

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 16 April 2026 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:	Cllr P Heinrich (Chairman)	Cllr R Macdonald (Vice-Chairman)
	Cllr A Brown	Cllr P Fisher
	Cllr A Fitch-Tillett	Cllr M Hankins
	Cllr V Holliday	Cllr P Neatherway
	Cllr L Paterson	Cllr L Vickers

Substitute Members Cllr W Fredericks

Officers in Attendance: Assistant Director - Planning
Development Manager (DM)
Solicitor
Senior Planning Officer - AW (SPO-AW)
Senior Planning Officer – JB (SPO-JB)
Democratic Services and Governance Officer

Also in attendance: Cllr T Adams

116 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr M Batey, Cllr J Toye, Cllr K Toye and Cllr A Varley.

117 SUBSTITUTES

Cllr W Fredericks was present as a substitute.

118 MINUTES

The minutes of the Development Committee held on Thursday, 19 March 2026 were approved subject to minor grammatical and spelling corrections.

119 ITEMS OF URGENT BUSINESS

None.

120 DECLARATIONS OF INTEREST

The Chairman noted the advice circulated to the Committee by the Monitoring Officer regarding application RM/25/0776. He asked that the Committee give due regard to the guidance provided.

The Chairman advised that he would speak as Local Member for application PF/25/2503. He would therefore vacate the Chair and the Vice-Chairman, Cllr R Macdonald, would chair this item. Cllr P Heinrich confirmed he would not speak on the application beyond his speech as Local Member and would not speak or vote on

the application.

Cllr W Fredericks declared a non-pecuniary interest for application PF/25/2503, she was friends with the family. She advised she would abstain from speaking and voting on the application.

121 CROMER - RM/25/0776 - RESERVED MATTERS APPLICATION (DETAILS RELATING TO APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) PURSUANT TO OUTLINE PLANNING PERMISSION PO/23/0596 (ERECTION OF UP TO 118 DWELLINGS AND UP TO 60 UNITS OF SPECIALIST ELDERLY CARE ACCOMMODATION WITH PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE DRAINAGE SYSTEM (SUDS) AND VEHICULAR ACCESS POINT (OUTLINE WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS), LAND OFF OVERSTRAND ROAD, CROMER, NORFOLK.

Officer Report

The SPO-AW introduced the Officer's report and recommendation for approval subject to conditions. It was noted that the application had been presented at the Development Committee meeting held Thursday, 19th March 2026, during the course of that meeting it was mistakenly highlighted by the Solicitor to the Council that drainage matters should not form part of the Committee's considerations when determining the application. The Case Officer advised the detailed Surface Water Drainage Strategy - Condition 9 (and discharge of Conditions 8 to 14 of the Outline Planning consent) do form part of the report and should be considered in reaching a determination.

To address the procedural irregularity, it was appropriate that application RM/25/0776 be reheard at the earliest opportunity. The Committee was advised that the application should be heard again without prejudice or reference to earlier debate or decision making.

The SPO-AW provided a verbal update to the published report and advised that further public representations had been received, these objections were not considered to raise any new material considerations.

The Case Officer outlined the site's location and noted that the site was allocated for development under policy C16 of the North Norfolk Local Plan. Outline Planning permission was approved in December 2023 for up to 118 dwellings, and 60 units of specialist elderly care accommodation. The principle of development had therefore been agreed and was largely controlled by the S106 legal agreement and conditions of the Outline Permission. The Reserve Matters application sought approval for details relating to appearance, layout and landscaping of the 118 dwellings and discharge of conditions 8, 9, 10, 11, 12, 13 and 14. The care home would come forward as a separate Reserve Matters application.

The SPO-AW confirmed the scheme would provide 53 affordable homes, equating to 45% of the development, above the 35% requirement detailed in the Local Plan. The proposed housing mix had been informed by discussions with a preferred registered provider, who confirmed the mix was acceptable. Housing Strategy Officers confirmed also confirmed they had no objections. The proposed dwellings would meet M4(2) accessibility standards with 9 homes meeting M4(3) Wheelchair User standards, compliant with Policies HOU 8 and HOU 9 of the Local Plan.

With respect to the site plan, and in accordance with the outline permission, the site

was proposed to be divided into three distinct 'character areas' with varying densities, building style and materials. The separation distances between the site and the existing dwellings on Northrepps Road were considered acceptable in accordance with Policy ENV6 and there was not considered to be any significant loss of amenity as a result of the development.

