

12 SEPTEMBER 2019

Minutes of a meeting of the **DEVELOPMENT COMMITTEE** held in the Council Chamber, Council Offices, Holt Road, Cromer at 9.30 am when there were present:

Councillors

Mrs P Grove-Jones (Chairman)
Mr P Heinrich (Vice-Chairman)

Mr D Baker
Mr A Brown
Mr P Fisher
Mrs A Fitch-Tillett
Mrs W Fredericks

Mr R Kershaw
Mr N Lloyd
Mr G Mancini-Boyle
Mr N Pearce
Mr A Varley

Mr D Baker (Holt Ward)
Mr H Blathwayt (Hickling Ward)
Mrs G Perry-Warnes (Holt Ward)

Mr J Rest (Observer)

Officers

Mr P Rowson – Head of Planning
Mr N Doran – Principal Lawyer
Mr G Lyon – Major Projects Manager
Mr D Watson – Interim Development Manager
Ms S Hinchcliffe – Senior Planning Officer (Major Projects)
Mr C Reuben – Senior Planning Officer (Development Management)
Mr R Arguile – Planning Officer
Miss L Yarham – Democratic Services and Governance Officer

39 APOLOGIES FOR ABSENCE AND DETAILS OF SUBSTITUTE MEMBERS

None.

40 MINUTES

The Minutes of a meeting of the Committee held on 15 August 2019 were approved as a correct record and signed by the Chairman.

41 ITEMS OF URGENT BUSINESS

None.

42 DECLARATIONS OF INTEREST

None.

PLANNING APPLICATIONS

Where appropriate the Planning Officers expanded on the planning applications; updated the meeting on outstanding consultations, letters/petitions received objecting to, or supporting the proposals; referred to any views of local Members and answered Members' questions.

Background papers, including correspondence, petitions, consultation documents, letters of objection and those in support of planning applications were available for inspection at the meeting.

Having regard to the above information and the Officers' reports, the Committee reached the decisions as set out below.

Applications approved include a standard time limit condition as condition number 1 unless otherwise stated.

- 43 **HOLT - PM/19/0981 - Erection of 66 bed, 3 storey care home for older people (use class c2) with associated parking, access and landscaping (reserved matters for: access, appearance, layout and scale) pursuant to outline permission PO/16/0253; land off Nightjar Road, Holt, Norfolk for LNT Care Developments**

The Committee considered item 7 of the Officers' reports.

Public Speaker

Jo Kemp (supporting)

The Major Projects Team Leader presented the report and displayed plans and photographs of the site, including visuals provided by the applicant. She also displayed the masterplan and phasing plan for the wider site. She recommended refusal of this application as set out in the report.

Councillor D Baker, a local Member, spoke in support of this application. He considered that the economic benefits of the proposal outweighed any other considerations. There was a need for care home facilities to provide for an aging population which was growing, and 263 additional care/nursing homes would be required in the District by 2028. The care home would provide at least 60 skilled full time jobs and would also benefit external local service providers. He considered that the applicant had addressed the concerns regarding scale and massing, and the proposed building had been moved further back from the roundabout. The proposal would kick-start the development of the industrial estate.

Councillor Mrs G Perry-Warnes, a local Member, endorsed Councillor Baker's comments. There was a demonstrable need for care home facilities in North Norfolk and specifically a shortage of beds in the Holt area for people with dementia. She considered that any concerns could be dealt with by planning conditions. She referred to the NPPF and Local Plan policy considerations in respect of economic development. She stated that design had to comply with the Care Quality Commission requirements to meet the needs of elderly and vulnerable residents and that form and function needed to be balanced in the application of policy EN4. She considered that the design was of high quality and reflected the local vernacular. She considered that the economic and social need presented a compelling reason to reject the Officer's recommendation.

Councillor N Lloyd considered that there was insufficient parking provision for visitors. He was not convinced that the applicants had addressed issues of scale and bulk, but they had worked with Officers to make some amendments to the design. He welcomed the use of sustainable technology but considered that in addition, solar panels should be installed on the southern elevation. He supported the application as there was a need for the facility. However, he was concerned at the type of business that might be attracted to the unallocated land to the south.

