

17 JANUARY 2019

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

Mrs P Grove-Jones (Chairman)
Mrs V Uprichard (Vice-Chairman)

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

V FitzPatrick – substitute for Mrs A Claussen-Reynolds
Mr A Yiasimi – substitute for Mr B Hannah
Mr J Rest – substitute for Mrs A Fitch-Tillett

Officers

Mr P Rowson – Head of Planning
Mrs S Ashurst – Development Manager
Mr G Lyon – Major Projects Manager
Mr R Parkinson – Major Projects Team Leader
Mr G Linder – Major Projects Team Leader (GJL)
Mr D Mortimer – Highways Officer
Mrs E Denny – Democratic Services Manager

133. APOLOGIES FOR ABSENCE AND DETAILS OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Mrs A Claussen-Reynolds, Mrs A Fitch-Tillett, Mrs B McGoun and Mr B Hannah. There were three substitute Members in attendance.

134. ITEMS OF URGENT BUSINESS

It was brought to Members' attention that this was the last meeting for the Major Projects Team leader, Mr Gary Linder, who was retiring after 44 years with the Council. Members wished him all the best for the future.

135. DECLARATIONS OF INTEREST

<u>Minute</u>	<u>Councillor:</u>	<u>Interest</u>
136	Mr R Reynolds	Comments included in a press statement in support of an earlier planning application for the scheme.
136	Mrs S Arnold	Comments included in a press statement in support of an earlier planning application for the scheme.
139	Mr N Pearce	Knows the applicant, lives on part of applicants land

137	Mr V FitzPatrick	Spoken to applicants and agents several times (non-pecuniary)
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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' reports, the Committee reached the decisions as set out below.

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

- 136. FAKENHAM - PF/18/1621 - Amendments to planning permission PF/15/1167 (Erection of block of 66 assisted living flats to the west of 35 dwellings) through changes to site layout, landscaping, boundary treatments, enlargement of building to west, south and east, removal of basement level and reconfiguration of floor plans, with associated external alterations. Amendments to approved housing mix of the 66 'housing with care' supported living flats, to change from 38 x 1-bed and 28 x 2-bed dwellings, to a revised mix of 27 x 1-bed and 39 x 2-bed dwellings. Removal of condition 3 (excavation and retaining wall details) & variation of condition 26 (to amend plans) of permission PF/15/1167. Additional retrospective request to regularise changes to siting and layout of wheelchair-accessible bungalow.
Meditrina Park, Trinity Road, Fakenham for Medcentres**

The Committee considered item 1 of the Officers' reports.

Public Speakers

Richard Smith (objecting)

Michael Arnold (supporting)

The Major Projects Team Leader (RP) presented the report and displayed plans and photographs of the site, outlined the proposed amendments to the approved scheme, including visualisations. He explained that an updated list of recommended planning conditions had been circulated to members of the committee in advance of the meeting.

Councillor R Reynolds said that he had recently met with the case officer to discuss the concerns raised by local residents regarding excessive construction-related noise and the proposed height of the boundary fence. He said that the 66 assisted living flats were needed in the town and he supported the application, however, it should not proceed to the detriment of local residents. He sought confirmation of the following points:

- That the boundary fence would be 2.4m in height
- That the right of way would not be used as a shortcut
- That the gates put in place for maintenance access would be locked at all times

- That construction hoarding or a fence would be put in place to prevent construction-related noise.
- That consideration would be given to repositioning the street lighting from 4m to 4.9m to match maximum vehicle height.
- That more mature trees would be planted to help with screening
- That there were provisions in place to prevent run-off water flooding Rudham Stile Lane
- That the parking provision was adequate

The Major Projects Team Leader said that he would respond at the end of the debate.

Councillor Mrs S Arnold referred to the caretaker's flat which had been removed from the amended application. She asked what would happen instead. She also referred to the smaller dining area and sought assurance that this would not impact on the provision of meals on-site. Finally, she said that she would like reassurance that the disruptive behaviour of the construction workers would be addressed.

Councillor Mrs V Uprichard said that the proposals were impressive and she would like to see similar schemes elsewhere across the District. She referred to the height of the fence which seemed particularly high, saying that residents of the scheme might feel 'penned in'.

Councillor J Rest said that he represented the adjacent ward. He commented that it was possible the construction work could take up to two years and therefore it was reasonable that a higher fence should be considered to limit any noise. It would also provide security.

Councillor R Shepherd said that this was an excellent scheme and he supported the 29 conditions. He proposed approval of the scheme as recommended. Cllr Mrs V Uprichard seconded the motion to approve.

