

**Sheringham – RV/24/1351**- Variation of conditions 2 (approved Plans), 3 (Landscape and woodland management), 10 (storage sheds), 11 (materials), 12 (road surfacing materials), 17 (on-site parking areas), 21 (ventilation/extraction system details) & 22 (renewable energy scheme) of planning permission, 27 (Flood Risk Assessment and drainage strategy) PF/22/1928 (Revised scheme for the erection of 62 retirement dwellings, access, roads, open space, parking areas and associated works) to allow changes to trigger for submission of details to reflect the construction phases of the development at Sheringham House, Cremers Drift, Sheringham, Norfolk

## **Major Development**

**Target Date: 10th July 2024**

**Extension of time: 05 May 2025**

**Case Officer: Mr Phillip Rowson**

**Variation of Conditions**

## **RELEVANT SITE CONSTRAINTS**

The Norfolk Coast Area of Outstanding Natural Beauty

Contaminated Land

EA Groundwater Source Protection Zone 1 and 2.

Landscape Character Area - Description: Coastal Shelf (Weybourne to Mundesley Coastal Shelf)

Open Land Area

Site Allocation

Mineral Safeguard Area

TPO/00/0663 - TREE PRESERVATION ORDER 2000 NO 9 (AREA)

### GIRAMS Zones of Influence:

GIRAMS ZOI (Broad Sites) - GIRAMS: Broadland RAMSAR Zone of Influence

GIRAMS ZOI (Broad Sites) - GIRAMS: Broadland Special Area of Conservation (SAC) Zone of Influence

GIRAMS ZOI (Broad Sites) - GIRAMS: Broadland Special Protection Area (SPA) Zone of Influence

GIRAMS ZOI (Norfolk Valley Fen Sites) - GIRAMS: Norfolk Valley Fens Special Area of Conservation (SAC) Zone of Influence

GIRAMS ZOI (North Coast Sites) - GIRAMS: North Norfolk Coast Special Protection Area (SPA) Zone of Influence

GIRAMS ZOI (North Coast Sites) - GIRAMS: North Norfolk Coast RAMSAR Zone of Influence

GIRAMS ZOI (North Coast Sites) - GIRAMS: North Norfolk Coast Special Area of Conservation (SAC) Zone of Influence

GIRAMS ZOI (The Wash Sites) - GIRAMS: The Wash Special Protection Area (SPA) Zone of Influence

GIRAMS ZOI (The Wash Sites) - GIRAMS: The Wash RAMSAR Zone of Influence

GIRAMS ZOI (The Wash Sites) - GIRAMS: The Wash & North Norfolk Coast Special Area of Conservation (SAC) Zone of Influence

### Adjacent:

LDF Residential Area

Setting of Sheringham Park

## RELEVANT PLANNING HISTORY

Application **PO/16/1725**

Description Erection of 62 later living retirement apartments including communal facilities and car parking (outline application)

Outcome A - Approved

Status A - Decided

Application **PM/18/1502**

Description Erection of 62 later living retirement apartments including communal and car parking facilities (Reserved Matters for Landscaping; Outline ref: PO/16/1725)

Outcome A - Approved

Status A - Decided

Application **CDE/16/1725**

Description Discharge of Condition 7 (Off-site highways works - 3no. Crossing Points proposed along Cremer's Drift) for Planning Permission PO/16/1725

Outcome CD - Condition Discharge Reply

Status CD - Condition Discharge Reply

Application **CDD/16/1725**

Description Discharge of Condition 8 (Surface Water Drainage Strategy) for Planning Permission PO/16/1725

Outcome CD - Condition Discharge Reply

Status CD - Condition Discharge Reply

Application **CDC/16/1725**

Description Discharge of Condition 10 (Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity)) for Planning Permission PO/16/1725

Outcome CD - Condition Discharge Reply

Status CD - Condition Discharge Reply

Application **CDB/16/1725**

Description Discharge of Condition 9 (Partial discharge) (Contamination Assessment - Desk study and risk assessment) for Planning Permission PO/16/1725

Outcome CD - Condition Discharge Reply

Status CD - Condition Discharge Reply

Application **CDA/16/1725**

Description Discharge of Conditions for Planning Application PO 16 1725 - Cond.3: Landscaping, Cond.7: Highways, Cond.8: Flood Scheme, Cond.9: Contaminants, Cond.10: Enviro. Management Plan, Cond.11: Garaging & Storage, Cond.12: External Materials, Cond.13: Access & Footpaths, Cond.14: Fire Hydrants, Cond.15: Construction Traffic Mgmt

Outcome WFI - Withdrawn - Invalid

Status WFI - Withdrawn Invalid

Application **PF/22/1928:**

Description Full Planning Application: Revised scheme for the erection of 62. no retirement dwellings, access, roads, open space, parking areas and associated works

