

12 JULY 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)

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

T FitzPatrick – substitute for A Claussen-Reynolds

V FitzPatrick – Priory
P Moore – North Walsham (East)
A Moore – North Walsham (West)
V Gay – North Walsham (West)

Officers

Mr S Blatch – Corporate Director & Head of Paid Service
Mrs S Ashurst – Development Manager
Mr G Lyon – Major Projects Manager
Mr C Reuben – Senior Planning Officer (Development Management)
Mr D Watson – Development Management Team Leader
Mr M Stembrowicz – Democratic Services and Governance Officer
Mrs E Denny – Democratic Services Manager

33. CHAIRMANS INTRODUCTIONS

The Chairman welcomed attendees and informed the Committee that she had made a request for some further training to be provided with details to be circulated once arrangements had been made.

33. APOLOGIES FOR ABSENCE AND DETAILS OF SUBSTITUTE MEMBERS

Apologies for absence were received from Cllr A Claussen-Reynolds. One substitute Member attended the meeting as shown above.

34. MINUTES

The minutes from the meeting of the Development Committee held on 14th June 2018 were agreed as a correct record by the Committee and signed by the Chairman.

35. ITEMS OF URGENT BUSINESS

The Development raised three site visits as items of urgent business as they had not been organised prior to the agenda being published. The details were as follows:

SOUTHREPPS – PF/18/0133 – Erection of three two-storey detached dwellings; land at Beechlands Park for Mr Codling

SOUTHREPPS – PF/18/1131 – Erection of two detached two-storey dwellings; land at Beechlands Park for Charlisbury Developments Ltd

STODY – PF/18/0459 – Change of use and alterations of agricultural building to (Class B8) Storage or Distribution; Stody Hall Barns, Brinton Road for Stody Estate Ltd

Note: Application PF/18/0133 was subsequently withdrawn and the two site inspections at Southrepps are therefore no longer required.

36. DECLARATIONS OF INTEREST

None.

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.

37. SEA PALLING – PF/18/0395 – Variation of condition 1 and removal of 2 of planning permission SM 4542 to allow the permanent use of caravan site for all year round holiday purposes; Golden Beach Caravan Park, Beach Road, Sea Palling, Norwich, NR120AL for Lovat Parks Ltd.

The Committee considered item 1 of the Officers' Reports in respect to a change in existing planning permission to allow all year holiday occupancy.

- Please note that at the Chairman's discretion items 37, 38 and 39 of the minutes, regarding planning applications PF/18/0395, PF/18/0396 and PF/18/0397 were discussed as a single item during the meeting as they referred to the same site. As a result, the questions and discussion will be included in item 37 of the minutes.

Public Speakers

Jackie Cocker (Sea Palling Parish Council) – Objecting
Peter Griffiths – Supporting

The Senior Planning Officer (CR) presented the report, including photographs of the site.

The Development Manager read out a statement on behalf of the local member Cllr R Price citing no objections but raising some concerns about the project.

Cllr S Arnold stated that she was sympathetic to concerns regarding the inadequate sewerage system issue as raised by the objecting public speaker. The Senior Planning Officer confirmed for the Committee that the site's size and nature of the application fell below the threshold for consulting Anglian Water. Cllr S Arnold then suggested that the Parish Councillor should raise their concerns with Anglian Water themselves and made a proposal to accept the Officer's recommendations for approval.

The Vice-Chairman stated that following the public speakers statements she was no longer supportive of the application on the grounds that the caravans would likely be used as second homes rather than affordable housing. The Chairman reminded the Committee that the planning permission would be to grant holiday use only, and users were not permitted to live permanently on the site.

Cllr R Reynolds stated the report had been excellent and second Cllr S Arnold's proposal to accept the Officer's recommendation to approve the applications.

Cllr P Grove-Jones stated that she lived close to the site and informed the Committee that the area was very prone to coastal erosion and flooding, then duly suggested that the Committee should take these concerns into consideration. She added that twelve-month use would be very difficult to monitor, and noted that a similar situation had occurred in Stalham where chalets were being used as permanent residence without the Council's permission. Cllr B Hannah stated that he believed that the caravans would be used for permanent residence as the precedent had already been set with prior approval given for ten other caravans on the site, and urged the Committee to take this into consideration. He added that NNDC would also incur great cost if any flood damage were to occur, and suggested that he could not support the recommendation of approval for this reason.

