

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 26 January 2023 in the Council Chamber - Council Offices at 9.30 am

Committee Mrs P Grove-Jones (Chairman) Mr P Heinrich (Vice-Chairman)
Members Present:

Mr A Brown	Mr P Fisher
Mr R Kershaw	Mr N Lloyd
Mr G Mancini-Boyle	Mr A Varley
Ms L Withington	

Substitute Cllr J Rest
Members Present: Cllr H Blathwayt

Officers in Attendance: Principle Lawyer (PL)
Development Manager (DM)
Development Management Team Leader (DMTL –CR)
Development Management Team Leader
Senior Planning Officer (SPO – JS)
Senior Planning Officer (SPO – JB)
Senior Planning Officer (SPO – RA)
Democratic Services Officer - Regulatory

91 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr A Fitch-Tillett, Cllr V Holliday, Cllr N Pearce and Cllr M Taylor.

92 SUBSTITUTES

Cllr H Blathwayt was present as a substitute for Cllr V Holliday with Cllr J Rest present as a substitute for Cllr A Fitch-Tillett.

93 MINUTES

The Minutes of the Development Committee meetings held on the 8th and 22nd December were approved as a correct record.

94 ITEMS OF URGENT BUSINESS

None.

95 DECLARATIONS OF INTEREST

Cllr A Brown declared a non-pecuniary interest in agenda item 8, PF/21/3458, and noted that Members had been in receipt of communication from the applicants agent. With respect of item 12, LA/22/0542, Cllr A Brown advised he was the Local Ward Member.

Cllr L Withington declared a non-pecuniary interest in agenda item 8, PF/21/3458, and advised that she had attended a site meeting a few years prior but did not consider herself pre-determined.

FULMODESTON - PF/21/3458 - ERECTION OF TWO ONE-BED TREE HOUSES WITH EXTERNAL WORKS AND SERVICING (TO INCLUDE BIOROCK DRAINAGE SYSTEM AND SOLAR PANELS) AT LAND AT WOODLAND, BROWNS COVERT, HINDOLVESTON ROAD, FULMODESTON

The SPO – JS introduced the Officers report and recommendation for refusal. She advised that the application was for the provision of two self-contained treehouses within Swanton Novers Wood on the Astley Estate to be used as visitor accommodation as part of a proposed farm diversification and tourism venture scheme.

The Case Officer outlined the site location which was contained within a current commercial woodland for timber extraction, and the proposals relationship with its setting including proximity of the Swanton Great Wood and Little Wood. The SPO-JS highlighted the floor plan and proposed elevations for each of the treehouses, and commented on the use of materials consisting of galvanised steel frame, large, glazed openings on the south east and north west elevations where the solid external element (kitchen and bathroom pods) are externally clad with larch.

The SPO-JS offered photographs to better inform the Committees understanding of the site, its viability from the meadow and public right of way. With respect of access to the site, the Case Officer advised that parking was not proposed to be adjacent to the units, rather it was some 220m away. Once cars had parked off the main drive from the Hindoleveston Road, it was proposed that wheel barrows be made available to guests to transport belongings. Access to both tree houses followed pre-existing logging tracks.

In conclusion, the SPO-JS reiterated the Officer recommendation for refusal, and advised that the proposal was considered contrary to policy EC7, EC1, SS4 EN2, EN 4, EN 9 and CT5 of the North Norfolk Core Strategy, paragraphs 105, 130, 134 and 174 of the NPPF and the principles set out in the North Norfolk Landscape Character Assessment 20221 and the North Norfolk Design Guide.

Public Speakers

Lord Hastings – Supporting

Members questions and debate

- i. The Local Member – Cllr V FitzPatrick – thanked Officers for their work on the application, but disagreed with their assessment for refusal. He contended that the application title of ‘treehouse’ belittles the intention to offer off-grid, sustainable holiday accommodation, and having attended the site, he argued that the Development would add interest and usage to the woodland site. With regard to its location, he contended that whilst it was situated away from services, this was part of the holiday homes attraction as a secluded, tranquil location which arguably wouldn’t work in an urbanised setting. Further, Cllr V FitzPatrick placed weight on the sustainable intentions of the proposal both in its construction and intended mode of operation, and in the economic development which would provide the Astley estate another, diversified, income stream during challenging economic times, supporting the development of the estates low impact farming methods, increase its biodiversity and increase its woodland. The Local Member considered that the proposal would help to place North Norfolk on the map as an eco-friendly tourist destination.