Outcome Approve

Application: CD/24/1336

Description: Discharge of conditions 10 (Storage Buildings), 11 (Facing Materials), 12 (Surfacing Materials), 13 (Fire Hydrant position), 16 (Employee Parking), 22 (Renewable Energy Scheme) and 28 (Construction Phasing Plan - refused) of planning permission PF/22/1928 (Revised scheme for the erection of 62. no retirement dwellings, access, roads, open space, parking areas and associated works)

Outcome: Part approved; part refused

## THE APPLICATION

Seeks variation to the previously approved application PF/22/1928 for Full planning permission to erect 62 dwellings comprising 42 No. 2 Bedroom Apartments, 10 No. 1 Bedroom Apartments and 10 No. 2 Bedroom Bungalows.

The proposals relate to variations in the phasing of conditions relating to agreement of facing materials and surfacing, on street parking areas, ventilation and extraction systems, and renewable energy. The applicant seeks to split agreement of the above details for phase 1 and 2 of the development. Phase 1 relates to plots 1- 10, detached bungalows. Phase 2 relates to the delivery of four apartment blocks. Details for phase one have already been agreed under application CD/24/1336 seeking to discharge conditions attached to the existing extant planning permission PF/22/1928.

The proposals also seek to revise the site wide drainage strategy agreed under PF/22/1928, this will require revisions to the landscape proposals and approved plans.

## REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr Liz Withington (adjacent ward member) –

*I am not confident that the variations in the SUDS provides adequate protection to the residents in the areas of Knowle Road and Knowle Crescent. This system continues to rely on the small and often flooded culvert on Knowle Road and Knowle Crescent. The road and gardens in this area are already flooded subsequent to the initial development of Sheringham House. Although, this system suggests there will be betterment due to the attenuation measures put in place and it should reduce the current pluvial flow to 5 litres per second given the already overloaded culvert on many days and the high water table which has resulted in gardens in this area being already underwater even at the height of summer I am concerned that this may not be sufficient and the development as proposed will only further exacerbate the already problematic situation. I appreciate the landowner is responsible for their Riparian right to discharge and cannot be held responsible for the capacity downstream it cannot be right to agree to a development which will knowingly potentially further exacerbate known and ongoing pluvial flooding issues in this area. The LLFA being aware of this as they were invited to visit the site with me in 2019 along with NNDC Planning Officer Stock and they saw the issues with surface water drainage prior to this development. The land upstream of this, then heavily wooded and holding back a proportion of the discharge. With the removal of the majority of the tree cover (necessary as result of poor land management practices leading to a tree falling into a house and several others into gardens) discharge rates are now much larger than then. I think residents need to have this discussed in full at development committee and for their concerns and lived experiences to be heard and discussed by members so that they can be confident their lives will not be further detrimentally impacted as a direct consequence of this development.*

*In addition, I think it needs to be clear what the Management and Maintenance system for this SUDS and the development will be and that members should be confident that conditions are set clearly enough to ensure the system is maintained appropriately for the 'lifetime' of the*

*development before occupancy. It could be argued that this has not been the case on the previous development on this site and this has been and continues to be at a detrimental cost to neighbouring properties.*

## **PARISH/TOWN COUNCIL**

### **Sheringham Town Council** –

Initial comment: Objects to the aspect of the application requesting to vary conditions 11 & 12 to defer the approval of the facing materials to be used for the external walls and roofs and details of the surfacing materials to be used for all access roads, footways and parking areas, on the grounds that these should be approved prior to development of the 10 bungalows to ensure a good quality to the bungalow finishes and the road surfacing materials to be used for the site access and bungalow units access and that these are in keeping with the remainder of the development to be completed at Phase Two. Resolved that the Council does not object to the proposed landscape, tree planting and surface water proposals.

Amended plans comment no objections to this application.

Final round of amended plan consultation; *“Sheringham Town Council notes the changes to the Swale sizes and locations in the new application. However, we understand that the LLFA has not yet responded. Without this information it is not appropriate to know what to approve. Sheringham Town Council have no objections to either design subject to the LLFA response.”*

## **CONSULTATIONS:**

### **Conservation and Design (NNDC) – No Objection**

### **Environmental Health – No Response**

### **Landscape (NNDC) – Advice**

A coppice programme is required along the route of the proposed footpath or revised species choose to avoid conflict with pedestrians.

The report details minor changes to species selection and can now demonstratively meet the requirements set out in the Forestry Commission restock requirement.

The previously approved site layout plan and landscape plan (PF/22/1928) shows a more natural looking pond area with tree planting. The revised details now include two large attenuation basins in the area. The new attenuation basin to the south takes up a significant proportion of the amenity space for Sandpiper and Kittiwake House leaving little functional outside area for residents.

The Landscape plan 8/10/24 by A T Coombes should remove Elveden instant laurel hedging along the eastern boundary of the site, in favour of a mixed native hedging to enhance the natural habitat of the site (EN9).