The "Village Core" to the centre of the site had the highest density of dwellings, offering tree lined streets and an open space. The palette of materials had been amended to include more red brick, tile and flint which was considered more in keeping with the local vernacular. The "Western Edge", closest to Northrepps Road featured higher densities of development through providing taller, semi-detached or terraced dwellings, including the proposed apartment blocks. The 'Villas Area' located around edges of the development closest to Overstrand Road reflected the site's edge-of-settlement location and the surrounding countryside character to the east, with lower densities of development and larger detached dwellings.

The built form had been positioned toward the middle of the site with the majority of the green space proposed around the edges, particularly along Overstrand Road and to the south of the site to help create and maintain the proposed landscape buffers, however, there was also an area of green space within the centre of the site, in accordance with the Outline Planning Permission.

The Applicant had submitted a series of Landscape plans and had worked to address landscape concerns raised during the consultation phase. The initial plan had a weak main entrance design, dominated by the hard surface routes to dwellings either side of the main road. In response to these concerns, the parking areas have been removed from the frontage, and several additional trees and hedgerows had been incorporated along the site frontage to maintain the green approach to Cromer. The detention basin was reduced slightly from initial submissions in order to retain additional trees. There were now more trees in the street scene and the central public open space in accordance with the NPPF aspirations for tree lined streets. The variety of species had been improved to provide greater variation of native trees, including fruiting trees for foraging birds. Landscape Officers raised no objections to the final proposals. The application was considered to satisfy conditions 11, 12 and 13 relating to landscape and ecology.

Condition 9 of the Outline Planning Permission required "detailed designs" of the surface water scheme as set out in the approved Flood Risk Assessment and Outline Drainage Strategy to be submitted and discharged as part of the Reserved Matters application. The wording of Condition 9 was included within the Officers report for clarity.

The site was considered undeveloped greenfield land with a mixed geology formed of areas of clay, silt, sand and gravel. Due to the mixed geology, the ground conditions could only store a moderate amount of water through infiltration and so runoff occurred naturally.

The SPO-AW affirmed that the first priority under the drainage hierarchy was to let surface water runoff soak into the ground using appropriate Sustainable Drainage Systems (SuDS). SuDS have been used throughout the site, including a detention basin, rain garden, reed planting, permeable paving, filter strips and swales. All the SuDS features had been designed to effectively mitigate extreme rainfall events, including the 1 in 100-year storm event, plus a 40% increase in rainfall intensity due to climate change. The detention basin would retain around 25% spare capacity, even during the modelled 1 in 500-year extreme storm event. The scheme would

therefore accord with the recommendations of the NPPF with respect to addressing future implications of climate change and reduce risks to people and property.

The SuDS Management and Maintenance Plan, detailed in the appendix, confirmed there would be regular inspections, maintenance and management. The S106 agreement ensures the SuDS system would continue to be maintained long-term in accordance with the approved Management Plan.

The variable permeability across the site limited the use of SuDS infiltration, therefore excess surface water would be captured, stored and discharged at a managed rate into the designated surface water sewer. Anglian Water have confirmed that the existing surface water system has enough spare capacity to serve the development.

A surface water discharge rate of 10L/sec has been agreed with Anglian Water, lower than the 14.6L/sec agreed at Outline stage and improved upon the relevant greenfield run off rates in the extreme weather event.

Details of the preferred connection point located in Northrepps Road were provided to the Committee, and the route the surface water sewer takes, highlighted.

With regards to foul water, the site would connect to the Cromer Water Recycling Centre which Anglian Water confirmed had capacity to treat the additional wastewater flows. The preferred foul water connection point would be located in Northrepps Road not Station Road.

The system had been designed to an adoptable standard by Anglian Water and the development included controls to appropriately capture, store and limit water flow from the site. Both Anglian Water and the LLFA made no objection to the application.

Officers noted local objections which raised drainage concerns, including historic flooding incidents on Station Road and Harbord Road. Maps of historic flooding in 2016/2017 and 2019 were provided to the Committee.

The October 2019 flood event was investigated by the LLFA and attributed property flooding to surface water entering the combined sewer, not to capacity issues within the separate surface water system that the development would discharge into.

