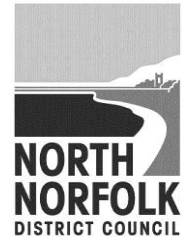


# Development Committee



**Please contact:** Linda Yarham

**Please email:** [linda.yarham@north-norfolk.gov.uk](mailto:linda.yarham@north-norfolk.gov.uk) Direct Dial: 01263 516019

**TO REGISTER TO SPEAK PLEASE CALL 01263 516150**

4 July 2018

A meeting of the **Development Committee** will be held in the **Council Chamber** at the Council Offices, Holt Road, Cromer on **Thursday 12 July 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 2 August 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 10 July 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](mailto:districtcouncil@north-norfolk.gov.uk) **Web site** [www.north-norfolk.gov.uk](http://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 14 June 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) **SEA PALLING - PF/18/0395 - Variation of condition 1 and removal of 2 of planning permission SM 4542 to allow the permanent use of caravan site for all year round holiday purposes; Golden Beach Caravan Park, Beach Road, Sea Palling, Norwich, NR12 0AL for Lovat Parks Ltd.**

**SEA PALLING - PF/18/0396** - Variation of condition 3 of planning permission PF/89/1179 to allow 12 no. static caravans to be occupied for all year round holiday purposes; Golden Beach Caravan Park, Beach Road, Sea Palling, Norwich, NR12 0AL for Lovat Parks Ltd.

**SEA PALLING - PF/18/0397** - Removal of condition 12 of planning permission PF/09/0630 to allow 22 no. static caravans to be occupied for all year round holiday purposes.; Golden Beach Caravan Park, Beach Road, Sea Palling, Norwich, NR12 0AL for Lovat Parks Ltd.

- (2) **AYLMERTON - PF/18/0774** - Erection of single storey rear extension; replacement roof with higher ridge level and dormers to front and rear to provide second floor habitable space; The Firs, 18 Beechwood Avenue, Aylmerton, Norwich, NR11 8QQ for Mr & Mrs Baker Page 11
- (3) **CROMER - PF/18/0176** - Formation of crazy golf course on site of boating pond; Evington Gardens, Runton Road, Cromer, NR27 9AR for The Lawns Leisure Ltd Page 14
- (4) **EAST RUSTON - PF/18/0493** - Part demolition of single storey extension & erection of two storey rear extension and glazed link; Furze Cottage, Long Common, East Ruston, Norwich, NR12 9HH for Mr & Mrs Kirby Page 21
- (5) **NORTH WALSHAM - PF/18/0832** - Erection of new dwelling; Brick Kiln Farm, Lyngate Road, North Walsham, NR28 0NE for Mr Whitehead Page 24  
(Appendix 1 – page 37)
- (6) **WELLS-NEXT-THE-SEA - PF/18/0577** - Variation of condition 2 (approved plans) of planning permission PF/17/1065 to allow for alterations to position and sizes of windows in south and east elevations, additional rooflights including one to provide amended access arrangement to the roof terrace, changes to external materials to parts of front elevation and alterations to internal layout of ground floor storage area and to part of first floor; Land adjacent to Hampden House, East Quay, Wells-next-the-Sea for Mr Chick Page 27  
(Appendix 2 – page 40)
- (7) **THE GRAHAM ALLEN AWARD FOR CONSERVATION AND DESIGN** Page 33

*This report outlines the need to establish a Judging Panel for this year's Graham Allen Award and to agree the proposed dates for the judging and presentation of the awards.*

- (8) **NEW APPEALS** Page 34
- (9) **INQUIRIES AND HEARINGS - PROGRESS** Page 35
- (10) **WRITTEN REPRESENTATIONS APPEALS - IN HAND** Page 35
- (11) **APPEAL DECISIONS – RESULTS AND SUMMARIES** Page 36  
(Appendix 3 – page 45)
- (12) **COURT CASES – PROGRESS AND RESULTS** Page 36

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 - 12 JULY 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) **SEA PALLING - PF/18/0395** - Variation of condition 1 and removal of 2 of planning permission SM 4542 to allow the permanent use of caravan site for all year round holiday purposes; Golden Beach Caravan Park, Beach Road, Sea Palling, Norwich, NR12 0AL for Lovat Parks Ltd.

**SEA PALLING - PF/18/0396** - Variation of condition 3 of planning permission PF/89/1179 to allow 12 no. static caravans to be occupied for all year round holiday purposes; Golden Beach Caravan Park, Beach Road, Sea Palling, Norwich, NR12 0AL for Lovat Parks Ltd.

**SEA PALLING - PF/18/0397** - Removal of condition 12 of planning permission PF/09/0630 to allow 22 no. static caravans to be occupied for all year round holiday purposes.; Golden Beach Caravan Park, Beach Road, Sea Palling, Norwich, NR12 0AL for Lovat Parks Ltd.

**Major Development**

**- Target Date: 24 April 2018**

Case Officer: Mr C Reuben

Full Planning Permission

**CONSTRAINTS**

EA Risk of Flooding from Surface Water 1 in 100

EA Risk of Flooding from Surface Water 1 in 1000

EA Risk of Flooding from Surface Water 1 in 30

Flood Zone 3 + Climate Change

LDF Tourism Asset Zone

Flood Zone 2 - 1:1000 chance

Flood Zone 3 1:200 chance sea/1:100 chance river

Unclassified Road

Article 4 Direction

Undeveloped Coast

LDF - Countryside

**RELEVANT PLANNING HISTORY**

SM. 4542 (64/343)

GOLDEN BEACH CARAVAN PARK, SEA PALLING

PERMANENT PERMISSION FOR HOLIDAY CARAVAN PARK

Approved 13/08/1964

PLA/19740567 PF  
GOLDEN BEACH CARAVAN PARK, SEA PALLING  
26 ADDITIONAL CARAVANS  
Refused 07/10/1974

PLA/19891179 PF  
GOLDEN BEACH CARAVAN PARK, BEACH ROAD, SEA PALLING  
RE-LOCATION OF TWELVE CARAVANS  
Approved 13/10/1989

PLA/19920649 PF  
GOLDEN BEACH HOLIDAY CENTRE, BEACH ROAD, SEA PALLING  
CHANGE OF USE - 50 NO.TOURING CARAVAN SITES TO 27 NO.STATIC CARAVAN  
SITES  
Refused 30/06/1992

PLA/1998/0794 PF  
GOLDEN BEACH HOLIDAY CENTRE, BEACH ROAD, SEA PALLING  
USE OF LAND FOR SITING OF 10 NUMBER STATIC CARAVANS  
Approved 27/08/1998

PLA/20071586 PF  
GOLDEN BEACH HOLIDAY CENTRE, BEACH ROAD, SEA PALLING  
CHANGE OF USE OF LAND FROM TOURING CARAVAN SITE TO STATIC CARAVAN  
SITE  
Refused 04/12/2007

PLA/20090630 PF  
Golden Beach Holiday Centre, Beach Road, Sea Palling, Norwich, NR12 0AL  
USE OF LAND FOR SITING 22 STATIC CARAVANS TO REPLACE 50 TOURING CARAVAN  
PITCHES  
Approved 28/08/2009

#### THE APPLICATION

This report relates to three separate but interlinked applications:

Application **PF/18/0395** seeks the variation of condition 1 and the removal of condition 2 imposed on planning permission ref: SM 4542. Condition 1 restricts occupancy of static caravans on part of the site to between 20th March and 31st October only. The applicant is applying for all year round use of the caravans for holiday purposes. Condition 2 requires the removal of caravans, tents and equipment from the site when not in use between 1st November and 19th March.

Application **PF/18/0396** seeks the variation of condition 3 imposed on planning permission ref: 89/1179 which restricts occupancy of static caravans on part of the site to between 20th March and 31st October only and for ten days before and after Christmas Day in each year. The caravans can only be used for the storage of household effects at all other times. The applicant is applying for all year round use of the caravans for holiday purposes

Application **PF/18/0397** seeks the removal of condition 12 imposed on planning permission ref: 09/0630 which restricts occupancy of static caravans on part of the site to between 20th March and 31st October only and for ten days before and after Christmas Day in each year. The caravans can only be used for the storage of household effects at all other times. The applicant is applying for all year round use of the caravans for holiday purposes

## REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr R Price due to the possibility of future residential use of the site, the precedent for other similar parks in the district, and flood risk matters.

## PARISH/TOWN COUNCIL

Sea Palling Parish Council (response applies to all three applications) - would be happy with 10 months rather than 12 months use. Would like the infrastructure (i.e. water pressure) improved.

## REPRESENTATIONS

The site notices all expired on 04 April 2018. To date:

### **PF/18/0395**

No representations received.

### **PF/18/0396**

No representations received.

### **PF/18/0397**

1 letter of objection raising the following issue:

- Static caravans comply to BS EN 1647 which deals with fabric, ventilation and heat losses, awarding a rating label. Caravan holiday homes are designed for holiday occupancy. The rating assumes the home is not used during the coldest part of the year from the beginning of December until the end of February. It will be environmentally irresponsible to occupy these caravans during the coldest months of the year.

## CONSULTATIONS

The consultation responses received as below are the same for all three applications:

Norfolk County Council (Highway - Broadland) - no objection.

Norfolk County Council Flood & Water Management (Lead Local Flood Authority) - no comment.

Coastal Management - no response.

Landscape Officer - no objection.

Environment Agency - initial holding objection as a Flood Risk Assessment (FRA) had not been submitted.

24/05/18 - lifted their holding objection. The site is not at actual risk of flooding owing to the protection offered by existing sea defences and the intention to 'hold the line' contained within the adopted Shoreline Management Plan 6 - Kelling Hard to Lowestoft Ness. The flood hazard as a result of residual risk is again very low. Flood resilience and resistance measures should be considered. A Flood Evacuation Plan is also required.

Civil Contingencies Manger (Emergency Planner) - suggested amendments to the submitted Flood Evacuation Plan, and the provision of a Site Business Flood Plan.

