

THURSDAY, 8 APRIL 2021

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
Dr C Stockton
Mr A Yiasimi

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

Mr N Dixon – Hoveton & Tunstead Ward
Mrs G Perry-Warnes – Holt Ward

Observers

Mr H Blathwayt
Mr V FitzPatrick
Mr J Toye

Officers

Mr P Rowson, Assistant Director for Planning
Mr N Doran, Principal Lawyer
Mr D Watson, Development Management Team Leader
Ms T Meachen, Senior Planning Officer
Miss L Yarham, Democratic Services & Governance Officer (Regulatory)
M Stembrowicz, Democratic Services and Governance Officer - Scrutiny

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

None.

Councillor N Pearce attempted to join the meeting but was unable to do so due to technical difficulties.

87 MINUTES

The Minutes of meetings of the Committee held on 25 February and 11 March 2021 were approved as a correct record.

88 ITEMS OF URGENT BUSINESS

None.

89 DECLARATIONS OF INTEREST

None.

WALCOTT PF/20/1582 - DEVELOPMENT OF 18 DWELLINGS, COMPRISING 16 TWO-STOREY DWELLINGS FOR AFFORDABLE RENT (SITE PLOT A: 4NO. 3-BED HOUSES, 8NO. 2-BED HOUSES, AND 4NO.1-BED FLATS), AND 2NO. 4-BED DETACHED HOUSES FOR MARKET SALE (SITE PLOTS B AND C), WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING: LAND OFF, OSTEND ROAD, WALCOTT

The Senior Planning Officer presented the report and displayed a location plan on screen. She stated that the site had been erroneously described in the report as a Coastal Village, whereas it was defined in the current Local Plan as a Countryside location. She recommended the approval of this application as set out in the report.

The Committee was informed that the Applicant, Mr Warren, did not wish to make a statement but he was available to answer any questions.

Councillor C Stockton, the local Member, stated that exceptions sites were the only mechanism for providing affordable housing for local people in coastal and rural communities, and it was necessary to take advantage of these sites to keep communities local and provide opportunities for local people. He considered that as a result of the pandemic, there would be added pressure on local housing from people looking to move out of cities for a more peaceful life, with internet connections enabling them to work from home. It was therefore essential that exception sites were approved wherever possible. He considered that this pressure overrode the policy issues in this case, and proposed the approval of this application as recommended.

Councillor Mrs A Fitch-Tillett stated that she had initially been concerned regarding flooding issues, but given the Coastal Team's view on the issue she was relaxed that there were no flooding concerns. She referred to the sandscaping scheme, which protected the coast from the Bacton Gas Terminal down to Ostend. She was keen to ensure that mitigation of the landscape impact of this development was included if the application were approved.

Councillor P Heinrich fully supported Councillor Stockton's comments regarding the need for affordable homes. He considered that the site was not ideal but the scheme would provide houses that would meet a local need. He referred to the changes that had occurred along the beach since the sandscaping scheme was introduced, with sand accumulating at the base of the cliffs and only small amounts of slumping due to surface water penetration. Although Ostend Road was narrow, there would only be a problem during the peak summer season, and traffic generation could not be based on 2 or 3 cars per household as a number of the houses were not occupied full time. He considered that the design of the scheme was reflective of the history of the area. He seconded the proposal.

Councillor A Brown considered that it was refreshing to see an application that provided 16 affordable units out of 18. It was a stated aim of the Corporate Plan to provide local housing for local need and he was happy to support this application, notwithstanding that it was not fully policy compliant. He stated that it was estimated that based on a cost benefit analysis, one affordable house was worth £140,000 to the local economy, which meant that this development could potentially contribute £2.24m. He asked if there was clarity on the method of heating proposed.

At the Chairman's invitation, Mr Warren, the applicant, explained that it was proposed to use ground source heating if possible, but the affordability of this

method would need to be reviewed in the light of the Government removing its renewable heat incentive. If ground source heating was not viable, it was proposed to use air source heating instead. In answer to a supplementary question by the Chairman regarding noise levels of air source heat pumps, Mr Warren explained how noise intrusion would be mitigated by the placement of the units.

Councillor A Yiasimi stated that he agreed with Councillor Stockton's points and Councillor Mrs Fitch-Tillett had allayed his concerns regarding flooding. He considered that there was a need for this affordable housing.

Councillor R Kershaw was pleased to see a Passivhaus design in the District, and commended the developer for bringing it forward. He considered that it was very important that people who lived in affordable homes did not suffer high fuel costs.