With respect to the 2016/2017 flooding, the LLFA report referred to 6 locations, and did not provide a definitive cause of flooding but referred to a number of issues including overload of the drainage system, surcharging, obstruction and excess runoff. The report lacked specific detail regarding Station Road.

Critically, the proposed development would not discharge surface water into the combined sewer that has been confirmed to be responsible for the foul flooding events documented. Surface water from the site enters a separate, designated surface water system. Whilst the development would discharge foul flows into the combined sewer system, these flows are very low compared with storm water volume and would not meaningfully affect system performance. Significant weight should be attached to the consultation responses of Anglian Water and the LLFA as the two statutory agencies who have no objection to the proposed drainage strategy and confirm appropriate foul water capacity was available.

Officers concluded that all reasonable technical considerations had been resolved

and there were no substantive evidential grounds to refuse the development on grounds of flood risk or drainage.

Public Speakers

Colin Robb – Cromer Town Council

John Sansby – Objecting

Derek Smeda – Objecting

Margaret Wade – Objecting

Jessica Groome – Supporting

Local Member

The Local Member, Cllr E Tooke was unable to attend the meeting, and asked Cllr T Adams to speak on her behalf as neighbouring Ward Member.

Cllr T Adams was critical of the flooding and drainage assessment and that site specific policies within the Local Plan had not been met. He argued the 10L/sec figure was not sufficient and highlighted historic issues of flooding along Station Road. He called for the application to be deferred pending a review by an independent flooding and drainage consultant. He presented a petition signed by 240 residents supporting an independent consultation. Cllr T Adams provided a PowerPoint presentation detailing issues with the site and local area with respect to flooding. Within the presentation were extracts of Norfolk County Council flood reports confirming issues with insufficient capacity in the existing combined system. Flooding and surcharge incidents were reported in the local area in 2007, 2011, 2014, 2016, 2017, 2019, 2021, and 2023.

Committee Debate

- a. The DM confirmed no objection had been raised by the Statutory Consultees and appropriate experts on matters of surface water drainage, the LLFA and Anglian Water. Notwithstanding local residents' concern, the DM cautioned Members from going against statutory consultee opinion. The DM was satisfied that there was sufficient evidence to support the Committee in reaching a determination for approval.
- b. The Committee sought advice from the applicant's technical expert from Rossi Long, Emma Kerrison (Associate Engineer). Ms Kerrison advised that the geotechnical analysis of the ground conditions were very variable, with a mixture of clay, perch groundwater and high ground water at the Northern end of the site. Infiltration testing had concluded that infiltration was very poor in some areas. As existing greenfield, in an extreme flood event, water would be discharged by overland flow. Calculations of Greenfield runoff rates had been undertaken, compliant with LLFA methodology guidance, and compliant with DEFRA and EA guidance. The attenuation of 10L/sec was supported by both the LLFA and Anglian Water.
- c. The Case Officer confirmed that excess surface water would be captured, stored and discharged at a managed rate into the designated surface water sewer. Surface water would flow down Station Road but takes a different route to the combined sewer system. Outfall would be into an open watercourse adjacent to Cromer Hospital.
- d. Cllr M Hankins expressed his concern regarding the existing drainage issues

in the area. He noted that there was a dichotomy between the professional view of technical experts and the lived experience of residents.