Cllr T FitzPatrick stated that he did not believe caravans could be comfortably occupied for three to six months of the year, and suggested that objections to the site should have been tackled when allowing the presence of static caravans.

Cllr S Arnold requested that approval on the applications was conditional on the premise that the caravans could not be used as a permanent residence and were for holiday purposes only.

RESOLVED – Vote on the proposal to approve application (8 votes for and 5 against)

This application be approved subject to the conditions listed in the report and that the caravans are for holiday accommodation only and permanent residence is not permitted.

38. **SEA PALLING – PF/18/0396 – Variation of condition 3 of planning permission PF/89/1179 to allow 12 no. static caravans to be occupied for all year round holiday purposes; Golden Beach Caravan Park, Beach Road, Sea Palling, Norwich, NR120AL for Lovat Parks Ltd.**

The Committee considered item 1 of the Officers' reports in respect to a change in existing planning permission to allow all year holiday occupancy.

Public Speakers

Jackie Cocker (Sea Palling Parish Council) – Objecting
Peter Griffiths – Supporting

Questions and Discussion

Please refer to item 37 for questions and discussion.

RESOLVED – Vote on the proposal to approve application (7 votes for and 6 against)

This application be approved subject to the conditions listed in the report and that the caravans are for holiday accommodation only and permanent residence is not permitted.

39. **SEA PALLING – PF/18/0397 – Removal of condition 12 of planning permission PF/09/0630 to allow 22 no. static caravans to be occupied for all year round holiday purposes; Golden Beach Caravan Park, Beach Road, Sea Palling, Norwich, NR120AL for Lovat Parks Ltd.**

The Committee considered item 1 of the Officers' reports in respect to a change in existing planning permission to allow all year holiday occupancy.

Public Speaker

Jackie Cocker (Sea Palling Parish Council) – Objecting
Peter Griffiths – Supporting

Questions and Discussion

Please refer to item 37 for questions and discussion.

RESOLVED – Vote on the proposal to approve application (8 votes for and 5 against)

This application be approved subject to the conditions listed in the report and that the caravans are for holiday accommodation only and permanent residence is not permitted.

40. **NORTH WALSHAM – PF/18/0832 – Erection of new dwelling; Brick Kiln Farm, Lyngate Road, North Walsham, NR28 0NE for Mr Whitehead.**

The Committee considered item 5 of the Officers' reports in respect to an application for a new dwelling.

Public Speakers

Richard Pike - Supporting

Questions and Discussion

The Development Management Team Leader presented the report, including photos of the site prior to development and some up-to-date photos to display the current situation at the site.

The Chairman stated for the record that the applicant had lobbied Members of the Committee.

Cllr V Gay stated that she had discussed the application with the Planning Officer and the applicant, then noted that she did not have any objections, as she did not see any merit in leaving a half-completed building in the countryside. She added that she had not been persuaded by the rural isolation argument included in the report, and suggested that whilst she regretted the series of unfortunate events surrounding the application, she did not support the Officer's recommendation for refusal.

Cllr A Moore stated that she wished to speak in favour of the application, then suggested that whilst the builders may have made mistakes regarding the demolition of the existing building, they had acted under the direction of the surveyors. She suggested that leaving the site as it is would be a blot on the countryside, and that she believed the Officer was incorrect to state that the site was an unreasonable distance from the town. She added that it was her understanding that the applicant would also suffer terrible financial loss if the application were to be refused.

The Vice-Chairman suggested that despite excellent photos being provided, it remained unclear how much of the existing building had been demolished and how much had been newly built. She therefore proposed a site visit to clarify this issue.

Cllr N Lloyd stated that the site was just outside of his ward, and that in his opinion it was not distant from the town centre. He asked the Committee to consider the appearance of the site if it was left unfinished. He added that he fully supported the application and proposed to vote against the Officer's recommendation of refusal.

Cllr R Reynolds stated that he was sympathetic to the development, but stated that as the application was for a new build it did not adhere to policies SS1 and SS2. Cllr S Arnold stated that it was unclear why the application had come to the committee if it was clear that it did not comply with the previously noted policies. The Development Manager set out the relevant planning history to the site and advised that planning permission had previously been granted but that this was when the proposal was for a conversion under policy H09 for changes to an existing building. She stated that the extent of the works took the development on site outside the scope of that permission such that the permission was now considered to be lost. Given the issues with the application, it was considered that this should be a Development Committee decision by the Head of Planning.

