

CROMER - PO/18/1551 – Outline application for a mixed use scheme consisting of up to 185 homes, an Extra Care Home (Use Class C2), supported living for adults with learning disabilities (Use Class C2) & a sports & leisure park, together with associated infrastructure (Outline - details of access only); Land east and west of Roughton Road, Cromer for Innova Property Limited

Major Development

- Target Date: 18 January 2019

Case Officer: Mr G Lyon

Outline Planning Permission

Extension of time till 30 Oct 2020

CONSTRAINTS

Area of Outstanding Natural Beauty

Mineral Safeguard Area

Public Right of Way (Roughton FP16)

C Road (Roughton Road)

LDF – Countryside (majority of site save for part of existing footpath link)

LDF - Settlement Boundary of Cromer – adjacent to north

LDF - Residential Area –adjacent to the north

LDF - Approach Routes

RELEVANT PLANNING HISTORY for Land east & west of Roughton Road, Cromer

None relevant.

THE APPLICATION

The application is in outline form with all matters of detail reserved for later approval, except for means of access. The principle of accommodating a mixed use scheme for up to 185 dwellings on the site, together with an Extra Care Home and supported living for adults with learning disabilities (Class C2) and a sports and leisure park, together with associated infrastructure is also for consideration.

The application is supported by the following plans / documents:

Environmental Statement & Non-Technical Summary

Site Layout – Indicative Masterplan

Site Location Plan

Planning Statement

Design and Access Statement

Landscape and Visual Impact Assessment

Further Information regarding AONB

Affordable Housing Statement

Cromer Sports Hub Report

Heritage Statement/Archaeological Records

Transport Assessment

Transport Strategy

Travel Plan

Tree Survey, Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement

Preliminary Ecological Appraisal

Habitats Regulations Assessment Screening Report

Archaeological Evaluation/Written Scheme of Investigation

Contaminated Land Assessment

Mineral Resource Safeguarding Assessment

Air Quality Assessment

Environmental Noise Assessment
Flood Risk Assessment and Surface Water Management Plan
Utilities Assessment
Statement of Community Involvement
Strategic Masterplan Proposal
Confidential Financial Viability Assessment and Addendum Report

Also submitted is a draft list of Heads of Terms (S.106 Obligation)

REASONS FOR REFERRAL TO COMMITTEE

At the request of the Head of Planning given the public interest in the application.

Cromer Town Council – Cannot support the proposals according to existing policy, the proposals are contrary to existing policies.

- Wish to have sight of the Viability Assessment.
- Additional Open Space, including allotments, play areas and sports facilities could obviously be of great benefit to Cromer, it is hard to determine if these are deliverable and sustainable, support the principle of the provision of sporting facilities and the replacement of open space in Cromer.
- How will drainage infiltration basins be maintained?
- Concerns relating to removal of hedgerows.
- Roughton Road is defined as an important approach route to Cromer and is designated to protect and enhance the setting and approaches to the town.
- Assurance is needed that the appropriate infrastructure is in place to support the development including education, retail, transport, libraries, health provision and amenities.
- Concern about the long term sustainability and viability of potential for open space being maintained by management company. Such a body may have problems securing capital funding for renewals of items and infrastructure in the long term.
- Have concerns about the increased traffic queuing on B1436 Felbrigg Road to turn right onto Old Mill Road and the safety implications of queuing around a bend with limited visibility.
- cautiously welcome the possibility of a vehicle activated signs, but the above remains an overriding concern.
- Viability for Old Mill Road, a road of limited width on approach to the Carr Lane junction, to accommodate additional traffic needs to be considered carefully.

Roughton Parish Council – Strongly object on grounds relating to;

- safety and suitability of highways at both ends of Roughton Road (a fast and difficult rural road) is sub-standard. Mill Lane is not sufficient or adequate and is an accident black spot.
- The number and density of housing constitutes overcrowding, extending a rural village into greenfield space designated as Area of Outstanding Natural Beauty. The land is not part of the land allocated in Roughton for housing and is not required in the village.
- The development does not relate sympathetically to the surrounding area, will not enhance the countryside and will not reduce carbon emissions.
- Water capacity and flow is extremely poor.
- The development is in Roughton and not Cromer and offers nothing in terms of infrastructure for Roughton parish.
- The development is over a mile away from the catchment community school in Roughton, with children having to be taken to school by car, increasing traffic on a fast and narrow rural road.

- If the development is to be approved the Parish Council seek a £1.5 million contribution towards a new Community Village Hall to be built on land allocated at ROU03 which is now being developed by Broadland Housing.
- We concur with Natural England's comments "The proposed development has significant landscape/visual impacts on the AONB". The developer has tried to repudiate this but the Natural England statement is self-evident; if you build a grotesque housing estate on land which is currently rolling countryside with a clear demarcation between the attractive town of Cromer and it's beautiful rural hinterland you have significant impact on the rural landscape.
- The Highways issues cannot be mitigated in anyway despite the continued re-assurance of the applicant

Northrepps Parish Council – Object due to concerns relating to Impact on the AONB. Impact on already congested highways & junctions. Impact on Cromer Town Centre. Impact on utilities - the water pressure is very poor on the outskirts of Cromer. Loss of agricultural land. Impact on already strained health and social services. Notes that recent new build houses in North Norfolk are not selling so there is no need for additional houses to be built.

Felbrigg Parish Council – Strongly objects to the development which is contrary to the Local Development Framework and the suggested benefits do not even begin to outweigh the direct conflict with the LDF. The development is within the AONB and totally at odds with the very distinctive character of the area. There is no evidence to support a need for additional housing, sports facilities, care home or supported living in Roughton. Roughton Road is inadequate to cope with substantial additional amounts of traffic, with dangerous junctions at either end. Lighting on a very high ridge would be visible for many miles, giving rise to significant light pollution.

REPRESENTATIONS

205 individual letters of representation have been received during the course of the determination of this application of which:

185 are in objection,
 12 are in support and
 8 provide comments only.

Summary of representations of Objection (by general topic area):

(Highway Safety)

- The junction between Felbrigg Road (B1436) and Roughton Road is incredibly dangerous and proposed works will not make this better
- Roughton Road has no footpaths and is not capable of holding the extra traffic
- Existing roads are unsuitable
- The Care home is not suitable for this area as it will introduce more cars to the road
- Traffic is steadily increasing in Roughton road as motorists realise they can beat some of the holiday traffic into Cromer town centre by using Roughton road.
- Roughton Rd is NOT suitable for such a mass additional traffic flow, which would not only arise from the additional cars of residents from this proposed development, but from the increase construction traffic and football pitches would bring
- Roughton Rd is far too narrow for further increase in traffic and the proposals to widen the road are dangerous!
- Widening the road will add to more problems as cars will tend to speed up
- Proposals for the junction of B1436 Old Mill Rd still does not allow for safe visibility and the entirety of the farm hedge bordering the B1436 needs removed to make for a safe exit onto the B1436

- Carr Lane is being used as a rat run now, it certainly couldn't cope with coaches as well.
- Where is the cycle path to the town centre
- The traffic survey carried out as part of this planning application is hardly a fair or true picture of issues, being carried out at a time of restrictions caused by current crisis
- Any sports facility would need to be easily and safely accessible for children and young people surely a site within easy reach of the town is what is required
- The proposed shuttle system at Old Mill Road will still lead to traffic build up on Old Mill/Cromer Road/Carr Lane junctions and there will still be problems on the junction with B1436 Felbrigg Road.
- We positioned our SAM2 device on Cromer Road Roughton just North of the proposed development, in 30mph area, 67% of all traffic recorded were speeding and a very high percentage above 45mph with several above 70mph.
- As for walking to the local shops! The nearest 'convenience' store is at least a good half hour well paced walk (downhill most of the way) even for a fit person, then a longer trudge 'uphill' with your shopping to get back. That is a minimum hour and a half just to pop out for a bottle of milk. People will get in the car and drive, adding to the noise, pollution and add to the hazards of an already busy road.
- Presumably weekends and evenings is when the sports facilities will be in most demand so visitors/teams to the sports hub will rely heavily on private transport/coaches creating further pressure on a route that in recent years has seen a steady increase in the number of vehicles using the road as a rat-run and where speed restrictions are generally not observed.
- Mill Lane and Mill Hill can't cope with more traffic and the junction is already dangerous. Carr Lane is also very dangerous with cans, van and lorries making absurd manoeuvres to get past.
- The proposed "Give way to oncoming Traffic" and narrowing of the road in Old Mill Road is ill thought out and will cause disruption to existing residents, pedestrians, farm vehicles, buses etc and gives way to dangerous queuing at the top of Old Mill Road on a narrow blind bend and also at the B1436/Old Mill Road Junction as the lines of traffic travelling down the B1436 towards Roughton Village Centre will be forced to back up, increasing the risk of accidents at this already busy Junction
- Simply proposing to reduce the speed limit to 30mph on this stretch of the B1436 does not automatically guarantee the Junction will be any safer or justify the potential increase in volume of traffic
- During this year again we have seen several accidents at this B1436/Old Mill Road Junction, several requiring Police, Ambulance and Fire services to attend
- Residents in Old Mill Road will be hampered driving on and off their driveways. There are no passing points for vehicles in Old Mill Road and with current volumes of traffic vehicles are forced off the road onto private driveways causing damage to driveways and walls. By removing what little is left of the verges any pedestrians using Old Mill Road and other affected Roads/Lanes are in danger and will have nowhere to step off to safety from passing vehicles
- the end of our driveways for Redwood and Coonamble (next door) are NOT a "passing place" as you suggest, they are in our plans and title deeds and belong to us - happy to provide proof.
- Roughton Road, Old Mill Rod and Carr Lane are not gritted
- No properly thought through solution to the key issues of road safety and road width have been presented by the applicant.
- Roughton Road is not safe for walkers at that end so everyone will be jumping in their cars. Parents would have to drive their children to use the sports and leisure facilities, then you have the staff and visitors going to and from the care home
- The roads can't take the traffic plus the noise and pollution it will cause.