- e. The SPO-AW advised that the scheme would be an improvement on the existing situation. At present, in an extreme flood event, water would be discharged from the site as overland flow. By introducing SuDs, water would be infiltrated where it could, and at the northern end of the site water would be captured in the large attenuation basin. This approach would allow for a managed rate discharge of water from the site, as supported by Anglian Water.
- f. Cllr R Macdonald asked who would be responsible if flooding did occur. The Case Officer confirmed the scheme would be adopted and managed by Anglian Water.
- g. Cllr L Vickers and Cllr L Paterson sought clarification specifically which sewers would accommodate surface water discharge. The SPO-AW, and Ms Kerrison confirmed surface water flows would not be directed into the combined system referenced in the 2016/2017 and 2019 flood reports.
- h. Cllr W Fredericks shared in residents' concerns regarding drainage and asked if the Officer report could be expanded to consider wider flooding implications in the local area. She suggested Anglian Water be asked to prepare a report on local flooding.
- i. The DM noted it was not the legal responsibility of the Applicant to resolve existing issues in an area; it was for Anglian Water or the LLFA to investigate and make improvements. It was not appropriate for the Committee to expect the Applicant to make improvements to the wider drainage infrastructure. Concerns regarding existing flooding should be directed to Anglian Water and the LLFA separate to this application. Both Anglian Water and the LLFA made no objection to the application. Officers were content with the evidence provided and recommended approval accordingly.
- j. Cllr V Holliday asked if the watercourse by the Hospital could support increased flows and whether an independent review (requested by Cllr T Adams) went against Officer advice? She shared in concerns expressed by the Committee regarding the level of data available.
- k. Ms Kerrison advised that 10L/sec was not considered to be a significant flow compared with the existing surface water run off which would have been in the 100'sL/ second in an extreme event. The additional run off only represented a small amount of the water going into the sewer.
- l. Cllr P Fisher acknowledged the existing local Victorian drainage system was under strain. However, having listened to the Officers advice, and advice from the technical expert from Rossi Long, he was content that the proposal would seek to direct water through the infiltration system, and reduce the overland flow which was putting pressure on the sewer on Station Road.
- m. The Chairman summarised that there would be some surface water discharge should the site be developed, which would be directed to a separate sewer, not placing additional pressure on the combined system.

- n. The SPO-AW confirmed water would be directed to the attenuation basin at the north of the site, where water naturally gathers, this water would be captured, stored, and discharged via the separate surface water system.
- o. Cllr A Fitch-Tillett reflected on the Officers report, and technical advice presented at the meeting. Despite her prior concerns, she was content that the scheme was acceptable and that condition 9 had been met. Regardless, Cllr A Fitch-Tillett considered that building would prove challenging because of ground conditions. Altogether, she considered the proposal was of good design, welcomed the affordable housing provision, and recognised as a designated site in the Local Plan it would be difficult to prevent development.
- p. Cllr A Brown asked how management of the attenuation basin would be financed. The SPO-AW advised this would be managed by a management company, as defined in the proposed management and maintenance plan. The DM advised that households would in effect become shareholders for the management company and be subject to a management charge (as was typical for other developments of a similar nature).
- q. Cllr M Hankins expressed his support that the application be deferred to enable Anglian Water to re-consider their opinion. The Case Officer advised that Anglian Water had been consulted numerous times as the scheme developed.
- r. Cllr W Fredericks requested a letter be sent to Anglian Water from the Chairman and Local Member outlining residents' concerns. The Chairman reflected this was best referred to Overview and Scrutiny who were due to have Anglian Water attend.
- s. Cllr A Fitch-Tillett proposed acceptance of the Officer's recommendation, seconded by Cllr L Paterson.

RESOLVED

That Planning Application RM/25/0776 be APPROVED in accordance with the Officers recommendation.

122 NORTH WALSHAM EAST - PF/25/2503 - REPLACEMENT OF 8 GARAGES/STORAGE SHEDS WITH 5 SHIPPING STORAGE CONTAINERS (PART RETROSPECTIVE) - LAND REAR OF 1 NELSON ROAD, NORTH WALSHAM, NORFOLK

The Chairman, Cllr P Heinrich vacated the Chair for item PF/25/2503. The Vice-Chairman, Cllr R Macdonald, Chaired this item.

Cllr M Hankins abstained from speaking or voting on the application following Officer advice received during the break.

Officer Report

The SPO-JB re-introduced the Officer report following deferral of the application at the last Development Committee meeting to enable a site visit. The Case Officer outlined the sites' location in a residential setting and re-affirmed the key issues for consideration. The Officer recommendation was for conditional approval.

Concerns around the improper handling of hazardous materials were noted and should be referred to the Health and Safety Executive (HSE). NNDC Environmental Protection Team had been notified of recent information and supported the outlined course of action. The Case Officer affirmed that conditions may only be attached to any permission that meet the six tests. Members must be mindful in this case of the “relevant to planning” and “relevant to the development” tests. Officers were minded to retain the precautionary informative note as is common practice, as well as recommending a ground contamination condition. Details of the land contamination condition were supplied to the Committee.

