The Planning Inspectorate

Appeal Decision

Inquiry Held on 20 - 23 October 2020

Unaccompanied site visits made on 6 and 26 October 2020

by R Norman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 June 2021

Appeal Ref: APP/Y2620/W/20/3248468
Land off Beresford Road, Holt

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Gladman Developments Ltd against the decision of North Norfolk District Council.
- The application Ref PO/18/1857, dated 28 September 2018, was refused by notice dated 7 February 2020.
- The development proposed is described as outline planning application for the erection of up to 110 dwellings with associated infrastructure to service 2 hectares of land potentially for a new Two Form Entry (2FE) primary school, public open space, landscaping and sustainable drainage system (SuDS) with main vehicular access point from Beresford Road and secondary pedestrian, cycle and emergency access from Lodge Close. All matters reserved except for means of access.

Decision

1. The appeal is allowed and outline planning permission is granted for the erection of up to 110 dwellings with associated infrastructure to service 2 hectares of land potentially for a new Two Form Entry (2FE) primary school, public open space, landscaping and sustainable drainage system (SuDS) with main vehicular access point from Beresford Road and secondary pedestrian, cycle and emergency access from Lodge Close. All matters reserved except for means of access at Land off Beresford Road, Holt in accordance with the terms of the application, Ref PO/18/1857, dated 28 September 2018, subject to the conditions in the attached Schedule.

Application for Costs

2. At the Inquiry an application for costs was made by Gladman Developments Ltd against North Norfolk District Council. This application is the subject of a separate Decision.

Procedural Matters

3. I carried out unaccompanied site visits before and after the Inquiry.

4. The application was submitted in outline except for access with layout, scale, external appearance and landscaping reserved. I have taken illustrative plans as indicative only.

5. A Section 106 Legal Agreement, signed and dated 20 July 2020, has been submitted. It will secure contributions towards education, the Country Park, libraries, the NHS, the Special Protection Area and a travel plan. I will return to this matter later.

6. The description of development on the original application form was changed during the application process and so the description above is from the Appeal Form.

Main Issues

7. The main issues are:

- Whether the development would be in a location suitable for new housing having regard to the Development Plan;
- Whether the Council can demonstrate a five-year supply of housing land;
- Whether the most important policies for determining the appeal proposal are out of date; and
- Whether any departure from the Development Plan would be outweighed by any other material planning considerations, including the transfer of land to the local education authority, the provision of affordable housing and the provision of additional housing.

Reasons

Whether the development would be in a location suitable for new housing

8. The appeal site is located adjacent to the built settlement of Holt and is currently accessed from Beresford Road. It runs alongside Thompson Avenue, Elizabeth Crescent and Lodge Close and extends towards Norwich Road. It is located adjacent to the Holt Country Park. Policy SS1 of the North Norfolk Local Development Framework Core Strategy (2008) (Core Strategy) states that Holt is classed as a Principal Settlement where the majority of development will take place. However, it was agreed by the parties that by virtue of the site falling outside of the settlement, albeit adjacent, it is classed as countryside for the purposes of the development plan. Policy SS1 identifies that development in the countryside will be restricted to particular types of development to support the rural economy, meet affordable housing needs and provide renewable energy.

9. Policy SS2 of the Core Strategy relates to development in the countryside and reiterates that development will be limited to that which requires a rural location. The appeal proposal does not fall within any of the listed development types.

10. The Appellant has referred to the conflict with Policies SS1 and SS2 as a 'technical breach' due to the relationship of the site to the built form and the level of services and facilities within Holt. I understand this approach and accept that within the policy conflict there can be varying degrees of harm. Nevertheless, whether the conflict with policies is slight, or technical, or substantial there is still a conflict, before considering whether the policies are or are not out of date.

11. Accordingly, the proposed development would be in conflict with Policies SS1 and SS2 in that it would introduce a large housing development, with land for a new school, into the countryside. Subsequently, it is necessary to consider firstly whether the policies are up to date or out of date for a number of reasons and whether there are material considerations which outweigh this policy conflict.

Five Year Housing Land Supply

12. The Council have published an updated housing land supply position statement from 1 April 2020 to 31 March 2025[1]. As a result, they consider that they can currently demonstrate a deliverable housing land supply of 5.16 years. However, the parties dispute the deliverable supply and the method that should be used to calculate the local housing need. The key issue in this matter is whether the standard method of calculation referred to in Chapter 5 of the National Planning Policy Framework (2019) (the Framework), should be applied. Paragraph 60 of the Framework states that the standard method in planning guidance should be used *'unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals'*. It is not a matter of dispute between the parties that the standard method can be departed from lawfully, rather whether the 'exceptional circumstances' apply in the case of North Norfolk.

13. The Council's view that the standard method should be departed from is based largely on the use of the 2014 housing projections. The standard method for calculating housing land supply relies on the use of the 2014 based household projections as a starting point. However, these figures for North Norfolk are flawed as a result of the Unattributable Population Change (UPC). As such, the use of the standard method would result in a higher figure than is actually the case. The errors within the UPC are not disputed by the Appellant, however it is a matter of dispute whether these errors are sufficient to provide clear and cogent reasons for departing from the use of the 2014 projections in the calculation of the housing land supply for North Norfolk.

14. It was agreed that the errors in the UPC only affected two out of the five years which inform the 2014-based projections. Nevertheless, the extent of the error within the affected years should be taken into consideration. There is a considerable difference between the 2014 and 2016 projections. However, the Council are of the view that the 2016 based household projections correct the errors within the 2014 figures, providing a more realistic base for considering growth.

15. The Council accepted that UPC errors in themselves are not unusual or exceptional and can affect a large number of Councils. Consequently, it is not the UPC error itself that leads to exceptional justification for departing from the standard method but the scale of the UPC error. An approach which I find to be logical and reasonable.