- We object to the development on the grounds that we believe the transport assessment filed in September 2018 makes a number of poor prior assumptions to model traffic flows, thereby arriving at dubious conclusions that seem to support the application. Additionally, the design of the junctions of the development (to both sides) with Roughton Road are not sufficient to prevent congestion, especially during peak hours and on matchdays.
- We refer also to the Police Record quoted up to October 2019 that there had been 3 Minor accidents near the Junction of Felbrigg Road & Old Mill Road. If they had looked further in to October 2019 they would have seen that there was a very serious accident at the Junction of Old Mill Road & Felbrigg Road. This we know of, is the fact that we were involved through no fault of our own. We were both injured, hospitalised and all 3 services had to attend the scene which in turn disrupted the traffic for several hours
- I am a regular user of Roughton Road and the B1436/Old Mill Road junction and can say that the junction as it is at the moment, is dangerous. The purposed new design will make it even worse.
- The bend is blind and cars waiting to turn into Old Mill Lane from the Roughton direction are at risk of being hit from behind because following drivers cannot see clearly what is around the bend and have very little warning
- The new design brings the waiting vehicles closer to the bend reducing the warning distance and greatly increasing the risk of an end shunt
- This bend requires the hedge on the inside of the whole bend to be removed to improve visibility and a safe area in the centre of the road for anyone wanting to turn in to Old Mill Road.
- Exiting Old Mill Road on to the B1436 is very risky. The bend restricts the view towards Roughton giving very little warning of approaching traffic from that direction. The idea of taking the junction any closer to the bend is crazy and will greatly increase the risk of an accident.
- Reducing the speed at the junction of B1436/Old Mill Road junction to 30mph will have little effect.
- The suggested change to the Carr Lane/Roughton Road junction will not improve safety and might actually make it worse.
- The suggested road changes by the developer will not make the roads any safer and will probably make the junctions much more dangerous and result in more accidents

(Environment)

- Will mean the loss of more green field areas and agricultural land
- Extra lighting and extra traffic will cause unwanted pollution
- The site is located in the AONB and an area known for its dark skies
- The football application that is packaged with this development is out of character for this area.
- Most footballers will travel to the games in a car. Not a very green process.
- To support the football pitches they will want Car boot sales and out of hours games to widen the opportunity to people and make it pay its way.
- I object to the idea of flood lighting as this will damage our dark skies in this area making astronomy difficult at times in the evening when I practise this
- why can't they consider buying a field further away from a retirement part of town
- Green field sites and AONB areas are valuable assets and should not be destroyed,
- Currently the field to the west of Roughton Rd has nesting skylarks. Often we see hawks and barn owls hunting the verges and field edges. Let alone the wildlife we are aware off but do not see. Local wildlife deserves to be protected not destroyed
- Widening roads would destroy the aesthetic of the area (these are generally country lanes)
- Vital habitats would be lost - hedgerows destroyed and wildlife corridors interrupted

- Norfolk is one of the last areas of England to support a wide variety of wildlife which is forming an increasingly important part of the tourist economy.
- The proposed development has significant landscape/visual impacts on the Norfolk Coast Area of Outstanding Natural Beauty (AONB)
- We need trees and fields not concrete and pollution.
- Vehicles passing along Roughton Road cause vibrations in properties. Thus will only get worse as traffic increases as a result of this proposal
- Loss of prime agricultural land should not be allowed - we will need this land to grow our food.
- Roughton Road is an unlit road which creates a unique dark quiet environment, the provision of floodlighting and night time activity of the sport pitches will therefore have a significant negative impact on this area.
- Over the years the charm and character of Cromer has gradually been eroded due to unnecessary development and one has to wonder how much longer it can be called "Gem of the Norfolk coast"
- The wild life will be pushed out, deer, foxes and other small mammals. Bats are seen flying every night in our area, where do they go? They are protected, think carefully about destroying the very area that attracts your seasonal visitors.

(Housing)

- The nearby Norfolk Homes development has not fully sold, so why build more houses just for second home owners;
- Social housing should be a priority, not more unaffordable housing. Local people do not stand a chance of getting long term homes and landlords are able to charge what they like.
- Low cost rent/ buy homes are needed for local people not large scale speculative building which benefits only the landowner and developers.

(Services)

- Medical resources will struggle to cope with these additional houses
- The site lies entirely within the Parish of Roughton, not Cromer
- Roughton village has no need for the number or density of planned housing proposed
- Water pressure is already low in the area
- Water supply in Cromer is diminished in our street whenever there is a leak in Cromer town
- Phone services are slow when the children are out of school, so slow internet for all
- Medical and ambulance services are generally overwhelmed and there is no north side large hospital to cope with more people on the North side of Norwich.
- The Surgery is new but busy and services will be again hit
- Trains sometimes stop at Roughton Road station but the facilities are poor and could be upgraded - will the development pay for this?
- North Walsham to Sheringham needs a shuttle train to provide more frequent service to its community.
- Extra pressure will be put on already stretched schools
- Electricity supply in the area is already poor with several power outages over the last year
- The bus service stops running after 18:00, runs a reduced service on Saturday and doesn't operate at all on a Sunday.
- The train service runs a reduced service after 19.00 and on Sunday/Bank Holiday. Not all trains stop at Roughton Road
- The train station is not accessible as there are 3 flights of stairs for people with limited mobility or caring for babies to negotiate.
- The proposal will only add to existing sewerage problems that affect the area

- Despite what Anglian Water says they do not maintain the current drains and we have had numerous leaks and interrupted water supply over the last 4 years.
- I cannot think of a worse place to put these developments, surely somewhere in walking distance of the town and supermarkets should be considered
- There are currently no provisions for trauma care in and around Cromer. The nearest access to trauma care is located at the Norfolk and Norwich hospital 24 miles away. The percentage risk for critical care needs or trauma incidents increases with each new housing development and facilities such as sporting venues.
- What provision will be made for the need of firefighting services given the level of development i.e. sports facilities, care homes and housing?
- What provisions will be made for local General Practitioner services such as Cromer Group Practice and other medical facilities
- Roughton Road does suffer from surface water flooding at the junction with Burnt Hills and further north. At the junction of Mill Road and the B1436 there is a pond which is liable to flooding. The redirection of surface water, especially if the sites are fully developed, will alter the water table and this is evident at the newly constructed housing project to the north of Roughton Road Station. This has already suffered from flooding and drainage issues.
- Trying to get an appointment with your own doctor is like trying to get an audience with the Pope so this development will make the situation worse
- Even in winter it is not easy to find a parking place in town and in summer it is nigh impossible, this development will make the situation worse

(Employment)

- Employment opportunities in Cromer are becoming increasingly limited. Where will people from this development work?
- Where are the well paid jobs that will be needed for those able to afford buying these houses

(Heritage)

- Cromer is a coastal holiday town not a city

(Policy)

- Council has a five-year housing supply
- The proposal does not accord with the development plan for the area

(Residential Amenity)

- Proposed two storey houses will overlook our property and damage our right to light in our productive garden
- Noise and floodlighting impact from sports pitches would be unacceptable
- The Lighting Impact Assessment gives a lot of technical detail on the reduction of obtrusive light. Floodlights are intrusive however you sugar-coat the pill, and during winter months the floodlights will be on for several hours at a time.
- Presumably, the sports club and it's clubhouse will need to be self-supporting financially. This usually means additional and extra curricular activity to include social functions, car boot sales etc throughout the year. I know this having been responsible for a number of sports and social clubs during my working life. I also know the additional burden these events can place on local communities in terms of noise from music, (recorded or live bands), people and traffic.
- Consideration must be given to the existing community around the site and in particular that the area is predominantly bungalows where the vast majority of residents are of an age that they are more sensitive to outside noise/light and spend a good proportion of the time within their property boundaries

- It appears very unlikely that the local residents most adversely affected, including those at Roughton Mill, will in any way be compensated for the serious and permanent intrusion this development will impose upon their quality of life.

(Economic)

- Given the current recession, what is the point of building all these houses – who is going to be in a position to buy one of the houses – they will just stand empty or be sold to wealthy second home owners

(Other)

- Why is football the only sport to benefit from this? What about other sports?
- Adults with learning disabilities should be accommodated in the town where they have easy access to clubs and support groups and can integrate with others. To propose placing them where they only have a meagre bus service and none in the evenings is totally unfair to them.
- There are alternative brownfield sites within the district where the Cromer Town Football Club should be located
- Existing rights-of-way are well-used by walkers/dog-walkers and must be retained
- The pandemic should have raised concerns with our councils about the real need for open spaces
- The proposed development is on farm land and other places would be much better for this building project.
- If phase one of 185 new homes etc was to be granted planning permission a precedent would be set for the other phases to be granted

Summary of representations in Support:

- Support this project as long as Roughton road is developed properly with pavements for mobility scooters to get to town.
- Speed calming or traffic cameras would be needed to stop this being a rabbit run into town with speeds in excess of 60 miles per hour as currently used
- the sport and leisure facilities would be good or pensioners like me who want to keep fit and socialise
- I'm 70 and might need the care facility one day
- Cromer needs good sports and leisure facilities for everyone, retail park would be good too, it will keep people in Cromer.
- The amount of youngsters who play for Cromer youth always has been amazing and keeps them off the streets and keeping them fit etc I just feel it would be absolutely amazing to have their own pitch just like all the other teams do. Please please just think about our children and give them a home ground it would just be fab to see thanks.
- I see this development as a way to push Cromer in to the future with new sports fields for the younger and care home which is needed for the aging population. Full support.
- Feel strongly that the young should have houses in Cromer & that sporting facilities should be available for children in particular
- Was saddened when tennis club development was stopped, but unless mistaken, these developers are providing something similar for nothing. Surely a good thing? Ditto old peoples home. Ditto where are our young to live if more council houses not built.
- Flagship Housing Group has been working with the developers of this scheme for quite sometime and are pleased to support this application. Victory Housing Trust, who are part of the Flagship Group, already own a number of properties in and around Cromer, and would welcome the chance to secure more affordable properties for local people

in housing need. Opportunities like this do not come along very often and should not be passed up.

- I wish to support this because it seems to me to be a well thought through proposal and it seems to provide a lot of positive things for everyone in Cromer the young, old and disabled. If we don't build places for people to live what will happen to our towns we need places to live and work, and not lots of car journeys. I like that this can use the railway, we need to use them more.
- I urge the committee to approve this application and make this happen, as we've waited for the football club to move from Cabbell Park for so long, and youth teams desperately need local places to play.
- I like the sports and leisure facilities; we need more opportunities to get fit to stop people draining the health service. The pandemic has shown how important it is to keep people active and healthy.
- The town also needs to encourage youngsters and provide homes for them - they are our future. Please approve this proposal so we can help them. Also older people like to have their families nearby.

Summary of Comments only (neither supports or objects):

- Would require complete renewal of the Roughton Road up to the Carr Lane Junction and further on.
- The road is narrow and for most part has no real verge. Lorries already find it difficult to pass each other or the bus.
- there is a substantial power network cable that runs along inline with the back of my hedge that will require a very broad slice of land to be left alone. There cannot be works of any kind over this strip

Norfolk County Councillor (Cllr Adams) – To accommodate increased numbers of children and other pedestrians, safe pedestrian crossing is needed to access Cromer Academy across the A149, Norwich Road.

CONSULTATIONS

Anglian Water - No objection - Confirmed that there will be available capacity for foul drainage flows at Roughton Water Recycling Centre.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. Whilst evidence has been provided to indicate infiltration techniques are possible, confirmation is required of the final surface water discharge strategy, to be agreed by planning condition.

Environment Agency – No objection as the development does not have an adverse impact on issues within their remit.

Norfolk County Council (Lead Local Flood Authority) – The County Council as Lead Local Flood Authority has no comments to make.

Historic England – No comment. On the basis of the information available to date, Historic England do not wish to offer any comments but suggest that views are sought of specialist conservation and archaeological advisers, and other consultees, as relevant.

Sport England – Supports. Sport England supports this application as it will provide new sports facilities to meet an identified local need, thus meeting Sport England Planning Policy Objective 3. This support is subject to the imposition of planning conditions (including surveying to establish ground conditions, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality, limitations on use, a Management and Maintenance Scheme for the facility including management responsibilities and a community use scheme).

Norfolk County Council (Highways) - Objection - the proposals by the applicant, even in their revised form presented to this Committee, would give rise to conditions considered detrimental to highway safety. This increases to concerns of a severe impact particularly in relation to the junction of Old Mill Road and Felbrigg Road (B1436) which has restricted visibility and where additional vehicular stopping and turning movements are considered to pose an increased risk of rear-end shunts.

See fully copy of NCC Highway advice at **Appendix 1**.

Norfolk County Council (Public Rights of Way) - No objection subject to securing funding for improvements to Roughton FP16, Cromer FP19 and Northrepps FP16 (See Green Infrastructure comments below).

Norfolk County Council (Planning Obligations Co-ordinator) - Response relates to education provision/contributions, library, fire service and green infrastructure contributions.