The variety of ornamental species selected for the centre of the site, however, will make a positive contribution to the arboricultural value of the site.

### **Forestry Commission: Comments**

As a Non-Ministerial Government Department, the Forestry Commission provide no opinion supporting or objecting to an application. Rather we provide advice on the potential impact that the proposed development could have on trees and woodland.

We note the variation of conditions and landscape and woodland management plan with felling license and restocking conditions. Only one concern regarding the use of laurel instant hedging along the eastern border of the site adjacent to the woodland creation. Laurel is a non-native invasive species with the ability to spread and shade out woodland understory and prevent woodland regeneration. We would suggest that a native species of hedging is considered as an alternative.

**County Council Highways (Cromer): No Objections**

Thank you for the VOC consultation received recently relating to the above development proposal, I can comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to resist the variation of the above conditions.

**Conservation and Design (NNDC): No Objections**

**Environment Agency: No Response**

**NCC Flood & Water Management (LLFA): No Objections**

The LLFA has no objection to this application for removal or variation of a condition following grant of planning permission. A variation of Condition 27 is recommended subject to amended condition wording being attached to any consent, if this planning application is permitted, and the applicant agrees with any updated condition wording. Updates shall be reflected across other conditions as required.

**Anglian Water – No objection**

We have reviewed the Flood risk assessment & Drainage Strategy reference 240791/A Marshall dated 10 December 2024 Version 2 and Drainage Details Sheet 1 and 1, we note that the applicant is not proposing to make changes to the proposed surface water connections and discharge rates already agreed in principle into Anglian Water network. The proposed Suds features are not to be adopted by Anglian Water; therefore, we are unable to make comments on this application. However, it is important to note that Anglian Water will need to be consulted if the applicant makes any changes to the surface water strategy related to Anglian Water network such as changes with the stated connection points and discharge rates.

## **REPRESENTATIONS**

One letter of **Objection** has been received raising the following concerns:

There is already 1 existing and a new entrance/exit at Willow Grove. Also putting a road through an area which I believe has drainage issues and will be compounded by the building already going on and planned, could cause flooding issues to existing properties nearby. The area at the moment has been left to grow wild which is very good for biodiversity, placing a road through this will undo all that.

One letter of **Comment** has been received raising the following matters:

Discrepancy in proposed wording to condition 21 (Ventilation & Air Conditioning) removal of phasing *"The equipment shall be installed and maintained thereafter in full accordance with the approved details."*

## **HUMAN RIGHTS IMPLICATIONS**

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

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

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

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

## **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder issues.

## **LOCAL FINANCE CONSIDERATIONS**

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

## **RELEVANT POLICIES**

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

- SS 1: Spatial Strategy for North Norfolk (specifies the settlement hierarchy and distribution of development in the District).
- SS 4: Environment (strategic approach to environmental issues).
- SS 5: Economy (specifies expectation for jobs growth through distribution of new employment sites in the District, protection of designated Employment Areas, and specifies criteria for tourism growth)
- SS 6: Access and Infrastructure (strategic approach to access and infrastructure issues).
- EN 2: Protection and enhancement of landscape and settlement character (specifies criteria that proposals should have regard to, including the Landscape Character Assessment).
- EN 4: Design (specifies criteria that proposals should have regard to, including the North Norfolk Design Guide and sustainable construction).
- EN 6: Sustainable construction and energy efficiency (specifies sustainability and energy efficiency requirements for new developments).
- EN 8: Protecting and Enhancing the Historic Environment
- EN 9: Biodiversity and geology (requires no adverse impact on designated nature conservation sites).
- EN 10: Flood risk (prevents inappropriate development in flood risk areas).
- EN 13: Pollution and hazard prevention and minimisation (minimises pollution and provides guidance on contaminated land and Major Hazard Zones).
- CT 2: Development contributions (specifies criteria for requiring developer contributions).
- CT 5: The transport impact on new development (specifies criteria to ensure reduction of need to travel and promotion of sustainable forms of transport).
- CT 6: Parking provision (requires adequate parking to be provided by developers, and establishes parking standards).

### **Material Considerations:**

## **National Planning Policy Framework (December 2024)**

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 6: Building a strong, competitive economy

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

Chapter 17: Facilitating the sustainable use of minerals

## **Site Allocations Development Plan Document (Adopted Feb 2011)**

Policy SH06 - Land Rear of Sheringham House

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

North Norfolk Design Guide (December 2008)

## **OFFICER ASSESSMENT:**

### Background:

The principle of residential development on this site was secured following the adoption of the Site Allocations Development Plan Document in Feb 2011. Policy SH06 (Land Rear of Sheringham House) relates specifically to this site with specific requirements for pedestrian linkage to local services and facilities; protection of mature trees on site; ecological mitigation; suitable capacity is available in the foul water network; and mitigation of visitor pressure on SPA & SAC.