Cllr T FitzPatrick stated that he was sympathetic to the applicant and asked why the walls of the existing building had been demolished to such a low height. The Development Manager replied that some of the existing walls had been retained, but there had been no mention in the original application of the roof removal, and the applicant had not contacted NNDC to warn of any extra issues that might require further planning permission.

Cllr R Reynolds proposed approval of the Officer's recommendation to refuse the application. Cllr B Hannah seconded Cllr N Lloyds proposal to vote against the Officer's recommendations of refusal for the application. Cllr R Shepherd seconded Cllr R Reynold's proposal on the grounds that the Council could not vote against its

own policy.

The Development Manager warned the Committee that voting against the Officer's recommendation and against Council policy SS2 could have serious implications for the determination of future planning applications. It was suggested by the Major Projects Manager that if Members did want to vote against the Officer's recommendation, that a recommendation be made to change the application from a new build to a conversion. Members could then approve the application.

Cllr P Grove-Jones stated that if Members wished to vote against the Officer's recommendation they must provide a relevant reason for doing so. Cllr N Lloyd suggested that he would vote against the Officer's recommendation on the grounds that the precedent it would set was not a material planning consideration. The Major Projects Manager reiterated to the Committee that if Members wished to vote against the Officer's recommendation and approve the application, it would be prudent to recommend the application be changed from a new dwelling to a conversion. Cllr N Lloyd thanked the Officer and recommended that the application be changed to a conversion.

Cllr N Pearce questioned whether it would be possible to approve the application with the condition that the roof was rebuilt to its original specification and appearance. The Development Manager stated that the design of the building was not in question and that it would be possible to reinstate the roof, however, the concerns with this application were regarding the principal, not the acceptability of the design.

Cllr S Arnold stated that simply too much demolition had taken place and asked if it was possible to be shown how much of the original building had been retained. The Development Management Team Leader stated that it was difficult to determine exactly, but it was clear that very little of the original building had been retained. Cllr S Arnold replied that she felt ambivalent to the application, as she was against the prospect of a new dwelling, but supportive of a conversion.

Cllr R Shepherd reminded the Committee that they had previously dealt with a similar application for the old rectory in Bodham, and the Council had rejected the application on the grounds that no substance of the original building had been retained.

Cllr S Shaw stated that clearly poor advice had been given to the applicant, as the existing roof had looked to be in good condition from the photos and he did not therefore see why it was removed. Cllr P Grove-Jones seconded the Vice-Chairman's proposal for a site visit in order to clarify how much of the original building had been maintained.

Cllr R Reynolds raised his concern that the Committee should not vote against Council policy and asked if the decision could be deferred. Cllr B Smith stated that there was no point in deferring the decision, as evidence had shown that the roof was removed as the walls could no longer support it. Therefore, he stated that the Committee must accept that this application was for a new build, and refuse the application as a result.

RESOLVED –

Vote on the proposal for a site visit (4 votes for and 6 against)

Vote on the proposal to refuse application (10 votes for and 2 against)

That this application be refused on grounds that the application for a new dwelling would not conform to Council policy SS2.

41. EAST RUSTON – PF/18/0493 – Part Demolition of single story extension and erection of two storey extension and glazed link; Furze Cottage, Long Common, East Ruston, Norwich, NR129HH for Mr and Mrs Kirby.

The Committee considered item 4 of the Officers' reports in respect to an application for a two-storey extension to be built onto an existing dwelling.

Public Speaker

Paul Kirby (applicant) – Supporting

Questions and Discussion

The Chairman stated for the record that the applicant had lobbied Members of the Committee.

The Senior Planning Officer presented the report, including photos of the existing site and plans of the proposed extension.

The Development Manager read a statement on behalf of the local member Cllr R Price citing his support for the application.

Cllr M Prior asked for clarification of the advice given to the applicant by the Senior Planning Officer. He replied that he had held a meeting with the applicant and had firstly proposed the use of different materials, which had now been resolved. He added that he also advised that scale remained an issue and that this had not been resolved.

