

APPENDIX 1

CROMER – PF/24/2341 - Erection of 5 commercial units for uses within Use Classes E(c)(i) - financial services, E(g)(i) - offices, E(d) - indoor sport, recreation or fitness, B8 - storage or distribution at Home Farm Enterprise Zone, Hall Road, Cromer, Norfolk

ADDENDUM REPORT

Minor Development

Target Date: 09.01.2025

Extension of Time: 04.07.2025

Case Officer: Russell Stock

Full Planning Permission

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 6th February 2025. This report should be read in conjunction with the Committee Report and the Development Committee Minutes from the meeting of 6th February 2025. These are included at **Appendix 1** and **2** of this report.

UPDATE

Following debate at the 6th February 2025 Development Committee meeting, the Committee resolved to defer making a decision on the application so that the applicants could provide sufficient information required in order to make an informed decision.

Since the 6th February 2025 Development Committee meeting, amended plans and various emails have been provided by the planning agent on behalf of the applicant. Additionally, further consultee comments have been received. A summary of the changes since the meeting on the 6th February 2025 are provided within the relevant sections below.

CONSULTATIONS (received since the 6th February 2025 meeting):

NNDC Conservation and Design: Objection

No significant changes proposed since previous iteration. The fundamental concerns remain. Vegetation cannot be relied upon to screen inappropriate new development, particularly when it results in 'less than substantial' harm to the significance of a designated heritage asset.

NNDC Landscape: Objection

None of the reports required have been received. There remains a lack of information provided. Impacts on trees, species, habitats all remain unknown.

NCC Highway: Objection

As the proposals have not changed in relation to highway matters, the previous objection remains. There appears scope for the applicant to address the concerns relating to the access width.

Historic Buildings and Places: Further information required

A lack of information has been provided.

OFFICER ASSESSMENT:

The following information has been provided in support of the application since the 6th February 2025 meeting:

- Covering letter from Pike Partnership, dated 18 March 2025
- Email from Matthew Boyer (Boyer's Body & Service Centre) to applicant, dated 5th March 2025
- Email from Josh Willis (JW Sports and Fitness) to applicant, dated 8th March 2025
- Email from Darren (Cromer Electrical Limited) to applicant, dated 10th March 2025
- Photographs of drainage areas and surroundings – taken 10th March 2025
- Drawing 3082-09 Proposed Site Plan, Floor Plans and Elevations, received 19th March 2025
- Drawing 3082-08a Proposed South Elevation, received 19th March 2025 (resubmission of plan already provided)

In relation to the amended plans, no physical changes to the site layout, building design or access/parking have been made when compared to the plans considered by Members at the 6th February 2025 meeting. The only amendments relate to the inclusion of the words 'larger planting area' and the rearrangement and addition of circles which have been used to indicatively indicate tree planting. The plans have also been re-orientated and have removed the surrounding dwellings and landscaping features, providing less context to the proposed scheme.

In addition to the covering letter from Pike Partnership – which itself does not provide the required information as highlighted within the 6th February report; three emails from local businesses have been submitted. These emails indicate that there are local businesses which may require additional or new floorspace, with a desire to remain in the Cromer area. These emails provide limited details of each business's aspirations. They do not provide any tangible evidence to support their requirements, or set out any form of business case. The information provided does not address the evidence base used to inform/support the relevant policies within the Core Strategy, nor Policy E3 of the Council's emerging North Norfolk Local Plan, which is now in its advanced stages.

No information has been provided to satisfy the required sequential and viability/vitality tests as a result of the Main Town Centre/retail uses proposed.

The Highway Authority have provided brief updated comments which set out that as the proposals have not been amended, and no additional highway information has been provided, the original objection comments still remain valid.

