - b. Bridge in Helhoughton
 - c. Blind bend by church in Helhoughton.
10. Highway improvements should be undertaken as part of proposal and previous highway improvements and passing places are inadequate or overgrown.
11. Roads may be damaged during construction.
12. Previous improvements to Station Road/ passing places have become overgrown.
13. Roads in the Orchards are too narrow and not capable of accommodating the additional traffic. Insufficient parking leads to on road parking causing issues with traffic and emergency services (unable to pass).
14. Roads in The Kiptons are in a poor state of repair, additional traffic could worsen them.
15. Speed limit on site not adhered to.
16. No pedestrian footpaths on the base – increase in cars will be dangerous.
17. Assessing the highway impact should not take the previous use as an RAF base into account as historically people had fewer cars, so there were historically less vehicle movements associated with the base.

Unsustainable location

18. Could not walk to facilities in other villages.
19. Shop and facilities on site are poor.
20. Few employment opportunities will have to travel to work.
21. Not close to schools so children transported by private car or school bus. School bus may become full. Rural location remote from employment and necessary amenities.
22. Not close to services needed, shops, employment, doctors, and schools. Would not have access to services and shops necessary for day-to day living without the need to travel by car.
23. In rural countryside. Nearest shops and doctors in Great Massingham 4 miles away

Infrastructure/ services

24. Drainage antiquated/ needs replacing. Pipes laid in the 1950's not fit for purpose cracked and leak.
25. Move to mains water/ICOSA has led to low water pressure.

26. Infrastructure (water and sewage) needs significant upgrading.
27. Soakaways not adequate, roads flood in times of rain.
28. Inadequate power supply/ regular power cuts. More housing could worsen this.
29. Local services at capacity/ cannot accommodate additional housing. Doctors, schools, dentist. School bus service limited/ stretched.
30. Shop/pub/ community centre closed or not in use regularly. Not adequate amenities on the base. Post office/ shops/ amenities cannot be accessed on foot – need a car.
31. The proposed community centre, allotments and play park are not necessary. Existing facilities not used.

Design

32. Proposed housing does not respect character of the base/design of housing/ open spaces/ plot sizes/garaging/density/building lines. Design of new dwellings not in-keeping with existing, especially within the Orchards.
33. Negative impact upon historical character and layout of Kiptons and Orchards. Increased density will ruin the historic layout.
34. Lead to a cramped/ urban development detrimental to open/rural feel. Orchards especially have a parkland setting, with mature landscaping and open spaces.
35. Reduced green space.
36. Historic nature of the site should be preserved. New development is not sympathetic to heritage of the site.
37. Garages in the Orchards traditionally have flat roof, proposed pitched roofs are not in keeping.

Impact on the historical character of the site

38. Housing too close to Officers mess will affect its setting.
39. Detrimental impact upon heritage of the site. Does not preserve the World War II air base.
40. Atcherley Square will be destroyed, which until now has retained the character of 1938/39 design and is an example of expansion-era airfield officers married quarters.

Impact upon locality

41. Will ruin the open/rural character of the base.
42. Density too high and not in-keeping with original design.
43. Views of surrounding countryside will be obscured/ ruined.

Reuse of existing buildings

44. Priority and focus should be on the re-use of the existing buildings to retain historical character of the base. Similar to Bicester Airfield. Officer's mess specifically should be redeveloped due to architectural merit.
45. Redevelopment of buildings could accommodate flats/ houses.

46. Disused buildings are being vandalised and becoming more dilapidated.

Contrary to policy

47. Contrary to policy EC4 which focus redevelopment of redundant RAF bases to being that of the technical areas only, for employment use, and which restricts new residential housing due to the unsustainable location being remote from employment and amenities. The Core Strategy states West Raynham airbase lacks key services to make it a suitable location for new housing.
48. Contrary to policy H03 as not near a local town/ settlement.
49. Contrary to Policy H09 which looks for conversion and reuse of historic rural buildings to be the only form of new build open market housing in the Countryside. Therefore the derelict buildings on the base should be redeveloped before new builds are considered.
50. Contrary to policy SS2 which looks to prevent residential housing in the countryside.
51. Development should be focused on the existing towns and larger villages. Not in a sustainable location. Not close to necessary facilities or amenities. Occupants reliant on private car. Not near a town or employment. Core strategy looks to focus development to principal settlements. Policy states that the character of the countryside should be protected.
52. Does not accord with the provisions of the development plan
53. No affordable housing is provided.
54. There should be more smaller/ starter homes. Lack of bungalows.
55. North Norfolk has sufficient housing allocated to meet demand for the next 6 years (including the 54 previously approved) and does not need the increased housing.
56. The Sculthorpe appeal decision highlights that North Norfolk has a 5 year housing land supply. More housing is not necessary.

Amenity of existing residents

57. 44 Stephenson Close will experience overshadowing.
58. Overlooking in garden area of 28 Stephenson Close.
59. Overlooking/ loss of privacy to existing housing / occupiers.
60. Housing should not be built on playing field / cricket pitch which should be retained as an amenity for occupiers.
61. Disruption to residents during construction.

Impact on trees and wildlife

62. Loss of protected trees and woodlands, adverse impact upon flora/trees.
63. Negative impact upon wildlife, birds/rabbits/deer.
64. No cohesive landscaping plan proposed.

Other concerns

65. The proposal is a Major development and should not be described as Infill. The description is misleading.
66. Developer previously proposed 500 houses – concern more development will be proposed in the future. This could be only the first phase in a major redevelopment of the site.
67. Developer has amended plans continuously through process – could lead to more amendments in the future.
68. Landlord does not respond quickly to complaints/ repairs, this will worsen with increased housing numbers. Existing houses have not been renovated to a high standard.
69. Community Consultation has been poor, only one meeting.
70. Properties will be de-valued.
71. New play park at the Orchards is not necessary; large park at The Kiptons which is not used and poorly managed.
72. Inaccuracies in documents provided which is misleading.
73. Owners of The Orchards were mis-sold / lied to about properties. Marketed as an exclusive development, didn't mention the scale of the new properties.
74. Poor signage means lorries for business park drive on to The Kiptons.
75. Application for change of use for nursery / loss of community centre was submitted retrospectively.

Comments made in support

1. Regular bus service.
2. Shop and pub on site.
3. More residents will contribute to community and make the facilities and site more sustainable.
4. Conversion of the NAFFI will provide a community centre.
5. Residents were fully aware of intended developments upon purchasing
6. Residents pay a monthly fee for site amenities.
7. The proposed development could facilitate further development on site and prevent deterioration of existing buildings.
8. Brownfield sites should be used for development.
9. Complies with paragraph 28 of the NPPF and its aim to support a strong rural economy.
10. A need for housing for people priced out of the market – smaller, starter homes, rental properties, shared ownership.
11. Historic integrity of the site should be valued.
12. Business park brings about employment.

CONSULTATIONS

Great Massingham Parish Council: Objection.

Narrow lanes cannot cope with additional traffic. Inadequate planning for infrastructure/road system.

Raynham Parish Council: Objection.

Raise concerns in regards to infrastructure, water pressure, and sewerage and highway safety.

East Rudham Parish Council: Raises concerns.

Positive in regards to the principle of developing vacant land however raised the following concerns:

- The RAF base when in use did not create the same level of traffic as that predicted from development.
- This will be a gradually phased development, staged to hide increases in traffic.
- Impact on pedestrians using Station Road.
- Safety concerns surrounding increased traffic on Station Road as there are inadequate passing places and poor visibility at junction with A148.

Helhoughton Parish Council: Objection.

Express concerns regarding the capability of the surrounding road network to cope with increase in traffic, the impact upon highway safety and other road users and the lack of improvements to the surrounding road network.

Local Lead Flood Authority: No objection subject to imposition of conditions.

Details were submitted in regards to infiltration testing and the appropriateness of proposed surface water drainage methods which were considered sufficient to overcome previously raised concerns. Conditions requested including a surface water drainage scheme.

NNDC Planning Policy: Objection - material considerations will need to outweigh departure from policy.

The proposal is contrary to Policy SS2 and EC4 which would not allow for new market dwellings in the Countryside other than in specific circumstances, none of which apply. The proposal would conflict with Paragraph 55 of the NPPF which seeks to prevent isolated homes in the countryside. Paragraph 12 of the NPPF states that an application should be refused if it conflicts with the development unless material considerations indicate otherwise. The argument put forward by the developer is that this development is necessary to fund essential infrastructure improvements which will in turn facilitate the re-use of existing buildings.

Environmental Protection: No Objection subject to imposition of conditions.

The noise survey has satisfactorily demonstrated that noise and disturbance from nearby industrial units can be appropriately mitigated against to ensure adequate amenity of future occupiers. Conditions are required for details of noise mitigation measures to properties and Air Source Heat Pumps. A condition is requested for remediation of contamination should it be found during construction. A further condition is requested regarding the potential of ground gas around plots 30-33.

Environment Agency: No Objection subject to imposition of conditions.

A Preliminary Risk Assessment was submitted which was sufficient to overcome previous concerns over potential contamination of the site. A precautionary condition is proposed for remediation of unexpected contamination and a condition is proposed requiring that surface water drainage would not result in an unacceptable risk to controlled water.

Strategic Housing: No Objections.

The scheme does not comply with Policy H01 as it has failed to provide 40% of the proposed dwellings with two bedrooms or fewer and has failed to demonstrate that 20% of the dwellings could be easily adaptable for the elderly, infirm or disabled. However, the viability appraisal conclusions are accepted that it would be unviable to provide affordable housing.

Conservation and Design: No Objections.

Amended plans have reduced the impact on non-designated assets such as the Officers Mess. The form, scale and design of the proposed dwellings will integrate well with the prevailing characteristics. The proposed development would not result in significant harm to designated and non-designated heritage assets.

NNDC Landscape Officer: No Objection subject to imposition of conditions.

The amended layout and updated Arboricultural Impact Assessment satisfactorily addresses the majority of the Landscape Section's concerns regarding trees.

- The close proximity of new dwellings to existing trees could result in potential overshadowing to plots 20-22 and the potential for pruning; it would be preferable to avoid this conflict in the first place but ultimately the level of works allowable could be controlled by the prevailing site-wide Tree Protection Order.
- Amended Road layout has satisfactorily reduced the impact on the Avenue of Maple trees in front of plots 33-36.
- Indicative locations and details of replacement planting and landscaping is considered acceptable, though more detailed proposals are needed by condition.
- Revised plans indicate a post and rail fence to the rear of plots 58 to 92 which is considered acceptable, but further landscape hedging to the rear of these plots is required to improve the screening and maintain softer boundary treatments.
- Overall the proposal will result in the loss of greenspace on the base which is regrettable.

Norfolk County Council Local Highway Authority (LHA): Objection.

Objection due to the sub-standard nature of the surrounding highway network and sustainability concerns regarding the inability of residents to appropriately access a range of services and facilities, including schools. The impact of the development is deemed to be severe as it would unacceptably increase the risk to all road users. Although the LHA previously offered support for the proposed 58 houses (in the 2008 application PLA/2008/0506) this would not be forthcoming if re-submitted today due to changes in policy through the 2012 National Planning Policy Framework.

Sport England: No Objection.

Norfolk County Council Planning Obligations: No objection if the necessary funding for infrastructure is provided through a Section 106 Agreement:

- Education: There is spare capacity at Early Education, primary and high school levels, therefore Norfolk County Council will not be seeking Education contributions for this proposed development on this occasion.
- Fire Service: The development will require 2 fire hydrants at a total cost of £1,630.
- Library provision: contribution of £7,050 to increase stock and equipment for mobile services.
- Green infrastructure: Contributions for improved green infrastructure connections, including public rights of way and cycle paths.

Norfolk County Council Historic Environment Service: No Objection subject to imposition of condition.

The site is an example of the RAF expansion period and is an undesignated heritage asset. The proposal will include the demolition of a number of structures, two of which are worthy of recording prior to their loss. A condition is requested for a programme of historic building recording.

NHS England: No Objection.

Norfolk County Council Minerals and Waste: No Objections.

Anglian Water: No Objections.

ICOSA Water: No comments received.

HUMAN RIGHTS IMPLICATIONS

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

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

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

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

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES

National Planning Policy Framework (NPPF):

Section 4 – Promoting sustainable transport

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 8 – Promoting healthy communities

Section 11 – Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

North Norfolk Core Strategy Policies:

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

SS 4 - Environment

SS 6 - Access and Infrastructure

HO 1 - Dwelling mix and type

HO 2 - Provision of affordable housing

EN 2 - Protection and enhancement of landscape and settlement character

EN 4 - Design

EN 6 - Sustainable construction and energy efficiency

EN 8 - Protecting and enhancing the historic environment

EN 9 - Biodiversity and geology

EN 10 – Development and Flood risk

EN 13 - Pollution and hazard prevention and minimisation

EC 4 - Redundant defence establishments

CT 2 - Developer contributions

CT 5 - The transport impact of new development

CT 6 – Parking standards

Other material considerations:

North Norfolk Residential Design Guide Supplementary Planning Document (December 2008)

HISTORY AND BACKGROUND

The base was closed by the Ministry of Defence in 1994 and disposed of in 2004 by the RAF as being surplus to requirements.

Since this time there has been an on-going question over the best way to redevelop the RAF base. A briefing paper produced by North Norfolk District Council in 2005 concluded that the most preferable option for RAF Raynham's future would be for a single institutional provider to develop the site for a single use. Secondly, if this option was not forthcoming, the most appropriate alternative would be for the renovation and sale of the residential properties (married quarters), re-use of the technical site and demolition of all surplus buildings. At this time concerns were raised as to the state of water and sewage infrastructure and the costs involved in updating this.

The site's previous private owner(s) submitted a number of applications in 2008, including the as-yet-undetermined application ref. 2008/0506 for erection of 58 dwellings and a range of works and affordable housing proposed around the site to come forward through a Section 106 Agreement.

It is worth noting that the 2008 application for 58 houses was assessed under Policies 4 and 8 of the North Norfolk Local Plan 1998; both policies are now out of date and no longer relevant. At that time RAF West Raynham was defined as a small village and therefore policy allowed for groups of up to four houses within the boundary. 58 houses were considered the number of infill plots which could have potentially been developed in compliance with the then- relevant policy. It was considered that given the number of reusable buildings on the site there was potential to create a "sustainable community" if this 'natural infill' was to complement the conversion of all buildings, some of which were to be 'community uses'. Further, as part of the application the permission was subject to a number of Section 106 requirements including 23 affordable housing units.

The proposal acknowledged the poor condition of water and sewage infrastructure at the time and proposed within that scheme to reconstruct the private sewage plant and repair and improve the private water supply borehole. The planning committee's resolution to approve the scheme in principle was dependent on a number of public benefits and affordable housing being delivered, but as the section 106 agreement was never progressed, planning permission was never granted. Officer's recommend that some, albeit very limited weight can be attached to this element of planning history, given the circumstances and policy context have changed so significantly since then.

MAIN ISSUES FOR CONSIDERATION

1. Principle of development
2. The case for Enabling Development
3. Viability of the proposed development
4. Highways and access
5. Layout, design and impact on the surrounding landscape
6. Heritage assets
7. Amenity of future and existing residents

8. Trees and landscaping within the site
9. Ecology
10. Flooding and surface water drainage
11. Housing mix
12. Affordable housing
13. Planning obligations (including community centre)
14. Other material planning considerations

1) Principle of development

Policy context

The application is required to be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan currently comprises the North Norfolk Core Strategy (CS) (adopted Sept 2008). Although it preceded the National Planning Policy Framework (NPPF), the relevant policies (other than Policies SS 3 and EN 8) are consistent with the NPPF and full weight should be given to them.

Local Policy

Under the current adopted North Norfolk Core Strategy the site is located within the Countryside Policy Area where Policy SS2 sets out a general presumption against new development unless one of the specified development types set out within that Policy. Whilst, amongst other things, Policy SS 2 would support the re-use and adaption of existing buildings, erection of certain types of affordable housing and extensions to existing businesses, it does not currently permit the erection of new dwellings other than as part of an exceptions affordable housing scheme or for the extension and replacement of existing dwellings.

As a former redundant defence establishment, Core Strategy Policy EC 4 defines an area of the site at former RAF West Raynham known as the 'technical area'. Within this area of the site Policy EC 4 would permit the re-use of existing buildings or development of replacement buildings provided that there is no overall increase in gross floor space of the existing permanent buildings. With the exception of some new housing units proposed at The Kiptons and the proposed re-use of buildings to provide a new community facility and children's pre-school nursery, the majority of the application sites lies outside of the defined Technical Area.

National Policy

The National Planning Policy Framework (the NPPF) came into effect on 27 March 2012 and sets out the Government's planning policies. It identifies that the purpose of the planning system is to contribute to the achievement of sustainable development.

The NPPF seeks to avoid new housing in unsustainable locations, though in doing so this needs to consider the possible benefits that new development can bring to rural locations. Paragraph 55 states:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities...."

