

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 20 July 2023
in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:

Cllr P Heinrich (Chairman)	Cllr R Macdonald (Vice-Chairman)
Cllr M Batey	Cllr A Brown
Cllr P Fisher	Cllr A Fitch-Tillett
Cllr V Holliday	Cllr P Neatherway
Cllr J Toye	Cllr K Toye
Cllr L Vickers	

Substitute Members Present:

Cllr L Withington

Officers in Attendance:

Development Manager (DM)
Principle Lawyer (PL)
Deputy Monitoring Officer
Democratic Services Manager
Senior Planning Officer – JB (SPOJB)
Senior Planning Officer – MB (SPOMB)
Planning Officer (PO)
Trainee Planning Officer (TPO)
Coast Manager (CM)

21 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr M Hankins, Cllr G Mancini-Boyle and Cllr A Varley

22 SUBSTITUTES

Cllr L Withington was present as a substitute for Cllr A Varley.

23 MINUTES

The Minutes of the Development Committee meeting held Thursday 22nd June 2023 were approved as a correct record.

24 DECLARATIONS OF INTEREST

None declared.

25 CROMER - PF/23/0459 - PROPOSED TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND ERECTION OF OUTBUILDING TO THE REAR AT 8 BERNARD ROAD, CROMER, NORFOLK, NR27 9AW

Officers Report

The TPO introduced the Officers report and recommendation for approval. She established the sites location, provided aerial and site photographs, outlined existing elevations and floor plans and proposed site plan, elevations, roof and floor plans. It was noted that use of the outbuilding would be conditioned for incidental purposes

only. The main issues for consideration was whether the proposed development was acceptable in respect of principle, the effect on the character and appearance of the surrounding area, effect on residential amenity and whether the proposed development would have any effect on highway safety.

Public Speakers

Phil Harris – Objecting

Carolyn Wright – Supporting

Members Debate and Question's

- i. The Local Member – Cllr T Adams – drew comparisons to another application in his Ward, PF/20/2569, which had been refused on the basis that the application did not pay respect to the character of the surrounding area and failed to ensure that the scale and massing of the building related sympathetically to the surround area. Cllr T Adams, stated that he was not opposed to the principle of an extension but considered the proposal would not be subservient to the host dwelling through the doubling of the footprint and addition of an outbuilding. He contended that the proposal was out of character for the built form of the area and noted the numerous public objections to the application.
- ii. Cllr J Boyle – Local Member – considered the scale of the proposal was an overdevelopment of the dwelling and would not be in keeping with its immediate setting.
- iii. The Chairman sought confirmation whether a significant portion of the scheme could be achieved under permitted development rights.
- iv. The TPO advised that the outbuilding could be built out under permitted development.
- v. Cllr J Toye asked, had the application been for the extension to the rear only, whether this could be built under permitted development rights as a single floor extension.
- vi. The DM advised the application presented to Members was not for permitted development, and confirmed that Members needed to consider and assess the proposal against NNDC Core Strategy policies, in particular EN4. He affirmed that Officers were satisfied that the proposal accorded with policies and reflected that nearby properties had also been extended.
- vii. Cllr V Holiday asked about the distance between the extension and the neighbouring property, and whether the proposal would overlook the neighbour.
- viii. The TPO commented that there would be two windows on the ground floor of the Northern Elevation which would serve the bathroom. This was not considered by Officers to have an overlooking effect on neighbours.
- ix. Cllr A Fitch-Tillett did not consider there to be a problem with the proposed extension on planning grounds and further she that there had been other developments to the south of a similar nature to the ancillary building. Cllr A

Fitch Tillett proposed acceptance of the Officers recommendation for approval.

