

PLANNING POLICY & BUILT HERITAGE WORKING PARTY

Minutes of the meeting of the Planning Policy & Built Heritage Working Party held on Monday, 13 September 2021 remotely via Zoom at 10.00 am

Committee Mr A Brown (Chairman) Mrs P Grove-Jones (Vice-Chairman)
Members Present: Mr N Dixon Mr P Fisher
Ms V Gay Mr P Heinrich
Mr R Kershaw Mr G Mancini-Boyle
Mr N Pearce Mr J Toye

Mrs A Fitch-Tillett (in place of Mr J Punchard)
Mrs W Fredericks (in place of Dr C Stockton)

Members also attending: Mr T Adams (Cromer Town Ward)
Mrs S Bütikofer (The Runtons Ward)
Dr V Holliday
Mr N Lloyd

Officers in Attendance: Planning Policy Manager, Democratic Services Manager and Democratic Services & Governance Officer (Regulatory)

19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Punchard and C Stockton. Two substitute Members attended the meeting.

20 PUBLIC QUESTIONS

The Chairman stated that he would invite the public to speak under item 7 of the agenda.

21 MINUTES

The Minutes of the previous meeting had been omitted from the agenda and had been circulated by email shortly before this meeting. As some Members had not read them it was agreed to defer consideration of the Minutes until the next meeting.

22 ITEMS OF URGENT BUSINESS

None.

23 DECLARATIONS OF INTEREST

All Working Party Members had been lobbied extensively by residents and a developer in respect of item 7 on the agenda.

Councillor Mrs A Fitch-Tillett declared that the landowner of land behind Pine Tree Farm was a friend. She had had discussions in the past and attended a site visit to consider some issues but did not consider herself to have been lobbied and was clear in her conscience that she was able to proceed.

24 UPDATE ON MATTERS FROM THE PREVIOUS MEETING (IF ANY)

The Planning Policy Manager referred to Minute 17 of the previous meeting in relation to the categorisation of Happisburgh as a Small Growth Village in the Local Plan. He had stated that the shop and post office in the village had closed and as a consequence Happisburgh no longer met the criteria for designation. Subsequent to that meeting he had found out that the shop and post office were still open, although the premises were for sale and a planning application had been submitted, but not yet determined, for change of use of the premises to a dwelling. He understood that there was local interest in purchasing the property as a going concern and there was a reasonable prospect that the shop and post office would continue to operate. He recommended that the Working Party reverse its decision to remove Happisburgh from the list of Small Growth Villages and give delegated powers to the Planning Policy Manager in consultation with the Chair of the Working Party and local Member to make the final decision as late in the Plan preparation process as possible having regard to the circumstances at the time.

RECOMMENDED

That the decision to remove Happisburgh from the list of Small Growth Villages be reversed and that the Planning Policy Manager in consultation with the Chair of the Working Party and local Member be authorised to make the final decision on the status of Happisburgh as late in the Plan preparation process as possible having regard to the circumstances at the time.

25 LOCAL PLAN SITE ALLOCATIONS - CROMER

The Planning Policy Manager presented a report that sought agreement on the final selection of sites for allocation at Cromer. He gave an overview of the enlarged Gurney/Cabbell Manners site at Norwich Road and the site at Clifton Park, and the main issues relating to those sites. Although the enlarged Norwich Road site would provide the quantum of development required, it was recommended that the Clifton Park site be retained to allow flexibility.

The Planning Policy Manager presented in full a statement objecting to the allocation of the Clifton Park site that had been received from Mrs Teresa Cole, a local resident, who was unable to attend the meeting. The following is a précis of this statement. Mrs Cole considered that given the agreement of the landowners of the combined site to work together, it would be a tragedy to jeopardise land at Clifton Park for just 55 homes, which could become holiday lets given their location on the coast road, and result in the loss of what was historically considered the Runton Gap. She referred to the Council's previous refusal to permit development of the land and considered that the reasons for that refusal still applied. She considered that the unspoilt open area should be viewed as a valuable asset because of the wildlife/nature reserve opportunities it could provide, especially as the Wildlife Trust had shown an interest in the area and had advised that the site was likely to meet the criteria for a County Wildlife Site as a mosaic of native scrub and acid grassland. This site had an important role to play for biodiversity as an area of undeveloped land that provided important connectivity between the coast and inland habitats. She considered that it was tragic to destroy an area of such wildlife significance for the sake of 55 homes when alternatives were in the pipeline, bearing in mind the national concern about the decline of wildlife areas and destruction of land at an unprecedented rate. Mrs Cole had also raised issues regarding the future consultation process to which the Planning Policy Manager would respond directly.