Education

In net education terms 185 dwellings would generate;

- 16 Early Education age children,
- 21 Infant School age children,
- 25 Junior School age children,
- 24 High School age children,
- 2 Sixth Form age children.

The site is located on the catchment boundaries of the Cromer, Northrepps and Roughton primary sector schools. Although the site is in Roughton, its proximity to Cromer indicates that pupils from the housing development could well express a preference to attend the Cromer primary sector schools (Suffield Park Infant and Cromer Junior schools are 0.5 miles from the site, Northrepps Primary school is 1.75 miles distant but it is not possible to expand this school and St. Mary's Endowed VA CE at Roughton is 2 miles away)

There is spare capacity at Early Education, Infant and High school levels, and although Cromer Junior School has a net capacity of 300 there is accommodation within their existing buildings that could be used as classbases and a desktop exercise indicates that the junior school could rise to 3FE (360 net capacity). So, pupils generated from this proposed development could be accommodated at the Cromer Junior School.

As there is spare capacity within the Early Education, Primary and High School sectors, Norfolk County Council will **not** be seeking Education contributions for this proposed development on this occasion

Library

A development of 185 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of the library. It has been calculated that a development of this scale would require a total contribution of £13,875 (i.e. £75 per dwelling). This contribution will be spent on increasing the capacity of the library serving the development.

Fire

Taking into account the location and infrastructure already in place, for the dwellings a minimum requirement based on 157 x multi-bed houses & 14x 2 bed flats & 14 x 1 bed flats is 4 fire hydrants on no less than a 90mm main at a (current) cost of £843 each.

For the Care Home and supported living for young adults with learning disabilities, our minimum requirement is 2 fire hydrants on a minimum 120mm main at a (current) cost of £843 each.

Green Infrastructure

Cromer suffers from poor east-west connectivity with public rights of way which are fragmented with poor connectivity. Footpath improvements and reinstatements are suggested, to provide safe and easy access to the development through the existing public rights of way network.

Norfolk County Council (Mineral Planning Authority) - The application site is underlain by an identified mineral resource (sand and gravel) which is safeguarded as part of the adopted Development Plan for Norfolk, through the Norfolk Minerals and Waste Core Strategy Policy CS16 'Safeguarding' is applicable.

A Mineral site allocation (MIN 71) is located approximately 75 metres from the site. A Mineral Consultation Area extends into the application site 250 metres from the boundary of the mineral allocation.

There may be opportunities for the sand and gravel from on-site resources to be used in the construction phases of the developments, improving the sustainability of the project. A condition should be imposed to require a Minerals Management Plan – Minerals, to estimate the quantities of materials which could be extracted from the groundworks and re-used.

Norfolk County Council's (Historic Environment) - Despite ambiguous results of the geophysical survey there is potential for previously unidentified heritage assets with archaeological interest to be present within the application site and their significance would be affected by the proposed development. Recommends that if planning permission is granted, conditions are imposed for a programme of archaeological mitigatory work with informative trial trenching to determine the scope and extent of any further mitigatory work in accordance with National Planning Policy Framework para. 199 and 189.

NHS England (Midlands and East) - The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 467 residents (with a 60 bed care home) or 487 residents (with an 80 bed care home) and subsequently increase demand upon existing constrained services.

The development would give rise to a need for improvements to capacity by way of refurbishment, reconfiguration, extension, or potential relocation, for the benefit of the patients at Cromer Surgery; a proportion of the cost of which would need to be met by the developer. The Capital Cost Calculation of additional primary healthcare services amounts to £76,653 (with a 60 bed care home) or £76,807 (with an 80 bed care home).

Norfolk Coast Partnership – Objects – on the basis of adverse impacts on two of the special qualities of the AONB (Diversity and Integrity of Landscape Seascape and Settlement Character and Sense of Remoteness, Tranquillity and Wildness which includes Dark Skies). The proposal contravenes Core Strategy Policy EN 1 and NPPF para 172.

NNDC Environmental Health – There are a number of serious concerns and queries relating to the layout of the sports facilities in terms of both noise and lighting and would object to the indicative layout in terms of residential amenity.

NNDC Strategic Housing – Object.

The applicant anticipates the affordable housing will be mixed throughout the site and be tenure blind and such an approach is supported. The applicant commits to 'deliver affordable units in accordance with the submitted viability assessment'.

The applicant provides a letter from Places for People Living + (Living +). Living + confirm they are in discussions with the applicant to provide a 60 – 80 unit Extra Care Scheme and about 12 apartments for tenants with learning disabilities. This proposal is at early stages. Living + confirms the design and specification will be 'driven by local needs confirmed by commissioners to ensure gaps in provision can be met.'

There is a need for affordable housing in Cromer, there are (Nov 2018):

- 152 households on the Housing Register.
- 179 households on the Transfer Register.
- 1,104 on the Housing Options Register.

The proposed indicative housing mix will not provide enough of every property size/type to meet the affordable housing requirement. Some of the affordable homes will be too small. The applicant has submitted a viability appraisal as they are stating that it is not viable to provide the policy amount of affordable housing. This viability information is under review. There is uncertainty as to the actual number of homes proposed and whether the site can accommodate all the homes proposed.

NNDC Landscape Officer - The ecological, landscape and visual impacts of the development have been under assessed and a development of this scale and density cannot be assimilated into the designated landscape setting without resulting in significant adverse effects.

In respect of designated sites a Habitats Regulations Assessment (HRA) has been undertaken including a test of likely significant effects in relation to the impact of the proposal on designated sites. This concluded that there may be an indirect effect on the qualifying species and habitats of the North Norfolk Coast Marine Protected Area and Natura 2000 network due to increased visitor numbers and recreational pressure arising from the development in combination with planned growth across Norfolk.

The Appropriate Assessment concluded that a payment of £200 per dwelling as identified in the approved GI/RAMS would provide the appropriate mitigation for the indirect effects identified.

NNDC Conservation and Design Officer – There is limited scope for meaningful comment on the basis of an indicative masterplan, then the site lies outside of the settlement boundary and fails to comply with local and national policy.

NNDC Policy Officer – The proposal is contrary to both national and local development plan policies and would represent a significant departure requiring compelling justification. It is for the decision maker to determine if the provision of new sports facilities and other material considerations is sufficient to outweigh the clear and significant policy departures.

NNDC Economic Growth – Supports - It is anticipated that there would be some degree of short term (eg construction) and long term (operational) jobs and the Application Form

identifies that the equivalent of up to 40FTE jobs could be created, although there is presently not the detail to fully substantiate this.

It is understood that the applicants are presently in discussion with a supported living provider who have provided a letter outlining the principle of the supporting housing element of the application. The letter suggests a potential for 60-80 units to be built for the Extra Care Scheme and that the scheme “will bring significant employment opportunities to the area, resulting in the need for a well-trained and resourced local staff team”. Each service will require a staff team of 15-20 individuals who will access a variety of training and development in their chosen roles. It is further anticipated that there will also be a requirement for supply chain partners to provide other operational support services.

Overall it is recognised that there are economic benefits that would be derived by such a proposal.

NNDC Appointed Viability Consultant – Objection - has challenged some of the applicant’s assumptions including the benchmark land value and some other abnormal costs including a very high cost claimed by the applicant for archaeological works. On this basis the Council’s viability consultant is of the opinion that ‘based upon our own assessment and adopting a Benchmark Land Value assessed in accordance with the Council’s Local Plan Viability Assessment methodology we conclude that the site should be capable of delivering at least 25% affordable housing’.

Ramblers Association – No objection in principle subject to improving routes and connectivity so as to make it easier for people to travel on foot.

Natural England – Objection as the proposed development has significant landscape/visual impacts on the Norfolk Coast Area of Outstanding Natural Beauty (AONB). More specifically it will have detrimental impacts on the special qualities of the AONB in terms of diversity and integrity of landscape, seascape and settlement character and the sense of remoteness, tranquillity and wildness.

Concerned about the sustainability of the proposal and creeping urbanisation into a protected landscape. Advise that mitigation measures consisting of hedgerow and native tree planting which will take a significant period of time to establish and reduce impacts will not be sufficient to screen the proposal or mitigate light pollution.

CPRE – Object, as the site is designated as countryside and lies within the Norfolk Coast AONB. The size and scale of the site would detract from the special qualities of the AONB. It has not been demonstrated that the proposals will protect, conserve or enhance the gaps between settlements and their landscape setting or the pattern of distinctive landscape features. The proposals are for major development in the context of scale and setting and impacts on the AONB. NNDC can demonstrate a five year supply of land for housing and there is no need to apply the presumption in favour of sustainable development, emphasised by the sites location in the AONB.

Secured by Design Consultant on behalf of Norfolk Police - No objections

Norfolk Wildlife Trust - raised concerns at the absence of a full ecological appraisal, which NWT would expect as standard for an application of this scale. In order to ensure that impacts on legally protected species are avoided and to ensure compliance with planning policy, NWT have recommended that further information is sought from the applicant prior to any planning decision.

HUMAN RIGHTS IMPLICATIONS

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

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

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

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

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES

North Norfolk Core Strategy (Adopted September 2008):

Policy SS 1: Spatial Strategy for North Norfolk (*specifies the settlement hierarchy and distribution of development in the District*).

Policy SS2: Development in the Countryside (prevents general development in the countryside with specific exceptions).

Policy SS 3: Housing (strategic approach to housing issues).

Policy SS 4: Environment (*strategic approach to environmental issues*).

Policy SS 6: Access and Infrastructure (*strategic approach to access and infrastructure issues*).

Policy SS 7: Cromer

Policy HO 1: Dwelling mix and type (*specifies type and mix of dwellings for new housing developments*).

Policy HO 2: Provision of affordable housing (*specifies the requirements for provision of affordable housing and/or contributions towards provision*).

Policy HO 7: Making the most efficient use of land (*Housing density*) (*Proposals should optimise housing density in a manner which protects or enhances the character of the area*).

Policy EN 1:

Policy EN 2: Protection and enhancement of landscape and settlement character (*specifies criteria that proposals should have regard to, including the Landscape Character Assessment*).

Policy EN 4: Design (*specifies criteria that proposals should have regard to, including the North Norfolk Design Guide and sustainable construction*).

Policy EN 6: Sustainable construction and energy efficiency (*specifies sustainability and energy efficiency requirements for new developments*).

Policy EN 8: Protecting and enhancing the historic environment (*prevents insensitive development and specifies requirements relating to designated assets and other valuable buildings*).

Policy EN 9: Biodiversity and geology (requires no adverse impact on designated nature conservation sites).

Policy EN 10: Flood risk (*prevents inappropriate development in flood risk areas*).

Policy EN 13: Pollution and hazard prevention and minimisation (*minimises pollution and provides guidance on contaminated land and Major Hazard Zones*).

Policy CT 2: Development contributions (*specifies criteria for requiring developer contributions*).

Policy CT 5: The transport impact on new development (*specifies criteria to ensure reduction of need to travel and promotion of sustainable forms of transport*).

Norfolk Minerals and Waste Core Strategy and Development Management Policies DPD (adopted September 2011):

Policy CS16: Safeguarding mineral and waste sites and mineral resources.

Material Considerations

National Planning Policy Framework (2019)

This document sets out that the purpose of the planning system is to contribute towards achieving sustainable development. It also reinforces the position that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. As national policy the NPPF is an important material planning consideration which should be read as a whole, but the following sections are particularly relevant to the determination of this application.