However, NPPF paragraph 55 goes on to state that *'Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:*

- *...where such development...would be appropriate enabling development to secure the future of heritage assets; or,*

- *where the development would re-use redundant or disuse buildings and lead to an enhancement to the immediate setting.”*

The proposal for 94 dwellings in a countryside location would represent a significant departure from adopted Development Plan policy. Paragraph 12 of the NPPF is clear that proposed development which conflicts with an up-to-date Development Plan “...*should be refused unless other material considerations indicate otherwise*”.

The applicant has presented an “enabling argument” to explain this departure and sets out that the public and environmental benefits outweigh the conflict with policy. The “enabling” argument is discussed further below, but in summary it is suggested that the 94 new dwellings are necessary to recoup the expenses already incurred in providing services needed for the conversion of former married quarters into habitable accommodation. As a consequence, it is argued that the new and upgraded water and sewage infrastructure which has recently been provided has both addressed an existing environmental and public health issue, and provided an opportunity for further development beyond that currently proposed, and specifically would provide the option for proposing conversion and re-use of existing disused former RAF buildings.

Officers consider that assessment of the material considerations advanced by the applicant in this case amount to:

- 1) whether the proposed development is necessary to retrospectively fund the infrastructure upgrades provided at the site, and
- 2) if they do, whether the environmental, economic, social and public health benefits of doing so outweigh the significant scale of new housing development in this unsustainable Countryside location.

It will be a matter of planning judgment for the Development Committee as to whether there are sufficient ‘special circumstances’ or material considerations that would attract sufficient weight to justify the departure from Development Plan policy.

2) The case for Enabling Development

Historic England define enabling development as “development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out and which could not otherwise be achieved.” (Summary section 1, *Enabling Development and the Conservation of Significant Places*, English Heritage, 2008).

The applicant’s case proposes that the 94 dwellings are required as “enabling development” which is necessary to provide funding for the new water and sewage infrastructure recently installed throughout the site. It is acknowledged that the site has suffered from significant water supply and sewage problems since the airbase ceased operating. Whilst the applicant could have waited before completing the infrastructure works, a decision was taken by Investec Bank that, in order to reduce the risks of contamination to existing residents, the works to improve drainage and water supply were carried out ahead of receiving permission for the ‘enabling’ 94 dwellings. These works have allowed the existing vacant residential accommodation to be brought up to habitable standard.

It is also being advanced by the applicant that the infrastructure already installed could enable some additional associated benefits arising from future conversions and new development. These could include:

- Being able to retain buildings of historical importance and potentially bringing them back into use;

- Using land within the former RAF base for future new-build development;
- Creating and reinforcing a wider and more diverse residential community;
- Potential for more commercial services to be established for resident's benefit; and,
- Allowing scope for further employment growth through greater infrastructure capacity.

Whilst the potential for future conversion or creation of other new-build residential accommodation may be possible across the site as a result of this development, as these elements do not form part of the proposal Officers recommend that limited weight be afforded, particularly as there is no guarantee that these benefits will be delivered.

It should be noted that the applicant's definition of "enabling development" does not strictly fit the definition proposed by Historic England and used as accepted practice. This development is not "enabling" in the strictest sense because:

- The main public benefits have already been provided and limited other public benefits exist as a result of the actual development proposed.
- The infrastructure which has been financed on the assumption of this proposal being secured, has clearly been able to be provided by means other than this development.
- Unlike other proposals considered recently by the Committee there are no other developments which need to take place consequent to this proposal.

Nonetheless, these are quite unusual circumstances and Committee will recognise the financial risk that the applicant has taken in carrying out the infrastructure works ahead of the enabling development but will also recognise the public health benefits of greatly improved water and sewage infrastructure serving the site.

Officers consider that, rather than being a pure enabling development argument, the Development Committee will need to satisfy itself that there are sufficient material considerations in favour of the proposal to outweigh the acknowledged departure from Development Plan policy through the creation of new dwellings in the countryside policy area.

Context to infrastructure works

The applicant has described how, since its original construction in the 1930's, water for the RAF base was drawn from a private borehole, whilst wastewater and sewage were treated in a private sewage treatment plant. Since being decommissioned in 1994 the borehole water was gradually diverted elsewhere so there was less safe water available, and the sewage disposal standards increased beyond the capabilities of the existing plant to treat it. In this case the problems and concerns surrounding the sewage and water services to the site have been known about and been under investigation since 2005, some 12 years prior to the infrastructure upgrades being undertaken.

The applicant, in their role as site managers on behalf of the landowner, found their operations constrained because:

- The Environment Agency insisted the borehole abstraction had to cease; the water was becoming unsafe for consumption and the amount required for existing users was significantly exceeding the Environment Agency's capacity to license.
- The historic use of an off-site sewage plant involved settlement tanks, sludge drying areas, biological filters and humus tanks to treat the foul effluent prior to discharging via a long outfall pipe into a stream connecting into the River Wensum. This could no longer remain within the Environment Agency's discharge parameters and there was concern about the pollutant impact upon the River Wensum.

Owing to these concerns the developer installed new mains water supply and sewage treatment plant at a cost of £2.7million, under the approval of the Environment Agency. The following works have been undertaken:

- In 2016 a new pipeline was constructed to provide a new water supply from Anglian Water's metered main at East Rudham into the site. All existing properties on the base are now served by this supply and the borehole has been shut down.

The water mains have also been designed and installed with capacity to cater for both this proposed residential development and with some headroom for future expansion of either/both additional residential and business uses after that.

- A new sewage treatment plant was installed to meet necessary standards for flow measurement and sampling of effluent. The new plant has the ability to be constructed in phases to meet current and future demand.

The new sewage treatment facility is built as 'package' treatment plants, whereby each 'phase' of installation has a certain capacity and the plant can be expanded to meet current and future demands. As dwellings are the largest producers of sewage waste, capacity is measured in terms of dwellings capable of being treated. Each Phase of the package treatment plant can treat waste from c. 600 people (240 dwellings).

Two Phases have been installed at the site, with capacity for c. 480 dwellings, although some of this capacity would be taken up by the West Raynham Business Park as well. If this proposal were approved there would be 'headroom' for up to c.223 additional dwellings, or their business unit equivalent.

- ICOSA Water Limited have been appointed by the applicant (as site managers) to be the water, drainage and sewerage company for the 171 existing household customers and businesses on site, and will continue to be so for any new development.

The works were carried out in advance of the planning application being submitted because the applicant/developer considered the upgrades of the existing system to be critical. It is the applicant's intention to recover the costs of the works undertaken from the profits (value) of the development proposed.

As a material consideration, this is an important factor. It is considered that the environmental benefits of protecting the River Wensum, and the human health benefits of providing safe water supplies are significant benefits to the site's development.

Financing the infrastructure

Notwithstanding the fact that works have already taken place, it is important to understand the financial reasons which have determined the scale / number of dwellings proposed in this application.

Each sewage treatment plant phase is capable of dealing with a development of approximately 240 dwellings, therefore a single phase would have provided adequate capacity for the demands of the 171 existing converted dwellings and current activities of the Business Park. However, a single phase would have been prohibitively expensive if the infrastructure been installed before the conversion of existing housing stock, as the conversions alone would not have been able to recoup the outlay, so it would not have enabled conversions under conventional development financing. As such, some degree of new-build development was considered necessary to finance the infrastructure.

The number of new houses required to 'balance the books' of phase 1 was determined to be more than that which a single treatment works phase could handle, so a Phase 2 was required. Phase 2 incurred another level of additional costs which in turn needed recapturing, so increasing further the number of new dwellings needed to finance the infrastructure of both phases. The accounts behind the reasons for this have been corroborated by the Council's external viability appraisal consultant.

Ultimately the water supply and both phases of the sewage plant have been installed together, and the result is that more capacity now exists in the systems for further development 'headroom' than is currently proposed. The two-phase sewage treatment plant can serve all 265 units (the 171 existing and 94 proposed) as well as the existing employment uses and still leave capacity for an additional 223 potential new dwellings, whether by conversion or new-build, and/or employment growth.

As such the works undertaken *might* enable some future conversions of the currently disused RAF buildings. However, this element of 'enabling' has to be viewed cautiously: there can be no guarantees that such conversions would be proposed; they would in themselves need planning permission, and they cannot currently come forward through permitted development.

The financial investment provided for the infrastructure upgrades has been paid for by the bank administrator but the bank expects it to be funded by the value (profit) generated from the new housing. Had the conversion of existing properties and construction of new development been proposed and undertaken concurrent with the infrastructure being installed, then the proposal overall would have been considered a conventional form of enabling development.

However, rightly or wrongly, businesses and residents were moving into the site before the infrastructure was in place and so the works needed to be undertaken ahead of the development which it was assumed would finance it. This proves there were alternative means to the enabling development proposed, albeit one that was perhaps only possible given the particular financing of the multi-national bank in its role as administrator landowner. Had residents not been living at the site, it would be very unlikely that the water and sewage infrastructure upgrade works would have taken place.

3) Viability of the proposed development

When assessing the costs associated with development, the starting point would be to assess the viability of a policy complaint proposal including the appropriate provision of on-site affordable housing. In this case the applicant has set out that there are insufficient funds to provide affordable housing.

The applicant has submitted a viability appraisal which has been assessed by the Council's appointed viability consultant. The project has a total development cost of £21m, and these have been accepted. The finances have applied a proportionate amount of infrastructure costs to each new property, by which it is meant that:

- the infrastructure costs of the new houses are not 'skewed' by including any share of the costs of infrastructure needed to serve the existing converted properties; and,
- the appraisal has not included any costs of infrastructure that has already been provided for any future development possibilities; and,
- the retrospective costs have then been considered separately once the site value and profit levels have been determined.

The applicant has applied a “zero land value” to the appraisal. This is unconventional because usual appraisals would expect a level of land value to reflect the planning policy-based site status; in this instance Countryside land. However, the site is known to be significantly indebted to its administrator and in economic valuation terms would be accounted for as a deficit or negative land value whilst ever the bank seeks to recoup some of its debts over the long term. In practice using a “zero” land value finds a pragmatic balance between a deficit (which would require much more development to recoup previous losses) and a higher policy-based value (which would also drive a larger scale of development to provide bigger margins between sales expectation and scheme valuation).

The profit has been forecast as 10.6%, which is considered a fair and reasonable return given the nature of the development project; ordinarily profit levels would be higher, not least to reflect the greater risk, but this reflects the applicant’s relationship as appointed developers and site managers. This profits will be seen as the return on initial investment in infrastructure and has been deemed sufficient to cover the costs occurred in the upgrades of the essential infrastructure. Assessing the appraisal has found 94 houses to be the minimum number which could produce an acceptable reimbursement, and had the developer applied any land value to the scheme then a number greater than 94 dwellings would be necessary.

The development is proposing to provide all ‘standard’ financial contributions required by planning obligations, such as education (not now required) and libraries, and provide for certain on-site facilities, such as public open space and allotments. However, it is deemed unable to provide affordable housing because if it did so, the per-dwelling value of the scheme would fall, so the ‘profit’ would fall and the costs of the infrastructure would not be recaptured by 94 dwellings. The developer has not suggested how many additional market houses would be required to finance any affordable houses and still recoup previous expenses, but it is likely to be a significant number; this would present difficulties in accommodating them on site without also providing more community facilities and financial contributions to offset their impacts, and so the costs of the scheme would continue to rise. The developer has not offered to provide affordable housing in lieu of any financial contributions (but it is reasonable to expect that the number of equivalent dwellings would be very few in number), and so the scheme as presented must be considered on its own merits.

Alternative approaches

The viability appraisal exercise has examined whether the costs and valuations of the proposed scheme are accurate, and for the most part they have been accepted. It does not in itself consider whether the nature of the development is the most appropriate to the circumstances.

No specific explanation has been submitted as to why the proposed new-build dwellings is preferential to the renovation and bringing back into use some of the currently disused RAF buildings on the base, many of which have significant historical importance. However, certain assumptions can be made:

- The houses converted to date have been the most readily-converted accommodation on base, with further conversions being far more complex and less easily marketed.
- The values from sales of converted stock would yield very little profit on the higher costs of each conversion, so would be unlikely to cover the costs of the infrastructure already provided.
- As such, more dwellings would be needed, and likely another treatment plant, and thereafter more dwellings to cover the costs of a 3rd Phase plant.
- There would still not have been any means to provide affordable housing.

This scenario has been explored with the Council's viability consultant. It is accepted that the necessary infrastructure upgrades could not have been financed through conversions alone. Although in policy terms conversion of the historically relevant buildings would have been preferred, these would not have been able to realistically fund the infrastructure required, whereas the proposed development of new-build dwellings is able to, and further, will also allow for some future conversions to be considered.

To summarise, the applicant's viability appraisal demonstrates that 94 dwellings represent the minimum needed to recover the costs incurred from the infrastructure upgrades, but in doing so is unable to provide affordable housing. Members will need to consider how much weight should be assigned to the importance and legitimacy of the retrospective enabling argument, and whether that provides sufficient justification for the development to be a departure from policy.

4) Highways and access

The site occupies a relatively remote, rural location and is served by 'C' class country roads, many of which are of single carriageway. Within the site is an entirely private road network.

The nearest settlements of Helhoughton and West Raynham are approximately 3km and 3.5km by road to the east. The site is approximately 3.5km to the south of East Rudham (with connection to the A148), and approximately 5.5km by road from Weasenham St Peter (with connection to the A1065). The distance to the centre of Fakenham by road depends on the route taken, the most direct and quickest being via Helhoughton (approximately 10km) and other routes via East Rudham and Weasenham St Peter are in the region of 15km.

In considering the transport impact of the proposal, Core Strategy Policy CT 5 is most relevant. It states:

Development will be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its particular location. Development proposals will be considered against the following criteria:

- *the proposal provides for safe and convenient access on foot, cycle, public and private transport addressing the needs of all, including those with a disability;*
- *the proposal is capable of being served by safe access to the highway network without detriment to the amenity or character of the locality;*
- *outside designated settlement boundaries the proposal does not involve direct access on to a Principal Route, unless the type of development requires a Principal Route location.*
- *the expected nature and volume of traffic generated by the proposal could be accommodated by the existing road network without detriment to the amenity or character of the surrounding area or highway safety; and*
- *if the proposal would have significant transport implications, it is accompanied by a transport assessment, the coverage and detail of which reflects the scale of development and the extent of the transport implications, and also, for non-residential schemes, a travel plan.*

In addition, Section 4 of the NPPF considers promoting sustainable transport. In particular, paragraph 32 of the NPPF states that 'All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and,
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.

Highway safety

The applicant has submitted a Transport Statement produced by Rossi Long. This has predicted the potential number of trips which could be generated by the development: a total of 54 in the AM peak period and 44 in the PM peak period. It also highlights that there are a number of routes to the site amongst the surrounding highway network which would take people to the nearest towns / larger villages. It is the Transport Statement's assertion that, because of the available network of local routes, traffic leaving the site will disperse immediately and will significantly dilute as the distance from the site is increased. Therefore, it is contended that the additional volume of traffic on any route to/from the site will be very low and will consequently not require any works of highway safety improvements.

The Transport Statement concludes that the *'The assessment undertaken demonstrates that the vehicular demands arising from the proposed development would be unlikely to have a negative impact upon the surrounding highway network both in terms of safety or capacity'*.

However, notwithstanding the applicant's view that the highway network is adequate, the Highway Authority has objected and the objection has two elements;

- the impact upon highway safety; and
- the accessibility or locational-sustainability of the site.

The Highway Authority considers the potential impact of the development to be 'severe' as "the type and scale of the proposal would unacceptably increase risk to all road users, particularly those most vulnerable." The Highway Authority considers the road network surrounding the site is substandard in all directions, due to restricted carriageway widths, lack of footways and sub-standard junctions.

The Transport Statement has analysed the impact of the development on the safety of the surrounding road network, which is considered substandard by the Highway Authority, to assess if there are any "accident black spots". The analysis of accidents shows that there were a total of 7 accidents recorded within the local road network and that there was no location which had had more than one accident in the last 5 years. The applicant suggests this means there would not appear to be a specific accident 'blackspot'. The report concludes that the low number of accidents would indicate that there was not an inherent existing safety concern relating to the highway network surrounding the site.

There are a number of locations along the highway network which local residents and parishes have identified as being problematic. Whilst the applicant points out that there is a reasonable safety record on the local road network with few incidents of accidents, it has to be recognised that the accident analysis covered the period 2012 to 2016, whereas the 171 converted properties have only recently started to be re-occupied (since c. 2016). Therefore, albeit that this is the only source of such information currently available, the previous accident data may not truly reflect the current situation.

In coming to its decision, Committee will need to consider whether the residual cumulative impacts of the proposal are severe. The Highway Authority does not disagree with the theory of traffic volume dispersal, but does have significant concerns that the safety of the highway

network is already compromised; it is the Highway Authority's view that any additional traffic on the network will be inherently unsafe and the existing pinch-points or difficult junctions will be further compromised.