16. I have been provided with a number of Tables[2] which evidence North Norfolk's position within the ranking of all Councils, excluding the London Boroughs. Table 1 identifies the comparison of the unrevised and revised 2016 Mid-Year Estimate (MYE) and highlights for North Norfolk a discrepancy of -165 people,

[1] Five-Year Supply of Housing Land 2020 – 2025 April 2020 – CD6.11
[2] Mr Baker Proof of Evidence Appendix 9 – ORS Tables from Central Bedfordshire Appeals

which ranks North Norfolk as 73rd out of 293 Councils (excluding London). Table 2 identifies this difference with a percentage change which is calculated to be -0.16% ranking North Norfolk slightly higher at 68. Table 3 similarly ranks North Norfolk at 69 in terms of the comparison of population change 2011 – 16 pre and post revision.

17. Turning to Table 4, this shows the comparison of 2011 MYE excluding and including UPC and ranks North Norfolk at 42nd when the UPC is included. Table 5 places North Norfolk at number 26 of the Councils, higher up the list than the previous figures. Table 6 goes on to compare the population change excluding and including UPC with a percentage difference of -2.85 and which ranks North Norfolk at 28 in the overall list.

18. I note within all of these tables, the positions that North Norfolk occupies are relatively high in the overall list of Councils ranging from 73rd to 26th. However, whilst I accept that these tables show the impact that the issues with the 2014 housing projections and UPC have had on North Norfolk, it is necessary to consider whether this is evidence enough to provide clear and cogent reasons to depart from the use of the Standard Method.

19. I turn therefore to the Appellant's amendments to the ORS tables[3] which replicates tables 1 – 6 however result in North Norfolk being ranked 228th, 212th, 216th, 118th, 81st and 86th in the corresponding tables. This represents a noticeable difference in the rankings within the ORS tables. I note that the Appellant's tables include the London Boroughs. The omission of the London Boroughs in the original tables produced however is a logical and reasonable way of calculating the rankings in my view, as these are subject to their own methods of calculating housing land in ways other than through individual local plans. Furthermore, I have considered the implications of ranking each Council area in terms of the distinction between positive and negative changes which I find to be a suitable approach, and which is consistent with the decisions for *Henlow* and *Langford*.[4]

20. The Government's Technical Consultation[5] highlighted the aim to deliver more and better-designed homes, and to do so faster. This document also noted that lower household projections do not mean fewer homes need to be built. This document also included a section to clarify that 2016-based projections are not a justification for lower housing need in the short-term.

21. Subsequent to this, the Government then carried out a consultation on changes to the current planning system[6] which set out the aspirations to deliver 300,000 homes annually. This document acknowledges the criticism that arose from the housing projections, however once again stated that the standard method would remain based on the 2014-based household projections. The Council does not dispute that this is the case within this document, however they do note that this is a consultation document and the reference to the use of the 2014 projections being a temporary arrangement. Whilst the Government aims may be undermined by downward housing projections, movement in different areas will be different and, in some areas, will yield a higher requirement for delivery. I therefore consider that, whilst acknowledging

[3] Mr Baker Proof of Evidence Appendix 10 – Savills Reproduction of ORS Tables with Amended Ranking
[4] APP/P0240/W/16/3164961 and APP/P02240/W/19/3236423
[5] MHCLG Technical Consultation on updates to national planning policy and guidance – October 2018
[6] MHCLG Changes to the current planning system: Consultation on changes to planning policy and regulations – August 2020

the Government's aims for the delivery of more housing, in some cases a departure from the standard method may be appropriate and this is not fundamentally altered by the content of the Consultation document.

22. I have been directed to a number of examples within Central Bedfordshire[7] where it has been found that a departure from the standard method is justified. I have also considered the range of tables provided by ORS which include the ranking of Central Bedfordshire throughout as a comparison. It seems to me that the example of Central Bedfordshire secures the principle that the Standard Method can reasonably be departed from where there are clear and cogent reasons to do so. However, I have also had the specific considerations which were relevant to Central Bedfordshire highlighted to me and find it important to recognise that Central Bedfordshire has a different context to North Norfolk in terms of any fundamental concerns over OAN and the status of the SHMA of Central Bedfordshire forming part of the recent evidence base for the development plan. Nevertheless, I find that justification for departing from the standard method does not rely on the Council being an extreme outlier in the rankings but whether it has clear and cogent reasons for doing so.

23. I have also been directed to another North Norfolk appeal decision[8]. This case considered the five-year housing land supply within North Norfolk. I note that this was determined under a different policy context and related to the 2014 Framework, which I understand did not specifically make reference to the 2014 projections and included an endorsement of adjustments.

24. A series of emails acquired via a FOI request were presented to me which relate to the standard method. I have considered these, however they are from July to September 2019 and appear to form informal advice or opinions. I am of the opinion that these have been superseded by the formal evidence presented to me and examined throughout the inquiry and accordingly these do not alter my overall findings in this case.

25. Concluding, I find that there is a clear discrepancy with the household projections for North Norfolk and accept that the 2016 figures present a more accurate basis for calculating housing land supply. I also accept that, aside from the use of the 2016 data, the Council's method then follows the steps contained within the Standard Method. It is worth noting also that the Appellant's case does not rely on the Council having a housing land supply deficit.

26. Turning to the deliverable supply, there were three sites which were disputed[9]. These are all Category B sites, i.e. where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register. The Framework states that these sites should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. Since the submission of the appeal, the Reserved Matters for the

[7] APP/P0240/W/19/3236423 – Land West of Langford Road, Langford Road, Langford SG18 9QU; APP/P0240/W/16/3164961 – Land to the West of Langford Road, Henlow, Bedfordshire SG16 6AF ; APP/P0240/W/18/3206495 – Land West of New Road, Clifton SG17 5JH; APP/P0240/W/18/3219213 – Land north of Sunderland Road (Northing 250966 Easting 516649) and APP/P0240/W/17/3190687 – Land off Sutton Road, Potton, Bedfordshire SG19 2RS

[8] APP/Y2620/W/16/3150860 – Land at Creake Road and Moor Lane, Sculthorpe, Fakenham NR21 9QJ

[9] Land at Rudham Stile Lane, Fakenham; Land at Back Lane, Roughton and Land at RAF West Raynham former Airbase, Massingham Road, West Raynham

Roughton site has been approved[10] therefore I am satisfied that this site has progressed and can reasonably be considered to be deliverable.