Councillor R Kershaw stated that he understood the need for this form of accommodation but had concerns regarding the siting. He considered that the amenity land should be sited to the south of the building and expressed concerns that the windows to the north would be fixed, there was no crossing provision for elderly people to get to the town, and that if dementia patients were to be housed in the building, the A148 was busy and the estate road would also become busier over time. He was concerned that residents would become isolated and there was a need to engage with older people for their wellbeing. He proposed refusal of this application as recommended.

Councillor Mrs A Fitch-Tillett referred to the recent loss of a large care home in High Kelling. She shared concerns regarding wellbeing and non-opening windows, but considered that the benefits in this case outweighed the objections.

Councillor P Heinrich understood the need for improved care facilities. However he considered that the proposed building was nondescript and did not sit well in the landscape. He considered that the applicant should be requested to improve the site layout, landscaping and amenity areas within the site. He had concerns as to whether the care home would boost local employment as it was difficult for care homes to get staff. Staff would be likely to need to travel to the site by car due to the lack of public transport and he considered that the parking provision was inadequate. He was concerned that the proposal would generate more low income, insecure employment rather than good quality jobs which were needed in the area.

Councillor N Pearce referred to the need to protect amenities, the AONB and heritage of the area. He considered that the siting of a three storey block on a roundabout was not appropriate. He stated that he was undecided with regard to the proposal but had concerns regarding the number of car parking spaces.

Councillor A Brown seconded the proposal to refuse this application. He considered that it was the wrong location, the proposed building was overbearing in terms of its height in relation to the adjacent residential buildings, and he had concerns regarding traffic and the location of landscaping and car parking areas. He considered the applicant's comments regarding benefits to the elderly of viewing traffic to be spurious.

RESOLVED by 9 votes to 4

That this application be refused in accordance with the recommendation of the Head of Planning.

44 BINHAM - PF/19/1062 - Proposed conversion of an agricultural barn to a dwelling; Barn south of Westgate Old Farmhouse (prev ref Westgate Barns), Warham Road, Binham, NR21 0DQ for Mr & Mrs Bruce

The Committee considered item 8 of the Officers' reports.

Public Speaker

Paul Wootton (supporting)

The Head of Planning presented the report and reminded the Committee of its recent site inspection. He reported that Binham Parish Council would not be responding to the application. He stated that page 53 of the report erroneously referred to the inclusion of a garage and store and confirmed that this application applied only to the conversion and extension of the existing building. He presented plans, including a block plan showing changes from the previous application, and photographs of the site. He reported that the applicants had appealed against the refusal of the previous application. He recommended refusal of this application as set out in the report.

Councillor R Kershaw, the local Member, considered that the applicant had made every effort to try to create a sympathetic rebuild. The barn was not a historic building; it was a post war animal store built of breeze block and wood and refurbishment would be an enhancement. It was not visible from the road and only the roof could be seen from the footpath. He considered that a genuine effort had been made to compromise by removing the intrusive garage building and that the application should be approved.

Councillor Mrs A Fitch-Tillett congratulated the applicant for attempting to bring the building back to use, but supported refusal on grounds that the building should be worthy of retention and the proposal involved significant extension of the building.

The Head of Planning advised the Committee that the "worthy of retention" criterion in Policy HO9 no longer applied as a result of changes to the NPPF and recent appeal decisions.

Councillor Mrs Fitch-Tillett proposed refusal as recommended by the Head of Planning.

Councillor P Heinrich considered that the design was better than the previous scheme. He supported the application as this was a 20th century utilitarian building and not a historic barn, it was not visible from the road or surrounding dwellings, made good use of the layout including the crew yard, was a good, sympathetic design and would sit well with its surroundings.

Councillor D Baker questioned the harm that would be caused by the proposal. The building was not in the Conservation Area and the proposal would bring an agricultural building back into use, using environmentally friendly building techniques. There had been no objections and he considered that the application should be approved.

The Chairman seconded the proposal for refusal of this application.

On being put to the vote, the proposal for refusal was lost with 3 Members voting in favour and 10 against.

Councillor R Kershaw proposed the approval of this application. He considered that the footprint of the building would not be extended and it was a sympathetic and good reuse of the building which would be acceptable in the village.

The Head of Planning advised the Committee with regard to policy and recommended possible conditions for the Committee's consideration.

Councillor Kershaw considered that the conditions as recommended were acceptable.