## 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

### North Norfolk Core Strategy (Adopted September 2008):

SS 2 - Development in the Countryside

EN 4 - Design

EN 10 – Development and Flood risk

EN 11 - Coastal erosion

EC 9 - Holiday and seasonal occupancy conditions

CT 5 - The transport impact of new development

### National Planning Policy Framework (NPPF):

Section 3 – Supporting a prosperous rural economy

Section 10 – Meeting the challenge of climate change, flooding and coastal erosion

## MAIN ISSUES FOR CONSIDERATION

Principle

Design

Flood Risk

Highway impact

## APPRAISAL

### Principle, occupancy and design (Policies SS 2 and EN 4):

Golden Beach Caravan Park in Sea Palling lies within the designated Countryside policy area of North Norfolk, as defined under Policy SS 2 of the adopted North Norfolk Core Strategy. The three applications seek to vary or remove conditions to allow all year round occupancy of the static caravans sited on the holiday park. At present, occupancy of the caravans subject of the three applications is limited to between 20th March and 31st October each year, in addition to which occupancy is allowed for some of the units for ten days before and after Christmas day. The reasoning for the imposition of these conditions is provided below:

### Application ref: SM.4542

Condition 1 - restricts occupancy to 20th March and 31st October in each year

Condition 2 - requires clearance of site during 1st November to 19th March

Reason: To ensure that the use of the site is restricted to the summer months, for which period the caravans and the site layout are designed and planned.



Application ref: 89/1179

Condition 3 - restricts occupancy to 20th March and 31st October and for ten days before and after Christmas Day in each year and used for storage or household effects at all other times.

Reason: To enable the Local Planning Authority to retain control over the development which is not considered a suitable location for a permanent residential development. In addition, to ensure that the use of the site is restricted (primarily) to the summer months for which period the caravans are designed and the site is planned.

Application ref: 09/0630

Condition 12 - restricts occupancy to 20th March and 31st October and for ten days before and after Christmas Day in each year and used for storage or household effects at all other times

Reason: To minimise the risk to life and property in the event of flooding, in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy.

Dealing firstly with Condition 2 imposed on SM 4542, the requirement to remove caravans, tents and associated equipment appears to be redundant given that the site is now occupied by static caravans and not touring caravans/tents and as such, the site cannot be cleared. There do not appear to be any reasonable grounds to resist the removal of this condition.

Turning to the other imposed conditions for which variation/removal is being sought in relation to the period of occupancy. Such restrictions are normally imposed, as required under Core Strategy Policy EC 9, due to the location, design or proximity to protected habitats, unless there are reasons to justify otherwise. Permission references SM 4542 and 89/1179 both make reference in the relevant condition reasoning to the caravans and site being designed and planned for use in the summer months and to the location not being suitable for permanent residential use, although the reasoning does not appear to be tied to any specific policies in place at the time. In considering these points, Sea Palling does not benefit from a development boundary and lies within the designated Countryside Policy area where new residential dwellings are not considered to be acceptable in principle. The caravans currently on site vary in regards to age and design but are generally suitable for their intended purpose as holiday units and to a higher specification than would have originally been approved. The one public objection received refers to the existing caravans not being suitable for all year round use, as referred to in the imposed conditions. In this respect, occupancy of the caravans can still be restricted to holiday accommodation purposes only which would prevent use as the sole or main residence of the occupier. Furthermore, the current restriction allows occupancy for ten days before and after Christmas (thus 20 days in total during this period) therefore the principle of use during winter months has partially been accepted. In addition, it is noted that there are already 10 existing caravans on the site that can be occupied all year round, permitted under permission reference PF/98/0794. The site layout is reasonable and again does not appear a strong enough reason upon which to restrict occupancy.

Concern has been raised about the precedent for other caravan parks with the district, however, precedent is not a material planning consideration. Notwithstanding this, it is not considered unusual for holiday accommodation, including caravans, to be made available all year round use, particularly within a key tourist destination such as Sea Palling.

Finally, permission reference 09/0630 restricts occupancy on the basis of flood risk and as such, differs from the other two earlier permissions in making no reference to the principle of the location for residential use nor the suitability of the caravans or site layout.

### Flood Risk and Coastal Erosion (Policies EN 10 and EN 11):

Although only Condition 12 imposed on permission ref: PF/09/0630 provides flood risk as the sole reason for restricting occupancy of the caravans, it is considered reasonable to apply an assessment of flood risk across the three applications as the proposal would extend the use of the site through the winter period. The flood risk classification (being more vulnerable) remains unchanged.

The three applications were submitted without a supporting Flood Risk Assessment and on this basis, given the location of the site within Flood Zone 3 and within the Coastal Erosion Risk Zone, a holding objection was received from the Environment Agency to all three applications. Consequently, the agent provided a flood risk assessment along with a Flood Evacuation Plan. Following receipt of this and further consultation with the EA, their objection was lifted. In their reasoning, it is noted that the site presently benefits from existing sea defences and as such, note that the residual risk of flooding within the site is relatively low (subject to 'holding the line' via the continuation of the defences as recommended in the adopted Shoreline Management Plan 6 - Kelling Hard to Lowestoft Ness). Flood resilience measures have not been proposed for the caravans themselves, however it is not considered that this would be a reasonable request given that the caravans are already in place and the application seeks to vary the period within which they are used.

The Council's Emergency Planning Officer is generally satisfied with the submitted Flood Evacuation Plan though some amendments were required (which have been incorporated in a revised version), along with the provision of a Site Business Flood Plan. An adequate template for such a plan has been submitted, though this would need to be the subject of an appropriate condition to ensure completion.

Given the above considerations, it is not considered that there are any grounds on the basis of flood risk to refuse the applications and this being the case, it is considered acceptable to remove the condition 2 imposed on 09/0630 (noting that condition 11 on the same decision notice restricts occupancy to holiday use only - this condition can be re-imposed)

### Highway impact (Policy CT 5):

It is not considered that the relaxation of the occupancy restriction would have any significant impact upon the local highway network and as such, there are no concerns in relation to compliance with Policy CT 5.

### Conclusion:

Given that the Environment Agency have lifted their objection to all three applications and noting the provision of an adequate flood evacuation plan, there are no reasonable ground to refuse the applications on the basis of flood risk. Only permission ref. 09/0630 refers to flood risk as a reason to restrict occupancy.

In addition, use of the caravans can be satisfactorily restricted to holiday occupancy only, noting that 10 caravans on the park are already used for this purpose and limited winter occupation is again already possible. Such a restriction would prevent permanent residential use. Finally, it is considered to apply some moderate weight to the possible local economic benefits of allowing extended use of a caravan park in a key tourist destination that would otherwise be vacant.

The recommendation is therefore one of approval for all three applications subject to appropriate conditions.

**RECOMMENDATION:** APPROVE all three applications, these being PF/18/0395, PF/18/0396 and PF/18/0397, subject to the re-imposition of appropriate conditions from the original permissions as required, and the imposition of new conditions to cover the following matters (and any other conditions deemed necessary by the Head of Planning):

- **Restricting the use to holiday occupancy only**
- **Development to be occupied in accordance with the submitted Flood Evacuation Plan**
- **Provision of a Site Business Flood Plan**

- (2) **AYLMERTON - PF/18/0774 - Erection of single storey rear extension; replacement roof with higher ridge level and dormers to front and rear to provide second floor habitable space; The Firs, 18 Beechwood Avenue, Aylmerton, Norwich, NR11 8QQ for Mr & Mrs Baker**

**- Target Date: 21 June 2018**

Case Officer: Mrs L Starling  
Householder application

#### CONSTRAINTS

LDF - Countryside  
Area of Outstanding Natural Beauty  
EA Risk of Flooding from Surface Water 1 in 1000

#### RELEVANT PLANNING HISTORY

PF/14/1138 HOU - The Firs, 18 Beechwood Avenue, Aylmerton, Norwich, NR11 8QQ - Erection of detached cart shed/store - Approved 24/11/2014

PLA/19800559 HR The Firs, 18 Beechwood Avenue, Aylmerton, Norwich, NR11 8QQ - Extension - Approved 11/04/1980

PLA/19750770 HR - Site at Beechwood Avenue, Aylmerton - Two dwellings - Approved 05/09/1975

#### THE APPLICATION

Seeks planning permission for the erection of a single-storey rear extension and the construction of a replacement roof with a higher ridge level and dormer windows to the front and rear to facilitate the creation of second floor habitable accommodation. An inset Juliet balcony is also proposed on the rear elevation at second floor level.

#### REASONS FOR REFERRAL TO COMMITTEE

Given that the applicant, Councillor Baker, is an elected member, the application is referred to Committee for determination as required by the scheme of delegation.

#### PARISH/TOWN COUNCIL

Aylmerton Parish Council - Supports the application.

#### REPRESENTATIONS

The site notices expired on 30th May 2018 and no letters from the public have been received to date.

#### CONSULTATIONS

None required.

## 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

North Norfolk Core Strategy (Adopted September 2008):

Policy SS2: Development in the Countryside

Policy SS 4: Environment

Policy HO 8: House extensions and replacement dwellings in the Countryside

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

Policy EN 2: Protection and enhancement of landscape and settlement character

Policy EN 4: Design

Policy EN 9: Biodiversity and geology

Policy EN 10: Flood risk

Policy CT 5: The transport impact on new development

Policy CT 6: Parking provision

## MAIN ISSUES FOR CONSIDERATION

- 1) Principle
- 2) Design, scale and impact upon the Area of Outstanding Natural Beauty (AONB)
- 3) Impact upon residential amenity
- 4) Highways

## APPRAISAL

### 1. Principle of development

The application site lies within an area designated by the North Norfolk Core Strategy as 'Countryside' where the principle of carrying out of extensions and alterations to an existing residential property is considered acceptable under Policy SS2, subject to satisfying a range of other policy criteria.

