

9 AUGUST 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 A Claussen-Reynolds
B Hannah
N Lloyd
N Pearce

Ms M Prior
R Reynolds
R Shepherd
N Smith

J Rest – substitute for Mrs A Green
E Seward – substitute for Mrs P Grove-Jones
S Shaw – substitute for B Smith

Officers

Mr P Rowson – Head of Planning
Mrs S Ashurst – Development Manager
Mr G Lyon – Major Projects Manager
Miss J Medler – Development Management Team Leader
Miss L Yarham – Democratic Services and Governance Officer

51. HEAD OF PLANNING

The Chairman welcomed the new Head of Planning, Phillip Rowson, to the meeting.

52. APOLOGIES FOR ABSENCE AND DETAILS OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Mrs A Green, Mrs P Grove-Jones and B Smith. Three substitute Members attended the meeting as shown above.

53. MINUTES

The Minutes of a meeting of the Committee held on 12 July 2018 were approved as a correct record and signed by the Chairman.

54. ITEMS OF URGENT BUSINESS

None.

55. 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.

56. CROMER - PF/18/0848 - Installation of two dormers windows and rooflight; 3 Burnt Hills Wood, Roughton Road, Cromer, NR27 9LN for PP3 Limited

The Committee considered item 1 of the Officers' reports.

The Development Management Team Leader presented the report, including plans and photographs of the site. She outlined the main issues which were explained in detail in the report. She recommended approval of this application subject to conditions as set out in the report.

Councillor N Pearce stated that both he and Councillor J Lee, local Members for this application, were concerned that there would be overlooking into the courtyard and bay window. He considered that the dwellings were too close together and the proposal was unacceptable.

Councillor J Rest asked if it would be possible to relocate the dormers to the rear of the dwelling.

The Development Management Team Leader explained that there was a projection at the rear which would prevent relocation of one of the dormers and an object's dwelling was located to the rear of the property.

The Development Manager stated that there was existing overlooking and the proposed dormers were high in the roof.

Councillor R Reynolds asked for further details of the "mini dormer".

The Development Manager explained that a mini dormer was similar to a Velux, and full details could be requested prior to installation.

Councillor Ms M Prior considered that there would not be a problem with overlooking and the proposed dormers would be advantageous in increasing natural light to the dwelling. She proposed approval of this application as recommended.

Councillor Mrs S Arnold considered that it was apparent from the photographs which had been displayed that there was another dwelling further up the hill which was very close and a rear dormer would be very intrusive. She considered that there was nothing wrong with the proposal as presented.

Councillor S Shaw stated that the windows overlooked a courtyard. He seconded the proposal to approve this application.

RESOLVED by 12 votes to 1

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

- 57. WELLS-NEXT-THE-SEA - PF/17/1939 - Demolition of existing grain store building and erection of 9 dwellings comprising of a detached two storey dwelling, 3no. two storey terrace dwellings and 5no. three storey terrace dwellings with associated car parking, access and erection of external steps to facilitate means of escape.; Units at Old Coal Yard, Maryland, Wells-next-the-Sea, NR23 1LX for Mr Cheetham**

The Committee considered item 2 of the Officers' reports.

Public Speakers

Mr R Arguile (Wells Town Council)
Mr A Vick (objecting)
Mr M Nolan (supporting)

The Development Management Team Leader presented the report, including plans and photographs of the site. She outlined the main issues which were explained in detail in the report, highlighted the latest amendments to the scheme and presented samples of the bricks and tiles which would be used. She recommended approval of this application subject to conditions as set out in the report.

The Development Manager reported the comments of Councillor S Hester, a local Member, who had expressed concern that no ramps were included for disabled residents and had requested a condition to protect the existing boundary walls.

The Development Manager also reported the comments of Councillor V FitzPatrick, a local Member, who accepted the principle of residential development on the site but considered that nine dwellings would be overdevelopment and the proposal would have an adverse impact on the amenity of neighbouring properties. He had requested refusal of this application.

Councillor Mrs S Arnold considered that the proposal was a vast improvement on the current condition of the site. However, she was concerned that the boundary wall should not be undermined and asked if monitoring had been included in the conditions. She considered that the gable walls were very bland and should include more detail, particularly on the gable facing Hill House. She complimented the Development Management Team Leader on her report and presentation. She proposed approval of this application subject to conditions as recommended in the report.

Councillor R Reynolds referred to the possible flooding impacts which had been explained by the Development Management Team Leader and he was sure she had been advised correctly. However, this was based on the flood defences holding and he was aware that the defences had been breached twice in his lifetime. He had concerns regarding the escape route and requested that it be improved and maintained. He considered that the boundary walls to the east and north would be subject to the Party Wall Act. He seconded the proposal.

