

3 AUGUST 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
Mrs A R Green
B Hannah
N Lloyd

N Pearce
Ms M Prior
S Shaw
R Shepherd

Mrs V Uprichard

Mrs A Claussen-Reynolds – substitute for Mrs P Grove-Jones
Mrs S Butikofer – substitute for Dr P Butikofer
Ms K Ward – substitute for P Rice

Mrs A Fitch-Tillett – Poppyland Ward
Ms V Gay – North Walsham (West) Ward

T FitzPatrick – observing
J Rest – observing
E Seward - observing

Officers

Mrs N Baker – Head of Planning
Mr G Lyon – Major Projects Manager
Miss S Hinchcliffe – Major Projects Team Leader
Mr R Parkinson – Major Projects Team Leader
Mr G Linder – Major Projects Team Leader
Mr S Case – Landscape Officer
Miss L Yarham – Committee Officer

33. APOLOGIES FOR ABSENCE AND DETAILS OF SUBSTITUTE MEMBERS

Apoloiges for absence were received from Councillors P Butikofer, Mrs P Grove-Jones and P Rice. Three substitute Members were present as shown above.

34. MINUTES

The Minutes of a meeting of the Committee held on 6 July 2017 were approved as a correct record and signed by the Chairman.

35. ITEMS OF URGENT BUSINESS

None

36. DECLARATIONS OF INTEREST

<u>Minute</u>	<u>Councillor:</u>	<u>Interest</u>
37	S Shaw	Knew the Rossi family

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.

37. NORTH WALSHAM - PO/17/0549 - **Erection of up to 200 dwellings, open space, supporting infrastructure and other associated works (outline application) - revised submission; Land between Aylsham Road and Greens Road, North Walsham for MLN (Land and Properties) Ltd & Simon Rossi & Katherine Beardshaw & Nigel Rossi**

All Members of the Committee had received correspondence regarding this application.

The Committee considered item 2 of the Officers' reports.

Public Speakers

Mary Seward (North Walsham Town Council)
Elaine Addison (objecting)
Bernie Marfleet (objecting)

The Major Projects Team Leader presented the report, plans and photographs of the site and surrounding area. She reported that further correspondence had been received from local residents regarding a traffic survey and evidence which was being gathered to highlight the highway issues. She read out an email which had been sent to Committee Members by the applicant requesting deferral of this application to allow possible re-inclusion in the proposal of land for the relocation of the football club. The Major Projects Team Leader reported that the agent had recently approached officers to ask if reintroduction of land for the football club would change the recommendation. She advised that this would be likely to constitute a materially different proposal which would require a new submission and the application should therefore be determined as submitted. She recommended refusal of this application as set out in the report.

Councillor Ms V R Gay, a local Member, considered that the application had its strengths, and in particular, the inclusion of 90 affordable dwellings. She was mindful that the Town Council and many local residents objected to this application. The local plan was in its early stages. North Walsham would be expected to accept a great deal of development and it was vitally important that it was considered holistically. The Council had a five year land supply and the proposal was contrary to current policy. She referred to the traffic situation in Aylsham Road and supported a suggestion by Mr Marfleet that the Council should lobby for traffic calming. She supported the Officers' recommendation for refusal of this application.

Councillor Mrs V Uprichard stated that Councillor Gay and the Town Council representative had set out a very clear case to follow the Officer's recommendation. She was very concerned that approval of this application would destroy the football club which was achieving good results and providing healthy activity for people from 5 years upwards. She stated that the current proposal relied on diverting some of the traffic from Aylsham Road onto Station Road. Station Road had footpaths but also two very busy shops with a great deal of traffic which could cause another major problem.

Councillor R Shepherd considered there was very little difference between this and the previous application as the site was in the countryside. Several benefits were being offered, but the problem of Aylsham Road remained and he could not understand why the Highway Authority had not objected. He considered that proposals for the development of the land should be delayed until the new local plan was under way. He referred to the possibility of a bypass or link road at some time in the future and suggested that the development of the land could be considered in conjunction with it as one could secure the future of the other. The relevant policies SS1 and SS2 were in conformity with the NPPF, and the Planning Inspector had confirmed through the Sculthorpe planning inquiry that the Authority had a five year supply of housing land. He proposed refusal of this application as recommended.