- x. Cllr L Withington sought confirmation that the incidental building could not be used as a holiday let and that this would be conditioned.
- xi. The TPO confirmed the condition was for the outbuilding to be incidental and ancillary to the host dwelling. In determining the application the TPO advised that weight could not be attributed to any other potential future use as a holiday let, as this was not what was proposed.
- xii. The DM affirmed that the application pertained to the dwelling, the extension to the dwelling and the building in the garden as a single planning unit. Should the building in the garden be rented out as a separate accommodation this would amount to a material change of use creating a new planning unit which would require planning permission.
- xiii. Cllr P Fisher seconded the proposal.
- xiv. Cllr J Toye stated that whilst he understood the planning reasons behind the Officers recommendation, he struggled with the size of the proposal which would take the dwelling from three bedrooms to six, which had been subject to significant local objection. Cllr J Toye placed weight on the local objections though stated he would likely vote in favour of the Officers recommendation.
- xv. The Chairman reminded Members that decision making must be rooted in planning grounds, this must take priority over other interests.
- xvi. Cllr L Withington asked if consideration had been given to dark skies, noting that the roof windows would emit light pollution.
- xvii. The DM confirmed that there were 4 proposed windows on the roof, but commented that the applicant did not require planning permission to make this change.
- xviii. Cllr A Brown established that access to the rear of the site, and any damage arising from increased use of vehicular traffic was not a planning matter for consideration. Should the application be approved, any issues arising would be for the owner to work with neighbours to address. Cllr A Brown commented that the proposal would not breach planning policy, and whilst he understood concern around the increased massing of the building, he was minded to support the Officers recommendation.
- xix. Cllr V Holliday disagreed with Cllr A Brown and argued that the proposal was contrary to NNDC Core Strategy Policy EN4, and was not in keeping with the local context in which the dwelling was set. She commented that the dwellings along the street scene were historical, dating from 1927, were attractive and symmetrical. In approving the application this dwelling would be markedly different from those surrounding it.
- xx. The PL confirmed that the access to the rear was a private driveway. She commented that there may be an amenity issue in planning terms if there were a lot of vehicles crossing at night, however the status of the backroad was a matter for residents to control.

RESOLVED by 10 votes for 1 against

That Planning Application PF/23/0459 be approved in accordance with the Officers recommendation.

26 HAPPISBURGH - PF/22/2510 - ACCESS TRACK TO LIGHTHOUSE LANE TO SERVE EXISTING PUBLIC CAR PARK AND NEW CAR PARK TO ALLOW FOR ROLLBACK OF EXISTING CAR PARK; ANCILLARY WORKS FOR HAPPISBURGH PARISH COUNCIL

The SPO-JB introduced the Officers Report and recommendation for approval subject to an extensive list of conditions. He established the sites location and context within the wider setting, advising that coastal erosion threatened the access point to the existing car park which would render the current car park unusable. The SPO-JB noted the predicated 100 year coastal erosion estimate, the existing car park falling within the predicated eroded area.

The SPO-JB confirmed the proposed plan for 74 spaces inclusive of 6 disability accessible spaces and 5 motorbikes with a landscaping and ecological buffer zone and enhancements (as detailed in the report) between the car park and neighbouring properties providing amenity screening. Through the consultation concerns had been raised with regards anti-social behaviour, it had subsequently been agreed with the applicant that a gate could be provided and maintained to address this matter, with further limits on opening hours and prohibition of overnight camping and parking conditions.

Aerial images were provided from 2014, 2020 and 2023 for context, establishing the levels of coastal retreat. It was understood that there was only around 15 meters from the existing access point and the cliff edge, with the potential that a turbulent winter storm further risk loss of the access point to the existing car park.

The SPO-JB affirmed that key elements of the proposal was the provision of new access drive to keep the existing car park open, delivery of new spaces (only when the existing car park was deemed unsafe) ecological enhancements and landscaping to the north and west, and grasscrete surface to be used throughout. The proposal was supported by the Council's coastal erosion roll back policies. Additionally, there was ongoing need access to the Deep History Coast, Norfolk Coast Footpath, Happisburgh Lighthouse, and to maintain access for a nationally important geography case study.

In was noted that much of the Officers report detailed matters of Highway Safety. The SPO-JB set out the proposed access routes with demonstratives.