Cllr N Lloyd stated that he believed the designs were sympathetic to the existing dwelling, and added that the policy covering the ratio of an extension to an existing dwelling was open to interpretation. On the basis of this information, the Cllr proposed a vote against the Officer's recommendation of refusal in order to approve the application. The Cllr also suggested that outbuildings that were no longer in existence would have added to the buildings former scale, thus reducing the ratio of the extension to the existing dwelling.

Cllr R Shepherd stated the policy H08 was very marginal and questioned whether the roof line of the extension had been lowered beneath the existing roof height. The Senior Planning Officer confirmed that the plans did show that the extension's roofline would sit below the existing roof height. Cllr R Shepherd stated that the road behind the building was not particularly busy, he therefore felt that the section of the proposed extension that would be visible from the road was not a concern. The Cllr then seconded the proposal of Cllr N Lloyd to vote against the Officer's recommendation of refusal and approve the application.

Cllr S Arnold stated that she did not like voting against policy, but understood that the building was fairly old and former outbuildings would have reduced the impact of the extension. She asked if the Officers could clarify the size of the former outbuildings. The Senior Planning Officer replied that the size of the former outbuildings was unclear, then stated that in terms of policy H08 only the original building must be considered and the outbuildings existed long after the erection of the original dwelling.

Cllr B Hannah stated that he was one of only two Members that attended the site visit for this application, and would therefore propose to support the Officer's recommendation to refuse the application.

Cllr M Prior asked for clarification on policy H08 and asked the Officer's how stringent Members were expected to be in regards to the policy. The Major Projects Manager replied that H08 was a two-stranded policy and both requirements must be met. However, whilst the first requirement of scale was clear, the second requirement on impact to the countryside was open to interpretation and therefore it was a judgement that could be made by the Committee.

RESOLVED – Vote on the proposal to approve application (10 votes for and 2 against)

This application be approved

42. CROMER – PF/18/0176 – Formation of crazy golf course on site of boating pond; Evington Gardens, Runton Road, Cromer, NR279AR for the Lawns Leisure Ltd.

The Committee considered item 3 of the Officers' reports in respect of the building of a crazy golf course on the site of an existing boating pond.

Public Speakers

Angela Foster – Objecting

Questions and Discussion

The Senior Planning Officer presented the report, including extensive plans of the proposal and aerial/historical photos of the existing site.

Cllr B Hannah stated that he approved of the application and suggested that it would be an improvement to the existing site. He therefore proposed a vote in line with the Officer's recommendation to approve the application. Cllr T Fitzpatrick seconded Cllr B Hannah's proposal but stated that he would like to add a condition that permission must be applied for to provide toilets for staff. The Development Manager stated that it would not be possible to enforce such a condition but suggested that an information note could be added to the application that advised the applicant to provide toilets for staff.

Cllr S Arnold suggested that a yearly inspection of the site would be a good idea to ensure that standards were maintained. The Chairman suggested that these inspections would be a health and safety issue. The Senior Planning Officer stated that the site was owned by NNDC and monitored by Property Services, therefore it would not be a problem to inspect the site annually. Cllr S Arnold requested that this be made a condition of the application. The Development Manager advised that such a condition would not meet the tests of the NPPF but that she would speak to Property Services to advise of Member's wishes.

Cllr P Grove-Jones asked what the timeline of the project would be. The Development Manager stated that subject to approval, the applicant would be given three years to implement the planning permission.

RESOLVED – Vote on the proposal to approve the application (13 votes for 0 against)

This application be approved subject to the conditions listed in the report and that yearly inspections are requested and carried-out by Property Services and the applicant is informed that toilet facilities should be provided for staff.

43. **AYLMERTON – PF/18/0774 – Erection of single storey rear extension; replacement of roof with higher ridge level and dormers to front and rear to provide second floor habitable space; The Firs, 18 Beechwood Avenue, Aylmerton, Norwich, NR118QQ for Mr and Mrs Baker.**

The Committee considered item 3 of the Officers' reports in respect of the erection of a single storey extension and replacement of a roof with a higher ridge level.

Public Speaker

Cllr D Baker (applicant) – Supporting

Questions and Discussion

The Development Management Team Leader presented the report, including photos of the existing dwelling and plans of the proposed extension.