### 2. Design, scale and impact upon the AONB

The scheme seeks to create additional living accommodation within the roofspace of the dwelling by raising the ridge height by approximately 1 metre and the construction of front and rear dormer extensions, which once combined, would provide sufficient headroom. A single-storey rear extension is also proposed to replace an existing lean-to extension.

Whilst it is recognised that the raising of the ridge height of this property would alter the balance between itself and the neighbouring property to the north-west (which were constructed as a pair under the 1975 permission and are of similar proportions), Beechwood Avenue does not have a uniform character of development. Instead, the surrounding development is characterised by a mixture of properties of varying ages, heights and designs. As such the principle of raising the ridge height of this property would be difficult to resist in terms of its impact upon the character of the area.

Concerns were initially raised by Officers to elements of the originally proposed design, primarily relating to the front dormer extension and the Juliet balcony to the rear, both of which projected out from the elevations of the original dwelling. Following discussions, amended plans have been submitted which address these concerns by the removal of the projection of the front dormer extension, the inseting of the Juliet balcony and the removal of the overhanging eaves on the rear single-storey extension. The amended scheme is therefore considered acceptable in terms of its design, scale, massing and materials, and would protect the character and appearance of the surrounding area in accordance with the requirements of Policies SS2, HO8, EN1, EN2 and EN4 of the North Norfolk Core Strategy and Section 7 of the NPPF.

The site also lies with the Norfolk Coast Area of Outstanding Natural Beauty (AONB). Given the nature of the works proposed and the context of the surrounding development comprising of residential properties with a densely wooded area to the rear of the site, it is not considered that the scheme would detract from the special qualities of the AONB. The scheme would therefore accord with the requirements of Policy EN1 of the north Norfolk Core Strategy.

### 3. Impact upon residential amenity

Neighbouring properties surround the site, with the closest being detached houses to the south-east and north-west. Notwithstanding this and the fact that the ridge height is being raised by approximately 1 metre with new second floor windows and rear balcony being proposed, it is considered that the amended scheme has been designed in a manner which would not result in any significantly detrimental impact upon the residential amenities of the occupants of the adjacent properties in terms of loss of light, privacy or disturbance. Furthermore, no objections have been received from the owners of the surrounding properties.

It is therefore considered that the scheme would accord with the requirements of Policy EN4 of the North Norfolk Core Strategy.

### 4. Highway safety

Given the nature of the works being proposed, the scheme would not impact upon the existing access or on-site parking arrangements. On this basis, the scheme would adequately safeguard highway safety in accordance with Policies CT5 and CT6 of the North Norfolk Core Strategy.

## CONCLUSION

The application is considered to be acceptable in terms of its design, scale, detailing and would protect the character of the wider area and the special qualities of the AONB. Furthermore, the scheme would not significantly impact on the residential amenities of any neighbouring properties. The proposal is therefore considered to be in accordance with the Development Plan Policies.

## RECOMMENDATION:

**Approve subject to the conditions summarised below, and any others as deemed necessary by the Head of Planning:**

1. Implementation within three years
2. To be carried out in accordance with the amended plans
3. Materials (brick and tiles) as specified in application
4. Timber cladding details to be agreed prior to installation

- (3) **CROMER - PF/18/0176 - Formation of crazy golf course on site of boating pond; Evington Gardens, Runton Road, Cromer, NR27 9AR for The Lawns Leisure Ltd**

#### **Minor Development**

**- Target Date: 03 May 2018**

Case Officer: Mr C Reuben

Full Planning Permission

#### CONSTRAINTS

LDF Tourism Asset Zone

Controlled Water Risk - Medium (Ground Water Pollution)

LDF - Open Land Area

LDF - Public Realm

Conservation Area

Development within 60m of Class A road

LDF - Settlement Boundary

#### RELEVANT PLANNING HISTORY

PLA/20051020 PF

BOATING LAKE, RUNTON ROAD, CROMER

ERECTION OF REPLACEMENT SALES/STORAGE BUILDING AND DECORATIVE SAILS

Approved 27/07/2005

PLA/20030434 PF

BOATING LAKE, RUNTON ROAD, CROMER

ERECTION OF STORAGE SHED

Refused 29/04/2003

#### THE APPLICATION

The application proposes the creation of a crazy golf course with associated infrastructure to replace an existing boating lake facility. The site lies on the northern part of large parcel of open land (Evington Gardens/Lawns) which sits in a seafront location fronting onto Runton Road in Cromer. The rear (southern half) of the open land is grassed. To the north running across the front of the site is a paved pedestrian walkway. The site is enclosed to the east, south and west by residential properties which are primarily flats.

The originally submitted application and description described the boating lake as being 'unused' - it was requested that the reference to being 'unused' was removed, to which the agent agreed.

#### REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr A Yiasimi due to the perception of the proposed design and level of local interest.

#### TOWN COUNCIL

Cromer Town Council - Support the application. Would be an improvement to the leisure facilities in Cromer. Have not found reasons to object in regards to heritage and open space policies. Signposting from the bus station should be considered.

## REPRESENTATIONS

To date, 21 public representations have been received, 19 objecting and 2 offering comments.

Those objecting have raised the following points:

- A cheap attraction that will damage the traditional image of Cromer which is an unspoilt and uncommercialised seaside town, the attraction will be gimmicky and will tarnish the town.
- Stray golf balls could damage property and individuals
- The lawns are an attractive green open space and part of the history of Cromer.
- A better site could be found on the outskirts of town
- The way the boating lake is operated is not ideal and not used in its entirety. It has suffered from underinvestment and the area over-commercialised with temporary attractions. No reason why the boating lake can't be a commercial success if operated properly.
- Lake is currently divided up for separate activities which has affected its success.
- Fencing will reduce the open character of the site and make the space exclusively commercial, contrary to Policy CT 1.
- Has a survey of local residents been done to see if the attraction is of interest?
- The boating lake is enjoyed by adults, children and tourists.
- Will be an unnecessary eyesore.
- Concerned that the attraction will be allowed to fade over time.
- Will pave the way for additional tacky features
- Will change the ethos of the town and lead to the decline of local businesses and in living standards.
- Lawns are an intrinsic part of the character and history of Cromer, proposal will blight surrounding Victorian buildings.
- Cromer is part of an Area of Outstanding Natural Beauty.
- The conversion should be done tastefully should be well managed and maintained all year round. The boundary fence should be lower than 1.8m.

Those commenting have raised the following points:

- Need to ensure that the new site will be created in a tasteful upmarket style with a local theme such as a chalk reef, to preserve the character of the beautiful lawn.

## CONSULTATIONS

Norfolk County Council (Highway - Cromer) - No objection.

Economic and Tourism Development Manager - No objection.

Environmental Health - No objection. Note that toilet arrangements are unclear. Applicant has clarified that staff would use the West Prom public toilets. This would suffice based on proposed staffing levels, however if there is a significant increase in staffing numbers in future, on-site provision may be required.

Landscape Officer - The proposal seeks to convert one recreational use for another and in doing so enhance the site through the incorporation of soft landscaped areas. As such, the proposal complies with Policy CT 1. Pre-application advice provided has been largely adhered to by the avoidance of solid enclosure, the use of bespoke features distinct to the area, retaining the prevailing character of the site and incorporating planting. The proposed chalk reef and shipwreck feature are large and should be reduced in height.

The existing planting is somewhat scant and in poor condition. The proposed planting is varied and generally appropriate though would benefit from taller planting and more evergreen foliage to provide more cover in winter months. The site frontage would also benefit from more planting. Planting densities should be revised to accommodate the range of size and type of planting proposed.

The bow top railing to be used as boundary fencing is appropriate, though a black painted finish would be better than dark green.

The proposal represents an opportunity to improve the appearance of the site.

Comments in relation to amended plans - The amended plans incorporate the suggested revisions and as such, Landscape have no objections. Conditions required in relation to replacement of planting failures and lighting.

Conservation and Design Officer - No objection. The development would enhance the tourist offer and represent an evolution of the recreational uses on the site, but this is also an important open space in the heart of Cromer which has remained relatively unspoilt over time with restrained leisure activities that has recently been challenged with the emergence of bouncy castles and trampolines. The space retains an intrinsic character commensurate with a provincial Victorian seaside resort.

There is a fine line between further commercialisation and preserving the appearance and character of the Conservation Area.

The development has clearly reflected upon the Council's pre-application advice and has been significantly cooled down. The initial busyness and height has been replaced with a more open and low-key layout, with three locally themed zones rather than the generic and kitsch pirate references. The end result should provide a more qualitative end result rather than an off-the-peg result.

Being largely confined to the footprint of the existing boating lake and not overflowing onto the lawns to the south, further noting that the site would be demarcated with visually permeable fencing, and noting the lower structures and planting, it is not considered that the development would materially challenge the openness of the site.

Following clarification of the height of structures within the site, there are no concerns in this respect.

#### 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

North Norfolk Core Strategy (Adopted September 2008):

- SS 1 - Spatial Strategy for North Norfolk
- SS 4 - Environment
- SS 5 - Economy
- SS 7 - Cromer
- EN 2 - Protection and enhancement of landscape and settlement character
- EN 4 - Design
- EN 5 - Public realm
- EN 8 - Protecting and enhancing the historic environment
- EN 13 - Pollution and hazard prevention and minimisation
- EC 7 - The location of new tourism development
- CT 1 - Open space designations
- CT 5 - The transport impact of new development
- CT 6 - Parking provision

National Planning Policy Framework:

- Section 1 – Building a Strong, competitive economy
- Section 7 – Requiring good design
- Section 11 – Conserving and enhancing the natural environment
- Section 12 - Conserving and enhancing the historic environment

## MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design
3. Residential amenity
4. Heritage impact
5. Landscape impact
6. Public realm
7. Environmental considerations
8. Highway impact

## APPRAISAL

### 1. Principle (Policies SS 1, CT 1 and EC 7)

The Council's approach to the locating of new tourism development is set out in Policy EC 7 of the adopted North Norfolk Core Strategy. This policy requires a sequential approach for the provision of such developments, with the preferred location being within the Principal and Secondary settlements of North Norfolk. The site in question, which already accommodates a tourist attraction in the form of an existing boating lake, lies within the settlement boundary of Cromer, which is a Primary Settlement as defined in Policy SS 1 and as such, the proposed development accords with Policy EC 7.