- ii. Cllr P Heinrich noted the Officers recommendation accorded with existing policy, but argued that this novel proposal warranted further consideration and a justified departure from planning policy. He noted the proposal was an application for an eco-tourist provision and the site would attract those wishing to be located in a countryside setting away from larger settlements, with the remote nature of the site being a key attraction. Cllr P Heinrich questioned Officers interpretation of the designation of the site; considering the woodland was ancillary to the wider farming and other activities of the estate, and description of the site being unsustainable; noting the design, access, construction and services were all sustainable and innovative in their design. He noted that the scheme formed part of a programme of ecological enhancement in line with current government policy to encourage farms to re-wild land where appropriate, as such he considered policies SS4, EN2 and EN9 were met. With regards to concerns of light spill, Cllr P Heinrich stated this could be eliminated through the use of electrochromic glass (smart glazing) programmed to deliver maximum light during the day and switching to non-see-through state controlled by light sensors. He concluded by commenting that guests would be fully aware of the remote nature of the site, and argued that applications of this nature needed to be assessed in a different way, considering this to be a positive development.
- iii. Cllr N Lloyd supported the views presented by Cllr P Heinrich, and considered the Applicants commitment to sustainable forms of agriculture and to increase biodiversity thousands of times over in that area refreshing and something which be believed should have been afforded greater weight. Whilst he could understand why Officers had made their determination, in according with existing policy, he argued there was justified reasons for departure including business diversification, welfare benefits to those using the site, and the reasons previously outlined.
- iv. Cllr L Withington noted regular discussion at Development Committee surrounding the use of lighting in proposals, and considered it important that solutions be found to minimise light spill.
- v. Cllr J Toye reflected on his own experiences, and contended that there would be benefits to the environment, local tourism and the local community brought through the proposal.
- vi. The Chairman advised the Committee that the application was for 2 treehouses, but that the intention of the estate was for 14 treehouses pending planning permission. She noted that this was not a matter for consideration, but something which may have an impact in future.
- vii. Cllr R Kershaw expressed sympathy for Officers, and argued that NNDC's policies were outdated to deal with such proposals. He contended that the eco-tourist offering was something the Council had been working to promote through its Corporate Plan, brining economic benefits to the area. Further, the Council were trying to assist Estates in diversifying and noted the former timber extraction site would have a woodland manager, and offer educational trips to educate future generations about the importance of biodiversity. Like Cllr N Lloyd, he did not consider enough weight had been given to the biodiversity gained through the project. Cllr R Kershaw spoke highly of the design quality, which he argued could be award winning.

- viii. The DM advised that Officers report and recommendation was based on existing policies contained in the Local Plan, and that the Committee should support and uphold policy unless there were material considerations to justify a departure. Whilst there had been some discussion about policies and whether they were outdated, it was noted that Paragraph 85 of the NPPF aligns with Policy EC 7 of the Local Plan. Should Members wish to depart from policies they must articulate what the material considerations are which justify departing from policy. If the departure were to hinge on biodiversity net-gain, the DM advised that Members will need to ensure this is secured as part of the planning permission to ensure those benefits are realised.
- ix. Cllr G Mancini-Boyle expressed concern about the fire safety of the scheme, including on site mitigation, and how the site could be accessed by a proper fire engine.
- x. The Chairman asked the Applicant if fire engines could access the site. The Applicant advised that this was not a requirement under building regulations and that it was possible to access the site by various tracks. He advised there would be a pump in place, with training offered to staff to address potential fires, however if this was an overriding concern for the Committee, he would be willing to consider other mitigations.
- xi. Cllr J Rest supported the concerns raised by Cllr G Mancini-Boyle and advised he was uncomfortable with the report produced by the Fire Service. In addition, he was disappointed that the proposal would be inaccessible for those with physical disabilities.
- xii. Cllr H Blathwayt asked, if the Officers recommendation was refused, whether conditions could be added to ensure the training of fire wardens. He asked for clarity over the expected lifespan of the development, as he reflected that the structures were of their time. The Applicant advised the lifespan was envisaged to be 50 years.
- xiii. Cllr A Brown commented that policies were regularly reviewed and updated, with the Council having a positive record at appeal. He considered the application of policy EC 7 which would treat the accommodation as permanent dwellings for planning purposes and therefore the proposal would not accord with NNDC Core Policy. Whilst Cllr A Brown championed NNDC planning policies, he considered there to be much merit in the proposal in protecting and enhancing biodiversity and providing dedicated tourist accommodation. He commented that he would have liked to have been provided more detail of where the other 12 units would be positioned, as he considered there would be a cumulative effect on the landscape. Additionally, he would like further detail on how the biodiversity enhancement could be secured and whether this could be secured by condition or by way of S106 agreement.
- xiv. The PL, on reviewing the section on fire safety, considered that greater detail could have been provided by way of a full comment from Norfolk County Council Fire Service,
- xv. The DM advised that if Members were minded to grant a delegated conditional approval, Officers could seek to obtain a full comment from Norfolk Fire Service and to incorporate any advice into the decision notice. With regards to the application of policy EC 7, the DM clarified that the site

