

## **22 FEBRUARY 2018**

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 A Fitch-Tillett (Chairman)  
Mrs V Uprichard (Vice-Chairman)

Mrs S Arnold	Mrs M Prior
Mrs A Green	R Reynolds
Mrs P Grove-Jones	P Rice
B Hannah	R Shepherd
N Pearce	B Smith

Mrs A Claussen-Reynolds – substitute for S Shaw  
Ms K Ward – substitute for N Lloyd

J Rest - observing

### **Officers**

Mrs N Baker – Head of Planning  
Mrs S Ashurst – Development Manager  
Mr G Lyon – Major Projects Manager  
Mr N Doran - Solicitor  
Mr J Dougan – Planning Officer (Major Projects)  
Miss L Yarham – Democratic Services and Governance Officer

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

Apologies for absence were received from N Lloyd and S Shaw. Two substitute Members attended the meeting as shown above.

## **126. MINUTES**

The Minutes of a meeting of the Committee held on 25 January 2018 were approved as a correct record and signed by the Chairman.

## **127. ITEMS OF URGENT BUSINESS**

The Development Manager requested agreement to two site inspections on 15 March 2018, in respect of planning applications at Wiveton (PF/17/2106) and Southrepps (PF/16/0805, PF/17/1058 and LA/17/1059). In both cases the reason for urgency was to expedite processing of the applications.

She reminded the Committee that site inspections at Worstead and West Raynham had been agreed at the previous meeting and would also take place on 15 March.

## RESOLVED

That the Committee undertakes the following site inspections:

**WIVETON – PF/17/2106** - Change of use of land to the rear for use as a reclamation yard (Sui Generis), erection of new storage and welfare building in association with the reclamation yard, retention of containers used for storage, re-siting of existing caravan on a temporary basis during construction of new storage and welfare building, formation of new car park area and associated access routes and other associated works and levelling of mound; The Anchorage, Coast Road for Mr Bayle

**SOUTHREPPS – PF/16/0805** - Subdivision of garden at Ham House and conversion of The Long Room to create a new dwelling, erection of new wall to facilitate subdivision and creation of new pedestrian and vehicular access (part retrospective)

**SOUTHREPPS – PF/17/1058** - Subdivision of garden at Ham House and continued use of The Long Room as a separate dwelling, erection of new wall to facilitate subdivision and creation of new pedestrian and vehicular access (part retrospective)

**SOUTHREPPS – LA/17/1059** - Subdivision of garden at Ham House and continued use of The Long Room as a separate dwelling, retention of new wall to facilitate subdivision and retention of new pedestrian access and creation of new vehicular access  
Ham House, 1 High Street for Mr McCabe

### 128. **CHAIRMAN'S ANNOUNCEMENT**

#### Vattenfall wind energy project

The Chairman reported that news had been received this morning that Vattenfall had chosen the DC option to transmit energy from its offshore windfarm to the National Grid, which meant that relay stations would not be necessary along the route of the cable corridor and that the cable corridor would be narrower than originally proposed.

The Major Projects Manager informed the Committee that he would be attending a meeting with Vattenfall later in the day and would update Members when more information was available.

### 129. **DECLARATIONS OF INTEREST**

<u>Minute</u>	<u>Councillor:</u>	<u>Interest</u>
129	P Rice	NNDC Member on Broads Authority & involved in site visits as Chairman of Broads Authority Planning Committee
130	Mrs A Claussen-Reynolds	Knows owner of Cannister Hall
130	R Reynolds	Knows owner of Cannister Hall
131	B Smith	Knows landowner who is member of Mundesley Parish Council

## **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.

**130. HOVETON - PF/17/1270 - **Erection of two-storey rear extension to retail store and change of use of former Broads Hotel site to provide car-parking; Forge House, Stalham Road, Hoveton, Norwich, NR12 8DU for Roys of Wroxham****

The Committee considered item 1 of the Officers' reports.

### Public Speaker

Jerene Irwin (supporting)

The Planning Officer reported that the Highway Authority had now withdrawn its technical objection and had requested conditions. The Environment Agency had no objections. A Sustainable Drainage Scheme (SuDS) had been submitted and would require the imposition of a number of planning conditions.

The Planning Officer recommended approval subject to conditions to include those required by the Highway Authority.

The Planning Officer reported that no comments had been received from the local Member, Councillor N Dixon, regarding this application.

Councillor Mrs V Uprichard proposed that this application be approved as recommended.

Councillor Mrs P Grove-Jones considered that the additional parking would be appreciated and was pleased that the applicant was appreciative of the fact that people used Roys' car park to visit other facilities in the town. She considered that the landscaping was currently quite bleak. She seconded the proposal.