Public Speakers

David Mole – Happisburgh Parish Council

Paul Sanders – Objecting

Frances Batt – Objecting

Jo Beardshaw – Supporting

Bryony Nierop-Reading – Supporting

Thomas Love – Supporting

Members Debate and Questions

- i. Cllr L Paterson – Local Member – expressed his support for the application and of the balanced view presented by Officers. He considered the amenity offered essential, particularly given the lack of public transport and reliance on private vehicles. He highlighted that the beach nearby and Play Park provided an affordable day out to families, and that access to these facilities may be lost without the car park. Further, the loss of the car park would place increased pressure on street parking.
- ii. At the request of the Chairman, the SPO-JB affirmed the importance of the roll-back policy in Officers considerations. Policy EN12 of the Local Plan establishes a list of criteria to justify rollback (provided on P.27 of the Agenda).
- iii. Cllr H Blathwayt – Portfolio Holder for Coast – thanked the Parish Council for its far-sighted views on this matter and stressed that roll back was an unfortunate necessity which he urged the Committee to facilitate in accepting the Officer’s recommendation. He noted that coastal erosion and rollback affected communities along the entire coastline and that this was therefore not an isolated matter affecting Happisburgh. Cllr H Blathwayt considered the Highways Objections failed to comprehend the imminent loss of Beach Road access due to coastal erosion, and argued that the traffic problems arising paled in comparison the issue’s arising from the loss of access to the car park.
- iv. The Chairman supported Cllr H Blathwayt’s comments with regards the urgency of the problem, and reflected on his own observations that the rate of erosion to the cliffs was increasing. He relayed his expectation that current access would likely be lost in the next 5 years, if not sooner.
- v. Cllr A Fitch-Tillett affirmed that, in 2011, she had been the portfolio holder for Coastal Management during which time the then Labour government accepted that defending all of the coast would not be possible. The Council were granted money from central government for the ‘Pathfinder’ project to establish ways of managing the coast. She considered that through Pathfinder, life was put back into Happisburgh, commenting that this community had previously been blighted due to coastal erosion. Further, it was noted that the Carpark had been achieved through Pathfinder with the expectation that 20-30 years in future there may be an issue. Cllr A Fitch-Tillett acknowledged the increasing pressure of sea level rise and more dramatic storms which had contributed to an accelerated erosion in Happisburgh that initially forecasted. She noted that the accessible ramp created through Pathfinder to the beach, had been re-profiled at least three times already, including once more in the last 12 months. She stressed the archaeological significance of Happisburgh with respect the Deep Coast

History, and affirmed that parking and access must be maintained to ensure access to the beach.

Cllr A Fitch-Tillett expressed her sympathy with those residents on lighthouse lane, but reflected that there were countless other locations along the coast where vehicles and pedestrians mixed without issue and in a respectful manner. She commented that she was assured that the Council would do everything possible to minimise danger to pedestrians.

Given her prior role, which she had served for the last 20 years, Cllr A Fitch-Tillett affirmed she would abstain from voting on the application.

- vi. Cllr K Toye stated that she would find it challenging to justify the scheme to the residents of Water Lane, who would be adversely affected by the application. She visited the area for the first time 2 weeks prior, and reflected on how lovely it was, sympathising with the objections of residents. Cllr K Toye affirmed that she would like to see the access lane improved, if this were not possible alternate locations should be investigated.
- vii. The Chairman acknowledged this issues surrounding access to Lighthouse Lane and asked if discussions could take place with Highways to seek improvements.
- viii. The DM advised, should Members be minded to approve the application, that it could be conditioned that the design of the Bell mouth is a matters to be agreed with the Highway Authority and the Local Planning Authority. He confirmed that there were countless examples across the country where road users were actively encourages using certain routes in a specific direction. It was noted the applicants willingness to work with both authorities to achieve the scheme. The DM commented that an appropriate signage strategy would seek to ensure road users followed the most appropriate routes and eliminate conflicts between drivers and pedestrians.
- ix. Cllr R Macdonald noted the repeated Highways Authority objections, and sought clarity how much weight should be attributed to their representation. In addition, he asked the viability of a one way system, which be considered to be a reasonable solution.
- x. The DM stated that, at present, a one way system was not a feature of the proposed application. A traffic regulation order (TRO) would need to be secured in order to have a one way system as this would result in a change to the highway network. Such a TRO may be objected to by residents of Lighthouse Lane who may not wish to be restricted in their movements. The

DM considered a TRO may go some way to alleviate traffic concerns, and commented it was a matter for the applicant to consider.