Public Speakers

Eric Seward – North Walsham Town Council
Gavin Payne – Supporting

Local Member

Cllr K Leith spoke against the application and thanked Members and Officers for attending the site visit on 2nd April, and for Cllr A Fitch-Tillett for Chairing. In addition to her prior comments at the earlier meeting, she took issue with aspects of the Officer’s report. The Local Member noted there was a restrictive covenant for the site preventing the proposed use, contrary to the Officers assertion that there was no relevant planning history. Issues regarding contamination were well documented through photographic and video evidence, which was supplied to Environmental Health. Further, the buried contamination had also been visible to Members during the site visit. This evidence demonstrated that commercial activity was taking place on the site, contrary to the proposed use. Residents had reported disturbances at night, and break-ins, as a consequence of activity on the site, affecting their right to quiet enjoyment. Cllr K Leith asserted that the proposal was not appropriate for a residential setting, residents disagreed with the Officer assessment that the concentration of units in the bottom left corner of the site would not adversely impact residential amenity. Within the constrained domestic setting, any noise from the site would impact all neighbouring residents. The two 360-degree cameras were a concern given they overlooked neighbouring gardens where children lived. If approved, Cllr K Leith argued there would likely be extensive enforcement action.

With respect to Local Plan Policy, the Local Member considered the application contrary to policy CC13, ENV6 and ENV8 and Chapter 12 of the NPPF.

Cllr P Henrich echoed the comments made by his fellow Ward Member, Cllr K Leith. Cllr P Heinrich considered the nature of the development was at issue by consequence of increasing industrialisation within a tightly constrained residential area, along with issues of contamination. Had the application sought to replace the small, domestic structures on site it would have been acceptable. 20ft shipping containers were unsuitable for the setting.

With respect to matters of design, the Local Member, considered the application contrary to policy ENV8 in scale, mass and use of materials, and Chapter 12, Clause 139 of the NPPF.

Regarding amenity, the prior sheds had no adverse impact on residential amenity, whereas the large shipping containers had a significant negative impact both in respect to privacy and outlook exacerbated with the use of CCTV cameras which viewed into neighbouring properties. The proposal was therefore contrary to policy

ENV6. Further there were no existing businesses operating from or on the site, only domestic storage.

Whilst Cllr P Heinrich welcomed conditions relating to contamination, he stated this remained a significant concern. The land was clearly contaminated, and the application was not compliant with Policy CC13, Clause 4.

Should the application be approved, the Cllr P Heinrich sought the imposition of conditions both relating to contamination, restriction of hours, assurance that no hazardous materials would be stored on the site, that CCTV should not extend beyond the site entrance and entrance of shipping containers. However, it remained both his, and his fellow Ward Members opinion that the application should be refused.

Committee Debate

- a. Cllr L Paterson and Cllr P Fisher expressed their considerable concerns with the application. Cllr P Fisher considered the application would have an adverse impact on immediate neighbours, further, he was surprised that Highways did not object to the application particularly given its proximity to a school and the pressures on the highway network during drop off/pick up times.
- b. Cllr V Holliday asked how the land was classified. The DM advised the land was historically owned by the Council and transferred to Victory Housing. The land was classified as Sui Generis.
- c. Cllr R Macdonald, Acting Chairman, enquired about the significance of the restrictive covenant. The Solicitor to the Council advised that as this was a civil, private action, it should not have bearing on decision-making.
- d. Cllr L Vickers was supportive of the proposed conditions restricting hours of operation and changes to CCTV arrangements. However, was sceptical how the domestic storage condition could be controlled. The Case Officer advised Officers were content this could be enforced.
- e. The Acting Chairman proposed acceptance of the Officers recommendation to trigger a vote.

THE VOTE FOR APPROVAL WAS LOST

- f. Cllr L Paterson proposed refusal of the application, considering it contrary to Local Plan Policies ENV8 and ENV6. He endorsed the comments made by the Local Members and stated the design, scale and mass of the development was unsuitable for a residential setting and would have a negative impact on residential amenity both in respect of visual impact and noise disturbance. Cllr A Fitch-Tillett seconded the recommendation.

RESOLVED

That Application PF/25/2503 be REFUSED

The DM introduced the performance report. It was noted that the workload of the Planning Service had increased subsequent to the adoption of the Local Plan. The largest application ever submitted to NNDC, for Land West of North Walsham (NW62/A of the Local Plan) had now been validated, generating significant work for the team.

124 APPEALS SECTION

The DM introduced the appeals report and welcomed the speed in which some applications were now being processed. It was noted that progress on difficult enforcement cases remained slow.

125 EXCLUSION OF PRESS AND PUBLIC

The meeting ended at 12.02 pm.

Chairman