

PLANNING COMMITTEE

Date: 28 JULY 2025

SUMMARY OF ADDITIONAL CORRESPONDENCE RECEIVED SINCE THE PUBLICATION OF THE AGENDA AND ERRATA

Item No. 9/2(a) 18/00226/RMM

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ClIr Parish: Provided background information on the outline permission and raised the following issues relating to the present schemes:

- Development remains unwelcome,
- Too many houses,
- Concerns regarding the location and single access nature of the access into the site, which is also in an area liable to flooding,
- Traffic has increased since the outline permissions were granted,
- The land is used by the public,
- Impact on wildlife,
- Biodiversity Net Gain should be in place, and
- The quality of life for people will be diminished.

In relation to this application in particular the following issues have been raised:

- The cumulative impact of Air Source Heat Pumps (ASHP) needs to be considered (condition 11 seems to relate to just individual pumps),
- Site hours appear not to be conditioned; if this is the case they should be conditioned now,
- How secure will this application be in relation to a Management Company to arrange areas of open space, dog bins and roads?
- S106 money should be directed from Norfolk County Council to Heacham Parish Council for use in their library and IT resources,
- Although coming into force after the outline permission were granted consent, the principal residency policy for new houses should be implemented, and
- The pedestrian / cycle link onto Marea Meadows must not be accessible to motorised vehicles.

Third Party: One additional letter of OBJECTION, raising concern relating to:

- Size of development,
- Impact on local infrastructure,
- Privacy issues,
- Environmental issues,
- Impact on character of village,
- Drainage,
- Light pollution,
- Increased traffic at Lamsey Lane junction with the A149,
- Position of site access close to a primary school entrance,
- Heacham Sewage works are at capacity, and
- Humming noise from air source heat pumps.

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Assistant Director's comments: All the issues raised by the third party and most of those raised by Cllr Parish are covered in the officer report. The following addresses the points raised by Cllr Parish that are not covered in the officer report:

- The unwelcome nature of the outline permission is not a material consideration in the determination of the reserved matters applications,
- Condition 11 is considered suitable to address both individual and cumulative impacts from ASHPs,
- Whilst the LPA can ensure that a Management Company is set up it cannot control how such a company is used,
- This application cannot be used to alter the S106 agreement in relation to library or education contributions. The Parish Council would need to enter discussions with the applicant and Norfolk County Council and if parties agree to such a change a Deed of Variation would be required,
- The principal residency policy does not relate to layout, appearance, scale or landscaping (i.e. to any matter being considered under these reserved matters applications) and is a matter of principle that would have had to have been secured at the outline stage, and
- A condition could be added to require details of measures to prevent motorised vehicles accessing the pedestrian / cycle path linking the development with Marea Meadows.

Suggested additional condition:

Condition 13: Prior to the completion of any dwelling hereby permitted details of measures to prevent motorised vehicles accessing the pedestrian / cycle path link between the site and Marea Meadows to the east of the site shall be submitted and approved in writing by the Local Planning Authority. The measures shall be in place prior to the first occupation of any dwelling hereby permitted and shall thereafter be maintained and retained as installed.

Reason 13: To prevent conflict between motorised vehicles and pedestrians / cyclists and in the interests of residential amenity in accordance with the NPPF, Development Plan Policies LP13, LP18, LP21, LP38 and G47.1 and Neighbourhood Plan Policy 5.

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Cllr Parish: Provided background information on the outline permission and raised the following issues relating to the present schemes:

- Development remains unwelcome,
- Too many houses,
- Location and single access nature of access into site in an area liable to flooding,
- Traffic has increased since the outline permission were granted,
- The land is used by the public,
- Impact on wildlife,
- Biodiversity Net Gain should be in place, and
- The quality of life for people will be diminished.

In relation to this application in particular the following issues have been raised:

- The application has received 90 letters of objection,
- This phase has a greater density of development than phase 1; why?
- Bungalows would likely be a better alternative to two storey houses close to neighbouring properties,

- The site layout may appear as 'wonderful' but permitted development rights could swiftly cause it to degenerate. Those properties closest to existing residences should have their permitted development rights removed to reduce public tensions, and
- No consideration seems to have been given to the coal yard business activities close to the rear of the site.

Third Party: ONE an additional letter of OBJECTION, raising concern relating to:

- Size of development,
- Impact on local infrastructure,
- Privacy issues,
- Environmental issues,
- Impact on character of village,
- Drainage,
- Light pollution,
- Increased traffic at Lamsey Lane junction with the A149,
- Position of site access close to a primary school entrance,
- Heacham Sewage works are at capacity, and
- Humming noise from air source heat pumps.