Section 2 – Achieving sustainable development - *Para 2 and 12*

Section 4 – Decision-making - *Para 47*

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities – *Para 56, 59, 64, 77, 91, 94*

Section 9 – Promoting sustainable transport - *Para 103 and 109.*

Section 11 – Making effective use of land – Para 122

Section 12 - Achieving well-designed places - *Para 124, 127, 130,*

Section 14 - Meeting the challenge of climate change, flooding and coastal change *163, 165,*

Section 15 - Conserving and enhancing the natural environment – *Para 170*

Section 17 – Facilitating the sustainable use of minerals – *Para 206*

MAIN ISSUES FOR CONSIDERATION

1. Principle of Development
2. Access and Highway Network Considerations
3. Impact on the Norfolk Coast Area of Outstanding Natural Beauty
4. Impact on Landscape Character
5. Impact on Ecology and Biodiversity and Designated Sites
6. Impact on Designated Sites
7. Housing Proposals – General Issues
8. Provision of Affordable Housing
9. Provision of sports facilities
10. Provision of extra care and supported living – housing mix and type
11. Open Space
12. Development Viability
13. Residential Amenity
14. S106 Obligations
15. Other Issues
16. Planning balance and Conclusion

APPRAISAL

The application site comprises two parcels of agricultural land (eastern and western) either side of Roughton Road. The two sites together are approximately 14 hectares in size located on the southern edge of Cromer directly adjacent to the Compit Hills and Burnt Hills areas. There are existing residential developments to the north of both land parcels and the site directly abuts existing properties which front on to Roughton Road.

Existing residential properties along the sites boundaries in Compit Hills, Holway Close and Burnt Hills are primarily of single storey, while properties along Roughton Road include a mix of both single storey and two storey. To the west is a small farm complex and dwellings. There is a public footpath (Roughton FP16) directly to the north of the western land parcel, which runs along the back of the properties to Compit Hills to the north. Roughton Road railway

station is located at its closest approximately 350 to 500m away to the north from the western and eastern parts of the site respectively.

Agricultural land extends to the south of both land parcels and also to the east and west.

The land is located within the Roughton Parish, but is found adjacent to the parishes of Cromer, Felbrigg and North Repps.

The application seeks outline approval for a mixed use development, the only matter of detail for which approval is sought relates to means of access to the site. On this matter vehicular access to the site is proposed from Roughton Road.

Whilst considered to be a market housing led development, the proposals consist of three constituent parts:

1. residential development of up to 185 dwellings (comprising 80% market and 20% affordable dwellings)
2. 'Extra Care' facilities and supported living for adults with learning disabilities; and
3. The provision of community benefits including the creation of a sports & leisure park

1. Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a statutory requirement that, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF at paragraphs 2 and 12 restates this requirement.

The development plan for North Norfolk comprises:

- The North Norfolk Core Strategy (adopted 2008),
- The North Norfolk Site Allocations Development Plan Document (adopted 2011),
- Norfolk Minerals and Waste Core Strategy and Development Management Policies 2010-2026 DPD (adopted September 2011).

Paragraph 12 of the NPPF states that 'the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

Core Strategy Policy SS 1 sets out the spatial strategy for North Norfolk and Policy SS 2 relates specifically to the countryside area, limiting development to that specified in the policy which is recognised to require a rural location. These are strategic policies that set out the overarching approach for distributing development across the district, promoting sustainable patterns of development and protecting the countryside. These policies are fundamental to the effective operation of the Development Plan.

The NPPF actively expects strategic policies to set out an overall strategy for the pattern, scale and quality of development. Broad locations for development should be indicated and land use designations and allocations identified. The intrinsic character and beauty of the

countryside should be recognised. That is precisely what these policies do, along with the North Norfolk Site Allocations Development Plan Document.

Policies SS 1 and SS 2 are Development Plan policies which are most important for determining the application and they are up-to-date, because they are consistent with the NPPF. This view on consistency with the NPPF has been supported at appeal on a number of occasions.

The development plan is operating effectively and the Council is delivering the necessary level of homes as part of its overall approach as evidenced by the latest available information relating to the supply of housing land in the district which demonstrates 5.16 years of deliverable housing land.

Even if the Council was not able to demonstrate a five-year housing land supply, the 'tilted balance' in paragraph 11 of the NPPF known as the 'presumption in favour of sustainable development' is not engaged on land covered by an Area of Outstanding Natural Beauty designation, as is entirely the case with the Roughton Road site.

In such circumstances, a proposal would need to be assessed on an 'even' basis assessing the proposals conformity with the Development Plan and, where there is a departure, to consider the material considerations in favour to justify whether there are reasonable grounds to depart from the Development Plan.

A market led-housing proposal of up to 185 dwellings off Roughton Road on land designated as 'countryside' would be considered a significant departure from Development Plan policies SS 1 and SS 2. Whilst Policy SS 2 does allow for 'affordable housing in accordance with the Council's 'rural exception policy', the applicant is not proposing a rural exception housing scheme. The proposal instead comprises a market led housing scheme with a reduced quantum of affordable housing (20%) in order to viably provide other aspects of the development including the sports and leisure park and 'Extra Care' facilities and supported living for adults with learning disabilities.

In respect of the principle of other aspects of the proposal, Core Strategy Policy SS 2 would allow for community services and facilities meeting a proven local need to be located in the countryside policy area. However, proposals for 'Extra Care' facilities and supported living for adults with learning disabilities would be expected under Core Strategy Policy HO 1 to be located in appropriate locations within selected settlements and well served by public transport and local services. This element of the proposal is also likely to be considered to amount to a departure from the Development Plan

Core Strategy Policy SS 2 would also allow for recreation type development to be located in the countryside policy area. Therefore, subject to compliance with other relevant core strategy policies, the sports and leisure park aspects of the proposal would comply with Policy SS 2.

Core Strategy Policy HO 2 would require that this proposal provides 45% affordable homes. However, the evidence presented by the applicant suggests that the potentially policy compliant element of the development would only be viable with the inclusion of market led housing and that it would be necessary to reduce the affordable homes to just 20% of the total. The proposal, as a total package, would therefore amount to a significant departure from the Development Plan and, on this basis, there would need to be compelling material considerations attracting significant weight in favour to justify the departure from the Development Plan.

The site's location within the Norfolk Coast AONB means that great weight should be given to conserving and enhancing landscape and scenic beauty. The Norfolk Coast AONB is afforded the highest status of protection in relation to these issues.

These proposals are clearly a significant departure from adopted policies. They are contrary to Policies SS 1, SS 2, H0 2 and EN 1. Permission should not be granted unless there are material considerations which can be afforded sufficient weight to justify these significant departures from policy. In this regard the applicant argues that the considerable investment in the provision of sports facilities and provision of 'Extra Care' facilities and supported living for adults with learning disabilities attract sufficient weight to justify a departure from the Development Plan.

Whilst it is ultimately a matter of planning judgment for the Committee as decision maker in carefully weighting those material considerations (both for and against the proposal) and weighing those against any departure from Development Plan policies, Officer advice is that the starting point should be to consider the proposal as a whole as a departure from the Development Plan.

2. Access and Highway Network Considerations

This Outline planning application is seeking approval for means of access only at this stage. Therefore, in addition to considering the principle of development on this site, the Committee will also need to consider the suitability of the proposed means of accesses on Roughton Road and also to consider the impact of development on the wider highway network.

A primary planning consideration is to ensure that development proposals achieve a suitable connection to the highway that is safe for pedestrians, cyclists and occupants of vehicles. Equally important is the need to ensure that road safety is not jeopardised by allowing proposals that would generate levels of traffic beyond the capacity of the surrounding road network.

Core Strategy Policy CT 5 considers the transport impact of new development and sets out that:

Development will be designed to reduce the need to travel and to maximise the use of sustainable forms of transport appropriate to its particular location. Development proposals will be considered against the following criteria:

- the proposal provides for safe and convenient access on foot, cycle, public and private transport addressing the needs of all, including those with a disability;
- the proposal is capable of being served by safe access to the highway network without detriment to the amenity or character of the locality;
- outside designated settlement boundaries the proposal does not involve direct access on to a Principal Route, unless the type of development requires a Principal Route
- the expected nature and volume of traffic generated by the proposal could be accommodated by the existing road network without detriment to the amenity or character of the surrounding area or highway safety; and
- if the proposal would have significant transport implications, it is accompanied by a transport assessment, the coverage and detail of which reflects the scale of development and the extent of the transport implications, and also, for non-residential schemes, a travel plan.

Section 9 of the NPPF (2019) relates to promoting sustainable transport. Paragraph 102 of the NPPF sets out that 'transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- ...
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;'

NPPF paragraph 109 sets out that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

It is considered that Core Strategy Policy CT 5 is broadly consistent with the aims of the NPPF in promoting safe and sustainable development.

Consideration of highway matters and seeking to address concerns raised by consultees has been the principle cause behind the delay in determining this planning application. Following on-going discussions between the applicant, the Highway Authority and the District Council a series of revised proposals have been put forward culminating in the submission of Revision H of the Transportation Assessment produced by ADL Traffic and Highway Engineers Ltd on 13 July 2020 which, amongst other submitted additional documents, has been the subject of further public consultation.

The applicant is proposing two access points on to Roughton Road, one serving the eastern and one serving the western parcels of land. The proposed eastern parcel of land would be served from a 6.0m wide access road into the site with 2m wide footpaths either side and would include tactile paving and a pedestrian crossing and refuge at the junction with Roughton Road. The proposed western parcel of land would be served by a 5.5m wide access road into the site with 2m wide footpaths either side and would include tactile paving and a pedestrian crossing at the junction with Roughton Road. Two new bus stops would be provided either side of Roughton Road

In terms of offsite highway works between the site and Cromer these would comprise:

- Widening of the carriageway along Roughton Road to 5.5 m; and
- A proposed new 2.0m wide footway on the eastern side of Roughton Road from the new proposed entrance point and then along existing verges within the public highway down to near the entrance to Compit Hills where it would join with existing footpath networks on the western side of the road. New tactile paving crossings would be provided on Roughton Road and across the entrance to Compit Hills to link with existing footpaths.

It should be noted however that the applicant is currently unable to secure the land necessary to deliver a continuous footway on the eastern side of Roughton Road from the eastern parcel of land into Cromer. Therefore, under current proposals, notwithstanding the new footway elements to be provided, pedestrians from the proposed eastern parcel of land wanting to travel to/from Cromer would need to cross to the western side of Roughton Road to join the pavement which then crosses Compit Hills and then re-cross Roughton Road to join back to the eastern side pavement which continues to/from Cromer. This not only adds to the complexity of the pedestrian journey but also increases the potential for conflict between pedestrians and other modes of travel.

The Committee should also note that the footpath network north of the site beyond the Roughton Road railway station was improved as part of a housing allocation known as Land West of Roughton Road under Policy C14 of the North Norfolk Site Allocations Development Plan Document.

Other offsite highways works proposed by the applicant include:

- Widening of the carriageway along Roughton Road to 5.5 m south of the site approximately to junction with Carr Lane;
- Addition of new 'gateway' features for Cromer and West Roughton including signs, carriageway markings and speed limits;
- Works to Carr Lane / Roughton Road junction including removal of central grassed island and reconfiguration of junction designed to improve visibility splays;
- Works to Old Mill Road to increase carriageway width to 5.5 where achievable and, where carriageway width is restricted to 3.5m, to provide shuttle working with associated highway signage giving priority for traffic from the Felbrigg Road direction;
- Works to Old Mill Road and Felbrigg Road (B1436) including reconfiguration of junction designed to improve visibility splays particularly towards the south;
- Proposals to amend speed limits along Roughton Road (extending 30mph limit south of Cromer); and
- Proposals to amend speed limits along Felbrigg Road (B1436) through introduction of new 30mph limit (currently 40mph) including introduction of road markings indicating speed limit.