The Planning Policy Manager stated that the positive recommendation for the allocation of the Clifton Park site was based on the acknowledgment that it had a great deal of wildlife potential but was not currently designated as a County Wildlife Site or other form of designation. In the light of Mrs Cole's comments he added a caveat to the recommendation to include the site subject to confirmation from County Wildlife Services that the site did not meet the qualifying criteria to be designated as a County Wildlife Site. If the criteria were met the site would not be recommended for inclusion in the Plan. The agreement between the parties for the Gurney and Cabbell Manners proposals would mean that the Norwich Road site could be enlarged to accommodate at least 400 dwellings, which would ease the pressure on finding sites elsewhere.

The Chairman invited Mr Rob Snowling to present his statement to the Working Party (précised). Mr Snowling stated that he was Associate Director within Pigeon's Planning and Design Team with responsibility for land at Clifton Park. He outlined the revised scheme and the reasons for its revision. He explained that the revised scheme had been informed by thorough assessment of the site's landscape context and that it now included a large area of open space on the site frontage to create a green gateway and maintain clear separation between Cromer and the settlement edge of East Runton. The lower density scheme would allow additional planting throughout to create an attractive landscaped scheme that was integrated with on-site open space and surrounding footpath connections. He explained how the revised scheme would provide 5 hectares of enhanced public open space and green infrastructure/ecological enhancements and deliver an overall net biodiversity gain. The scheme would provide an Elderly Care facility to help meet identified needs for specialist housing in Cromer and the surrounding area, which was supported by the County Council's Living Well Homes for Norfolk Team. He stated that the proximity of the Water Recycling Centre and railway line would not present a constraint to the delivery of the scheme and that Anglian Water had confirmed that no further investigations were required. He considered that the benefits package provided by the revised scheme would make a long lasting and positive contribution to the town.

Councillor J Toye asked how the biodiversity net gain would be measured and sought confirmation that it would be provided on site.

Mr Snowling explained that biodiversity would be assessed using the metric being designed by DEFRA. This would be used to establish the baseline for the site against which the scheme biodiversity would be measured. The areas of mosaic scrub and acid grassland were relatively newly formed and would be retained, with additional areas of this habitat type being proposed for the green infrastructure and enhanced open space on the site, and public access would be secured. He confirmed that all biodiversity net gain would be delivered on site.

Councillor Mrs W Fredericks asked how many placements would be provided in the elderly care facility and whether or not affordable housing would be provided.

Mr Snowling stated that the concept scheme was based on a site that could accommodate a 60 bed extra care facility. It was proposed to provide a policy compliant scheme that would deliver 35% affordable housing based on the emerging Local Plan, both within the general needs housing and the extra care facility. The number of affordable units would depend on the precise number of dwellings sought under a future planning application.

Councillor T Adams drew attention to a petition that had been forwarded to the Working Party, which called on the Council to reject the Clifton Park site, objecting to

the loss of irreplaceable natural space, the loss of physical separation between the Runtons and Cromer, impact of the development from locations such as the footpath and requesting that other sites be considered for the 55 houses. It also called upon the Council to consider the designation of the site as either local green space or a County Wildlife Site. The petition had been signed by 122 residents of Clifton Park and the surrounding area. Biodiversity was a major concern and he considered that the site was worthy of further appraisal and, in his opinion, was more valuable than low to moderate quality farmland that had been considered for allocation elsewhere. Whilst the site was not within the AONB, it was a unique and irreplaceable landscape within the Cromer locality and East Runton. The site was clearly in East Runton and there would not be an appreciable gap between the built up areas of land west of Clifton Park, on the Parish boundary and at Wyndham Park. The site was also in the vicinity of the Cromer Water Treatment Works, which would inevitably produce strong odour at certain times and lead to additional complaints to the Environmental Health Department. He considered that the deficit of houses could be provided on a slightly enlarged site south of Cromer without considerably greater impact on the landscape. He requested that the Working Party consider the landscape value of the Clifton Park site above all other considerations.

