

## **31 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  
Dr P Butikofer  
Mrs A R Green  
Mrs P Grove-Jones  
B Hannah

N Pearce  
Ms M Prior  
P Rice  
R Shepherd  
Mrs V Uprichard

Mrs A Claussen-Reynolds – substitute for S Shaw  
Mrs S Butikofer – substitute for N Lloyd

T FitzPatrick – representing The Raynhams Ward on behalf of Councillor  
Miss B Palmer (local Member)

Mrs A Fitch-Tillett – observing  
J Rest – observing  
A Yiasimi - observing

### **Officers**

Mrs N Baker – Head of Planning  
Mrs E Duncan – Head of Legal  
Mrs S Ashurst – Development Manager  
Mr G Lyon – Major Projects Manager  
Miss S Hinchcliffe – Major Projects Team Leader  
Mr R Parkinson – Major Projects Team Leader  
Mrs C Dodden – Planning Officer  
Miss J Smith – Planning Officer  
Mr S Case – Landscape Officer  
Miss L Yarham – Committee Officer

#### **48. APOLOGIES FOR ABSENCE AND DETAILS OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors N Lloyd and S Shaw. Two substitute Members were present as shown above.

#### **49. MINUTES**

The Minutes of a meeting of the Committee held on 3 August 2017 were approved as a correct record and signed by the Chairman.

#### **50. ITEMS OF URGENT BUSINESS**

None

## 51. DECLARATIONS OF INTEREST

<u>Minute</u>	<u>Councillor:</u>	<u>Interest</u>
53	P Rice	Vice-Chairman of Planning Committee at Broads Authority which had discussed application.
54	Mrs S Arnold	Had spoken to developer.
54	B Hannah	Knew developer but had not spoken to him regarding the application
56	Mrs A Claussen-Reynolds	Knows owners of Cannister Hall
56	R Reynolds	Knows owners of Cannister Hall

All Members declared they had received correspondence regarding the applications under consideration.

## 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.

## 52. CROMER - PM/17/0751 - Erection of 68 later living retirement apartments and one bungalow, including communal facilities, car parking and management proposals for adjoining woodland (Reserved Matters of landscaping pursuant to outline permission PO/15/0572); Land to the rear of Barclay Mews and Sutherland Court Gardens, Overstrand Road for Sutherland Homes

The Committee considered item 1 of the Officers' report.

### Public Speakers

Mr R Anderson (objecting)  
Mr C Graveling (objecting)

The Chairman reminded the Committee that this application related only to landscaping in respect of an approved development.

The Major Projects Team Leader (SH) presented the report, the revised landscaping plan, photographs and for information, the approved plan. She reported that the consultation period would end on 8 September. The Landscape Officer considered that the revised scheme was acceptable. One comment had been received from a resident who considered that it was encouraging that the amended scheme had evolved to take into account residents and businesses but was concerned in respect of surface water and the construction management plan.

The Major Projects Team Leader explained that a proposed bund had been removed from the scheme as it was not suitable for the proposed planting. The planting would be in place prior to commencement of construction and trees would be of significant size. Working hours were considered to be suitable. The owners of The Grove remained concerned but the commitment to deliver the landscaping early would help to mitigate the impact on the business.

The Major Projects Team Leader requested delegated authority to approve this application in accordance with the recommendation in the report.

Councillor N Pearce stated that both he and Councillor J Lee, local Members, had been opposed to the original development and considered that the screening should be in place prior to the development taking place. He considered that given the nature of The Grove, the trees should be evergreen and working hours limited to between 9 am and 5 pm. He expressed concerns regarding levels and requested a reduction of at least 1 metre. He stated that the day room should operate as a day room and not a restaurant as marked on the plan.

The Major Projects Team Leader clarified a number of issues which had been raised by the objectors and local Member. She stated that the description "restaurant" had been used on the approved plans but was originally described as a coffee lounge. It was for the use of residents only and not intended for commercial use. It had no effect on the landscaping scheme. Clarification had been sought as to whether or not trees on the boundary were to be retained. The applicant was happy to retain the trees and this could be secured by condition or incorporated into the landscaping plan. Some pruning of the existing trees may be required. Site boarding to the southern boundary would not be required as the planting would take place prior to development.