27. Annex 2 of the Framework requires that for a site to be deliverable they should be available now, offer a suitable location for development now and be achievable with a realistic prospect that housing will be delivered on the site within 5 years, and gives examples.

28. In relation to the sites at Fakenham and West Raynham, the Appellant considers that there is a lack of clear evidence to support these sites being deliverable. The Council have addressed their position in relation to the remaining contested sites. The Council have accepted the optimism of the Fakenham site and have revised their delivery to 150 dwellings with 50 in each of the last three years of the five year period, and have justified their reasoning for this including specific developer interest which is reassuring in delivery terms. With regard to the West Raynham site, I am not aware that permission has yet been granted for this further to the written statement of Mr Ashwell. However, based on the information provided it appears that the outstanding matters in this case relate to minor matters involving off-site highway works and the submission of a legal agreement. Accordingly, I do not question the delivery of this site either.

29. In conclusion, based on the evidence presented to me, I find that the Council have demonstrated clear and cogent reasons for departing from the standard method. I accept that downward adjustments would not be wholly in line with the Government's priority to boost housing delivery. Nevertheless, whilst the Framework and Planning Practice Guidance set a high bar for this departure and, noting the differences between the array of tables provided by the Council and Appellant, I am satisfied in this instance that the use of the 2016 figures is justified. Furthermore, I agree with the Council in relation to the deliverability of the disputed sites. Accordingly, I conclude that the Council can demonstrate a housing land supply of 5.16 years which is sufficient to ensure that the tilted balance is not engaged in this context.

Most Important Policies

30. There was agreement between the parties that Policies SS1 and SS2 of the Core Strategy constitute most important policies in this case, and I have little evidence before me that would lead me to conclude differently in respect of these. Policies SS3 and SS9 were put forward by the Appellant as also being most important policies, a matter that is disputed by the Council.

31. Neither Policy SS3 or SS9 were specifically referred to in the Council's reasons for refusal and although they are listed in the Council's committee report in the policies section, the Council confirmed that they were not applied when making the subsequent decision to refuse the proposal and they are not referred to in the section of the report which considers the principle of development. The Council note that they have not used these policies in the determination of applications for some time.

32. Turning to policy SS3 this identifies the quantity and location for housing throughout the District. It was based on a housing supply from the Regional Spatial Strategy for the East of England which has been withdrawn and

[10] PM/19/0359 – Land at Back Lane, Roughton

accordingly, the Council do not use this policy to determine housing developments.

33. Policy SS9 of the Core Strategy identifies Holt as a Principal Settlement with a Small Town Centre and highlights the total number of dwellings to be built, amongst other things, and is a policy designed to guide the provision of new housing in Holt. Similarly, as with Policy SS3, the Council state that the housing numbers referred to in the policy have not been used for some time as housing matters have moved on. It therefore appears that the content of this policy is no longer effective in providing a sound basis for considering housing in Holt.

34. The revised wording of the 2019 Framework, which replaced 'relevant policies' with 'most important' draws a distinction. A relevant policy is not necessarily also a most important policy, however I find relevant policies to be those which inform a subsequent decision. In this case, Policies SS3 and SS9 did not influence the consideration of the proposed development and as they are based on outdated information, I find that it is not logical to conclude that these remain relevant to the case before me. Most important policies, in my view, and based on the evidence before me, are those which directly relate to, and inform the determinative issues, nevertheless they do not necessarily have to be referred to in the reasons for refusal.

35. I have had regard to the fact the Policies SS3 and SS9 were included in the Council's considerations of a previous application on the appeal site. Nevertheless, it is apparent that in this instance, the Council no longer found them to be relevant, nor most important and did not rely on them for refusing planning permission. In addition, I agree with the Council that the requirements of Policy SS1 operate effectively without the application of Policy SS3 and therefore it is not the case that these policies are linked and cannot be applied independently.

36. My attention was drawn to the *Euxton*[11] appeal and *Oxford Brookes*[12] SoS decisions which considered the matters of most important policies. The *Euxton* decision highlights that a policy which was agreed as being out of date was still a most-important policy. The *Oxford Brookes* decision is similar in that the housing targets were based on a revoked RPG and although out of date the referenced policies were still considered to be most important. I have considered these examples, however whilst there appears to be similarities with these, they relate to a different development plan and therefore I do not conclude that these set a precedent for the case before me.

37. Accordingly, based on the evidence before me, I agree with the Council that Policies SS3 and SS9 are not most important policies. In any event, the parties agreed that were I to find that these were most-important policies, they would be considered to be out of date.

Whether the most important policies are out-of-date

38. Paragraph 11d) of the Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted

[11] APP/D2320/W/20/3247136 – Land at Pear Tree Lane, Euxton, Chorley
[12] APP/Q3115/W/19/3230827 – Oxford Brookes University, Wheatley Campus, College Close, Wheatley, Oxford OX33 1HX

unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

39. Policies can be out-of-date for reasons which may include a significant change in circumstances, or the emergence of later national policies, including the Framework itself. However, paragraph 213 of the Framework provides that existing policies should not be considered out-of-date simply because they were adopted prior to its publication. Weight should be given to them depending on their consistency with the policies in the Framework. Footnote 7 to paragraph 11 d) ii identifies that this includes situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, amongst other considerations.

40. For the reasons above I have concluded that Policies SS3 and SS9 are not most important policies for the purposes of the Framework and accordingly it is therefore only necessary to consider whether Policies SS1 and SS2 are out-of-date. Footnote 7 to paragraph 11 d) of the Framework is immediately triggered where a Council cannot demonstrate a five-year housing land supply, however in light of my earlier conclusions, the Council can demonstrate a housing land supply of 5.16 years and therefore this is not triggered in this instance.