Councillor Mrs S A Arnold seconded the proposal for refusal of this application. She welcomed the offer of 45% affordable housing but considered the application was premature and that development in North Walsham should be strategically planned.

Councillor N Pearce stated that highway safety was an important consideration and Aylsham Road could not be widened to improve safety. He supported refusal.

Councillor Mrs A Claussen-Reynolds referred to the amount of local opposition to the proposal. She supported refusal.

Councillor B Smith referred to the highway concerns and considered that a run-over footpath would not alleviate the problems. He considered that the proposal itself was reasonable but given the policy conflict and five-year land supply he supported refusal.

RESOLVED by 12 votes to 1

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

37. HOVETON – PF/17/0696 - Erection of 25 dwellings with associated roads and landscaping, extension to church graveyard and off-site highways works Church Field for F W Properties

The Committee considered item 1 of the Officers' reports.

Public Speakers

Julian Wells (supporting)
Ian Wilson (supporting)
Jack Trutch (supporting)

The Major Projects Team Leader presented the report, plans and photographs of the site and surrounding area.

The Major Projects Team Leader read to the Committee the comments of Councillor N D Dixon, the local Member. Councillor Dixon had referred to the purpose of this application in bringing forward employment land to meet the needs of local businesses and requested that the Committee weigh the strategic benefits of the proposal against the potential localised harm in the context of the emerging local plan. Councillor Dixon considered that concerns raised by local residents were understandable but could similarly apply to any other site in Hoveton. He considered that other objections could be mitigated by design changes or engineering solutions and had requested conditions or a legal agreement to cover testing of the surface water drainage attenuation tanks and pipework after construction, monitoring of the foul water system in Meadow Drive, a management and maintenance agreement in respect of land surrounding the site remaining in the ownership of the Hoveton estate, and relocation of the proposed children's play area to allow observation and supervision or alternatively, a commuted sum to integrate play provision with existing facilities at Hoveton Village Hall. He also requested that tree planting be maximised to enhance the landscape and setting of the site and the surrounding heritage and wildlife conservation assets. Although the site was environmentally sensitive it was also sustainable and related well to the village centre and local facilities. He considered that the range of housing stock offered by the proposal and its modest scale was in keeping with the character and needs of Hoveton.

The Major Projects Team Leader reported that a further objection had been received from a local resident reiterating concerns that the commercial site was being heavily discounted for one small employer with no guarantee of further employment.

The Major Projects Team Leader gave a verbal update on a number of technical issues:

Works to the layby and a traffic regulation order for a 20mph speed limit outside the school would be secured by condition.

Infiltration tests had not proved the driveways and private roads would be permeable. Further infiltration tests were required and could be secured by condition. Checking of the applicant's calculations with regard to certain flood events had not yet been carried out by the Local Lead Flood Authority but could be dealt with under delegated powers. Anglian Water had confirmed that there was sufficient capacity to cope with the additional dwellings.

The applicant had confirmed that a hedge could be planted behind the proposed Horning Road footpath and this matter could be dealt with under delegated powers. The proposed tree planting scheme to help reduce traffic speeds along Horning Road had been significantly improved by proposing trees on both north and south sides of the road.

Regarding concerns raised in respect of the play area, the Major Projects Team Leader explained that the play area was designed to be a breakout space from the main estate. A commuted sum for play space elsewhere had been suggested as an alternative to on-site provision. However, the alternative provision was some way from the site, and officers did not consider any further loss of space and re-provision by way of commuted sum to be acceptable.

The outcome of the habitats assessment was still awaited.

The Major Projects Team Leader requested delegated authority to approve this application on the basis of the public benefits, including significant job creation at the associated Littlewood Lane commercial development. A phasing plan for the development had been agreed with the applicant to deliver the employment land as the first phase of any development.

Councillor R Shepherd stated that he was satisfied with the surface water drainage proposals and landscaping. He considered that the children's area should be brought closer to the dwellings if possible. He was concerned that there was a high speed chicane close to the exit and suggested that the 30mph speed limit be moved to the east of it. He was pleased with the number of affordable dwellings on the site.