Whilst undoubtedly, some of the off-site highway works proposed by the applicant would deliver benefits, these have to be considered carefully against the disbenefits. The Highway Authority's latest response from 17 Sept 2020 (attached in full at **Appendix 1**) sets out a range of issues and concerns with a conclusion that the proposal would result in a 'severe' highway impact. The concerns of the Highway Authority relate primarily to the network south of the application site and the works proposed at the Carr Lane / Roughton Road junction; Old Mill Road and Felbrigg Road (B1436). The Highway Authority has raised the following highway grounds for refusal:

The unclassified roads serving the site are considered to be inadequate to serve the development proposed, by reason of poor alignment, restricted width, lack of passing provision, substandard construction and restricted visibility at affected road junctions. The proposals do not adequately provide off-site facilities for pedestrians / cyclists / people with disabilities (those confined to a wheelchair or others with mobility difficulties), specifically, there is no available safe route for sustainable travel to the catchment Primary School at Roughton. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety.

The proposal would lead to an intensification in right turn movements to Old Mill Road from the B1436 Felbrigg Road which is a main distributor route and would cause undue interference with the safe and free flow of traffic on this important traffic route. In accordance with NPPF Para 109, the Highway Authority would consider impact to be severe, the junction does not conform to modern standards and improvements cannot be made to bring it up to standard.

Officers consider that the applicant has been given every reasonable opportunity to address the concerns raised by the Highway Authority during the 24-month determination period of this application. The applicant contends that they do not agree with the Highway Authority advice given by the County Council and have commissioned a third party highway consultant to review the issues and the Highway Authority concerns. This report, a copy of which is attached

at **Appendix 2**, was only shared with the Council (and the Highway Authority) on 19 Oct 2020, despite requests from officers to see it sooner.

Whilst it is true that the Local Planning Authority is not obliged to accept the advice of the Highway Authority, Officers do not accept that the latest report commissioned by the applicant which seeks to question and challenge the highway authority position can necessarily be considered truly 'independent'. The issues raised in the applicant's report do not identify matters of factual accuracy where they consider the Highway Authority position is wrong, these are more matters of professional opinion. This does not mean the highway authority position is wrong.

Officers consider that the highway advice in this case and the suggested reasons for refusal are compelling and would strongly advise that the Highway Authority advice is followed.

The Highway Authority advice is plain that the proposals by the applicant, even in their revised form presented to this Committee, would give rise to conditions considered detrimental to highway safety. This increases to concerns of a severe impact particularly in relation to the junction of Old Mill Road and Felbrigg Road (B1436) which has restricted visibility and where additional vehicular stopping and turning movements are considered to pose an increased risk of rear-end shunts associated with the likely increase in vehicles turning right from Felbrigg Road into Old Mill Road to access the proposed development.

Officers consider that the proposal would fail to accord with the requirements of Core Strategy Policy CT 5, that there would be an unacceptable impact on highway safety and the residual cumulative impacts on the road network would be considered severe.

Officers recommend that the Committee accept the advice of the Highway Authority. The identified conflict with Core Strategy Policy CT 5 and the advice within paragraph 109 of the NPPF would weigh very heavily against the grant of planning permission and this issue will need to be afforded substantial weight when making the overall planning balance.

3. Impact on the Norfolk Coast Area of Outstanding Natural Beauty (AONB)

The site is located within the Norfolk Coast AONB. The applicant has submitted an Environmental Statement, part of the scope of that document being to consider 'the potential impact [of the proposed development] on the special qualities of the Norfolk Coast AONB'

Core Strategy Policy EN 1 states:

'The impact of individual proposals, and their cumulative effect, on the Norfolk Coast AONB, The Broads and their settings, will be carefully assessed. Development will be permitted where it;

- is appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area;
- does not detract from the special qualities of the Norfolk Coast AONB or The Broads; and
- seeks to facilitate delivery of the Norfolk Coast AONB management plan objectives.

Opportunities for remediation and improvement of damaged landscapes will be taken as they arise.

Proposals that have an adverse effect will not be permitted unless it can be demonstrated that they cannot be located on alternative sites that would cause less harm and the benefits of the development clearly outweigh any adverse impacts.

Development proposals that would be significantly detrimental to the special qualities of the Norfolk Coast AONB or The Broads and their settings will not be permitted.'

The key characteristics of the AONB are summarised in the 2014 - 2019 Norfolk Coast AONB Management Plan and include maintaining the diversity of character types and settlement pattern, and maintaining the sense of remoteness, tranquillity and wildness leading to dark night skies.

NPPF paragraph 172 makes very clear that 'Great weight should be given to conserving and enhancing landscape and scenic beauty in... Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues'. It goes on to state that 'The scale and extent of development within these designated areas should be limited'. Paragraph 172 sets out that 'other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.... Planning permission should be refused for major development.

Footnote 55 within NPPF para 172 states. 'whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined'

It is considered that the development of circa 14 hectares of land for residential development of up to 185 dwellings, 'Extra Care' facilities and supported living for adults with learning disabilities and the provision of community benefits including the creation of a sports & leisure park amounts to **major development** in the Norfolk Coast AONB; i.e. it is a major development within the local context and wider district – not simply as defined as such by The General Development Procedure Order (2015)

NPPF para 172 concludes stating: 'Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.'

It is considered that Core Strategy Policy EN 1 is broadly consistent with the aims of NPPF para 172.

Assessment against Core Strategy Policy EN 1

In considering the proposal first against Core Strategy Policy EN 1, Officers consider that the proposed development does not seek to facilitate delivery of the Norfolk Coast AONB management plan objectives.

Furthermore, the Landscape Officer concludes that, notwithstanding the case presented by the applicant within the environmental statement, the proposal would undoubtedly detract from

the special qualities of the Norfolk Coast AONB. This view is echoed by the Norfolk Coast Partnership and Natural England, all of whom have raised objections as set out above.

In particular, in relation to the 'Diversity and Integrity of Landscape, Seascape and Settlement Character – this key quality is based on maintaining diversity of character types rather than uniformity across the area, including landscapes and settlement pattern. In this regard, remnant hedgerows and hedgerow trees are identified as features of the inherent sensitivity of the Tributary Farmland, TF3 Roughton, Southrepps, Trunch, and Knapton Landscape Type, along with remnant heathland areas. The site contains both of these landscape elements that would be lost to the detriment of the landscape character.

Other identified key environmental assets are the small pastures on the outskirts of settlements which are significant in reflecting the historic small scale landscape pattern and intrinsic to forming the rural landscape setting to settlement. The erosion of these small pastures as a result of development pressures on the edges of settlement is cited as one of the Key Forces for Change and the hinterland of Cromer is already subject to this erosion with ad hoc development.

In respect of the 'Sense of Remoteness, Tranquillity and Wildness' this special quality is derived from the generally low level of development and population density leading to dark night skies and a general sense of remoteness and tranquillity away from busier roads and settlements. The proposal, particularly through the introduction of the sports park with floodlit outdoor pitches together with the impact of lighting and activity resulting from the wider development would, in the opinion of officers, have a damaging impact on this special quality of the AONB.

Finally, as to whether or not the proposal is considered 'appropriate to the economic, social and environmental well-being of the area or is desirable for the understanding and enjoyment of the area', officers consider there is little compelling evidence to conclude that the development proposed is 'desirable for the understanding and enjoyment of the area'. In fact, Officers consider the opposite is true when considering the potential impact of the proposal on some of the key characteristics of the AONB. However, it has to be recognised that the provision of a sports park and the delivery of the 'Extra Care' facilities and supported living for adults with learning disabilities would contribute positively to the economic and social well-being of the area.

However, when considered the proposal as a whole, Officers conclude the overall harm that would result to the AONB mean that the proposal would fail to accord with the overall aims of Core Strategy Policy EN 1.

Assessment against NPPF para 172

In considering the requirements of NPPF para 172, tests a), b) and c) above are very similar to Core Strategy Policy EN 1 in seeking to consider any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

In terms of a) the proposed development is not for a piece of nationally significant infrastructure or generally considered to be a scheme in the national interest. Refusing the proposal will also have some adverse impacts on the local economy related to loss of construction jobs and will not deliver financial benefits including from increased Council Tax or Income Tax or increased consumer spend from future residents associated with the additional housing proposed. However, these have to be considered and weighed against the effect that cumulative incremental adverse change can have within the Norfolk Coast AONB in terms of its special qualities and in reducing the attractiveness of the area through continued unchecked growth and the economic impact this can have in relation to reduced tourism spend in the local economy.

In terms of NPPF para 172 b) whilst it is recognised that the applicants may not necessarily own land outside the Norfolk Coast AONB on which to put forward this package of proposals, this is not in itself justification for development of this particular site, especially where such development has the potential for adverse effects on the wider landscape and special qualities of the AONB as set out above.

Meeting the future housing and recreational needs of the District is a matter for the Council's new Local Plan. A critical issue for the Local Plan in allocating sites within the AONB will be to consider first whether growth needs can be met on sites outside of the AONB. These sites should be considered first and, only if these sites have been ruled out or if growth demands cannot be met entirely on sites outside of the AONB or cannot be met through appropriate development in adjoining settlements outside of the AONB should sites within the AONB be considered.

The applicant has set out a consideration of alternative sites and has considered the question of where in Cromer development might occur, with particular reference to any sites outside of the AONB. The applicant has explored the Core Strategy proposals map, the Site Allocations Development Plan Document, the Emerging Local Plan, the Council's Housing and Economic Land Availability Assessment (HELAA) from 2017 and has concluded that, in their opinion, there is 'no alternative site which would cause less or no harm'.

Whilst the applicant is entitled to reach their own conclusion on whether alternative sites outside the AONB are available to support their justification for development on this site, the preparation of the new Local Plan is an iterative process and is the right mechanism to assess and identify appropriate sites for future development across the plan period. The applicant has made the decision to put forward this proposal for determination ahead of the Local Plan being adopted and ahead of site allocations for future growth being finalised but this does not mean that permission should be granted contrary to the Development Plan, unless there are clear and justified reasons for doing so.

In terms of c) the impact of the proposal on the special qualities of the AONB have already been set out above. It is clear that landscape planting alone would not adequately mitigate the harm to the special qualities of the AONB.

Officers therefore conclude that the proposal fails to accord with the requirements of NPPF para 172. The proposal is not considered to be in the wider public interest and there are no exceptional circumstances which could justify this major development within the Norfolk Coast AONB.

The proposal would therefore fail to accord with both Core Strategy Policy EN 1 and NPPF para 172. The harm that the proposal would cause to the special qualities of the Norfolk Coast AONB would, in the opinion of Officers, weigh very heavily against the grant of planning permission and this issue will need to be afforded substantial weight when making the overall planning balance.

4. Impact on Landscape Character

Core Strategy Policy EN 2 sets out that:

'Proposals for development should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment and features identified in relevant settlement character studies.'

Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance:

- the special qualities and local distinctiveness of the area (including its historical, biodiversity and cultural character)
- gaps between settlements, and their landscape setting
- distinctive settlement character
- the pattern of distinctive landscape features, such as watercourses, woodland, trees and field boundaries, and their function as ecological corridors for dispersal of wildlife
- visually sensitive skylines, hillsides, seascapes, valley sides and geological features
- nocturnal character...'

NPPF para 170 sets out that 'Planning...decisions should contribute to and enhance the natural local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- ...
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- ...'

