

15 JUNE 2017

Minutes of a meeting of the **DEVELOPMENT COMMITTEE** held in the Council Chamber, Council Offices, Holt Road, Cromer at 9.30 am when there were present:

Councillors

R Reynolds (Chairman)

N Coppack
Mrs A R Green
Mrs P Grove-Jones

P Moore
Ms M Prior
P Rice

S Shaw

Mrs A Claussen-Reynolds – substitute for Mrs S Arnold
Miss B Palmer – substitute for R Shepherd
J Rest – substitute for N Pearce
E Seward – substitute for Dr P Butikofer
Ms K Ward – substitute for Mrs S Butikofer

Mrs S Arnold – attending as Planning Portfolio Holder

Mrs G Perry-Warnes – Corpusty Ward
R Stevens – Stalham and Sutton Ward

Officers

Mrs N Baker – Head of Planning
Mrs S Ashurst – Development Manager
Mr G Lyon – Major Projects Manager
Mr N Doran - Solicitor
Mr D Watson – Development Management Team Leader
Miss L Yarham – Committee Officer

1. APOLOGIES FOR ABSENCE AND DETAILS OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Mrs S Arnold, Dr P Butikofer, Mrs S Butikofer, N Pearce, R Shepherd and Mrs V Uprichard. Five substitute Members were present as shown above.

Councillor Mrs S A Arnold stated that she was present in her capacity as Portfolio Holder as she was unable to attend the whole meeting.

2. MINUTES

The Minutes of a meeting of the Committee held on 13 April 2017 were approved as a correct record and signed by the Chairman.

3. ITEMS OF URGENT BUSINESS

None

4. DECLARATIONS OF INTEREST

| <u>Minute</u> | <u>Councillor:</u> | <u>Interest</u> |
|---------------|--------------------|---|
| 10. | S Shaw | Knew the Paterson family and Mrs Taylor |

PLANNING APPLICATIONS

Where appropriate the Planning Officers expanded on the planning applications; updated the meeting on outstanding consultations, letters/petitions received objecting to, or supporting the proposals; referred to any views of local Members and answered Members' questions.

Background papers, including correspondence, petitions, consultation documents, letters of objection and those in support of planning applications were available for inspection at the meeting.

Having regard to the above information and the Officers' report, the Committee reached the decisions as set out below.

Applications approved include a standard time limit condition as condition number 1 unless otherwise stated.

5. BLAKENEY - PF/17/0581 - Erection of single storey dwelling; 8 Langham Road for Mr & Mrs Ingham

The Committee considered item 1 of the Officers' report.

Public Speaker

Rosemary Thew (Blakeney Parish Council)

The Development Management Team Leader reported that an amended plan had been received deleting the windows from the roofspace to ensure that the living accommodation was restricted to the ground floor only. The boundary hedge had been removed.

The Development Management Team Leader recommended approval of this application subject to conditions to include the removal of permitted development rights for windows in the roofspace.

Councillor Ms K Ward, the local Member, expressed concern with regard to highway safety, particularly in relation to a nearby day care centre. She considered that the proposal was overdevelopment, would be out of character with this part of Blakeney contrary to Policy EN2 and detrimental to the amenity of the neighbouring residential dwelling.

In response to a question by Councillor P Rice, the Development Management Team Leader confirmed that the height of the proposed building would not be significantly higher than the existing garage.

In response to questions by Councillor J Rest, the Development Management Team Leader clarified details of the roof design as now proposed.

Councillor Mrs P Grove-Jones suggested a site inspection.

The Development Manager advised that work had already been carried out on site without permission, and that delaying determination of this application could result in further works being carried out on site.

The Head of Planning stated that it was not considered that service of a Temporary Stop Notice or Stop Notice was appropriate in this case. The applicants had been advised not to carry out work and if they did so it would be at their own risk.

In response to comments regarding the access, the Development Management Team Leader stated that the reasons for refusal of the previous application did not include highway safety and the position of the access had not changed.

Councillor P Moore supported deferral for a site inspection and suggested that in the meantime further information be sought regarding traffic and parking issues.

The Head of Planning stated that it was expected that parking and access would be provided as part of the proposal. The Committee could not address the issue of parking contravention on the highway. She advised the Committee to exercise caution as the Highway Authority had raised no objections.

It was proposed by Councillor P Moore, seconded by Councillor Mrs P Grove-Jones and

RESOLVED by 10 votes to 1 with 1 abstention

That consideration of this application be deferred to allow the Committee to inspect the site.