No professional reports or meaningful information has been provided since the 6th February 2025 meeting to address any of the ten (10) recommended reasons for refusal. In light of this, the planning balance and overall recommendation remains the same as that from the 6th February 2025 meeting. The full recommendation is set out below for clarity:

PLANNING BALANCE / CONCLUSIONS

The application form states that the development would create 25 full-time equivalent jobs. Beyond this statement however, very limited information has been provided in support of the business case for the proposals. The applicant has stated that the proposal would bring significant economic benefits, whilst the Ward Councillor expands upon this within their call-in form, stating that the development would support the growth of one of the existing units, and provide homes to several other existing businesses.

Undoubtedly, the development would result in economic benefits; this includes the job creation opportunities which would come from the delivery of 5 commercial units, as well as general economic growth benefits resulting from the increase, provision and diversity of commercial floorspace in the Cromer area. The full extent of these benefits is however, not fully known at this stage given the limited information submitted in support of the application. Nevertheless, modest weight is given to the economic benefits of the development.

The development has been found to conflict with the key strategic Core Strategy Policies, SS 1 and SS 2, which seek to limit development within the Countryside to that which requires a rural location. In this instance, it has not been demonstrated that the proposals would fall within any of the categories which support new-build economic development within Countryside locations. The proposals, through the lack of supporting evidence, have failed to demonstrate that the development would not adversely impact Cromer Town Centre as a result of the use of the buildings for Main Town Centre uses. In this respect, there is conflict with Core Strategy Policy EC 5 and the guidance contained within Chapter 7 of the NPPF.

Insufficient information has been provided to justify the proposed development, which falls within the designated Undeveloped Coast. Without justification, the proposals conflict with the requirements of Policy EN 3.

Ecologically, the application has provided insufficient information to establish the proposal's impact upon protected species and/or sites. Furthermore, the site's baseline for calculating Biodiversity Net Gain requirements has not been agreed, due to discrepancies between site conditions and those used within the baseline categorises. Furthermore, the full extent of the works required to deliver the development have not been fully considered by the applicants. In these respects, the proposal fails to comply with Policy EN 9 and the guidance contained within Chapter 15 of the NPPF.

Insufficient information has been provided in relation to the proposal's arboricultural implications, with the site surrounded by a number of important trees, conflicting with the requirements of Policies EN 2 and EN 4 in this respect.

Insufficient information has been provided as part of this application to demonstrate whether or not the proposal would be put at risk from flooding or give rise to flooding elsewhere. This conflicts with the aims of Policy EN 10 and the guidance set out with the NPPF within Chapter 14.

The development would not provide safe access and the traffic generated by the proposals would not be accommodated by the existing road network without detriment to highway safety. Conflict arises with Policy CT 5 of the Core Strategy in this respect, as well as paragraphs 89 and 116 of the NPPF as the proposals would have an unacceptable impact on local roads and highway safety.

The development has been found to result in 'less than substantial' harm to the significance of the Grade II listed South Lodge as a result of the position and sheer scale of the proposed commercial units and the intervisibility between the two. The development would intrude into the important rural setting of the Lodge, disrupting the landscape in which it was originally intended to be appreciated from. Having undertaken the balancing exercise as required by NPPF paragraph 215, the heritage harm resulting from the development has been found to not be outweighed by public benefits.

Matters which are neutral in the overall planning balance in this instance include the development's acceptable impact within the landscape, impacts upon neighbouring amenities and, subject to conditions, energy efficiency and contamination.

In undertaking an overall balance of the competing aspects of the proposal, it is considered that the identified harms resulting from the proposal would not be outweighed by the economic benefits in favour of the development. The proposals would not be in accordance with the requirements of the Development Plan, and it has been concluded that there are no material considerations which would outweigh departure from the Development Plan.

