

THURSDAY, 10 DECEMBER 2020

Minutes of a meeting of the **Development Committee** held remotely via Zoom at 9.30 am when there were present:

Councillors

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

Mr A Brown
Mr P Fisher
Mrs W Fredericks
Mr N Lloyd
Mr N Pearce

Mr C Cushing
Mrs A Fitch-Tillett
Mr R Kershaw
Mr G Mancini-Boyle
Mr A Yiasimi

Mr J Toye (In place of Dr C Stockton)

Mrs G Perry-Warnes (Holt Ward)

Observers

Mr T FitzPatrick
Mr V FitzPatrick
Mr J Rest

Officers

Mr P Rowson, Head of Planning
Mr N Doran, Principal Lawyer
Mr G Lyon, Major Projects Manager
Mr D Watson, Interim Development Manager
Mr R Parkinson, Major Projects Team Leader
Ms J Owen, Planning Officer
Ms C Batchelar, Landscape Officer (Design)
Miss L Yarham, Democratic Services & Governance Officer (Regulatory)
Mr M Stembrowicz, Democratic & Governance Officer (Scrutiny)

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

Apologies for absence were received from Councillors Dr C Stockton and Mr A Varley. One substitute Member was in attendance as shown above.

44 MINUTES

The Minutes of a meeting of the Committee held on 29 October 2020 were approved as a correct record.

45 ITEMS OF URGENT BUSINESS

None.

46 DECLARATIONS OF INTEREST

All Members had received correspondence in respect of items on the agenda.

FAKENHAM - PO/17/0680 - OUTLINE PLANNING APPLICATION (ALL MATTERS EXCEPT PRIMARY MEANS OF ACCESS RESERVED FOR FUTURE APPROVAL) FOR RESIDENTIAL DEVELOPMENT OF UP TO 950 DWELLINGS (USE CLASS C3), EMPLOYMENT DEVELOPMENT (USE CLASSES B1/B2/B8), A PRIMARY SCHOOL AND CHILDREN'S NURSERY (USE CLASS D1), A HOTEL (USE CLASS C1), LOCAL RETAIL (USE CLASSES A1/A3/A4/A5) AND ASSOCIATED PUBLIC OPEN SPACE AND INFRASTRUCTURE; LAND NORTH OF RUDHAM STILE LANE & EAST OF WATER MOOR LANE, FAKENHAM, NORFOLK, NR21 9QU, FOR THE MASTER FELLOWS & SCHOLARS OF TRINITY COLLEGE CAMBRIDGE

The Major Projects Team Leader presented the report and plans of the proposed development. An update note had been circulated to the Committee prior to the meeting in respect of the following matters:

- The applicant had confirmed that 17.5% affordable housing could be provided as a baseline across the development. However, this did not take into account the necessity for a travel plan which would reduce the baseline to 16.5%.
- An amended Parameters Plan and Masterplan had been provided, indicating an amended position for the hotel and public house slightly further south from the roundabout and additional planting at the frontage. Officers considered that further amendment was required as the amendments allowed more room for potential misinterpretation at reserved matters stage and did not address the Development Brief expectation.
- The revised Parameters Plan and Masterplan now indicated an area for a possible additional 0.5 ha for an extended school site. Officers considered that this was acceptable.
- Clarification as to how the amount of affordable housing could be increased in the event that Members considered that renewable energy provision and/or financial contributions for indoor sports provision could be compromised in favour of securing more affordable housing within the development.

The Major Projects Team Leader presented an amended recommendation, to delegate authority to the Head of Planning to approve the application, subject to:

- a. Receiving a satisfactory amended Masterplan in respect of the hotel and public house area.
- b. Completion of a Section 106 Agreement in line with the requirements at Section 23 of the Committee report, which for the avoidance of doubt will include:
 - i. A baseline of at least 16.5% affordable housing within each phase and
 - ii. A contribution for indoor sports facilities enhancement.
- c. Delegated authority for officers to liaise with the applicant and seek improved viability in respect of building costs (as described within Section 24 of the report) to increase affordable housing contributions upwards from 16.5%.
- d. Conditions:
 - To include those listed as summaries set out in the report, which for the avoidance of doubt would include a Travel Plan (conditions 34 and 35 as listed) and 10% on-site renewable energy provision (condition 39 as listed); and

- An additional condition relating to a Self Build and Custom Build Plot Passport; and
- e. Any other conditions that may be considered necessary at the discretion of the Head of Planning.