Councillor P Heinrich seconded the proposal to approve this application.

Councillor D Baker expressed concern that the Head of Planning was suggesting that extensive mitigation should be applied following the Committee's decision to reject his recommendation and approve the application.

The Principal Lawyer advised that the Committee had voted not to accept the Officer's recommendation but that did not amount to the Committee granting permission. An alternative motion had subsequently been put forward to grant permission, the details of which, including appropriate conditions, were under debate.

The Chairman requested planning reasons for approval of this application.

Councillor R Kershaw referred to Policy HO9. The infill was the only controversial element and he considered that the harm caused by the infill was insufficient to warrant refusal of this application.

The Head of Planning advised the Committee with regard to the construction of the reason in policy terms relevant to Policies HO9 and EN4.

RESOLVED by 10 votes to 3

That this application be approved subject to the imposition of appropriate conditions relating to:

- **Time Limit;**
- **Extent of demolition/new build;**
- **Removal of permitted development rights for extensions, curtilage buildings, roof alterations, enclosure and hardstanding;**
- **Facing materials;**
- **Driveway resurfacing;**
- **Boundary treatment;**
- **Ecology mitigation and enhancement measures;**
- **Drainage strategy;**
- **Geothermal heating system;**
- **Landscaping;**
- **Conditions required by the Highway Authority relating to access and parking and turning areas; and**
- **Conditions required by Environmental Health relating to contaminated land and asbestos removal.**

An informative note to be attached to the permission regarding foul water connection.

Reason: The Committee considers that subject to the conditions above, the proposals are suitable in scale, massing and alteration, accord with criterion 3 of Policy HO9 and with Policy EN4.

45 SEA PALLING - PF/19/0519 - Change of use of land to a storage area for caravans (CLASS B8); land opposite Golden Beach Caravan Park, Beach Road, Sea Palling, NR12 0AL for Golden Beach Caravan Park

The Committee considered item 9 of the Officers' reports.

Public Speakers

Kevin Matthews (Sea Palling Parish Council)
Raoul Fraser (supporting)

The Planning Officer presented the report, displayed plans and photographs of the site and surroundings.

The Planning Officer reported that Sea Palling Parish Council had raised further concerns regarding the ability to get a caravan into the site and the impact on businesses when the road was closed to facilitate the movement of caravans. In response, the agent had provided information regarding the size of the caravans, how they would be delivered and confirmation that a banksman would be used to assist with the movements. The agent had stated that similar movements were made into the caravan site opposite and that the road was a consistent width. The Highway Authority had been consulted on both responses and had confirmed that there were no highway objections to the proposal, the applicant would be in control of delivery times and the access could be extended across the whole of the frontage of the site if necessary.

The Planning Officer reported that the Environment Agency had no objections as the site was protected under the Shoreline Management Plan. He recommended approval subject to the conditions listed in the report.

Councillor H Blathwayt, the local Member, stated that he had experience of managing holiday parks and considered that the operator was likely to seek permission to extend the use of the land in the future. He stated that the business area was at the beach end of Beach Road and the residential area at the other, and if the road was blocked for any length of time it would have an impact on the economy of the village. The lifeboat station was busy and blockage of the road could be very dangerous. He considered that it would be difficult to time the deliveries to the site given the length of the transport route from Hull where most vans were manufactured. He did not support the application.

Councillor D Baker stated that he wanted to see businesses move forward and there was no real objection to this application except for the perception of risk that there could be short term blockages of the road. He proposed approval of this application as recommended.

Councillor Mrs A Fitch-Tillett considered that the applicant could manage deliveries or withdrawals of caravans, and in the event of an emergency the banksman would ensure that lorries moved out of the way. She seconded the proposal.

Councillor N Pearce stated that economic development was needed in this location and supported the application.

Councillor R Kershaw stated that he understood the concerns and also understood that the purpose of the application was to move smaller caravans off the Golden Sands site and replace them with larger units. He asked if it would help to condition the size of the trailer to be used to move the caravans off the caravan park so there would be less chance of blocking the road.

The Acting Development Manager considered it would be difficult to draft and enforce such a condition.

The Head of Planning explained that the width of the existing access would be increased to a minimum of 8 metres and a banksman would be used. The Highway Authority and the Police would be able to impose controls under their own legislation if the movements caused congestion. He suggested that it was not necessary to impose a condition on the size of trailer in the light of the highway consideration and controls which could be imposed by those authorities, but it was a matter which Members could debate.

