

28 SEPTEMBER 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)
B Smith (Vice-Chairman)

Mrs S Arnold	N Lloyd
Mrs A Claussen-Reynolds	N Pearce
Mrs A R Green	Ms M Prior
Mrs P Grove-Jones	S Shaw
B Hannah	R Shepherd
Mrs V Uprichard	

V FitzPatrick – substitute for P Rice

Mrs A Fitch-Tillett – observing
J Rest – observing
G Williams - observing

Officers

Mr G Lyon – Major Projects Manager
Mr D Watson – Development Management Team Leader
Mrs C Dodden – Planning Officer
Miss L Yarham – Committee Officer

66. APOLOGIES FOR ABSENCE AND DETAILS OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor P Rice. One substitute Member was present as shown above.

67. MINUTES

The Minutes of a meeting of the Committee held on 31 August 2017 were approved as a correct record and signed by the Chairman.

68. ITEMS OF URGENT BUSINESS

None

69. DECLARATIONS OF INTEREST

All Members declared they had received correspondence in respect of Cromer PF/17/0785.

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.

70. SHERINGHAM - PF/17/0468 - Demolition of existing hotel and erection of mixed use building comprising 10 dwellings (Use Class C3) and 4 commercial units (Use Class A1/A2/A3/ A4/A5) with associated parking and highways works; Formerly The Shannoeks, 1 High Street for North Norfolk District Council

The Major Projects Team Leader reported that this application had been deferred in order to resolve outstanding matters.

71. BRISTON - PF/17/1097 - Erection of extension to north elevation (retrospective); 3 Mill Road, Briston, Melton Constable for Mr Cloutman

The Committee considered item 2 of the Officers' reports.

The Development Management Team Leader presented photographs of the extension including the views from the windows. He explained that the extension would have been permitted development if built from materials to match the existing dwelling. He recommended approval of this application subject to a condition to ensure the retention of obscured glazing to the bathroom window.

Councillor N Lloyd proposed approval as recommended by the Development Management Team Leader.

Councillor B J Hannah expressed concern at the retrospective nature of this application.

Councillor R Shepherd seconded the proposal to approve this application.

Councillor B Smith considered that the amenity area of 5 Mill Road would not be adversely affected by overlooking. He supported the application subject to the obscure glazing condition.

RESOLVED by 12 votes to 1

That this application be approved subject to a condition to require the retention of obscure glazing to the bathroom window.

The Portfolio Holder reminded Members that being retrospective was not a ground on which an application could be refused.

72. CROMER - PF/17/0785 - Erection of single storey building for use as a tea room including store/toilet and outside seating area; Land at Fearn's Park, Station Rd, Suffield Park for K Bishop

The Committee considered item 3 of the Officers' reports.

Public Speakers

Tim Adams (Cromer Town Council)
Jonathan Phillips (objecting)
Julie Collier (objecting)
Bernard Smith (objecting)

The Planning Officer referred to the issues which had been addressed since the previous meeting which had been set out in the report. She reported that an amended plan had been received to include an additional toilet. She stated that the height of the building was 3.6m to the apex and that the dimensions given at the site inspection had been incorrect.

The Planning Officer reported that a further petition containing 134 signatures objecting to the proposal had been received. Six additional letters had been received, querying the role of the Town Council, lack of community engagement, need to reconsult on the amended plans, the distance between the proposed building and the nearest dwelling and requirement for details of the lighting and extractor fan.

In response to the further queries raised in the additional correspondence, the Planning Officer explained that the Town Council was a consultee with no planning powers. Its views would be taken into account as with any other consultee. The amendments to the plans were considered by Officers to be minor changes which did not require reconsultation. The distance to the nearest dwelling was taken from the front of the dwelling and not its boundary. Precise details of lighting and extraction were normally required as a planning condition.

The Planning Officer displayed a plan showing the area of designated open space and explained that the application site would take up 2.6% of the space in total, with 1.3% being taken up for buildings, external seating and footpath.

The Planning Officer recommended approval of this application as set out in the report.

Councillor N Pearce, a local Member, asked if a condition or agreement could prevent any further development or encroachment of the open land area.

The Major Projects Manager advised that it would not be appropriate to require a condition or agreement. Any further development would require planning permission.

Councillor B J Hannah stated that there was a concrete pad already on the site which indicated a possible built use. He requested clarification as to whether a subsequent operator would have to remove the building if the business were sold on and then closed down. He stated that condition 12 should refer to "toilets" and not "toilet".

The Planning Officer explained that permission would be personal to the applicant and could not be passed on. Anyone wishing to take over the premises would have to reapply for planning permission.

Councillor Ms M Prior requested clarification with regard to the covenant on the land.