In addition, the site forms part of a larger parcel of land which is designated as an 'Open Land Area' as defined under Policy CT 1 of the adopted North Norfolk Core Strategy. Within such areas, development is only permitted where it will enhance the open character or recreational use of the land. In this respect, it is noted that the site is already occupied by a commercially operated activity which is proposed to be replaced by another commercial facility, contained largely within the existing footprint of the boating lake (noting the retention of much of the perimeter path). This being the case, there is again no objection in principle to the intended use. Although an enclosure would be incorporated in the form of boundary fencing, the visually

permeable character of the type of fencing allied with boundary planting to further soften its visual appearance, is considered to be appropriate. Furthermore, proposed structures within the site and additional planting would be kept at a low height, which would help to retain partial views and the sense of openness across the site and towards the south of Evington Gardens(Lawns). The above considerations, coupled with the possible enhancement of the recreational use of the land over what is currently an existing boating lake facility (noting that there is the potential to use the newly proposed facility all year round) and the retention of public access to the rear of Evington Gardens(Lawns) (as confirmed by the agent) across the site frontage, leads to the conclusion that the proposed development is, on balance, acceptable in regards to Policy CT 1 of the adopted North Norfolk Core Strategy.

## 2. Design (Policy EN 4)

Much discussion has taken place with the applicant to ensure that the correct approach is taken with regards to the design of the proposed crazy golf course. As part of a pre-application enquiry, the applicant had submitted plans that depicted a rather homogenised approach akin to other typical resort-based crazy golf courses, with a pirate theme and the potential for associated large structures within the site. Early on, the applicant was steered away from this approach and directed towards exploring the possibility of a more bespoke theme that would better reflect the character of Cromer and the surrounding landscape. Indeed, much concern has been raised by objectors as to the potential 'tackyness' of the scheme, however as submitted, the applicant has taken heed of the early advice and has presented a development that does indeed promote a more bespoke, localised and tasteful theme. This takes the form of a more arid coastal theme with low-level planting, shingle, natural and synthetic rocks, the retention and extension of existing pathways and features such as a chalk arch, shipwreck, crab sculpture and lighthouse. On this basis, it is considered that the overall design concept is acceptable.

The scale of the proposed structures within the site, the highest being 3.5m, is considered to be acceptable and in proportion with the rest of Evington Gardens (Lawns). In addition, there is no proposed external lighting nor indeed lit up features or particularly bright colour schemes within the course that would possibly degrade the potential character of the site.

Based upon the above considerations, it is concluded that the design approach is acceptable and in accordance with Policy EN 4 of the Core Strategy.

## 3. Residential amenity (Policy EN 4)

Noting that the proposed development is bordered on three sides by residential development, consideration has to be made in regards to the potential for noise arising from the site. In this respect, the development would replace one outdoor activity with another, both of which would generate a certain level of noise. It is not considered that the proposed crazy golf course would result in any significantly adverse levels of noise and no more so than the existing facility, subject to the control of opening hours. No concerns in relation to noise have been raised by the Council's Environmental Protection Officer.

In addition, concerns have been raised as to the possibility of damage being caused to property by golf balls. However, given the nature of the activity being putting only coupled with the proposed boundary fencing/planting, it is considered that the potential for damage arising from the proposed activity is extremely low.

The proposed development is therefore considered to be acceptable in terms of residential amenity and in accordance with Policy EN 4 of the Core Strategy.

#### 4. Heritage impact (Policy EN 8)

The site occupies a prominent position on the Cromer seafront, fronting directly onto the Runton Road. It is also framed on three sides by residential flats, three storeys in height. Views of the site are therefore restricted to those gained when directly passing alongside the site on the Runton Road, and angled views from a westerly approach. In addition, the site functions as a welcome green lung within the town, recognised by its designation as an Open Land Area (CT 1). This area of land therefore plays an important function as part of the character of the surrounding Conservation Area. Although it could be considered that the site possesses a 'Victorian feel', with boating lakes symbolic of this Victorian character typical of many such Victorian seaside resorts, the boating lake is a more modern addition to the area having been constructed in the 1960's with an ugly concrete bridge having previously existed across the lake (long since removed). It is therefore difficult to argue that the boating lake has any major historical significance such that it makes a positive contribution to the overall character of the Conservation Area.

Looking at the submitted plans, it is clear that given the limited scale of the proposed structures within the site, appropriate planting and the choice of a locally centred theme, it is not considered that the proposed development would result in any harm to the Conservation Area, certainly no more so than the current boating lake. The general openness of the site would be retained in part, further noting that the facility would not encroach significantly upon the rest of the lawns.

As such, it is considered that the proposed development is compliant with the requirements of Core Strategy Policy EN 8 and the requirements of the NPPF.

#### 5. Landscape impact (Policies EN 1 and EN 2)

In terms of landscape impact, the rear of the site remains largely unspoilt as grassed lawns, and the front of the site remains relatively open. The current application will create a limited sense of enclosure to the front of the site, both through the addition of fencing and planting. The choice of fencing is considered to be acceptable being of a bow topped black finish (originally proposed as dark green), with the visual appearance of this being softened by the proposed boundary planting. This relatively soft approach combined with the relatively low height of the structures and planting proposed, is not considered to compromise the 'openness' of the site. As such, and given the position of the site, being framed on three sides by residential development, it is not considered that the proposed development would be detrimental to the visual appearance of the immediate or wider landscape, including the Area of Outstanding Natural Beauty.

It is therefore considered that the proposed development complies with the requirements of Core Strategy Policies EN 1 and EN 2.

#### 6. Public realm (Policy EN 5)

Within areas forming part of the designated public realm, it is expected that development proposals enhance the overall appearance and usability of the area. In this respect, it is considered that the proposed development would be an improvement upon the current rather tired looking facility. The applicant has confirmed that public access to the rest of Evington Gardens(Lawns) to the rear of the site will be maintained, as will the public walkway and seating area to the front of the site. Although the proposed fencing would enclose the proposed crazy golf area, the area of the boating lake is already under commercial operation and as such, this will remain unchanged.

As such, it is considered that the proposed development is compliant with Policy EN 5 of the Core Strategy.

## 7. Environmental considerations (Policy EN 13)

The matter of a lack of staff amenities, in particular toilet provision, has been raised. The Environmental Protection Officer has confirmed that ideally, such provision would be made available on-site. However, the applicant has stated that staff could make use of the west cliff public toilets and noting their proximity, it is not considered that at this stage, given the low numbers of staffing (2 full time and 1 part time), toilet provision could be insisted upon, though this could change should staffing levels increase. If facilities were required in the future these would in any event require planning permission.

It is proposed to deal with surface water through the use of a sustainable drainage system, though natural drainage would appear to be achievable within and around the site, noting further an existing outlet within the boating lake. No concerns have been raised by the Environmental Health Officer in regards to drainage.

The proposed development is therefore considered to comply with Core Strategy Policy EN 13.

## 8. Highway impact (Policies CT 5 and CT 6)

The current site has no on-site parking provision at present, this would remain the case for the proposed facility. Although staffing on-site would increase and the proposed crazy golf may attract more visitors to the site, it is considered that the position of the site within the town with public car parks in close proximity to the site, means that no-site parking provision is required nor would be practical. On this basis, the Highway Authority have raised no objection to the proposed development.

As such, it is considered that the proposed development complies with Core Strategy Policies CT 5 and CT 6.

### Other matters:

It is acknowledged that the applicant has sited a number of temporary structures on Evington Gardens(Lawns) to the rear of the boating lake, a matter that has been raised in the objections received. However, these lie outside of the application site and as such are not a material planning consideration as part of the determination of this application.

Concerns have been made in regards to the running of the boating lake and the view that the current applicant has sought to run down the existing facility. This matter is not a material planning consideration. Ongoing and potential future operations are matters to be discussed between the District Council's Property Services Team and the applicant. However, the Property Services team have confirmed that if necessary, the lease agreement could be amended to introduce a yearly inspection of the site to ensure it is kept in good order. In addition, it is clearly in the interests of the owner to maintain the site appropriately to ensure a successfully ongoing business.

It is stated in the supporting Design and Access Statement that the current boating lake attraction does not make sufficient profit to remain a viable operation moving forward, though little other evidence in this regard has been submitted. Undeniably, the proposed crazy golf is likely to be an attractive tourist feature that will have economic benefits to the wider town of Cromer and this being the case, it is considered appropriate to apportion some weight to the potential economic benefits of the development. Indeed, this general approach accords with Paragraph 19 of the National Planning Policy Framework which suggests that planning should encourage, not impede, economic growth.

### Conclusion:

As submitted, the proposed development is considered to be appropriate in design and of an appropriate scale with a bespoke, localised theme. It would not have a significantly adverse impact upon the character and setting of the Conservation Area, nor upon the immediate or surrounding landscape, seeking to maintain much of the openness of the site where possible. In addition, it is considered that the development would offer some economic benefit to the town, more so than the current boating lake and would make a contribution to the range of sustainable tourist activities on offer. The recommendation is, therefore, one of approval subject to appropriate conditions.