Councillor G Mancini-Boyle was pleased with the amount of affordable housing proposed and use of heat source pumps. He referred to the noise levels in comparison with gas boilers. Heat source pumps were noisier the more they were used, so in the summer months they would be very quiet. He added that heat source pumps were becoming less noisy as designs were improved and that gas boilers would no longer be available from 2026.

Councillor N Lloyd was very supportive of the application and pleased to see the contribution to renewable energy schemes. However, he considered that solar panels would be beneficial for the occupants and asked why the applicant had not considered them in this scheme.

Mr Warren explained that there was a limit to the number of technologies he could include while remaining viable. The dwellings had been designed to enable the Housing Association to install solar panels at a later date if desired. He explained that the houses used very little energy and generated most of their heat from solar gain. The heat pumps would be used very little, even in the winter months.

It was proposed by Councillor C Stockton, seconded by Councillor P Heinrich and

RESOLVED unanimously

That this application be approved subject to the prior completion of a Section 106 Obligation within three months of the decision and the imposition of conditions, or refused if a suitable section 106 agreement is not completed within three months of the date of resolution to approve and, in the opinion of the Assistant Director of Planning, there is no realistic prospect of a suitable section 106 agreement being completed within a reasonable timescale, in accordance with the recommendation of the Assistant Director for Planning.

91 **HOLT RV/20/2662 - VARIATION OF CONDITION 1 (PLANS) AND DELETION OF CONDITION 2 OF RESERVED MATTERS PLANNING PERMISSION PM/15/0804 TO VARY HOUSE TYPES/EXTERNAL FINISHES, WITH CORRESPONDING CHANGES TO LAYOUT AND LANDSCAPING, AS PART OF PLANNING PERMISSION PF/15/0774 AT LAND EAST OF 42 CLEY ROAD, HOLT**

The Assistant Director for Planning presented the report. He recommended approval of this application as set out in the report.

Public Speaker

James Nicholls (supporting)

Councillor Mrs G Perry-Warnes expressed disappointment that it had not been possible to accommodate a hopper bus as requested by the Town Council. She was concerned that two of the affordable homes fell below the nationally prescribed space standards, and requested that the applicant reconsider this issue. She appreciated that the applicant had offered 12 affordable homes as a gesture of goodwill, despite not being under a legal obligation to do so as a result of the High Court decision. She stated that affordable homes were needed in Holt, more so than market housing, and the loss of up to 25 affordable homes had caused much despair and upset in the community. She considered that there was a moral imperative to provide the affordable dwellings and that it was a shame that people in need of affordable housing had lost out through no fault of their own because of the legal dispute between the developer and NNDC.

Councillor P Heinrich stated that the rights and wrongs of this matter had been decided by litigation and there was a need to bring it to an end. The development as already permitted could be built out and the current proposal offered some affordable housing, although he fully accepted it was not enough. There had been some design improvements and the dwellings would be energy efficient. He proposed the approval of this application as recommended.

Councillor Mrs W Fredericks supported Councillor Mrs Perry-Warnes' comments regarding affordable housing. She referred to the previous application at Walcott, which offered affordable housing funded by two market dwellings. She stated that she was uncomfortable with this application as affordable rented social housing was needed.

Councillor R Kershaw stated that there was a sad history to this matter but he wished to place on record his thanks to the Assistant Director for Planning for pursuing it and getting some affordable housing from the scheme.

Councillor A Yiasimi was pleased that some of the issues had been addressed and stated that the affordable homes were needed. He wished to emphasise the empathy shown by the local Member which he considered to be important.

It was proposed by Councillor P Heinrich, seconded by Councillor P Fisher and

RESOLVED unanimously

That this application be approved subject to the prior completion of a Section 106 Obligation in respect of affordable housing and to the imposition of appropriate conditions, in accordance with the recommendation of the Assistant Director for Planning.

92 **BINHAM - PF/20/1954 - SINGLE STOREY DETACHED DWELLING WITH ACCOMMODATION WITHIN PART OF ROOFSPACE; LAND WEST OF 49 PRIORY CRESCENT BINHAM**

The Development Management Team Leader presented the report. For avoidance of doubt, he explained that the soft landscaping plan included in the presentation pack sent to the Committee showed the footprint of the previously proposed dwelling and not the current proposal. He recommended the refusal of this application as set out in the report.