- xi. The Applicant advised a one way system had been considered, and acknowledged the access along Lighthouse lane was not without its issues. He commented that access between Beach Road and Lighthouse Lane could be improved, and contended this would be better than an alternate one way system which would take a significant amount of resource.

- xii. Cllr A Brown stated that the principle of re-siting the car park was supported by the Committee, however questioned the justification for the size of the car park and traffic management (which would be seasonably affected) leading to an intense usage of Lighthouse Lane. He affirmed that the junction from Beach road to Whimpwell Street was far superior than that from Whimpwell Street to Lighthouse Lane, and expressed his concern with the alternate route proposed. Cllr A Brown questioned which properties would be directly opposed the bell mouth entrance, and asked if consideration could be given to a chicane giving priority to the direction of traffic to the south. He asked whether the landowner may be minded to facilitate passing places along Lighthouse Lane to alleviate issues of Vehicles using the entrances of Residents' Properties as passing places.

- xiii. Cllr J Toye considered the irony of the situation that the area was subject to rapidly increasing coastal erosion, in part because of cars. Whilst there may be some community benefit from the income generated from the car park being spent locally, he was uncertain how much of the visitor economy affects the village. Cllr J Toye noted that policy EN12 related to the replacement of Community Facilities, had the application related solely to the relocation of the toilet facilities and the play park he considered this would satisfy this criteria, however he argued this was not relevant to the car park. He stated he was unable to support the continued use of cars in this areas which was contributing to coastal erosion.

- xiv. The Chairman advised, should Members have ongoing questions about traffic issues, that the application could be deferred, pending further investigation on this matter.

- xv. Cllr V Holliday agreed with Cllr J Toye and affirmed that the Council should be discouraging car use on the coast and coming up with innovative ways of managing this. She commented that she was really uncomfortable with continuing to provide coastal car parks, and that she was concerned about the local transport network. Cllr V Holliday noted the conflicting public views on the application, and the petition signed by 95 persons against the scheme.

- xvi. Cllr L Withington confirmed this was not an isolated issue and was indicative of challenges being faced along the coast, therefore, the approach set by the Committee would establish a precedent for other applications moving forward. Cllr L Withington noted that access to the beach was vital in ensuring continued coastal management, which she commented was key consideration. Like other Members, she was concerned about the Highways Authority objection and frustrated that solutions had not been provided to alleviate issues. Cllr L Withington proposed deferral of the application to enable further investigation of traffic issues and solutions.

- xvii. Cllr A Brown seconded a deferral.

- xviii. The Chairman asked that Members clearly articulate those aspects which they required further details of before the application was brought back to Committee.

- xix. The DM reflected on Members debate, and the concerns expressed about access on to Lighthouse Lane. He commented conversations could take place to explore options to improve access from Beach Road onto Lighthouse Lane to ensure this was made as safe as possible, but also to explore highway concerns and reasonably possible solutions more broadly to make the development acceptable in planning terms.

- xx. The SPO-JB advised that requesting a restrictive bell mouth which prohibits vehicular movements left, and further highway works to the south of such bell mouth, would be an interesting relationship to explore. Certainly, there was scope to improve the Highway network.

- xxi. Cllr L Withington asked if clarity could be provided by the coastal management team about the impact of the scheme on their work.

- xxii. The CWM confirmed that the public access ramp to the beach was intended to support recreational use, however it was also used in the management of the rock armour and debris on the beach. Whilst the beach could be accessed from cart gap to the south east, this was a much longer distance with added complications in transporting essential equipment. Erosion rates vary year on year, with an extreme of 13 metres being lost in one month in Happisburgh. The CWM advised that the loss of the car park with subsequently mean the loss of the adjacent play area. He noted that the Car Park had been placed in situ following community discussions in 2010-2011, where it was understood that there was a need to accommodate visitor services and associated infrastructure near the coast, which was the

attraction to visitors.