Assistant Director's comments: All the issues raised by the third party and most of those raised by Cllr Parish are covered in the officer report. The following addresses the points raised by Cllr Parish that are not covered in the officer report:

- Phase 1 has a lower density than phase 2 due to the over provision of open space,
- 'Reduction in public tension' is not a reason to remove permitted development rights, and
- The coal yard business was in operation when the site was allocated, and the outline consent granted. Additionally, no complaints have been received from dwellings in closer proximity to the coal yard than these dwellings would be.

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Parish Council: For the avoidance of doubt, the Parish Council's comments of 19 March 2025 (Consultation 1) and 22nd June 2025 (Consultation Round 2) are similar and are reiterated in their latest response to Consultation 3 received 16th July 2025 and prior to the deadline for submission of comments of 21st July 2025, set out in italics below.

The Parish Council has reviewed the amended planning application for the proposed overflow car park to the rear of The Dabbling Duck Public House and wishes to express its support for the proposal, subject to the inclusion of specific conditions to address the concerns of local residents and ensure the development is appropriate for its rural setting.

Support for the Proposal

The Parish Council recognises that the introduction of an overflow car park will bring notable benefits to the village, including:

- *Reducing vehicle parking on the greens, helping to prevent damage to these valued community assets.*
- *Easing congestion around the front of The Dabbling Duck Public House, Village Stores and St Mary's Church, thereby improving safety and accessibility for both pedestrians and vehicles.*

1. Hedge Planting as a Multi-Functional Boundary Treatment

The Parish Council recommends the planting of a living hedge along the boundary of the overflow car park. This measure is supported by the professional input of a Parish Councillor with extensive experience as both a farmer and a firefighter. He advised that the suggestion of a bare earth or mud fire break is impractical and unsustainable in this context, as such a feature would naturally regenerate over time and require frequent cultivation or chemical treatment to remain bare. Similarly, a wildflower strip would not be effective as a firebreak in this instance.

Instead, a hedge offers a more practical, effective and sustainable solution, fulfilling several important functions:

- Acting as a natural firebreak by providing a continuous, moisture retaining barrier that reduces the risk of fire spread.*
- Enhancing privacy for neighbouring properties throughout the year.*
- Obscuring the site from the Lynn Lane viewpoint, thereby reducing visual impact.*
- Defining the boundary of the car park in a clear and permanent manner, addressing local concerns about possible future expansion.*
- Dissuading trespassing onto adjacent farmland and private property.*
- Contributing to biodiversity, landscape quality and rural character, while requiring minimal ongoing maintenance.*

2. Secure Boundary Fencing

A secure post and wire livestock fence should be installed around the perimeter of the overflow car park. This would:

- Define the site boundary while the hedge becomes established.*
- Prevent patrons from straying beyond the car park and pub premises onto adjoining farmland or neighbouring property—a concern repeatedly raised by local residents.*
- Be visually sympathetic to the rural setting.*
- Support site security and access control, in line with recommendations made by Norfolk Constabulary, which the Parish Council strongly endorses.*

3. Restricted Operating Hours

A condition should limit use of the overflow car park to business hours only. This would help minimise noise and disruption for residents during evenings and overnight periods.

Comments in addition to formal representations received from the Parish Council between 21st July and 22nd July 2025 (summarised)

The Parish Council provided additional comments via email on 21st July 2025 raising concerns regarding the report being compiled prior to the closing of consultation (21st July 2025) and therefore consultation responses being omitted from the final version of the Officer's Report.

The correspondence requests that all correspondence received up to the expiry of the consultation period are made available to planning committee members and given full consideration before any decision is taken. The comments state that without the consultee input being included, the process jeopardises the integrity of the planning process and public confidence in the decision-making body.

Following a response from the Planning Control Manager which outlined the Late Correspondence procedure for the Parish Council, on 22nd July 2025 the Parish Council continued to raise concern that their comments would be treated as late, considering that they were submitted within the time frame set out in the consultation letter. The Parish Council requested that their comments are

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included within the main body of the report to ensure they are given due weight and proper consideration as part of a fully transparent decision making process. Therefore, the parish council have asked that the item be deferred, to allow this to occur.