Public Speakers

Kirsty Clifton (supporting)
Chris Hatfield (supporting)

Councillor C Cushing, the local Member, stated that this was one of the most significant decisions in the history of Fakenham, which would increase the population of the town by 20%. A travel plan was essential to ensure that bus routes worked properly and there was cycle and pedestrian access into the town, to ensure that the new development was integrated with the rest of Fakenham. He referred to the concerns of the Town Council that the local centre should not rival the town centre and take trade away from it. There would be a heavy demand for employment and consideration should be given as to how people could be incentivised to establish new businesses on the employment land to the east. He considered that Norwich Long Lane should be two way to help the flow of traffic. With regard to the proposed cycle route, he expressed concern that cyclists would be reluctant to cross the busy A148 and that Thorpland Road was narrow with hairpin bends. He requested further discussions regarding Norwich Long Lane and the cycle route at the appropriate time. He was pleased to see the amount of green space proposed and considered that pocket parks should be established. He considered that parking provision for residents was good and that there should be no on-street parking. He requested that affordable housing provision should be as high as possible and would welcome any opportunity to increase it at reserved matters stage. He considered that the proposed development would have long term benefits for the town, but it needed to be carefully managed through its various stages.

Councillor J Rest, Member for Fakenham South, supported Councillor Cushing's views. He asked if it would be possible to integrate the sports facilities into the hotel development, which would incorporate the cost of those facilities into that part of the scheme and possibly enable the provision of more affordable housing. He urged the Committee to approve this application.

Councillor G Mancini-Boyle was very disappointed that the scheme included only 10% renewable energy and asked if any of the development would be Passivhaus standard. He referred to the Government's intention to phase out gas boilers in new developments by 2025. He asked if there had been any discussion regarding Community Infrastructure Levy tariffs.

Councillor N Lloyd referred to the impact of climate change on the coastline. He was disappointed at the level of renewable energy provision, and considered it was unacceptable to further compromise renewable energy provision for additional affordable housing. He noted and agreed with the support of Fakenham Members but considered that the climate change aspects of the proposal did not stack up.

Councillor J Toye also expressed concern regarding renewable energy, and suggested that all of the affordable homes should include renewables. He asked if the standards would be reviewed at each phase to ensure that the development met or exceeded them, given that the development would be built over a 12 year period and gas heating would be phased out by 2025. He asked if the developer was providing the school itself or only the land for it.

Councillor Mrs A Fitch-Tillett asked if a visitor impact contribution would be expected. The site was very close to the AONB and Marine Protected Areas, and there would be a huge impact in the summer months.

Councillor P Heinrich stated that a great deal of work had been done to get the application to this stage, which had involved compromise. There were some issues regarding affordable housing and renewable energy. He expressed concern at the layout of the hotel and considered that it would be a shame to put an unattractive building at the entrance to the town. He asked if traffic monitoring would be carried out on the A148 as projected traffic growth could change and the problematic junctions needed to be kept under review.

The Chairman stated that matters of design were yet to be considered.

Councillor N Pearce expressed support for the scheme, but was concerned that affordable housing was being used as a bargaining chip. He considered that renewable energy should be considered in more detail.

Councillor A Yiasimi considered that the proposed development and the town should be seen as one and asked if pedestrian access would be included.

The Head of Planning confirmed that pedestrian access was included as part of the connectivity in the Masterplan.

Councillor Mrs W Fredericks stated that she was incredibly disappointed with the amount of affordable housing being allocated. She asked whether the dwellings would be socially rented or discounted. She was also disappointed that the environmental aspects were being used as a bargaining chip. Air source heat pumps had advanced and could be fitted to any property, and she was very surprised that this had not been suggested.

Councillor Mancini-Boyle stated that Passivhaus standards included heat source pumps, airtight buildings and recyclable solar panels.

The Chairman stated that the build would take 12 years and some of the recommendations would be reassessed at each phase.

The Officers responded to the issues that had been raised by Members.