The Chairman requested confirmation as to who was responsible for clearing the escape route.

The Development Management Team Leader confirmed that the northern boundary and escape route was in the ownership of the applicant.

The Head of Planning suggested that the scope of recommended condition 16 be expanded to include a requirement for clearance and maintenance of the escape route.

Councillor Mrs A Claussen-Reynolds stated that she had personal experience of the damage that could be caused under the Party Wall Act and asked for details of the excavation works to be shown on the screen.

Councillor E Seward referred to comments made by the Wells Town Council representative in respect of occupation of the dwellings. He understood that under current policy there was no requirement to provide affordable dwellings for developments of less than 10 dwellings, and the constraints of the site meant it was not possible to do so. There was nothing in the Council's policy to prevent second homes.

Councillor N Lloyd asked if there was a need for testing for asbestos contamination following demolition of the existing building.

The Head of Planning informed the Committee that a construction management plan could possibly be sought which would allow for consideration of such issues and control how the building was demolished.

The Development Management Team Leader considered that a construction management plan would be helpful and might provide reassurance for neighbouring residents.

Councillor S Shaw considered that the proposed development was a good use of the site and the existing grain store was an eyesore. He supported the application.

In response to questions and concerns in respect of the boundary wall, the Development Manager explained that this would be covered by the Party Wall Act and conditions should not be added where matters were covered by separate legislation. The Conservation and Design Officer had suggested an informative note regarding the Party Wall Act.

It was proposed by Councillor Mrs S Arnold, seconded by Councillor R Reynolds and

RESOLVED unanimously

That this application be approved subject to the imposition of appropriate conditions as listed in the report, the amendment of condition 16 to include a requirement for clearance and maintenance of the escape route, an additional condition to require the submission of a construction management plan, any other relevant conditions deemed to be appropriate by the Head of Planning and the inclusion of an informative note in respect of the Party Wall Act.

Councillor N Pearce was not present for the full discussion and was therefore unable to vote on this matter.

58. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – QUARTER 1 2018/19

The Committee noted item 3 of the Officers' reports which set out the first quarter performance in relation to the determination of planning applications in both Development Management (DM) and Majors Teams.

Councillor Mrs S Arnold, speaking as Portfolio Holder for Planning, stated that the performance figures were excellent. The appeals record showed that the Officers and Committee were making the right decisions. She had already asked the Development Manager to pass on her congratulations to the teams.

59. NEW APPEALS

The Committee noted item 4 of the Officers' reports.

60. INQUIRIES AND HEARINGS - PROGRESS

The Committee noted item 5 of the Officers' reports.

Councillor Mrs S Arnold encouraged Members to attend appeal hearings.

The Chairman requested that details of the venue for appeal inquiries be included in future reports.

61. WRITTEN REPRESENTATIONS APPEALS - IN HAND

The Committee noted item 6 of the Officers' reports.

62. APPEAL DECISIONS – RESULTS AND SUMMARIES

The Committee noted item 7 of the Officers' reports.

63. COURT CASES – PROGRESS AND RESULTS

The Committee noted item 8 of the Officers' reports.

The Major Projects Manager gave a verbal update on two cases which had progressed since the report was written.

Bodham and Selbrigg Wind Turbines

The Major Projects Manager reported that the Council's challenge in the High Court against the Planning Inspector's decision to deal with a second appeal by the written representations procedure had been lost. Legal advice had been sought and the Council had been advised that it had a good case to challenge the Court's decision as a number of errors had been made.

Councillor Mrs S Arnold stated that she was extremely disappointed with the Court's decision. She considered that it was against democracy and did not give people on either side a voice.

Sculthorpe PF/15/0907

The Major Projects Manager reported that a request for leave to challenge the High Court decision to overturn the Planning Inspector's dismissal of the applicants' appeal against refusal of this application had been refused by the Court of Appeal. The appeal would now be reconsidered by the Planning Inspector. The Major Projects Manager suggested that the Inspector be requested to deal with the matter by written representations.

Councillor Mrs S Arnold considered that the outcome had been incredibly disappointing. The Council had not entered into the challenge lightly as it involved taxpayers' money. There was strong feeling in both of these cases and she considered that the Council should continue to challenge those who were making decisions on the Council's behalf.

In response to a question by Councillor J Rest, the Major Projects Manager confirmed that press releases would be issued given the public interest in these cases.

Councillor R Reynolds added that people in Fakenham and Sculthorpe were deeply concerned and it was extremely important that the Council continued to do everything it could.

The meeting closed at 11.00 am.

CHAIRMAN
6 September 2018