The Major Projects Manager explained that the existence of the covenant did not prevent planning permission being issued. This was a civil matter for the parties to resolve before the development could go ahead, but was separate from the planning application.

Councillor Ms Prior requested that voting be recorded on this application.

Councillor B Smith considered that the conditions appeared to cover the concerns which had been raised and that with the conditions attached, the proposal would comply with the Development Plan. He proposed approval of this application as recommended.

Councillor N Pearce requested a condition to prevent further development by the applicant.

The Major Projects Manager explained that significant amendments would require planning permission and that safeguards were already in place.

Councillor Mrs S A Arnold suggested an additional condition to remove permitted development rights. She seconded the proposal on this basis.

In answer to a question by Councillor Mrs A Claussen-Reynolds, the Planning Officer confirmed that the proposed toilets were accessible to disabled people.

Councillor N Lloyd expressed concern at the loss of open space for active pursuits. He considered that the shape of the footprint would land lock an area at the rear of the site, resulting in a greater percentage loss of open space. He did not support this application on loss of open space grounds.

Councillor Mrs V Uprichard considered that the proposal would enhance the open space. She expressed concern regarding the proposed opening hours but reluctantly supported the application.

Councillor Mrs P Grove-Jones was also concerned regarding the loss of open space. She considered that open space should be cherished and there was little left in the towns. There were other facilities in close proximity to the site. She considered that the wooden fence would be overbearing.

Councillor V FitzPatrick considered that the proposed tearoom would be dwarfed by the adjacent bowls club building. He considered that there were reasonable parking facilities, the proposal would enhance the amenity of the area and the creation of a small business would be beneficial.

Councillor N Lloyd proposed refusal of this application on grounds that the proposal was contrary to Core Strategy Policy CT1, which was seconded by Councillor Mrs P Grove-Jones.

The Major Projects Manager referred to advice provided by the Monitoring Officer regarding interests which had been circulated to Members prior to the meeting. Members were advised that in cases where the Council owns the land, members would not have a registerable interest could participate in the debate and vote. Being a member of the Cabinet would not constitute pre determination on the issue as Cabinet had not considered it in any form.

The proposal by Councillor B Smith, seconded by Councillor Mrs S A Arnold to approve this application, was put to the vote, and voting was recorded as follows:

<u>For</u>	<u>Against</u>	<u>Abstain</u>
Mrs S Arnold	Mrs P Grove-Jones	
Mrs A Claussen-Reynolds	Mr N Lloyd	
Mr V FitzPatrick		
Mrs A Green		
Mr B Hannah		
Mr N Pearce		
Ms M Prior		
Mr R Reynolds		
Mr S Shaw		
Mr R Shepherd		
Mr B Smith		
Mrs V Uprichard		
(12)	(2)	(0)

RESOLVED

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

- 1. Time limit**
- 2. In accordance with submitted plans**
- 3. Details of hard and soft landscaping including materials for new pedestrian access**
- 4. Provision of new pedestrian access from Station road prior to occupation**
- 5. Personal permission for the benefit of Applicant only**
- 6. Building and associated development to be removed if Applicant ceases to operate from premises and land to be returned to former state**
- 7. Details of proposed foul sewerage and surface water disposal**
- 8. Details of any external lighting and CCTV to be submitted**
- 9. Details of any kitchen extractor system**
- 10. No external amplified music and restriction on volume of internal amplified music**
- 11. Provision of bin storage as shown on drawing ref: 2017/253 02A**
- 12. The tea room and associated toilets shall not be open to the customers/public outside the following times of 08:00 hours and 18:00 hours on any day**
- 13. No deliveries or collections, taken or dispatched between 19:00 hours and 07:00 hours on any day**
- 14. Removal of permitted development rights**

- 73. POTTER HEIGHAM - PF/17/0789 - Change of use from dwelling to house in multiple occupancy; Cypress Lodge, Station Road for Black Kettle (Norfolk) Ltd**

The Committee considered item 4 of the Officers' reports.

Public Speaker

Mr Bastow (supporting)

The Development Management Team Leader stated that the description of this application had been changed from the printed report. He recommended approval of this application as set out in the report.

The Development Management Team Leader reported the comments of Councillor Mrs M Millership, a local Member, who wished to draw attention to the concerns raised by the local residents regarding anti-social behaviour and lack of maintenance. She was pleased that Janith Homes was now maintaining the property, including the garden areas, and hoped that a more amicable relationship would develop with dialogue and time.

Councillor V FitzPatrick stated that Councillor Rice, for whom he was substitute, had not discussed the application with him. He understood that the premises could operate as a house in multiple occupation with six residents under permitted development. He proposed approval of this application as recommended.