was located in the rural tourist asset zone. The DM advised that either a planning condition or legal agreement could be secure depending on where the biodiversity enhancements were placed which could be delegated to the Assistant Director for planning, should Members be minded to do so.

- xvi. In response to Members comments, the DM affirmed that in going against the Officers recommendation, Members consider the proposal as a departure from the development plan for the reasons outlined. The proposal should be considered on its merits, and it was a matter of planning judgement whether the material considerations justified departure from policy.
- xvii. Cllr J Rest proposed acceptance of the Officers recommendation, Cllr P Fisher seconded.

THE VOTE WAS LOST by 3 votes for, 7 votes against and 2 abstentions.

The Officers recommendation for refusal did not gain the necessary support.

The Committee sought to form an alternate recommendation

- xviii. Cllr J Toye argued that a departure for policy was justified for the proposal as it promised net gains which aligned with the Councils green agenda, offered diversification of the business which would not impede the local countryside, rather it would enhance the countryside setting. He contended there were clear positive benefits, and good design, which merited conditional approval subject to addressing the discussed concerns, and ensuring biodiversity net gain.
- xix. Cllr A Varley considered the proposal innovative and ambitious both as a planning application and in broader terms of Economic Development, aligning with Policy EN 9 and EC 7.
- xx. The Chairman noted Members discussion that conditions be applied to address concerns of fire risk including proper engagement with Norfolk Fire Service over this and future proposals in the area, in addition conditions be applied for the use of electrochromic glass.
- xxi. Cllr H Blathwayt expressed his concern for the future appearance of the treehouses in 50 years' time, and further raised concerns that if these and the further proposals were to be approved, the fire safety risk would significantly increase with 14 potential BBQs, fire pits and others.
- xxii. The Chairman stated that a condition could be added to restrict fire pits and other things of this nature.
- xxiii. The PL suggested that a restrictions should be added to control the occupancy of the units to specify that they are holiday accommodations, and that they should not be owned or occupied as permanent, main residences and that they should not to be occupied on a permanent basis. If no prohibition or limitation was applied the units could be sold off as freehold dwellings.