- xxiii. Cllr H Blathwayt reminded Members of the 50 year expected erosion forecast and asked Officers to re-display this image for the benefit of the Committee.

RESOLVED by 10 votes for

That Planning Application PF/22/2510 be deferred.

27 SHERINGHAM - PF/22/1928 - FULL PLANNING APPLICATION: REVISED SCHEME FOR THE ERECTION OF 62. NO RETIREMENT DWELLINGS, ACCESS, ROADS, OPEN SPACE, PARKING AREAS AND ASSOCIATED WORKS AT LAND SOUTH OF SHERINGHAM HOUSE, CREMERS DRIFT, SHERINGHAM, NORFOLK FOR SUTHERLAND HOMES LTD

Officer's Report

The DM introduced the Officers report and recommendation for approval subject to conditions. He established the sites location and context with its local setting as referenced in pages 41 and 42 of the report pack. The DM referenced P.35 – p.36 and confirmed that reserve matters for a not entirely dissimilar proposal had been approved with planning conditions discharged and development commenced. Officers were of the opinion that the extant conditions were material planning considerations that should attract significant weight in decision making. Further, the extant permissions also include a legal agreement which included a financial contribution towards off-site affordable housing circa £55,000 as well as other contributions. The proposed S106 contributions were set out in pages 45 and 46 of the report.

Members were provided visuals of the previously approved site plan PO/16/1725 for context and to help identify the differences between the proposed and approved schemes. The DM advised that the main change was that the block of flats would be replaced with 10 single storey bungalows, further the internal layout of Sandpiper House had been changed with respect of the numbers of flats. The DM detailed the proposed elevations inclusive of CGI images, cross sections of the schemes and the relative levels of the land.

Officers considered that the proposal broadly complied with policy, and in circumstances where there had been a departure, Officers concluded that the existence of the implemented permission was a material consideration in which should be given significant. Therefore, the main issues for consideration were that of the effect on Flood Risk and Effect on Ecology.

Since the drafting of the report a response had been received from the Council's Ecology Officer raising no objection to the development on ecological grounds, however recommended the following three conditions; one relating to lighting design, another relating to a construction and environmental management plan, and lastly to secure the ecological enhancements set out in the applicant's ecological appraisal. With the inclusions of such conditions Officers consider the proposal would accord with NNDC Core Strategy Policy EN9.

With respect of matters of Flood Risk, the applicant's drainage engineers had reviewed the lead local authority comments and had subsequently provided an updated flood risk assessment and drainage strategy revision P02 (dated 14th July) as well as the LLFA response. A response had not been received by the lead local flood authority, as they were only re-consulted 3 days prior. For context, the DM advised that a similar drainage scheme for the site had been approved by the Flood Authority in July 2020, Officers were therefore confident that matters could be resolved. The recommendation had been slightly amended to request delegated approval to the Assistant Director for planning subject to satisfactory resolution of surface water matters, securing S106 obligations to the value of £97,265 for the purposes set out in section 8 of the Officer's report, as well as the imposition of conditions including any considered necessary by the Assistant Director. Further, Officers were seeking to condition that Knoll Road be accessible for pedestrian use only, which the applicant was agreeable to. The DM noted that an occupancy restriction had been secured with the original permission, with Officers also seeking to secure an occupancy restriction as part of this decision.

Public Speakers

Alan Presslee – Supporting (statement recited)

Michelle Robinson – Supporting

Members Debate and Questions

- i. The Local Member – Cllr L Withington – advised that she had referred the application to the committee to due public representations. She asked that the Committee consider the drainage system and whether they were content that it would not continue to a worsening of issues in the Knoll Road or Woodland Rise areas. The Local Members further asked Members to consider the adequacy of the proposed woodland management and the pathway onto North Knoll Road. Cllr L Withington affirmed that she did not consider herself to be pre-determined and that she would be voting on the application.
- ii. Cllr J Toye asked if pond protection orders existed and if this could be conditioned. Regardless, he was satisfied with the application and so proposed acceptance of the Officers Recommendation for approval.
- iii. The DM advised he was not familiar with the existence of pond protection orders, but that that Officers through planning conditions were seeking to ensure the implementation of the management plan which would include maintenance of the pond.
- iv. Cllr A Brown asked if there would be a service charge levied on each property as part of the maintenance of the common parts? The Applicant indicated there would be an annual charge.
- v. Cllr V Holliday enquired whether the S06 contributions had decreased because the affordable payment seemed very low for a development of this size. Separately, she questioned the use of the glazing throughout the Sandpiper development which failed to align with the Councils policies on Light Pollution in the AONB. Cllr V Holliday considered the amenity space provided to the Bungalows to be minimal and below the recommended size, she expressed some reticence in approving what she considered to be slightly substandard housing.
- vi. The DM advised, with respect of S106 monies, that this figure was reflective