Public Speakers

Pennie Alford (Binham Parish Council)
Tom Cobbold (supporting)

Councillor R Kershaw, the local Member, stated that this was a finely balanced application. He referred to the history of the proposal and the work that the applicant had done in consultation with the Conservation and Design Team in respect of the heritage concerns, which, whilst they remained, were not as strong as previously expressed. The design had addressed concerns regarding light spill by the reduction of the amount of glazing and use of louvres. He stated that this was a modest, one bedroomed, thoughtfully designed dwelling which reused older materials and was set behind a row of houses of no particular historic or architectural merit. He could not see how this proposal would affect the dark skies area, or how the replacement of six unsightly garages would cause harm. The proposal was supported by the Parish Council and there had been no local objections. He considered that the applicant had tried to comply with requests by Officers, the building would not be harmful to the location, and he did not consider it to be a backland development. He stated that he would vote against the Officer recommendation and requested that Officers re-engage with the applicant to resolve the matter.

Councillor G Mancini-Boyle agreed with the local Member's comments. He considered that it should be borne in mind that car use had reduced due to the pandemic and many people were now driving electric vehicles.

Councillor A Brown considered that the Parish Council and local Member had put forward a good case to support this application. He questioned the definition of Countryside, and stated that from the aerial photograph it was clear this site fell within the village settlement. The site was brownfield in nature and the development would be an infill. He stated that proposals for dwellings that were not in keeping with immediately adjacent buildings had been approved in the past and he questioned the validity of the argument on that point. For those reasons he recommended the approval of this application.

Councillor P Heinrich stated that this was backland development on the rural edge of the village, but the building would significantly improve the landscape given that it would be of higher quality than surrounding development. There was an argument that it was effectively a new development that was not on the footprint of existing development, but the Parish Council was in favour and taking on board Councillor Kershaw's comments, he considered that the balance was in favour of approval.

Councillor C Cushing considered that the site was not in the countryside in his opinion. He took on board a comment by the applicant that there would be some economic benefit to the area and on that basis he would vote against the Officer's recommendation.

The Assistant Director for Planning advised the Committee on matters of sustainability in policy terms and requested that Members be guided by their training, previous decisions and the Council's success in defending appeals on sustainability grounds. The pandemic did not change the terms of the sustainability analysis in the current Local Plan. The site was classed as Countryside, which was defined in planning terms in the Local Plan. The application had been assessed against the Council's historic Local Plan, which remained relevant at the present time, and the emerging Local Plan carried limited, if any, weight at this stage.

The Development Management Team Leader informed the Committee that the application form stated that the proposed development was a new dwelling. The Design and Access Statement referred to it as holiday accommodation. The applicant had clearly said in his statement to the Committee that the proposed dwelling was for holiday accommodation and therefore the application should be considered against policy EC7 relating to the location of new tourism development. Under this policy, proposals for new build unserviced holiday accommodation in the Countryside should be treated as permanent residential development, which would not be permitted.

Councillor Mrs A Fitch-Tillett proposed the refusal of this application in accordance with the Officer's recommendation. This was seconded by Councillor P Fisher.

The Chairman urged caution against any departure from the Local Plan policies SS1 and SS2.

Councillor R Kershaw pointed out for the sake of balance that earlier in the meeting the Committee had approved a large site that had been recommended for approval against policy by Officers.

The Chairman clarified that the application referred to by Councillor Kershaw had been approved as it was an exceptions site. It would not have been accepted for market housing or holiday accommodation.

The proposal for refusal of this application in accordance with the Officer's recommendation was put to the vote and declared lost with 3 Members voting in favour and 10 against.

The Head of Planning advised the Committee and answered Members' questions in respect of the options for determination of this application.

Councillor N Lloyd asked if any weight could be attached to brownfield land as the site had been previously built upon.

The Assistant Director for Planning explained that Members had indicated the view that the site was previously developed land, which gave a positive potential weight to the proposal but did not automatically mean it should be approved. The Committee should also consider the suggestion made earlier in the meeting that local services were available and that there were local facilities that would support a tourism use on the site. It would be necessary to amend the application description to a tourism proposal as it was clearly the concept of this development. As such, it would be necessary to consider whether or not the proposal was acceptable in terms of its accessibility to services and facilities and to tourism attractions, in conjunction with its previously developed status, appropriateness of the design and impact on landscape and dark skies.

Councillor C Stockton proposed that the application be approved on the basis that the proposal was for tourist accommodation, facilities existed in Binham and the site had been previously developed.

The Assistant Director of Planning stated that it was important to clarify that the change of description was acceptable to the applicant. Officers would draft suitable conditions for circulation to the applicant to include a restriction of the use to holiday accommodation, drainage, highways, parking, landscaping and shielding in terms of

the dark skies issues.