Outline permission was granted for 62 later living retirement apartments under PO/16/1725 with a later reserved matters approval PM/18/1502. Conditions were discharged and a meaningful start was made on site. The principle was developed further by these planning approvals. The extant nature of planning permissions will be a material consideration in the determination any further applications.

Development on site then ceased, a later application PF/22/1928 for variance to was submitted to vary the scheme but maintained similar proposals i.e. 62 retirement dwellings, substituting apartment blocks in the Southeastern corner of the site for 10 detached bungalows, and maintaining four apartment blocks over the remainder of the site. This application was approved on 12.07.2023. It is this permission which the current application seeks to vary.

Development has commenced on site for approval PF/22/1928, plots 1-10 (bungalows are to all intent and purpose complete), with suitable submission of evidence to facilitate conditions discharge.

## **Main issues for consideration:**

- 1. Principle**
- 2. Drainage strategy & Flood risk**

- 3. Access & Highway safety**
- 4. Landscape**
- 5. Ecology**
- 6. Affordable Housing & Infrastructure contributions**

## **1. Principle**

In determining an application for a variation of conditions the Council may only consider the matters which are sought to be varied by the specific changes proposed. In this case the revised design of the proposed dwellings must be assessed in terms of its design implications, residential amenity, highway safety/parking and landscape impact.

The application seeks to vary 9 conditions relating to approved plans, landscape and woodland management, storage sheds, materials, road surfacing materials, on-site parking areas, ventilation/extraction system details, renewable energy scheme together with the flood risk assessment and drainage strategy approved under application PF/22/1928.

The issue of land use principle is addressed by Policy SH06 (Land Rear of Sheringham House) the site is a housing allocation in the current local plan. There are two further planning permissions PO/16/1725 and PF/22/1928 the latter is an extant planning permission for the development of 10 bungalows and a similar number of apartments in similar layout to that proposed on the application site.

The principle of development for 62 dwellings on site is established and accepted.

As such the report will now turn to consideration of the individual matters of variance from the extant permission PF/22/1928. Those matters will be considered in terms of policies relating to the key matters, Drainage, Highway Safety, Landscape, Ecology and climate change, and Impact on Residential Amenity. Officers will report in order of the complexity and level of concerns raised:

## **2. Drainage strategy & Flood risk**

Core Strategy Policy EN 10 considers development and flood risk and seeks to ensure that the sequential test is applied to direct new development to be located only within Flood Risk Zone 1. Development in Flood Zones 2 and 3 will be restricted. Policy EN 10 requires new development to have appropriate surface water drainage arrangements for dealing with surface water run-off. The use of Sustainable Urban Drainage systems is preferred.

The site is located within Flood Risk Zone 1 (the lowest risk of flooding). However, the applicant has identified a spring on the north/northwest site boundary and the site also falls within the Environment Agencies Groundwater Source Protection Zone 1 and 2. This means that careful consideration needs to be given to ensure that surface water drainage is appropriately managed so as not to result in adverse impacts off-site nor adversely affect protected groundwaters.

In considering the flood risk implications, the Committee need to be aware that a surface water drainage schemes were agreed for the site in relation to applications PO/16/1725 /

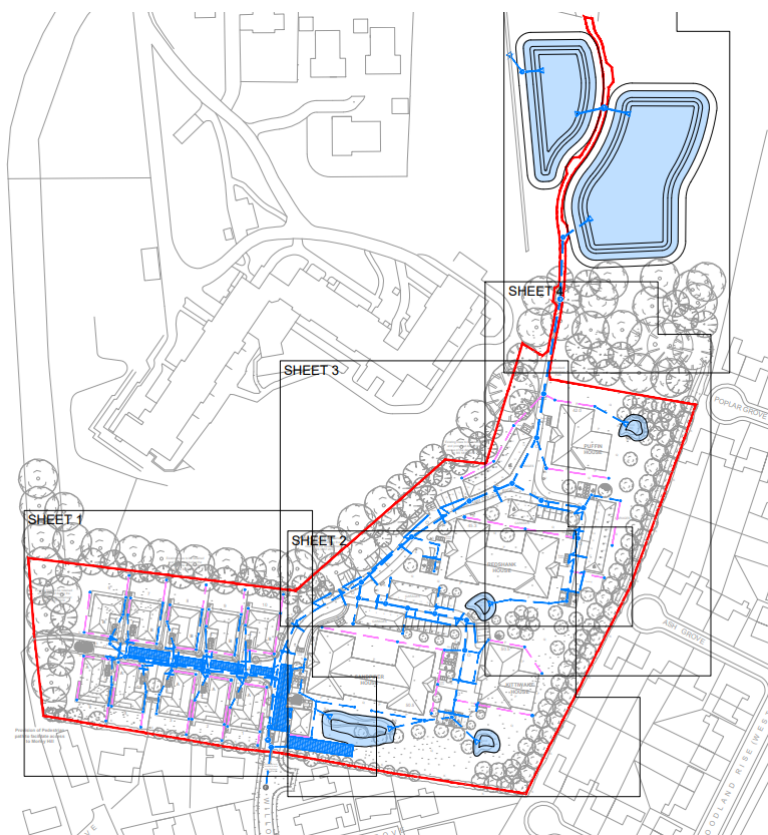


PM/18/1502 and also more recently for application ref: PF/ 22/1928. Those schemes were all approved in detail by the Lead Local Flood Authority (LLFA).