Cllr R Shepherd stated that he knew the road well and informed the Committee that it was a hodgepodge of houses and believed the extension would have no significant impact. He proposed a vote to approve the application. Cllr T FitzPatrick seconded the proposal for approval. Cllr B Smith agreed that the street was home to a diverse number of dwellings and informed the Committee that he would also support the application.

RESOLVED – Vote on the proposal to approve the application (Unanimous for)

This application be approved.

44. **WELLS NEXT-THE-SEA – PF/18/0577 – Variation of Condition 2 (approved plans) of planning permission PF/17/1065 to allow for alterations to position and sizes of windows in south and east elevations, additional roof lights including one to provide amended access arrangement to the to the roof terrace, changes to external material parts of front elevation and alterations to internal layout of ground floor storage area and to part of first floor; Land adjacent to Hampden House, East Quay, Wells Next-the-Sea for Mr Chick.**

The Committee considered item 6 of the Officers' reports in respect of several changes to an already approved planning application.

Public Speakers

Roger Arguile (Wells Town Council) – Objecting
Peter Rainsford - Objecting
Meredith Bowles (architect) – Supporting

Questions and Discussion

The Development Management Team Leader presented the report, including photos of the existing plans and the proposed changes.

Cllr V FitzPatrick stated that he had referred the application to the Committee because of the increased overlooking that the proposed plans would create. He asked the Committee to consider this and decide if it would be a problem.

Cllr T FitzPatrick stated that approving amendments before building had taken place would be an issue and added that the overlooking and cladding would also be a substantial concern. On this basis, he found the application unacceptable and stated that he would not support it.

Cllr S Arnold asked for the Development Management Team Leader to clarify the overlooking that would be caused by the proposed changes. The Development Management Team Leader explained the overlooking with reference to a diagram and stated that the window-to-window relationship would comply with the required separation distance within the SPD policy. Cllr S Arnold then proposed a vote to accept the Officer's recommendations and approve the application with a condition to remove the addition of a lower window.

Cllr R Reynolds asked for clarification on the cladding. The Development Management Team Leader explained that the cladding would be allowed to oxidise and become an orange to brown colour. Cllr R Reynolds stated that this was not in keeping with the rest of the town and proposed a vote to refuse the application. Cllr M Prior seconded the proposal to refuse the application.

Cllr N Pearce asked for guidance on Section 73. The Development Management Team Leader stated that this allowed minor material changes to be considered. Cllr N Pearce then asked if the primary application could be refused. The Development Management Team Leader stated that this was not possible. Then informed the Committee that they must first approve or refuse this application, then the applicant could reapply depending on the outcome.

The Chairman stated for clarification that the vote would be to approve the application in-line with the Officer's recommendation.

RESOLVED – Vote on the proposal to approve the application (1 vote for and 13 against)

This application be refused on the basis of increased overlooking and poor design.

45. THE GRAHAM ALLEN AWARD FOR CONSERVATION AND DESIGN

The Major Projects Manager asked the Committee to agree a date for the award presentation and to nominate Members for the judging panel. The date was agreed for the 17th August. Cllrs V Uprichard, N Pearce, A Fitch-Tillett, S Arnold, R Reynolds, A Claussen-Reynolds, R Shepherd and M Prior were chosen for the judging panel.

Cllr V Uprichard stated that she would not be able to attend the awards presentation on the 17th August.

RESOLVED

Councillors chosen for judging panel and date of awards presentation decided.

46. NEW APPEALS

The Committee noted item 8 of the Officers' reports and the Development Manager stated that the new appeals were going through their usual process.

47. INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 9 of the Officers' reports. The Development Manager stated that a result on Dilham was expected soon, and the Tunstead Inquiry was scheduled for the 25th of September.

48. WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 10 of the Officers' reports and confirmed there was no further update.

49. APPEAL DECISIONS – RESULTS AND SUMMARIES

The Committee noted item 11 of the Officers' reports.

The Development Manager reported that the appeal in respect of Mortson – PO/17/0645 had been dismissed. A summary would be provided at the next meeting

50. COURT CASES – PROGRESS AND RESULTS

The Committee noted item 12 of the Officers' reports. The Major Project Manager stated that with regard to the Bodham and Selbrigg wind turbine sites, NNDC had challenged the Inspectorate and the case would go to the High Court on the 25th July. If the case was successful there would be a public inquiry.

The meeting closed at 13.35 pm.

CHAIRMAN
9 August 2018