**RECOMMENDATION:** APPROVE subject to the imposition of appropriate conditions to cover the following matters (and any other conditions deemed necessary by the Head of Planning):

- **Time limit - 3 years to implement**
- **Development to be carried out in accordance with approved plans**
- **Details of any external lighting to be agreed in writing prior to its installation**
- **Replacement planting if existing planting fails**
- **No additional structures taller than 3m to be installed**
- **Perimeter fence to consist of a black finish and retained as such**
- **No gate/obstruction to be erected that would impede public access to the rest of Evington Lawns**

- (4) **EAST RUSTON - PF/18/0493 - Part demolition of single storey extension & erection of two storey rear extension and glazed link; Furze Cottage, Long Common, East Ruston, Norwich, NR12 9HH for Mr & Mrs Kirby**

**- Target Date: 09 May 2018**

Case Officer: Mr C Reuben  
Householder application

CONSTRAINTS  
Unclassified Road  
LDF - Countryside  
B Road

### RELEVANT PLANNING HISTORY

PLA/19761128 HR  
FURZE COTTAGE, EAST RUSTON  
REFURBISHMENT OF COTTAGE AND EXTENSION TO PROVIDE GARAGES,  
BREAKFAST ROOM AND UTILITY ROOM  
Approved 20/08/1976

PF/10/0403 HOU  
Furze Cottage, Long Common, East Ruston, Norwich, NR12 9HH  
Erection of garage/trailer shed with storage loft above and change of use of land from  
agricultural to garden  
Approved 24/06/2010

F/17/2105 HOU

Furze Cottage, Long Common, East Ruston, Norwich, NR12 9HH

Demolition of single storey side extension & erection of two storey side extension

Withdrawn by Applicant 06/02/2018

## THE APPLICATION

The application is for the demolition of an existing single-storey garage extension and the erection of a two-storey rear extension and glazed link extension. The new extension would provide garage/workshop space on the ground floor and two bedrooms with bathroom and shower room on the first floor. The glazed link extension would contain a lobby area. The existing property is a detached two-storey cottage with neighbouring property to the west.

A decision on the application was deferred at the meeting of the previous Development Committee (held on 14 June 2018) for a site visit, which subsequently took place on 5 July 2018.

## REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr R Price due to site history including previous outbuildings/extended garden land.

## PARISH/TOWN COUNCIL

East Ruston Parish Council - no objection

## REPRESENTATIONS

The site notice expired on 25 April 2018. To date, no public representations have been received.

## CONSULTATIONS

None

## 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, refusal 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

North Norfolk Core Strategy (Adopted September 2008):

SS 2 - Development in the Countryside

HO 8 - House extensions and replacement dwellings in the Countryside

EN 4 - Design

CT 6 - Parking provision

## MAIN ISSUES FOR CONSIDERATION

Principle  
Design  
Residential amenity  
Parking

### APPRAISAL

#### Principle (Policy SS 2)

The site in question lies within the designated Countryside policy area of North Norfolk, as defined under Policy SS 2 of the adopted North Norfolk Core Strategy. Within this area, proposals to extend existing dwellings are considered to be acceptable in principle, subject to compliance with other relevant Core Strategy policies.

#### Design (Policies HO 8 and EN 4)

Extensions to existing dwellings are judged against the criteria as set out in Policy HO 8 of the Core Strategy. Policy HO 8 allows for extensions to existing dwellings provided that such extension will not result in a disproportionately large increase in the height or scale of the existing dwelling, nor increase the impact of the dwelling upon the surrounding landscape. Policy EN 4 of the Core Strategy further requires extensions to be suitably designed for their context, noting the character, scale and massing of the surrounding area.

The application proposes a large two-storey extension occupying and extending the footprint of an existing single-storey garage and link extension (at present containing a breakfast room and utility room). The extension would project out from the rear elevation of the property by approx. 14.6m, adding approx. 6m to the overall length of the current garage. At present, the garage and extension in being single-storey are clearly subordinate to the main dwelling and not particularly visible from the public domain. By contrast, the proposed two-storey extension would be highly visible from Stalham Road to the east and would represent a disproportionately large increase in the scale of the existing property. The additional habitable floorspace proposed equates to approximately 60sqm at first floor, which is an increase of approx. 42% (the existing habitable floorspace of the property being approx. 142sqm). Although a degree of subservience is shown by virtue of a lower ridge height on the extension to that of the existing dwelling, and despite the choice of materials being largely acceptable, the overall length and bulk of the proposed extension would serve to dominate the rear of the existing dwelling to the detriment of its existing cottage-like character and would not possess anywhere near the degree of subservience that the current garage adopts.

Given these concerns, it is considered that the proposed extension fails to satisfy the requirements of Policies HO 8 and EN 4.

#### Amenity (Policy EN 4)

The proposed extension would incorporate first floor windows, however, it is not considered that any of these windows would result in a detrimental level of overlooking towards the neighbouring property to the south-west given the distance to the south-western boundary and the presence of a significant number of trees.

#### Parking (Policy CT 6)

Although the number of bedrooms would increase from three to five, it is considered that there is ample space within the site to accommodate any additional parking that may be required.

#### Conclusion

As a result of the concerns in relation to the scale and design as outlined above, it is considered that the proposed extension is contrary to Policies HO 8 and EN 4 of the Development Plan.

**RECOMMENDATION:** REFUSAL for the following reasons:

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 policy statements are considered relevant to the proposed development:

HO 8 - House extensions and replacement dwellings in the Countryside  
EN 4 - Design

The proposed extension, by virtue of its proposed height, length and bulk, would result in a disproportionately large increase in scale of the original dwelling to the detriment of its existing character. The proposal is therefore contrary to Policies HO 8 and EN 4 of the Development Plan.

- (5) **NORTH WALSHAM - PF/18/0832 - Erection of new dwelling; Brick Kiln Farm, Lyngate Road, North Walsham, NR28 0NE for Mr Whitehead**

#### **Minor Development**

**- Target Date: 15 July 2018**

Case Officer: Mrs G Lipinski

Full Planning Permission

#### CONSTRAINTS

Countryside

RELEVANT PLANNING HISTORY for Brick Kiln Farm, Lyngate Road, North Walsham, NR28 0NE

PF/91/1297

Brick Kiln Farm, Lyngate Road, North Walsham, NR28 0NE

Conversion of farm buildings to three dwelling units with ancillary studios

Approved 30/09/1992

PF/15/0845 PF

Brick Kiln Farm, Lyngate Road, North Walsham, NR28 0NE

Conversion and extension of barn to dwelling

Approved 27/08/2015

PF/17/2155 PF

Brick Kiln Farm, Lyngate Road, North Walsham, NR28 0NE

Variation of condition 2 of planning permission ref: PF/15/0845 to alter fenestration details, raise roof height to east elevations, amend rooflight position to east roofslope and change external materials

Refused 28/02/2018

#### THE APPLICATION

#### REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr. A. Moore and Cllr. V. Gay having regard to the long standing extant permission (PF/91/1297) for the conversion of the barn to residential use, the sensitive design of the proposed conversion and that in the building's current state, it detracts from the appearance of an attractive group of buildings, which includes two converted barns which formed part of the original PF/91/1297 planning permission.



## PARISH/TOWN COUNCIL

North Walsham Town Council: No objection

## REPRESENTATIONS

Five letters supporting the proposal have been received raising the following points:

- The proposal makes good use of the old barn.
- It is in no one's interest for the building to remain unfinished.
- The proposed development seems to be being undertaken in a sensitive way and is welcomed.
- Bringing the site into residential use would be a positive use of the former barn and add value to the look and feel of this lovely part of North Walsham.
- Converting the former piggery into a family home would be a great use of this disused and crumbling building and help maintain this small rural community.
- The applicant is very considerate in keeping neighbouring occupiers informed with regard to the stages of development.
- The applicant and his family would be welcome neighbours.

## CONSULTATIONS

Environmental Health: No objection

## 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, refusal 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

North Norfolk Core Strategy (Adopted September 2008):

Policy SS2: Development in the Countryside

Policy HO9: Conversion and Re-use of Rural Buildings as Dwellings

EN4: Design

EN9: Biodiversity and Geology

EN13: Pollution and Hazard Prevention and Minimisation

CT5: The Transport Impact of New Development

CT6: Parking Provision

## MAIN ISSUES FOR CONSIDERATION

1. Principle of Development
2. Design
3. Other Matters

## APPRAISAL

### 1. Principle

Policy SS 1 sets out the spatial strategy for North Norfolk and identifies main and service settlements where development of varying scales can take place. The remainder of the district, including settlements not listed in the policy, is designated as Countryside. This is the

lowest tier of the hierarchy and within it development is restricted to particular types of development to support the rural economy, meet affordable housing needs and provide renewable energy.

The types of development acceptable in principle in designated Countryside are listed under policy SS 2. New build, unrestricted open market dwellings are precluded.

The principle of development at the site was established with the granting of planning application PF/91/1297, which granted permission for the conversion of a cluster of former agricultural buildings to three residential units. Two units have been converted and are now occupied. The third unit, the subject of this application, remained unaltered until work began on the building following the granting of planning permission PF/15/0845. Planning application PF/15/0845 sought revisions to the design of the original approval. Application PF/15/0845 was assessed under policy HO9 as it still principally sought to convert the existing building.

As can be seen from the planning history, application PF/17/2155 was submitted seeking variations to the original planning permission PF/15/0845 to allow for alterations to the roof, amendments to the position of rooflights and changes to the proposed external materials. At the site visit in January 2018 for application PF/17/2155, the case officer noted that substantial demolition had occurred: the entire roof including tiles, and roof timbers had been removed, and original brickwork had been lost as there is very little of the original structure left. The works carried out were considered to fall outside the scope of the planning permission for conversion of the building granted under application PF/15/0845, and it was considered that the level of building operations required to replace the sections of the building demolished would be substantial. Planning permission PF/15/0845 is therefore considered to be lost and application PF/17/2155 was refused. **Appendix 1** contains a photograph of the original barn building, and two comparison photographs of the works which had occurred at the time of the case officer site visit for application PF/17/2155.

Having lost the ability to convert the building, the current application seeks to erect a new dwelling in the countryside.

