

## **DEVELOPMENT COMMITTEE**

**Minutes of the meeting of the Development Committee held on Thursday, 22 December 2022 in the Council Chamber - Council Offices at 9.30 am**

**Committee Members Present:**

Cllr P Heinrich (Chairman)	Cllr A Brown
Cllr P Fisher	Cllr A Fitch-Tillett
Cllr V Holliday	Cllr R Kershaw
Cllr N Lloyd	Cllr G Mancini-Boyle
Cllr N Pearce	Cllr M Taylor
Cllr A Varley	

**Substitute Members Present:**

Cllr H Blathwayt

**Officers in Attendance:**

Assistant Director of Planning (ADP)  
Development Management Team Leader (DMTL)  
Principle Lawyer (PL)  
Democratic Services Officer – Regulatory

### **82 TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr P Grove-Jones (Development Committee Chairman) and Cllr L Withington.

### **83 SUBSTITUTES**

Cllr H Blathwayt was present as a substitute for Cllr P Grove-Jones. The Vice-Chairman; Cllr P Heinrich, served as Chairman for the meeting.

### **84 MINUTES**

The Minutes of the Development Committee held Thursday 24<sup>th</sup> November 2022 were approved as a correct record.

### **85 ITEMS OF URGENT BUSINESS**

None.

### **86 DECLARATIONS OF INTEREST**

Cllr A Fitch-Tillett declared a non-pecuniary interest for agenda item 8, planning application PF/21/2186. She advised that the application site was located in AONB and she was the Vice-Chairman for the Norfolk Coast AONB Partnership.

Cllr H Blathwayt declared a non-pecuniary interest for agenda item 8, planning application PF/21/2186. He advised he is a Member for Norfolk Coast AONB Partnership.

**87 LANGHAM - PF/21/2186 - CHANGE OF USE OF LAND TO STORAGE OF CARAVANS AND BOATS, SITING OF 39 STORAGE CONTAINERS, SITING OF PORTABLE BUILDING FOR OFFICE USE AND ERECTION OF BOUNDARY FENCE. LAND ON, LANGHAM ROAD, LANGHAM, NORFOLK**

The DMTL introduced the Officers report and recommendation for refusal for the reasons outlined on the agenda.

Public Speakers

Jonathan Cheetham - Supporting

Members discussion & debate

- i. The Chairman asked the DMTL about the history of the land and its prior uses.
- ii. The DMTL advised that the land had previously been used as an RAF base during WWII but was now populated by trees. It was understood that part of the site had been used ad-hoc for agricultural storage purposes, however it was unknown the full extent of the sites history.
- iii. The Chairman sought clarity whether, if approved, the application site would be permitted to accommodate 107 caravans/ boats.
- iv. The DMTL confirmed, as per the Officers report (p.25) that in addition to the 39 containers, permission was sought to house up to 107 caravans/boats.
- v. The Local Member – Cllr R Kershaw – expressed his support for the Officers recommendation, and thanked the case Officer for his lengthy report. He noted that there had been 37 letters of objection and that the parish council had objected to the proposal. Having attended the site, and read the Officers report, the Local Member stated he was convinced that the proposal was contrary to NNDC Core Strategy Policies SS1, SS2, SS5, EN1, EN3 & EN9, and considered that the harm outweighed any benefits. He commented that the proposal would result in an intensification of a rural site, resulting in damage to the ecosystem, and a loss of bio-diversity. Further, the containers would be visible from the quiet lane. Cllr R Kershaw questions the suitability of the lane in supporting the volume of traffic in installing and moving the containers, and subsequent delivery and removal of boats and caravans throughout the tourist season. He contended that the site would likely require security measure including fencing, CCTV and lighting, given the value of the assets proposed to be located on the site, and noted that the lighting would have a detrimental effect on the AONB. The Local Member noted paragraph 174 of the NPPF, and argued that the proposal was counter to these aims. He commented that some of the trees on the application site were subject to TPO's, and approval in the application would require removal of mature trees at the entrance to facilitate access. Having considered all of the above, Cllr R Kershaw proposed acceptance of the Officers recommendation for refusal.
- vi. Cllr A Fitch-Tillett remarked on the length harm described to the AONB in the Officers report, and stated that she could not support the application. She considered the proposal would have a significant detrimental effect on the surrounding natural beauty, and on dark skies. Cllr A Fitch-Tillett seconded the Officers recommendation for refusal.

- vii. Cllr N Pearce spoke in support of the Officers recommendation, and commented that access to the site was highly restricted. He considered the harm brought through the proposal would outweigh any good, and noted that the proposal was counter to many of NNDC's core strategy policies, as identified in the Officers report.
- viii. Cllr A Brown advised he was unable to support the application, and considered the harmful impact on the AONB. He noted that many policies were not satisfied by way of the application, and the responsibility fell to the applicant to make a case of material considerations which would outweigh the harm. Cllr A Brown did not consider the Applicants arguments compelling to justify a departure from policy, and reflected on the lack of detail for the fencing scheme, tree removal, why no alternate site had been considered, or demand for the site itself. He was unsighted of any traffic report, but had doubts of the representations made by NCC Highways, as he considered the lanes unsuitable for this type of traffic movement. Further, the site was not considered to be a sustainable location for the proposal, a consideration of which would be given greater weight under the emerging Local Plan.
- ix. Cllr V Holliday, ward member for the neighbouring parish of Morston, noted their objection and stated that she did not consider that the economic benefits outweighed the landscape or ecological harm which the proposal would cause. Further, she noted the Officers report, and the description of the impact on 'long views', and commented that she considered the proposal would have a negative impact on views of the landscape from the coast and looking down from Langham, with boats and caravans being white, shiny, and plastic, reflective in the sunshine.
- x. The ADP provided clarity and advised the Committee that the site was not situated in a designated dark skies site, the impact of lighting was to be judged under the terms of current adopted local plan policies.
- xi. Cllr J Toye commented that he was very familiar with the site, and noted one of the main routes to the site was past a school down a narrow road. He considered the application contrary many policies, and expressed his support for the Officers recommendation.