Councillor Mrs S Butikofer referred to the application at North Walsham (above) which had been refused as it was contrary to Policies SS1 and SS2. The proposal now under discussion was also contrary to those policies. She understood that the economic benefits had to be weighed against the policy conflict but questioned the need for the company to be based in Hoveton when part of the company was located outside the area. She expressed concern that the site exit was close to a bend. She stated that possible archaeological remains between the Church and Church Farmhouse had not been explored. She asked if there was any other industrial land in Hoveton which could be used.

The Major Projects Team Leader explained that the employment land issue was rigorously examined in connection with application PF/16/0733 and no other suitable sites could be identified.

Councillor Mrs S A Arnold asked if Officers were satisfied that additional hedging could be provided for wildlife. She also asked if the field for the wildlife area and open space for the children's play area would be maintained in perpetuity by the Hoveton Estate. She requested that permitted development rights be removed for additional windows in the larger houses with steeply pitched roofs, and queried the design of the affordable dwellings.

The Major Projects Team Leader explained that the design of the dwellings was consistent throughout the site and if some of the detailing on the affordable dwellings was different from the market housing, it was not particularly noticeable. Permitted development rights could be removed in respect of the larger dwellings. Conditions would be imposed to require similar materials to be used. There was an expectation that the public open space would be managed by a residents' group and the Hoveton Estate would manage the tree belts. Although there was scope for additional hedging the Major Projects Team Leader did not consider that it was necessary for wildlife as the meadow would provide a good habitat for foraging birds. Maintenance of the field in perpetuity would be required under the S106 agreement.

Councillor Mrs S A Arnold considered that in this case the economic advantages to the community outweighed the policy conflict. She proposed delegated approval of this application as recommended subject to design improvements on the affordable dwellings and removal of permitted development rights for additional windows in the larger dwellings. She was satisfied with the countryside conditions.

The developer indicated that he was prepared to ensure consistency of materials across the site.

Councillor R Shepherd seconded the proposal.

Councillor Ms K Ward expressed concern at the proposal as the reasons had been rehearsed on the North Walsham application. She expressed concern at the possible effect of root ingress on the drainage system given the overgrown and wooded nature of the land. She referred to Policy SS2 and development in the countryside. She considered that the proportion of affordable dwellings was too low. She considered that the scheme was not acceptable and proposed refusal of this application.

The Chairman stated that root ingress had been raised at the site inspection and the Major Projects Team Leader had suggested that it would not be a problem with modern plastic pipes. He stated that policy SS2 had been discussed at length in the report.

Councillor N Pearce stated that although he was supportive of economic development, he had concerns regarding this proposal. He expressed concern that given the slope of the site there could be major ingress of water into dwellings on Meadow Drive if new properties were built in that area. He considered that the Committee should be consistent in its approach. He considered that further information was required before making a decision.

Councillor B Smith referred to the policy conflict and the fact that the Council could demonstrate five years' supply of housing land. There was no requirement to provide the dwellings but he considered that the site was well designed. He was reasonably satisfied with the drainage proposals. However, he considered that the play area should be relocated at least 20m from the nearest dwelling and the location of the affordable dwellings would not enhance the setting of the Grade II* church.

The Major Projects Team Leader explained that the play area would be intended for short term use by young children. One of the areas would be close to an existing garden and the other would be close to a proposed garden. It was difficult to find an alternative location without compromising the design of the development. There would be a degree of supervision. He considered that alternative provision was too far from the site. The affordable housing was close to the church, but it was closer to the graveyard extension and the impact on the setting of the church would come from the approach to Hoveton. He considered that a better balance of materials should be sought under delegated powers.

Councillor Smith considered that the children's play area should not be screened and that a more open site would be safer for the children.

Councillor Mrs A Claussen-Reynolds considered that further consideration should be given to the ecological issues, particularly with regard to bats and badgers.

As an amendment, it was proposed by Councillor N Pearce, seconded by Councillor Mrs A Claussen-Reynolds that consideration of this application be deferred.

Councillor Mrs S Butikofer seconded the proposal for refusal.

Councillor B J Hannah referred to crime and disorder issues and considered that the covered play area could be a risk. He considered that the play area should be more open and visible.

The Major Projects Manager stated that this was a controversial scheme. Whilst it would be contrary to policy, the Committee was being asked to weigh the public benefits as set out in the report.