- xxiv. The Applicant advised that they had not considered the occupancy but noted that the units would be shut from time to time for maintenance and during periods of deer management. The Applicant indicated that they had no intention to sell off the units and would be agreeable to this condition.
- xxv. Cllr R Kershaw proposed the applications be accepted subject to the discussed conditions with final wording delegated to the Assistant Director for Planning.
- xxvi. Cllr A Varley seconded the recommendation.
- xxvii. The DM summarised Members comments justifying a departure from the plan, with the Committee having considered good design gains in terms of eco-tourism, biodiversity net gains delivered by the project and supporting of local economic development. With respect of conditions, Members had identified the following matters they wished to delegate to the Assistant Director for Planning; to consult with the Norfolk Fire Service and include any suggested fire safety recommendations, to control the occupation and use of each the properties, to prevent the sale of the properties to a third-party (though this may need to be secured as a legal agreement as opposed to a condition), no external lighting, no fire pits or BBQs, and restrictions / controls on the glazing.
- xxviii. Cllr L Withington noted that the Applicant had shown willing to prepare and implement a conservation management plan and considered that this be included as a condition, which would ensure biodiversity net gain, should this application set a precedent for other similar schemes.
- xxix. The DM advised the biodiversity net gains would be secured as either a condition or by way of a legal agreement. It was noted that Applicant had indicated a 10,000% biodiversity net gain, a huge figure, which Members may wish to secure as a condition.
- xxx. Cllr J Toye asked if there were a recognised metric or practice which could be applied, and which methodology would be best.
- xxxi. Cllr N Lloyd noted the supporting documents within the proposal which highlighted in detail plans for increasing biodiversity, which made a compelling case. He contended that the conservation management plan would ensure the Applicant was held to account.
- xxxii. The DM advised that there were metrics used by DEFRA to measure biodiversity net gain.
- xxxiii. The Applicant asked the Committee if the legal agreement could be provided at the earliest opportunity to allow for occupation in the summer.
- xxxiv. The DM advised there was no set time limit for how long a legal agreement should take, and that this was dependent on parties working together and providing the necessary documentation and details in a timely manner.
- xxxv. The Applicant's agent indicated willingness to secure by condition biodiversity net gain and implementation of the conservation management plan which could be reported back to the Council on an annual basis. She

asked that the Council accepts that the site owner can enter into a s106 Unilateral Undertaking to ensure expediency of the proposal.

- xxvi. The PL advised that the Council were usually quick in issuing draft s106 legal agreements but that she would be agreeable to the owner entering into a s106 Unilateral Undertaking.
- xxvii. Cllr A Brown asked if the Council's legal costs relating to the s106 Unilateral Undertaking would be borne by the Applicant. The PL advised in this instance they would be, but that the Council were very reasonably priced.

IT WAS AGREED by 8 votes for, 1 against, and 3 abstentions.

That Application PF/21/3458 be APPROVED subject to conditions outlined at the meeting and any other considered necessary by the Assistant Director-Planning and subject to the entering into of a s106 Unilateral Undertaking to a) restrict the occupancy of the dwellings to holiday accommodation only b) to prohibit the use of external fire pits, barbeques and the like outside the dwellings and c) to secure and implement a woodland conservation and management plan to achieve biodiversity gains.

Final wording to be delegated the Assistant Director - Planning.

The meeting was adjourned at 10.45am and resumed at 11.01am

97 SHERINGHAM - PF/22/2901 - ERECTION OF A 396 KWP SOLAR CAR PORT AND ASSOCIATED INFRASTRUCTURE - THE REEF LEISURE CENTRE, WEYBOURNE ROAD, SHERINGHAM FOR NORTH NORFOLK DISTRICT COUNCIL

The SPO – JB introduced the Officers report and recommendation for approval subject to conditions. He established the location of the site, its relationship with neighbouring businesses, site plan, elevations and dimensions of the car ports. It was considered that the impact of the Norfolk Coast AONB was minimised with the proposal being suitably obscured by the Reef Leisure Centre.

Whilst the application may not be valued for its visual merits, it was considered significant for its positive impact and alignment with the Councils Climate Emergency declaration and green aims, offering environmental and renewable energy benefits. The energy provided to the Reef would be weather dependent, and subject to demand from the reef at any one time.

Members questions and debate

- i. Cllr L Withington – Local Member for Sheringham North speaking on behalf of Local Member Cllr C Heinink (Sheringham South) - spoke favourably of the application, noting that the Town Council had not objected to the application and that they too had declared a Climate Emergency in June 2019. She agreed that placement of the Reef aided to shield the carpark from the AONB, minimising the visual impact and harm caused.
- ii. Cllr J Rest asked how many panels the proposal would consist of, and if the panels would be larger than the conventional sizes used on domestic roofs. The DM advised there would be 966 PV modules of standard size (referenced in the design access statement) with a combined surface area of

1896 square metres.

