

THURSDAY, 30 APRIL 2020

Minutes of a meeting of the **Development Committee** hosted at the Council Chamber - Council Offices, Holt Road, Cromer, NR27 9EN at 9.30 am and conducted by way of video-conference, when there were attending:

Councillors

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

Mr A Brown	Mr C Cushing
Mr P Fisher	Mrs A Fitch-Tillett
Mrs W Fredericks	Mr R Kershaw
Mr N Lloyd	Mr G Mancini-Boyle
Mr N Pearce	Dr C Stockton
Mr A Varley	Mr A Yiasimi

Mrs S Bütikofer – The Runtons Ward
Mr V FitzPatrick – Stibbard Ward

Mr T FitzPatrick
Mr J Rest - observer

Officers

Mr P Rowson, Head of Planning
Mr N Doran, Principal Lawyer
Mrs S Ashurst, Development Manager
Miss L Yarham, Democratic Services & Governance Officer (Regulatory)

135 PURPOSE OF MEETING AND PROCEDURE

The Head of Planning explained that the purpose of meeting had been revised since the previous meeting as a result of the passing of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392, and it was now lawful to determine planning applications under these provisions without having to be physically present. The Regulations received Royal Assent and came into force on 4 April 2020. These measures had been put in place to facilitate business continuity by enabling Local Government to use innovative measures to deliver remote decision making. The meeting would be conducted in compliance with the new regulations and the Council's Constitution.

The meeting would be live streamed to the public throughout its duration and would therefore be legally open to the public. The Officers' presentations had been circulated to the Committee prior to the meeting and made available to the public on the Council's website.

The procedure would be by way of a short Officer's presentation, followed by questions and answers between the Committee and the Officers. The registered speakers would then be invited to address the Committee via a live link in accordance with established public speaking procedures. The Ward Member would then be invited to address the Committee, following which the Committee would debate the application and make its decision, with Members voting by roll call.

No questions were raised with regard to the provisions and process as outlined by the Head of Planning.

136 TO RECEIVE APOLOGIES FOR ABSENCE AND DETAILS OF ANY SUBSTITUTE MEMBER(S)

None.

137 MINUTES

The minutes of meetings of the Committee held on 5 March and 2 April 2020 were approved as correct records to be signed by the Chairman.

138 ITEMS OF URGENT BUSINESS

None.

139 DECLARATIONS OF INTEREST

<u>Minute</u>	<u>Councillor:</u>	<u>Interest</u>
141	Mr A Yiasimi	Application relates to his family's restaurant.

140 HINDOLVESTON - PO/19/1751 - ERECTION OF 2 NO. DWELLINGS WITH ACCESS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED OTHER THAN ACCESS); LAND OFF THE STREET, HINDOLVESTON, NR20 5AW FOR MR MACANN

The Development Manager presented the application. She outlined the main issues for consideration and recommended refusal as set out in the report.

Councillor C Cushing referred to the block plan in the slide presentation. He considered that the proposed development would not appear out of place with Broughton Close to the left of the application site. He also noted that there were dwellings to the right of the site.

The Development Manager explained that the dwellings in Broughton Close were semi-detached pairs which were regular in form and design and Officers would expect to see a continuation of that form and design. However, the principle of the proposed development on the application site was contrary to the Development Plan and the form and design of the development was a secondary reason for refusal.

Councillor P Heinrich stated that it appeared the dwellings on Broughton Close were fairly recent and asked why they had not been contrary to Policies SS1 and SS2.

The Development Manager stated that she did not have the details to hand but the development may have been a rural exceptions site. She later confirmed that this was the case.

Councillor Mrs A Fitch-Tillett stated that she had searched Google Maps to see what facilities existed nearby. In her opinion the development would be completely unsustainable and she proposed refusal of the application in accordance with the Officer's recommendation.

The Development Manager confirmed that the only facilities in the village were a church and a village hall. There was a very limited bus service operating on a Monday and Thursday, so residents of the new development would be totally reliant on the private car to access everyday services and employment.

The Principal Lawyer reminded the Committee that the registered speaker had not yet spoken and that Members should only ask questions at this point with the debate of the proposal to follow.

Public Speaker

Mr P Hardy (supporting)

The Head of Planning responded to concerns raised by Mr Hardy with regard to the processing of this application. He had already responded directly to Parker Planning with regard to this matter. He explained the process for signing off decisions and the quality assurance measures operated by the Council. The processing of the application in question had been lawful.

Councillor V FitzPatrick, the local Member, clarified that the reason he had requested this matter be considered by the Committee was that he had approved a request by the original case officer to approve this application under delegated powers. Subsequently, the original case officer had left and the new case officer had contacted him to say that the application had been recommended for refusal. Given his previous acceptance of approval, and no changes having been made to the application, he considered that the only course open to him was to refer the matter to the Committee.