It is considered that Core Strategy Policy EN 2 is consistent with the aims of NPP para 170.

The applicant has submitted a landscape and visual appraisal with this application. The purpose of the document is to consider the effect of the proposals on landscape character, elements and features; visual amenity; and the Norfolk Coast AONB.

The applicant concludes that 'the proposed development would result in minimal loss of landscape features and it is anticipated that the adopted design strategy and mitigation measures will help to assimilate the development into the surrounding landscape. Hence, it is predicted that the development will have limited effects upon the fabric or character of the local area or that of the wider landscape'.

The Landscape Officer, having reviewed the applicant's submissions, has raised concerns that the landscape and visual appraisal does not provide an objective assessment required of such a study. The Landscape Officer notes that 'there is ample description but conclusions regarding impact are not precise and are not based on a clearly laid out methodology. The Assessment has therefore not been carried out in accordance with current best practice (Guidelines for Landscape and Visual Impact Assessment (GVLIA 3, 3rd Edition 2013)).

In respect of trees, whilst the trees on the site are to be protected and retained as part of the proposed development, the main impact of the proposed development will be the removal of 220 meters of Important Hedgerows. The hedgerows that are proposed to be removed are clearly visible on historic maps and are considered important under the Hedgerow Regulations 1997. The removal of the hedgerows will have a significant impact on the amenity and

character of the area as they are a key landscape feature entering Cromer along this road. The hedgerows soften the impact of the existing development and blend the edge of urban Cromer and the wider open countryside. The loss of such a significant length of hedgerow will affect biodiversity which relies on hedgerows and break a significant wildlife corridor.

The conclusion of the Landscape Officer is that the landscape and visual impacts of this development have been under-assessed by the applicant and that a development of this scale and density could not be assimilated into the designated landscape setting without resulting in significant adverse effects. Officers would concur with this conclusion and consider that landscape mitigation to be proposed as part of any subsequent reserved matters application would be unlikely to minimise these adverse impacts to an acceptable level.

The proposal is therefore considered to be contrary to the aims of Core Strategy Policy EN 2 and NPPF para 170. The harm that the proposal would cause to the landscape and settlement character around the application site would, in the opinion of Officers, weigh heavily against the grant of planning permission and this issue will need to be afforded significant weight when making the overall planning balance.

5. Impact on Ecology and Biodiversity

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’.

NPPF para 175 sets out four principles that apply when determining planning applications with the potential to affect habitats and biodiversity, the key objective being to avoid harm.

The applicant has submitted a Preliminary Ecological Appraisal (PEA) dated September 2018 and this generally concludes that, subject to appropriate mitigation measures secured by planning conditions, the proposal would not have an adverse impact on interest features.

The Landscape Officer has raised concerns that it is not best practice, in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines, for PEA reports to be submitted as evidence for large, complex development projects (particularly

those developments classed as EIA development). This is because PEAs do not provide the level of detail necessary to assess the implications of the development on biodiversity and protected species/habitats. The Landscape Section are concerned that a full appraisal of the baseline environmental conditions and impact of the development has not been carried out.

These concerns are set out in more detail in the Landscape Officer consultation response above and cast serious doubt on the credibility and reliability of data and conclusions presented by the applicant.

Following the most recent round of public consultation in July/Aug 2020, a response was received from Norfolk Wildlife Trust (NWT) which raises concerns at the absence of a full ecological appraisal, which NWT would expect as standard for an application of this scale. In order to ensure that impacts on legally protected species are avoided and to ensure compliance with planning policy, NWT have recommended that further information is sought from the applicant prior to any planning decision.

At this stage, Officers have not requested that the applicant undertake further survey work. This is on the basis that the receipt of this data would not affect the likely overall officer recommendation given the other issues raised within this report. If, on balance, the Committee reach a different conclusion and consider that the proposal should be approved, Officers would strongly advise that further survey work be undertaken prior to any decision being issued.

At this time, Officers remain of the opinion that the applicant has failed to adequately demonstrate that the proposal would not have an adverse impact on ecology and biodiversity contrary to Core Strategy Policy EN 9 and NPPF para 175. The failure to provide sufficient evidence means that harm cannot be ruled out and, in the opinion of Officers, this weighs heavily against the grant of planning permission and this issue will need to be afforded significant weight when making the overall planning balance.

6. Impact on Designated Sites

In respect of designated sites, the Landscape Officers has undertaken a Habitats Regulations Assessment (HRA) and a test of likely significant effect in relation to the impact of the proposal on designated sites. This concluded that there may be an indirect effect on the qualifying species and habitats of the North Norfolk Coast Marine Protected Area and Natura 2000 network due to increased visitor numbers and recreational pressure arising from the development in combination with planned growth across Norfolk.

An Appropriate Assessment was undertaken by the Landscape Officer which, amongst other things, considered whether the effects identified could be mitigated.

Consideration has been given to the emerging County-wide Green Infrastructure (GI) and Recreational Impact Avoidance Mitigation Strategy (RAMS) which has identified an evidence based, costed and detailed package of effective mitigation measures aimed at delivering strategic mitigation necessary to avoid likely significant effects from the planned residential growth and tourism development that is forecast across Norfolk.

On this bases the Appropriate Assessment concluded that a payment of £200 per dwelling as identified in the approved GI/RAMS would provide the appropriate mitigation for the indirect effects identified. This payment should be secured via S106 Obligation and paid prior to commencement of development following the approval of reserved matters.

The applicant has indicated their agreement to this mitigation payment per dwelling which would be secured through a S106 obligation in the event that the application were to be approved by the Development Committee.

On this basis, Officers consider that the impact on designated sites would be appropriately mitigated in accordance with Policy EN 9 and NPPF para 175.

7. Housing Proposals (General Issues)

In respect of the housing proposals, at this stage, whilst an indicative masterplan has been submitted with the application showing a general layout, the Committee are not making a decision to approve or refuse this specific layout.

In making its decision the Committee needs to be satisfied that up to 185 dwellings (in addition to the other aspects of the proposal) can be satisfactorily accommodated on this site without significant detriment. Further details fixing aspects of the proposal would expect to be refined under each reserved matters in relation to appearance, landscaping, layout and scale.

Based on the indicative plans provided by the applicant which show relatively low density housing development across circa 6 hectares of the 14-hectare site, this would suggest density of 30+ dwellings per hectare which would likely rise once the extent of internal roads are fixed and excluded when calculating the housing density. This gives some confidence that the site could accommodate the housing numbers proposed whilst making efficient use of land.

Officers therefore consider that the Committee can have reasonable confidence that up to 185 dwellings could be physically accommodated on the site and still enable delivery of other aspects of the proposal including various elements of open space, sports park and care home.

8. Provision of Affordable Housing

Core Strategy Policy HO 2 sets out 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.
- ...
- All affordable housing contributions shall enable the provision of the required number of affordable dwellings without the need for public subsidy.
- Provision is made on the application site except for developments of 3 dwellings or fewer where financial contributions in lieu of on-site provision will ensure the same number of dwellings can be built without the need for public subsidy.
- The mix of tenure and size of affordable housing provided reflects the identified housing needs at the time of the proposal as demonstrated in the Strategic Housing Market Assessment and waiting list information and contributes to the Council's target of providing 80% of affordable housing as social rented accommodation.
- The affordable housing provided is made available solely to people in housing need at an affordable cost for the life of the property. (The Council will ensure that any

- planning permission granted is subject to appropriate conditions and/or planning obligations to secure its affordability in perpetuity); and
- The affordable housing shall be provided in phases as the development progresses and shall be mixed within the development in groups of not more than eight units within each group.

...'

As set out in Section 1 above in relation to the principle of development, up to 185 dwellings are proposed of which 80% (up to 148) would be for sale on the open market and 20% (up to 37) would be classed as affordable housing.

As a scheme of more than 10 dwellings the proposal does not provide the 45% affordable dwellings required under Policy HO 1 and the applicant has provided a viability assessment to seek to justify the lower percentage of affordable housing. This issue is considered separately below.

The applicant has set out in their affordable housing statement that they will deliver affordable units in accordance with the submitted viability assessment. Discussions in respect of viability have resulted in recent amendments by the applicant changing the proposed percentage of affordable housing from 15% to 20%.

Based on its own review of the viability evidence, the Council's viability consultant suggested that the applicant could provide 25% affordable housing but the applicant has challenged this assumption and has put forward 20%, up from their original offer of 15% affordable housing. The applicant cited abnormal development costs associated with archaeology works as to the main reason why there is no viability to provide 25% affordable housing. This has been explored further and Officers broadly agree that costs for required archaeology works could amount to circa £490k to £730k.

Subsequent changes to required S106 contributions for early years education which Norfolk County Council are no longer requesting frees up an additional circa £191,000 which could in theory be put towards affordable housing. In reality this sum should enable two additional affordable rented dwellings (1%). However, the applicant has not amended their affordable housing offer which remains at 20% (37 affordable dwellings)

The applicant has indicated that affordable housing is anticipated to be mixed throughout the site and be tenure blind and that the housing mix will accord with the requirements for the area's affordable housing need as set out by NNDC's Strategic Housing Team, whilst also meeting the broader requirement set out by the Central Norfolk SHMA. The applicant goes on to state that Victory Homes have expressed an interest in building and managing the affordable housing element of the scheme.

At this stage a final affordable housing mix has not been submitted or agreed with the Housing Team reflecting the latest viability position. In the event that the Committee are minded to approve the proposal, an agreed housing mix would need to be provided by the applicant and agreed with the Housing Team which would form part of any S106 Obligation.

It is clear that the Council and the applicant cannot agree on viability evidence linked to monies freed from education contributions. The Committee needs to consider whether the lack of affordable housing amounted to a further ground of refusal. The current difference between the parties amounts to 2 affordable dwellings (1%) and officers consider the applicant has not yet adequately explained why the additional affordable housing cannot be provided.

Where affordable housing is proposed below 45% and the applicant has failed to adequately demonstrate, via a robust viability statement, the percentage proposed, this would amount to a conflict with Core Strategy HO 2. The degree of conflict will affect the weight to be afforded in the planning balance. Officers consider the failure to provide adequate levels of affordable housing attracts considerable weight against the grant of planning permission.

9. Provision of Sports Facilities

Given the overall departure from Core Strategy policy, the applicant is reliant on material planning considerations in favour of the proposal in order to justify the departure. The offer to provide sports facilities is central to the applicant's case.

As set out above in relation to the principle of development, Core Strategy Policy CT 3 is supportive of the provision of new or improved local facilities which meet the identified needs of the local community, including proposals on land designated as countryside under Policy SS 2.

Whilst indicative details are provided within the applicant's masterplan, the Committee are reminded that this element of the proposal is also in outline form and the sports facilities would need to be the subject of reserved matters approval.

In preparing their submission the applicant has entered into discussions with Norfolk FA and NNDC's Leisure and Locality Services Manager to ensure any sports facility delivered meets the needs of the area.

The applicant is currently proposing to provide:

- Adult pitch with floodlights
- Youth 11v11 pitch
- Junior 9v9 pitch
- 3G 7v7 pitch with floodlights
- Pavilion/Changing rooms
- Multi-Use Games Area
- 150 space Car Park
- 15yr Maintenance cost for above

The applicant has indicated that the total package of sports facilities and maintenance contribution being offered is in the region of £2m investment.