However, as a new planning application, surface water drainage issues are being considered again to ensure they remain policy compliant. The applicant's drainage engineers submitted a flood risk assessment and drainage strategy which has been revised three times and finally agreed in principle by the LLFA on 08 April 2025. The agreement will require a condition to be reworded to take account of the variation in plans, that revised condition appears once more as C27 to the officer's recommendation. Members are requested to note the details condition requires implementation in strict accordance with the approved strategy and a for a scheme of management and maintenance to be agreed under conditions requiring details prior to first occupancy of any dwelling.

The previously approved drainage strategy was a SuDS based proposal which required attenuation from drainage basins to enable discharge at greenfield run off rates via linkages to existing watercourse and an existing sewer. The network is positioned to the north of the site and the south of the site respectively. The ditch runs north, parallel with the back of Knowle Road which is subsequently culverted towards the top of Knowle Road where it flows to the north via gravity. The existing sewer is located within Willow Grove and will only drain the 10no bungalows located in the west of the site. The runoff rate was agreed to be 8.6litres per second.

Previously approved drainage strategy:

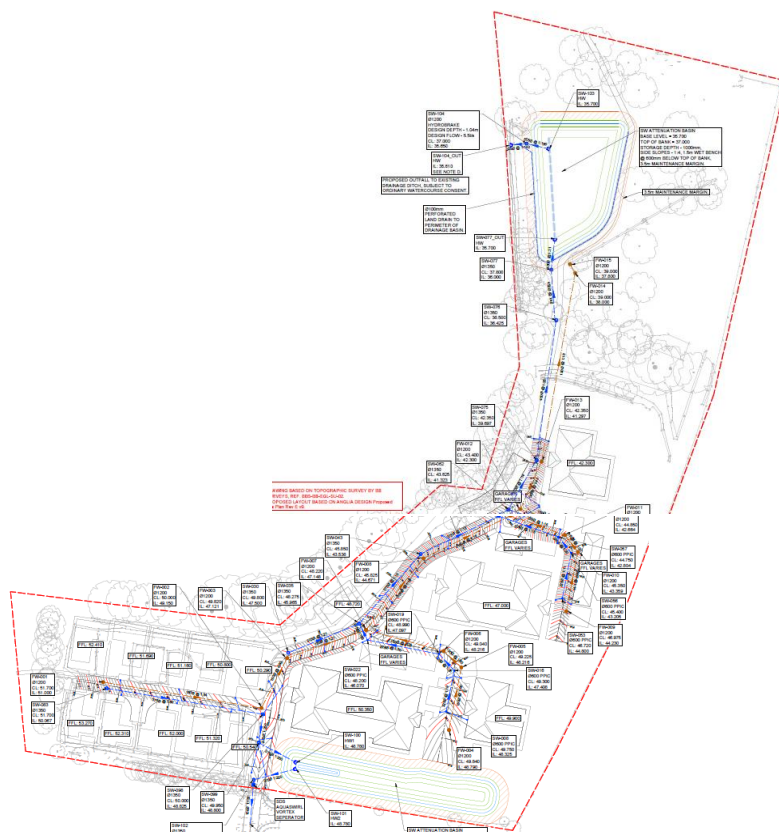


It has been agreed that the site cannot effectively utilise surface water percolation to assist by infiltration owing to a combination of ground water levels and poor infiltrations rates. As such a SuDS based proposals represents the most appropriate alternative.

Officers consider that the fallback position carries weight in this recommendation. In this instance there is an extant scheme for very similar development that exists and this has an acceptable drainage scheme. It would be reasonable to conclude that a similar scheme should also be capable of reaching an acceptable conclusion in relation to surface water drainage, i.e. maintained discharge via a SuDS based system with greenfield run off rates of around 8.6 l/s to the existing drainage network. The principle of using the ditch which runs north parallel with the back of Knowle Road which is subsequently culverted towards the top of Knowle Road is agreed under the fallback position.