Councillor A Brown seconded the proposal to approve this application.

Councillor N Lloyd requested that conditions relating to renewable energy and heating and high standards of insulation be included.

At the request of the Chairman, Mr Cobbold confirmed that he was content with the change of description and restriction to holiday use.

It was proposed by Councillor C Stockton, seconded by Councillor A Brown and

RESOLVED by 10 votes to 2 with 1 abstention

That this application be approved subject to amendment of the application description to reflect the proposed holiday use, and the imposition of conditions to include a holiday use restriction, drainage, highways, parking, landscaping, protection of dark skies, use of green technology and any other conditions considered to be appropriate by the Assistant Director for Planning.

Reason: The Committee considers that the approval of this application is justified on the grounds that it relates to tourist accommodation, there are facilities in Binham and the site had been previously developed.

93 **IRSTEAD - PF/20/2368 - ERECTION OF GENERAL PURPOSE AGRICULTURAL BUILDING WITH ASSOCIATED CONCRETE HARDSTANDING TO FRONT, SOFT LANDSCAPING AND ACCESS; LAND SOUTH OF CAR PARK AND PUBLIC CONVENIENCES, LONG ROAD, IRSTEAD, NORFOLK**

The Development Management Team Leader presented the report. He recommended approval of this application as set out in the report.

Public Speaker

Ed Plumb (supporting)

Councillor N Dixon, a local Member, stated that he was satisfied with the operational case outlined by the applicant but was unconvinced as to why the building had to be located in this particularly sensitive site. He considered that further exploration was needed with regard to other options on land owned by the applicant. He stated that any landscaping would take many years to mature and its future maintenance was another issue. He considered that this was a finely balanced matter but fully supported the objections raised by the Broads Authority and the Parish Council.

Councillor G Mancini-Boyle, a local Member, also considered that this matter was finely balanced but the applicant had reduced the size of the building and altered its appearance, and planting was not a problem. The site was in the AONB and in an area that was attractive to walkers. He accepted that there was no highway objection, however the Parish Council had objected and there were a number of public objections. He stated that he would hear the Committee's view before making up his mind on this matter.

Councillor Mrs A Fitch-Tillett reminded the Committee that it was important to support local farmers, particularly at the present time. She commended the

applicant's attempts to mitigate the impact of the building. She stated that it was also important to take into account the Council's declaration of climate emergency and this proposal would cut the applicant's carbon footprint. She proposed the approval of this application in accordance with the Officer's recommendation.

Councillor A Varley stated that the narrow country lane was well used by walkers. There was a need to support agricultural business in the wake of Brexit and the proposal would not generate a great amount of agricultural traffic. He acknowledged that there were mitigating factors and the applicant had worked with the Planning Officers, but he remained undecided on this finely balanced application.

Councillor P Heinrich stated that modern farming required modern buildings and the applicant knew best as to what would suit his business model and operation needs. He considered that the building would be shielded from Irstead and from the car park by an existing tree belt, although the proposed landscaping would take time to establish depending on species. Farming was one of the fundamentals of the local economy and should be supported, and he could not see any issues with the proposal and mitigations. He seconded the proposal to approve this application.

Councillor N Lloyd appreciated that the applicant had worked hard to amend the proposal. He took on board the Broads Authority's objections, but noted that there was a robust planting scheme associated with the proposal and he was pleased that the proposal would result in carbon reduction.

Councillor A Yiasimi supported this application as there was a need to support the farming industry.

The Chairman noted that there was an existing field entrance so agricultural vehicles already used the lane.

RESOLVED unanimously

That this application be approved in accordance with the recommendation of the Assistant Director for Planning.

94 **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.

Holt PO/18/1857 – A decision is still awaited.

Cley-Next-The-Sea ENF/18/0164 – The Assistant Director for Planning reported that the planning application for revisions to the building was currently being validated and the consultation process would commence shortly.

North Walsham ENF/18/0339 – a planning application had been received and the appeal was being held in abeyance pending determination.

Itteringham ENF/17/0006 / CL/19/0756 – a decision on this appeal was expected

towards the end of the month.

(c) WRITTEN REPRESENTATIONS APPEALS - IN HAND

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

High Kelling ENF/16/0131
Wiveton - PF/19/0856
Wiveton - ENF/18/0061

Decisions on these longstanding appeals were awaited and the Council would continue to apply pressure on the Planning Inspectorate to determine these matters.

(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.

The meeting closed at 11.37 am.

CHAIRMAN
Thursday, 20 May 2021