- iii. In response to questions, the SPO – JB advised that there would be no storage facility proposed as part of the scheme.
- iv. Cllr N Lloyd advised that whilst the proposal would not offer the full complement of electricity to operate the Reef, when at full demand all power would be diverted to the Reef though there were some electric vehicle charging points associated with the application with the wiring already installed. Acceptance of the proposal had the potential to have a significant reduction on the running costs of the Reef, and an arrangement would be put in place with the operator (Everyone Active) to ensure a reasonable price for the energy produced. Having attended several similar sites across the UK, he considered such proposals as being very popular, offering shade to cars in the summer, and protection from inclement weather at other points of the year. Cllr N Lloyd affirmed that these types of project were essential to meet the Councils net-zero pledge in 2030, and so proposed acceptance of the Officers recommendation.
- v. In response to questions from Cllr G Mancini-Boyle, the DM advised that the panels would be anti-glare.
- vi. Cllr R Kershaw seconded the Officers recommendation for acceptance.
- vii. Cllr P Heinrich expressed his support for the recommendation and commented it was a pity that solar panels could not be insisted upon all new developments.
- viii. Cllr H Blathwayt considered this a positive proposal which would have the added benefit of offering shade to cars, and dogs waiting in cars. He agreed with Cllr P Heinrich that he would be supportive of such a scheme being used in all supermarket car parks as in Spain and France.
- ix. Cllr A Brown commented in support of the application, though considered the design could be improved. He noted that typically a condition was added to such applications to ensure the removal of the solar panels when asked by the Council, and considered this too should be conditioned with this proposal. With reference to dark skies, Cllr A Brown asked that the lighting condition require state of the art lights which minimise light pollution, and asked if the details provided were the maximum which could be conditioned.
- x. The DM advised that the Council had applied conditions on similar applications when they no longer were required for electricity generation. It was therefore not unreasonable for this condition to be applied. With regards light spill, as the relevant Officer dealing with the Reef application, the DM advised light spill on the AONB had been a primary consideration. The DM considered the proposal an enhancement due to the removal of light columns and replacement with down lighting under the solar panels.
- xi. Cllr L Withington reflected of issues in Sheringham with birds occupying themselves underneath panels, she asked what would be the likelihood of nesting birds underneath the panels and what could be done to avoid this.
- xii. The DM advised that matters nesting birds would be best managed by the Property Services team, rather than be conditioned.

- xiii. Cllr J Toye considered there to be additional benefits to having solar panels beyond electricity generation, noting that the shade offered by the panels would keep all vehicles whether they be electric or not, cool in summer and this therefore resulted in less energy being used to cool the vehicles down. Conversely in winter vehicles would be shielded from the elements and would therefore warm up quicker.

IT WAS UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application PF/22/2901 be APPROVED subject to conditions to cover the matters listed below:

- **Time Limit for commencement (3 years)**
- **Development in accordance with the approved plans**

Final wording of conditions to be delegated to the Assistant Director – Planning

The DM left the meeting at 11.20am

98 SLOLEY - LA/22/1910 - RETENTION OF INTERNAL AND EXTERNAL ALTERATIONS TO FACILITATE CONVERSION OF BARN TO DWELLING, THE OLD WORKSHOP, SLOLEY ROAD, SLOLEY, NORWICH.

SLOLEY - PF/22/1909 - CONVERSION OF BARN TO DWELLING (RETROSPECTIVE), THE OLD WORKSHOP, SLOLEY ROAD, SLOLEY, NORWICH

The SPO – JS introduced the Officers report and recommendations for LA/22/1910 and PF/22/1909 which were presented together. She affirmed that sites location, floor plans, elevations, relationship with neighbouring properties and heritage. The SPO – JS advised that the key issues for consideration were design and impact upon heritage assets and amenity, and it was confirmed that the Conservation and Design Officer raised no objection to the proposals, and considered that there would be no harmful impact upon the designated heritage asset as a whole.

The SPO-JS updated the Committee with regards to PF/22/1909 and advised an additional condition be applied that any relevant conditions be be-imposed from extant approval. Further, she affirmed an Advisory note that the approval does not cover the unauthorised garage and boundary screening and a further planning application will be prepared and submitted to the Local Planning Authority for consideration within 6 months of the date of this decision to address any outstanding issues.

Public Speaker

Dr Michelle Lyon – Supporting

Members questions and debate

- i. The Local Member – Cllr G Mancini-Boyle – expressed his disappointment that Sloley Parish Council had objected to the application for not being in accordance with listed building regulations and yet had not sent a representative to the meeting. The Local Member noted the submission and views offered from the Conservation and Design Officer conflicted with those offered by the Parish Council.