However, within their recently updated viability appraisal, the applicant has set out that ongoing consultations with the FA and NNDC suggest that, subject to the publication of a new study into sports facilities in the District, the specific requirements of the facility may change. In particular, the applicant says they have been advised by the FA that the need may change to a full size 3G football turf pitch with floodlights and an 11 v 11 natural grass pitch with floodlights. The provision of the clubhouse, car park and MUGA would remain unchanged.

In light of this the applicant has considered the cost implications of such changes to ensure that the scheme can deliver the facility with the proposed changes. The applicant has re-costed the infrastructure and maintenance works for the facility in case the need should change. The capital cost for delivering the infrastructure would increase mainly due to the much greater cost of delivering a full size 3G football turf pitch. However, as a result of the reduced number of grass pitches, the annual maintenance cost would decrease substantially. This would produce an overall cost saving for the facility. The applicant confirms therefore that

should NNDC indicate that the requirements for the facility change, these can be incorporated within the development with minimal financial implications.

The applicant's planning statement sets out that an important benefit of the scheme is the rehoming of Cromer Town FC whose lease at Cabbell Park has expired. The applicant's view is that the Cabbell Park site is earmarked for redevelopment and the need for the club to relocate is now urgent.

The applicant has also set out that the proposal also incorporates youth football facilities that will, for the first time, enable local youth and school teams to benefit from training in close proximity to the senior Cromer Town squad.

The applicant has indicated that the relocation of Cromer football club is a prerequisite to releasing land for other required uses.

It remains unclear from the applicant's submission as to the exact timeframe when the sports park would be delivered as part of the wider development nor indeed are there any significant details, other than reference to Cromer Football Club, as to who would manage the facility on a day to day basis. These are clearly important details that would need to be finalised or set out within any S106 obligation to ensure the long-term success of this key public benefit.

However, whilst the details of the scheme are not fixed at this stage and are only in outline form, on the basis that the proposed sports park would meet the identified needs of the local community (albeit focussed more towards football than other sports) and that the provision far exceeds what would normally be required (either on site or as part of a S106 Obligation) to mitigate the impact of the proposed development, Officers consider that the Committee would be entitled to afford substantial weight to the public benefit of this element of the proposal.

This issue therefore weighs heavily in favour of the grant of planning permission and this issue will need to be afforded substantial weight when making the overall planning balance.

10. Provision of extra care and supported living

The applicant's submission includes a proposal for the provision of extra care and supported living.

It is understood from the applicant's submissions that the 'Extra Care' element 'will provide care such as for elderly people and dementia sufferers' and would accommodate between 60 to 80 bedrooms which would be confirmed at reserved matters stage. On this basis and following confirmation from the applicant, officers consider that the proposal would fit within the traditional C2 (residential institutions) use class where typically residents will have their own room but day to day care and main facilities are provided on site for eating and socialising with other residents.

In respect of the supported living accommodation, the applicant has indicated this will be 'for people with learning difficulties'. Reference is given in supporting documents that up to 12 units would be provided for this purpose but it is expected that this will be operated similarly to the care home.

The applicant has indicated that a single operator is interested in managing both the care home and supported living accommodation.

Recent case law has set out that certain developments, even where an element of care is provided, are eligible to require affordable housing contributions. It is important therefore for the Committee to be able to make the distinction between traditional 'care' type facilities and other types of 'age restricted' developments that offer residents their own individual living accommodation with all facilities for day to day living within their own rooms/flats, even where limited care packages may be available.

From what the applicant has submitted, Officers consider that the proposal should be assessed on the basis of the extra care and supported living elements being a C2 (residential institution) use class and so would not require affordable housing contributions.

On the basis that the proposed extra care and supported living elements are specialist forms of accommodation, Core Strategy Policy HO 1 is supportive of such proposals provided they are 'in appropriate locations within selected settlements in accordance with Policy SS1,...well served by public transport and local services...[and] provided that it does not detract from the character of the surrounding area...'

The site is outside of the development boundary of Cromer and, whilst there are public transport options running by the site (Route 6A and Route 18), these offer limited services. Therefore, whilst local services are available in Cromer this would be a considerable walk of circa 2km in each direction. This together with the concerns expressed about the impact of the development on the wider landscape character and AONB would indicate the proposal would not be in accordance with aims of Core Strategy Policy HO 1.

Therefore, whilst the applicant is providing specialist extra care and supported living accommodation for which there is a proven need and which would attract considerable weight in favour of the grant of permission, this positive weight would have to be reduced given the concerns expressed about non-conformity with Policy HO 1. Officers therefore consider that the extra care and supported living accommodation should attract only moderate weight in favour of the grant of permission in view of the development not being considered to be well served by public transport and local services.

11. Open Space

In respect of the open space, at this stage, whilst an indicative masterplan has been submitted with the application showing a general layout which includes a breakdown of different open space types and quantities, the Committee are not making a decision to approve or refuse this specific layout or open space scheme.

In making its decision the Committee needs to be satisfied that the proposed development including the required quantum of open space can be satisfactorily accommodated on this site without significant detriment. Further details fixing aspects of the proposal would expect to be refined under each reserved matters in relation to appearance, landscaping, layout and scale.

Cromer has an identified significant deficiency of allotment provision and parks and recreation grounds and a modest deficiency in child and youth play space. Roughton parish also has identified deficiencies in relation to allotment provision, amenity green space, parks and recreation grounds and youth play space.

The applicant's indicative masterplan suggests the following open space types and quantum:

- Public Parks – 17,000sqm
- Children's Play – 2,200sqm

- Natural and semi-natural Green space – 16,500sqm
- Allotments – 3,580sqm

In all cases, based on the Council's most up to date evidence, the quantum of open space indicated by the applicant would be over and above that required for the housing mix on which the indicative masterplan was based. Whilst this housing mix is likely to change in light of changes to affordable housing provision, Officers are content that the proposed quantum of open space would address the open space needs of the development proposed and the 'overprovision' would go some way to address identified shortfalls. The Committee can therefore afford a degree of confidence that appropriate quantum of open space can be provided on site.

This 'overprovision' would attract modest weight in favour of the grant of planning permission and this issue will need to be afforded appropriate weight when making the overall planning balance.

12. Development Viability

The application has been supported by a viability appraisal dated November 2018 which has been updated via an addendum report dated June 2020. The addendum was requested by Officers to take account of the passage of time since the Nov 2018 report and also to take account of the potential impact of the current economic downturn resulting from covid-19 which could have affected some of the conclusions and assumptions.

The reports have been reviewed by the Council's independent viability assessor.

The applicant's 2020 viability addendum report was based on the following S106 Obligation costs:

NHS	£76,807
Education	£191,178
Libraries	£13,875
Fire Hydrants -	£4,911
Public Right of Way Enhancement	£27,000
European Sites	£37,000
Sports Facility	£1,981,400
Total:	£2,332,171

The applicant was proposing 15% affordable housing but the Council's viability consultant has challenged some of the applicant's assumptions including the benchmark land value and some other abnormal costs including a very high cost claimed by the applicant for archaeological works. On this basis the Council's viability consultant is of the opinion that 'based upon our own assessment and adopting a Benchmark Land Value assessed in accordance with the Council's Local Plan Viability Assessment methodology we conclude that the site should be capable of delivering at least 25% affordable housing'. This may in fact be increased further in light of the County Council no longer requiring an education contribution (See S106 below).

The Council have put these findings to the applicant and the applicant has responded offering 20% affordable housing and has sought to justify their position with regard to the high costs for archaeological works. At the time of writing this report, verification of the costs of archaeological works is being undertaken as well as the implication for no longer needing an education contribution. However, without adequate justification, then the failure to properly explain the shortfall of affordable housing would weigh heavily against the grant of planning

permission and this issue will need to be afforded appropriate weight when making the overall planning balance.

13. Residential Amenity

In considering the possibility for proposed development to impact on the amenity of adjoining residents, Committee should note that existing residential properties along the sites boundaries in Compit Hills, Holway Close and Burnt Hills are primarily of single storey, while properties along Roughton Road include a mix of both single storey and two storey. To the west is a small farm complex and dwellings. It is these properties that stand to be affected most through physical development on agricultural land but some impacts could well extend further as set out below.

At this stage, means of access(es) are only for determination. As set out above, Officers are reasonably content that the amount of development proposed could be physically accommodated on site. For the residential and extra care and supported living elements of the proposal, any likely impact on amenity will largely be dependent on the final agreed layout and position of internal roads parking areas, foot and cycle paths, scale of buildings and orientation of windows. This could and should be largely controlled at reserved matters stage.

In terms of the sports park, whilst the position of this element of the proposal is not completely fixed at this stage, the width of access roads suggest this will likely occur on the eastern parcel of land given the wider access to cater for visiting coaches etc. Experience from other sports park developments suggest that the main impacts from the sports park will come from noise associated with the coming and going of vehicles (including coaches) which may include activities during evenings and weekends. Noise will also be likely from the sporting activities taking place. Other residential amenity impacts would arise associated with floodlights which have the potential to spill light well beyond the site boundary. It is also considered likely that activities from the use of any clubhouse to be built (which might include both daytime and evening events have the potential to give rise to noise impacts.

Having considered the issues above, whilst it may not be completely possible to eliminate all potential adverse impacts, many aspects could be mitigated, controlled and appropriately managed so as reduce those impacts down to an acceptable level. Conditions could be imposed to control hours of use of the sports facility, use of the clubhouse, design of external lighting and hours of use of floodlighting . However, even with controls and mitigation in place the Committee will be aware that all forms of noise and light pollution cannot be ruled out leaving the potential for disturbance to surrounding residents which may be in conflict with the aims of Core Strategy Policy EN 13.

Rightly, this will be a matter of planning judgment for the decision maker. Even with mitigation the potential for noise disturbance and light pollution will to some extent weigh against the grant of planning permission and would need to be afforded appropriate weight when making the overall planning balance.

14. S106 Obligations

In order to appropriately mitigate the impacts of the development, a package of financial contributions are required to be secured under S106 of the Town and Country Planning Act.

These contributions include:

NHS – a payment of £76,807 based on an 80 bed care home which will help fund the required improvements to GP capacity by way of refurbishment, reconfiguration, extension, or potential relocation, for the benefit of the patients at Cromer Surgery

Libraries - £75 per dwelling (£13,875) to be spent on increasing the capacity of the Cromer library serving the development.

Fire Hydrants - Dwellings: 4 fire hydrants on no less than a 90mm main at a (current) cost of £843 each;

Dementia Care Home and supported living for young adults with learning disabilities: Minimum requirement for 2 fire hydrants on a minimum 120mm main at a (current) cost of £843 each.

Public Rights of Way Enhancement - £27,000 suggested cost comprising:

Roughton FP16 – needs enhancing to 2 m wide, all weather surfaced path (from grass track) £20,000 suggested cost

Cromer FP19 – needs all weather surface (access to Cromer primary schools) - £7,000 suggested costs

European Sites Mitigation Payment - £200 per dwelling (£37,000) to fund measures aimed at delivering strategic mitigation necessary to avoid likely significant effects from the planned residential growth.

Sports Facility – Total cost of £1,981,400

This comprises an assumed construction cost of the facility of £1,160,000 plus the maintenance commuted sum of £841,400.

It should be noted that this contribution is not wholly required to mitigate the impact of the development. Instead the contribution/delivery of the sports facility (over and above the cost of a contribution that would normally be required to sports provision for a development of this scale) needs to be broadly assessed as part of the material planning considerations in favour of the development.

Education – Financial contribution no longer requested.