6. **BRINTON - PF/17/0176 - Erection of two agricultural storage buildings with associated parking and turning (part retrospective); Primrose Grove, Thornage Road, Sharrington for Mr Taylor**

The Committee considered item 2 of the Officers' report.

Public Speaker

Peter North (Brinton Parish Council)
Michael O'Kane (objecting)

The Development Manager recommended additional conditions to require the removal of the buildings if no active agricultural use commences within 12 months of the date of the decision, and to require the submission and approval of details of the hard surfacing of parking and turning area.

The Solicitor advised the Committee that it should consider this application on its own merits like any other planning application. Enforcement action which may or may not take place was not relevant to the determination of this application.

Councillor Ms K Ward, the local Member, commended Officers on the handling of this application. She did not support the recommendation for approval but understood the reasoning for it. However, she had interpreted the policies differently. She stated that the present owner had been made aware of the enforcement issues when he purchased the site. She considered that the application amounted to domestication of an agricultural site in open countryside contrary to Policy SS2. With regard to Policy EN2, she considered that the siting of the larger building in the centre of the site and the scale of the building was incompatible with general agricultural use. She requested that in the event of approval, an additional condition be imposed to require a permanent planting scheme to close the unauthorised access. However, she proposed refusal of this application for the above reasons.

The Development Manager advised that permanent planting of the unauthorised access could either be included as part of the landscaping scheme or included as an additional condition.

Councillor Mrs A Green also considered that this application was contrary to Policy EN2 and that as she understood the owner did not live locally the site was unlikely to be used for agriculture. She considered that there was no need for a potting shed or the larger building. She seconded the proposal for refusal of this application.

Councillor Ms M Prior stated that some of the reasons given for refusing this application were not relevant and she could not support refusal. She proposed approval in accordance with the recommendation.

In answer to a question by Councillor P Rice, the Development Manager stated that permitted development rights would be removed to prevent other buildings being erected. Permitted development rights would not allow a residential dwelling in connection with the agricultural use to be built as this would require separate planning permission.

Councillor P Moore referred to the Inspector's decision to allow a previous appeal and cautioned against refusal of this application.

The proposal for refusal of this application was put to the vote, with 5 Members voting in favour and 5 against with 2 abstentions. The Chairman cast his vote against the proposal and the motion was lost.

Councillor Ms M Prior proposed approval in accordance with the Officer's amended recommendation, which was seconded by Councillor Mrs A Claussen-Reynolds. On being put to the vote, 5 Members voted in favour and 5 against with 2 abstentions. The Chairman cast his vote in favour of the motion and it was

RESOLVED

That this application be approved subject to the following conditions and any other conditions deemed to be necessary by the Head of Planning:

1. The development shall be carried out in accordance with the plans within 4 months of the date of any approval
2. Removal of permitted development rights for agricultural development on units of less than 5 hectares (Schedule 2, Part 6, Class B)
3. Details of the landscaping scheme, including removal of leylandii
4. Replacement of landscaping scheme in the event of failure of planting
5. Removal of buildings if no agricultural use commences within 12 months of the date of the decision.
6. Details of hard surfacing of the parking and turning area to be submitted and approved.

7. **CORPUSTY AND SAXTHORPE - PF/17/0427 - Variation of condition 2 of planning permission ref: PF/16/1086 to allow for alterations and design changes to the extensions and garage/store; Hill Cottage, Heydon Road, Corpusty for Mr Stenhouse**

The Committee considered item 3 of the Officers' report.

Public Speaker

Jason Parker (supporting)

Councillor Mrs G Perry-Warnes, the local Member, considered that the application of Policies EN4 and H08 was inconsistent with the precedent set by Meade View, a nearby property. She considered that the proposal would have no adverse visual impact but would have social, environmental and economic benefits. She requested that the Committee approve this application or undertake a site inspection.

Councillor N Coppack considered that the proposed amendments would be an improvement to the existing property.

It was proposed by Councillor P Rice, seconded by Councillor Mrs P Grove-Jones and

RESOLVED by 11 votes to 1

That consideration of this application be deferred to allow the Committee to inspect the site.

8. **SHERINGHAM - PF/17/0488 - Change of use from D2 Scout Hut to mixed use of D2 Scout Hut and D1 Childcare Business; Scout Headquarters, De Morley Garth for Mrs R Garratt**

This application had been withdrawn.