As stated above, the application site is within the designated countryside area where new build residential dwellings are not permitted. The National Planning Policy Framework encourages sustainable patterns of development, specifically with regard to new housing. It states that new isolated dwellings in the countryside should be avoided and encourages new housing to be directed towards those areas that have better access to everyday basic services for future occupiers to avoid reliance of the use of the car. The Core strategy reflects this approach and its policies relating to the supply of housing have been found to be consistent with the NPPF at recent appeals.

Although the site is designated as countryside, it is accepted that the proposed development would not be isolated in the strictest sense as there are other dwellings in the vicinity. There are however no facilities in the immediate location. The nearest settlement is North Walsham which is a Principal Settlement, with a greater range of facilities, but this is 1.5km to the south east as the crow flies. There are no footways or lighting on Lyngate Road, and pedestrians would need to cross the busy B1145 to access North Walsham, it is officer's opinion that walking or cycling would be an unattractive option for most people.

It is therefore considered highly likely that any future occupiers of the proposed dwelling would be wholly reliant on the use of the private car to access everyday basic services and facilities. The proposed dwelling would have no better access to these services than one in the more 'open' countryside which would be isolated, but a similar distance away from a defined settlement. For this reason, the proposal is considered to be unacceptable in principle and contrary to policies SS 1 and SS 2 and would not be sustainable development.

### 3) Design

The design of the proposed building under the current application is considered to be similar to that approved under the original application PF/15/0845. There is therefore no objection to the design of the proposed building.

### 4) Other Matters

All other material planning considerations are considered to be acceptable and in accordance with policy requirements. The proposed parking and turning areas meet the requirements of policies CT5 and CT6. A copy of the Protected Species licence was provided with the application submissions such that the proposals are considered to comply with the requirements of policy EN9. There are no known issues of contamination on site and Environmental Protection colleagues have not objected to the application.

### CONCLUSION

Having lost the original permission to convert the former agricultural building to a new dwelling, the current application seeks to erect a new dwelling in the countryside. Notwithstanding that the design is considered acceptable and all other policy requirements are met, there is a fundamental policy objection to the erection of new dwellings in the countryside such that the principle is considered to be contrary to Core Strategy Policies SS1 and SS2 and would not be sustainable development.

### RECOMMENDATION:

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

The National Planning Policy Framework (published 27 March 2012) is also material to the determination of the application.

In the opinion of the Local Planning Authority, the proposed dwelling would be within an area designated as Countryside where there is a general presumption against residential development and in a location with poor access to a full range of basic services. The future occupiers would therefore be dependent on the car to be able to reach such services. The proposal would therefore not be sustainable development. In the opinion of the Local Planning Authority there is no justification to permit the erection of the proposed dwellings in the Countryside contrary to policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy and paragraph 55 of the National Planning Policy Framework.

- (6) **WELLS-NEXT-THE-SEA - PF/18/0577 - Variation of condition 2 (approved plans) of planning permission PF/17/1065 to allow for alterations to position and sizes of windows in south and east elevations, additional rooflights including one to provide amended access arrangement to the roof terrace, changes to external materials to parts of front elevation and alterations to internal layout of ground floor storage area and to part of first floor; Land adjacent to Hampden House, East Quay, Wells-next-the-Sea for Mr Chick**

### Minor Development

- Target Date: 21 May 2018

Case Officer: Mr D Watson

Full Planning Permission

## RELEVANT CONSTRAINTS

Tourism Asset Zone  
Unclassified Road  
EA Risk of Flooding from Surface Water 1 in 1000  
Area of Outstanding Natural Beauty  
Conservation Area  
Contaminated Land  
Flood Zone 2 - 1:1000 chance  
Flood Zone 3 1:200 chance sea/1:100 chance river  
Residential Area  
Settlement Boundary

## RELEVANT PLANNING HISTORY

PF/17/0530: Demolition of existing boundary walls and erection of two-storey dwelling.  
Withdrawn by Applicant 31/05/2017

PF/17/1065: Demolition of existing boundary walls and erection of two-storey dwelling.  
Approved 31/10/2017

## THE APPLICATION

The application is to vary condition 2 of planning permission PF/17/1065. The condition requires the development to be carried out in accordance with the plans approved under that permission. The reason for seeking to vary the condition is to enable a number of minor material amendments to the approved scheme comprising of design changes. In response to comments from officers, there have been some changes to the proposal since the application was submitted. The design changes now proposed are as follows:

- **North elevation** - wall to bin store to be white painted brick instead of vertical timber cladding. Omission of panels of vertical weathered timber cladding between the first floor window and ground floor window/door and, below the ground floor window to the western block. These areas would instead be clad with the weathered steel (Corten) which as approved, the rest of this block would be clad with.
- **South elevation** - one ground floor window to be smaller (reduced in width by 500mm) and one to be larger (increased in width by 500mm). These serve a bathroom and entrance hall and both windows would remain obscure glazed as approved. Depth of first floor window to stair increased by about 300mm and width increased by 500mm
- **East elevation** - the ground floor window to the boat store to be repositioned further to the right of the door. The window would be 400mm wider than approved but reduced in depth by 500mm such that it would have a horizontal proportion rather than square. It would be multi pane instead of single. Internally the boat store would be reduced in size with a partition introduced to form a separate store room accessed via the external door. An additional rooflight to serve bedroom 1
- **West elevation** - an additional rooflight to serve bedroom 1 .
- **Roof area** - the roof terrace access to be via a side hung rooflight in the east facing roofslope of the western block whereas as approved it had a 'hatch' with a minimal upstand. The rooflight would be openable to allow access to the terrace as previously. The glass balustrade to the front of the terrace would be increased in height by about 400mm

The footprint of the building along with eaves and ridge heights would remain as approved.

## REASONS FOR REFERRAL TO COMMITTEE

- Cllr Vincent FitzPatrick has requested a committee decision as he considers the proposed development introduces unacceptable overlooking of neighbouring properties.
- The Head of Planning considers a committee decision is appropriate because of the high level of public interest associated with the application.

## PARISH/TOWN COUNCIL

Wells Town Council: object on the following grounds:

- The materials for the cladding and windows are inappropriate and not in keeping with the surrounding area.
- Overlooking and loss of amenity for neighbours with particular concern about the proposed changes to the roof terrace.

## REPRESENTATIONS

Six neighbours have objected, some of whom have sent more than one letter. The objections relate to the following:

- Aluminium windows and rooflights are not representative of the local vernacular and incongruous to the aesthetic of surrounding properties;
- The materials would be even more out of keeping with the character of the surrounding buildings than those approved originally;
- Permission should never have been granted for such a prominent structure which contravenes various planning policies and blocks views of the coast enjoyed by existing properties;
- The proposed amendments appear to be a crafty means of changing the agreed use of the building;
- The town's feeling against this new build holiday home in a conservation area continues to be enormous;
- Increased overlooking and loss of privacy from the proposed changes to the roof access and the first floor window in the south elevation;
- Adverse effect on the setting of listed buildings in Jolly Sailors Yard;
- Increased height of roof and increased size and number of windows;
- Would block views from both within and from the conservation area;
- Increased overshadowing from the increased mass of the building.

One of the letters makes reference to comments in the screening opinion for the proposed development. This is however, not something submitted in support of the application. The screening opinion has been carried out by the Local Planning Authority (LPA) in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It is not an assessment of the merits of the proposal, it is a procedure for identifying those projects which should be subject to an Environmental Impact Assessment.

## CONSULTATIONS

Environmental Health: no environmental health concerns.

Conservation and Design Officer: following amendments to the application, particularly reinstating the mullions in the larger of the first floor windows in the front elevation, and the receipt of additional information from the agent, considers the proposed changes to be acceptable. There is however still some concern about the deletion of the contrasting material panel below the first floor window in the front elevation of the western block. This

would leave it entirely clad in the proposed steel (Corten) cladding which would be likely to have a textural and tonal uniformity.

#### 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

North Norfolk Core Strategy (Adopted September 2008):

Policy SS 1: Spatial Strategy for North Norfolk.

Policy SS 3: Housing.

Policy SS 14: Wells-next-the-Sea.

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

Policy EN 4: Design.

Policy EN 8: Protecting and enhancing the historic environment.

Policy EN 10: Flood risk.

Policy CT 5: The transport impact on new development.

Policy CT 6: Parking provision.

#### NATIONAL PLANNING POLICY FRAMEWORK (2012)

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 10 – Meeting the challenge of climate change, flooding and coastal erosion

Section 11 – Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

#### The Government's on-line Planning Practice Guidance

Under 'Flexible options for planning permissions' the Planning Practice Guidance (PPG) it explains the options available for amending proposals that have planning permission. It states that:

"When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, and with any associated legal agreements".

It refers to the fact that new issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under section 70 of the Town and Country Planning Act 1990 will need to be submitted. However, where less substantial changes are proposed, a proposal that has planning permission can be amended by either making a non-material amendment or by amending the conditions attached to the planning permission, including seeking to make minor material amendments

An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied.

There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.

## MAIN ISSUES FOR CONSIDERATION

The principle of the development is established by virtue of the planning permission granted in October 2017.

The main issues are

- Whether the scale and/or nature of the proposed changes would result in a development which is substantially different from the one which has been approved.
- Whether the proposed changes would result in any unacceptable impacts on the living conditions of neighbours when compared to the approved development
- The effect of the proposed changes on the character and appearance of the Wells Conservation Area.
- Whether varying the condition would result in any other material planning issues.

## APPRAISAL

### Whether the proposed changes would result in a substantially different development

Whilst a number of changes to the approved scheme are proposed it is considered that their scale and nature would not result in a development that is substantially different to that approved. The footprint and height of the building would not change. Representations refer to the use of aluminium windows and rooflights, but these are as indicated on the approved plans under the original permission. Although there is a condition requiring large scale details of these elements the principle of these materials has been accepted. The proposal therefore complies with the non-statutory definition of a minor material amendment.