Councillor N Lloyd considered that it was a shame that the Parish Council had not been represented at the meeting. He was concerned that one company would benefit from the enabling project. He supported deferral of this application to address the concerns raised, not least those of the Broads Authority.

Councillor Mrs S A Arnold withdrew her proposal to approve this application.

Councillor Ms K Ward also withdrew her proposal to refuse this application.

RESOLVED by 12 votes to 1

That this application be deferred:

1. **To seek amendments to the design details of affordable housing;**
2. **To seek clarification in respect of the possible percentage of affordable housing;**
3. **To await confirmation from the Lead Local Flood Authority that the drainage strategy is acceptable;**
4. **To seek clarification from Natural England in respect of a Habitats Regulations Assessment;**
5. **To seek clarification regarding impact on bats and badgers;**
6. **To address design concerns raised by the Highway Authority and Broads Authority;**
7. **To allow reconsideration of the location and visibility of the play area;**
8. **To confirm whether archaeological investigation is necessary; and**
9. **To further clarify the benefits in relation to economic development.**
10. **Clarify the position with regard to any archaeology interests on the site**

39. LESSINGHAM - PF/17/0441 - Erection of extension to side following demolition of garage & utility room; Chy-an-mor, The Street for Mr Lewis

The Committee considered item 3 of the Officers' reports.

The Major Projects Team Leader presented shadow diagrams to demonstrate that the proposal would have minimal impact on the neighbouring dwelling. He reported that the proposal had been amended to include matching brick instead of timber cladding.

The Major Projects Team Leader presented the comments of Councillor R Price, the local Member, who had expressed concerns regarding the impact of the extension on the neighbour's solar panels and possible financial consequences, impact on drainage and precedent for similar extensions to neighbouring dwellings.

At Councillor Price's request, the Major Projects Team Leader presented the comments of Mr Roberts, the neighbour, who was unable to attend in person because of a prior commitment.

The Major Projects Team Leader stated that all issues had been considered. Officers considered that there were no significant privacy issues. He recommended approval as set out in the report.

The Head of Planning confirmed that possible financial impact was unlikely to be a planning matter and in any event the Committee should attach very little weight to this issue.

It was proposed by Councillor B Smith, seconded by Councillor Mrs S A Arnold and

RESOLVED unanimously

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

40. OVERSTRAND - PF/17/0222 - Formation of children's play area and erection of play equipment to rear of public house; White Horse, 34 High Street for Mr Walsgrove

The Committee considered item 4 of the Officers' reports.

The Major Projects Team Leader presented diagrams of the proposed equipment and photographs of the site. He referred to the Fields in Trust guidance which recommended that play equipment should be a minimum of 20 metres from habitable rooms or the façade of a dwelling. The proposed equipment was only 1 metre from the boundary of the nearest dwelling and the application was recommended for refusal.

Councillor Mrs A M Fitch-Tillett, the local Member, read a supporting statement on behalf of the applicant, who was unable to attend the meeting. She then gave her own comments on the proposal. She stated that there was no planning policy or guidance in respect of play equipment in pub gardens. She stated that the existing bouncy castle would be removed and a slide had already been removed as it was not fit for purpose. She considered that conservation issues could be disregarded as the equipment would be in the rear garden and constructed from natural materials and that the environmental objections could be resolved by conditions. The facility would be monitored by staff and she considered that it would be reasonable to prevent use after 6.00 pm. She hoped that the Committee would support the application.

Councillor Ms M Prior considered that there was ample planning reasons to refuse the application. She referred to the comments of Environmental Health, Conservation and Design and Planning Officer. She considered that the noise level was a relevant consideration. She proposed refusal of this application as recommended.

Councillor N Pearce considered that the design of the climbing frames was acceptable and that there would be little overlooking as the main section had been turned to face the public house. He considered that a 6.00 pm curfew was acceptable. He proposed approval of this application.

Councillor Mrs V Uprichard expressed concern regarding safety and considered that staff should be first aid trained. She considered that there could be some noise nuisance during the school holiday period when there were many tourists. She considered that the sound of children enjoying themselves was not a nuisance and that it would be acceptable for the facility to remain open until 7.30 pm. She seconded the proposal to approve this application.