The Major Projects Team Leader stated that every effort had been made to ensure there was cohesion with the local community and all links that would lead to the northern area of Fakenham had been exploited. There was a paucity of links to the north of Fakenham on the opposite side of the bypass and the suggested cycle route had been put forward by the Norfolk County Council Rights of Way Team as an opportunity to improve access onto the quieter lanes. A safe crossing would require the cutting back or removal of trees on the roundabout.

There was insufficient adopted highway carriageway width to make Norwich Long Lane two way, and to do so would require a large amount of funding. The impact of the proposed development was not so great as to require such works, but allowing southbound access only onto the roundabout would be a significant improvement and would help to alleviate concerns at the Wells B1105 junction with the A148.

With regard to the impact of the local centre on the town centre, the thresholds set

by Local Plan policy would ensure there would be no impact on the town centre. Floorspace and uses would be limited by condition to reflect what had been applied for. However, the Government was increasing permitted development rights to allow more flexible uses of retail premises.

It was important to provide employment land and incentivise the take up of space. The proposed Section 106 Agreement would require the land to be serviced in terms of access, utilities and connections, and to be marketed by the applicant for at least 5 years from the first phase to ensure there was maximum opportunity to take up the space.

The Major Projects Team Leader explained the proposed landscape features and stated that parking would be resolved by the Design Code. Each reserved matters application would be required to satisfy the Design Code standards.

The Major Projects Team Leader explained that the current application would set the principle and parameters for the future, which included the amount of affordable housing that would be expected across the development. There would be no opportunity to increase the amount at reserved matters stages, but viability could be reviewed ahead of every phase in a development viability reappraisal and, if development value had increased noticeably, there might be scope to provide more affordable housing or deferred financial contributions. Approval of this application would establish 16.5% affordable housing as a baseline if the Travel Plan were accepted. The affordable housing provision was policy compliant in terms of the tenure split, being 80% affordable rented and 20% intermediate tenure, preferably as shared ownership.

The current application did not propose a sports centre and could not require sports facilities to be included in the hotel. It had not been included in the Development Brief or within policy. If a commercial operator of the hotel wanted to include such facilities they would be welcome to do so, but this issue could not be considered as part of the current application.

With regard to renewable energy issues, if the developer wished to propose a Passivhaus scheme or similar, it could happen within the requirements of the permission for the current application. Policy EN6 required 20% renewable energy, which had been missed by officers when dealing with this application. By the time the error had been noticed, the costings had been through a viability assessment and it was considered unreasonable to insist on 20%. If the Committee required 20% renewable energy, it would come out of the Section 106 contributions and the Committee would have to decide which requirements would be compromised. 20% renewable energy would equate to the loss of 10 affordable dwellings. The phasing out of gas boilers would be subject to Building Regulations. The development would be required to meet Part L of the Building Regulations throughout its build. It would be difficult to require the affordable housing to benefit from renewables. However, it was often a requirement of funding for affordable housing that it should include renewable energy. With regard to concerns that energy standards were being set now for a development of 12 years' duration, planning permission had to be granted on the policies in place at the time so there would be no opportunity to revisit this matter.

With regard to the concern that affordable housing could be provided at the expense of renewable energy, the Major Projects Team Leader explained that renewable energy was only one of the matters that had been identified as a way of securing more affordable housing from the limited amount of Section 106 funding. Policy

required affordable housing to be delivered subject to viability and the level of provision was often impacted.

Norfolk County Council had requested an area of land to be provided for the school and possible nursery and a contribution towards the building costs, but the building itself was not included in the requirements.

A visitor impact contribution was included in the Section 106 contributions and the evidence base justified £205.02 to be paid per dwelling. This would apply to every dwelling at every phase, and was a non-negotiable requirement to comply with the Habitat Regulations Appropriate Assessment.

The design of the hotel would be considered under reserved matters, but the latest amendments gave additional comfort with regard to landscaping. The Development Brief, Parameters Plan and Masterplan had identified that a landmark building should be required on either side of the access road.