The current proposals are confirmed to follow the principles of the previously approved drainage strategy and utilises the previous watercourses assessment. The most noticeable change is the move away from six smaller basins to now being a two-basin strategy. Once again the surface water drainage strategy outlined in the supporting report has been designed to accommodate run-off during all events up to and including the 100-year return period plus 40% to allow for increases in rainfall intensity due to climate change for the expected 100-year lifespan of the development; this is in line with the recommendations of the NPPF in terms of addressing future implications for climate change and to minimise risk to people and properties should exceedance occur.

#### Proposed drainage strategy:



Surface water runoff is discharged to the existing watercourse that runs alongside the western boundary of the site (this drains to the Knowle Road culvert), and to the combined public sewer in Willow Close. Assessment of the watercourses demonstrates that this discharges to the Anglian Water combined sewer in Common Lane via a series of culverts. Peak flows are maintained to be no greater than the already approved greenfield rate of 8.6 l/s, broken down

at 3.1 l/s to combined sewer at Willow Grove (agreed Anglian Water, April 2024); and 5.5 l/s to the watercourse on western boundary.

The proposals are based around a SuDS strategy with four aims :

1. *Control the quantity of runoff to support the management of flood risk and protect the natural water cycle.*
2. *Enhance the quality of surface water to protect the environment from pollution picked up from rainwater flowing over man-made surfaces.*
3. *Enhance the amenity of developments, creating and sustaining better places for people alongside water.*
4. *Enhance the biodiversity of developments, creating and sustaining better places for nature to thrive, mimicking the natural environment.*

Two attenuation basins are shown as primary storage and treatment for surface water drainage. The basins will meet LLFA guidance:

- *1.2m max depth of water = 1m temporary storage + 0.2m below outfall invert for interception storage.*
- *Minimum 300mm freeboard to top of bank.*
- *1.5m wide wet benches as standard at 600mm below top of bank (as per RP992).*
- *Side slopes - 1:4 gradient.*
- *3.5m wide maintenance strip*

At the northern end of the site groundwater was recorded at or close to surface level. A land drain will be provided around the northern basin to protect it from groundwater ingress. The land drain would maintain downward migration of any groundwater around the basin to the existing ditch on the western boundary, replicating the pre-development movement of any groundwater in this area.

Officers note that the revisions require a re-routing of the proposed footpath link to Knowle Road to accommodate the northern attenuation basin, further that there is conflict between the re planting requirements of the recently approved Forestry Commission felling license (northern site attenuation basin). No objections are raised by Forestry Commission subject to removal of non-native invasive species from the proposed landscape plan. The re-routing of the proposed footpath creates a minor change from the previously approved route and will be equally commodious for users.

The comments raised relating to potential loss of amenity land associated with the Southern Drainage basin are noted. However, this is compensated for by the loss of the previously approved four smaller attenuation basins removed in the current proposals. The balance is an acceptable one and does not prejudice policy compliance.

Local member concerns reported in the call in notification are respectfully considered to be already managed to officers' satisfaction. It is acknowledged by officers and the LLFA that overland surface water flows are an issue of local concern for some residents to the south of the site. In addition, that the site and immediate surroundings have more complex geological and hydrological profile. Those concerns are set against the riparian responsibility for adjacent landowners to reasonably accept water flows from their upstream neighbours and maintain the local network. Officers note that the proposed attenuation is designed to provide for a

1:100-year flood event and for an increased capacity that will provide a further 45% capacity for the effective. This is a significant betterment from an unmitigated overland flow following gravity to the natural low point of the site where it is discharged in an unmanaged manner into the local network. The proposals will not exacerbate the existing problem, rather they are specifically designed to provide a hydro brake to not worsen the circumstance. Finally, officers note an appendix to the proposed drainage strategy specifically designated to management and maintenance of the proposed drainage system. The annex details regular inspection, maintenance and management to ensure the system functions as designed. The proposals also include a recording and monitoring of the maintenance and management actions which will be made available under request.

Officers are content that the revised proposals will maintain run off rates to the previously approved rate (8.6. l/s), they are based on the same SuDS principles and are considered acceptable in principle by the LLFA. Subject to the above, and a confirmed maintenance and management plan then the development would accord with the aims of Core Strategy Policy EN 10.

### **3. Access & Highways safety**

Core Strategy Policy CT 5 considers the transport impact of new development and sets out that proposals should be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its location

Paragraph 116 of the NPPF states that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Local Plan site allocation Policy SH 06 requires, amongst other things, that development on this site will not be permitted until improved pedestrian access is provided to the town centre, the health centre and the town's schools (including access to Morley Hill) is secured.

The previously approved schemes PO/16/1725 and PF/22/1928 secured pedestrian linkages. These proposals retain linkages in the same locations which can be secured via suitable planning conditions to be provided before first occupancy of a detailed design which will be agreed as part of the condition discharge process.