- ii. The SPO-JS advised that the Conservation and Design Officer had provided their professional judgment, and concluded there would be no significant harmful impact enough to recommend a refusal. Whilst it is disappointing when works are not undertaken in accordance with an approved plan, Members were being asked to consider these applications on their merits.
- iii. Cllr J Toye reflected on the Officers report, photographs of the site, and lack of objections raised. He noted the applicant's representation that the proposal was to regularise the application. Cllr J Toye affirmed there were acceptable schemes and so proposed acceptance of the Officers recommendations for both applications.
- iv. Cllr G Mancini-Boyle seconded both of the recommendations.
- v. Cllr P Heinrich expressed his support for the views supplied by the Conservation and Design Officer, with the alterations not detracting from the look and feel of the heritage building.

IT WAS UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application LA/22/1910 be APPROVED subject to conditions to cover the matters listed below and any others considered necessary by the Assistant Director – Planning

- Approved Plans
- Re-painting of meter boxes within 3 months of the date of decision in a colour to be agreed with the LPA.

Final wording of conditions to be delegated to the Assistant Director - Planning.

IT WAS UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application PF/22/1909 be APPROVED subject to conditions to cover the matters listed below and any others considered necessary by the Assistant Director – Planning

- Approved Plans.

Final wording of conditions to be delegated to the Assistant Director for Planning

99 EDGEFIELD - LA/22/0542: - WORKS ASSOCIATED WITH CONVERSION OF PART OF BARN TO ADDITIONAL BEDROOM FOR ANNEXE AND PART FOR HOME OFFICE AND PLANT ROOM; INSTALLATION OF SOLAR PANELS

The SPO- RA introduced the Officers report and recommendation for approval. He advised a correction in the report, noting that some details related to the other application (PF/22/0541) which was pending decision with delays owing to nutrient neutrality and not approved as stated. The Case Officer affirmed that nutrient neutrality did not affect the proposed application before the Committee.

The SPO-RA confirmed that sites location and aerial view of the property; providing

context for the proposals relationship with neighbouring properties and key infrastructure within the historic setting, as well as site plans, elevations and photographs.

The Main issues for consideration pertained to the impact on the heritage asset (Policy EN 8 of the NNDC Core Strategy) with the SPO-RA confirming that the Senior Conservation and Design Officer raised no objection to the internal works and rooflights to the rear, and considered there to be 'less than substantial harm' as set out by the NPPF when weighed against the public benefits of the proposal; renewable energy and sustainability of the rural location.

On balance, Officers considered the proposal acceptable subject to condition, and noted it would be conditioned that the solar panels be removed if they were no longer needed.

Members questions and debate

- i. The Local Member – Cllr A Brown – raised a procedural issue, firstly whether the site was located in the Broads Conservation Area as this had not been listed as a constraint. Second, whether it was appropriate to consider this application separate to PF/22/0541.
- ii. The PL advised there was no legal grounds for the two applications to be assessed independently, though understood Cllr A Browns concerns from a practical perspective that usually when there is a listed building application and a planning application they are considered together.
- iii. Cllr A Brown reflected ongoing discussion with how to manage planning applications pending nutrient neutrality, and expressed concern that assessing the proposal was a departure from how the council had handled such applications. The Local Member welcomed renewable energy progress, and noted the application sites within the Glaven Valley Rural Conservation area which he trusted had been dually considered by the Officers. Cllr A Brown proposed acceptance of the Officers recommendation.
- iv. The DMTL – CR noted that it was unusual to have a listed building application and a planning application considered separately, and agreed with guidance offered by the PL that there was no legal impediment why this could not happen. Officers considered in the interest of expediency and dealing with applications that there was no reason to delay determination of the listed building application.
- v. Cllr P Heinrich sought clarity if the application related solely to the barn/annexe. The Chairman confirmed it was just this application.
- vi. Cllr G Mancini-Boyle asked if new solar panels would be installed, as the latest models could be recycled when they had come to the end of there lifespan. The DMTL – CR advised that the panel specification was not known, but assured Members that the panels would be removable, ensuring the panels did not pose permeant harm to the heritage asset.
- vii. Cllr J Toyne argued in favour considering the applications separately, and determined the positive benefits of installing the solar panels at the earliest opportunity so that they may mitigate against climate change. Cllr J Toyne seconded the Officers recommendation.