9. **STALHAM - PF/17/0385 - Erection of single storey dwelling with integral garage; Land off Moor Lane, Stalham for Mr Macnab**

The Committee considered item 5 of the Officers' report.

Public Speaker

Glyn Davies (supporting)

In presenting this application, the Development Management Team Leader displayed a plan showing the location of other plots which could potentially be developed if this application were approved. He stated that the Human Rights section of the report should refer to refusal, and that the appeal decision referred to as an appendix had been circulated to Members by email. For clarification, the application was recommended for refusal on grounds that it was contrary to Policy SS2 of the Core Strategy and Paragraph 55 of the National Planning Policy Framework.

Councillor R Stevens, a local Member, referred to an appeal decision in respect of application 15/1857 which was allowed by the Inspector despite the Authority being able to demonstrate a five-year supply of land. He considered that the current circumstances were similar to those at the time of the appeal. He stated that this was an infill plot and surrounded by dwellings. He considered that approval of this

application would not set a precedent for the development of the sites referred to by the Development Management Team Leader as they faced open countryside and were not infill sites, and would not set a precedent elsewhere. Neighbours were supportive of the proposal and development of the site would remove an eyesore.

Councillor Mrs P Grove-Jones, a local Member, stated that the site had been used to store building materials for the Holly Grove development. It was an infill plot outside the development boundary of Stalham where infill was not currently supported. The condition of the site did not justify development. She proposed refusal of this application in accordance with the Officer's recommendation.

The Chairman stated that the Council had a five-year land supply and Members would need to find planning reasons if minded to approve the application.

Councillor P Moore stated that the five-year land supply was not the only issue. He referred to the appeal decision which stated that the site was sustainable, the development would have economic benefits and would not cause harm. He considered that nothing had changed since the date of the decision. He proposed approval of this application on grounds that the development would not cause harm and the site was an infill plot in a sustainable location with facilities nearby.

Councillor Mrs A Claussen-Reynolds seconded the proposal to refuse this application.

RESOLVED by 9 votes to 3

That this application be refused in accordance with the recommendation of the Head of Planning on grounds that the proposal is contrary to Policy SS2 of the Core Strategy and Paragraph 55 of the National Planning Policy Framework.

10. **TUNSTEAD - PF/17/0428 - Change of use from Agricultural to General Industrial (Class B2) (retrospective); Unit 13, Beeches Farm, Crowgate Street for Mr Platten**
TUNSTEAD - PF/17/0429 - Change of use from agricultural to general industrial (class B2) (retrospective); Unit 12, Beeches Farm, Crowgate Street for Mr Randall
TUNSTEAD - PF/17/0430 - Change of use from storage or distribution (Class B8) to vehicle valeting (Class B1 - Business) (Retrospective); Unit 10, Beeches Farm, Crowgate Street for Mr Bell
TUNSTEAD - PF/17/0431 - Change of use from Agricultural to mixed uses - Business - Office/Light Industry (Class B1), B8 Storage and Car Sales (Sui Generis) (retrospective); Unit 3, Beeches Farm, Crowgate Street for Mr Tappin

The Committee considered item 6 of the Officers' report.

Public Speakers

Alison Taylor (objecting – all applications)
Alistair Paterson (supporting PF/17/0428)
Clive Randall (supporting PF/17/0429)
Charles Beales (supporting PF/17/0430)
Luke Paterson (supporting PF/17/0431)

The Development Manager reported that no comments had been received from Tunstead Parish Council. She stated that there had been some difference of opinion

regarding the status of the Section 215 Notice and confirmed that from the Council's perspective compliance had been achieved and the Notice had therefore been withdrawn. Concerns had been raised regarding the legitimacy of an anonymous objection. Any statements made in that objection which were not material planning considerations had been redacted from the website following a complaint from one of the applicants and little weight had been given to it in forming the recommendation. Officers understood that there were units available at Scottow Enterprise Park but these had not been fully explored.

Councillor S Shaw, the local Member, stated that he could see both the applicants' and objector's views. As a farmer himself, he agreed that the buildings were not suitable for modern agriculture. Diversification was important to supplement income and would be more so as a result of Brexit. However, he had reservations with regard to the impact on the residential amenities of Beeches Farmhouse.

Councillor P Moore stated that he had visited the site independently as he was unable to attend the site inspection. He confirmed that he had no interests in this application. He referred to a comment made by a public speaker and requested clarification as to whether or not the use had continued for more than 10 years.