At the request of the Chairman, the Major Projects Team Leader confirmed that the Turkish Hazel/Italian Alder trees would be full size.

Councillor Mrs V Uprichard considered that the planting scheme was very green and that it would be preferable to incorporate flowering trees and shrubs to provide changing colours throughout the year.

Councillor Mrs S Butikofer asked if evergreen trees could be planted and if it was possible to plant additional trees adjacent to the glamping area at The Grove.

The Landscape Officer explained that the choice of trees and spacing were designed to give good screening and were suitable for the dry, sandy soil. Closer planting would result in loss of the trees. A mix of smaller, flowering trees could be discussed with the developer. There would however be changes in colour throughout the site during the year.

Councillor Mrs A Claussen-Reynolds requested a condition to require the replacement of any trees or shrubs which died.

**RESOLVED** unanimously

**That the Head of Planning be authorised to approve this application subject to no new grounds of objection being received on the expiry of the period of readvertisement of the amended plans and subject to the conditions listed in the report, and an additional condition to require the replacement of any trees or shrubs which died.**

**53. 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 2 of the Officers' report.

Public Speakers

Ronald Pollin (objecting)  
Clive Wiltshire (objecting)  
Julian Wells (supporting)

The Major Projects Team Leader (RP) presented amended plans and further information which had been submitted to address concerns raised at the previous meeting. He reported that three further letters of objection had been received relating to issues which had been debated at that meeting.

The Major Projects Team Leader reported that the Broads Authority had delegated authority to NNDC in relation to the part of the site within its jurisdiction and supported the proposal subject to conditions. Natural England had withdrawn its objection. The Lead Local Flood Authority (LLFA) had no objection subject to conditions. The Broads Authority and LLFA had confirmed that the drainage proposals were acceptable. The Highway Authority had confirmed that it would not be possible to relocate the speed limit beyond the chicanes as suggested at the previous meeting

The Major Projects Team Leader stated that the outstanding issues had been addressed and recommended approval of this application subject to the imposition of appropriate conditions (including a shorter timescale for implementation) and subject to the prior completion of a Section 106 Agreement in respect of the obligations set out in the report of 3 August 2017, phasing of the development and any other conditions or obligations required by the Head of Planning.

The Chairman reported that Councillor N D Dixon, the local Member, was unable to attend the meeting. Councillor Dixon had commented on this application at the previous meeting.

Councillor Ms M Prior was pleased with the further information provided, particularly with regard to enabling development and affordable housing design. It had been confirmed that the scheme had an acceptable level of viability in relation to enabling development, opportunities for jobs and business growth and potential for business rate growth which could be used to benefit other businesses in the area. She proposed approval of this application as recommended by the Major Projects Team Leader.

Councillor Mrs P Grove-Jones expressed concern that this application was contrary to Policy SS2, EN2 and EN8. This was a large development of 25 dwellings in a sensitive position. Whilst she understood that there had been extensive discussions with the flood and water authorities, no development was allowed in Horning which was a short distance away because of sewage and flood problems. She stated that the Authority could demonstrate a 5 year supply of housing land. She considered that there was uncertainty with regard to the economic development and the Committee was being asked to go against its policies to allow a commercial development to proceed.

Councillor P Rice considered that the scheme was good but had reservations regarding the location.

Councillor Mrs S Butikofer considered that policy should be upheld and this application judged on its own merits and not in conjunction with another application. Whilst she supported the creation of jobs, she could not support this application. She proposed that the application be refused.

Councillor Mrs S A Arnold considered that investment in high quality jobs was needed in the area. Without the housing development the commercial scheme would not be viable. She seconded the proposal to approve this application.

Councillor B Smith considered that all issues had been addressed. Although this application was contrary to policy, he considered that approval would not set a precedent as the proposal was to support business which was needed in North Norfolk. He supported the Officers' recommendation.

Councillor Mrs A Green questioned the need for 25 homes. She considered that Policy SS2 was being breached for purely commercial reasons and could not support this application.

The Major Projects Manager advised the Committee that the application was technically contrary to policy but Members could exercise their discretion. There was a judgement to be made as to whether the material considerations outweighed policy. Officers considered that they did so in this case and there was a firm link between housing and jobs.

