

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 25 May 2023
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 M Hankins	Cllr V Holliday
Cllr G Mancini-Boyle	Cllr P Neatherway
Cllr J Toye	Cllr K Toye
	Cllr L Vickers

Substitute Members Present:

Cllr T Adams
Cllr L Withington

Officers in Attendance:

- Development Manager (DM)
- Principle Lawyer (PL)
- Senior Planning Officer (SPO)
- Democratic Services Officer – Regulatory

1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr R Macdonald, Cllr M Batey and the Assistant Director for Planning.

2 SUBSTITUTES

Cllr T Adams was present as substitute for Cllr R Macdonald, with Cllr L Withington present as a substitute for Cllr M Batey.

3 MINUTES

The Minutes of the Development Committee held on 12th April were approved subject to typographical corrections.

4 ITEMS OF URGENT BUSINESS

None.

5 DECLARATIONS OF INTEREST

Cllr P Fisher declared a non-pecuniary interest regarding planning application PF/22/1660, he is known socially to the director. Cllr V Holliday also declared a non-pecuniary interest and cited the same reason as Cllr P Fisher.

6 SHERINGHAM - PF/22/1660 - 37 SUITE APARTMENT HOTEL (CLASS C1) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING, LAND TO EAST OF, THE REEF LEISURE CENTRE, WEYBOURNE ROAD, SHERINGHAM FOR MORSTON PALATINE LTD

The SPO introduced the Officers report and recommendation for approval subject to

conditions. He noted was deferred at the 23rd March Development Committee meeting pending Members request for greater clarity on renewable energy provision and surface water drainage.

The SPO affirmed the sites location, the proposals relationship within its wider setting and context within the AONB. He detailed the proposed site plans and elevations, noting efforts made by the developer to marry the proposal with the adjacent Reef Leisure Centre with respect of scale and material pallet. Officers determined that the design was acceptable and would work well in conjunction with the Reef to nicely frame the entrance to Sheringham.

With regards to those matters cited as reasons for deferral, the SPO highlighted the additional information submitted with respect of surface water drainage. The Lead Local Flood Authority had reviewed the revised strategy and subsequently raise no objection to the proposal 'subject to a build-to condition being attached to any consent' which would ensure compliance with the submitted specification and details.

An Energy Statement had also been submitted following the March deferment, with the developer committing to a series of measures outlined in the Officers report (p.32 of the Agenda), which Officers advised they were satisfied would ensure compliance with Policy EN6 of the Adopted North Norfolk Core Strategy.

The SPO reiterated the Officers recommendation subject to the outlined conditions, and any others considered necessary by the Assistant Director for Planning.

Public Speakers

None

Members Questions and Debate

- i. Cllr L Withington – Member for Sheringham North, speaking on behalf of the Local Members in the adjoining Sheringham South Ward, readdressed her concerns relayed at the March meeting. She affirmed that the local community remained concerned about the economic impact of the business model, and the loss of employment land which could offer greater employment opportunities. Cllr L Withington commented that Sheringham had a limited amount of designated employment land (6 hectares) which meant this land was especially precious.

In terms of design, Cllr L Withington stated the 'art-deco' design was not in keeping with the neighbouring Reef complex, which had been recognised nationally for its design merits, and would be out of character with the wider Edwardian seaside town, dominating the nearby golf course. Further, Cllr L Withington considered the important position the site forms as the physical and visual gateway to the Town and to the AONB.

Cllr L Withington expressed concerns over the practicalities of development and access to the site by HGVs across the porous Reef car park, and commented that this was not currently permissible due to concerns regarding potential damage to the surface. Further, any damage to the sub-system would be a considerable cost to the Council as land owner to put right. If developed access to the site would remain an issue, with concern that HGVs would therefore need to unload on the main road. Cllr L Withington reflected

on the development at nearby Westwood site and the lack of a traffic management plan which had resulted in disruption on the main road, especially as the site was located before the 30 mph zone.