With regard to traffic growth and monitoring, it would not be possible to revisit issues relating to traffic works in the future as the Committee had to consider the impact of the development as presented and its decision would dictate how the works would happen. It was likely that any further growth in Fakenham would require traffic impact statements and monitoring, so this would be considered when applications were considered or as part of the Local Plan considerations for larger allocations.

The Major Projects Manager stated that there were many issues to consider as a planning committee and it was sometimes necessary to make compromises. It was necessary to weigh the many benefits of the proposal against the reductions in affordable housing and other standards.

The Head of Planning explained that the Council did not currently operate a Community Infrastructure Levy (CIL). It operated the Section 106 model, which was generally best for large schemes such as this as it allowed the immediate mitigation of the harm that arose from a development. CIL payments had to be held centrally and allocated across the wider District and they could possibly be drawn into County-wide schemes. The use of a Section 106 Agreement was appropriate in this case. It was compliant with the adopted local Plan and the immediate requirements to mitigate the local impacts of this development. He summarised the main issues relating to affordable housing provision and renewable energy, and stated that in the opinion of officers, the recommendation before the Committee represented the best viable package of benefits.

The Principal Lawyer reiterated the comments of the Head of Planning with regard to CIL. CIL could not guarantee that the supporting infrastructure would be delivered in tandem with, or at the appropriate phasing of, this development. The Section 106 Agreement would ensure that the required mitigation was closely aligned with the impact.

It was proposed by Councillor C Cushing, seconded by Councillor N Pearce and

RESOLVED by 11 votes to 2

That the Head of Planning be authorised to approve this application in accordance with the recommendation as presented by the Major Projects Manager and set out above.

HOLT - PF/17/1803 - RESIDENTIAL DEVELOPMENT OF 52 DWELLINGS (INCLUDING THE REMOVAL OF NO.67 HEMPSTEAD ROAD), PROVISION OF NEW VEHICULAR ACCESS TO HEMPSTEAD ROAD; ASSOCIATED LANDSCAPING, OPEN SPACE, PUMPING STATION AND ELECTRICITY SUBSTATION; LAND TO THE REAR OF 67 HEMPSTEAD ROAD, HOLT, NR25 6DQ, FOR HOPKINS HOMES LIMITED

The Major Projects Team Leader presented the report and plans of the proposed development. An update note had been circulated to the Committee prior to the meeting in respect of the following matters:

- Four additional representations had been received from one member of the public, relating to construction traffic and HGV access along Hempstead Road, the need for a new access from Heath Farm, parking for construction workers, and a request to update the Committee with outstanding comments and provide further information regarding the construction, access and parking conditions.

Officer responses had been provided in the update note. Most issues were already addressed in the Officer report and a condition added in respect of construction workers' parking.

- An updated position statement from Holt Town Council, reiterating its concerns in respect of highway safety and traffic movements, requested conditions relating to parking restrictions along Hempstead Road and construction traffic, and for the site to be accessed only from Heath Farm.
- Additional conditions to be included in the Officer's recommendation.

The Major Projects Team Leader recommended delegated approval of this application as set out in the report and amended by the following additional summarised conditions:

- Construction Management Plan (materials storage, amenity protection etc.)
- Construction vehicle access route
- Construction parking with a phasing plan
- Construction Site Exclusion Zone detail around the Buffer Area and Open Space
- Cycle parking details for the flats (to be secure and covered)
- Arboricultural Impact Assessment for the recently retained tree T11
- Pumping station landscape scheme
- Noise protection measures for Plot 1 (road junction and industrial noise).

Public Speaker

Chris Smith (supporting)

Holt Town Council had submitted a statement that had been circulated to all Members of the Committee prior to the meeting.

The Head of Planning reported that Councillor D Baker, a local Member, was unable to attend the meeting but had no further comments to add.

Councillor Mrs G Perry-Warnes stated that she was speaking on behalf of residents who lived on or near Hempstead Road, and with the support of Councillor Baker.