To contextualise the proposal, the applicant's Transport Statement has sought to compare the volume of traffic associated with this proposal against the traffic volumes that would have been experienced during the time the RAF base was in active use, when it would have accommodated over 3,000 personal and employed up to 600 civilian staff. Officers consider this an inappropriate comparison to make; the circumstances of the time meaning that the airbase was to serve national interests and (i) most personnel were housed and worked within the site / in close proximity, (ii) all movements were accepted to be in one common aim, and were directed to the base, and (iii) local civilian residents or the planning system had no control over the activities so could not mitigate any undesirable effects. Accordingly, Officers consider no weight should be attributed to the previous use when assessing volumes of traffic linked to this development.

In practice, the 2008 applications for employment and residential development included some proposed improvements to the road connecting the site with East Rudham. Even though the application was never approved, the former site owners did commission the works as a result of occupation of the hangars for business use and so some additional passing places were provided to serve HGV traffic visiting West Raynham Business Park from the A148.

Whilst some weight can be attributed to these works having been undertaken, it should be noted that they only improve a small part of the local highway network. As the applicant acknowledges, there are many routes to the site from various destinations and the passing places provided to/from East Rudham alone are not able to remedy all of the deficiencies identified along the highway network.

Despite taking an opposing view to the applicant and at the request of Officers, the Highway Authority has identified four existing problematic areas of the network which could be improved without requiring third party land. The Highway Authority is keen to point out that improvement of these areas would not remove its in-principle objection to the proposal, due to the overall severe safety concerns of the site, but it would ease localised dangers.

The four possible projects identified were:

- widening the road immediately adjacent to the site (the Massingham Road), from 4.5m to 5.5m;
- widening parts of the route to Weasenham, where there are wide grass verges;
- improving the visibility splays of the existing entrances of The Kiptons and West Raynham Business Park at the cross-road junction with the Massingham Road; and,
- providing a new raised foot and cycle-path from the site entrance and into The Kiptons, at least 3.0m wide and lifted off the current road surface.

Members may recall their site visit to the area on 15 March 2018. At that stage, it was the understanding of Officers that the applicant was working with the Highway Authority to propose improvement schemes for these locations / routes. The applicant had indicated a willingness to propose as many as were feasible, which Officers indicated to Members. Members attending the Committee site visit were informed that the applicant would be entering discussions and firming-up proposals for their off-site highways works in time for the Committee to consider. Unfortunately, the applicant has since withdrawn this suggestion, maintaining there is not a highway safety issue with accessing the site, despite the Highway Authority concerns that the site is inherently unsafe for the volume of traffic and nature of journeys proposed.

The applicant has submitted details of proposed improvements to the site entrance at the corner of Massingham Road and has also submitted a plan showing proposed improved footpath linkages within the site.

Accessibility

The Highway Authority considers the site to be an unsustainable location as future residents would not have appropriate access to a range of services and facilities, including schools.

The Transport Statement has set out to identify sustainable modes of transport, which would offer an alternative to the private car. The closest designated safe cycle route to Fakenham is National Cycle Network route 1, but this is approximately 8km from the site. Of the essential services, the nearest doctors surgery is in Weasenham, 4km from the site. Fakenham is approximately 9km away. School children from the development are likely to attend West Raynham Primary School; whilst there are no paths to the village nor safe cycle routes, The Kiptons (but not the Orchards) is currently served by a school bus service.

There is a bus service connecting the site with Fakenham and Kings Lynn, which has eight pick-ups from The Kiptons across the week Monday-Saturday. The timetabling of the buses and their convoluted routes would likely discourage use, and in practice probably means that access to the local towns is unrealistic for commuting and all but the most dedicated early morning shopper.

Despite the suggestions of the Transport Statement, Officers consider the site will remain inaccessible and unsustainable to most means of transport other than the car, and the most likely transport mode of any future occupiers will be by private car. It should also be noted that there is no safe walking route to the nearest primary or secondary schools, and school buses are provided to collect children from the site via The Kiptons. Whilst the increase in the number of households will assist in the long term sustainability of amenities on the site, including the shop, community centre, crèche and pub, it is clear that these are low-level services that fail to meet the most essential daily needs of future residents. Travel by car to higher order settlements such as Fakenham in order to meet basic and essential needs is most probable.

Off-site links

As part of this scheme, the applicant has included a proposal to link this site with a little-used byway running north-west of The Orchards, and help restore / create a cycle route along that byway. The applicant suggests this could provide a link to East Rudham for off-road walking and cycling, linking into existing public highway networks. However, the exact route that could be restored remains unclear because the applicant's suggestion appears to include part of a former railway line, the ownership of which needs investigating further. Officers recommend very little weight be attributed to this proposal, given the unclear delivery mechanism, but if nothing else the applicant will be able to restore a byway and provide improved access and signage to it. This is suggested to be subject to a planning condition, whilst the possible extension to the public rights of way network to be an obligation on a section 106 agreement, subject to liaison with the County Council Green Infrastructure team.

If the proposed cycle path can come to fruition, it would improve cycle links from the site to the wider area, but the route is an off-road surface and should only be viewed as a recreational link rather than a means for day-to-day accessibility.

Summary

In conclusion, careful consideration needs to be given to the severe concerns raised by the Highway Authority. The network surrounding the site is considered by the Highway Authority to be sub-standard and the geographical location of the site is remote from neighbouring villages and the nearest town of Fakenham. It is considered that in all likelihood given the

geographical location of the site the most dominant form of transport for future occupiers would be the private car, which is contrary to one of the key aims of delivering sustainable development, and which excludes vulnerable road users from most day-to-day essential services.

Whilst the applicant maintains that access to the site is safe, the applicant also states that there is no viability within the scheme to provide any off-site highway safety works. Officers do not dispute the marginal viability, but contend that if the retrospective enabling argument is to be accepted, it should be able to demonstrate that the development is safe for new residents and existing communities where traffic volumes will increase.

Given the Highway Authority objection, the proposal could be considered to be contrary to the aims of Core Strategy Policy CT 5 and the 'severe' nature of those impacts raised by the Highway Authority would suggest the proposal conflicts with NPPF paragraph 32. If the Committee are minded to support approval of this proposal, it will be necessary to identify the material considerations in favour of the proposal to outweigh the Development Plan policy conflict.

5) Layout, design and impact on the surrounding landscape

Policy EN 4 states that "All development will be designed to a high quality, reinforcing local distinctiveness. Design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable."

Kipton Wood

Kipton Wood historically provided housing for non-commissioned RAF personnel. The housing is modest, close-knit and of a higher density than The Orchards but is mostly set around landscaped areas of communal open space. The housing within The Kiptons is semi-detached two storey houses and terraces of four to six dwellings, with communal parking areas/garages.

The application has been subject to successive amendments to secure an acceptable design solution. It now proposes two blocks of terrace housing to the north and west of Barsham Close. The housing will be sited on an existing parking area to the west, however this parking and additional parking will be re-sited to the west and north of Barsham Close, providing parking for the current and proposed occupiers as well as for the new allotments. A further pair of semi-detached dwellings is proposed to the east of Blickling Street, with additional parking proposed to serve these dwellings.

These small groups of new dwellings are considered to be in-keeping with the layout of The Kiptons. The terrace of properties to the west of Barsham Close are considered to enhance the setting and character of the area, and are considered to improve views through the open space by enclosing the large green area, replacing the existing parking area and obstructing existing views of flat roof garaging and disused buildings.

The majority of housing for The Kiptons will be a line of 22 semi-detached and one terrace of three dwellings, to the south of Sandringham Crescent. A further 10 semi-detached dwellings would continue on from this row. These dwellings would be served by two parking places each. There would be a loss of the garages currently sited directly to the front of these dwellings, which will become an open, grassed area. No replacement garaging is proposed, but the garages are known to be surplus to requirements and in generally poor condition. This long row of new dwellings will be similar to the grid-like layout seen throughout The Kiptons and are considered to be sympathetic to the traditional style and design of the existing housing.

The proposed new dwellings at The Kiptons are semi-detached and/or terraces using relatively uniform, traditional designs. Overall it is considered to be a suitable and appropriate reflection of the existing dwellings, in-keeping with the prevailing ex-RAF base character.

The Orchards

The Orchards traditionally provided housing for commissioned RAF Officers, and the dwellings in this part of the site were designed to be larger, more spaciouly arranged and generally of a higher status. The existing dwellings are large semi-detached and detached two storey properties with large gardens and garages. The size and design of the properties would have intentionally reflected the status of the occupants; for example, the Station Commander, and higher ranks, would have lived in housing around Atcherley Square which is the large central green with numerous fruit trees.

Previous conversions and renovations around The Orchards have introduced new materials not traditional to RAF housing of this era, such as artificial timber weatherboard cladding, although the majority of the original design features, including large pitched projections, were retained. The proposed dwellings have been designed to respect the existing dwellings and have reflected a number of key design features, such as the pitched front projecting gables.

The proposed layout is considered to be sympathetic to the original layout of the Orchards, continuing rows of housing to Stephenson Close and grid formations to Earl of Brandon Way, for example. Amendments have re-sited new dwellings away from the frontage to Atcherley Square, in order to reduce the impact on this significant and important feature of the site layout.

A large cluster of new dwellings is proposed to the north of The Orchards, adjacent to the highway and east of the Officers Mess. This section has attempted to mirror the layout of the original Orchard's housing as much as possible given the irregular shape of this area of the site, including a cul-de-sac design with two detached houses either side of the access road, which reflects the symmetry seen in the original planning of The Orchards.

The Conservation Officer has observed that *“The form and scale of the housing, the associated parking, enclosures and elevation treatments have evolved to reflect the prevailing design characteristics and grain of the established Officer housing and, to an extent, this approach of design integration within the existing plan form of the housing zones has been successful.”*

The development will improve linkages through the site by incorporating a new footpath leading to The Kiptons, finger post signs to direct residents to facilities on site, additional pedestrian footpaths through the site and linkages to the wider area by improved cycle ways.

Overall it is considered that the proposed design and layout of the houses is sympathetic to the traditional character of the properties of RAF West Raynham in both The Kiptons and The Orchards. As such it is considered that the proposal would comply with Policy EN 4.

Impact on the surrounding landscape

The majority of housing will be located within the existing built-up areas of the RAF base. The design and layout of the proposed properties is considered to be sympathetic to the existing properties and this will serve to significantly reduce the impact of views of the development if seen within the wider landscape. Apart from the dwellings adjacent to Massingham Road it is unlikely the proposed housing will be seen from public highways outside the base, whilst amended plans have moved garages away from the boundary with Massingham Road.

Notwithstanding the recessive nature of the development, there are areas where the development will need to be assimilated into the character of its surroundings. The large group of trees being removed from west of the Officers Mess currently provides screening from Massingham Road so this will need to be mitigated by providing a thicker hedge and tree planting along the northern perimeter of The Orchards. Similarly, the housing on the southern edge of The Kiptons will need to provide a natural hedge boundary with tree planting between the rear gardens and the industrial park area, to better enclose and soften the character of the site. Planning conditions will be attached to further develop the indicative landscape scheme shown to date, which aims to increase the existing hedging along boundaries, improve tree avenues within the site, and further reduce the impact of views of the development from the public domain.

6) Heritage assets

The former RAF base has only one designated heritage asset on site, the Grade II listed 'Very Heavy Bomber Control Tower', which is located in the Technical Area but is unaffected by this proposal. There are a number of buildings around the site that would appear to be able to meet the NNDC adopted 'North Norfolk Local Listing Criteria', but currently they have not been locally-listed so should not be considered as formal non-designated heritage assets within the context of paragraph 135 of the NPPF, albeit that they will likely come forward for local listing in the future. However, as is recognised by the applicant and conservation officer alike, the site has a rich and layered history as an ex RAF base which is still apparent across the site and which is reflected in the architectural quality of the remaining buildings and structures. As such, care has been taken to minimise the alterations to the overall character and to accommodate the development into the established identity and original planned form of the base.

The nearest 'equivalent locally-listed building' is the Officers Mess within The Orchard, which is notable for its status on site and is framed by a tree-lined vista approach from the west. The new housing proposed in the north-west corner of The Orchards will encroach onto the current tree lined vista, however this impact could be considered 'less than substantial' and would likely be outweighed by the wider benefits on offer through the development as a whole. The immediate setting of the Mess will be enhanced by removing the disused garage block to the east.

The play park for The Orchards has been set within what was the cricket pitch, to the south of the Officers Mess and adjacent to the east of the proposed housing. The siting of the park will not obstruct long views of the Officers Mess, however there were concerns over the level of surveillance of this area. The play area will need to be moved further north to secure better surveillance and security, and integration, for new residents and the latest updated plans from the applicant in relation to footpath links suggest a more appropriate location. The location and full details of the facilities within the play area can be conditioned to ensure they are acceptable.

The proposed development would require the removal of two structures which are associated with the RAF expansion period: the portable generator house and pillbox and associated blast shelter. The date and significance of these buildings is unclear. Norfolk County Council's Historic Environment Service has requested these are not demolished before a programme of historic building recording has been undertaken, which can be secured by planning condition.

Subject to the imposition of appropriate conditions, the proposal would result in 'less than substantial harm' to buildings capable of meeting the criteria to be considered as locally listed buildings. The public benefits of the proposal including helping bring the site back into active use are material considerations capable of outweighing the limited harm to the setting of buildings of heritage interest.

7) Amenity of future and existing residents

Noise

The new housing along the south of The Kiptons area is within 150-200m of Hangar 4, which has been the source of some occasionally significant noise associated with economic activities at the Norfolk Oak industrial unit(s). This noise was experienced during an Officer site visit and there are known to be instances of concern to the Environmental Protection service.

A noise assessment was submitted by the applicant which looked to provide details of the potential impact on future residents from the industrial units on base. The survey has stated that the main area of concern would be to future occupiers of plots 58 to 92 at The Kiptons, however an acceptable level of amenity can be achieved by providing suitable mitigation measures.

Environment Protection have stated that in order for amenity of future occupiers to be retained at satisfactory levels a close board fence will be required to the rear of plots 58-92. This is contrary to the advice given by the Landscape Officer who has requested that a post and rail fence and landscaping be used as boundary treatment for these properties to reduce the visual impact on views through the site, specifically from the industrial area.

It is considered that, on balance, a satisfactory level of amenity could not be achieved without the 1.8 metre high close board fence, but with appropriate landscaping the impact of this fence could be satisfactorily minimised. The condition and requirements requested by Environmental Protection are therefore considered reasonable.

It is noted that the children's nursery (considered on this agenda under ref: PF/17/0519) is sited close to the boundary with plot number 58. Discussions with Environmental Protection have determined that this relationship could give rise to an unacceptable level of harm to the amenity of future occupiers of the property owing to the nature of the use (children's crèche), the opening hours, the open nature of the site and the dwellings close location to other amenities such as the park, pub and shop. However, restrictions on the hours of use of outdoor space at the nursery and by limiting the age of children at the nursery to 0-5 yrs old, these adverse impacts could be made acceptable and Environmental Protection have raised no objection subject to those restrictions being in place.

Overlooking

Policy EN4 of North Norfolk Core Strategy seeks to ensure that proposed development would not have a "significantly detrimental effect on the residential amenity of nearby occupiers". Plots 58-92 are considered to have sufficient separation distance from neighbouring properties to prevent any adverse impact upon neighbour amenity. The siting of plots 55, 56, 57, 93 and 94, within the existing building line will minimise any impact upon neighbour amenity. It is noted property 76 Barsham Close has a first floor window to the eastern elevation, however this would appear to serve a hallway and not a habitable room and as such unlikely to give rise to a significantly unacceptable level of dis-amenity of the occupiers. Given the relationship of Plots 51-54 with the existing properties, being located approximately 10 metres and at a 90-degree angle from 9 and 59 Barsham Close any potential for overlooking from the proposed dwellings would be limited.

Properties 5-7 Atcherley Square are set within large plots, with rear gardens having a depth of approximately 35 metres. Plots 23 – 36 are sited so that the rear amenity spaces of the proposed dwellings would abut the boundaries of these properties. The proposed dwellings are sited between 14 and 21 metres from the boundaries of the properties and as such it is considered the separation distances are sufficient to minimise any significant overlooking,

over shadowing or impact such that an acceptable level of amenity can be achieved. Whilst there have been objections based upon the loss of views, this is not a material planning consideration.

Plots 14-16 are situated 12 metres from the rear boundary of 4 Atcherley Square and this, combined with the existing depth of the garden area for 4 Atcherley Square, is considered adequate to reduce any potential overlooking to an acceptable level.

It is considered that owing to the siting of plots 4 and 5 combined with the separation distances from the neighbouring properties the proposed dwellings would not result in a detrimental impact upon neighbour amenity. Plot number 6 projects approximately 3 metres further back within the building line than its neighbouring property 39 Stephenson Close, however given the separation distance of 8 metres combined, orientation of the properties and relatively small increase in depth the proposed dwelling is not considered to represent an adverse impact upon neighbour amenity. The siting of plot 13 within the existing building line combined with the separation distance from the neighbouring properties would ensure there would be no negative impact upon neighbour amenity. Amended plans were submitted which increased the separation distance between plot 3 and number 44 Stephenson Close, the relationship between the properties is considered to be acceptable.