Councillor Mrs A Claussen-Reynolds considered that all the queries raised at the previous meeting had been addressed and she was happy to support the recommendation.

Councillor B J Hannah seconded the proposal to refuse this application.

The proposal to approve this application was put to the vote and declared lost with 5 Members voting in favour and 8 against.

## **RESOLVED**

**That this application be refused on grounds that it is contrary to Local Plan policies SS2.**

**Reason: the Committee considers that the public benefits are insufficient to outweigh the above policy.**

54. **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**

The Committee considered item 3 of the Officers' report.

Public Speaker

Anne Smith (Sheringham Town Council)

The Major Projects Team Leader (SH) presented the report, plans and photographs of the site and surrounding area, and indicative landscaping plan. She reported that the applicant had confirmed that, given evidence from Sheringham House, two-bed apartments were needed in case live-in carers were required. The Major Projects Team Leader confirmed that there would be no surface water interaction between the site and the SSSI. She requested delegated authority to approve this application in accordance with the recommendation in the report.

Councillor R Shepherd, a local Member, considered that most of the issues of concern had been dealt with. He had concerns regarding some of the Section 106 contributions in respect of library provision, which he would prefer to be used elsewhere, and mitigation for visitor pressure for which the costing was unknown. He requested clarification of the contributions towards community infrastructure and maintenance of the private road.

The Major Projects Team Leader explained that the community infrastructure contribution was possibly for the Little Theatre as this was the case with the retirement complex on the former Beaumaris Hotel site. The maintenance of private roads related to roads within the development and was a requirement of the Highway Authority.

Councillor R Shepherd proposed delegated approval in accordance with the recommendation. In addition, he requested a contribution towards a roundabout at the junction of Holway Road with the A148.

The Head of Planning explained that obligations had to be directly related to the development. No reference had been made to the need to maintain the road or junction. The Highway Authority had raised no objection and she advised caution in this regard.

Councillor Shepherd referred to the contribution towards Cremers Drift which was off site. He stated that the junction would be affected by traffic in relation to the development.

Councillor Mrs P Grove-Jones considered that the total contribution of £85,000 was low in comparison with the possible selling price of the dwellings.

The Major Projects Manager explained that viability had been assessed by the Council's consultant taking into account the costs associated with the development using agreed methodology set out by central government..

Councillor B J Hannah stated that he was Chairman of a charity which had responsibility for Beeston Common and which had not been aware of this application. He was happy to hear that mitigation for Beeston Common had been addressed.

The Major Projects Team Leader explained that hydrology had been considered and there was no problem. She stated that the impact of residents of the site walking on the Common might not be great as other open spaces were available. Adequate signage to direct people to areas where they could walk had been dealt with.

Councillor Hannah expressed concern with regard to a gulley behind existing dwellings in Knowle Road which had been a problem for many years when there was excessive rain.

The Major Projects Team Leader stated that she had visited residents of the affected dwellings. The drainage strategy and construction management plan would address the issue.

Councillor Hannah seconded Councillor Shepherd's proposal.

Councillor Mrs S A Arnold supported this application. She considered that it was a good scheme which would free up larger family homes and allow people to move on. She considered that 70 houses would have created more traffic than this proposal.

Councillor Mrs V Uprichard commented that conditions to require the provision of electric vehicle charging points should be imposed on new developments.

Councillor Mrs S Butikofer and Councillor N Pearce requested restrictions in respect of working hours to protect the amenity and safety of residents of Willow Grove.

Following further advice from the Head of Planning regarding a financial contribution towards a roundabout at the Holway Road/A148 junction, Councillor R Shepherd withdrew his request.

**RESOLVED** unanimously

**That the Head of Planning be authorised to approve this application subject to:**

- 1. Satisfactory completion of a Habitat Regulations Assessment which concludes that the development is not likely to significant affect the Natura 2000 sites.**
- 2. Satisfactory completion of a Section 106 Planning Obligation as set out in the report.**
- 3. The imposition of appropriate conditions as set out in the report, and any other conditions considered appropriate by the Head of Planning.**

**55. 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 Mr/Mrs Bishop**

The Committee considered item 4 of the Officers' report.