Councillor V FitzPatrick said that he felt the proposals were an improvement to the existing position and was therefore supportive. He added that a 2.4m fence seemed very high and suggested that temporary hoarding could be put in place to test it out.

Councillor N Lloyd said that he was supportive of the proposals. He agreed that it was not unreasonable to erect temporary hoarding first to limit the construction noise.

Councillor N Pearce said that this was a complex application. He added that residents of Rudham Stile Lane had previously overlooked open land and he therefore supported the erection of a 2.4m fence.

Councillor B Smith said that he did not feel the fencing should be an issue. Neighbouring dwellings needed privacy and higher fencing would provide this.

Councillor Ms M Prior agreed that a higher fence should be erected.

The Major Projects Team Leader (RP) responded to the points raised during the debate. He said that condition 21 proposed a 2.4 m fence. It was suggested that prior to commencement of Phase 3 of the project that hoarding was installed. This could be 2.4m in height. He also confirmed that the access gate would be used for maintenance only.

Regarding the lighting, the Major Projects Team Leader advised that 4m columns were the maximum and bollards would be installed to illuminate the car park.

He showed Members some photographs which demonstrated that there was no material difference in the landscaping of the boundary now compared to when the previous landscaping scheme was approved so it would be hard to justify planting more mature trees if the already-approved details did not require it already. He then outlined the location of the drainage chambers to Members.

He assured Members that the parking provision was adequate. No spaces had been lost but some had been relocated. Regarding the loss of staff accommodation, the Major Projects Team Leader explained that one of the earlier applications at the same site had been for a C2 nursing home whereas the current application was for independent living within C3 dwellings, and the change was required as the business model had changed. However, care was on hand but the care providers would not live on the site. He added that the site was also adjacent to a medical centre. This was also the case with the dining facilities which had been larger in the previous scheme. All of the flats had their own kitchen facilities.

The Chairman invited the Housing Strategy & Community Manager to speak. She said that the revised plans had been agreed with the developer and the provider and the changes had been made to support assisted living.

Councillor R Reynolds referred to the foliage adjacent to the houses at the eastern end of Rudham Stile Lane. The Head of Planning replied that this was an enforcement matter and that he would make enquiries. In response to a further question from Councillor Reynolds regarding the personnel gate and whether a condition could be put in place to ensure it was only temporary, he replied that Rudham Stile Lane was a private drive.

RESOLVED

Part 1:

That this application be approved subject to the prior completion of a Section 106 A Deed of Variation agreement, and the imposition of appropriate conditions as circulated to Members before the meeting and summarised in the meeting, as listed below, and any other conditions considered to be relevant by the Head of Planning.

1. Scheme to comply with amended / approved plans;
- 2: Finished site levels to comply with new plan;
- 3: Protect existing trees & hedges to BS standards;
- 4: Construction hoarding (2.4m high along southern boundary) & fencing & management plan all to be agreed and installed;
- 5: No vehicle access from Thorpland Rd or Rudham Stile Lane;
- 6: Provide site access for an archaeologist;
- 7: Occupancy restricted to 55 yrs old &/or their spouses etc;
- 8: No enlargement of the wheelchair bungalow;
- 9: Fit a security gate behind the terrace houses by 1 month;
- 10: Protect all existing trees in Phases 1 & 2 for 10 years;
- 11: Protect all existing trees in Phases 1 & 2 for 10 years;
- 12: Provide missing landscaping to Phases 1 & 2 in 2 months;
- 13: Replace new landscaping which fails in the first 10 yrs;

- 14: Protect & maintain new landscaping for 10 yrs;
- 15: Provide and retain two fire hydrants as already approved;
- 16: Provide and retain garden fencing to Phases 1 and 2 as already approved;
- 17: Surface water drainage to be agreed & provided;
- 18: Southern boundary planting to be provided by DPC level;
- 19: Details of fats, grease, oil traps to be agreed;
- 20: Downpipes to be agreed;
- 21: Close board fence to southern boundary to be provided before first occupation, and this shall be 2.4m tall, with a gate for landscape & fence maintenance only;
- 22: Phase 3 perimeter fencing before occupation;
- 23: Phase 3 landscaping – to provide before occupation;
- 24: Thorpland Rd hedgerow – provide before occupation;
- 25: Extract, ventilation, plant & machinery to be agreed;
- 26: Bins, sheds, greenhouse details;
- 27: Cycle stands & shelters;
- 28: Access, manoeuvring, turning etc to be provided;
- 29: Any lighting to be agreed before installation.