41. Accordingly, it is necessary to consider whether Policies SS1 and SS2 are out-of-date by their consistency with the Framework. Policy SS1 relates to the spatial strategy for North Norfolk and highlights that the overall housing provision will be distributed in accordance with the settlement hierarchy. Policy SS1 identifies Holt as a Principal Settlement where the majority of new commercial and residential development will take place. The policy also refers to the rest of North Norfolk being designated as countryside and restricts the types of development that would be appropriate in these areas.

42. The supporting text in paragraph 2.4.12 identifies the reasons for needing to protect the countryside areas. Policy SS2 limits the types of development that would be appropriate in the countryside and in this sense is a protective policy to some extent. However, the list of development types is reasonably extensive and not heavily restrictive. Paragraph 170 of the Framework in part b) seeks to recognise the intrinsic character and beauty, amongst other things. Considering Policies SS1 and SS2 in this context and against the supporting text I find that, taken as a whole, their overall aims are consistent with this part of the Framework and for these reasons I do not find them to be out-of-date.

43. I note the *Greens Road* decision[13] where the Inspector found that Policies SS1 and SS2 were broadly consistent with the Framework and also that the development plan was operating effectively, delivering the necessary level of homes as part of its overall approach. It is the Appellant's view that the development plan is not operating effectively due to its out-of-date nature and the policies do not provide effective delivery of housing. However, having regard to the *Oxford Brookes* SoS decision, I do not agree that the development plan as a whole is not operating effectively.

44. The Council have provided another North Norfolk appeal decision relating to a development in Briston[14] which considered matters of five-year housing land supply and whether or not Policies SS1 and SS2 were consistent with the

[13] APP/Y2620/W/18/3193438 – Land between Aylsham Road and Greens Road, North Walsham
[14] APP/Y2620/W/19/3239153 – Site Adjacent to The New Bungalow, Thurning Road, Briston NR24 2JW

Framework. The Inspector in this case found that these policies were not out-of-date. I have had regard to the date that this decision was made, in February 2020, and considered that from the information provided it could be considered to be alike to the case before me.

45. I therefore find that, for the reasons given above, Policy SS1 and Policy SS2 are not out-of-date and therefore the most important policies in this case, taken together, are not out-of-date. Consequently, the tilted balance in paragraph 11(d) of the Framework is not engaged in this regard.

Other Material Planning Considerations

46. The proposed development would bring forward a number of benefits and mitigation measures which should be weighed into the planning balance. These consist of the provision of market housing, the provision of affordable housing, economic benefits (including the creation of jobs during the construction period and spending within the construction industry, the economic benefits arising from the additional residents supporting local facilities and services and council tax payments), the provision of green infrastructure and the provision of school land. The parties have agreed that these benefits should be attributed weight in the consideration of the proposed development. However, aside from the provision of green infrastructure which both parties give moderate weight to, the Council and Appellant differ in their cases on the weight that should be given to each of these.

47. First, on land for the new primary school, the Council have increased the weight they give to this in light of the latest evidence from the County Council and now consider this to be a considerable benefit as opposed to the Appellant's view that this represents a significant benefit.

48. The future primary school does not form part of this proposal, rather the gift of serviced land for the school to come forward. However, the school is referred to in the description of development. The submitted legal agreement[15] secures the provision of this land for 10 years, after which the education contribution would be payable. The education contribution in the absence of this part of the proposal would total £337,676, whereas the provision of the serviced school land would exceed this amount. Accordingly, I agree with the Appellant's view that this represents part mitigation and part additional benefit over and above the required contribution. Nevertheless, I consider that the additional sum over and above that forming the education condition would be fairly and reasonably related in scale and kind to the development and the obligation does not appear disproportionate. However, I am of the opinion that whilst forming mitigation and benefits, in itself the additional sum would not be a reason for granting planning permission.

49. I have been presented with a considerable amount of information to support the need for a new school, which includes details of the funding for the school, the projected need and that there are no alternative and preferable sites that have formally come forward[16]. Whilst I acknowledge that the identification and provision of land for such infrastructure and community projects usually come

[15] Planning Obligation under Section 106 of the Town and Country Planning Act 1990 dated 20th July 2020 between North Norfolk District Council, Norfolk County Council, Michael Leslie Jones, Margaret Thelma Gee, Ben Edwin Jones and Hilary Thornton, and Gladman Developments Limited – NPLAW: EJ/63729

[16] Education Authority Response 07.01.20 (CD 5.6); 19.11.01 Letter from Holt CP Governors, Head and Staff (CD5.8); NCC Cabinet Report 03.08.2020 (CD 6.9)

forward as part of the local plan process I have had regard to the likely timescales of the local plan examination and the evidence that I have been provided with which demonstrates a need and justification for a school of this size. I have had regard to the other school in the vicinity which would offer choice and alternative primary school places, however I have limited information in relation to the capacity and availability of this school and note that it is a fee paying school which is likely to preclude most families.

50. The likelihood of the school coming forward within the ten-year period has been questioned. I have been provided with a NCC Cabinet Report[17] which identifies Holt Primary School relocation and expansion as a scheme anticipated for 2022 to support pupil growth as a result of new housing development. Whilst this report suggests that this was not fully funded at the time that it was produced, I have been provided with correspondence confirming that the new school is fully funded[18]. Based on the funding information, including the latest position, as well as the support from the School Head, Staff and Governors, and LEA I find that there is a good likelihood that this would be forthcoming.

51. Accordingly, I conclude that the provision of the land for school, secured by the legal agreement, should carry significant weight in the planning balance given the need and the likelihood of it coming forward.

52. Second, in terms of the provision of housing, the proposed development would provide up to 110 houses towards the Council's five-year supply of housing land. I have concluded above that the Council can demonstrate a five-year supply of housing land and as such the tilted balance is not applied. Nevertheless, the provision of a large number of homes would still contribute to the ongoing supply and the Government's aim in NPPF59 of boosting significantly the supply of housing through ensuring that a sufficient amount and variety of land can come forward where it is needed, and is therefore still a benefit, carrying moderate weight.