RECOMMENDATION:

To **REFUSE** permission on the following grounds:

1. The site is located in an area designated as Countryside where Policy SS 2 limits development to that which requires a rural location. The proposals have not demonstrated why departure from the Council's key strategic policies is appropriate for this development. The development would therefore constitute unjustified intrusion of built form into the Countryside, contrary to strategic aims of achieving sustainable development as set out within Policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy.
2. The proposed development would result in Main Town Centre and retail uses within the Countryside. The application has not been supported by any assessment of the development's likely impacts upon the viability or vitality of the Cromer Town Centre. No information has been provided to support a sequential test to demonstrate the suitability of this site to contain Main Town Centre uses. In the absence of such information, the applicant has failed to demonstrate how the proposal would accord with the aims of Core Strategy Policy EC 5, in particular the impact upon Cromer Town Centre. In this respect, conflicts arise with Policy EC 5 of the adopted North Norfolk Core Strategy as well as the guidance contained within Chapter 7 of the National Planning Policy Framework.

3. Insufficient information has been provided in order to sufficiently demonstrate that the proposal requires a coastal location within the designated Undeveloped Coast in order to justify impacts upon the undeveloped character in line with the requirements of Policy EN 3 of the adopted North Norfolk Core Strategy.
4. The proposed development would, by virtue of its location and massing, have a notable impact on the important rural setting of the Grade II Listed South Lodge, disrupting the landscape in which it was originally intended to be appreciated from. The development would cause harm to the significance of South Lodge, falling within the setting of that listed building. Such harm would be within the less than substantial category, as set out in the National Planning Policy Framework and would not be outweighed by the public benefits associated with the development. The proposed development would therefore be in conflict with Policy EN 8 of the adopted North Norfolk Core Strategy and Chapter 16 of the National Planning Policy Framework.
5. Insufficient information has been provided by the applicant in order to establish the site's ecological value and the impacts of the proposal on protected species. Therefore, the potential for adverse impacts upon habitats and protected species cannot be assessed in accordance with the Council's statutory duties under Regulation 9 of the Conservation of Habitats and Species Regulations 2017 (as amended) (also see paragraph 99 of the ODPM Circular 06/2005). Therefore, the proposal would be contrary to Policy EN 9 of the adopted North Norfolk Core Strategy and Chapter 15 of the National Planning Policy Framework.
6. Insufficient information has been provided by the applicant in order to sufficiently establish that the site's Biodiversity Net Gain (BNG) baseline calculations are an accurate reflection of site conditions. Inconsistencies between the information provided and that observed on site brings the accuracy of the baseline calculations into question where no further information or justification has been provided. The proposals therefore conflict with the requirements set out within Article 7A of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
7. Insufficient information has been provided by the applicant in order to sufficiently demonstrate that the proposal would not adversely affect the existing mature trees adjoining the application site, many of which are important to the local landscape. Therefore, in the absence of an up-to-date and reliable Arboricultural Impact Assessment, which fully considers the implications of the proposed impact upon affected trees, the proposal fails to demonstrate the suitable retention of existing important landscaping and natural features, contrary to the requirements of Policies EN 2 and EN 4 of the adopted North Norfolk Core Strategy and paragraphs 136 and 187 of the National Planning Policy Framework.
8. The proposed access is considered unsatisfactory to serve the development by reason of its inadequate width. The proposals would therefore lead to the stopping and waiting of vehicles on the highway to the detriment of highway safety contrary to Policy CT 5 of the adopted North Norfolk Core Strategy and Chapter 9 of the National Planning Policy Framework.
9. The unclassified roads of Hall Road and Metton Road serving the site are inadequate to serve the development proposed, by reason of poor alignment, restricted width, lack of passing provision and restricted visibility at adjacent Road junctions. Consequently, as a result of the additional traffic generated by the development, the proposals would be likely to give rise to conditions detrimental to highway safety contrary to Policy CT

5 of the adopted North Norfolk Core Strategy and Chapter 9 of the National Planning Policy Framework.

10. Insufficient information has been provided by the applicant in order to demonstrate that the proposal would not be at risk itself from, or give rise to, surface water flooding elsewhere. The application has not provided sufficient information to demonstrate this development would/could incorporate an appropriate sustainable drainage system. The proposal is therefore contrary to Policy EN 10 of the adopted North Norfolk Core Strategy, paragraphs 181 and 182 of the National Planning Policy Framework and the guidance contained within the Government's Planning Practice Guidance in relation to Flood Risk.