of that produced in the applicant's viability report when the original 2016 application. The viability evidence established that it wasn't possible to produce on-site affordable housing, however off site and other provisions were considered. The £97,265 figure was supported by the Councils independent Viability Consultant to be reasonable, based on the evidence submitted. As part of the application, the Council had conditioned that the applicant must build out the scheme in the next 5 years, else be subject to submitting another viability appraisal. This had the potential increase or decrease S106 contributions.

In terms of other matters, the DM advised that the glazing and elevations were similar to that already approved. Officers were comfortable that garden areas, whilst small, accorded with NNDC Policies. He commented that with these properties being designed for older people, and reflected that this demographic didn't necessarily always want to have big garden areas as this was something which needed to be managed and maintained. The applicant had responded to market conditions through the provision of amenity space.

- vii. Cllr V Holliday clarified it was the floor space, not garden, which was considered somewhat small. She enquired if GIRAM's payments were part of a S106.
- viii. The DM noted P.46 of the Officers report and the tabled contributions including GIRAMs contributions.
- ix. Cllr A Brown expressed his support for the pedestrianised access conditions, but commented that it would have been useful that the full list of proposed conditions be somewhat settled and presented as a footnote. He questioned why drainage matters were outstanding, noting this was a longstanding issue.
- x. The DM advised that changes in Flood Authority personnel had resulted in different legislation interpretations. He considered this was an evolving process which should hopefully be resolved soon.
- xi. Cllr A Brown thanked the DM for his guidance, and thanked the applicant in engaging with Officers and agreeing to an uplift clause. Cllr A Brown seconded the Officers recommendation for approval.

UNANIMOUSLY RESOLVED

That Planning Application PF/22/1928 be approved in accordance with the Officers recommendation.

28 NORTH WALSHAM - PF/23/1029 - VERANDA TO REAR OF DWELLING AND EXTENSION OF FIRST FLOOR BALCONY. CEDAR HOUSE, 21 CROMER ROAD, NORTH WALSHAM, NORFOLK

Officer's Report

The PO – CG introduced the Officers report and recommendation for approval. He established the sites location, existing and proposed elevations, images of the site and relationship with neighbouring properties. The dwelling was neither in a conservation area, nor was listed, though was unique for the area for its use of construction materials. The PO-CW confirmed that when considering the erection of a balcony, one of the principle concerns was impact on the amenity of others.

The relationship between 23B and 23 was considered to be poor, with 23B being heavily overlooked with little privacy. The PO-CG argued that the amenity harm was reduced as the area was already overlooked. The objection had been received from 23A, 30 metres away not 23B. The PO-CG affirmed that if Members concluded that there was no harm to 23B, then it would be difficult to argue there was any harm to 23A. Property 4 Morris Close (to the rear) had a small window facing on to the balcony. The Case Officer reflected that due to the existing balcony and the nature and form of the property that amenity would not be harmed. The proposed balcony was large enough for small group to gather, but not large enough to host larger parties, therefore it was not considered that this may attract unusual or excessive levels of noise for a residential area.

The PO-CG advised that the proposed veranda fell within permitted development, and it was therefore just the balcony requiring planning permission. He considered that the proposed scheme was in keeping with the colonial character and appearance of the host dwelling.