She was concerned that the impact of another junction opening onto Hempstead Road, near to a notorious pinch point, had been discounted by the Highway Authority. She welcomed the affordable housing provision and did not oppose the application, but was disappointed that a previously promised new access from Heath Farm had not been forthcoming. She urged the Committee to listen to the concerns of local residents and requested that the strongest conditions be applied to the permission to mitigate its impact on them. She requested conditions relating to the following matters, some of which had been included in the recent amendments:

1. That all construction vehicles, (HGV and staff) are required to avoid the built up area around the pinch point on Hempstead Road and that it should be enforced as anecdotal evidence is that some of the restrictions are not being complied with.
2. A suitable place to be provided on site for parking, deliveries and unloading.
3. The land at the side and rear of 65 Hempstead Road should not be used for site access during construction, and
4. Parking restrictions on Hempstead Road, eg. double yellow lines, and if appropriate, parking controls on nearby residential roads which were likely to be used for parking by construction workers.

Councillor Mrs Perry-Warnes requested that the conditions were regularly monitored for compliance and enforced. She stated that the traffic problems on Hempstead Road had been an ongoing source of misery and anything that could be done to reduce the impact of the proposed development would be greatly appreciated.

Councillor A Brown shared the Ward Members' concerns regarding vehicular access to the site. He was disappointed that there was no provision for breakout access into Heath Farm and considered that residents on Hempstead Road would experience considerable inconvenience during the construction period. He referred to the housing strategy contribution and asked if there were prospects of increasing the percentage of adaptable dwellings from 8% to 20% as required by policy, given that North Norfolk had the most elderly demographic in the country. He asked if the nearby Lovell development had achieved the 20% benchmark.

Councillor N Pearce shared the concerns regarding traffic and stated that Hempstead Road was very busy even outside the school run, and that the existing pinch point was difficult to navigate. He asked if the highway issues could be reviewed. He asked how likely it was that the full 44% affordable housing provision would be delivered.

Councillor A Yiasimi also expressed concerns with regard to the pinch point.

The Chairman stated that she had visited the site some years previously and there had been a problem with parking on Hempstead Road at that time. The Town Council had requested parking restrictions.

Councillor C Cushing asked if there were guarantees that the concerns expressed by Councillor Mrs Perry-Warnes and Councillor Brown would be addressed.

The Officers responded to the issues that had been raised by Members.

The Head of Planning explained that there was a requirement in the report for a Construction Management Plan, which could be enforced through planning controls and conditions. However, there was a wider issue regarding access onto the local network associated with the construction phase and operational traffic flowing from

the residential network. Whilst the Construction Management Plan could be used where appropriate, the Norfolk County Council Highways Team and the Police powers would be the most direct route to enforcement through their primary legislation.

The Major Projects Team Leader explained that the possibility of parking restrictions along Hempstead Road had been discussed with NCC Highways Officers. They considered that the development would be able to provide all its parking needs within the site. It would not be reasonable to require a Traffic Regulation Order along Hempstead Road as the development would not be expected to give rise to parking along it. Concerns regarding access next to 65 Hempstead Road could be addressed through the construction access routing condition.

The scheme now provided for 10 out of the 52 dwellings to be wheelchair accessible, which met the 20% policy requirement. The layout plan indicated where those dwellings would be sited and a planning condition would ensure that details included the necessary accessibility features.

Whilst 44% affordable dwellings were proposed at this stage, planning legislation allowed the applicant to request renegotiation of the figure within 5 years, or to apply to the Secretary of State for a variation after that period.

Councillor Brown asked if the Government's relaxation of construction working hours on Sundays during the pandemic would affect the management condition on the site.

The Head of Planning explained that local authorities were required to be flexible around the issue of construction working hours during the pandemic. He stated that a direct approach from the developers would be welcome as to how much flexibility would be required if a start were to be made on the site within the pandemic period. The site was within a very sensitive residential environment and there were a number of issues that required consideration. If construction did not commence until after the end of the pandemic it was likely that these provisions would have been closed and the imposed conditions would apply.

The Principal Lawyer added that the relaxations regarding construction hours were time limited and it was hopeful that ordinary conditions could be enforced given the roll out of the vaccination programme

It was proposed by Councillor P Heinrich, seconded by Councillor R Kershaw and

RESOLVED unanimously

That the Head of Planning be authorised to approve this application as set out in the report and amended by the following additional conditions (summarised):

- Construction Management Plan (materials storage, amenity protection etc.)
- Construction vehicle access route
- Construction parking with a phasing plan
- Construction Site Exclusion Zone detail around the Buffer Area and Open Space
- Cycle parking details for the flats (to be secure and covered)
- Arboricultural Impact Assessment for the recently retained tree T11
- Pumping station landscape scheme

- Noise protection measures for Plot 1 (road junction and industrial noise).