Councillor Mrs S Bütikofer stated that she was addressing the Working Party as local Member for The Runtons Ward. She requested Members to be clear that the land was in The Runtons Ward and not Cromer. She stated that one of the unique features of the North Norfolk coastline was the way in which the towns and villages were divided with spaces between them. The gap between Cromer and East Runton was small but very significant. She quoted from the Landscape Character Assessment, which emphasised the importance of these small gaps between settlements to the character of the area and specifically referenced the gap between East Runton and Cromer. She referred to the proximity of the site to other areas of importance around The Wash and Overstrand. She stated that the area needed to be protected and that this unique separation was also important for the wildlife in the area. The land to the front of the site that was proposed for landscaping had been developed in the past, but the most important part of the site was the area proposed for development at the rear, which had been left undisturbed for a long time and was inhabited by a wide range of creatures, including those that were important for birdlife. She referred to the number of representations that had been received, which showed that people cared passionately about the area. It had been clearly explained by officers that there was no pressure on the 55 dwellings and that they could be provided elsewhere. She urged the Working Party to reject the Clifton Park proposal.

Councillor Mrs A Fitch-Tillett supported the objectors and did not wish to see the communities along the coast joined up. She asked if Cabbell Park would be available for the additional 55 houses if alternative football facilities were to be provided. She added that there had been significant cliff slumps between Cromer and East Runton and she would resist any further hard surfacing within a few metres of the coastal erosion zone.

The Planning Policy Manager explained that the existing Cabbell Park site was already designated as an Open Land Area and considered to be important to the town as green space. There would be a significant policy issue to be addressed in respect of the loss of designated Open Land Area if a proposal came forward to develop that site. He did not consider that the loss of 55 dwellings would make the Plan unsound or the strategy for Cromer difficult to defend in the event that the enlarged proposals at Norwich Road were supported but not the Clifton Park proposal, nor would it be necessary to find an alternative site for them.

Councillor P Heinrich agreed with the comments regarding Clifton Park and could not support the proposal. Despite the Norwich Road site being located in the AONB, he considered that it was broadly acceptable and would provide the necessary housing.

Councillor N Dixon asked if the Council had produced any guidance in the development of policy that dealt with the maintenance of gaps between settlements, and also if there was any guidance on how to assess habitat or biodiversity value of sites that were not formally classified.

The Planning Policy Manager referred to comments by Councillor Mrs Bütikofer regarding the Landscape Character Assessment (LCA). He explained that the LCA had replaced the Area of High Landscape Value (AHLV) referred to by Mrs Cole in citing the reasons for refusal of a previous planning application for the Clifton Park site. AHLVs had been local designations within the gift of local authorities. They had been abolished by the Government and replaced by LCAs which established the character of the landscape and its sensitivity to development. The paragraphs read by Councillor Mrs Bütikofer had specifically referenced the Clifton Park site. The Local Plan included policies that required account to be taken of the LCA, which was a supplementary planning guide document used to inform the application of policy. The biodiversity issue was the subject of emerging guidance and the Environment Bill would introduce a legal requirement for developers to demonstrate 10% biodiversity gain, which would be assessed using a national matrix which was currently being developed. The Clifton Park site would offer 5 hectares specifically for biodiversity improvements. The Planning Policy Manager stated that in the absence of a specific scheme he could not have confidence that the 10% requirement would be delivered, and any future planning application on the site would be required to demonstrate compliance with the policy requirement.

In response to further questions by Councillor Dixon regarding the policy position in association with the LCA document, the Planning Policy Manager explained that new LCAs had been approved and adopted since 2008, and he was unsure as to whether the reference quoted had been taken from the 2008 document or the more recent ones. However, there was little chance that the landscape had changed sufficiently to be described in a different way. He confirmed that the LCA documents would support resisting the Clifton Park proposal on grounds related to landscape and the coalescence of settlements.

Councillor N Pearce stated that the concerns regarding coalescence of settlements also applied to Roughton. Whilst there would be grudging acceptance of development on Norwich Road because of the need for housing and future growth, Roughton Road was not ideal for a large increase of traffic. He acknowledged that any site around Cromer would be controversial. The Norwich Road site was located in the AONB and he was concerned that there was future potential to develop the other side of the Roughton Road and fill the gap between Roughton and Cromer. He considered that points made in respect of East Runton were also applicable to Roughton. There would be a great deal of work required to improve access to Norwich Road. He sought clarification as to what could happen in the future.

The Planning Policy Manager stated that there were no comfortable options in Cromer. He considered that the arguments regarding the coalescence of settlements were not the same for the Norwich Road proposal as the site was screened behind bungalow development on the main road and was only visible through a relatively narrow gap on the street frontage. However, any large site on

the edge of town would have a visual impact on the character of the approach into Cromer as there was likely to be a roundabout junction serving a very large housing estate and therefore the inclusion of the site would attract significant local objection. Whilst large scale development on that side of the town had been resisted in the past, he considered that a change of position would be defensible as careful consideration had been given to alternatives. With regard to growth in the longer term, it was necessary to look at the Plan that was being produced at the current time and any further growth beyond the new Plan period would be a matter for future consideration.