Third Party: EIGHTEEN additional letters of **OBJECTION** (each received within the deadline of the third round of consultation i.e. by 21st July 2025) raising concerns relating to:

- Why is a car park necessary? No evidence the car park reduces parking around the village.
- What is the issue with cars parking around the village?
- Noise.
- Traffic /Highways.
- Safety risks and unsafe conditions for residents and visitors to pub.
- Fire Safety Risks – Risk of wildfires from vehicles parked on tinder dry fields and from patrons smoking. Wildflowers would add to risk.
- Crime Risks – Nearby resident has been the subject of 5 incidents of vandalism. There is no barrier to people walking behind private dwellings. CCTV ineffective.
- Applicant has failed to listen to recommendations for boundary treatments.
- Wildflowers will not screen development, should include a hedge.
- Gravel boards will not restrict access to gardens and to fields, will be unsafe.
- Residential Amenity - Car headlights impact on neighbour amenity.
- Should include a sensible year-round landscape plan.
- Applicant has allowed the site to become covered in weeds.
- Location of CCTV cameras shown on plans is not correct.
- This matter has been handled poorly by applicant and the objections are based on proven facts and photographic evidence.
- Photographs submitted showing the overflow car park with fallow strip dried weeds, (taken on 14th July)
- Red line has been omitted from the plans.

Three letters of representation received from the same Third Party (between 18th and 23rd July 2025) regarding the following matters (summarised):

- requests deferral of the application due to the deadline dates of consultation periods extending beyond the publication of the committee report and resulting in the exclusion of various consultation responses received after that date from the Committee Report.
- raises concerns of unfairness and bias associated with the use of the Late Correspondence/Late Representation procedure, and requests in the interests of openness and transparency, that the application is deferred to allow the department to include all correspondence received before the deadline in the committee report and to ensure that Members have all the information to make a safe, informed and fair assessment of the application.

Norfolk Fire and Rescue Service: The current proposal where the grass is kept as low as practicable, boarded by gravel boards to prevent cars parking on the 2 metre wide sterile mud/ soil strip will assist in reducing the risk of fire spread to the wildflowers and surrounding area to as low as reasonably practicable.

However, apprehensions are raised by photographs showing the car park areas not appearing to be maintained. They exhibit grass not being cut and sterile areas becoming non-sterile. If these areas are not maintained there is a risk of fire occurring and spreading.

Assistant Director's comments: The additional representations raise various matters relating to the planning merits of the scheme as well as process matters which will be taken in turn.

Planning merits

Insofar as the merits of the scheme, concerns have been raised about the condition of the land. It is confirmed that the site is leased by the applicant for use as a car park and is not currently in use. If planning consent is granted, the applicant will maintain the land as required.

The red line (application site) is shown on the Proposed Site Plan on dwg No. 22183 102 Rev C and is within the committee presentation and available on Public Access.

The Parish Council's request for a hedgerow and fencing via condition are noted, however as addressed within the report, these are not part of the proposal put forward by the applicant. Whilst officers, on balance, do not feel these need to be secured by condition, Members will no doubt consider whether they feel that a hedge and fence are necessary to make the development acceptable in planning terms.

In regard to comments on the provision of a fire-resistant hedge, the Fire and Rescue Service raise no objection to the proposal as set out currently, subject to maintenance arrangements which can be secured via condition. The provision of a hedge in place of the fire break, which was originally suggested as a solution by the Fire and Rescue Service, would not be likely to prevent fire spread.

The practicalities of restricting operating hours of a car park which is connected to the use of the existing public house, as well as the associated hotel rooms/accommodation, is also already addressed within the Officer's Report.

All other matters raised are addressed within the committee report.

Application process matters

The Parish Council and a Third Party consider by finalising the report before the end of the consultation period had ended i.e. before 21st July 2025 raises issues of transparency and fairness and that the application should be deferred from the committee of the 28th July 2025 to allow all comments to be contained within the main body of the report for all to see.

It is usual practice to report comments in Late Correspondence including those that are outstanding, have been received post report publication, where matters need correcting or clarifying, or where conditions need to be added/removed etc. However, in this case it is understood that the process has given rise to confusion around the consultation process and concern about fairness and transparency when the Parish Council and Third Parties have issued comments before the consultation deadline.

Whilst matters contained within the main body of the report and representations published as part of this document are substantially the same, it is a matter for Members to consider the request for deferral based on matters within the report and additional representations outline above. In addition,

the Parish Council and Third Party that have registered to speak on this item can make their points directly to the Committee including the request to defer the item.