Public Speakers

None

Members Debate and Questions

- i. The DM recited a statement prepared by the Local Member – Cllr R Sims. The Local Member considered the old and unique nature of the building, made of Canadian Wood, which he was surprised was not listed. Due to the internal configuration of the building he considered that whilst the ground floor extension would not interfere with neighbours, the extension of balcony would result in a loss of privacy to neighbouring properties. Cllr R Sims endorsed the Committee attend a site visit.
- ii. Cllr A Brown noted the Officer's representation, that the veranda was consistent with permitted development,, further, the issues surrounding privacy were somewhat diluted given the distance and use of the balcony, and layout of neighbouring properties. He proposed approvals of the Officers recommendation.
- iii. Cllr A Fitch-Tillett took no issue with the proposal and expressed her support for the attempts to match the extension with the host dwelling. Cllr A Fitch-Tillett seconded the Officers recommendation.

RESOLVED by 11 for and 1 against

That Planning Application PF/23/1029 be approved in accordance with the Officers recommendation.

29 HINDOLVESTON - PF/23/0153 - INSTALLATION OF A GROUND MOUNTED SOLAR PV SYSTEM, AT CHURCH FARM LAND NORTH EAST OF, DAIRY BARN, FULMODESTON ROAD, HINDOLVESTON

Cllr L Vickers declared non-pecuniary interest in the item, however advised she was a Member of Hindleveston who had formed a view on the application, as such, she advised she would abstain from speaking or voting on the application.

Officer's Report

The SPO-MB introduced the Officers report and recommendation for approval. The application had been referred to Committee for determination under the Council's scheme of delegation as the site was over half a hectare. The SPO-MB confirmed the site location, aerial view, proposed site plan, and views of the site. The main issues for consideration were; whether the proposal was acceptable in principle, the effect on the character and appearance of the surrounding landscape, effect on biodiversity and effect on residential amenity. The SPO-MB advised the proposal was located in a discrete location, largely screened by hedgerows and trees, that there would be a negligible impact on biodiversity with enhancements from the wildflower planting.

Public Speakers

None

Members Debate and Questions

- i. Cllr A Fitch-Tillett proposed acceptance of the Officers recommendation.
- ii. Cllr J Toye expressed his support for renewable energy, he noted the comments from the CPRE but reflected that the applicant would be introducing Wildflower Meadows. He asked that information be provided to the applicant with respect of maintaining the pond, given how essential ponds were to biodiversity. Cllr J Toye seconded the Officers recommendation.
- iii. Cllr P Fisher endorsed comments made by Cllr J Toye.
- iv. Cllr A Brown noted the increasing volume of this type of application, and asked that the scheme of delegation be reviewed to increase the threshold for Officer Delegation. As Portfolio Holder he was keen to discuss this matter with Officers.
- v. The Chairman supported a review of the scheme of delegation and in increasing Officer Delegation with respect of solar farms.
- vi. The DM confirmed that it would be the Local Member Protocol which would need to be reviewed, and that he would be agreeable to have discussions outside the meeting.

RESOLVED by 11 votes 1 abstention.

That Planning Application PF/23/1053 be approved in accordance with the Officers recommendation.

SLOLEY - PF/23/0929 - RETENTION OF GARAGE (RETROSPECTIVE) WITH EXTERNAL ALTERATIONS AND ERECTION OF BOUNDARY WALL - THE OLD WORKSHOP, SLOLEY ROAD, SLOLEYOfficer's Report

The PO-CG introduced the Officers report and recommendation for refusal. He confirmed the site location and the relationship of the proposal with adjacent listed and curtilage listed building. It was noted that the garage was constructed without planning permission, and the plans submitted at time the Committee report had been prepared had subsequently been revised. The proposed changes were to include a double dual pitch roof (as opposed pyramidal roof) which was considered to be more in keeping with the general shape of the adjacent barns, the substitution of the roller door for a more in keeping timber door, and removal of the brick wall and replacement with a hedge.

The PO-CG confirmed he had received informal comments from the Councils Conservation Officer, who advised that the applicant had reduced the grounds for objection, hence the level of harm is reduced. It is now far more finely balanced whether refusal can be sustained or not. Had the garage blocked principle views of the main listed buildings, it might be a different matter. There may be a risk of refusing the application with the garage being located in peripheral position. The Conservation Officer considered that there weren't any obvious public benefits, but that there was relatively low levels of residual harm. The PO-CG affirmed guidance from paragraph 202 of the NPPF which sets a test of harms weighed against public benefit, in this instance as the building is in domestic use at present there is no counterweighing public benefit to allowing a harmful additional building.