- ii. The DM advised, with regards to the risk of traversing the existing Reef carpark by HGVs and potentially damaging the surface, that this was not a direct planning consideration, rather it was a civil matter between the Council (as owners of the car park) and the developer to agree how any remediation would be secured should the access way be damaged.
- iii. Cllr J Toye sought clarification about the 'building management system'. The SPO confirmed that the full details were available in the energy statement, aspects of which would include smart lighting i.e. automatic lighting not requiring human intervention.
- iv. Cllr G Mancini-Boyle spoke positively of improvements to the proposal's carbon footprint following deferment in March, however questioned the composition of disabled parking with two of the three spaces being also designated for electric vehicles. He asked if there was scope to increase the number to disabled parking spaces (not EV spaces), as he considered the proposed provision limited.
- v. The DM affirmed that the Council have adopted car parking standards, which the proposal accorded with. He confirmed that, at present, there was no policy on mandatory electric car charging, and those EV spaces offered by the applicant was on a voluntarily. The DM advised that neither Highways nor NNDC Officers had objected to the proposal with respect of parking matters.
- vi. Cllr A Fitch-Tillett proposed acceptance of the Officers recommendation, and stated she was content that the concerns raised at the March meeting had been addressed, particularly with respect of surface water drainage, but stressed the importance that conditions regarding surface water be tightly controlled. Additionally, whilst Cllr A Fitch-Tillett agreed that whilst the proposal was policy compliant, the provision of disabled parking and EV charging was limited.
- vii. Cllr V Holliday supported the representation made by Cllr L Withington with respect of the loss of employment land. She sought clarification over the status of the apartments and whether they would be classed as second homes, something which she contended would be a sad reflection on the district's housing stock. Further, Cllr V Holliday asked if consideration had been given to the use of 'smart' glazing, given the site was located next to the AONB. She concluded that the carbon footprint of the development did not align with NNDC's Carbon Neutrality pledge (with the potential to produce 17.76 tons of CO₂ per annum), and references to the development complying with these aspirations were disingenuous.
- viii. The DM advised that it would not be permitted for the apartments to be used as second homes, and that this expectation had been clearly communicated with applicant. The units would not have the individual amenity space expected for a dwelling, and would be designated use class C1 (for hotel use). With respect of the ownership model, the DM advised this would be complaint with policy in principle, and confirmed this model had been used elsewhere in the country. The use of proposed conditions would restrict the

number of letting days per person per annum to 31 days, which would ensure the properties were not used as primary or secondary residences. The DM set out the intention of the business model was for visitors to come to the area and by extension contribute to the local economy. He noted that any form of tourism coming into the district would have some form of carbon impact from travel, and therefore it would be highly unlikely to have a zero carbon position on tourism.

- ix. Cllr A Brown asked if there had been any further discussion over installing solar car ports.
- x. The SPO advised that the developer was largely content with their application, including solar array on the roof, and other measures outlined in the report. These measures ensured compliance with policy EN6 of the North Norfolk Core Strategy. The scope for a solar car port, whilst possible, did not form part of the proposal presented for consideration.
- xi. The DM noted that the solar car port being constructed at the adjacent Reef site, did not form part of the initial application and was a retrofit. He reiterated comments from the SPO, and affirmed that this was not included in the application.
- xii. Cllr A Brown stated that although he was minded to approve the application, it was disappointing that the site could not be developed for greater employment opportunities or for social housing. Further, he considered the design lacking, stating it did not make use of vernacular materials.
- xiii. Cllr T Adams asked if the occupancy restriction was a standard condition for this type of accommodation.
- xiv. The DM stated that whilst this type of accommodation was new to the district, perceived problems could be managed through appropriate conditions. He acknowledged Member's concerns that the model may encourage people to use the apartments as second homes, however Officers considered that the conditions would dissuade such action and would provide the Authority the tools ensure enforcement.
- xv. Cllr K Toye reflected on the site's immediate setting and considered the proposal would accord with the adjacent Reef Leisure complex, to construct a more traditional style building would not work in this setting. Cllr K Toye questioned the demand for this business model, noting the tourist accommodation offering in Sheringham was comprised largely of small hotels and B&B's.
- xvi. The Chairman affirmed that there was a growing demand for self-contained holiday accommodation, and that traditional B & B's were less popular with tourists.
- xvii. Cllr P Fisher asked how many jobs would be created through the proposal. He drew comparisons with Henries Garage in Sheringham which is of a similar footprint but which employs around half a dozen people. The DM advised 3 part-time positions were expected to be generated.
- xviii. Cllr L Withington was uncertain that the conditions would prevent individuals from using the apartments as second homes if they were able to stay in them.

for 96 days.