The proposal seeks highway access from Woodlands Rise via Willow Grove for the development. Pedestrian access to the town centre would be facilitated via a new footpath to the north to join Knowle Road. The means of access and road layout remain as largely as previously submitted. There is no provision within the current application for any form of vehicular access to Knowle Road, once again this can be secured by suitable planning conditions. NCC Highways confirm that this proposal does not affect the current traffic patterns or the free flow of traffic.

In essence the revised plans and other matters make no change to the approved principles relating to Access & Highway Safety. The proposals will comply with policy CT 5 & 6 together with accessibility requirements under policy SH 06.

#### **4. Landscape**

Local Plan Policy EN 2 seeks to protect and enhance the existing landscape and settlement character of the area in respect of location, scale, design and materials to protect, conserve and/or enhance:

- *the special qualities and local distinctiveness of the area.*
- *gaps between settlements, and their landscape setting.;*
- *distinctive settlement character.*
- *the pattern of distinctive landscape features, such as trees and field boundaries, and their function as ecological corridors for dispersal of wildlife; and*
- *visually sensitive skylines.*

The application site/adjoining land contains a number of trees many of which contribute positively to the character and appearance of the area. The applicant has submitted an Arboricultural Impact Assessment (AIA) as well as a Landscape Plan. Based on these submissions, the Landscape Officer has not raised any objection save for the requirements for species planting to be varied.

As noted above the drainage strategy has required a revision from 6 drainage basins to two larger basins. This has altered where amenity space can be provided. However, when taken across the wider site the amenity spaces will meet previously agreed levels. Subject to conditions to secure the landscape plan, the proposal would accord with the aims of Policy EN 2. In any event, Officers consider that the existence of the implemented permission is a material consideration to which significant weight should be apportioned when assessing the impact on trees and landscape.

#### **5. Ecology**

Core Strategy Policy EN2 requires that development should 'protect conserve and where possible enhance the distinctive settlement character, the pattern of distinctive ecological features such as ...field boundaries and their function as ecological corridors for dispersal of wildlife, along with nocturnal character'.

Core Strategy Policy EN 9 sets out that 'All development proposals should: protect the biodiversity value of land and buildings and minimise fragmentation of habitats; maximise opportunities for restoration, enhancement and connection of natural habitats; and incorporate beneficial biodiversity conservation features where appropriate.

Development proposals that would cause a direct or indirect adverse effect to nationally designated sites or other designated areas, or protected species, will not be permitted unless; they cannot be located on alternative sites that would cause less or no harm; the benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats; and prevention, mitigation and compensation measures are provided. Development proposals that would be significantly detrimental to the nature conservation interests of nationally designated sites will not be permitted.

Where there is reason to suspect the presence of protected species applications should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs.

The previously approved application PF/22/1928 was subject to an Ecological Appraisal and Impact Assessment which was agreed and is subject to suitable planning conditions.

The current application does not seek to vary any of the conditions or mitigation agreed previously. As such subject to the re-imposition of conditions required to secure any required ecological mitigation, the proposal would accord with the aims of Core Strategy Policy EN 9.

## **6. Affordable Housing & Infrastructure contributions**

Core Strategy Policy HO 2 sets out, amongst other things, that:

*‘Planning permission for the erection of new dwellings or conversion of existing buildings to dwellings will be permitted provided that, where it is viable to do so, the scheme provides affordable housing in accordance with the following:*

- *On all schemes of 10 or more dwellings or sites of more than 0.33 hectares in Principal and Secondary Settlements, not less than 45% of the total number of dwellings proposed are affordable...’*

Core Strategy Policy CT 2 (Developer Contributions) sets out, amongst other things, that:

*“On schemes of 10 or more dwellings and substantial commercial development where there is not sufficient capacity in infrastructure, services, community facilities or open space, improvements which are necessary to make that development acceptable will be secured by planning conditions or obligations, and these must be phased so as to be in place in accordance with an agreed time frame or prior to the occupation of an agreed number of units...”*

A viability assessment was submitted to support the previous application PF/22/1928, it was agreed that development would be unviable in terms of meeting 45% on site provisions. A commuted sum was agreed as viable and set out that £57,292.92 would be made available to specifically support off site affordable homes. Officers remain content that the above contribution is appropriate and can be secured under the existing s106 agreement.

In terms of the total financial contributions to be secured via S106 Obligation secures the following:

- *GI RAMS £ 13,072.08*
- *Library Contribution £ 4,650.00*
- *Community Infrastructure Contribution £ 22,250.00*
- *Affordable Housing Contribution £ 57,292.92*

**Total £97,265.00**

No further viability evidence has been submitted for consideration and as such officers remain of the view that the submitted evidence and proposed contributions will meet local infrastructure requirements from the proposed development.

Based on the above, Officers consider that sufficient evidence has been provided by the applicant to justify their viability case. The proposal would accord with Core Strategy Policies HO 1 and CT 2 and the above S106 Obligations have already been secured within the S106 Obligation dated 16 May 2024 as part of application PF/22/1928 and which would also bind on this application, in the event it is approved.