The Chairman opened the discussion to the Committee.

Councillor G Mancini-Boyle requested clarification with regard to EN4, and parking and access issues.

The Development Manager explained that the form and layout of the development was unacceptable. It did not maintain the building line of the houses to the west. The proposal was a form of backland development which was not acceptable. The Highway Authority had not raised any objections on parking and access so these issues did not form part of the refusal recommendation. She confirmed that Broughton Close was a rural exceptions development. A previous application for three market dwellings on the application site had been refused.

Councillor N Lloyd stated that the overriding principle was that new open market dwellings in the Countryside were precluded and he therefore seconded Councillor Mrs Fitch-Tillett's proposal for refusal of this application as recommended.

Councillor P Heinrich stated that this was not a rural exceptions development and as such, taking into account policies SS1, SS2 and EN4, he supported the recommendation.

Councillor Cushing questioned the definition of Countryside given that the application site was a small area of field in between a row of houses.

The Development Manager explained that Hindolveston was not a town or service village and was therefore designated as a Countryside location. The Countryside designation included small villages within it. Whilst the emerging Local Plan would

potentially allow some infilling and rounding off of development in growth villages, Hindolveston was not on the list of growth villages in the emerging Plan. It was considered to be unsustainable, and would remain designated as Countryside where market dwellings were considered to be unacceptable.

Councillor Mrs Fitch-Tillett reiterated her proposal to support the Officer's recommendation for refusal of this application, which she had made during the question and answer section of this application.

Councillor A Brown confirmed that Hindolveston was not included as a service or small growth village in the emerging Local Plan. He stated that the emerging Plan would take into account the revisions to the NPPF to which Mr Hardy had referred in his comments. The recommendation was totally consistent with planning policy and he therefore supported the recommendation.

The Head of Planning explained that the adopted Local Plan carried full weight in decision making on this application. The emerging Local Plan did not carry any significant weight at the present time, although the evidence base from which the emerging Plan was prepared, including its sustainability analysis, could be used in any future appeal on this site as relevant. The decision on the current application had to be made on the basis of the current Local Plan and Policies SS1 and SS2. He confirmed that he was content for the Committee to determine this application and there was no need to delegate the final decision to him as suggested in the printed recommendation.

The proposal was put to the vote and it was

RESOLVED unanimously

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

141 **RUNTON - PF/20/0180 - CHANGE OF USE FROM RESTAURANT AND TWO RESIDENTIAL UNITS TO SEVEN HOLIDAY LETS AND CARETAKER ACCOMMODATION; CONSTANTIA COTTAGE RESTAURANT, HIGH STREET, EAST RUNTON, CROMER, NR27 9NX FOR MR P YIASIMI**

The Development Manager presented the application. She explained that this application had been brought before the Committee as it had been made by a member of a Councillor's family and for no other reason. She recommended approval of this application as set out in the report.

Councillor A Yiasimi then left the meeting during consideration of this matter.

Councillor Mrs S Bütikofer, the local Member, stated that the Constantia Cottage had been a key part of the local community for a long time and people were sad to see it go, although they understood the reasons for closure. She considered that the proposal was an acceptable use for the building and that it would be of benefit to have more tourist accommodation in the village. The location was close to the beach and ideal for tourist accommodation. She supported the recommendation.

Councillor N Lloyd proposed approval of this application in accordance with the Officer's recommendation. This was seconded by Councillor Mrs A Fitch-Tillett.

RESOLVED unanimously

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

142 APPLICATIONS RECOMMENDED FOR A SITE INSPECTION

Site inspections are currently suspended.

143 APPEALS SECTION

Councillor A Yiasimi returned to the meeting for this item.

(a) NEW APPEALS

The Committee noted item 10(a) of the agenda.

(b) INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 10(b) of the agenda.

The Head of Planning informed the Committee that High Kelling ENF/16/0131 in respect of Holt Woodland Archery would now be determined by way of hearing, instead of public inquiry as originally anticipated, which was likely to commence in October. He had concerns as to how the local community could fulfil its full role in the hearing process as the Planning Inspectorate currently had no serviceable proposal for remote hearings. It was important in this particular case that the public could be present and were fully able to engage in the process.

(c) WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 10(c) of the agenda.

(d) APPEAL DECISIONS

The Committee noted item 10(d) of the agenda.

(e) COURT CASES – PROGRESS AND RESULTS

The Committee noted item 10(e) of the agenda.

The meeting closed at 10.17 am.

CHAIRMAN
Thursday, 28 May 2020