Some concern was raised in the initial consultation response received from the Landscape Officer, in regards to the impact of overshadowing from existing woodland upon plots 20-22 and the potential of over pruning to mitigate this by future occupiers. It is considered that, although there will be some overshadowing of the amenity space, the depth of the rear amenity space, combined with the orientation of the properties would ensure that, there would not be an undue adverse impact upon residential amenity. Details within the revised Arboriculture Impact Assessment state that “the overall level of shade to the gardens of plots 20-22, 94 and 38 is acceptable and must be offset against the visual amenity value of the proximity of trees to the properties,” further a TPO will serve as a functional control over excessive pruning which will prevent unnecessary damage.

On balance, subject to the imposition of appropriate conditions, the proposal would generally accord with Development Plan policy in relation to noise and impact on amenity.

8) Trees and landscaping within the site

Policy SS 4 of the North Norfolk Core Strategy seeks to ensure the natural landscape features are protected and enhanced and that new development will incorporate open space and high quality landscaping to provide attractive, beneficial environments for occupants and wildlife. The Landscape Officer has stated that the proposed development will result in the loss of general greenspace across the site, which will have a negative impact on the character of the former RAF base, further to this the proposal is deemed to be on the edge of what is acceptable in terms of the impact on landscape and open character of the site.

All trees within the site are subject to a Tree Preservation Order (TPO). The proposed development necessitates the removal of a total of 15 category B trees, 20 category C trees and three category U trees. Category B trees are to be replaced at a ratio of 2:1 and Category C trees at 1:1. Indicative locations for replacement trees and additional landscaping have been illustrated in the AIA, and whilst these are considered acceptable full details of landscaping for the site can be secured by condition.

Amended plans were submitted during the course of the application which sought to address concerns raised by the Landscape Officer. These amendments included the relocation of plot 14 and the alteration of the access road serving plots 23 – 36. The amended plans are

considered acceptable. The amendment of the access road has enabled the retention of the avenue of Maple trees which are of considerable value to the character of the RAF base.

The Landscape Officer has requested a condition be attached to ensure details of tree protection during construction are submitted, this is considered reasonable.

Overall it is considered that although the proposal will result in the loss of some open spaces on the site, care has been taken to ensure that key areas which contribute significantly to the character of the site have been retained, such as the landscaped area within Atcherley Square, the line of Maple trees leading to the Officers Mess, the Cricket pitch and grassed area of Barsham Close. As such it is considered that on balance the impact upon the character of the RAF base is acceptable and in line with the key aims of policy SS4 and EN4.

9) Ecology

The applicant has provided an ecology report which has investigated potential for great crested newts and bats within the site but does not consider newts to be present nor bats to be impacted by the development. There will need to be mitigation and enhancement measures of bird and bat boxes, and it is suggested that planning conditions require inclusion of integral bat and bird boxes incorporated into the new dwellings.

Mitigation during construction should also be required by conditions, and specifically by using a Biodiversity Method Statement (BMS) which includes the provision for nesting bird mitigation and enhancement measures for bats and birds, as well as native planting within the landscape scheme.

The proposals involve removal of various trees, which will have a detrimental impact on the site ecology, but which can be mitigated to a degree by replacement planting; the landscaping implications are discussed elsewhere.

Impacts on designated nature sites

The application site is close to areas which are European designated sites (Natura 2000 sites) for their habitat or species importance, and which are protected by the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations'). Recent studies for NNDC have found people regularly travel up to 60km for recreation at designated sites, so the sites of interest which might experience a potential impact are The Wash and North Norfolk Special Area of Conservation (SAC), the North Norfolk Coast Special Protection Area (SPA) and Ramsar site, and the River Wensum SAC. These sites also all contain nationally-important Sites of Special Scientific Interest (SSSI).

The Habitats Regulations require 'competent authorities' to evaluate what effects there might be from a development project and thereafter ensure the development implements all mitigation measures to avoid there being a likely significant effect on the integrity of the designated site(s). If there is any likelihood of there being an effect, the competent authority [NNDC] should undertake a Habitats Regulations Assessment (HRA) to determine whether the effect is likely to be significantly adverse, as required by Regulations 61 and 62 of the Habitats Regulations. Where the proposal is unable to secure appropriate mitigation the scheme should not proceed.

Paragraphs 117 and 118 of the NPPF expect schemes to enhance and promote ecology and refuse permission for any proposal where significant effects cannot be avoided, mitigated or compensated for. If a scheme is likely to have an adverse effect on a SSSI it should not normally be permitted unless the benefits clearly outweigh the impacts.

In terms of the effects that could be caused, all of the sites are close enough to experience increased visitor and frequent recreational pressures, and the River Wensum will also be the

recipient of the drainage effluent, which is significant because it is given protection status due to the quality of its river waters and species that require clean chalk-fed aquatic habitats.

The application has also included a Habitats Regulations Assessment which contends that the impacts on the local European statutory designated sites will be infrequent, of a low intensity, and directed towards more populous sites where there is already mitigation and/or capacity. However, this will need to be ratified against the mitigation measures proposed.

The application could not initially demonstrate that the scheme would avoid impacts on these sensitive sites, so a scheme for mitigation has been proposed. Natural England are of the opinion that without mitigation the proposal is likely to have an adverse effect on the integrity of the Natura 2000 sites and is likely to damage the SSSIs, and their recommended mitigation is to enhance local green infrastructure within / around the site.

In terms of addressing the impacts from increased visitor pressure, the applicant has agreed to provide financial contributions of £50 / dwelling, to assist with funding monitoring and mitigation of the increased visitor impacts at European sites, which should be within planning obligations, as well as providing a range of green infrastructure measures at the site itself to reduce the need to travel to designated sites. Within the site, the measures include providing formal off-road paths around the former cricket pitch and providing walking routes within the woods of the applicant's control, and providing dog litter bins and better access to the existing play and tennis areas. Following liaison with the Norfolk County Council Green Infrastructure team, it is possible that a little-used public byway could be restored, to hopefully link in with the existing public rights of way network, although this will need to be confirmed and there may be very limited benefit in practice due to land ownership constraints. In terms of the impacts on the habitats within the River Wensum, the proposal will be able to maintain an improved status of water quality introduced since the new sewage treatment measures were implemented.

Officers consider these measures are likely to be sufficient to address the impacts and the recreational demands of new residents, and these seem to fall in line with the suggestions of Natural England and the NNDC Landscape Officer. However, a Habitats Regulations Assessment will still need to be undertaken to fully evaluate the likely impacts and consider if the mitigation options will address the effects appropriately.

Any recommendation to approve the application should be subject to a favourable outcome of the Habitats Regulations Assessment process, and if the HRA outcome is not favourable, to undertake reassessment of the mitigation required so as to enable a favourable outcome to be achieved. Subject to these requirements the proposal would accord with Core Strategy Policy EN 9.

10) Flood risk and surface water drainage

A number of comments were received from public consultation which raised concerns over surface water flooding in The Orchards. Infiltration tests were undertaken and submitted along with a Flood Risk Assessment (FRA). It is understood that additional tests were undertaken over and above the requirements for this development, which would supplement drainage of The Orchards in light of the objections received. The proposed method of surface water drainage was based on infiltration and soakaway test results which have been accepted by the Local Lead Flood Authority. The proposed methods of surface water drainage would be soakways and infiltration blankets. The Local Lead Flood Authority have not objected but have requested a surface water drainage scheme. It is considered that the proposed surface water drainage methods can adequately attenuate the surface water created from the development and potentially alleviate any existing concerns of surface water drainage, and that the proposed methods of surface water drainage can ensure the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site.

Subject to the imposition of conditions, the proposal would accord with Development Plan Policy in relation to surface water flood risk.

11) Housing Mix

Core Strategy Policy HO 1 requires that on schemes of five or more dwellings 40% should have two or fewer bedrooms, which for this development would equate to 37 dwellings. The development would provide 10 properties which would have two or fewer bedrooms.

The applicant has stated that out of the 128 houses in The Kiptons, 85 are 2 bed properties and 43 have 3 bedrooms. Therefore, if the number of existing properties and proposed properties are taken as a whole it would lead to an overall 2 bed ratio of 36% across the site. Whilst the rationale behind this analysis from the applicant is understood, Officers consider that only limited weight could be attached to this argument as Policy HO 1 would not take into account the existing housing supply and only considers new housing developments and conversions of existing buildings to dwellings.

Policy HO1 also requires that at least 20% of dwellings shall be suitable or easily adaptable for occupation by the elderly, infirm or disabled. The applicant provided plans which looked to identify that 21% of houses were capable of being easily adapted, however sufficient details have not been submitted to demonstrate how this could be achieved for housing within The Kiptons but these requirements can be secured by way of planning condition.

The Housing Strategy and Community Development Manager has stated that “The new homes will not enhance the existing provision of housing at Kipton Wood or The Orchards by providing a wider variety of house types and sizes and will instead reinforce the differences between the two housing areas which will continue to be isolated from each other. In addition, the lack of provision of one bedroom properties and bungalows will prevent the site as a whole meeting the needs of all residents by allowing residents to move within the community as their housing requirements changes”. Whilst these comments are noted, Officers recognise the challenges faced by the applicant in terms of bringing forward a proposal that fits with the character of the area and that meets all planning policy expectations. It is acknowledged that mixing up unit sizes across the site could have compromised the traditional and distinctly different characters of The Kiptons and The Orchards.

Overall, whilst details of the housing mix and the character of the existing RAF housing are taken into account the applicant, the proposal would represent a departure from Policy HO 1 by failing to supply an adequate number of two or one bedroom dwellings. Nonetheless it is recognised that there are reasons which have led the applicant to put forward the proposed housing mix and it is a matter of planning judgment for the Committee as to whether there are material considerations sufficient to outweigh the departure from Core Strategy Policy HO 1.

12) Affordable housing

Policy H02 requires that on all schemes of 10 or more dwellings in principle or secondary settlements not less than 45% of the total number of dwellings would be provided as affordable, within service villages not less than 50% of the total number of dwellings should be affordable. Should a development look to provide a lower proportion of affordable housing, the applicant will be required to demonstrate why it would be economically unviable to make provision. As housing is directed to be built within the boundaries of a designated settlement a requirement of affordable housing for dwellings within the countryside is not specifically given. The proposal has therefore been assessed in-line with the required amount of between 45-50%.

A Viability Appraisal was submitted by the applicant which sought to demonstrate that the proposed development is not sufficiently viable to deliver any affordable homes. The report was assessed by the Council's external viability consultant who found that the detailed cost plan outlining associated costs for the development were fair and the methodology used to justify the lack of affordable housing was sound. As part of the viability appraisal it was detailed that the costs of infrastructure for the proposed dwellings had been apportioned to the number of units, with the infrastructure for the existing units not included within the build costs.

The predicted profit associated with the development would be 10.6%, normally an allowance of 20% would be allowed for developer profit on an open market scheme and a profit level of 15% is usually regarded as acceptable when considering enabling developments. The Viability Consultant concluded that the profit level would be well below what could usually be regarded as acceptable and as such it is considered the *"case is made in support of the proposed development being unable to support the provision of any affordable housing."*

The applicant has suggested that the majority of the housing within The Kiptons are privately rented at low rents and that a large number of the units proposed at The Kiptons would also be available for rent. Whilst this is noted, the properties are not and would not be subject to rent control to ensure they were affordable, nor would there be any eligibility criteria to ensure they were available for local residents. As such, whilst these properties would not be considered to meet the needs of those requiring affordable housing, they would nonetheless contribute to the supply of properties available for market rent.

The applicant has provided sufficient evidence to demonstrate that the scheme is not viable to deliver affordable housing. On the basis of this submitted viability evidence, the proposal would accord with the requirements of Policy HO 2.

13) Planning obligations

Community Centre

As part of the application it is proposed to convert the former Navy, Army and Air Forces Institute (NAAFI) building adjacent to the existing shop to a new community centre. Revised plans were submitted which give space for a kitchen area, storage area, outside seating provision and parking. The size of the community centre is considered appropriate for the potential needs of users. The previous community centre, The Burr Centre is currently used for a childcare facility, "Blossoms". A retrospective application has been submitted, PF17/0519 to regularise the use (also on this agenda)

Policy CT 3 states that "development proposals that would result in the loss of sites or premises currently, or last used for, important local facilities and services will not be permitted unless:

- an alternative provision of equivalent or better quality is available in the area or will be provided and made available prior to commencement of development; or
- it can be demonstrated that there is no reasonable prospect of retention at its current site; and if it is a commercial operation, that a viability test has demonstrated that the use is no longer viable and that all reasonable efforts have been made to sell or let the property at a realistic price for a period of at least 12 months.

As it stands, there is no evidence to suggest that a community centre is not viable and therefore securing alternative provision of equivalent or better quality, as has been proposed by the applicant, is the most appropriate way forward and this can be secured by way of legal agreement and in turn make application PF/17/0519 acceptable in policy terms

Financial contributions

As part of the application, the following financial contributions are proposed to be secured within a Section 106 Obligation:

- Conversion of parts of the former NAAFI building to provide for a new community centre
- Provision of 1,789sqm of new allotment space in The Kiptons
- Provision of Play equipment adjacent to the Orchards
- £7,050 Library contributions (£75 per dwelling)
- £50 per dwelling towards monitoring and managing visitor impact on North Norfolk Coast SAC and SPA sites (£4,700).
- £50 per dwelling towards green infrastructure and public rights of way enhancement (£4,700)

14) Other Material Considerations

Education

A number of representations raised objections in regard to capacity at the local schools. Norfolk County Council have confirmed that they do not seek education contributions associated with 1-bed units and only seek 50% contributions for multi-bed flats. Therefore, in net education terms the County Council have predicted that the proposal will generate the following educational need:

1. Early Education – 9 children (2 – 4);
2. Infant School – 25 children (4 – 7);
3. Junior School – 16 children (7 – 11);
4. High School – 2 children (11 – 16);

However, in their most recent letter of 05 March 2018, the County Council have confirmed that there is sufficient spare capacity based on numbers on roll in Sept 2017 at Early Education, primary and high school levels and therefore Norfolk County Council will not be seeking Education contributions for this proposed development on this occasion.

Ground Gas

Comments were received which raised concerns over the potential impact of ground gas, specifically beneath plots 30-33 in The Orchard. The Contaminated Land Officer has requested a condition be attached which would require appropriate investigation to identify any risks. This is considered reasonable and is recommended to be attached to any permission.

Air Source Heat Pumps

Details submitted for the air source heat pumps are not considered sufficient by Environmental Protection; as such they have requested a condition be attached for further information to ensure that there is no potential for dis-amenity for future and existing occupiers. This is considered reasonable and is recommended to be attached should permission be granted.

CONCLUSION

The proposal represents a clear departure from Development Plan policy in that it seeks permission for the erection of 94 market dwellings in a countryside location where such dwellings are not normally permitted, contrary to Core Strategy Policy SS 2.

Furthermore, the Highway Authority considers the road network surrounding the site is substandard in all directions, due to restricted carriageway widths, lack of footways and sub-standard junctions such that the potential impact of the development is considered to be 'severe' and the type and scale of the proposal would unacceptably increase risk to all road users, particularly those most vulnerable, contrary to Core Strategy Policy CT 5 and paragraph 32 of the NPPF

The Highway Authority also considers the geographical location of the site to be remote from neighbouring villages and the nearest town of Fakenham. It is considered that in all likelihood given the geographical location of the site the most dominant form of transport for future occupiers would be the private car, which is contrary to one of the key aims of delivering sustainable development, and which excludes vulnerable road users from most day-to-day essential services.

In addition, the proposal would represent a departure from Core Strategy Policy H0 1 by failing to supply an adequate number of two or one bedroom dwellings.

Notwithstanding the above concerns, for which the Committee should attribute considerable weight, Officers recognise that there are special circumstances associated with this proposal and that the former RAF West Raynham site presents a number of complex planning challenges that may not be possible to overcome without the Committee exercising some degree of discretion in the relaxation of policy where it can be justified to do so in the wider public interest.

Whilst the Committee are perfectly entitled to follow the guidance set out in Policy SS 2 and also follow the advice of the Highway Authority and refuse the proposal, the big question still remains following refusal as to what the future of the former RAF West Raynham site looks like?

The site has existed for more than 80 years, originally to serve the national interest and now, since closure as an active airbase, it must find a new active economic future whilst at the same time we must recognise that the locational considerations that led to the formation of the original airbase may not so easily lend themselves to the formation of a fully accessible and sustainable new community from the outset.