The Chairman stated that the Major Projects Team Leader was leaving the Authority at the end of December to take promotion at Great Yarmouth Borough Council. She thanked him for his work and wished him well for the future.

The Major Projects Team Leader thanked the Chairman for her comments. He stated that he also wished to acknowledge the work done on this scheme by Sarah Hinchcliffe, a former colleague, and to acknowledge the efforts of current and former Members on the Fakenham scheme.

49 STIFFKEY - PF/20/1202: CONVERSION OF FORMER ARMY TRAINING BUILDINGS INTO FOUR HOLIDAY LETS SUITABLE FOR DISABLED PERSONS: FORMER ARMY BUILDINGS, GREENWAY, STIFFKEY FOR L G HARRISON & SON

The Planning Officer presented the report and referred to the presentation that had been forwarded to Members. She also presented drone footage of the site and its surroundings. She reported that the Human Rights section of the report should refer to refusal and not approval as stated. She recommended refusal of this application as set out in the report.

The Landscape Officer emphasised the undeveloped nature of the west side of The Greenway. She did not consider that conversion to holiday lets would be readily assimilated into the landscape given the open, undeveloped, quiet nature of this particular part of the AONB.. The proposal would have an impact on the defined special qualities of the AONB, particularly that of remoteness, tranquillity and wildness, not only in terms of the landscape and visual impact, but also through human activity and disturbance of the designated sites. It was appropriate for the building to remain in agricultural use surrounded as it was by agricultural land.

The Planning Officer read to the Committee the comments of Councillor Ms K Ward, the local Member. Councillor Ms Ward supported the repurposing of the existing buildings, as alternative agricultural structures would have a much greater visual impact on the landscape and increase the use of Beach Road by large machinery and lorries. This was a low key diversification scheme for a local farming family and would be in keeping with the existing campsite on the opposite side of the road. The proposal would minimise its visual impact and boost local economic activity at a difficult time.

Councillor Mrs A Fitch-Tillett stated that the drone footage had been very helpful and had highlighted all the concerns. She endorsed the comments of the Norfolk Coast Partnership. She referred to the military history of the site. She highlighted the concerns regarding light pollution and highway safety. She proposed refusal of this application in accordance with the recommendation of the Head of Planning.

Councillor P Heinrich stated that the buildings were temporary WW2 structures in poor condition and with dubious historical significance. The site was isolated from the village, with poor access and would be visible due to the lighting. He could give no weight to the proposed use as disabled accommodation as there were no controls. He seconded the proposal to refuse this application.

Councillor R Kershaw referred to the existing campsite, which was closer to the salt marsh than the application site. He was concerned that if this application were refused, the buildings could be demolished and replaced by another agricultural

building that could attract more traffic. He considered that the lighting issue had been mitigated. He did not support the recommendation.

Councillor J Toye supported Councillor Kershaw's comments. He stated that there were three cottages on the other side of the campsite, and he questioned the 'significant' effect on habitats given that there was an existing car park, campsite and boat museum. He also questioned the highway impact when there had been no accidents at that location. He considered that, on balance, the application was acceptable.

Councillor N Lloyd stated that he had sympathy with the application but could not support it due to the lack of an ecological assessment report.

Councillor A Brown considered that this was a laudable proposal, but the buildings were only in situ as they had been exempt from planning control and he was not comfortable with the intensification of their use for any other purpose. He also referred to the need for an ecological report due to the location of the site in the Undeveloped Coast which was precious and sensitive in the District.

The Head of Planning stated that permitted development rights for new uses and new buildings were very restricted in the AONB. The fallback position was to retain the buildings as existing and he was happy to assist the owner as to what uses were possible under permitted development.

RESOLVED by 11 votes to 2

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

50 **THORPE MARKET - PF/20/1037 - TWO STOREY DETACHED DWELLING AND DETACHED DOUBLE GARAGE; THE FARM HOUSE, HALL FARM BARN, STATION ROAD, THORPE MARKET FOR MAYES PROPERTIES LTD**

The Interim Development Manager presented the report and referred to the presentation that had been forwarded to Members. He recommended refusal of this application as set out in the report.

