

THURSDAY, 1 JULY 2021

Minutes of a meeting of the **Development Committee** held in the Council Chamber - Council Offices at 9.30 am when there were present:

Councillors

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

Mr A Brown
Mrs A Fitch-Tillett
Mr R Kershaw
Mr G Mancini-Boyle
Ms L Withington

Mr P Fisher
Dr V Holliday
Mr N Lloyd
Mr N Pearce
Mr A Yiasimi

Officers

Mr P Rowson, Assistant Director for Planning
Mr D Watson, Development Management Team Leader
Mr S Case, Landscape Officer (Arboriculture)
Miss L Yarham, Democratic Services & Governance Officer (Regulatory)
Mrs E Denny, Democratic Services Manager

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

Apologies for absence were received from Councillors Dr C Stockton and A Varley. There were no substitute Members in attendance.

8 MINUTES

The Minutes of meetings of the Committee held on 20 May and 3 June 2021 were approved as correct records and signed by the Chairman.

9 ITEMS OF URGENT BUSINESS

None.

10 DECLARATIONS OF INTEREST

None.

11 BLAKENEY - PF/20/1347 - VARIATION OF CONDITION 5 (CARAVAN OCCUPANCY PERIOD RESTRICTIONS) OF PLANNING PERMISSION REF: PF/19/0768 (CHANGE OF USE OF LAND (PADDOCK) TO ENABLE THE RELOCATION OF AN EXISTING STATIC CARAVAN BUSINESS), TO PERMIT CARAVANS TO BE OCCUPIED FROM 20 MARCH TO 02 JANUARY IN ANY ONE YEAR FOR HOLIDAY OCCUPATION AT GRIMES CARAVAN SITE, LANGHAM ROAD, BLAKENEY FOR MR BUNN

The Chairman stated that the reference number for this application was PF/20/1347 and not 1904 as printed in the Members' agendas.

The Development Management Team Leader presented the report by remote link

and recommended approval of this application as set out in the report. A copy of the visual presentation had previously been forwarded to the Committee.

Public Speaker

Rosemary Thew (Blakeney Parish Council)

Councillor Dr V Holliday, the local Member, stated that this was a finely balanced application, with concerns regarding the impact of winter residency of the caravans on the AONB and dark skies and the precedent for the intensification of nearby caravan and camping sites balanced against the economic benefits to the area. She stated that the dark skies discovery site at Wiveton Downs was a short distance from the site and there had been no discussion with regard to the mitigation of the impact of light pollution on the AONB. November and December, when daylight hours were very short, was an important time for migrating birds and the lighting and traffic movements would have an impact. Blakeney Parish Council considered that the additional income that could be generated in the village did not outweigh the risks, but had balanced their view against a recent Ministerial Statement and the views of businesses. She had brought the matter to Committee as there was a great deal of interest on both sides.

Councillor G Mancini-Boyle considered that the proposal would set a precedent for other sites to open during the winter months. He was concerned that the additional traffic generated would be detrimental for the environment and questioned the need for this proposal.

Councillor R Kershaw, speaking as Portfolio Holder for Sustainable Growth, stated that businesses had suffered very badly over the last 15 months. A Ministerial Statement had been issued in support of this type of proposal. He proposed approval of this application as recommended.

Councillor Mrs A Fitch-Tillett reminded the Committee that it was the Local Planning Authority's duty to conserve the special qualities of the AONB. She was very concerned at the impact on dark skies, particularly during the winter. She stated that the proposal did not set a precedent as there were caravan sites in her Ward that operated during the winter period. She shared the concerns that had been expressed by the Parish Council and Local Member and would therefore oppose this application.

Councillor P Heinrich stated that this matter was very finely balanced, but the main issue in his opinion related to external lighting. He stated that low level downlighting would minimise any disruption and he hoped that Officers could work with the applicant on a sensible approach. It was necessary to further develop tourism in the area to extend it beyond the season and main tourist areas. There would be some economic benefit, but how much was a matter for debate. He requested a two year temporary permission to allow for the outcomes to be assessed.

The Assistant Director for Planning explained that proposal as put forward was the result of lengthy negotiation by Officers and the applicant could appeal against a temporary condition if it was not acceptable to him. He advised the Committee to vote on the proposal as presented in the first instance.

Councillor N Pearce referred to Policies EN1, EN2 and EN3 and stated that whilst approval would not necessarily be in breach of the policies, it would be against the Council's own guidelines. He also referred to Policy EC9 in respect of holiday and

seasonal occupancy. He referred to winter weather conditions and expressed concern that the site was some distance from any settlement with access along dark, unlit lanes. He did not support this proposal.

Councillor N Lloyd stated that one of the primary responsibilities was to protect the AONB and he considered that approval of this application would encourage other site owners to submit similar applications. No figures had been provided to demonstrate how the proposal would benefit the local economy. However, regardless of any such benefits, he could not support the application as proposed because of the need to protect the AONB.

Councillor Mrs L Withington stated that she was torn over this application as she considered that it might help reduce second home ownership if people were able to stay in caravan accommodation over a longer season. However, she was not sure that the impact of such a benefit would be sufficient to outweigh the impact on the AONB.

The Assistant Director for Planning advised Members that they should not give weight to setting a precedent as every application would be considered on its own merits. It was necessary to judge the current proposal and its mitigations against the policy background.

The Chairman seconded the proposal for approval of this application as recommended.