The deteriorating quality of infrastructure at the site, in particular water and sewage infrastructure, has posed a significant risk for a number of years both for existing and future residents and business tenants. Because of the economic costs associated with upgrading water and sewage infrastructure (£2.7m), such upgrades would only normally take place on the back of development that is viable to pay for such works. In this case the majority landowner, Investec Bank has made an investment decision to carry out the water and sewage upgrade works ahead of receiving planning permission for the 94 dwellings subject of this application. This was primarily because of the public health risks associated with the increasing number of people living and working on the site but also because the opportunity to upgrade and sell existing vacant housing stock at The Orchard and upgrading properties at The Kiptons for rent would not have been able to be realised without also upgrading the water and sewage infrastructure to serve the site.

In many ways the decision by the landowner to fund infrastructure upgrades ahead of securing permission for the 94 dwellings needed to pay for the works could severely affect the justification for the proposal and some may rightly question whether these are true enabling works. Conversely, if the water and sewage infrastructure had not been upgraded, then the applicant or landowner could also have been criticised for putting public health at risk and for continuing to breach borehole abstraction license limits set by the Environment Agency and for failing to meet water quality standards for drinking water on the site not also forgetting the potential harm that sewage water could have caused to the River Wensum SSSI and SAC.

Without the infrastructure upgrades, the existing housing stock could not have been fully occupied and would not have been brought up to modern standards at The Orchard.

Taking a pragmatic approach, and whilst Officers recognise there is a risk that the landowner could build the 94 dwellings and then walk away from the site, approval of this application could nonetheless provide the catalyst for further opportunity for employment and housing growth, particularly through the re-use of buildings of historic value on the site.

The applicant has sought to integrate the 94 dwellings into the site in a way that respects the important characteristics of the site. There are no design or heritage objections, and in many ways the proposal will provide a satisfactory form of development.

As well as the essential upgrade to water and sewage infrastructure, the development will also bring other public benefits including; new allotments, a new park (orchards) a new community centre, improvement of bus shelters, a new cycle route, footpath to the entrance of The Kiptons, improved pedestrian linkways through the site as well as number of S106 contributions.

In considering the potential precedent that a decision of approval could have, in this case the proposed development is not taking place on greenfield land. The site is a former airbase which has considerable infrastructure constraints requiring upgrade and needs a viable level of development to help fund. The applicant has demonstrated that the costs of providing the infrastructure upgrades mean that the scheme is not viable to provide a policy compliant amount of affordable housing. Furthermore, the housing mix, whilst not in compliance with Policy HO 1, will provide a range of different sized properties across the site and a reduction in property sizes would only reduce the viability of the scheme further requiring more dwellings across the site to pay for the infrastructure.

The locational and highway infrastructure constraints of the site and surrounding network are well understood. Whilst it would have been positive for the applicant to seek to address a number of the identified offsite highway constraints, it would never have been possible to fully satisfy the sustainability concerns of the Highway Authority.

Officers accept that the proposal is very finely balanced and that a strong case can be made either to refuse or approve this proposal. However, given the harm that could arise if the former airbase has no clear future, Officers consider there are sufficient material considerations in favour of the proposal to which considerable weight can be attributed to justify the departure from Development Plan policy.

RECOMMENDATION: Delegate Authority to the Head of Planning to Approve the proposal subject to the undertaking of a Habitats Regulations Assessment and securing of associated mitigation measures, subject to the Completion of a S106 Obligation and subject to the imposition of appropriate conditions.

- (2) **HELHOUGHTON - PF/17/0519 - Retrospective change of use of community centre to children's nursery (use class D1); The Burr Centre, Blenheim Square, West Raynham, FAKENHAM, NR21 7PA for Thalia Investments Ltd**

Target Date: 01 June 2017
Extension of Time: 30th March 2018
Case Officer: Jo-Anne Rasmussen
Full Planning Permission

RELEVANT SITE CONSTRAINTS

Within Countryside Land
Controlled Water Risk - Medium (Ground Water Pollution)
Controlled Water Risk - Low (Ground Water Pollution)
Tree Preservation Order - covers the whole RAF base site
Contaminated Land Buffer
Defined Airbase Technical Area

RELEVANT PLANNING HISTORY

PLA/2008/0506
RAF West Raynham, Massingham Road, West Raynham
Erection of Fifty-Eight Dwellings
Planning committee resolution to approve subject to completion of S106 obligations - No decision issued and application held in abeyance at request of original applicant. If this scheme were ever to be progressed for approval, given the passage of time it would be necessary to bring the application back before Development Committee for further consideration. It is more likely that if Committee resolve to approve application PF/17/0729 then the 2008 application would be withdrawn or formally disposed of.

PF/17/0729 (Also on this agenda)
Kipton Wood and The Orchard, Former RAF Base, West Raynham.
Erection of 94 dwellings with associated infrastructure; conversion of former NAAFI building to provide community centre, new allotments, new play area.

- Pending determination

THE SITE AND SURROUNDINGS

The application site is within the former Burr Centre building within the residential area of the former RAF West Raynham airbase. The former RAF West Raynham site covers an area of approximately 158 acres and was developed as an airbase from 1937, in preparation and support of the Second World War. The base was closed by the ministry of defence in 1994. The site is currently owned by Thalia Investments Ltd (in Administration). Investec Bank is the principal creditor of this company and is financing the management and investment in the base.

The former Burr Centre building, in which the Nursery is located, is sited within Kipton Wood, in what could be considered a central community hub, with the pub, shop and park all being situated close by.

THE APPLICATION

Planning permission is sought for the change of use from the ex-RAF community centre to a children's nursery at The Burr Centre, Kipton Wood, RAF West Raynham. The Burr Centre, a

converted RAF building, was previously used as the site office and community centre. The application is retrospective with the nursery already having been in operation since May 2017.

Although the application was submitted in April 2017 the application has not been determined as a replacement community centre has been proposed within separate application PF/17/0729 for the erection of 94 houses, which is due to be heard at committee on this agenda. That replacement facility is fundamental to the consideration of this application.

The application proposes to open 7 days a week. 7am to 7pm, including bank holidays. The proposal includes no external changes. There are 5 parking spaces available, positioned in front of the building.

REASONS FOR REFERRAL TO COMMITTEE

It is considered necessary that the application be heard at committee as the determination of planning application PF/17/0729 will be relevant in determining if there is a suitable replacement Community Centre.

CONSULTATION RESPONSES

Helhoughton Parish Council: No Comments received

Raynham Parish Council: No comments received

Environmental Health: No objection in principle, subject to controls on use of the outdoor space. The Nursery has been in operation for a period of time and there have been no complaints received from existing residents regarding noise from the outdoor area. The Nursery has unusually long opening hours but the children will be supervised and are unlikely to reach capacity of 24 children at any one time.

However, use of the outdoor play area is a concern for Saturday, Sunday and Bank Holidays whilst the proposed new dwellings remain a material consideration. The distance from the outdoor space to the nearest new residential garden (Plot 58) is only c.16m and there are no intervening noise controls proposed. There is potential for noise to be detrimental to future amenity throughout the time when neighbours look to enjoy their gardens. Conditions should be imposed which limit use of the outdoor area. It is suggested that the outdoor area should not be used after 3pm on Saturdays, Sundays and Bank Holidays.

Should it be necessary, any complaints of noise can be investigated and measures considered to resolve these as part of separate Statutory Nuisance legislation.

An advisory note is requested to be attached to any permission granted giving details of required water testing.

NCC Highways: No objection. The nursery facilities would serve the existing residential population on the site and as such could reduce the traffic movements on the local highway network as residents will not need to travel to gain access to nursery facilities.

REPRESENTATIONS

Public representations: None received.

Local Member Contact: None received.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

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

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application 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

National Planning Policy Framework (NPPF):

Section 1 - Building a Strong, competitive economy

Section 3 - Supporting a prosperous rural economy

Section 4 - Promoting sustainable transport

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 12 - Conserving and enhancing the historic environment

North Norfolk Core Strategy (Adopted 2008):

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

SS 4 – Environment

SS 5 - Economy

SS 6 - Access and Infrastructure

EN 4 - Design

EN 8 - Protecting and enhancing the historic environment

EN 13 - Pollution and hazard prevention and minimisation

EC 2 - The re-use of buildings in the Countryside (specifies criteria for converting buildings for non-residential purposes).

EC 4 - Redundant defence establishments

CT 2 - Developer contributions

CT 3 - Provision and retention of local facilities and services (specifies criteria for new facilities and prevents loss of existing other than in exceptional circumstances).

CT 5 - The transport impact of new development

CT 6 – Parking standards

HISTORY AND BACKGROUND

The West Raynham RAF base was closed by the Ministry of Defence in 1994 and disposed of in 2004 by the RAF as being surplus to requirements.

Since 2008 the site has undergone various stages of redevelopment including the renovation of the married quarters, and change of use of the disused hangars to form the Technical Park. A number of the dis-used RAF buildings have also been converted to be used as the shop, pub and community centre (now the nursery subject to this application).

It is understood that the Burr Centre was used as a community centre, providing a space for community groups such as the Sure Start to meet and also as the site office. The site office has now been moved into the West Raynham Business Park.

Pending planning application PF/17/0729, relates to the erection of 94 dwellings and associated infrastructure, an allotment, new park and community centre, at RAF West Raynham. This application includes proposed conversion of part of the former NAAFI building into a community centre, providing kitchenette, storage and hall for community groups to use, and space for the possible relocation of the existing pub into the same building.

MAIN ISSUES FOR CONSIDERATION

1. Principle of development
2. Loss of a community facility
3. Economy
4. Amenity
5. Highways and parking

APPRAISAL

1) Principle of development

Policy SS 1 has determined that the site lies within Countryside land, where development should be restricted to those which support the rural economy, meet affordable housing needs or provide renewable energy. Under Policy SS 2 development in the Countryside will be limited to that which requires a rural location and falls under certain criteria; this allows for both the re-use and adaptation of buildings for appropriate purposes, and for community services and facilities to meet a proven local need.

Policy SS 5 states that operational land and buildings at redundant defence establishments can be re-used for appropriate purposes to support the rural economy and farm diversification. Further, Policy EC 2 enables re-use of existing buildings in the Countryside for non-residential purposes.

Policy EC 4 makes clear in the supporting text why there are restrictions on general growth of buildings within the former defence bases. This is because: "Although these sites existed for particular institutional purposes they are generally in locations not well served by transport networks and are remote from resident populations and local services...development at these locations could undermine the spatial strategy approach of focusing new development on the eight main settlements which can provide a more sustainable pattern of development."

The policy intention to reduce travel dependency is clear, so development that can re-use buildings must be for appropriate purposes. The policy has therefore defined large areas of the former RAF base as a 'Technical Area', where re-use of buildings is focussed, provided the proposal protects the environmental and heritage conditions of the site.

The site of the nursery is proposing re-use of a building within the outer edge of the Technical Area and is therefore considered acceptable in principle, subject to justifying the loss of the existing community facility.

The general location for this use is therefore considered beneficial in principle if there is a proven local need for the facility: the nursery could provide some limited employment, can serve employees of the West Raynham Business Park (even if there is no direct access between the two sites) and so encourage recruitment to those businesses, and can reduce the need to travel for local residents of the two residential areas within the base.

Local need for the proposed nursery

The applicant has stated the nursery will create four full-time jobs and provide a facility which is much needed by those seeking childcare within the local area.

The Norfolk County Council Childcare Sufficiency Assessment, 2017, has examined the availability and need for childcare spaces in the Fakenham and West Raynham area. It indicates that the existing operation is allowed to cater for 24 children of 0-5 years. Hence the facility is already contributing to meeting the demand for childcare of 0-5 year olds, and there is anticipated to be a shortage of places providing '30-hour/week' care by the summer of 2018. Without this facility the shortage of places in the Fakenham area would be exacerbated and travel dependency would increase. Further, out-of-school-hours provision is already very limited. It is noted that this facility provides both pre- and post-school-hours care.

The Fakenham Gateway Childcare profile, which assess the availability of childcare within the Fakenham area, which the nursery falls within, states that;

- Only 8% of 0-2 year old children can access a childcare place.
- There are also insufficient places for 2, 3 and 4 year olds.
- Growth in childcare provision will be needed to respond to proposed housing developments in the wider Fakenham area and increased demand for funded entitlement.
- There are 192 children aged between 0-5 in The Rudham and Raynham areas alone, though not every child will need a childcare facility.

The evidence provided within Norfolk Childcare Sufficiency Assessment, 2017 and The Fakenham Gateway Childcare therefore demonstrate that there is demand within the local area for this type of childcare provision.

Re-use of the existing building

Core Strategy Policy EC 2 has a presumption in favour of the reuse of buildings for economic uses where:

- they are appropriate in scale and nature to the location; and,
- it can be demonstrated that the building is sound and suitable for the proposed use without substantial rebuilding / extension; and,
- the proposed alterations protect or enhance the character of the building and its setting.

Proposals must also accord with other policies seeking to protect biodiversity and amenity.

The building is of modern construction and has proven capable of conversion to the nursery with limited no external alterations necessary. The current unauthorised use does not appear to have had a detrimental impact upon the character of the relatively utilitarian building or its immediate setting, which is in the "hub" of the village adjacent to other facilities. The proposal does not present any concerns in terms of biodiversity. The Environmental Health Officer has not objected and the impact upon neighbour amenity is fully assessed further within this report, but is considered acceptable.

The proposal is therefore considered to comply with policies EC 2 and EC 4.

2) Loss of the existing community facility

Core Strategy Policy CT 3 seeks to ensure the retention of local facilities and services necessary to meet the needs of the local community. The policy states:

“Development proposals that would result in the loss of sites or premises currently, or last used for, important local facilities and services will not be permitted unless:

- alternative provision of equivalent or better quality is available in the area or will be provided and made available prior to commencement of redevelopment; or,*
- it can be demonstrated that there is no reasonable prospect of retention at its current site...”*

The Burr Centre previously accommodated both the site office and community centre. Whilst the site office has been relocated, the proposal has resulted in the direct loss of the community centre facility which served the needs of the local community, which has not been replaced. It is noted that there is a pub on site where groups such as the pool team and dart team meet regularly, however the proposal would result in the direct loss of a location where other community groups such as scouts, ‘slimming world’, and ‘mums and tots’ could meet. There is currently no other building being put forward by the developer which is immediately available to serve the community for such activities. It is considered necessary for a community centre to be available, accessible, and capable of such uses, within the ex-RAF base.

However, within application PF/17/0729 the applicant has proposed the conversion of part of the nearby NAAFI building into a community centre. Should application PF/17/0729 be permitted, the provision of the new community centre should be secured by Section 106 agreement or planning condition, to provide an equivalent facility. The community centre proposed within PF/17/0729 is considered to be of acceptable quality and provide sufficient facilities to support community groups such as storage, outside seating area, kitchenette and large open room of suitable space.

Whilst the proposed nursery would introduce a facility for the local community, it would also lead to the direct loss of the community centre. The applicant has not provided any evidence or justification as to why the nursery was directed to its current building, when there are so many empty buildings on the ex-RAF site, all of which are in the applicant’s control. Nor is there any reason given as to why the community centre was not relocated prior to the nursery opening. There are a large number of buildings within the site which are within the applicant’s control, and a number of these have already been renovated to provide office facilities. Similar conversions could have provided suitable space for many community activities. There has been no justification as to why these could not have been bought forward as a suitable replacement for the community centre.

Policy CT 3 therefore requires alternative facilities to be provided as part of the same development, and before that development commences. Clearly the latter is not possible, but the applicant controls the whole of the West Raynham airfield base, within the ‘blue line’ and is the same applicant as for the pending application PF/17/0729. As such the proposed loss of the facility can only be accepted if application PF/17/0729 is approved and the community centre proposed within that application is to be bought forward.

However, if that application is not approved, this proposal would result in the loss of a community facility, with no alternative provision readily-available, and as such would be contrary to Core Strategy policy CT 3. Policy CT 3 is also consistent with the National Planning Policy Framework (section 8) and paragraphs 69 - 70 in particular, which state:

“[69] Planning decisions should aim to achieve places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other...[70] To deliver the social, recreational and cultural facilities and services the community needs, planning decisions should...guard against the unnecessary loss of valued facilities and services. Particularly where this would reduce the community’s ability to meet its day-to-day needs.”

Whilst it is recognised that the unauthorised nursery / crèche use has brought job creation and provides a childcare facility which would be in accordance with policies SS 1, SS 2, SS 5, EC 2 and EC 4, this would need to be balanced against the loss of the community centre and the lack of such facilities being available for the 171 dwellings already occupied. Officers do not consider these benefits to outweigh the harm caused by not providing an equivalent or better quality alternative facility within a convenient, accessible and sustainable location.

The applicant is proposing a replacement community centre as part of application PF/17/0729 and this can be secured by a Section 106 agreement or a planning condition, to be agreed as part of that permission. However, the replacement facility is entirely dependent on that application being permitted and the development being delivered. It is therefore considered that (i) any approval should be on a temporary basis only, to consider the effects of the wider scheme being progressed, and (ii) because any refusal of application PF/17/0729 would result in this application being contrary to Policy CT 3 (as there would be no alternative or replacement community centre to compensate for the loss) Officer opinion is that the proposal would not be acceptable, and therefore if permission PF/17/0729 is refused, then so should this application PF/17/0519 also be refused.