The Interim Development Manager read a statement in support of the application on behalf of Mark Mayes, who had been unable to attend to present his statement in person.

Councillor N Pearce, the local Member, considered that harm was a grey area and in his opinion the harm in this case was at the lower end of the scale. He considered that the application was a sensitive preservation of the historical context of the site by reinstating a building that had previously existed, using local materials. He considered that it would benefit the village and make a positive contribution to the existing complex.

In answer to a question by Councillor Mrs A Fitch-Tillett, the Head of Planning explained that there was nothing in planning law that would allow the rebuilding of a structure that had been demolished or lost. There was very little structure left so it was considered that the building had been abandoned and the residential use lost. This proposal was effectively a new dwelling in the Countryside in terms of Local Plan Policies SS1 and SS2.

Councillor J Toye considered that although the site was in the Countryside, it was well connected to Norwich, Cromer and North Walsham through rail and bus services, the school was half a mile away and there was a public house nearby.

Councillor P Heinrich stated that he could see the argument for refusal in terms of Policies SS1 and SS2, but the proposal met Policies EN2, EN4, CT5 and CT6. The proposed farmhouse would bring the farm complex back together. However, he was not convinced that there was good accessibility to the railway station given the narrow road and dangerous bridge, and pedestrian access to the school was across fields. The site was in an isolated location, and nothing remained of the former building. He proposed refusal of this application in accordance with the recommendation of the Head of Planning. This was seconded by Councillor R Kershaw.

Councillor C Cushing stated that the design of the proposal was not incongruous with the existing buildings on the site and that there was reasonable access to it. He supported the application.

Councillor A Brown stated that the proposal could not be justified as a Part Q restoration as there was little remaining of the former building. He accepted that the situation was frustrating for the neighbours and commended the applicants on the design, but he considered that there were no material considerations that would mitigate against Policies SS1 and SS2 due to the remote location.

The Head of Planning advised the Committee that the site was in an open countryside location and failure to comply with Policies SS1 and SS2 carried considerable weight. In order to mitigate harm the Committee had to conclude that the location was otherwise sustainable with excellent linkages, and if not, whether there were significant public benefits arising from the replacement of the building.

The Principal Lawyer advised that as a matter of law, decisions had to be taken in accordance with the Development Plan unless other material considerations indicated otherwise. The previous existence of the residential use on a planning unit could be considered material. However, in this case the abandonment of planning use was an issue, of which there was little doubt, and as such the Countryside policies applied.

Councillor Pearce stated that the proposal was remarkably similar to a historic photograph of the site and reiterated his view that the level of harm would be low.

The Chairman stated that the site had been a farm owned by Norfolk County Council, which had demolished the farmhouse at least 40 years previously and did not reinstate it. She considered that the open space could be repurposed. The Committee had to judge the proposal on what had been presented.

RESOLVED by 9 votes to 4

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

51 **APPEALS SECTION**

(a) NEW APPEALS

The Committee noted item 11(a) of the agenda.

(b) INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 11(b) of the agenda.

The Head of Planning reported that the Planning Inspector had upheld the appeal in respect of Field Dalling PO/19/1249. This was an important case for the Council as it related to an agricultural worker's dwelling. The Inspector disagreed with the Council's view of the need to reuse the existing dwelling, which was occupied by a retiring agricultural worker, for the agricultural need on site and had given permission on the basis that the new building would satisfy the agricultural need.

(c) WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 11(c) of the agenda.

(d) APPEAL DECISIONS

The Committee noted item 11(d) of the agenda.

(e) COURT CASES – PROGRESS AND RESULTS

The Committee noted item 11(e) of the agenda.

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Councillor N Pearce expressed his disappointment that no Parish or Town representatives had been in attendance.

The Chairman stated that Holt Town Council had submitted a representation to Members.

The Head of Planning stated that representations were received from Parish and Town Councils and it was assumed that they considered their representations had been covered in the Officer reports.

The meeting closed at 1.55 pm.

CHAIRMAN
Thursday, 14 January 2021