IT WAS UNANIMOUSLY RESOLVED by 12 votes for.

That Planning Application LA/22/0542 be APPROVED subject to conditions relating to the following matters and any others considered necessary

by the Assistant Director – Planning:

- **Time limit for implementation**
- **Approved plans**
- **Removal of the solar panels if no longer required**

Final wording of conditions to be delegated to the Assistant Director - Planning

The DM returned to the meeting at 11.50am

100 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- i. The DM introduced the Development Management Performance report (Page 63 of the Agenda Pack) and spoke favourably of Officers performance and noted the figures included the Christmas Closure period. The introduction of the back office system had affected the 24 month period which was expected to improve in time as those impacted months fell out of the subject timeline. The DM advised nutrient neutrality had delayed decision making, but that Officers remained keen to clear cases. It is anticipated that the planning improvement plan would soon be introduced, with Officers reviewing processes and procedures to offer applicants assurances applications were being considered in an efficient manner.
- ii. In response to questions from the Chairman, the DM advised that new staff were starting with the authority the following week, one a senior planning Officer and the other the S106 Officer. The DM advised he would circulate an updated structure chart to Members.
- iii. Cllr G Mancini-Boyle asked additional information be covered in the report. The DM advised that report was in the process of being updated which would include data on the average length of time for applications, and others, which would aid to manage expectations of applicants and for the public. This additional data would offer the Committee a greater insight into the planning services work.
- iv. Cllr A Brown expressed his thanks for Planning Officers for their hard work, and noted the continued high performance as outlined in the data provided.
- v. The PL commended Planning Officers for their work in reviewing lawful development certificate applications, which was difficult work, often requiring detailed research and was consequently very time consuming.
- vi. Regarding the S106 report, Cllr R Kershaw thanked the PL for her hard work with Scottow Enterprise Park and relayed feedback from the applicant.
- vii. The PL advised that the draft unilateral agreement for the outstanding S106

was with the applicant lawyers. With regard to the Crisp Maltings site in great Ryburgh, the PL advised that the draft S106 agreement was progressing well.

- viii. The DM in response to questions from the Chairman, advised that the Council were consulting with the applicant on the list of conditions, and were clarifying the position with Natural England. He advised he was confident that these matters could be satisfied.
- ix. Cllr G Mancini-Boyle noted some issues with applicants and members of the public who were understood to have failed to register to speak at various meetings. He asked if the Portfolio holder or Customer Services Manager had been invited to explain the process. The DM advised he would investigate and follow up.
- x. Cllr A Brown raised a concern that that he had not been contacted by Officers, as the Local Member, before the agenda publication to advise that an application in his Ward was coming to Committee. The DM advised he would ensure that Officers were notified when it was there responsibility to communicate with Members, and that this process be followed.
- xi. Cllr R Kershaw commented that he considered the planning service improve and reflected that he had been consulted on all applications within his ward.

101 APPEALS SECTION

- i. New Appeals
Noted.
- ii. Inquiries and Hearings
The DM advised that the Arcady appeal for Cley-next-the-sea had been heard that week and was understood to have concluded, pending a response from the Planning Inspector in the coming weeks.
- iii. Written Representation Appeals
The Chairman noted the 3 applications for Fakenham – ENF/21/002, PO/21/2584 and PF/21/3158 and asked for an update. The DM advised that the Council were awaiting instruction from the Planning Inspectorate.

Cllr A Brown identified ENF/20/0095, and commented that the applicant had submitted a new planning application PF/22/2767 for a modified scheme. He noted that ENF/20/0095 had been refused in May 2021 and went to appeal in October 2021. Cllr A Brown expressed his disappointment and concern with the extended delay as it was recommended that written appeals take no more than 30 weeks, and challenged the Authority to engage with the Planning Inspectors on these delays.
- iv. Appeal Decisions
The DM spoke to the Councils strong record at appeal and noted that only one of the five appeals had been upheld by the Planning Inspector.

102 EXCLUSION OF PRESS AND PUBLIC
None.

The meeting ended at 12.04 pm.

Chairman