3) Economy

The details provided by the applicant indicate that the Nursery would employ four full-time staff. Albeit a relatively small level of job creation, such jobs would make a positive contribution to the local economy. Whilst it is considered that the proposal would comply with policies SS 5 and EC 2 which aim to encourage economic uses and job creation within rural locations, this would need to be balanced against the loss of a community facility and lack of provision for a sizeable and growing community.

As such it is not considered that the level of job creation would be sufficient to outweigh the loss of the community centre should no alternative provision be available.

4) Amenity

With up to 24 children at the site at any one time there is potential for noise and traffic noise associated with the use to affect local residential amenity.

The proposed opening hours for the nursery are 7am to 7pm, 7 days a week, including Bank Holidays. Although the proposed opening hours would include weekend, early evening and Bank Holidays, the previous use as a community centre would in all likelihood have been used at similar times. The building is set within what could be considered the centre or hub of the base, and is adjacent to other community facilities including the children's play park, shop and pub. There are existing car parking places serving the building and the adjacent facilities. As such it is considered that the building is located in an area of the site which could realistically expect a higher level of activity than the more residential areas of the base.

The nearest dwellings are situated within Kipton Wood and are over 60 metres from the site. The outside play space for the children is bound by a 1.8 metre closed board fence. Further, the Nursery's website indicates that the use of the outdoor area has limited programmed times which do not include the early or late parts of the day. The distance to residents and the boundary treatment would serve to reduce any impact or dis-amenity on the occupiers of nearby occupiers to acceptable levels.

The Environmental Health Officer has confirmed that there have been no complaints received during the period of time the nursery has been in operation and has confirmed that should future noise complaints be received measures could be taken to resolve the concerns as part

of separate Statutory Nuisance Legislation. However, the existing use has not operated for long nor at capacity, and Core Strategy Policies EN 4 and EN 13 still expect suitable precautions to protect residents from potential noise impacts.

Adjoining planning application PF/17/0729 proposes a line of 25 houses to the south of Sandringham Crescent and Oxburgh Square, which is to the east of the application site. Plot number 58 of that proposed development would be the dwelling situated closest to the nursery site, just 5-10 metres from the outside play space of the nursery. Planning application PF/17/0729 is to be determined on this agenda and should the residential dwellings be given permission, conditions have been requested by Environmental Health to ensure suitable noise reduction measures are used to protect future residents from noise which may originate from the closest industrial units within the West Raynham Business Park (the largest hanger is approximately 200m away). Such measures would also be adequate to protect amenity within the dwellings, though not necessarily within their gardens.

The Environmental Protection Officers have expressed concerns that the nursery's outdoor play area could be close enough to the proposed new residential gardens to create a detrimental impact on their amenity. It is noted that the nursery has been in operation for a period of time and there have been no complaints received from existing residents regarding noise from the outdoor area. Whilst the nursery has unusually long opening hours, it should be expected that the children will be supervised and there are unlikely to be many occasions when the use reaches capacity of 24 children at any one time.

However, use of the outdoor play area is a concern for Saturday, Sunday and Bank Holidays whilst the proposed new dwellings (PF/17/0729) remain a material consideration. The distance from the outdoor space to the nearest new residential garden (Plot 58) is only c.16m and there are no intervening noise controls proposed, only a 1.8m high close boarded timber fence. There is potential for noise to be detrimental to future amenity throughout the time when neighbours look to enjoy their gardens. It is therefore considered that conditions should be imposed which limit use of the outdoor area so as to provide an acceptable degree of amenity at the later parts of the afternoon. It is suggested that the outdoor area should not be used after 3pm on Saturdays, Sundays and Bank Holidays. The County Council has recognised the nursery as caring for 0-5 year olds, and having a closer degree of supervision. If the crèche were available for any older children the need for supervision would decrease and excitable activities and noise would increase, and pressure would grow to use the outdoor area later and more often. Given the proximity of future residents if the associated application PF/17/0729 is approved, it is also considered necessary to restrict use of the nursery to that which already takes place, and use conditions to limit the age of children in care to pre-school / 0-5 years of age only.

Should it be necessary, any complaints of noise affecting future residents can be investigated and measures considered to resolve these as part of separate Statutory Nuisance legislation.

Traffic noise could also be significant if 24 cars all arrived at the same time to drop-off and pick-up. This is unlikely though, as the period of use is from 7am and parental commuting hours vary, and collections would vary throughout the day. It is considered that traffic noise would not be significantly detrimental.

Given the above it is considered that the proposed use would not cause an unacceptable impact if it was subject to controlled attendance and controlled hours of use of the external area, as a requirement of planning conditions. It is therefore considered that the proposal should comply with Policies EN 4 and EN 13 of the adopted Core Strategy.

The Nursery is sited within an existing building, and no external alterations have been necessary. The outside play space is bound by a 1.8 metre closed board fence which

screens the external play space from the wider landscape and thus reduces any impact paraphernalia such as children plays equipment may have on wider views of the base. The building is located the central hub of the village where a number of the other community facilities are located. The impact on the visual amenity and character of the area is therefore acceptable.

5) Highways and parking

There is existing parking immediately adjacent to the building and additional parking close by which serves the shop and pub. There is also a bus stop immediately to the north - west of this site for bus links with Kings Lynn and Fakenham, however it is noted this is relatively limited in its service, providing just 5 scheduled trips per day at inconvenient hours.

The Highway Authority considers that the proposed nursery facility could potentially reduce traffic movements on the local highway network by reducing the need of local residents to travel to nursery facilities further afield in East Rudham and Fakenham. It is therefore considered that the proposal complies with Policy CT 5 of the adopted Core Strategy.

The site already has 5 parking spaces outside the entrance. Policy CT 6 expects:

- no more than 1 car space per FTE staff,
- and at least 1 disabled parking space,
- and at least 1 motorcycle space,
- and space for children drop-off/collection,
- and 1 cycle space per 5 staff,
- and 1 cycle space for visitors.

As such this satisfies the spaces required for drop off and FTE staff, although no motorcycle or disabled parking has been provided. However, there is scope for one of the spaces to be designated for disabled and/or motorcycle uses and still remain within the policy expectation. A condition will need to ensure the applicant proposes a scheme for providing these.

Similarly, no bicycle spaces have been provided as yet, but there is room on site for the applicant to provide 2 Sheffield-stands, at least one of which should be covered and secure for staff; this will be required by conditions.

Conclusion

The proposed currently-unauthorised use would bring an economic use and some job creation to the site and would comply with Core Strategy policies SS 1, SS 5, EC 2 and EC 4, which seek to support economic growth in rural areas through considered re-use of existing buildings. Suitable evidence suggests that there is need in the local area for this type of childcare facility, which the centre is helping to fulfil, and that demand is likely to increase, or be exacerbated if the proposal is not considered suitable.

However, the proposal would result in the direct loss of the community centre when there is no immediate alternative provision and as such would be contrary to Policy CT 3 of the adopted Core Strategy. There is no evidence put forward by the applicant as to why an already-renovated building could not be immediately used as a replacement community facility, such as one of the offices in the rest of the technical area / adjoining West Raynham Business Park. Conversion of the NAAFI building to a community centre is included within application PF/17/0729 and should that application be considered for approval it could be secured through an associated Section 106 agreement or planning condition. As such this application would only be compliant with Policy CT 3 should application PF/17/0729 be approved and the replacement community centre be bought forward.

Officers consider that the proposal accords with the Development Plan in relation to the impact on neighbour amenity, highway safety, ecology and design and, although the positive impact upon the local economy and provision of a needed childcare facility is noted, these are not considered sufficient to outweigh the loss of the community centre, when there is no alternative or replacement facility available at a time when the community of residents is already sizeable and likely to grow further.

In the event that application PF/17/0729 be refused, Officers recommend that the current proposal PF/17/0519 would be unable to comply with Policy CT 3 and should also be refused. However, should application PF/17/0729 be permitted with a requirement to provide the community centre, and then result in the timely provision of an alternative community centre, the current proposal for the retrospective change of use to Children's nursery would be able to accord with the adopted development plan and so Officers would recommend that this application be approved.

It is therefore recommended that any approval should only be for a temporary basis, sufficient to allow conversion of the NAAFI building to provide an appropriate and high quality alternative community centre. This temporary permission should be for 5 years' duration, to evaluate the demand for a community centre, assess the success of the nursery, and to consider the progress of any development under application PF/17/0729 (if approved). The community centre can be provided in that same timescale, comprising up to 3 years to implement the permission and 2 years to deliver the centre.

RECOMMENDATIONS:

There are two recommendations presented, which will be dependent on the outcome of the application PF/17/0729.

Recommendation 1:

Should permission be granted for PF/17/0729, with a Section 106 Agreement or condition to include the provision of a community centre in a timely manner, it is recommended that this application PF/17/0519 should be approved upon the issuing of that planning permission, and subject to the following conditions:

1. Temporary consent for 5 years continued use.
2. Use class restrictions:
 - The buildings shall only be used for a crèche / nursery within the D1 use class.
 - The crèche shall only provide care for pre-school / 0-5 year old children.
3. Removal of permitted development rights to change to other uses.
4. Hours of opening restricted to 7am - 7pm Sunday to Monday, including Bank Holidays.
5. Hours of use of the outdoor play area to be restricted– there shall be no use of the outdoor play area after 3pm on Saturdays, Sundays and/or Bank Holidays..
6. Within 2 months, a scheme for disabled parking and motorcycle parking to be proposed and provided within 1 month of approval.
7. Within 2 months, a scheme for cycle parking to be proposed and provided within 1 month of approval.

And any other conditions deemed appropriate by the Head of Planning.

Or:

Recommendation 2:

Should permission be refused for PF/17/0729, or permission be granted without the provision of the community centre being included as a requirement, it is recommended that application PF/17/0519 should be refused for the reasons below:

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO 9 on 23 February 2011, for all planning purposes. The following policies are amongst those considered relevant to the proposed development:

SS 1 - Spatial Strategy for North Norfolk
SS 2 - Development in the Countryside
SS 5 - Economy
EC 2 - The re-use of buildings in the Countryside
EC 4 - Redundant defence establishments
CT 3 - Provision and retention of local facilities and services

The National Planning Policy Framework published 27 March 2012) is also material to the determination of the application, of which the following section is relevant:

Section 8 – Promoting healthy communities.

It is the opinion of the Local Planning Authority that the granting of retrospective planning permission for the change of use to children's nursery would result in the direct loss of the former community centre without the provision of an alternative or replacement community centre to meet the needs of the local community, nor the demonstration that the former community centre could not have been retained or restored. The adjoining local community numbers 171 households within dwellings recently converted and occupied, whom it is considered should have convenient and sustainable access to community centre facilities for the wellbeing, health and social integration that a community centre can provide. Further, it is expected that this community could continue to grow through incremental conversion of existing buildings, further exacerbating the need for sustainable and convenient community centre access.

Whilst it is noted the proposal would bring some economic benefits and provide a childcare facility, for which it is accepted there is local need, these are not considered sufficient to outweigh the harm caused through the loss of the community facility and lack of equivalent or enhanced alternative provision. The applicant has demonstrated that many other buildings in the vicinity are available within their control, which might offer opportunities either for alternative community centre use or for the proposed use, but has not demonstrated why such alternatives could not be delivered as part of this development. As such, the proposal as submitted is therefore considered to be contrary to Policy CT 3 of the adopted North Norfolk Core Strategy and paragraphs 69 and 70 of the National Planning Policy Framework.

(3) APPLICATIONS 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 applications. The applications 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.

KNAPTON – PF/17/1675 – Erection of 14 dwellings, associated works and access. Land off School Close Knapton, North Walsham, NR28 0SA.

REASON FOR REFERRAL TO COMMITTEE:

At the request of Cllr Coppack and to expedite the processing of the planning application

SOUTHREPPS – PF/17/2082 – Erection of 20 dwellings with associated access, on-site parking provision. Gardens and open space and the demolition of existing garages to create additional residents / visitor parking. Land off Long Lane, Southrepps

REASON FOR REFERRAL TO COMMITTEE:

At the request of Cllr Arnold and to expedite the processing of the planning application

RECOMMENDATION:-

The Committee is recommended to undertake the above site visits.

PUBLIC BUSINESS – ITEM FOR DECISION

(4) CHANGES TO THE SCHEME OF DELEGATION, COMMITTEE PROCEDURES AND OTHER PROCEDURAL CHANGES

1 Purpose of this Report

1.1 On 16 March 2017, Development Committee considered a number of changes to the constitution and scheme of delegation. These changes were agreed, subject to being reviewed after 12 months. This report reviews the impact of these changes.

1.2 In addition, changes were made to the Development Committee procedures on 1 July 2016, that became operational in September 2016. In approving these changes, Members asked for these to be introduced on a trial basis of six months. The trial period expired on March 2017, however the changes remain in place. This report seeks to make those changes permanent.

2 Background

Changes to the Constitution

2.1 The changes introduced in March 2017 consisted of the following:

Change to the constitution Section 6, paragraph 6.2 which specifies the conditions to the Conditional Delegation in the following ways:

(a) All **local** Members to be notified **weekly** of all applications received in the last seven days.

The change was to delete the word '**weekly**', as Members are now notified as soon as the application becomes valid, and for clarification purposes add the word **local** Members.

(b) No request for the application to be considered by Committee has been received from a Member within 14 days of notification

The change was to increase 14 days to **28 days**

2.2 The other changes made in March 2017 were to the Local Member Protocol (Section 6, paragraph 6.2 bullet points c) and d)). This entails the Case Officer providing a detailed report to the Local Member(s), to seek agreement as to whether the

application is dealt with under delegated authority or is reported to Development Committee for determination. It was recommended that Members should have five working days in which to respond. If no response is received, Officers will assume that members agree with the course of action outlined and proceed accordingly.

- 2.3 In addition to the above, changes were made to the Notes outlined in the constitution in the terms of (4) which states:

(4) Applications submitted by or on behalf of the District Council and applications for wind turbines, ground mounted solar panels and anaerobic digesters will be determined by Development Committee.

In addition, applications made by or on behalf of the Council's staff are currently also being determined by Development Committee.

The following changes were agreed in March 2017:

(4) The following applications will be considered by Development Committee:

- (a) Applications submitted by or on behalf of the District Council where representations have been received shall be determined by Development Committee. Minor applications where no representations have been received can be determined under delegated authority.
- (b) Ground mounted solar panels in excess of 250kW capacity or with a site area of 0.5 hectares or greater.
- (c) Applications for on-farm Anaerobic Digester (AD) plants with a capacity of up to 25kW can be determined under delegated authority. All other AD plants (including those using non-farm based feedstock) shall be determined by Development Committee.
- (d) Planning applications made or submitted on behalf of staff within Planning or Property teams, Senior Management Team (Head of Service/Corporate Leadership Team) shall be determined by Development Committee. All other applications can be determined under delegated powers. Where appropriate the Head of Planning will seek advice from the Monitoring Officer.

- 2.4 Changes were also agreed to paragraph 6.3 of the Constitution which relates to the handling of all prior approval applications made under the Town and Country Planning (General Permitted Development)(Amendment) (England) Order 2013. The constitution previously gave conditional delegation to the Head of Planning subject to the following conditions:

Conditions

- (a) Where any representation is received from a Town or Parish Council within seven days of the date of consultation which conflicts with the intended course of action, the Head of Planning should consult with the Chairman of the Development committee and the local Member(s).
- (b) Any additional or amended plans submitted under these procedures should be sent to the relevant Town or Parish Council for information purposes.

- 2.5 On the 16 March 2017 due to the tight deadlines which apply to the prior approval applications (see **Appendix 1**) Development Committee agreed to delete these conditions.

Changes to Committee Procedures

- 2.6 The report to Development Committee on 1 July 2016 presented a number of changes to how the Committee operates, the changes are listed below:

Deferred items

To enable items to be deferred with the approval of the Chairman of Development Committee prior to the meeting. This would enable Officers to contact interested parties/post information on the website/email/phone to avoid interested parties having a wasted trip to the Council Offices.

Committee Site Visits:

That in consultation with the Chairman of Development Committee, the Head of Planning can add to the list of Committee Site Visits. This change would avoid the need to wait for Committee approval, and enable Committee site visits to be planned more effectively.

Cut off time for submission of information on items to be considered by Development Committee

That a cut off time of 9.00am on the Tuesday before Development Committee on the Thursday be introduced. This would ensure that we have the necessary information, photographs etc prior to briefing Chairman and Vice-Chairman and enable Officers to have adequate preparation time before Committee. Additional representations can be circulated by email to members of Committee, to avoid Officers having to read lengthy emails/letters out at Committee.