On being put to the vote, 6 Members voted in favour of the proposal and 6 against. On the Chairman's casting vote it was

RESOLVED

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

The Assistant Director for Planning referred to concerns that had been raised regarding lighting and its impact on the dark skies. There was scope to reconsider the lighting plan that had been approved previously for this site. Officers would negotiate with the applicant on this matter, taking into account the issues raised by the Parish Council, Ward Member and during the Committee discussion, and an appropriate condition would be attached to the planning permission.

With the Chairman's permission, Councillor A Brown addressed the Committee on the issue of light pollution. He explained that policies on light pollution were being considered through the Local Plan review process. North Norfolk did not benefit from the highest status of protection such as that afforded to Cornwall and therefore the Council's ability to impose controls on light pollution was limited. However, as the application site was within the AONB, it was important that Officers apply the highest standards of control open to them to mitigate the effects of light pollution on North Norfolk's important landscape.

The Assistant Director for Planning stated that the dark skies designation applied to a very small part of the District. It was appropriate to address the light pollution issue through the Planning Policy & Built Heritage Working Party and emerging Local Plan documents.

Councillor Mrs A Fitch-Tillett stated that she would also take the issue to the AONB

Core Management Group of the Norfolk Coast Partnership with a view to producing a Supplementary Planning Document.

Councillor R Kershaw informed the Committee that the lighting designers who had been engaged on a project in North Walsham had offered free advice on lighting technology that worked well with the eco system, and he would speak to the Assistant Director for Planning on this matter.

12 **SUTTON - TPO 21/0001 (SUTTON) DRIFTWOOD, MOOR ROAD, SUTTON, NORFOLK, NR21 9QN**

The Landscape Officer (Arboriculture) presented the report by remote link and recommended that the Tree Preservation Order be confirmed.

The Assistant Director for Planning explained that an appendix that had been circulated with the printed copies of the agenda had been revised and redacted. The revised appendix had been circulated to the Committee by email and a printed copy had been placed on Members' desks. He requested that Members give no weight to the original version of the appendix.

Public Speaker

Claire Middleton (supporting)

The Chairman stated that she was the local Member for this item. She had viewed the tree from Laxfield Road and Moor Road. Oak trees supported a great diversity of wildlife, unlike conifer trees, and whilst deciduous trees dropped leaves, conifers also dropped cones and needles. She stated that house buyers should be aware that established trees had probably been there longer than the house and should take it into consideration when deciding whether or not to buy the property. She supported the Tree Preservation Order.

Councillor N Pearce supported the TPO and considered that remedial work to the damaged tree should be charged to the person who carried out the work. He considered that the Council had acted proportionally and correctly in this matter. He proposed that the Order be confirmed as recommended.

Councillor R Kershaw stated that it was a case of *caveat emptor* when buying a house next to an established tree. He supported the TPO.

Councillor A Brown supported the previous speakers. The tree pre-dated the building and it was open to purchasers to have a survey undertaken and receive appropriate advice. The Council was very supportive of biodiversity and had declared a climate change emergency. He thanked the Landscape Officer for his thorough analysis of the issues and considered that none of the points of objection had stood up to scrutiny.

The Chairman stated that trees could be crown trimmed or trimmed from below to allow light through, but work should be carried out by a professional tree surgeon.

The Assistant Director for Planning explained that it was not possible to impose a charge on the person who had carried out the previous work. However, confirmation of the Order would ensure that the tree was protected, its future management considered under proper arboricultural management and any necessary work carried out to suitable arboricultural standards. It was considered that the tree was

important and should be retained, and he requested that the Committee focus on the merits of the tree and the benefits of its future management under a TPO.

RESOLVED unanimously

That Tree Preservation Order 21/0001 (Sutton) be confirmed.

13 **APPEALS SECTION**

The Assistant Director for Planning updated the Committee on a number of appeal matters.

(a) NEW APPEALS

The Committee noted item 9(a) of the agenda.

(b) INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 9(b) of the agenda.

Aylmerton PF/20/0691 – this appeal would now be dealt with under the written representations procedure.

In the light of the Inspector's decision on Holt PO/18/1857 (below), case officers were now writing to appellants suggesting that it was inappropriate to raise issues concerning housing land supply and national housing methodology at inquiries and hearings.

Cley-next-the-Sea ENF/18/0164 – further issues had arisen in this case that would result in the consideration of the planning application being delayed pending a response from the appellant/applicant. An undertaking had been given to the Local Member that any amended plans would be the subject of further consultation with interested parties and the Parish Council.

(c) WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 9(c) of the agenda.

High Kelling ENF/16/0131 – the Planning Inspector had indicated that he would issue a decision in 5 weeks from the date of the site inspection but a decision was still awaited. The Assistant Director for Planning stated that he would press the Inspector for a decision.

(d) APPEAL DECISIONS

The Committee noted item 9(d) of the agenda.

Holt PO/18/1857 – the appeal had been allowed, which was disappointing. However, the decision had been positive in that the Inspector had upheld the Council's housing land supply in excess of 6 years and its calculation methods. This would allow the Local Plan to move forward towards submission and examination, and also meant that the existing housing policies still carried weight in determining planning applications. The appellant's application for costs had been refused. A summary of this case would be prepared for a future meeting of the Committee.

The Chairman informed the Committee that she understood that Norfolk County Council was actively considering the development of a primary school on the site. The uncertainty regarding such provision had been a matter of concern when the Committee considered the planning application.

(e) **COURT CASES – PROGRESS AND RESULTS**

The Committee noted item 9(e) of the agenda.

The meeting closed at 10.42 am.

CHAIRMAN
Thursday, 29 July 2021