Part 2:

If the s106 deed of variation agreement is not completed in 3 months of this meeting, to refuse the application if the delays to completion are not justified.

137. BINHAM – PF/18/1524 – Proposed conversion of an agricultural barn to a dwelling; Westgate Barn, Warham Road, Binham, Fakenham, NR21 0DQ for Mr and Mrs Bruce

The Committee considered item 2 of the Officers' reports.

Public Speakers

Peter Gidney (supporting)

The Major Projects Team Leader (GL) presented the report and displayed plans and photographs of the site including photographs taken from various vantage points outside the site.

The Major Projects Team Leader recommended refusal of this application in accordance with the report.

Councillor Mr V FitzPatrick, the local Member, began by thanking officers for their thorough report and for meeting with him. He said that he did not agree with the officer's assertions that the application was contrary to several Development Plan policies and proposed a site visit so that Members could view the building for themselves. The proposal was seconded by Councillor R Shepherd.

RESOLVED

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

138. FAKENHAM – ADV/18/1914 – Retention of illuminated fascia sign, Crown Hotel, 6 Market Place, Fakenham, NR21 9BP for Mr Cunningham

FAKENHAM – LA/18/1967 – Installation of fascia sign (retrospective); The Crown Hotel, 6 Market Place, Fakenham, NR21 9BP for Mr Cunningham

The Committee considered items 3 and 4 of the Officers' reports.

The Major Projects Team Leader (GL) advised Members that he intended to present items 3 and 4 together as they related to the same building. He outlined the reports and displayed photographs of the signage. He recommended approval of the applications as set out in the report.

Councillor Mr J Rest, the local member, spoke on behalf of Councillor J Punchard who had called in the applications. He referred to the Council's Market Towns Initiative which had granted funding to Fakenham to improve the fascias of several historic buildings in the town. He said that the previous gold lettering on the building was much more appropriate.

Councillor V Uprichard commented on the colour of the exterior of the building. She said that she felt it should be one uniform colour.

Councillor R Reynolds said that he agreed with Councillor Rest's comments. He added that he believed that fascia of the building was being looked at by the Council's Enforcement team. The Head of Planning replied that the Committee was only considering the proposals before them and that he would provide an update regarding any enforcement issues after the meeting.

Councillor N Pearce commented that he thought the signage was appalling and did not reflect the historic character of the town centre.

Councillor R Shepherd said that he found the decision difficult. It was hard for hoteliers and pub landlords to run a business successfully these days. He agreed that if the exterior paintwork was toned down then the sign would not look so dominant.

Councillor Mr V FitzPatrick said that when the wider context was considered then the sign did not look inappropriate, as the adjacent signs were similar. Councillor S Arnold agreed, saying that the sign on the chemist's next door was more intrusive.

In response to a question from Councillor M Prior as to whether the building was in single ownership, the Major Projects Team Leader (GL) confirmed that it was.

Councillor V FitzPatrick queried whether a time limit could be put in place that would give the hotel time to change the current sign. The Head of Planning advised that permissions re advertisements remained in place for 5 years, after that a discontinuation notice could be issued.

The Principle Lawyer (ND) advised the Committee that they would need to vote separately on the two applications before them.

FAKENHAM – ADV/18/1914 – Retention of illuminated fascia sign, Crown Hotel, 6 Market Place, Fakenham, NR21 9BP

RESOLVED by 7 votes to 6

To approve the application subject to the imposition of appropriate conditions as summarised in the report and any other conditions considered to be relevant by the Head of Planning.

FAKENHAM – LA/18/1967 – Installation of fascia sign (retrospective); The Crown Hotel, 6 Market Place, Fakenham, NR21 9BP

RESOLVED by 7 votes to 6

To approve the application subject to the imposition of appropriate conditions as summarised in the report and any other conditions considered to be relevant by the Head of Planning.

Councillor B Smith left the meeting at this point.

139. **CROMER – PF/18/1550 - Variation of conditions 3 and 4 of planning permission PF/17/2124 (Use of land for camping for 40 days consecutively/60 days cumulatively per year) to allow the land to be used for 5 caravans, 25 camper vans and 45 camping pitches and removal of reference to "tents only"; Beef Meadow, Hall Road, Cromer, NR27 9JG for Mr Cabbell-Manners**

The Committee considered item 5 of the Officers' reports.

Public Speakers

Hughie Cabbell-Manners (supporting)

The Development Manager presented the report and displayed plans and photographs of the site and outlined the proposal to amend the conditions of the original permission to vary the provision of the accommodation. The original application was limited to tents only.