**IT WAS UNANIMOUSLY RESOLVED by 13 votes for**

**That Planning Application PF/21/2186 be refused on the following grounds:**

**1. The site is located in an area designated as Countryside where Policy SS 2 limits development to that which requires a rural location. The proposals have not demonstrated that there is a particular environmental or operational justification for the development. The site is isolated from the nearest settlement, not well served by public transport and would rely on the use of the private car and would not respond positively to tackling the impacts of climate change contrary to Policies SS 1, SS 2 and CT 5 of the adopted North Norfolk Core Strategy (2008) and the sustainable development principles detailed within the National Planning Policy Framework (2021).**

2. The proposed development would be of a significant scale, representing major development within the sites rural context and Norfolk Coast Area of Outstanding Natural Beauty (AONB). The introduction of built form and change of use of land would introduce an incongruous use into a naturally regenerated wooded area resulting in the industrialisation of a highly rural open coastal location which would not reinforce, conserve or enhance the sites remote, tranquil, open and elevated landscape setting. The development would fail to conserve or enhance the special landscape and scenic beauty qualities of the AONB and prevailing landscape character and fails to have regard to local context and does not preserve or enhance the character and quality of an area contrary to the requirements of Policies EN 1, EN 2, EN 3 and EN 4 of the adopted North Norfolk Core Strategy, Chapter 15 of the National Planning Policy Framework (2021) and the guidance contained within the North Norfolk Landscape Character Assessment Supplementary Planning Document (2021), the Norfolk Coast Area of Outstanding Natural Beauty Management Strategy 2014 – 2019 and the Norfolk Coast AONB Integrated Landscape Character Guidance.

3. The proposals would necessitate the removal of a significant amount of scrub and woodland which is known to support breeding populations for a range of protected species, including mammals and birds of conservation concern, and considered likely to also provide shelter and foraging opportunities for other protected species (e.g. reptiles). The disturbances and increased activities associated with the proposed use would have an adverse impact upon these species. The proposed landscape mitigation would not compensate for the loss of habitat resulting in a net loss of biodiversity, contrary to the aims of paragraph 174 of the National Planning Policy Framework (2021). The proposals have not demonstrated that the development could be located in a less sensitive location that would cause less harm contrary to the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy (2008). Furthermore, the development does not comply with the mitigation hierarchy as set out in paragraph 180 (a) of the National Planning Policy Framework (2021).

## 88 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- i. The ADP introduced the Development Management Performance Report and advised that performance remains solid with sustained improvement both with respect of major and non-major performance. He reiterated prior advice that that the introduction of the new software system still had a lingering impact on figures but that he was confident that the two-year figure would improve significantly. The ADP affirmed that validation of applications continued to be completed in a timely manner, with low rates of validation outside of the timeframe.
- ii. Cllr A Brown thanked the ADP for his comments, and asked that his thanks be supplied to the Planning Service for their work over the last 12 months.

- iii. Cllr J Toye noted the significant workload of Officers, and commended them for validating applications in time under challenging circumstances.
- iv. The PL advised, with regard to the S106 report, Scottow Enterprise Park that NCC had explained the delay had arisen on the property side as they were discussing overage provisions. NCC had requested for additional time to secure completion until the end of February 2023.
- v. Cllr R Kershaw commented that the applicant for Scottow Enterprise Park understood the situation with overage as relating to the runway, and considered that this would not impede completion.
- vi. Cllr A Brown expressed his support for the extended deadline for Scottow Enterprise Park, and thanked the PL for her work in this matter.
- vii. Cllr G Mancini-Boyle noted that a S106 Officer was sought and advised that he was keen to implement schemes in his area. He expressed his frustration over the difficulties in accessing S106 money.
- viii. The ADP advised he would be pleased to discuss S106 revisions with any Council Member. He commented that when Members wished to secure S106 money, they would be required to have a qualifying development within their Ward. The key stages with progressing schemes involved the engagement through the planning application process. The ADP noted that a new S106 software had been launched, with a Member training session organised for January 2023. Interviews had been held for a dedicated S106 Officer, and the Council were awaiting confirmation of acceptance of a job offer for one of the candidates.
- ix. Cllr A Brown asked that a link be circulated to Members for S106's. It was agreed that the Democratic Services Officer would provide this to all Members.
- x. The Officers report was noted by Members.

## **89 APPEALS SECTION**

- i. The ADP advised that the significant hearing for Arcady, Cley-next-the-sea (ENF/18/0164, PF/21/0882 & RV/21/2583) was due to be heard on 24<sup>th</sup> – 26<sup>th</sup> January 2023 in NNDC officers, which Members were welcome to attend. The enforcement appeals for Thurning (ENF/19/0307 & ENF/19/0307) were due to be heard, date pending.
- ii. The ADP confirmed that 3 appeals had been determined since the agenda publication – PU/22/0019 and PF/22/1121 which were dismissed in addition to PF/21/1561 which was also dismissed. The ADP noted that there were still a significant number of written representation appeals awaiting determination.
- iii. Cllr A Brown was pleased to see the Councils decisions upheld by the Planning Inspectorate, and noted the Councils exemplary record at appeal of 95%.

**90 EXCLUSION OF PRESS AND PUBLIC**

None.

The meeting ended at 10.09 am.

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Chairman