

SHERINGHAM - PF/24/1229 - Erection of 41 retirement living apartments with associated access, car parking, landscaping, ancillary facilities, and associated works at Land at, The Esplanade, Sheringham, Norfolk

ADDENDUM REPORT

REASON FOR ADDENDUM REPORT

This Addendum Report is to update members with regards to the matters that led to their deferral of the consideration of this planning application at the meeting of the Development Committee on 6 March 2025. This report should be read in conjunction with the Committee Report and the Development Committee Minutes from the meeting of 06 March 2025 and these are included at **Appendix 1** and **2** of this report.

UPDATE

At the meeting on 06 March 2025 Members raised concerns that the application site boundary did not include sufficient land required for cars to access the seven car parking spaces on the western part of the site where an existing garage block was to be demolished. Queries were also raised about the applicant's rights of access over parts of the site.

An amended site location plan with the land referred to above included within the application site boundary has subsequently been received and the proposed site plan also amended to reflect this.

The applicant also served the requisite notice under Article 14 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 on the Upcher Court Residents Association Limited (UCRA).

Whilst a separate legal, rather than planning matter, the applicants have explained how they have all rights required to construct, access and utilise the land in any way as required for the purpose of the proposed development. The Council's Solicitor has confirmed the explanation provided has dealt with the matter of access.

UCRA have confirmed that the amended red line of the Site Location Plan correctly shows the southern boundary between Upcher Court and the site.

In terms of the 7 garages that would be demolished, the agent has confirmed these have all been, and remain in, the ownership of the current landowner and have not been transferred to UCRA. They were never allocated to any of the flats in Upcher Court and the landowner has informed the agent that the garages have solely been used as storage space for their own use and have never been used as car parking. Therefore, the demolition of these garages as part of the proposed development would not result in a loss of parking provision for the existing Upcher Court flats.

OTHER MATTERS

As reported verbally at the meeting on 06 March 2025, Norfolk County Council sent further comments on 04 March 2025 requesting a contribution of £7,585 to increase the capacity of the library serving the development (in addition to the fire hydrant originally requested). This is because the proposed development would place increased pressure on the existing library service in relation to library stock such as books and information technology.

The GIRAMS tariff increased on 01 April 2025 from £221.17 per dwelling to £304.17 and as the payment has not yet been made, the new tariff applies. The payment now required is £12,470.97 (was £9,067.97 previously). The recommendation has been updated to reflect this and, the library contribution.

UCRA have submitted further representation, objecting to the proposed development. They consider it would not be “a well-designed place” having regards to the National Planning Policy Framework and the National Design Guide, especially in relation to its adverse impacts on neighbours and the wider surroundings. In summary, whilst accepting that the land would be developed at some stage and being ware of the extant permission, they reiterate the main objections set out in the attached committee report, which include:

- The excessive scale and mass of the proposed development which should be reduced. It is too big, bulky and overbearing, being too close to the road. Too many apartments are proposed for the size of the site and the parking that would be needed.
- UCRAL have always assumed the new development would be within the footprint and scale etc of that with extant permission. The proposed building with the addition of the pitched roof would be 2.5 metres higher. It should be a storey lower with the top floor contained within the roof space.
- The main entrance should be on the east/front elevation to The Boulevard. As proposed deliveries, drop-offs and general servicing etc would be to the rear where there is no drop off area or turning circle. As such all arrivals will need to reverse into a space or driveway to turn which would be noisy, inefficient and potentially hazardous. The best option, however, would be to have the access the same as for the extant permission.
- Insufficient parking
- Constraints of the access – while it would be wide enough for 2 cars to pass within it, but it would be difficult for two supermarket delivery vehicles for example. Access to the rear of Upcher Court for fire appliances would be reduced compared to the extant permission,
- Lack of greenspace. Some of the landscaping is too close to the southern boundary of Upcher Court reducing views for ground floor occupiers.
- The need for a Construction and Environmental Management Plan. If the application is approved UCRA should be involved in its preparation in terms of its scope and contents.