Councillor Mr A Yiasimi, the local member, said that he could understand the concerns raised in the officers report but that he felt tourism was very important to the town and he was therefore supportive of approving the application.

The Head of Planning then read out a statement from Councillor Mrs H Cox, local member, who suggested a condition which would limit the use of larger vehicles on the site. She said that a condition limiting vehicles to 8m or less would exclude larger motor homes and could be enforced via the booking forms and on arrival at the site.

The Highways Officer said that the main concerns related to the west of the site and the junction with Felbrigg Road.

Councillor N Pearce said that he lived near to the site and the economic benefits of the proposed changes were considerable. He added that the gate to the zoo would need to be locked to prevent access from that side.

Councillor Mrs S Arnold said that she was concerned about the size of vehicles potentially using the site, adding that there was a substantial difference between the size of a camper van and a motor home. She acknowledged that the economic benefits were positive.

Councillor Ms M Prior queried why the size of vehicles accessing the site could not be conditioned. She said that it was important to support tourism. The Development Manager replied that it would be difficult to enforce such a condition as the responsibility for doing so sat with the Council. The Principle Lawyer added that as caravans were part of the application there would be a conflict in limiting the size of vehicles.

The Head of Planning advised Members that if they wished to overturn the officer's recommendation then they must provide material reasons for doing so to ensure that the decision was not unlawful.

Councillor V FitzPatrick said that he could not support the arguments regarding traffic concerns. The variation of the conditions still meant that 66% of the accommodation would be tents. The damage to the Area of Outstanding Natural Beauty was minimal as it was only for 60 days a year and he felt that the economic benefits outweighed this.

Councillor Mrs V Uprichard referred to the highway issues. She said that public safety was paramount. She raised the issue of bats which had been flagged up under the original application and said that more information was required regarding this.

Councillor N Lloyd said that it was a difficult decision. So many policies would be breached if it went ahead and this, together with the concerns raised by Highways, caused considerable concern.

Councillor R Shepherd commented that the site would only be in use for 2 months a year. He asked if there were any permanent buildings or hard standings on the site. The Development Manager confirmed that there were not but said that there were temporary buildings that had not been removed.

The Chairman reminded Members that a vote must be taken on the officer's recommendation before a contrary proposal could be considered.

RESOLVED by 6 votes to 6 votes (with the Chairman using their casting vote)

That this application be refused in accordance with adopted planning polices and the National Planning Policy Framework

The Head of Planning said that officers were keen to review the application with the applicant and the Highways department to see if agreement could be reached.

140. APPLICATIONS RECOMMENDED FOR A SITE INSPECTION

The Development Manager confirmed that the site inspection for **BINHAM – PF/18/1524** (Minute 137) would take place on 24th January 2019.

141. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – Q3 2018/19

The Development Manager introduced this item. She referred Members to pages 47 and 48 of the report and the table outlining the speed of decisions for Majors and Non-Majors. The trend continued to show a marked improvement in turnaround times and she thanked the Planning Team for their hard work.

The Development Manager then informed Members that the next push would be on reducing the overall use of extensions of time. These were used when a valid application period for determination was running but more than the statutory time was genuinely required. Over the last 24 months the Development Management service had used extensions of time on 23.4% of applications – a slight reduction on quarter 1.

142. NEW APPEALS

The Committee noted item 8 of the Officers' reports.

143. INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 9 of the Officers' reports.

The Development Manager advised the Committee that the outcome from the public inquiry for Tunstead – PF/17/0428 would be announced shortly.

144. WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 10 of the Officers' reports.

145. APPEAL DECISIONS – RESULTS AND SUMMARIES

The Committee noted item 11 of the Officers' reports.

The Development Manager informed the Committee that the appeal in respect of High Kelling had been allowed. She said the officers would review the process relating to applications for annexes.

Councillor R Reynolds asked for an update regarding enforcement action for Melton Constable Hall. The Head of Planning replied that the Enforcement Board would be discussing this issue at the next meeting. He said that the Council would not be taking action if it was unenforceable. There was a meeting scheduled with Historic England a site visit for 24th January. Members would be kept informed of any developments.

Councillor S Arnold asked whether members could be kept informed of the decisions taken at the Enforcement Board.

146. COURT CASES – PROGRESS AND RESULTS

The Committee noted item 12 of the Officers' reports.

The meeting closed at 12.16 pm.

CHAIRMAN
28 February 2019