Councillor P Rice referred to the emerging Broads Authority policies which would seek to encourage retail development on the former Broads Hotel site. However, having heard the highway proposals he supported the application.

Councillor R Shepherd considered this application was beneficial in terms of jobs and tourism and he supported the application.

Councillor B Smith considered that the proposals in terms of the footpath along Station Road would be a major improvement to safety.

**RESOLVED** unanimously

**That this application be approved subject to the imposition of the conditions listed in the report, conditions as required by the Highway Authority and any other conditions considered appropriate by the Head of Planning.**

**131. 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 2 of the Officers' reports.

Public Speaker

Nigel Donohue (supporting)

The Development Manager reported that the revised scheme had reduced the height of the building by 1 metre and reduced the roof pitch, but no amendment had been made to the footprint, scale and massing or finishing materials.

The Development Manager reported that a further letter of objection had been received, raising concerns that the plans were not those shown at the Parish meeting, and in relation to the design and positioning of the proposed building and its impact on the parkland setting of Cannister Hall. The objector considered that the building should be in keeping with the barns and there was no reason why an appropriate design could not be achieved.

The Development Manager stated that under section 3 of the Appraisal (Design and Impact upon Heritage Assets), paragraph 5 should read "Considerable weight must therefore be given to the preservation of heritage assets including their setting. In considering development proposals affecting heritage assets, Core Strategy Policy EN 8 sets out that 'Development that would have an adverse impact on...special historic or architectural interest will not be permitted'. However, this element of Core Strategy Policy EN 8 is now out of step with the guidance set out in the NPPF which is more permissive towards allowing development affecting heritage assets but only where there are clear and convincing public benefits in favour, and in accordance with the statutory requirements set out above." Also, references to "section 5" in sections 5 and 7 of the appraisal should refer to "section 6".

The Development Manager reported that additional comments had been received from the applicant expressing concerns that the views of the Dunton Parish Meeting had been misrepresented at the site inspection and requesting that the decision should be based on the fair representation of objective factual information.

The Development Manager reported that Councillor Miss B Palmer, the local Member, considered that the proposal would be a great asset to Toftrees and had requested that the application be approved. She disagreed with the view of the Conservation and Design Officer as the building would be screened and the level of harm would be less than substantial.

The Development Manager displayed the previous and current plans, photographs showing indicative impressions of the proposed building, photographs showing the relationship of the site with Cannister Hall and the barns, and plans and photographs

showing the trees to be removed. She stated that the indicative impressions were not accurate to the plans. She drew attention to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which required the Committee to have special regard to the desirability of preserving a Listed Building and its setting, or any features of special architectural or historic interest which it possesses, which was a legal obligation and not merely a material consideration. She recommended refusal of this application as set out in the report.

Councillor R Reynolds stated that this was a difficult application. He considered that as much heritage as possible should be retained. He stated that the brick and flint barns were part of the heritage, as was Cannister Hall. However, this had to be balanced against the benefits to the rural economy. If the application were approved, he requested conditions to ensure that the hedge screening was planted immediately and that trees were replaced. He raised concerns regarding light pollution. He understood that lighting to the menage was proposed to be solar powered and would have limited use. However, he was concerned that there would be mains powered exterior lighting to the building and if so, requested that time restrictions be placed on the lighting.

The Development Manager stated that full details of floodlighting and lighting of the barn would be requested if approved.

Councillor Mrs V Uprichard stated that she had not attended the site inspection but had attended the previous site inspection. She considered that the proposed building would not cause harm to the setting of Cannister Hall because of the distance. She referred to the statement in the report that the harm would be less than substantial. She was inclined to support the application.

The Development Manager reminded the Committee that Section 66(1) was a legal duty and that clear direction would be needed as to the public benefits which were considered to outweigh the harm to the Listed Building.

Councillor Ms K Ward expressed concern that floodlighting of the menage would overspill onto the road, which was currently totally dark. She asked if the Highway Authority had been consulted on possible light overspill.

The Development Manager stated that the Highway Authority had not been consulted. Some details of the floodlighting had been submitted, but conditions would be imposed on the floodlighting direction and hours of use to prevent overspill onto the highway in the event of approval of the application.

Councillor Ms M Prior stated that on viewing the site from Cannister Hall it was clear that the impact would be less than she had thought and the building would be considerably less intrusive than had been indicated. She did not agree with the level of impact being put forward as a reason for refusal.

Councillor B Smith supported Councillor Ms Prior's view. He considered that the reduction in height of the building and the existing substantial hedge to the right of Cannister Hall would screen the structure and the lighting. He considered that the proposal was acceptable.