Councillor R Kershaw stated that all the developments were contentious but he considered that the Norwich Road site made more sense in the wider public interest. It was clear that the initial development would go to Norwich Road and not Roughton Road. He stated that it was important to note that local residents had had the opportunity to comment on these proposals and it was possible that the right to do so could be taken away in a future White Paper.

Councillor Mrs W Fredericks asked if there would be a commitment to 35% affordable housing on the enlarged site, and whether there would be another care home or elderly facility. She thanked the members of the public who had written in regarding these proposals and having considered the community's needs and wishes, she supported the enlargement of the Norwich Road site and welcomed the comfort and assurance that all traffic would be directed onto Norwich Road.

For clarity, the Planning Policy Manager explained that the allocation was not a planning application and Members should be aware that there could be a difference between the allocation and any subsequent planning applications. He could not give any guarantees as to what would be proposed as part of a planning application, but the allocation would include policy requirements including an upper limit of 400 dwellings, replacement of football club facilities, provision of an elderly care facility and a standard requirement for 35% affordable housing. The delivery of the site would require significant infrastructure investment in highway improvements, as well as a footbridge over the railway line. The policy would specify that the site would have no boundary to Roughton Road so there would be no prospect of vehicular access onto that road.

The Chairman asked how long it would take to receive confirmation as to whether or not the Clifton Park site met the criteria for designation as a County Wildlife Site.

The Planning Policy Manager referred to comments by Mrs Cole and anticipated that the position could be established quickly without delaying the Plan. If there was a prospect that the site would be designated and the process had been put in hand it would reinforce the Council's position at examination in the event of a decision not to allocate the site. The support of wildlife bodies such as the Norfolk Wildlife Trust would be a prerequisite for defending a wildlife argument through the Inquiry.

The Chairman stated that Clifton Park was very contentious and on behalf of the Working Party thanked members of the public who had contacted Members with their views, and thanked Members for considering the submissions. He was grateful to Councillor Mrs Bütikofer for bringing forward the consideration of the LCA.

Councillor N Pearce expressed concerns regarding the delivery of the access roads into the Norwich Road site, and asked if the Council was in a position to stipulate that roadworks and other rectifications to allow access from Norwich Road must be carried out before commencement of development of the dwellings.

The Democratic Services Manager sought clarification as to whether Councillor Pearce had declared an interest in the Norwich Road site due to his place of residence.

Councillor Pearce stated that he did not have any pecuniary interests to declare or any financial interests in Mr Cabbell Manners' operation or his land. He had said in the past that he had been approached by Mr Cabbell Manners and had not entertained any discussion with him regarding his future projects. He could not help where he lived and had always tried to be objective in his thoughts and 100% honest.

The Democratic Services Manager stated that she was satisfied to some extent, but property counted as a pecuniary interest and the allocation of the site could impact on the value of Councillor Pearce's property. However it was a decision for Councillor Pearce as to whether he was comfortable with voting on this matter.

Councillor Pearce confirmed he had no arrangements with Mr Cabbell Manners or the Gurney proposal. The recommendations would be taken forward to Cabinet and he could not influence the final decision.

In answer to the question raised regarding the phasing of infrastructure works, the Planning Policy Manager explained that the scale of the development would require as a minimum two points of access from Norwich Road, with one of the junctions likely to be a roundabout. Discussions had taken place regarding the location of the roundabout. The Highway Authority's preferred location had previously been undeliverable but was now a possibility following agreement between the landowners on a joint scheme. There would be a trigger point associated with the planning application that would require the phased delivery of the roadworks. This would be determined by the Highway Authority to ensure that the development was built out in a sensible way and served by the necessary infrastructure. He assured the Working Party that the infrastructure works would happen when required in terms of highway safety and convenience and the trigger points would be based on the occupation of a certain number of dwellings.

RECOMMENDED by 10 votes to 0 with 2 abstentions

That land west of Cromer adjacent to Norwich Road is included in the Reg19 Local Plan as an allocation for approximately 400 dwellings, sports pitches, elderly persons' accommodation, open space and supporting infrastructure and that development of the site accords with a single comprehensive master plan and phasing agreement.

The Working Party voted **unanimously against** the recommendation that land at Clifton Park is allocated in the Reg19 Plan for approx. 55 dwellings, elderly care accommodation and public open space, subject to confirmation that it does not constitute a County Wildlife Site designation and does not meet the criteria for such a designation.

The meeting ended at 11.54 am.

Chairman