Display of information by Public Speakers

To make it clear in our 'Have your say leaflet' that any information that speakers wish to refer to needs to be submitted to the Case Officer no later than 9.00am on the Tuesday before Committee on the Thursday. This will then enable the Officer to include it at the end of their presentation, so any information, photographs etc can be displayed on the main screen.

List of Applications Approved/Refused under Delegated Powers

That this list is provided to Members as part of the Members Bulletin, and Members email Officers with any queries they may have.

'Have your Say'

To amend the 'Have your Say' leaflet/information for Development Committee to require speakers to register to speak, before 9.00am on Tuesday before the Committee on the Thursday. This will then enable the list of speakers to be assembled and the Agenda ordered in advance, and this information circulated to key Officers at the meeting. This will assist with the smooth running of the Committee and enable other Key Officers to support the Chairman with this role.

- 2.7 These changes were introduced to assist with the organisation and smooth running of the Committee meeting, both for Members, in particular the Chairman in relation to the public speaking elements and Officers to have sufficient time to ensure that presentational material is complete before the meeting. These changes have been operational since the 1 September 2016.

3 Impact

Changes to the Constitution

- 3.1 The changes made to the constitution outlined in paragraph 2.1 and 2.2 were made to help streamline the process to ensure that the service was able to meet the new Government targets in relation to the determination of the major and non-major applications and were part of the wider review of how the planning service functions including a review of how Officers work, use of technology, our relationship with Town and Parish Council and other statutory consultees.
- 3.2 Members will be aware that the services performance against Government targets has improved significantly with our performance figures at the 31 March being for non-major developments 95.0% and for major development 92.4%.
- 3.3 The changes set out at paragraph 2.3 were designed to ensure that Development Committee is involved in the determination of the more significant and likely more controversial applications. At the same time, the order of the agenda was changed to ensure that generally major applications are dealt with first.
- 3.4 No complaints or concerns have been raised in respect of these changes which have now been in place for 12 months and appear to be working well.

Changes to Committee Procedures

- 3.5 The report to Development Committee on 1 July 2016 presented a number of changes to assist with the preparation for the actual committee meeting. The requirement for those wishing to speak to register in advance is particularly helpful to the smooth running of the meeting, and enables any queries to be resolved prior to the day of the meeting. It should be noted that the Chairman has discretion to waive this need to register, just in case someone appears on the day of Committee and particularly where the Chairman considers the opportunity to speak could be material to the determination of the application.
- 3.6 The ability to add committee site visits and defer items (in consultation with the Chairman) has been beneficial in the organisation of site meetings in advance of items being considered by Development Committee and to help expedite the processing of applications.
- 3.7 No complaints have been received in respect of these changes which have now be operation for 18 months.

4 Further proposed changes

- 4.1 The service is continually looking at ways to improve how we operate, the sections below outline further changes, the service is looking to put in place.

Working 'paperless'

- 4.2 Members will be aware the one of the key objectives of the digital transformation strategy and the business process review work undertaken in Planning, was to reduce the overall usage of paper, and the need to store paper files. A project is underway to scan the historic paper files currently stored in Stonehill Way, and a key objective for the service is to move to 'paperless' ensuring that all documents in relation to a planning application are stored electronically.
- 4.3 The householder team within Development Management has been leading the way in this respect. However to ensure that information held in the back office system is

complete this does mean that the following will now be stored electronically and therefore be available for public view:

- All email correspondence with Local Member
- Responses to consultation in respect of Local Member Protocol

These are currently open to public inspection should a member of the public call into the office to view the 'paper file', however from 1 May 2018 these will be stored on the back office system.

Section 106 Agreements

4.2 An area that could benefit from further refinement to help reduce the time taken from Committee resolution to issuing of the final decision notice is S106 Obligations. Such planning obligations can be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Accordingly, it is fair to assume that where Committee has resolved to approve an application subject to a S106 Obligation, the proposal would be unacceptable in the absence of relevant planning conditions or S106 obligations.

4.3 There are a number of cases which have come before the Development Committee where the Committee has resolved to approve a proposal subject to the imposition of planning conditions and the signing of a S106 obligation. Currently no time limit is specified within which the S106 Obligation has to be completed and signed. Whilst most applicants want to proceed quickly following Committee resolution and will seek to have their S106 Obligations completed promptly, there are cases where the S106 process has become drawn out.

4.4 Where obligations are not concluded within 3 months of Committee resolution and where there is no real prospect of the obligation being completed promptly in order to address the identified unacceptable planning impacts, the application will be refused on the basis of an absence of a signed S106 Obligation necessary to address the adverse impacts of the proposal.

4.5 Moving forward, it is therefore intention to use the following wording, where the recommendation includes the completion of a legal agreement:

Standard recommendation wording;

Recommendation 1

Approval of the application is delegated to the Head of Planning subject to:

- (i) Prior completion of a suitable section 106 agreement in accordance with the terms set out in paragraph of the report within 3 months of the date of resolution to approve
- (ii) To include specific conditions listed below.....
- (iii) Any other conditions considered to be appropriate by the Head of Planning

Recommendation 2

That the application be refused if a suitable section 106 agreement is not completed within 3 months of the date of resolution to approve and, and in the opinion of the Head

of Planning, there is no realistic prospect of a suitable section 106 agreement being completed within a reasonable timescale

5 Conclusions

- 5.1 The changes to the Constitution put in place in March 2017 have proved effective at helping the service to improve its performance in respect of the Government targets for determining applications within the statutory period.
- 5.2 The changes to committee procedures put in place in September 2016 have proved beneficial and should be approved on a permanent basis.

Recommendations

It is recommended:

1. That Development Committee recommends to the Constitution Working Party and full Council that the changes introduced on 16 March 2017 be agreed as permanent changes to the constitution
2. The changes to the Committee procedures put in place in September 2016 (as reported to Development Committee on 1 July 2016) be agreed on a permanent basis.
3. Members note the additional changes set out in Section 4 of this report, which will become operational from 1 May 2018.

(Source: Nicola Baker, Head of Planning ext 6135)

(5) DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – YEAR END 2017/18

1. Introduction:

- 1.1 This report sets out the year-end performance in relation to the determination of planning applications in both Development Management (DM) and Majors, and looks at current appeals work and success rates across the service.
- 1.2 The focus on performance has increased significantly over the last 24 months since April 2016. Proposed performance targets were put forward in the 'Technical consultation on implementation of planning changes' published in February 2016, just ahead of publication of the Housing and Planning Act 2016. These performance targets were formalised with the publication of the Government's criteria for designation of underperforming authorities in November 2016.
- 1.3 The publication of the Act and the Technical Consultation coincided with the Planning service reviewing its processes, procedures and use of technology as part of the Digital Transformation Programme. The purpose of this work was to provide customers with greater access to on line services, and also provide capacity within the service to focus on the determination of planning applications.
- 1.4 In November 2016 the government published its formal criteria against which they assess the performance of Local Planning authorities and NNDC has consistently been measuring its performance against these published targets since this date.

2. Background:

2.1 Section 1 of the Growth and Infrastructure Act 2013 inserted sections 62A and 62B into the Town and Country Planning Act 1990 (“the 1990 Act”). Section 62A allows certain applications to be made directly to the Secretary of State, where the local planning authority has been designated for under-performance. Section 62B requires that the criteria for any such designation, or for revoking a designation, must be set out in a document published by the Secretary of State and laid before Parliament.

2.2 At that time, the Growth and Infrastructure Act 2013 also introduced performance measures for major applications. It sought to:

- Assess speed¹ and quality² of decisions;
- If LPAs fail to meet either or both standards they risk being designated as under-performing;
- An authority which is designated is required to produce an action plan to address areas of weakness and applications can be submitted directly to the Secretary of State (SoS) instead of to the authority;
- Designation lasts one year and is subject to review.

2.3 The Housing and Planning Bill extended the performance measures to include non-major development and revises the thresholds for major development.

2.4 Non-major development³ includes minor development, changes of use and householder development.

3. Published Designation Criteria:

3.1 The table below sets out the current performance thresholds against which the planning service is judged by Central Government:

Measure and type of application	2018 threshold and assessment period
Speed of Major Development	60% of applications determined within 13 weeks or an agreed extended deadline over a 24 month cumulative period (back-dated October 2015 to September 2017). NB for EIA development this extends to 16 weeks or an agreed extended deadline.
Quality of Major Development	Not more than 10% of appeals overturned over a 24 month cumulative period (back-dated April 2015 to March 2017).
Speed of Non-major Development	70% of applications determined within 8 weeks or an agreed extended deadline over a 24 month cumulative period (back-dated October 2015 to September 2017).
Quality of Non-major Development	Not more than 10% of appeals overturned over a 24 month cumulative period (back-dated April 2015 to March 2017).

3.2 It is important to note that each measure will be assessed separately. An authority can be designated purely for its performance on Major applications or Non-major applications; good performance on one does not counter-act the other.

¹ The percentage of applications determined in the statutory period (include agreed extensions of time) over a two year period.

² The proportion of all decisions on applications that are overturned at appeal over a two year period.

³ See Town and Country Planning (Development Management Procedure) (England) Order 2015: <http://www.legislation.gov.uk/ukxi/2015/595/article/2/made>

3.3 An authority can claim ‘exceptional circumstances’ before designation occurs. An authority will be given the opportunity to provide clear evidence to justify any corrections to data and to set out any exceptional circumstances which would, in their opinion, render designation unreasonable. Such claims are judged against two criteria:

- Whether the issue affects the reasonableness of the conclusions that have been drawn from the data provided, and;
- Whether the issue had a significant impact on the authorities’ performance for reasons beyond its control.

3.4 A flow chart showing the designation process can be found in **Appendix 2**.

4. Implications of Designation:

4.1 Under designation, applicants can apply directly to the Planning Inspectorate. However, for non-major development it is considered that this would apply only to minor development and changes of use, not householder development or retrospective applications. Essentially we would still be required to process the application in the normal manner but the Planning Inspectorate would determine the application and take the planning fee.

4.2 Where authorities are designated a detailed improvement plan will be required.

4.3 There are significant reputational issues which would arise following designation and alongside the Governments’ proposals to introduce competition into the planning system, there could be significant implications for service delivery.

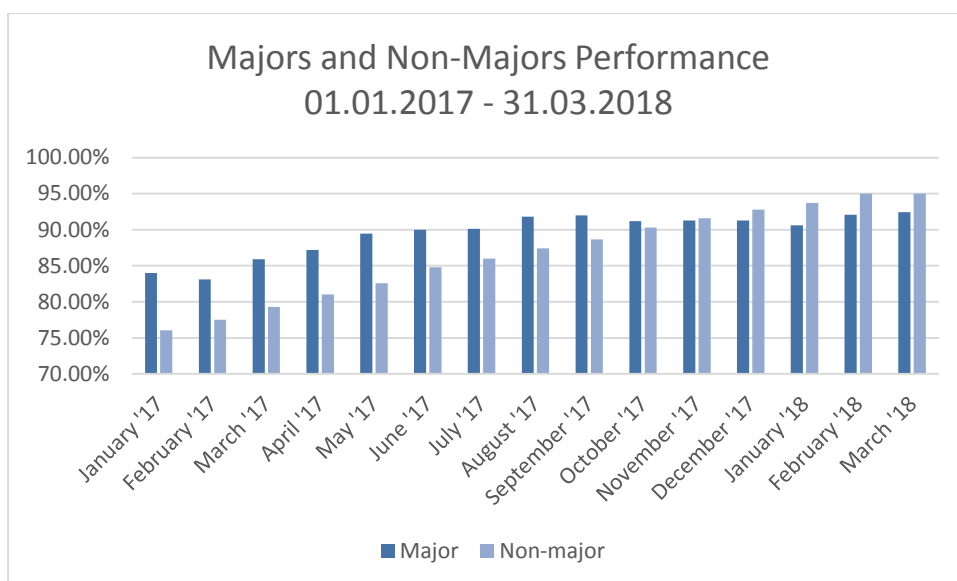
5. Current Performance:

5.1 On 20th December 2017 the Government published the updated performance tables for the 24 month cumulative period (1st Oct 2015 – 30th Sept 2017), annual (1st Oct 2016 – 30th Sept 2017) and quarter 2 (1st July – 30th Sept 2017) data. These were reported to Development Committee in January 2018 alongside a comparison to other Norfolk Local Planning Authorities. Performance for Majors and Non-Majors for the 24 months cumulative period at this time was published at 92% and 88.2% respectively. Above the 2018 threshold.

5.2 Current applications performance data in relation to speed of decisions for Majors and Non-majors over the 24 month cumulative period 1st April 2016 to 31st March 2018 is shown in the table below.

Year	Month	Type	Cumulative (month + 23 preceding months)	National performance indicators (green = met / red = not met) Majors (60%) Non-Majors (70%)
2018	March	Major	92.42%	
		Non-Major	95.00%	

5.3 Performance has been on a steady climb since September 2016. The graph below shows performance increases since January 2017:



5.4 The table below sets out performance at the last four year end periods to provide a comparison:

Year end figure for 2014/15 (preceding 24 month cumulative performance including applications determined within agreed Extensions of Time)	
Majors	Non-Majors
76.83%	61.17%
Year end figure for 2015/16 (preceding 24 month cumulative performance including applications determined within agreed Extensions of Time)	
Majors	Non-Majors
78.05%	66.66%
Year end figure for 2016/17 (preceding 24 month cumulative performance including applications determined within agreed Extensions of Time)	
Majors	Non-Majors
85.90%	79.31%
Year end figure for 2017/18 (preceding 24 month cumulative performance including applications determined within agreed Extensions of Time)	
Majors	Non-Majors
92.42%%	95.00%

5.5 A comparison of all workload can be found in **Appendix 3**. Application numbers are up on this time last year by 694 additional applications. The number of pre-application enquiries is rising, despite the introduction of the new charged for pre-application advice service. A total of 276 pre-application advice requests have come in under the new service, generating an income of in excess of £50,000, over £11,000 more than this time last year. Householder applications continue to be our largest source of workload accounting for around 42% of total workload.

6. Appeals

6.1 The table below sets out the number of appeals over the 24 months period from April 2016 to March 2018. This includes detail on how many have been overturned (or lost) and this as a percentage of total application numbers decided over the same period.

	Total Appeals (1 April 2016-31 Mar 2018)	Appeals overturned (lost)	Total applications decided (1 April 2016-31 Mar 2018)	%
Majors	1	0	66	0
Non-Majors	46	10	2402	0.42
Other types not included in quality performance target	9	3	319	0.94
TOTAL	56	13	2787	0.47

6.2 The table below shows the same data but for the preceding period (April 2015 to March 2017)

	Total Appeals (1 April 2015-31 Mar 2017)	Appeals overturned (lost)	Total applications decided (1 April 2015-31 Mar 2017)	%
Majors	5	2	78	2.56%
Non-Majors	45	8	2,364	0.33%
Other types not included in quality performance target	4	N/a	N/a	N/a
TOTAL	54	N/a	N/a	N/a

6.3 As can be seen, the number of appeals and number of overturns is fairly consistent with this time last year.

6.4 In addition to the above the number of Enforcement Appeals has also increased, although this is not scrutinised by Central Government in terms of performance.

6.5 In addition to the above appeals, the table below shows the number of enforcement appeals received over the last 12 months and whether they have been upheld, dismissed or are outstanding:

Appeal ref/ENF ref	Location	Process	Status
APP/Y2620C/17/3182741 ENF/14/0130	8 Debenne Road, North Walsham	Written Reps	Outstanding
APP/Y2620C/17/3191320 ENF/17/0201	Thwaite Hill Farm, Middle Hill, Thwaite with Alby	Not confirmed	Outstanding
APP/Y2620C/17/3192920 ENF/17/0161	Gabel End Barn, Mundesley Road, Trunch	Held in abeyance pending determination of planning application	Outstanding
APP/Y2620F/17/3191927 ENF/16/0086	Bath House, Melton Constable Hall, Melton Park, Dereham Road, Melton Constable	Written Reps	Outstanding
APP/Y2620F/17/3191940 ENF/16/0087	Clock Tower, Melton Constable Hall, Melton Park, Dereham Road, Melton Constable	Written Reps	Outstanding
APP/Y2620F/17/3191942 ENF/16/0088	Fire Engine House, Melton Constable Hall, Melton Park, Dereham Road, Melton Constable	Written Reps	Outstanding
APP/Y2620C/17/3188701 ENF/17/0037	Land adj 7 The Street, Kettlestone	Not confirmed	Outstanding
APP/Y2620C/17/3182511 ENF/16/0144	Dildash House, The Street, Great Snoring, Fakenham	Written Reps	Outstanding
APP/Y2620C/17/3175128 ENF/15/0067	Beeches Farm, Crowgate Street, Tunstead	Public Inquiry	Outstanding
APP/Y2620C/17/3175096 ENF/16/0265	Aitken House, 28 Yarmouth Road, North Walsham	Written Reps	Decided – Upheld in part

6.6 Appeals work across the department is up, with a number of both planning and enforcement appeals being heard by Public Inquiry. There have also been a number of legal challenges over the last 12 months including a judicial review of a Development Committee decision in Blakeney and the Council have challenged Planning Inspectorate decisions in relation to turbine proposals at Bodham and Selbrigg and have acted to defend decisions on behalf of the Inspectorate at Sculthorpe. All of these new and ongoing cases and subsequent re-determination of appeals presents additional staff resource pressure.