Councillor Mrs P Grove-Jones considered that the proposed use would result in fewer traffic movements than the previous use. She expressed concern regarding the maintenance of the garden and suggested that the local Member monitor it. She seconded the proposal.

Councillor B J Hannah considered that good maintenance of the garden area would be beneficial to the tenants and encourage better behaviour.

RESOLVED by 12 votes to 1

That this application be approved subject to the conditions listed in the report and any other conditions considered to be appropriate by the Head of Planning.

74. SHERINGHAM - PF/17/1091 - Extension to external staircase to form balcony to rear of dwelling; 22 Hooks Hill Road for Mr Ignation

The Committee considered item 5 of the Officers' reports.

Public Speaker

Mrs Ignation (supporting)

The Development Management Team Leader presented plans and photographs of the site and views from the existing external staircase. He stated that a recent extension to the neighbouring dwelling would obscure views of that property. He recommended refusal of this application in accordance with the report.

Councillor R Shepherd, a local Member, considered that there would be no overlooking. He considered that the applicants were grossly overlooked. A previous application for a larger balcony had been refused and it had been indicated to the applicants that a balcony of the size now proposed would be acceptable. He proposed a site inspection.

Councillor Mrs P Grove-Jones considered that the large first floor conservatory on the neighbouring dwelling caused substantial overlooking of the applicant's property. She seconded the proposal for a site inspection.

Councillor Ms M Prior considered that a site inspection was unnecessary. She proposed approval of this application on grounds that the proposal would not be significantly detrimental to the residential amenity of neighbouring dwellings.

Councillor N Pearce considered that many of the surrounding dwellings overlooked others already and the applicant's garden was overlooked. He supported the application.

Councillor Mrs V Uprichard seconded the proposal for approval.

Councillor Mrs S A Arnold considered that a site inspection was unnecessary. She considered that it would be preferable to install obscured glazing instead of clear glazing and to paint the structure in a more recessive colour.

The Major Projects Manager stated that glazing and colour of the structure could be secured by condition and the applicant had indicated that he was happy with these suggestions.

Councillor R Shepherd, with the support of his seconder, withdrew his proposal for a site inspection.

RESOLVED unanimously

That this application be approved subject to the imposition of appropriate conditions to include obscure glazing and colour of the structure.

Reason: The Committee considers that the proposal would not be significantly detrimental to the residential amenity of neighbouring dwellings.

75. APPLICATIONS RECOMMENDED FOR A SITE INSPECTION

The Committee considered item 6 of the Officers' report.

RESOLVED

That the Committee undertakes the following site inspections:

NORTH WALSHAM – PF/17/0852 - Conversion and extension of existing attached garage (including alterations to roof) to facilitate creation of self-contained attached annex; 26 Thirlby Road for Mr Heinrich

(The above application had subsequently been withdrawn).

The Committee was reminded that it had previously agreed to the following site inspection which would now take place on 19 October 2017.

WELLS NEXT THE SEA - PF/17/1065 - Demolition of existing boundary walls and erection of two-storey dwelling; Land adjacent to Hampden House, East Quay for Mr Chick

76. NEW APPEALS

The Committee noted item 7 of the Officers' reports.

77. INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 8 of the Officers' reports.

The Major Projects Manager reported that there was likely to be a second public inquiry in respect of the proposed wind turbines at Bodham and Selbrigg. It was likely that the Council and Rule 6 parties could recover their costs for the first inquiry from the Planning Inspectorate.

The Major Projects Manager reported that the Inspector's decision had been challenged in respect of the appeal against refusal of Sculthorpe PF/15/0907.

78. WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 9 of the Officers' reports.

79. APPEAL DECISIONS – RESULTS AND SUMMARIES

The Committee noted item 10 of the Officers' reports.

Councillor Mrs S A Arnold congratulated the Planning Department on the latest appeal results. She also congratulated the Committee on those cases where they had been involved in the decision making.

80. COURT CASES – PROGRESS AND RESULTS

The Committee noted item 11 of the Officers' reports.

81. OTHER MATTERS

Member Call-Ins and Attendance at Meetings

Councillor Mrs S A Arnold considered that it was unacceptable that two applications on the agenda had been called in by Members who had not attended the meeting. There was a cost to the public purse in bringing applications to the committee, in terms of officer and member time and paperwork. In both cases, this could have been avoided if the Members concerned had consulted with the Officers.

It was agreed that Members needed reminding that they needed to attend.

Officer Reports/Presentations

Councillor Mrs V Uprichard congratulated the Officers on their presentations at the meeting. They had assumed that Members had read the reports and did not need everything read to them.

Councillor R Reynolds and Councillor B Smith supported this view and emphasised that Members must read the reports.

The meeting closed at 11.35 am.

CHAIRMAN
29 October 2017