### The effect of the proposed changes on living conditions of neighbours

The proposed changes to the ground floor windows in the south and east elevations would not result in any materially different impact on neighbours than the approved scheme. Those in the south elevation face on to an area used for car parking and would be obscure glazed. The window in the east elevation faces Jolly Sailors Yard which is a public road and serves a non-habitable room.

The additional rooflights to serve bedroom one in the western block would be located in the east and west facing slopes of its roof. They would be located next to the rooflights which

were approved and would be the same size. The rooflights would be over 2 metres above the floor level of the bedroom and as such, they would only provide light, and not any views out. The rooflight proposed in the east facing roof slope would face the west roof slope of the main block and the rooflight proposed in the west facing roof slope would not result in any greater impact on the adjacent property (Colworth Cottage) than the approved scheme.

The first floor window in the south elevation would be in the same position as that approved. As proposed it would be about 500mm wider and 300mm deeper, lowering the cill level, but it would still be of a multi-pane design. This window provides light to a stairwell and is to be positioned at the point where the stair turns through 180 degrees, but the cill level would be above head height. It is not until the landing, which would be set back 2 metres from the window, that there would be any views out of the window. It is considered that the slight enlargement of this window as is proposed would not result in any material change in the likely impact of the development on the nearby properties (Marsh View and Wanderers) with regard to loss of privacy when compared to the approved scheme. The separation distance from the window to the two small windows in the north facing gable wall of Wanderers to the south which serve bedrooms to the windows would be 7 metres, or 9 metres if the set back of the landing is included, which would comply with the amenity criteria in the North Norfolk Design Guide SPD. The first floor window in the north elevation of March Cottage serves a bathroom and any view would be at an angle with the separation in excess of that suggested by the SPD.

With regard to the roof terrace, this would remain at the same height and position as approved. The proposed change only affects the access to it which would be via a side hung rooflight instead of a hatch. This would not introduce any further overlooking and views out from the terrace over to neighbouring properties would remain restricted by the roofs of the building that would enclose it. The minor change to part of the first floor would comprise a repositioned stair and an alteration to the layout of a bathroom, neither of which would result in any impacts on neighbours.

For the reasons stated it is considered that the proposal complies with policy EN 4.

#### The effect of the proposed changes on the character and appearance of the area, the Wells Conservation Area and the setting of nearby listed buildings

The rooflight to access the roof terrace would be set well back (about 5 metres) from the building's front elevation and the roof of the main block would obscure any views of it from the east.

The additional rooflight in the west facing roof slope would be set back and be largely obscured in views eastwards from the street by the roof of the neighbouring dwelling (Colworth Cottage), whereas the rooflight in the east roof slope would similarly be screened in views from the east along East Quay by the roof of the main block such that only the top portion of the rooflight would be readily visible.

The proposed changes to the windows in the south and east elevations are considered to be acceptable and would not dilute the overall quality of the scheme. The use of painted brick to the walls of the bin store, which in an ancillary element, instead of timber cladding is something that can be found in the locality and is considered to be acceptable.

As approved, the roof and front elevation along with part of the first floor section of the side elevation of the western block would be clad in weathered steel louvered (Corten) cladding. Whilst this is not a material that can be found on any other buildings in the locality it has been accepted under the original permission which acknowledged the fact that new buildings do not have to copy their older neighbours in detail as set out in paragraph 60 of the National



Planning Policy Framework. On the front elevation facing East Quay the cladding would have been broken up in the central section between the ground and first floor window and below the ground floor window by weathered timber cladding. These panels would be about 2 sq.m and 1 sq.m respectively. As proposed these areas would now be clad in the steel cladding. Given the small area concerned in combination with the narrow overall width (4m) of this block's front elevation, whilst the omission of the contrasting cladding would result in the building having a more uniform appearance, it is not considered this would result in any harm to the character and appearance of the conservation area.

The amendments proposed would not alter the effect of the proposed development on the setting of nearby listed buildings, which was considered to be acceptable previously.

It is considered that the proposal complies with policies EN 4 and EN 8 for the reasons stated.

#### Whether varying the condition would raise any other issues

The approved scheme was considered to be acceptable in respect of its effect on the North Norfolk Coast Area of Outstanding Natural Beauty, flood risk, highway safety and parking. With the proposed changes the development would remain in compliance with the relevant policies listed earlier in this respect, and would not result in any other material planning issues.

With regard to holiday accommodation and second homes - whilst the concerns raised by a representee in this respect are acknowledged, it was noted under the previous application and is still relevant here, that are no policies within the Core Strategy that preclude the use of dwellings as such. Approval of the application would not change the use of the building. It would remain as a single dwelling (Class C3), which could be used as a holiday/second home by the applicant or let as holiday accommodation.

#### **RECOMMENDATION:**

APPROVE with the same conditions as attached to planning permission PF/17/1065 other than:

- Time limit for implementation - development to begin 3 years from the date of planning permission PF/17/1065
- Approved plans - to make update the list of approved drawings to reflect the approved amendments

#### (7) **THE GRAHAM ALLEN AWARD FOR CONSERVATION AND DESIGN**

*This report outlines the need to establish a Judging Panel for this year's Graham Allen Award and to agree the proposed dates for the judging and presentation of the awards.*

The Graham Allen Award for Conservation and Design was inaugurated in 1982 as a memorial to the late Councillor G.S. Allen, first Chairman of North Norfolk District Council. Since then it has been presented annually by the Council to the scheme considered to make the most significant contribution to the built environment within the District. Eligible projects can involve the conservation and restoration of historic properties as well as new buildings which, through their design, make innovative use of traditional building forms and detailing.

A Judging Panel needs to be set up to consider, evaluate and judge submissions under the award scheme, and make awards accordingly. Membership of this Panel will comprise at least 8 Members of Development Committee and does not need to be politically balanced. The Panel will need to elect a Chairman on the day and will also include the relevant Portfolio Member as well as Mr Edward Allen (Graham Allen's eldest son), who has once again kindly agreed to represent the Allen family. The closing date for entries is 31 July 2018.

It is suggested that the Judging Panel convenes on **17 August 2018** at the Council Offices to consider and judge the entries. As in previous years, the day will commence with a short presentation of all entries in the Council Chamber followed by a tour of those short-listed. There will then be a brief plenary session back in the Council Chamber on the merits of each scheme. The day will conclude with members of the Judging Panel voting on the entries. The awards will then be presented at a ceremony later in the year. At the time of writing this report **4 October 2018** would appear to be the preferred date.

#### **RECOMMENDATION:-**

**That the Committee notes the contents of this report and agree the date for judging the entries and the presentation of the awards.**

(Source: Paul Rhymes, Ext: 6367 – File Reference: GA Award)

#### **APPEALS SECTION**

##### **(8) NEW APPEALS**

**HAPPISBURGH - PU/17/1003 - Notification of prior approval for a proposed change of use of agricultural building to pair of semi-detached dwellings; Hill Farm, Whimpwell Green, Happisburgh, NORWICH, NR12 0AJ for Mr Pugh**  
WRITTEN REPRESENTATIONS

**KETTLESTONE - PF/17/1870 - Temporary siting of mobile home for use as a dwelling to allow for the re-establishment of small holding (retrospective); Land adjacent to 7 The Street, Kettlestone, Fakenham, NR21 0JB for Mr Pearson**  
WRITTEN REPRESENTATIONS

**MUNDESLEY - PF/17/1735 - Erection of first floor extension to create residential flat; Mundesley Post Office, 15 High Street, Mundesley, Norwich, NR11 8AE for Mr Thiruchelvam**  
WRITTEN REPRESENTATIONS

**NORTH WALSHAM - PF/17/0902 - Conversion of stable/barn to create dwelling; Agricultural Building, Adjacent to Bells Cottage, Holgate Road, White Horse Common, North Walsham, NR28 9N for Mr F Knights**  
WRITTEN REPRESENTATIONS

**OVERSTRAND - PF/17/0222 - Formation of children's play area and erection of play equipment to rear of public house; White Horse, 34 High Street, Overstrand, CROMER, NR27 0AB for Mr Walsgrove**  
WRITTEN REPRESENTATIONS

**POTTER HEIGHAM - PF/17/1217 - Erection of detached single-storey dwelling; 17 St Nicholas Way, Potter Heigham, Great Yarmouth, NR29 5LG for Mr Laxon**  
WRITTEN REPRESENTATIONS

**STALHAM - PF/17/2010 - Erection of two-storey building containing 2no. self-contained two bedroom flats; Land at 6 St Marys Road, Stalham, Norwich, NR12 9DU for Mrs Doe**  
WRITTEN REPRESENTATIONS

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

**DILHAM - PF/17/1162 - Erection of agricultural workers dwelling; Land opposite , Lodge House, Honing Road, Dilham, NR28 9PN for Bindwell Ltd**  
INFORMAL HEARING 28 June 2018

**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

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

**BLAKENEY - PF/17/1880 - Demolition of existing dwelling and erection of replacement two storey detached dwelling; Shingle House, 5 Westgate Street, Blakeney, HOLT, NR25 7NQ for Mr & Mrs Long**

**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**

**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/17/1621 - Demolition of part of the existing dwelling to be replaced by a single storey rear extension and erection of a detached two storey dwelling with associated parking; Goosebec, Warham Road, Wells-next-the-Sea, NR23 1JD for Mr & Mrs Everson-Crane**

**FAKENHAM - ENF/17/0216 - Building works not in accordance of the approved plans- ref PF/16/0858; 6 Whitelands, Fakenham, NR21 8EN**

**KETTLESTONE - ENF/17/0037 - Temporary building being used for residential purposes; Land adj 7 The Street, Kettlestone, NR21 0JB**

**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**

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

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

**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  
APPEAL DECISION:- APPEAL DISMISSED**

Summaries of the above appeals are attached at **Appendix 3**.