- xix. The DM advised it would be conditioned that no individual could stay in the apartment for more than 31 days per annum. This would dissuade individuals from booking the apartments for continued periods.
- xx. Cllr V Holliday asked how the lettings would be monitored. The DM advised this would be a matter for the planning enforcement team. It would be conditioned that a register of lettings be maintained and made available to the enforcement team as required.
- xxi. The PL noted that on page 28 of the Agenda that the recommendation was for 96 days occupancy. The SPO confirmed that Officers had since reflected on the application and considered a 31 day condition more appropriate. This was more reasonable to control, aligned with other tourist accommodation conditions in the district, and reflected the intention for regular turnover. The DM confirmed that the condition would be for a maximum of 31 days occupancy per annum for any one individual.
- xxii. Cllr L Vickers asked if the developer was confident that the business model was viable with the 31 day restriction.
- xxiii. The DM advised that the applicant had applied for a C1 class hotel, and it was therefore expected that individuals would not stay on the site for long periods of time. Officers had received nothing from the applicant which expressed that they considered the application (and conditions) unviable.
- xxiv. The Chairman asked, should there be a breach of the occupancy, if it would be the owner of the apart-hotel site, or the owner of the individual units who enforcement would pursue. The DM advised this would be anyone with an interest in the land, and likely the apartment owner.
- xxv. Cllr A Brown expressed concern that the 31 day restriction may be open to abuse from individuals staying with family members who then change name of primary occupier every month. He asked how conditions would be applied and enforced to mitigate such issues.
- xxvi. The DM affirmed that should individuals abuse the process, then the enforcement team would investigate and take action accordingly. If individuals were using the apartments as a second home, this would constitute a material change of use and would be something the Authority would frown upon.
- xxvii. Cllr J Toye asked if it could be conditioned that vehicle registration plates were recorded for all those staying on site, as this would aid in monitoring whether the same person or persons were attending the site, effectively breaching 31 day condition.
- xxviii. The DM advised he would seek to add this as a condition, and noted it was not unusual for hotels to take license plate details from guests on arrival.
- xxix. Cllr G Mancini- Boyle seconded the Officers recommendation.

IT WAS RESOLVED by 11 votes for, 1 against and 1 abstention.

That Planning Application PF/22/1660 be APPROVED in line with the Officers recommendation. Final wording of conditions to be delegated to the Assistant Director for Planning.

7 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- i. The DM introduced the Development Management performance update and spoke positively of the team's performance both in respect of Major and Non-Major Performance, and which was above national averages. He stated that the Council had a strong appeal record which is reflective of good decisions being reached by Officers and Members.
- ii. The Chairman and Cllr A Brown thanked Officers for their continued hard work during challenging times.
- iii. The PL updated members on outstanding S106 agreements and advised that she regularly was in contact, and putting pressure on Norfolk County Council to progress the traffic order required in the Crisp Maltings agreement.

8 APPEALS SECTION

- i. The DM introduced the Appeals report and advised that the Appeals for Arcady had concluded with the Planning Inspector deciding to dismiss the appeal in the main. He advised the Applicant had 6 weeks to challenge the decision (via the courts). The DM stated this had been a long and drawn out process, one which had garnered local and national interest.
- ii. The Chairman thanked Officers for their work and spoke in support of the Councils good record at appeals.
- iii. The DM reflected that the Appeals list was lengthy, and that this was a reflection of recruitment issues within the Planning Inspectorate. He acknowledged that this ongoing situation was challenging for appellants who were required to wait for hearings and decisions beyond intended timeframes.

9 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 10.35 am.

Chairman