In Nov 2018 NCC set out that Early Education contributions would be required to fund the following projects: Nursery place accommodation for new Early Years provision; and Early Education – expansion of existing providers. The applicant had set aside £191,178 for this contribution

However, in August 2020 NCC indicated that ‘As there is spare capacity within the Early Education, Primary and High School sectors, Norfolk County Council will not be seeking Education contributions for this proposed development on this occasion’.

This change in circumstance will have a bearing on financial viability modelling with the potential for monies previously earmarked for education contributions to go towards a greater proportion of on site affordable housing.

In the event that the Committee were minded to approve the proposal, development would only be considered acceptable if these contributions are sought as part of a S106 Obligation secured prior to the grant of planning permission.

15. Other Issues

Public Rights of Way – The applicant was requested and has agreed to fund upgrades to Roughton FP16 and Cromer FP19 – at a predicted cost of £27,000.

A request was also made to help fund the cost of reinstating Northrepps FP16 but the applicant was unwilling to agree to this request on the basis that the land is outside of the applicant's control as it is within another landholding.

Archaeology – The applicant submitted an archaeological desktop evaluation and, subsequent to that a geophysical survey report in January 2019 at the request of Norfolk Historic Environment Services. The surveys indicate the possibility of archaeological interest features, particularly in the western parcel of land and the applicant has set aside monies to pay for further and more detailed archaeological investigation in the event that permission is granted. Subject to further appropriate archaeological works being secured by way of planning condition, the proposal would accord with Core Strategy Policy EN 8 and NPPF Section 16.

Loss of Highly Graded agricultural land – The application site is predominantly located on land designated as Grade 2 agricultural land with part of the western parcel of land designated as Grade 3 agricultural land.

NNPF para 170 identifies the need for decision makers to recognise 'the economic and other benefits of the best and most versatile agricultural land' in contributing to and enhancing the natural and local environment. Grade 2 and Grade 3 (a) agricultural land would be considered to be amongst the best and most versatile agricultural land and, once lost to urban development, is likely lost forever for agricultural purposes.

The applicant, in their Environmental Statement, has sought to explain why the loss of agricultural land in this location is considered to be acceptable. The applicant's view is that 'Cromer is entirely surrounded by land Grades 2 and 3. Therefore the application site is representative of the typical conditions in the vicinity, and on this basis there are no more preferable sites available for the proposal'. Whilst this is perhaps an overly simplistic assessment by the applicant, any proposed growth around Cromer will face similar issues. However, it is only areas south of Cromer (including the application site) where the higher Grade 2 land is found and so there remains the possibility of meeting Cromer's growth needs within lower Grade 3 land.

Ultimately it is a matter of planning judgment as to whether the loss of Grade 2 and 3 agricultural land is outweighed by the public benefits of the proposal. Officer opinion is that the loss of 11 hectares of Grade 2 land in particular weighs heavily against the grant of planning permission and this issue will need to be afforded considerable weight when making the overall planning balance.

Responding to a Climate Emergency – The applicant submitted a document in June 2020 setting out, amongst other things, specific commitments to help tackle climate change. These include topic areas relating to:

- Sustainable Construction, Energy Efficiency and Carbon Reduction - The applicant indicates the scheme will follow the latest guidance to reduce CO₂ emissions by providing a "fabric first" approach, to (amongst other things) increase insulation and reduce the effects of thermal bridging; and increase air tightness.
- Electric Vehicle Charging Points - The applicant has indicated that they are committed to delivering sustainable development and propose to make provision for electric vehicle charging infrastructure within the proposed housing development. The applicant would be willing to accept a planning condition on any grant of outline planning permission requiring the approval of an electric vehicle charging scheme,

which includes making provision for standard electric vehicle charging points to all dwellings with parking within their curtilage.

- Fibre to the Premises Broadband - The applicant has indicated that they are committed to providing high speed broadband within the proposed development. The applicant states that 'Broadband is a very important component of social and economic infrastructure and is key to supporting a sustainable local economy, home working and community cohesion. It is also important in reducing the need to travel and achieving sustainable development'.
- Water efficiency – The applicant has set out that '...all new homes have to meet the mandatory national standard set out in Building Regulations of 125 litres per person per day (lpppd). There is an optional, more stringent, water use standard of 110 lpppd. The Council is proposing to take forward this more stringent standard in the emerging Local Plan(Policy HOU10). The applicant is committed to delivering housing development that complies with the optional standard of 110 lpppd. It is prepared to accept a condition requiring dwellings to be specified to meet this standard'.

Officers welcome the commitments made by the applicant in responding to a climate emergency which go beyond current Core Strategy policy requirements. Subject to these commitments being adequately secured either via planning conditions or S106 obligations, these are matters capable of attracting moderate weight in favour of the grant of planning permission when making the overall planning balance.

However, reducing the need to travel by car for day to day services is considered fundamental in helping to tackle the impact of climate change and therefore the above benefits of this scheme are reduced in weight because of concerns about the locational sustainability of the development with most residents likely to travel by car for a lot of day to day services given the considerable distance to and from Cromer Town centre.

16. Planning Balance and Conclusions

In summary, the Council is able to demonstrate five years deliverable supply of housing land and the most important policies in the determination of this application are considered to be up to date. A market led-housing proposal of up to 185 dwellings off Roughton Road on land designated as 'countryside' would be considered a significant departure from Development Plan policies SS 1 and SS 2.

The Highway Authority advice is that the proposals, even in their revised form presented to this Committee, would give rise to conditions considered detrimental to highway safety. This increases further to concerns of a severe impact particularly in relation to the junction of Old Mill Road and Felbrigg Road (B1436) which has restricted visibility and where additional vehicular stopping and turning movements are considered to pose an increased risk of rear-end shunts associated with the likely increase in vehicles turning right from Felbrigg Road into Old Mill Road to access the proposed development.

The proposal would result in substantial harm to the special qualities of the Norfolk Coast AONB, the applicant has failed to demonstrate or appropriately justify why the development needs to be located within an area afforded the highest status of protection.

It is considered that the landscape and visual impacts of this development have been underestimated by the applicant and that a development of this scale and density could not be assimilated into the designated landscape setting without resulting in significant adverse effects.

The applicant has failed to adequately demonstrate that the proposal would not have an adverse impact on ecology and biodiversity interest features.

However, in relation to the impact of the proposed on European designated sites, subject to the making of a mitigation payment per dwelling, the impact on these designated sites would be appropriately mitigated.

In respect of the amount of development proposed, officers consider that 185 dwellings a 60-80 bed care home and assisted living units together with the proposed sports park and associated open space could be physically accommodated within the 14-hectare site.

The applicant has agreed to make the necessary S106 Obligation payments in order to mitigate the impact of the development.

However, the applicant's current offer of 20% affordable housing falls short of the Council's expectation of 45% and the applicant has not fully explained or justified why a higher affordable housing figure cannot be provided, particularly following the County Council no longer requiring education contributions.

In respect of the applicant's proposal for the provision of extra care and supported living accommodation, whilst there is an undoubted need for this type of development, the proposal is not considered to be well served by public transport and local services (given a considerable walk of circa 2km in each direction to Cromer town centre) which would conflict with the aims of Core Strategy Policy HO1.

In respect of the proposed sports facility, on the basis that this would meet the identified needs of the local community (albeit focussed more towards football than other sports) and that the provision far exceeds what would normally be required (either on site or as part of a S106 Obligation) to mitigate the impact of the proposed development this is a key material planning consideration in favour of the development.

However, officers consider that, even with controls and safeguards in place, the Committee needs to accept that all forms of noise and light pollution from the proposed sports facility cannot be ruled out. This will give rise to the potential for disturbance to surrounding residents.

When making the planning balance, it is noted that the Committee would be perfectly entitled to:

- afford substantial weight to the provision of the sports facility,
- moderate weight to the provision of the extra care and supported living accommodation
- moderate weight to the economic and social benefits of the proposal as a whole,
- Moderate weight to the measures proposed by the applicant in tackling the climate emergency which go beyond current Core Strategy policy requirements

Negative weight must be applied to harm to the following factors:

- Impact on highway safety,
- impact on the special qualities of the Norfolk Coast AONB,
- harm to the wider landscape
- potential adverse impact on ecology and biodiversity interest features.
- the potential for disturbance to surrounding residents as result of the proposed sports facility

Officers find that these material considerations in favour of the proposed development would not be considered capable of attracting sufficient weight to justify the significant departure from Development Plan policies.

Furthermore, Officers consider that the benefits of the sports facility should be reduced given the potential for harm to residential amenity from their use.

The applicant has failed to adequately justify the reduced level of affordable housing. It is apparent that the benefits of this scheme are delivered at the expense of appropriate levels of affordable housing. Reduced levels of affordable housing provide the “head space” to viably provide other aspects of the development, such as the sports and leisure park and ‘Extra Care’ facilities and supported living for adults with learning disabilities.

Even if the Council were considered unable to demonstrate a five-year housing supply the Committee need to be aware that the sites location within the Norfolk Coast AONB are assessed on an even basis. The NPPF “tilted balance” in favour of sustainable development cannot be applied to Major development in AONB locations.

In the unlikely scenario, that applicant could overcome the highway impacts; undertake the necessary assessment of impact on ecology and biodiversity interest features confirming no adverse impacts and confirms provision of 26% affordable housing, then Officers still consider that the material considerations in favour of the development would not be considered of enough weight to justify the significant departure from Development Plan policy given the significant impact of the proposal on the special qualities of the Norfolk Coast AONB and wider landscape.

Recommendation: Refusal

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

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

CT 5 - The transport impact of new development

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

EN 2 - Protection and enhancement of landscape and settlement character

EN 9 - Biodiversity and geology

HO 2 - Provision of affordable housing

HO 1 - Dwelling mix and type

EN 13 - Pollution and hazard prevention and minimisation

In the opinion of the Local Planning Authority, a proposed market-led housing development within the Countryside Policy Area as set out in Policies SS1 and SS2 would amount to a significant departure from the Development Plan.

The proposal would give rise to conditions considered detrimental to highway safety. This increases to concerns of a severe impact particularly in relation to the junction of Old Mill Road and Felbrigg Road (B1436) which has restricted visibility and where additional vehicular stopping and turning movements are considered to pose an increased risk of accidents associated with the likely increase in vehicles turning right from Felbrigg Road into Old Mill Road to access the proposed development.

The proposal would result in harm to the special qualities of the Norfolk Coast AONB and the applicant has failed to demonstrate or justify why the development needs to be located within an area afforded the highest status of protection.

It is considered that the landscape and visual impacts of this development have been under-assessed by the applicant and that a development of this scale and density could not be assimilated into the designated landscape setting without resulting in significant adverse effects.

The applicant has failed to adequately demonstrate that the proposal would not have an adverse impact on ecology and biodiversity interest features.

The applicant has not fully explained or justified their proposed level of affordable housing.

In respect of the applicant's proposal for the provision of extra care and supported living accommodation, whilst there is an undoubted need for this type of development, the proposal is not considered to be well served by public transport and local services (given a considerable walk of circa 2km in each direction to Cromer town centre).

Even with appropriate controls and safeguards in place, it is considered that the proposed sports facility would give rise to unacceptable levels of noise and light pollution to the detriment of the residential amenity of occupiers of surrounding properties.

Whilst the applicant has set out a range of material planning considerations which they consider attract sufficient weight to justify a departure from the Development Plan including the provision of a sports facility and provision of extra care and supported living accommodation, and measures to tackle the climate emergency, in exercising its planning judgment, and in considering the proposal as a whole, the Local Planning Authority are of the opinion that the material considerations advanced in favour of the proposal do not attract sufficient weight to outweigh the identified conflict with the Development Plan.