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

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

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

No change from previous report











17/2155





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



Mr BOWLES  
 MOLE ARCHITECTS LTD  
 52 BURLEIGH STREET  
 CAMBRIDGE  
 CB1 1DJ

Application Number  
 PF/17/1065

Date Registered  
 04 July 2017

Wells-next-the-Sea

## NOTICE OF DECISION

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

**Location: Land adjacent to Hampden House, East Quay, Wells Next The Sea**

**Proposal: Demolition of existing boundary walls and erection of two-storey dwelling**

**Applicant: Mr Chick**

**NORTH NORFOLK DISTRICT COUNCIL**, in pursuance of powers under the above mentioned Act hereby **PERMIT** the above mentioned development in accordance with the accompanying plans and subject to the conditions specified hereunder:

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

Reason:

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and specification, except as may be required by the conditions below.

Drawing Nos.

- 1609\_PP001 rev PP01: Location and Block Plans
- 1609\_PP002 rev PP01: Existing site plan
- 1609\_PP200 rev PP01: Existing elevation
- 1609\_PP300 rev PP01: Existing sections
- 1609\_PP0001 rev PP04: Proposed site plan
- 1609\_PP1000 rev PP06: Proposed floor plans
- 1609\_PP2000 rev PP04: Proposed elevations
- 1609\_PP2001 rev PP04: Proposed elevations
- 1609\_PP3000 rev PP02: Proposed sections
- Un-numbered elevation drawings showing proposed external materials, sent via email 24/10/17



Flood Risk Assessment by J P Chick & Partners Ltd (ref: IE16/034/FRA Rev 2 - dated 29/06/2017)

Highways Report by J P Chick & Partners Ltd (ref:IG15/191/JPC/AH)

Planning Statement by La Ronde Wright June 2017

Daylight, Sunlight and Overshadowing Assessment by Eco Draw 7th June 2017

Design, Access & Heritage Statement by Mole Architects dated 03.07.17

Design, Access & Heritage Statement - supplement dated 08.09.17

Design, Access & Heritage Statement - supplementary information: material and detail dated 23.10.17

Heritage Statement report No 216 - September 2017

Reason:

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

- 3 Notwithstanding any details submitted with the planning application, prior to their first use on site, samples of all materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall then be constructed in full accordance with the approved details.

Reason:

In order for the Local Planning Authority to be satisfied that the materials to be used will be visually appropriate for the approved development and its surroundings, in accordance with Policies EN 4 and EN 8 of the adopted North Norfolk Core Strategy

- 4 Prior to their installation, 1:10 scaled drawings, including sections, of the windows, rooflights and external doors, and details of their materials and external finishes, shall be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details

Reason:

To ensure the windows, door and rooflights are complementary to the appearance of the building, in accordance with Policies EN 4 and EN 8 the adopted North Norfolk Core Strategy.

- 5 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by J P Chick & Partners Ltd (ref IE16/034/FRA Rev 2 - dated 29/06/2017) and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 7.0 metres above Ordnance Datum (AOD).

Reason:

To reduce the risk of flooding to the proposed development and its future occupants, and in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy.

- 6 The dwelling hereby permitted shall not be occupied until details of an Emergency Flood Plan for it have been submitted to and approved in writing by the Local Planning Authority. The approved Emergency Flood Plan shall be implemented in accordance with the approved details and adhered to at all times thereafter.

Reason:

To ensure the safety of the occupiers of the dwelling in a flood event in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy.

- 7 The development hereby permitted shall not be commenced until detail of the flood resilience and resistance measures to be incorporated into its design to protect and mitigate the building from flooding. The details submitted shall include certification by a suitably qualified person that the structure of the building would be sufficient to withstand a tidal surge during the 1 in 100 year flood event

Reason:

To ensure the safety and sustainability of the building during a flood event, in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy.

- 8 No part of the ground floor area of the building hereby permitted shall be used as habitable accommodation (i.e. living rooms, bedrooms, kitchen)

Reason:

In the interests of the safety of the occupiers of the building as the ground floor of the would be subject to flooding during the design flood event, in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy.

- 9 The dwelling hereby permitted shall not be occupied until the two car parking spaces for it and the two spaces for Hampden House have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed surface treatment of the parking area, details of a replacement tree within the garden area, details of the treatment of the side and north boundaries of the parking and garden area.

Reason:

In the interests of the character and appearance of the street scene in accordance with Policies EN 4 and EN 8 of the adopted North Norfolk Core Strategy and to ensure adequate off-road parking facilities are provided in the interests of highway safety, in accordance with policy CT 6 of the adopted North Norfolk Core Strategy.

- 10 No lighting shall be installed on the exterior of the building hereby permitted or within the parking and garden areas other than in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

To avoid excessive levels of light which would otherwise be harmful to the character of this part of the Norfolk Coast AONB, in accordance with Policy EN 1 of the adopted North Norfolk Core Strategy.

## **NOTES TO APPLICANT**

1. The Local Planning Authority considers that it has worked positively and proactively with the applicant to address any arising issues in relation to determining this planning application, to secure a policy compliant proposal that has been determined in the wider public interest at the earliest reasonable opportunity, in accordance with the requirements of the National Planning Policy Framework (paragraphs 186 & 187).

This permission relates only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.



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

**Please Note:**

Please be aware that if dischargeable conditions have been imposed on this permission a fee will be payable in accordance with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008. At the time of print the fee for each request is £97.00. However, there is no limit to the number of conditions which can be discharged in any one request. Applications can be submitted on a form available on the website or by letter. If you require any further clarification please telephone (01263) 516150 or e-mail [planning@north-norfolk.gov.uk](mailto:planning@north-norfolk.gov.uk)

**Notes relating to decisions on planning applications**

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

2. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.\*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:  
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.\*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
- As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.\*
- As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.\*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.\*
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.  
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

\* some of the above may not apply to this application

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

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

**Please Note:**

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

<b>Application Number: PO/17/1362</b>	<b>Appeal Reference: APP/Y2620/W/17/3192056</b>
<b>Location: Land at Mace Cottage, North Walsham Road, Ridlington, NR28 9NR</b>	
<b>Proposal: Erection of three no dwellings</b>	
<b>Officer Recommendation: Refuse</b>	<b>Member decision (if applicable): N/a</b>
<b>Appeal Decision: DISMISSED</b>	<b>Costs: N/a</b>
<p><b>Summary:</b> The main issues the Inspector considered was:</p> <ul style="list-style-type: none"> <li>• Whether the appeal site is an appropriate location for new housing having regard to the development plan and the NPPF, and</li> <li>• The effect of the development on trees.</li> </ul> <p>Location of Development: The Inspector noted policies SS1 and SS2 of the Core Strategy. He also noted the Council could demonstrate a sufficient land supply position of 6.57 years. As such, he considered the relevant policies of the supply of housing in the Core Strategy to be up to date.</p> <p>The Inspector accepted that the development would not be physically isolated but did consider the appeal site to be functionally isolated given the lack of local services and limited public transport connections to principal settlements. The lack of physical isolation did not, in the Inspector's opinion, outweigh the requirements of the Development Plan policies.</p> <p>Trees: The Inspector noted the Council's requirement for a tree survey to establish the condition of the trees, and the appellant assessment but considered that the trees did contribute to the character of the area. He agreed that a tree survey was required in order to establish whether the development would or would not have a detrimental impact on trees.</p> <p>The Inspector dismissed the appeal on both grounds.</p>	
<p><b>Relevant Core Strategy Policies:</b> SS1 – Spatial Strategy for North Norfolk SS2 – Development in the Countryside EN2 – Landscape and Settlement character EN4 - Design</p>	
<p><b>Relevant NPPF Sections/Paragraphs:</b> N/a</p>	
<p><b>Learning Points/Actions:</b> N/a</p>	

<b>Enforcement Notice: ENF/16/0144</b>	<b>Enforcement Appeal Reference: APP/Y2620/C/17/3182511</b>
<b>Location: Dildash House, The Street, Great Snoring, Fakenham</b>	
<p><b>Enforcement: Erection of an outbuilding without planning permission. Demolition of building within 1 months of the date of the notice.</b> <b>The appeals are proceeding on the grounds set out in section 174(2) (a) (that planning permission should be granted).</b></p>	
<b>Enforcement Appeal Decision: AMENDED AND UPHELD</b>	<b>Costs: N/a</b>
<p><b>Summary:</b> The Inspector noted the planning history relating to a refusal of planning permission for the outbuilding. The Inspector noted the ground (a) appeal and considered the main issues to be</p>	

1. The effect of the outbuilding/studio on the setting of the Grade II Listed Dildash House and
2. The effect on the Great Snoring Conservation Area.

**Effect on Listed building:**

The special significance of Dildash House arises from its age, scale, plan form, architectural composition and materials, together with its relationship to the neighbouring buildings and historical association with the evolution of the village. The building is also prominent in the Conservation Area.

The Inspector noted both parties stances, namely, the Council considers the design of the building, particularly its mono pitch roof, and upvc windows and doors, fails to relate sympathetically to the listed building. The appellant's stance is that the building makes an efficient use of land, is detached from the Dildash House and therefore has no direct impact on the listed building and that additional landscaping could be carried out.

The Inspector agreed with the Council's position and was of the opinion that the design and appearance of the building is at odds with the host listed building and the adverse impact of the structure is exacerbated by its elevated position.

**Effect on Conservation Area:**

The Inspector noted that most of the structure would be obscured from view in the wider Conservation Area, particularly in summer months, but that it may be more visible in winter months. He noted that the impact on the listed building, in turn, diminished the contribution of the listed building to the character and appearance of the Conservation Area.

The ground (a) appeal failed and the Inspector considered planning should not be granted. The enforcement notice as upheld.

**Relevant Core Strategy Policies:**

EN8 - Heritage

**Relevant NPPF Sections/Paragraphs:**

Paragraphs 132-134

**Learning Points/Actions:**

N/a

**Sources:**

Sarah Ashurst – Development Management Manager