53. Third, the development would contribute to the provision of affordable housing by providing 36% affordable housing to meet a local need which would be secured by the legal agreement. The Appellant highlighted that virtually a third of all on the affordable housing waiting lists have indicated Holt as a suitable location. However, the Council noted that those on the waiting lists are encouraged to put down as many places as possible to get a home sooner. The provision of 36% affordable housing currently falls below the 45%[19] required in the development plan however the Appellant notes that the emerging local plan includes a figure of 35% for affordable housing provision, which is exceeded by the current offer. Nevertheless, this is at an early stage and therefore the main affordable housing requirement is 45%. The Appellant has justified the lower provision via a viability assessment which has not been disputed by the Council. Nevertheless, the provision of affordable housing is a benefit and one which I give moderate weight to bearing in mind the level of provision, the type of housing required and the demand.

54. Although located outside of the defined settlement of Holt the appeal site adjoins the built form. The site is in proximity to a number of services and

[17] NCC Cabinet Report 03.08.2020 (CD 6.9)
[18] Email correspondence GDL, NNDC and NCC Children's Services re: School Funding (CD 6.12) and Email correspondence G Lyon to J Mackenzie re: full funding for school (CD 6.14)
[19] Policy HO2 of the Core Strategy

facilities with good pedestrian access. There are bus stops close to Beresford Road. Accordingly, although in conflict with Policies SS1 and SS2 as detailed above, in terms of access to services and facilities the appeal site is well served, and I therefore give this considerable weight in the planning balance.

55. In conclusion, I give matters of the provision of land for the school significant weight, affordable housing moderate weight, the provision of market housing moderate weight, and the location in relation to services considerable weight. I also find that the economic benefits arising from the development would be considerable as a result of the scale of development proposed and green infrastructure benefits should be given moderate weight, as agreed by the parties. I therefore find these to represent benefits arising from the appeal proposal. I find in favour of the Council in relation to climate measures and consider them to represent mitigation from the impacts of the development. I acknowledge that the Appellant, as a starting point, does not consider the five year housing land supply to be a determinative issue for the appeal and whilst I have found in favour of the Council in relation to the housing land supply, for the above reasons I find the benefits outweigh the harm and the conflict with Policies SS1 and SS2 and the development plan as a whole.

Section 106 Legal Agreement

56. A signed, dated Section 106[20] has been submitted which makes provision for, in addition to the above, financial contributions towards the Country Park, libraries, the NHS, the SPA/SAC and a Travel Plan.

57. I have been provided with a statement from Norfolk County Council containing evidence to support the education and library requirements, requested for the legal agreement. The Council have provided justification for the contributions contained within the legal agreement and I am satisfied therefore that these are necessary, directly related, and fairly and reasonably related in scale and kind. The Appellant has entered into the agreement and it is presented in a way which I am satisfied will secure the necessary contributions.

58. The appeal site is located in proximity to a number of national and international designated habitat sites. These are Holt Lowes, which is a SSSI, part of the Norfolk Valley Fens Special Area of Conservation (SAC) and the North Norfolk Coast Special Protection Area (SPA). I have carried out an Appropriate Assessment and Natural England have concluded that any effects of the development on these areas could be suitably mitigated by the financial contributions and have recommended measures which could be delivered as a result of these contributions. The submitted legal agreement includes provision of a financial contribution towards ongoing maintenance and monitoring of the SPA and SAC of £200 per dwelling.

59. Accordingly, the provisions within the Section 106 support the granting of permission in this instance.

Other Matters

60. Local objections, including a petition, have been received concerning, in addition to the above matters, issues of highway safety along Beresford Road

[20] Planning Obligation under Section 106 of the Town and Country Planning Act 1990 dated 20th July 2020 between North Norfolk District Council, Norfolk County Council, Michael Leslie Jones, Margaret Thelma Gee, Ben Edwin Jones and Hilary Thornton, and Gladman Developments Limited – NPLAW: EJ/63729

as well as the surrounding roads, restricted access for emergency vehicles, no need for a new school, lack of demand for new housing, the potential for fire risk from the adjacent woodland due to the loss of the land as a firebreak, the amount of housing sites currently under construction in Holt, impacts on health and public services, an increase in pollution to residents and to the Country Park, noise and disturbance to existing residents, extensive concerns over the information presented to the planning committee and the viability appraisals and financial information put forward by the Appellant, impacts on wildlife, adverse impacts on tourism in Holt and the affordability of the properties for local people. In addition to the written objections received, I also heard from local residents at the Inquiry reiterating these concerns.

61. In relation to matters of highway safety and traffic levels, I accept that the proposed development would result in a significant increase in traffic levels on Beresford Road, which is currently a residential cul-de-sac with limited traffic movements. The proposed development would not only generate an increase in traffic and pedestrian movement for the dwellings, it would also be used for access to the school, although the school itself does not form part of the proposal. I also note the community facilities (Children's Centre) opposite the junction, on Charles Road. The Appellant has provided a number of supporting documents to address matters of highway safety, including a Transport Assessment and Travel Plan. I have had regard to the original comments of NCC Highways Team who advised that Beresford Road is technically suitable to cater for the development and it is unlikely that a technical highway objection could be sustained. They appeared satisfied that the increase in traffic and the highway implications could be adequately addressed by condition and contributions to the local hopper bus scheme, which is included in the submitted legal agreement. Accordingly, I am satisfied that the proposed development would not lead to unacceptable or severe harm to highway safety, and so accord with NPPF109.

62. During my site visit I observed the junction with Charles Road and Hempstead Road. Whilst the traffic levels here were somewhat restricted by a road closure towards the industrial estate on Hempstead Road, I also acknowledge that due to the pandemic, traffic levels may not be as high as usual. Nevertheless, based on all of the information provided to me, I consider that the traffic implications to the surrounding streets have been thoroughly assessed by the Appellant, the Council and NCC and I am satisfied that suitable arrangements for access and safety can be achieved.

63. In terms of the need for a new school, given the projected need and that there are no alternative and preferable sites I accept that a two-form entry school would be needed.