Public Speakers

Jonathan Phillips (objecting)  
Barry Mason (objecting)  
Susan Jones (objecting)  
Karen Bishop (supporting)  
Jackie Browning (supporting)  
Lauren Davies (supporting)

The Planning Officer (CD) presented the report, plans and photographs of the site and surrounding area. She reported that the applicant had confirmed that the toilet would accommodate a baby changing table, and that two external security lights were proposed.

The Planning Officer reported that the Highway Authority had no objection subject to conditions and an informative note. A 130-signature petition had been received objecting to the proposal. 8 additional letters of objection had been received, including 3 from people who had previously objected.

The Planning Officer advised that little weight should be given to concerns regarding possible anti-social behaviour as it was not possible to predict that this would be linked to a daytime tearoom.

Anglian Water had confirmed that manholes on the field led to foul and surface water drains and that the applicant would need to apply to Anglian Water to build near them.

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

Councillor N Pearce, a local Member, stated that there had been misconceptions regarding this application. The applicant had confirmed there would be no alcohol licence or a "greasy spoon". He requested a condition to ensure that the premises remained as a tearoom only.

At the request of the Chairman, the Planning Officer confirmed that the extractor fan would be small and not an industrial-type unit. This could be subject to a condition. She was not aware of any rights of way issues affecting the site.

Councillor Mrs V Uprichard considered that there were a number of unresolved issues. She proposed a site inspection prior to making a decision on this matter.

Councillor Mrs S Butikofer expressed concerns with regard to Local Plan policy CT1. She questioned whether Fearn's Park was the right location for a tearoom. She referred to the current parking situation on Station Road and expressed concern at the impact of additional parking if the business was successful. She requested assurance that CCTV would only cover the area of the café and stated that care was needed with regard to CCTV and children.

Councillor P Rice requested clarification regarding the covenant on the land. He seconded the proposal for a site inspection.

The Development Manager explained that the covenant was a civil matter and therefore was not a material planning consideration.

Councillor Mrs S A Arnold supported the site inspection. In the event of approval of this application, she suggested that a condition be imposed to prevent external music and to limit any music played inside the building.

Councillor B J Hannah considered that there should be some leeway to allow music on special days, e.g. Carnival day. He asked if one toilet was sufficient for the premises. He also requested clarification of the proximity of the toilet to Mrs Jones' dwelling.

The Development Manager stated that the number of toilets was a matter for Building Control, however from her experience one toilet would be considered sufficient.

The Planning Officer confirmed that the nearest corner of the seating area was at least 28 metres from the nearest bungalows and the toilet would be further away.

Councillor N Pearce requested that a condition be imposed in the event of approval to require erection of signage to prevent the consumption of alcohol outside the premises. He stated that Councillor J Lee, also a local Member, supported this view.

**RESOLVED** unanimously

**That consideration of this application be deferred to allow the Committee to undertake a site inspection.**



56. **DUNTON - PF/17/0613 - Equestrian business with stabling and teaching facility including formation of riding arena with floodlighting, new building to provide stabling; Cannister Hall Barns, Swaffham Road, Toftrees for Mr Donohue**

The Committee considered item 5 of the Officers' report.

Public Speaker

Nigel Donohue (supporting)

The Planning Officer (JS) presented the report, plans and photographs of the site and indicative visualisations of the proposed building. She reported that 29 letters of report had been received in support of the business and equestrian facility. She recommended refusal of this application as set out in the report.

Councillor Miss B Palmer, the local Member, had sent apologies as she was unable to attend the meeting. Councillor T FitzPatrick read a statement on her behalf in support of the application, which she considered would be a great asset to Toftrees. She considered that the building would be well screened and referred to the conclusion that there would be "less than substantial harm" to the listed buildings. She requested that the Committee approve this application.

Councillor Ms M Prior considered that the proposed building would not be visible, would not only provide employment for two people but was also educational with its links with Easton and Otley College. The site was in a farming community and the road network was frequently used by agricultural vehicles. She considered that the proposal would improve the site. She considered that there would be no impact on the Hall or its wall given the distance and screening and that too much weight had been given to Government policy in relation to the listed building.

Councillor Mrs A Green considered that a horseshoe or L shaped design would have been preferable, but had no objection to the proposed design.