It was noted that comments were circulated to Members from the agent, received after the publication of the agenda. Members indicated, as these comments were received late, that they would like for the Case Officer to summarise. The PO-CG confirmed he had received 2 emails (both of which are available on the planning portal), the first raised objections to the way in which the Case Officer had summarised neighbours comments, which they considered to be misleading. Further comments received were in support of the amended plans.

Cllr A Fitch-Tillett left the meeting.

Public Speakers

Dr Michelle Lyon – Supporting

Members Debate and Questions

- i. Cllr A Brown recognised that this was a finely balanced application, and noted the applicants willingness to work with Officers to introduce amendments to make the scheme more acceptable. He considered the appearance of the site without the garage and whether this may result in unsightly parking instead, noting the representation from the agent that the garage was of public benefit in improving the appearance and attractiveness of the site. Cllr A Brown considered the harm arising to the heritage asset to

be less than substantial, particularly given the amendments, and reflected that should members refuse the application, and it were go to appeal, that the Planning Inspector would likely support the application. He advised that he had yet to make his mind up.

- ii. The Chairman advised that Members must first consider and vote on the Officer's recommendation before considering any alternative.
- iii. Cllr V Holliday considered the original comments from the Conservation & Design Officer, which she commented had not been entirely negated by the subsequent amended plans, and therefore she contended that there would still be harm arising to the agrarian setting. Cllr V Holliday proposed acceptance of the Officers recommendation.
- iv. Cllr J Toyce noted the retrospective nature of the application and its associated history. Further, the owner had replaced owl slots in the brickwork with modern windows on the main dwelling, a matter he considered should be addressed by Building Control. Cllr J Toyce was not confident that the applicant would build something which was sympathetic, he therefore seconded the Officers recommendation for refusal.

RESOLVED by 6 votes for and 5 against

That Planning Application PF/23/0929 be refused in accordance with the Officers Recommendation.

31 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- i. The DM introduced the Officers report, and outlined the quality and speed of decision making for the last month. He spoke highly of both Major and Non-Major Performance over the 24 month period. The Planning Service remained busy with 248 applications received in June.
- ii. The Chairman predicated that the number of householder extensions would likely increase, with residents choosing the buildout existing properties rather than move.
- iii. The PL was pleased to confirm that the S106 agreement for Crisp Maltings, Great Ryburgh, had been completed. The Yard Street, Sustead, was progressing well and was expected to be completed soon.

32 APPEALS SECTION

- i. The DM noted p.93 of the Agenda Pack, and the three appeals which had been allowed by the Planning Inspector. With reference to the Ludham decision, the DM advised the Inspector had formed a different interpretation to sustainability than the Councils, and were more permissive in assessing whether a site was sustainable. The DM considered this to be an outlier, and not a case to justify development in the countryside. The Council had tried to uphold higher standards of design on the site in Holt, which the Inspector disagreed with.
- ii. Cllr A Brown reflected that it was a rarity that the Council lose 3 appeals in a month, something he hadn't observed in 5 years.
- iii. Cllr J Toye asked with respect of the Ludham application, whether this application was affected by Nutrient Neutrality.
- iv. The DM advised that application site drained to the Ludham treatment works which falls outside of the nutrient zone, the application would therefore not be impacted. Had the application been subject to Nutrient Neutrality, and the habitat regulations were ignored by the Inspector this would have substantiated reason for challenge by the Council.

33 ITEMS OF URGENT BUSINESS

The Chairman noted that, during the coffee break, that it had been raised whether a site visit should be organised with respect of the Happisburgh application (PF/22/2510). He advised that he was not convinced this was the best course of action, noting that site visits are expensive, and several members were already familiar with the location. The Chairman sought the views of the Committee whether to proceed with a site visit. No Members indicated a preference to proceed with a site visit.

34 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 12.47 pm.

Chairman