64. Turning to the need for the dwellings and the affordability of these, I note that there are other developments underway within Holt, nevertheless the Appellant would not propose housing that they were not convinced would be sold, and the development would provide an element of affordable housing and a mix of dwelling sizes to ensure that they were accessible.

65. I note that a number of objections refer to the appeal site as being a firebreak for the adjacent woodland. Whilst the development would adjoin the Country Park, the provision of fire hydrants can be secured by condition. Furthermore, the indicative layout shows the majority of the dwellings set away from the

woodland and a landscape buffer is also shown to retain an element of separation.

66. I accept that there will be increased noise to the local area, particularly as a result of the school. Beresford Road itself is relatively quiet at present and this will change. However, I have been presented with limited evidence to suggest that this would be to such a level as to be unacceptable or unduly harmful to the living conditions of neighbouring occupiers.

67. Pollution and impacts on wildlife and the Country Park could be mitigated by the submission of ecological surveys and this can be secured by conditions. I have little to suggest that the development would discourage tourism in Holt or visits to the Country Park.

68. In relation to the technical documents submitted and the information presented to the Council during the application process, the Council have raised no issue with the content of the viability assessment and, having considered all of the points raised by all parties, I see no reason to disagree with this view.

69. I have had regard to all of the submitted appeal decisions over and above those expressly referred to in the preceding sections. In doing so, I have taken into account the differing cases, the level of detail provided, the reasoning behind the decisions, the decision date and the varying local and national policies and to what extent the decisions are 'alike'.

Planning Balance

70. Turning to the overall planning balance, I have concluded that the proposed development would conflict with Policies SS1 and SS2 of the Core Strategy and therefore the development plan as a whole. In relation to housing provision, I have concluded that the Council can demonstrate a 5-year supply of deliverable housing sites to meet its requirements. In relation to most important policies, I have found that they are not out-of-date and therefore the basket of most important policies is also not out-of-date in this case. For these reasons, the 'tilted balance' would not be engaged and therefore the weight attributed to this policy conflict should not be reduced.

71. I have balanced this policy conflict with the benefits of the proposed development. It is unusual to conclude against the development plan. However, no harm have been identified by the Council in relation to the impact of the development on the character and appearance of the area or living conditions at this stage and the Statement of Common Ground suggests that the proposed development could be accommodated with acceptable highway and access arrangements. Furthermore, the proposal would make provision for affordable housing, new market housing, economic benefits and green infrastructure benefits and would be in a suitable location in relation to services and facilities. I have given these benefits weight as per the preceding paragraphs and, taken collectively, I find that these should be given substantial weight in the overall planning balance. I have also had regard to the points made by interested parties and concluded that, in terms of highway safety and impacts on the nearby woodland and Country Park, health and public services impacts, pollution, noise and disturbance and tourism and wildlife impacts, there would be limited harm in these respects and that, based on the evidence before me, the impacts could be appropriately mitigated.

72. Taking all these considerations in the balance, I conclude that the collective benefits would outweigh the harm arising in respect of the identified conflict with the development plan. I therefore find that the proposed development would be acceptable and as such should be allowed.

Conditions

73. The parties submitted a list of suggested conditions which were reviewed where required in the Inquiry and some amendments agreed. The conditions in the attached Schedule reflect those amendments and the discussions that took place. I have considered the conditions against the PPG and the relevant tests.

74. In addition to the standard conditions for outline proposals, I have imposed a condition listing the approved plans as this provides certainty. Neither party suggested a plans condition however both clarified that they would have no objection to the inclusion of such. Accordingly, as access is committed, I consider this condition to be necessary.

75. Condition 5 for archaeological investigation is necessary in the interests of protecting any remains of human activity that may be present on the site. Condition 6 for a minerals management plan is necessary to ensure that sterilisation of safeguarded mineral resources does not take place. I have imposed conditions 7, 8 and 10 as these are reasonable to ensure highway safety and secure suitable pedestrian access and information. Conditions 9, 11 12, 13 and 22 are necessary in the interests of securing suitable landscaping and biodiversity and ecological measures as part of the proposal. Condition 14 for land contamination is necessary to ensure the site is safe for its intended end use. I have imposed conditions 15, 16 and 17 in the interests of providing suitable and sustainable living conditions for future occupiers of the development.

76. Conditions 18, 19 and 20 are necessary to ensure that impacts on the highway during construction are monitored and adequately dealt with. I have imposed conditions 23 and 24 relating to light and noise in the interests of protecting the living conditions of nearby residents. I consider conditions 25, 26, 27, 28 and 29 are reasonable and necessary to secure a good quality development for future occupiers of the development as well as those residents living nearby. Condition 30 is imposed to secure suitable emergency, pedestrian and cycle access only via Lodge Close.

77. A number of the conditions are required to be pre-commencement conditions as it is fundamental to have these details approved up front prior to any works being carried out on site and the Appellants have expressed their agreement to this in their submissions.

Conclusion

78. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be allowed.

R Norman

INSPECTOR

Schedule of Conditions

1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.

3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

4) The development hereby permitted shall be carried out in accordance with the following approved plans listed in the Statement of Common Ground at paragraph 2.4.1: Drawing Numbers 5664-L-04-A; 17033-12-01 and 17033-12-03-A.

5) A. Prior to the submission of a reserved matters application pursuant to this outline planning permission, and notwithstanding details received in regards to archaeological works that were submitted as part of this application, the result of a programme of informative archaeological investigations (geophysical survey and/or trial trenching) shall be submitted to and approved in writing by the local planning authority.

   The results of these investigations shall be used to inform the layout of the development submitted as part of any reserved matters application and any requirements for further archaeological mitigation if necessary. The geophysical survey and/or trial trenching will form the first phase(s) of a programme of archaeological mitigation work that shall be carried out in accordance with a written scheme of investigation which will need to be submitted to and approved in writing by the local planning authority prior to the submission of any reserved matters application. The scheme shall include:

   i. the programme and methodology of site investigation, recording and/or preservation in situ through the layout of the site;

   ii. The programme for post investigation assessment;

   iii. Provision to be made for analysis of the site investigation, recording and/or preservation in situ in the layout of the site;

   iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation;

   v. Provision to be made for archive deposition of the analysis and records of the site investigation; and

   vi. Nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation.

   and

   B. No development shall take place other than in accordance with the written scheme of investigation approved under condition 5A.

   and

C. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 5A and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

6) As part of the submission of the reserved matters, a Materials Management Plan – Minerals (MMP-M) informed by the "Minerals Resource Assessment (October 2018)," carried out by Wardell Armstrong shall be submitted to and approved in writing by the local planning authority.