Councillor Ms M Prior proposed approval of this application which was seconded by Councillor Mrs A Green.

Councillor N Pearce considered that there were no heritage issues and supported the proposal.

Councillor B Smith stated that his concern was not with the proposed building but with preserving the area within the confines of the listed building. He considered that policies EN2, EN4 and EN8 should be adhered to. He considered that the overall dimensions of the proposed building were massive and proposed refusal of this application in accordance with the Officer's recommendation.

The Development Manager stated that there was a statutory duty to consider the listed building and where there was harm, to consider the public benefits of the proposal. Officers clearly considered that the jobs being created by the proposal did not outweigh the less than substantial harm to the listed building. She stated that it was the design of the building, which could be revised by the applicant, which was preventing a recommendation for approval.

Councillor N Pearce asked if the application could be deferred to seek a revised design or alternatively, delegation to the Head of Planning.

Councillor Ms M Prior reiterated her view that no harm would be done to Cannister Hall or its wall by the proposed development in a distant field.

The Major Projects Manager asked the Committee to consider the role that the setting of the listed building played towards understanding heritage significance and the impact the proposal would have on the setting of the heritage asset. The Conservation and Design Officer had set out his views and whilst the Committee was entitled to draw a different conclusion it needed to articulate its reasons.

Councillor Ms M Prior considered that the setting of Cannister Hall could not be seen from the application site and requested an explanation as to why the proposal was harmful.

The Development Manager explained that Cannister Hall barns were ancillary listed buildings to the main Hall and that the application site would contribute to the setting of the listed building and its ancillary listed buildings. It was an issue of context.

Councillor Mrs P Grove-Jones stated that the problem was the design of the stable block which the applicant was not happy to redesign. She asked whether it was likely to be recommended for approval if redesigned.

The Development Manager suggested deferral to seek amendments to the design. She explained that the design of the floor plan forced the height of the building upwards. A lower key building would be more acceptable.

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

#### **RESOLVED**

**That consideration of this application be deferred to seek the submission of an acceptable revised design.**

#### **57. NORTH WALSHAM - PF/17/0829 - Formation of new access to agricultural land from Bradfield Road; Land at Bradfield Road, North Walsham for Mr M Drury**

The Committee considered item 6 of the Officers' report.

The Development Manager stated that the formation of the access was permitted development but the applicant had requested that the Committee consider this matter to make it clear that the roadway was acceptable. Consideration allowed the Committee to impose conditions on the permission.

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

**RESOLVED** unanimously

**That this application be approved subject to the conditions listed in the report and any additional conditions deemed necessary by the Head of Planning.**

#### **58. DONG ENERGY - HORNSEA PROJECT THREE CONSULTATION**

The Committee noted item 7 of the Officers' report.

**59. APPLICATIONS RECOMMENDED FOR A SITE INSPECTION**

The Committee considered item 8 of the Officers' report.

**RESOLVED**

**That the Committee undertakes the following site inspections:**

**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 Shannocks, 1 High Street for North Norfolk District Council**

**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**

**60. NEW APPEALS**

The Committee noted item 9 of the Officers' reports.

**61. INQUIRIES AND HEARINGS - PROGRESS**

The Committee noted item 10 of the Officers' reports.

**62. WRITTEN REPRESENTATIONS APPEALS - IN HAND**

The Committee noted item 11 of the Officers' reports.

**63. APPEAL DECISIONS – RESULTS AND SUMMARIES**

The Committee noted item 12 of the Officers' reports.

**64. COURT CASES – PROGRESS AND RESULTS**

The Committee noted item 13 of the Officers' reports.

The Major Projects Manager informed the Committee that the appellants had challenged the Inspector's decision in respect of their appeal against the refusal of planning application Sculthorpe PF/15/0907 for the erection of 71 dwellings.

**65. DEVELOPMENT COMMITTEE SEATING ARRANGEMENTS**

The Chairman requested that all Members of the Development Committee sit together in the centre of the Council Chamber, with all other Members attending as local Members or observers sitting separately from the Committee to make it easier for the Chairman and Officers to identify which Members could vote. This request had the endorsement of the Portfolio Holder, who had left the meeting.

The meeting closed at 1.50 pm.

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CHAIRMAN  
28 September 2017