## **Planning Balance and Conclusion**

Condition 2 seeks variance of approved plans and supporting evidence, as detailed in the proposed conditions these plans will substitute a revised drainage strategy and update landscape plans and supporting evidence to reflect the changes in layout resulting from these proposals. As above the proposals are considered to comply with Core Strategy Policies EN 2, 9 & 10. Furthermore, there are no substantive changes to matters of highways safety and parking, the proposals remain compliant with policies CT 5 & 6.

Condition 3 seeks to vary the Landscape and woodland management plans previously agreed. The changes reflect the revised site layout and drainage strategy. As noted above subject to agreement on specific species for the landscape planting all matters are agreed, it is considered that the proposals comply with policy EN2.

Condition 10 seeks to vary the provision of storage sheds for prospective residents. The proposals now include specific details for Phase 1 (bungalows at Plots 1-10) for storage of mobility scooters/disabled buggies or waste/recycling stores. The revised condition then seeks to allow for No dwelling on Phase 2 (apartments) to be constructed above slab level prior to precise details being agreed by the LPA. The details submitted for storage at Phase 1 are accepted, the revision to the condition allows for further details for stage 2 to be agreed at slab level and then be effectively managed and enforced. There is no adverse impact on residential amenity the proposals comply with policy En 4.

Condition 11 & 12 seeks to agree precise details of facing materials and surfaces for phase 1 (plots 1-10) and defer for agreement of facing and surfacing materials for phase 2 before slab level. Officers note the initial concern from Sheringham Town Council on potential inconsistency of materials across phases but are content that consistency of appearance and coordination of appropriate materials can be delivered over both phases by the LPA under the revised condition. The proposals comply with policy EN4.

Condition 17 seeks to agree precise details for on-site parking areas for Phase 1 (plots 1-10) at this stage and for Phase 2 (apartments) to be submitted and agreed prior to slab level. Officers note no objections from NCC highways officers to the proposals and again consider that the approved and proposed layout plans will set principles for these matters that can then be agreed in detail prior to slab level for Phase 2. The proposals are considered to comply with Policy CT 6.

Condition 21 seeks to agree precise details for air conditioning / handling for Phase 1 and defer these matters to slab level for Phase 2. No prejudice is created, and officers agree that detailed agreement for phase 2 can be deferred to slab level without prejudice to policy EN

13. Officers will draft the condition to ensure that the equipment shall *then be installed and maintained thereafter in full accordance with the approved details.*

Condition 22 seeks to agree renewable energy scheme details for phase 1 and defer these detailed matters to slab level for Phase 2. As above the principle can be agreed without detriment to either phase under policy EN 6.

Condition 27 seeks to agree a revised Flood Risk Assessment and drainage strategy; this is explored above in detail. Officers note that the drainage strategy achieves the same discharge rates, and discharges to the same points as previously approved under PF/22/1928. Further that the scheme will deliver attenuation which will improve the currently unmitigated surface water shedding from the application site to the local drainage network. The previously approved application represents a realistic fallback, the current proposals are similar and engineered not to worsen drainage from the Fallback. For the reasons given it is considered that the revised proposals will comply with Policy EN 10.

Relevant Core Strategy policies are broadly supportive of this development, the existing S106 will stand under existing clauses to serve this revised application. The legal agreement provides for £ 97,265 in commuted sums towards off site affordable housing, recreational mitigation, library investment and a local Community Infrastructure Contribution.

It is considered that subject to the imposition of conditions, the proposal will not result in any significant adverse effects for the reasons stated above and complies with all relevant policies. In addition, the proposals will provide an updated planning permission to deliver 62 retirement dwellings, these properties will help to cut the shortfall in housing delivery. The proposals will deliver a positive planning balance and be appropriately mitigated.

## **RECOMMENDATION:**

## **APPROVAL SUBJECT TO:**

- **Time limit three years from first approval (16 5 2027)**
- **Approved plans**
- **Landscape and woodland management**
- **Tree & Hedgerow retention**
- **Over 55 age occupancy**
- **Off-site highway improvements**
- **Light Bollards as per approved plan**
- **Compliance with drainage and flood risk strategy**
- **Construction Management Plan**
- **Construction Parking Plan**
- **Compliance with Construction Environmental Management Plan (CEMP), Biodiversity Strategy, and Biodiversity Enhancement**
- **Storage Sheds for mobility scooters**
- **Parking areas for mobility scooters to be agreed.**
- **External materials**
- **Road and pavement surfaces**
- **Fire hydrants**
- **No vehicular access to Knowle Road**
- **Final details of pedestrian path to Knowle Road**



- **Details ventilation A/C units**
- **Renewable energy details**
- **Flood Risk & Drainage Strategy**
- **Phasing plan for drainage strategy**