The Head of Planning explained that there had been an appeal lodged against the enforcement notice ENF/15/0067. One of the grounds referred to by the appellants was that those uses were lawful. This was not supported by the Council and would be a matter for the Inspector to determine.

Councillor P Moore raised concerns that consideration of this application was premature in the circumstances.

The Head of Planning advised that the appeal process would run its course, but the Committee should determine the application as submitted at this meeting.

Councillor Mrs P Grove-Jones expressed the Committee's displeasure at retrospective planning applications. She referred to a comment made by a public speaker that there were no other units available for his business in the area and stated that planning permission had been granted for new commercial units in Stalham.

Councillor Ms M Prior stated that on the basis of the relevant evidence she wished to propose the Officer's recommendation of refusal for each of the four applications.

Councillor P Rice stated that he was concerned for the businesses involved, but he had been a tenant of Scottow Enterprise Park and there were units on that site with similar businesses to the applicants. He seconded refusal of the four applications.

Councillor Mrs A Claussen-Reynolds stated that these applications were contrary to a number of policies and expressed the hope that the businesses could relocate to alternative premises.

PF/17/0428 – Ignite Marine, Unit 13

RESOLVED by 9 votes to 0 with 3 abstentions

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

PF/17/0429 – Wroxham Car Bodyshop, Unit 12

RESOLVED by 9 votes to 0 with 3 abstentions

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

PF/17/0430 – HD Valeting, Unit 10

RESOLVED by 7 votes to 3 with 2 abstentions

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

PF/17/0431 – Ignite Marine, Unit 13

RESOLVED by 8 votes to 2 with 2 abstentions

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

11. **NORTH NORFOLK NEW LOCAL VALIDATION LIST - CONSULTATION OUTCOMES**

The Committee considered item 7 of the Officers' report.

The Planning Portfolio Holder complimented the Major Projects Manager on the report. It was important that applications were correct as currently 45% of applications were invalid when submitted.

The Chairman expressed appreciation of the amount of work that had gone into producing the Local Validation List, which agents should use as a tool.

Members of the Committee also expressed their appreciation for the work which had been done. A number of parishes had shown a great deal of interest in this matter.

The Committee noted the report.

12. **THE GRAHAM ALLEN AWARD FOR CONSERVATION AND DESIGN**

The Committee considered item 8 of the Officers' report.

It was noted that the Judging Panel should comprise a minimum of 8 Members, but it was agreed that membership of the Judging Panel should be open to any Member of the Development Committee who wished to attend.

RESOLVED

That the judging of entries takes place on 17 August 2017, with the presentation to take place on 21 September 2017.

13. APPLICATION RECOMMENDED FOR A SITE INSPECTION

The Committee considered item 9 of the Officers' report.

RESOLVED

That the Committee undertakes the following site inspection:

SHERINGHAM – PO/16/1725 – Erection of 62 later living retirement apartments including communal facilities and car parking (outline application). Land to south of Sheringham House, Cremers Drift, Sheringham for Sutherland Homes

14. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – YEAR END 2016/17

The Committee noted item 10 of the Officers' report.

The Development Manager requested that Members note the amount of work done by the Officers to achieve the performance to date.

The Chairman stated that there was a need to recognise the amount of work which had been done, which was excellent as there had been a shortage of staff.

The Portfolio Holder congratulated the Development Manager and the staff on excellent results despite the issues faced including Government targets and the business process review.

Councillor E Seward referred to problems in the past and concerns which had been raised by the Overview and Scrutiny Committee. He considered that it was easy to criticise but it was important to find solutions to problems. Although it had not been easy from the staff's point of view, the service had been turned around.

Councillor P Moore stated that he was pleased with the way that Scrutiny received reports from Planning. It was very useful and there was a good rapport which he hoped would continue.

15. NEW APPEALS

The Committee noted item 11 of the Officers' reports.

16. INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 12 of the Officers' reports.

The Development Manager reported that the Inspector's decision in respect of Sculthorpe PF/16/0876 was expected around 6 July. The decision would have an impact on a current major application at North Walsham.

The new Inquiry into the wind turbine applications would be added to the list when the date was known.

17. WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 13 of the Officers' reports.

18. APPEAL DECISIONS – RESULTS AND SUMMARIES

The Committee noted item 14 of the Officers' reports.

19. COURT CASES – PROGRESS AND RESULTS

The Committee noted item 15 of the Officers' reports.

The meeting closed at 12.30 pm.

CHAIRMAN
6 July 2017