The MMP-M shall consider the extent to which on-site materials which could be extracted during the proposed development would meet specifications for use on-site through testing and assessment. The MMP-M should quantify the amount of material which could be reused on site; and for material extracted which cannot be used on-site its movement, as far as possible by return run, to an aggregate processing plant. The development hereby permitted shall be carried out in accordance with the approved MMP-M.

The developer shall keep a record of the amounts of material obtained from on-site resources which are used on site and the amount of material returned to an aggregate processing plant, through the MMP-M. The developer shall provide an annual return of these amounts to the local planning authority and the mineral planning authority, or upon request of either the local planning authority or mineral planning authority.

7) As part of the submission of reserved matters, a layout plan shall be submitted which provides for at least 3 pedestrian access points into Holt Country Park (in accordance with the locations shown on the Development Framework Plan – drawing number 5664-L-02-K produced by FPCR Environment and Design Ltd, dated 17 April 2019). The development shall be implemented in accordance with the approved pedestrian access details and retained thereafter for that intended purpose.

8) As part of the submission of the reserved matters, a layout plan shall be submitted which provides for drop off and pick up parking for the new primary school for at least 10 vehicles at a time, which shall be provided in a dedicated area within the public highway in close proximity to the main point of access to the school site. The development shall be implemented in accordance with the approved drop off and pick up parking details and retained thereafter for that intended purpose.

9) As part of the submission of the reserved matters, a layout plan shall be submitted which provides for a landscaping buffer along southern and eastern boundaries of the site and of a quantum in accordance with the Parameters Plan – drawing number 5664-L-07-A produced by FPCR Environment and Design Ltd, dated 24 April 2019. The development shall be implemented in accordance with the approved landscape buffer details and retained thereafter for that intended purpose.

10) As part of the reserved matters, a strategy shall be submitted to the local planning authority which sets out the provision of interpretation signage within the application site at access points to Holt Country Park. The

strategy shall specify who will provide the interpretation signage, where and when the signage will be provided and what the specific interpretation signage shall contain and the agreed locations, together with details of who shall be responsible for the future management and maintenance of the signage. The interpretation signage shall be provided in accordance with the approved strategy.

11) As part of the submission of reserved matters, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following:

    a. Description and evaluation of features to be managed;
    b. Ecological trends and constraints on site that might influence management;
    c. Aims and objectives of management;
    d. Appropriate management options for achieving aims and objectives;
    e. Prescriptions for management actions;
    f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
    g. Details of the body or organisation responsible for the implementation of the plan; and
    h. Ongoing monitoring and remedial measures.

    The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for the delivery. The plan shall also set out (where results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details and mechanisms.

12) As part of the submission of the reserved matters, an Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the local planning authority, drawing on the recommendations of the Habitats Regulations Assessment and Appropriate Assessment. The EDS shall include the following:

    a. Purpose and conservation objectives for the proposed works;
    b. Review of site potential and constraints;
    c. Detailed design(s) and/or working method(s) to achieve stated objectives;
    d. Extent and location/area of proposed works on appropriate scale maps and plans;
    e. Type and source of materials to be used where appropriate, e.g. native species of local provenance;

f. Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;

g. Persons responsible for implementing the works;

h. Details of initial aftercare and long-term maintenance; and

i. Details for monitoring and remedial measures.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

13) As part of the submission of the reserved matters, an Arboricultural Method Statement and Tree Works Plan shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved method statement(s) and tree works plan(s).

14) As part of the submission of the reserved matters, a Land Contamination Investigation Report shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with any recommendations contained within the approved report.

15) As part of the submission of the reserved matters, an Electric Vehicle Charging (EVC) Scheme shall be submitted to and approved in writing by the local planning authority. The EVC Scheme shall include provision for electric vehicle charging points to all dwellings with parking within their curtilage and shall specify the number, location and type/specification of EVC facilities to be provided and details of who will be responsible for the management and maintenance of any facilities including those to be provided for wider public usage. The development shall be completed, managed and maintained in accordance with the approved Scheme.

16) As part of the submission of the reserved matters, a water efficiency strategy shall be submitted to and approved in writing by the local planning authority which sets out how the commitment, to deliver all housing development that complies with the optional 110 litres per person per day water efficiency standard, is to be met. The development shall be completed in accordance with the approved water efficiency strategy.

17) As part of the submission of the reserved matters, a *fibre to the premises* broadband strategy shall be submitted to and approved in writing by the local planning authority which sets out how the commitment to provide each dwelling with *fibre to the premises* broadband is to be met, including the minimum standard to be provided. The development shall be completed in accordance with the approved *fibre to the premises* broadband strategy.

18) No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have been submitted to and approved in writing by the local planning authority. All construction works shall be carried out in accordance with the approved plans.

19) Prior to the commencement of any works a Construction Traffic Management Plan and Access Route shall be submitted to and approved

in writing by the local planning authority. The CTMP shall incorporate, but shall not be limited to:

a. Adequate provision for addressing any abnormal wear and tear to the highway;

b. Wheel cleaning facilities; and

c. Proposals to control and manage construction traffic using the construction traffic access routes

The scheme shall be implemented for the entire duration of the construction period and all traffic associated with the construction of the development will comply with the CTMP and use only the construction traffic access route and no other local road unless approved in writing by the local planning authority.

20) No development shall commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented throughout the construction period.

21) A. Upon commencement of construction of the development hereby permitted, an Interim Travel Plan shall be submitted to and approved by the local planning authority.