6.7 However, The LPA has a strong record for Committee decisions being upheld and appeals being dismissed, clearly demonstrating that we are making robust and defensible decisions. All appeal decisions are scrutinised for any learning points and summaries regularly reported to Development Committee. These summaries will also feed into the review of the Development Management policies under the Local Plan review, with any relevant amendments or additional policies able to be made or added at that point.

7. Commentary

Major application performance

7.1 Major Application performance remains above current national performance indicators for determination over the last 24 months, however the number of major cases registered in 2017 has increased on 2016 with nearly 3 times more applications received.

7.2 A key priority for 2018 is to bring forward an effective and efficient pre-application service for major applications so as to ensure applicants and agents engage with the Local Planning Authority prior to submitting an application to ensure a smooth and efficient process and to try and reduce the time taken to reach a positive outcome.

7.3 Furthermore, there is still a need to ensure other processes are robust and timely including completion of S106 Obligations. It is also recognised that there is a degree of reliance on formal extensions of time often to enable amendments to applications to be secured in the wider public interest. With improved pre-application advice services, it is envisaged that many schemes currently requirement amendment during the application process will be able to be determined more quickly and without the need for extensions of time.

7.4 Following the grant of permission there is also a need to ensure that processes relating to the discharge of planning conditions are clear and robust to help ensure the time between the grant of planning permission and the commencement of development is minimised to help contribute to the supply of new housing. This will also help reduce future workload implications for the Planning Enforcement team.

Non-Major application performance

7.5 Performance has been improving steadily since April 2016 with Non-Major applications performance rising from 79.31% at this time last year (2016/17) to 95% as at the end of March 2018. This is an increase of +16%.when assessed over the 24 month period.

7.6 The planning service as a whole has been under a number of pressures in this time and some of the challenges are outlined below:

- Increased numbers of applications. In 2014/15 a total of 1,346 applications were received, this rose to 1,454 applications in 2015/16, this decreased slightly in 2016/17 to 1,338 applications but has risen significantly in 2017/18 by just under 400 applications to 1,749 applications received;
- Staffing pressures. The teams are running with a vacant Level 2 planning officer posts. Whilst new staff have been recruited, these are at the more junior end of the spectrum, meaning there is a gap in the department of experienced planners, and;

- The continuation of a number of procedural changes and significant upgrades impending to the back office systems;

Other areas of work to improve performance

7.7 The planning service continues to work through the areas identified under the Business Process Review to achieve a more streamlined process for determining applications, and introducing much clearer performance management measures. A few examples are listed below;

- Adoption of a Local Validation Checklist;
- Working with Town and Parish Councils to enable them to self-serve and work more electronically;
- Developing a new Pre-application advice Service, and;
- Review of all Committee procedures and protocols including the Local Member protocol and some general provisions of the Constitution.

7.8 In addition, there are a number of areas alongside the BPR process where the LPA is working toward improving our procedures, a few examples are listed below:

- New pre-application process for tree and listed building enquiries;
- Progressing paperless working across the Development Management teams;
- The introduction of greater rigour in recording and monitoring of S106s;
- Review of all letters, officer reports, decision notices, and conditions used in applications, and;
- Introducing new processes for internal consultees to respond to application consultations.

8. Recommendations:

8.1 Members are asked to note the content of this report.

(Source: Sarah Ashurst, Development Manager ext 6144)

APPEALS SECTION

(6) NEW APPEALS

None

(7) INQUIRIES AND HEARINGS - PROGRESS

NORTH WALSHAM - PO/17/0549 - Erection of up to 200 dwellings, open space, supporting infrastructure and other associated works (outline application) - revised submission; Land between Aylsham Road and Greens Road, North Walsham for MLN (Land and Properties) Ltd & Simon Rossi & Katherine Beardshaw & Nigel Rossi
PUBLIC INQUIRY 21 August 2018

**TUNSTEAD - ENF/15/0067 - Unauthorised commercial uses of former agricultural buildings; Beeches Farm, Crowgate Street, Tunstead, Norwich, NR12 8RF
PUBLIC INQUIRY**

(8) WRITTEN REPRESENTATIONS APPEALS - IN HAND

BRISTON - PO/17/0656 - Erection of 3x detached bungalows and garages and demolition of existing dwelling (Outline); Carefree, Providence Place, Briston, Melton Constable, NR24 2HZ for Mr Thompson

CORPUSTY AND SAXTHORPE - PF/17/1209 - Conversion of 2no. agricultural outbuildings to 2no. holiday let units; Little London Farm, Town Close Lane, Little London, Corpusty, Norwich, NR11 6QU for Mr Casburn

CORPUSTY AND SAXTHORPE - PF/17/0470 - Demolition of dwelling, garage & outbuilding & erection of 2 semi-detached bungalows; Sunnyside, Post Office Lane, Saxthorpe, Norwich, NR11 7BL for Sparksfield Ltd

MORSTON - PO/17/0645 - Proposed single storey building for holiday let accommodation; Land at Morston, The Street, Morston, Holt, NR25 7AA for Mr Paterson

RUNTON - PF/17/0870 - Erection of single storey dwelling; Beacon Hill, Sandy Lane, West Runton, Cromer, NR27 9NB for Mr & Mrs Broughton

TUNSTEAD - PF/17/0428 - Change of use from Agricultural to General Industrial (Class B2) (retrospective); Unit 13, Beeches Farm, Crowgate Street, Tunstead, NORWICH, NR12 8RF for Mr Platten

WELLS-NEXT-THE-SEA - PF/17/1198 - Sub - division of single dwelling to form 2no. dwellings; 2 Butts Corner, The Buttlands, Wells-next-the-Sea, NR23 1EZ for Foxberry Developments

WELLS-NEXT-THE-SEA - LA/17/1199 - Internal and external alterations to facilitate the refurbishment and sub - division of a single dwelling into two dwellings; 2 Butts Corner, The Buttlands, Wells-next-the-Sea, NR23 1EZ for Foxberry Developments

WITTON - PO/17/1362 - Erection of 3 detached dwellings (outline with all matters reserved); Land at Mace Cottage, North Walsham Road, Ridlington, Norfolk, NR28 9NR for Mr & Mrs Fiveash

GREAT SNORING - ENF/16/0144 - Structure erected in garden of Dildash House; Dildash House, The Street, Great Snoring, Fakenham, NR21 0AH

MELTON CONSTABLE - ENF/16/0087 - Removal of Clock Mechanism - Listed Building; Clock Tower, Melton Constable Hall, Dereham Road, Melton Constable, NR24 2NQ

MELTON CONSTABLE - ENF/16/0088 - Removal of Cupola - Listed Building; Fire Engine House, Melton Constable Hall, Melton Park, Dereham Road, Melton Constable, NR24 2NQ

NORTH WALSHAM - ENF/14/0130 - Fences Erected Enclosing Land Which had Previously been Grass Verge Maintained by the Council; 8 Debenne Road, North Walsham, NR28 0LZ

(9) **APPEAL DECISIONS - RESULTS AND SUMMARIES**

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
APPEAL DECISION:- **APPEAL DISMISSED**

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
APPEAL DECISION:- **APPEAL DISMISSED**

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
APPEAL DECISION:- **APPEAL DISMISSED**

Summaries of the above appeal decisions are attached at **Appendix 4**.

A summary of the following appeal decision will be reported to the next meeting.

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
APPEAL DECISION:- **APPEAL ALLOWED**

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

No change from previous report.

Appendix 1 – List of Prior Approval Applications and Statutory period to determine:

Larger household extensions (42 days to determine)

Change of use (Class A – Part 3 change of use) restaurants, cafes, takeaway or pubs to retail (56 days to determined)

Class C – retail, betting office or pay day loan shop or casino to restaurant or café (56 days to determine)

Class J- retail or betting office or pay day loan shop to assembly and leisure (56 days to determine)

Class M – retail or betting shop or pay day loan shop to dwellinghouses (56 days to determine)

Class N – specified sui generis uses (amusement arcade, casino, or Class C3 dwellinghouses) to dwellinghouses (56 days to determine)

Class O – offices to dwellinghouses (56 days to determine)

Class P – storage or distribution centre to dwellinghouses (56 days to determine)

Class Q – agricultural buildings to dwellinghouses (56 days to determine)

Class R – agricultural building to a flexible commercial use (56 days to determine)

Class S – agricultural building to state-funded or registered nursery (56 days to determine)

Class T – business, hotel etc to state-funded schools or registered nursery (56 days to determine)

Class E (Part 4 – Temporary buildings and use)– temporary use of buildings and land for film making purposes

Class A (Part 6- Agricultural and Forestry) Agricultural development on units of 5 hectares or more (28 days to determine)

Class E Forestry developments (28 days to determine)

Class C (part 7) click and collect facilities (56 days to determine)

Class D (Part 9) – toll road facilities (28 days)

Class B (Part 11) – demolition of buildings (28 days)

Class J (Part 14) installation or alternation etc of solar equipment on non- domestic premises (56 days)

Class A (Part 16 – Communications) electronic communication code operators) – 56 days to determine

Appendix 2: Designation Flow chart

<p>Approximate timescale: Mid December</p>	<p>Publication of the statistics for the final quarter of the 24 month assessment period are published by DCLG</p>			
<p>↓</p>				
<p>DCLG considers authorities' performance separately on the following categories of applications</p>				
<p>Approximate timescale: Speed - Mid December Quality – January</p>	<p>Speed of decisions on applications for Major development</p>	<p>Quality of decisions on applications for Major development</p>	<p>Speed of decisions on applications for Non-major development</p>	<p>Quality of decisions on applications for Non-major development</p>
<p>↓</p>				
<p>Approximate timescale: January</p>	<p>DCLG write to authorities at risk of designation for one or more categories of application, requesting authorities provide any data corrections or exceptional circumstances that would make designation unreasonable</p>			
<p>↓</p>				
<p>Approximate timescale: Speed – February Quality – March</p>	<p>DCLG will inform if an authority is designated for its performance in determining applications for Major or Non-major development, or both, the Secretary of State will issue a Designation Notice.</p>			
<p>↓</p>				
<p>During the time the authority is designated</p>	<p>Once an authority is designated for one or more categories of application:</p> <ul style="list-style-type: none"> • Applicants can choose to apply directly to the Planning Inspectorate for an application falling within the description of applications for which the authority is designated (subject to exceptions including householder and retrospective applications). • The authority is provided with support by DCLG and is expected to prepare an Improvement Plan identifying actions that address the areas of weakness that led to the authority being designated. 			
<p>↓</p>				
<p>Approximate timescale: Speed – December Quality – March</p>	<p>Authority remains designated until de-designation is considered (normally 12 months later)</p>			

Appendix 3 – Workload comparison 2014/15, 2015/16 and 2016/17

	1 April 2014 to 31 March 2015	1 April 2015 to 31 March 2016	1 April 2016 to 31 March 2017	1 April 2017 to 31 March 2018	
Major Applications Registered	49	62	18	49	
Minor Applications Registered	509	522	399	507	
Other Applications Registered	837	932	939	1193	
Total	1,395	1,516	1,356	1,749	
Major Applications Decisions	46	49	15	35	
Minor Applications Decisions	481	496	347	502	
Other Applications Decisions	749	935	855	1030	
Total	1,276	1,480	1,217	1,567	
Appeals Received (Major)	4	0	2	1	
Appeals Received (Minor)	15	15	15	21	
Appeals Received (Other)	0	11	9	15	
Total	19	26	26	37	
Appeal Decisions (Major)	1	4	1	1	
Appeal Decisions (Minor)	22	12	19	12	
Appeal Decisions (Other)	3	9	7	17	
Total	26	25	27	30	
Non-material Amendments Received	<i>to be advised</i>	<i>to be advised</i>	82	94	
Condition Discharge Received	214	250	238	265	
Pre-Applications Received (DEV21)	123	97	277	79*	
Do I Need Planning Permission Requests Received (DEV20)	55	37	60	N/a	
Approximate Duty Officer Enquires Dealt With	<i>Data not available</i>	2,829	2,400	N/a	
Pre-application advice requests received*	N/a	N/a	N/a	276 178 – bronze 41 Silver L1 57 Silver L2	
Pre-application advice responses (DM only)	N/a	N/a	N/a	200	
Fee Income	8255 - Planning Fees (All Categories)	737,360	852,103	568,723	805,299
	8228 - Fees General (Conditions)	19,095	15,457	13,087	11,380
	8236 – Pre Application advice	24,168	30,418	42,273	53,770
	8237 - Do I need Planning Permission?	950	2,203	2,400	363
		781,573	900,181	626,483	870,812

*Since 01 June 2017 Phase 1 of a new pre-application advice service was introduced for all non-major development. All Major pre-application advice requests continue to use the DE21 service until such time as Phase 2 (Listed buildings and trees) and Phase 3 (Major Applications) services have been introduced (expected Autumn 2018).

Application Number: PU/17/0685	Appeal Reference: APP/Y2620/W/17/3189375
Location: Barn adj to Brick Kiln Farm, Lyngate Road, North Walsham, NR28 0NE	
Proposal: Prior approval for proposed change of use of agricultural building to dwellinghouse (Class C3) and associated operational development	
Officer Recommendation: Refuse	Member decision (if applicable): N/a
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary: The main issues the Inspector considered was:</p> <ul style="list-style-type: none"> Whether or not the proposal constitutes permitted development under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) with the key consideration being the previous use of the barn and the operations required to convert the barn to residential use. <p>Previous Use: The Inspector did not consider the evidence submitted by the appellant convincing to demonstrate that the barn had been used in an agricultural use on the date specified in the relevant paragraph under the permitted development order. As such, he considered it not to be permitted development.</p> <p>Operations: The Inspector noted the requirement under the permitted development regulations that the change of use must be brought about under a conversion, rather than a re-build. He noted that the number of new external walls would constitute a higher proportion of the appeal proposal that replacement of existing walls, he also noted the removal and replacement of the roof. Whilst the regulations allow for some installation and replacement of roofs, he considered that the proposals constituted a new external skin and that the degree of new build would go beyond that which would be reasonably described as required for a conversion to take place. Again, he did not consider the proposal to be permitted development.</p>	
Relevant Core Strategy Policies: N/a	
Relevant NPPF Sections/Paragraphs: N/a	
Learning Points/Actions: N/a	

Application Number: PU/17/1044	Appeal Reference: APP/Y2620/W/17/3188252
Location: The Old Piggery, Reepham Road, Briston, Melton Constable, NR24 2JL	
Proposal: Notification for prior approval for change of use of agricultural building to a dwelling house (Class C3)	
Officer Recommendation: Refuse	Member decision (if applicable): N/a
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary: The main issues the Inspector considered was:</p> <ul style="list-style-type: none"> Whether or not the proposal constitutes permitted development under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) with the key consideration being the nature of the operations required to convert the barn to residential use. 	

<p>Operations: The Inspector noted the requirement under the permitted development regulations that the change of use must be brought about under a conversion, rather than a re-build. He noted that all walls and roof would be removed in order to facilitate the proposal meaning that the starting point would be a skeletal building. He considered that the totality of the replacement of all walls and roof would not fall under 'operations necessary to convert' and as such the proposal would not be permitted development.</p>
<p>Relevant Core Strategy Policies: N/a</p>
<p>Relevant NPPF Sections/Paragraphs: N/a</p>
<p>Learning Points/Actions: N/a</p>

Application Number: PU/17/1160	Appeal Reference: APP/Y2620/W/17/3185547
Location: Willow Farm Barn, Swanton Abbott Road, Skeyton, NR10 5AU	
Proposal: Notification for prior approval for a proposed change of use of agricultural building to dwellinghouse (Class C3) & for associated operational development.	
Officer Recommendation: Refuse	Member decision (if applicable): N/a
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary: The main issues the Inspector considered was:</p> <ul style="list-style-type: none"> • Whether or not the proposal constitutes permitted development under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended). <p>Permitted Development: The Inspector noted the requirement under the permitted development regulations that the change of use must be brought about under a conversion, rather than a re-build. He noted that the building appeared structurally sound but that there was no evidence before him that the building could take the additional loads required for it to function as a dwelling, having been designed as an agricultural building. He also noted that all walls and roof would be removed in order to facilitate the proposal meaning that the starting point would be a skeletal building. He considered that the totality of the replacement of all walls and roof would not fall under 'operations necessary to convert' and as such the proposal would not be permitted development.</p>	
<p>Relevant Core Strategy Policies: N/a</p>	
<p>Relevant NPPF Sections/Paragraphs: N/a</p>	
<p>Learning Points/Actions: N/a</p>	

Sources:

Sarah Ashurst – Development Management Manager