Councillor Kershaw confirmed that he did not consider it necessary to debate the matter.

Councillor P Bütikofer requested a condition to require the access to be a minimum width of 8 metres.

The Head of Planning confirmed that the Highway Authority requirements would be included in the conditions.

Councillor G Mancini-Boyle asked why it was necessary to move the caravans to the storage area before taking them away.

The Chairman invited Mr Fraser to respond to the question.

Mr Fraser explained that the transport company should be ready to take the caravans away when they were removed from their hardstandings. However, this was not always the case and it caused a blockage on the park. Caravans would only be stored in the storage area for a short period before permanent removal.

The Chairman referred to the local Member's concerns regarding creep and stated that the application related to a maximum of four caravans and it was up to the Parish Council and site owner to monitor the situation.

RESOLVED unanimously

That this application be approved subject to the conditions listed in the report and any other conditions deemed necessary by the Head of Planning.

46 TRIMINGHAM - PF/19/0812 - 'Deep History Coast' Discovery Point including picnic table, seating/benches and three interpretation monoliths on land adjacent to The Pilgrim Shelter; The Pilgrim Shelter, Loop Road, Trimmingham, Norwich, NR11 8EQ for NNDC Local Housing Enablers

The Committee considered item 10 of the Officers' reports.

Public Speaker

Terry Brown (Trimingham Parish Council)

The Senior Planning Officer presented the report and displayed plans and photographs of the site. He recommended approval of this application subject to the conditions listed in the report.

Councillor Mrs A Fitch-Tillett, the local Member, referred to the background to this application. She was pleased that Trimingham had been chosen as a discovery centre.

Councillor Mrs W Fredericks proposed approval of this application as recommended.

Councillor A Brown expressed disappointment that there was no prescriptive condition regarding litter management. However, he supported this application and seconded the proposal.

The Senior Planning Officer confirmed that there were no litter bins shown on the plan, but this issue could be considered under permitted development. He stated that the site would be maintained by NNDC and cleared on a regular basis.

Councillor Brown stated that he was reassured by the Senior Planning Officer's response.

Councillor P Bütikofer stated that he supported this application but requested confirmation as to the trees which would be removed.

The Senior Planning Officer stated that there would be minimal removal of trees and the work mainly involved crown lifting and removal of branches. Additional planting would take place.

Councillor G Mancini-Boyle referred to concerns regarding anti-social behaviour and asked what fencing or hedging was proposed.

The Senior Planning Officer explained that existing fencing would be replaced but there would be no additional fencing. The site was meant to be open and accessible to visitors, and people could currently gain access to the site. There would be an element of natural surveillance given the nature of the proposal.

RESOLVED unanimously

That this application be approved subject to the conditions listed in the report and any other conditions deemed necessary by the Head of Planning.

47 APPLICATIONS RECOMMENDED FOR A SITE INSPECTION

None.

48 APPEALS SECTION

(a) NEW APPEALS

The Committee noted item 12(a) of the agenda.

(b) INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 12(b) of the agenda.

(c) WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 12(c) of the agenda.

(d) APPEAL DECISIONS – RESULTS AND SUMMARIES

The Committee noted item 12(d) of the agenda.

The Head of Planning referred to an appeal against the refusal of Potter Heigham PF/18/1298 which had been allowed. He had discussed the possibility of a challenge to the decision with the Principal Lawyer as there were concerns regarding sustainability. It was considered that Inspector had reviewed the correct material planning issues, although the weight may not have been correctly applied to those issues. However, it was not a matter which could be challenged.

The Head of Planning stated that other appeal decisions made by this particular Inspector had given cause for concern, not only in North Norfolk but also in South Norfolk and in relation to highways issues, given the inconsistency of the weighting applied in comparison with similar cases dealt with by other Inspectors. It was likely that a joint letter would be sent to the Inspectorate raising this concern.

The Head of Planning invited Members to raise any concerns regarding consistency of appeal decisions either at Development Committee or directly with him.

(e) COURT CASES – PROGRESS AND RESULTS

The Committee noted item 12(e) of the agenda.

The meeting closed at 12.14 pm.

CHAIRMAN
10 October 2019