Councillor Mrs S Arnold disagreed with the previous views and considered that there would be a significant impact. She supported the principle of the riding stables, but did not support the building as proposed. She proposed refusal of this application as recommended.

Councillor P Rice stated that he had not attended the site inspection. However he was minded that businesses such as this should be supported but considered that the applicant should be requested to redesign the building. He seconded the proposal.

**RESOLVED** by 8 votes to 5

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

**132. PASTON - PF/17/0630 - Contractor's site compound including the siting of container style temporary buildings for use as offices, storage and staff facilities; car parking area, areas for materials storage and storage tanks. Perimeter fencing; J Murphy & Sons Site Office, Paston Road, Bacton, Norfolk, NR12 0JN for J Murphy and Sons Ltd**

The Committee considered item 3 of the Officers' reports.

Public Speaker

Jemima Dean (supporting)

The Planning Officer reported that the lighting towers had been deleted from the application and that the compound would be required until June 2020. Three further objections had been received since writing the report. He recommended temporary approval as set out in the report.

Councillor B Smith, the local Member, stated that he had brought the application to the Committee as he was concerned with regard to development in the open countryside and highway issues. The road was very narrow and he had concerns regarding HGV movements and speed limits on Bacton Road. He asked if the Highway Authority was satisfied with the proposal. He considered that the proposal would be more acceptable if access to and from the site was from the B1159 only. He supported the creation of passing bays.

The Planning Officer stated that the Highway Authority maintained its objection but would welcome the measures proposed by the applicant. One of the measures was to prevent right turning out of the site. He explained that traffic movements would be largely related to construction and there would be a limit of one delivery per week and personnel would be transported by minibus.

Councillor Smith was happy with the use of minibuses. He considered that floodlighting would give the impression of an extension to the gas terminal and asked for clarification of lighting proposals.

The Planning Officer stated that lighting would be subject to condition. He considered that sensor lighting angled downwards and a time restriction would be appropriate and details would be discussed with the applicant.

Councillor B Hannah stated that it was essential to carry out works to the gas site which was of national importance. However, he raised issues regarding security.

The Planning Officer stated that there would be a security hut on the proposed compound.

Councillor R Reynolds stated that most of his concerns regarding policy had been mitigated, but he was concerned regarding highways. The access was poor and he considered that conditions were necessary in relation to the passing bays. He considered that Policy EC3 was the overriding consideration and supported the development which was ancillary to the terminal. He proposed approval of this application subject to all necessary conditions.

Councillor R Shepherd asked if the highway conditions included wear and tear on the highway.

The Planning Officer stated that a wear and tear agreement would be required as part of the traffic management agreement.

Councillor R Shepherd seconded the proposal to approve this application.

Councillor Mrs S Arnold asked if a maintenance programme could be requested in respect of the trees and hedges after vacation of the site so they could become a community asset.

The Development Manager explained that there would be no obligation on the site owner to maintain the trees and hedges once the permission had lapsed.

Councillor Mrs P Grove-Jones questioned how temporary the compound would be as permission could be extended. She stated that Bacton Road was extremely busy but noted there would not be a problem with only a few additional HGVs for this development. She stated that the site had been used before and returned to its original state. There was no reason to refuse the application.

**RESOLVED** unanimously

**That the Head of Planning be authorised to approve this application for a temporary period of three years subject to the imposition of appropriate conditions to include the conditions listed in the report.**

### **133. NEW APPEALS**

The Committee noted item 4 of the Officers' reports.

The Development Manager reported that enforcement appeals had also been received in respect of the Tunstead site.

### **134. INQUIRIES AND HEARINGS - PROGRESS**

The Committee noted item 5 of the Officers' reports.

### **135. WRITTEN REPRESENTATIONS APPEALS - IN HAND**

The Committee noted item 6 of the Officers' reports.

The Major Projects Manager reported that the Inspector had confirmed that the written representations process would be used for the Bodham and Selbrigg wind turbine appeals. Counsel's opinion was being sought as to a second challenge to this decision.

Councillor Mrs S Arnold considered that the decision was a disgrace as it denied the campaign group NOTTT the hearing it deserved. She considered that it was unfair to the group and to the community. She supported the continued challenge to this decision.

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

The Committee noted item 7 of the Officers' reports.

Councillor Mrs S Arnold requested an annual report on appeal decisions, setting out the number of appeals dismissed and allowed, and in the case of those allowed, the reasons and whether they were delegated or Committee decisions.

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

The Committee noted item 11 of the Officers' reports.

The meeting closed at 11.05 am.

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CHAIRMAN  
22 March 2018