Councillor B J Hannah considered that the proposal was acceptable provided that reactive lighting was used to deter antisocial behaviour.

Councillor R Shepherd expressed concern regarding the perception of overlooking. The proposed equipment would loom over the neighbour's fence, particularly the tower sections. He considered that the design should be amended and supported the Officer's recommendation for refusal.

Councillor Mrs S Butikofer expressed concerns regarding safety and overlooking. She considered that a reduction in size could resolve the issues.

The Major Projects Team Leader stated that it would be difficult to enforce a curfew. It could be possible to seek modifications to the design but this was not the only issue. The issue of lighting had not been explored and was not part of the application.

Councillor Mrs A M Fitch-Tillett confirmed that there was external lighting in the beer garden already.

Councillor Mrs A Claussen-Reynolds asked if it was possible to relocate the equipment further into the beer garden and possibly reduce the height. She did not consider noise nuisance to be an issue.

The Major Projects Team Leader stated that the equipment would need to be redesigned if it were located further into the beer garden.

Councillor Ms K Ward considered that the smaller climbing frame and pergola were acceptable.

The Head of Planning advised the Committee that the application could be deferred or delegated authority given to approve the application subject to design amendments which decreased the height of the larger element and relocated it away from the boundary.

Councillor B Smith considered that the proposed equipment would create excitement. He referred to the recommended buffer of 20m. The equipment would be in very close proximity to adjacent properties. He supported the Officer's recommendation.

Councillor Mrs S A Arnold expressed concern the proximity to adjacent properties and that there would be some overlooking from the bridge element of the larger frame. She complimented the landlord on the effort he had made but considered that an amended design of reduced height should be sought.

It was proposed by Councillor N Pearce, seconded by Councillor Mrs V Uprichard and

RESOLVED by 9 votes to 4

That the Head of Planning be authorised to approve this application subject to design improvements to reduce the height and move the equipment further from the boundary, and subject to the imposition of appropriate conditions including a closing time of 7.30 pm

41. STIBBARD – TPO 929 (Stibbard) All Saints Church Ref No. TPO/16/925

The Committee considered item 5 of the Officers' reports in respect of a Tree Preservation Order (TPO) to protect a row of 24 Lime trees and 6 Sycamores at the above site.

The Landscape Officer read to the Committee the comments of Mr Coulet, the objector, who was unable to attend the meeting.

The Landscape Officer explained that requests for permission to carry out appropriate maintenance of the trees under the TPO had not been refused and the landowner was happy for the work to be carried out. The loss of branches referred to by the objector was as a result of Storm "Doris". The trees were checked regularly by the church authorities and if found to be dangerous, permission could be given to remove them.

Councillor Mrs A Green, the local Member, stated that she was happy to leave the matter in the hands of the Landscape Officer.

In response to a question by Councillor N Pearce, the Landscape Officer explained that whilst some of the roots may be under the objector's property given the age of the tree in relation to the building, they would be stabilising roots and given the soil structure were not a cause for concern.

It was proposed by Councillor N Pearce, duly seconded and

RESOLVED unanimously

That the Tree Preservation Order be confirmed.

Councillor Mrs S A Arnold requested that a presentation on trees be given by the Landscape Officer to either the Committee or Full Council.

42. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – QUARTER 1 2017/18

The Committee noted item 6 of the Officers' reports.

Councillor Mrs S A Arnold congratulated the Development Management and Major Projects Teams for achieving excellent results.

The Chairman stated that it had not been easy for the team given that it was not fully staffed.

Councillor Arnold thanked the Planning Policy Manager, Major Projects Manager and their teams for the successful outcome of the appeal against refusal of planning application PF/15/0907 at Sculthorpe

43. NEW APPEALS

The Committee noted item 7 of the Officers' reports.

44. INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 8 of the Officers' reports.

45. WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 9 of the Officers' reports.

46. APPEAL DECISIONS – RESULTS AND SUMMARIES

The Committee noted item 10 of the Officers' reports.

47. COURT CASES – PROGRESS AND RESULTS

The Committee noted item 11 of the Officers' reports.

The meeting closed at 1.00 pm.

CHAIRMAN
31 August 2017