These matters have been considered previously as set out in the committee report.

With regards to a Construction and Environmental Management Plan which is it recommended be secured through a condition, the applicant’s agent has confirmed that they would be agreeable to a requirement within the condition to include “*details of public engagement both prior to and during construction works*”.

Planning Balance and Conclusion:

Paragraph 11 (d) of the NPPF requires that planning decisions should apply the presumption in favour of sustainable development. Because the Council cannot currently demonstrate a five-year supply of deliverable housing sites, the development plan policies which are most relevant for determining the application are considered to be out of date. In such circumstances paragraph 11d) indicates that planning permission should be granted unless

- i) the application of policies in the NPPF that protect areas or assets of particular importance (which includes designated heritage assets) provides a strong reason for refusing the development proposed; or

- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The proposed development is acceptable in principle for which there is an identified need. It would provide a safe access along with an appropriate level of car parking. Whilst not providing affordable housing or contributions to open space, the case why has been justified. There would be no harm to trees, protected species or below ground heritage assets. There would be suitable arrangements for surface water drainage from the site

The main concerns relating to the development are the effect on the living conditions of the occupier of the closest flats in Upcher Court and the less than substantial harm to the significance of a designated heritage asset (Sheringham Conservation Area Extension) as a result of the proposed building's appearance, scale, form and massing.

The main benefits are

Economic – these would be provided through the construction of the development with work for local contractors, trades people and suppliers. There would also be a small level of permanent employment upon completion - approximately 5 FTE posts including a manager and support staff. Occupiers of the development would contribute to the local economy by spending within the town and the wider District.

Social – the development would make a modest contribution to the District's housing land supply and help in meeting an existing and growing need for suitable housing for the ageing population. This in turn would free up some general needs and under occupied housing for younger households. It would allow older people to continue to live independently reducing health and social care costs

Environmental – the development would involve the reuse of a brownfield site in a very sustainable location and making very efficient use of the land. The building would be energy efficient and make use of renewable energy sources. The landscaping of the site would deliver biodiversity gains

On balance, Officers consider that the benefits of the proposal are not outweighed by the adverse impacts of the development when assessed against the policies in the NPPF taken as a whole. As such, the Officer recommendation is one of approval.

RECOMMENDATION

APPROVAL subject to:

1. The completion of an agreement under section 106 of the Town and Country Planning Act 1990 to secure:

- **£12,470.97 GIRAMs tariff payment to ensure that the development would not have an adverse effect on the integrity of the relevant European Sites from recreational disturbance, when considered alone and 'in combination' with other development;**
- **£7,585 to increase the capacity of the library serving the development; and**

2. **The imposition of appropriate conditions including those summarised below (plus any amendments to these or other conditions considered to be necessary by the Assistant Director of Planning); and**
3. **If the Section 106 Obligation is not completed and the permission is not issued within 3 months of the date of this Committee meeting then the Director for Planning and Climate Change will consider whether the application resolution remains appropriate and in doing so will take account of the likelihood of the Section 106 being completed and permission issued in the near future (i.e. within another month) and will consider whether there are any potential / defensible reasons for refusal at that time. If he reaches that view – i.e. that the application should potentially be refused - then the application would be reported back to Committee.**

Suggested Conditions:

1. Time limit
2. Development in accordance with approved plans
3. Samples of external materials
4. Large scale design details
5. Landscaping
6. Construction and Environment Management Plan
7. Refuse and recycling bin storage
8. Sound insulation
9. Details of plant and machinery etc
10. Energy consumption reduction scheme
11. Ecological mitigation/enhancement measures
12. BNG Implementation
13. Habitat Management and Monitoring Plan
14. Tree protection measures
15. Notification of commencement for GIRAMS
16. Occupancy age restriction
17. Sewer diversion
18. Surface water strategy/drainage scheme implementation
19. External lighting
20. Fire hydrant
21. Access upgrade works
22. Car Parking including EV charging