B. No part of the development hereby permitted shall be occupied prior to the implementation of the Interim Travel Plan referred to in part A of this condition. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in part A of this condition shall be submitted to and approved in writing by the local planning authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the local planning authority as part of the annual review.

22) No development shall take place, (including demolition, ground works, vegetation clearance), until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:

a. Risk assessment of potentially damaging construction activities;

b. Identification of 'biodiversity protection zones';

c. Practical measures to avoid or reduce impacts during construction (may be provided as a set of method statements);

d. The location and timing of sensitive works to avoid harm to biodiversity features;

e. The times during construction when special ecologists need to be present on site to oversee works;

f. Responsible persons and lines of communication;

g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and

h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

23) Prior to the installation of any ventilation/ air conditioning / heating / extraction equipment, including any replacements of such, full details including location, acoustic specifications and specific measures to control noise/dust/odour from the equipment, shall be submitted to and approved in writing by the local planning authority. The equipment shall be installed, used and maintained thereafter in full accordance with the approved details.

24) Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the local planning authority and shall incorporate the following parameters:

a. Fully shielded (enclosed in full cut-off flat glass fitments)

b. Directed downwards (mounted horizontally to the ground and not tilted upwards);

c. Switched on only when needed (no dusk to dawn lamps); and

d. White light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources.

The lighting shall thereafter be installed and retained in accordance with the approved details unless otherwise approved in writing by the local planning authority.

25) The development hereby permitted shall not be occupied until such time as adequate facilities for the storage and collection of refuse and recycling have been provided in full accordance with details which have been first submitted to and approved in writing by the local planning authority. The details submitted shall include details of the following:

a. Refuse collection vehicle access;

b. Storage areas and any compounds; and

c. Surfacing materials.

The scheme shall be provided and retained thereafter in full accordance with the approved details.

26) No development shall commence on site until a full or phased scheme has been submitted to and approved in writing by the local planning authority for the provision of at least one fire hydrant (served by mains water supply) for every 50 dwellings forming part of the development and no dwelling shall be occupied until the hydrant(s) serving the property or group of properties has been provided to the satisfaction of the local planning authority.

27) Prior to commencement of development, detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. The incorporation of measures as required by the Appropriate Assessment within the HRA Addendum report from July 2019 to ensure that at least two SuDS features (attenuation basins, swales and/or permeable paving) are secured in the management train as part of the drainage strategy so as to ensure an adverse effect on the integrity of Holt Lowes SSSI/Norfolk Valley Fens will not occur as a result of the development

II. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) at the location and proposed depth of the proposed infiltration basins.

or

Surface water runoff rates will be attenuated to QBar 2.1 l/s as stated within section 9.0 (Table 9.1) of the FRA / Drainage Strategy.

III. Provision of surface water attenuation storage sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% annual exceedance probability (AEP) rainfall event including allowances for climate change. Run-off from the undeveloped areas must be taken into account and included in the storage calculations. The minimum volume of storage will be calculated using an appropriate factor of safety as stated in Table 25.2 of the updated CIRIA C753 Manual. FEH parameters to be used for calculations, not FSR.

IV. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
• 3.33% AEP rainfall event to show no above ground flooding on any part of the site.
• 1% AEP plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

V. The design of the infiltration basins will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Consideration should be given to the area of ponding adjacent to Infiltration Basin SA1 as shown on the Environment Agency Risk of Flooding from Surface Water maps, and to how this will be avoided or accommodated as part of the proposed surface water drainage system.

VI. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP event.

VII. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including

the SuDS features within any proposed drainage scheme) and 150mm above ground level.

VIII. Details of how all surface water management features to be designed in accordance with the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

IX. Information needs to be provided to demonstrate that any subsequent application for different phases of development considers how sustainable drainage relates to the surface water drainage strategy for the whole site. In particular, highlighting where different phases rely on each another for the disposal of surface water, how this will be implemented during construction and operation of the development.

X. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

28) Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the local planning authority.

29) Prior to the occupation of the 100th dwelling of the development, all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved specifications.

30) No dwelling hereby permitted shall be occupied until such time as the pedestrian, cycle and emergency access to Lodge Close has been provided in accordance with the details set out on drawing number 17033-12-03-A 'Proposed Emergency Access and Lockable Gate' or in accordance with an alternative Lodge Close access design which shall have first been submitted to and approved in writing by the Local Planning Authority. The pedestrian, cycle and emergency access shall thereafter be retained in accordance with the approved details.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Ms Estelle Dehon (Counsel)	Of Cornerstone Barristers, instructed by North Norfolk District Council
She called:	
Mr Jonathan Lee BSc (Hons)	Managing Director of Opinion Research Services (ORS)
Ms Alison Hutchinson BA (Hons), MRTPI	Partner in Hutchinsons
*Mr Geoff Lyon MTCP, MRTPI	Major Projects Manager, North Norfolk District Council

**Took part in the Planning Obligation and conditions session only*

FOR THE APPELLANT:

Miss Thea Osmund-Smith (Counsel)	Of No 5 Chambers, instructed by Gladman Developments Limited
She called:	
Mr Tom Baker MSc MRTPI	Associate Director of Savills
Mr John Mackenzie BSc (Hons) MRTPI	Planning Director of Gladman

INTERESTED PERSONS:

Mr Duncan Baker MP	Speaking as Local Ward Member
Cllr Sarah Butikofer	Leader of North Norfolk District Council
Ms Gemma Harrison	Holt Town Council
Mrs Maggie Prior	Chair of Governors for Holt Primary School
Ms Jane Matthews	Local Resident
Mr Richard Carter	Local Resident

DOCUMENTS PROVIDED DURING THE INQUIRY

1 Appellant Opening Statement
2 Council Opening Statement
3 Holt Town Council Presentation
4 Mrs M Prior Presentation
5 Erratum to Written Statement of Mark Ashwell
6 Decision Notice PM/19/0359
7 Appellant's Costs Application
8 Council Closing Submissions
9 Appellant Closing Submissions

DOCUMENTS RECEIVED AFTER THE INQUIRY

1 Councillor Butikofer Presentation

2 Council Costs Response