

## **29 NOVEMBER 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	N Lloyd
Mrs A Claussen-Reynolds	N Pearce
Mrs A Green	R Reynolds
Mrs P Grove-Jones	R Shepherd
B Hannah	B Smith

S Shaw – substitute for Ms M Prior

Ms K Ward – Glaven Valley Ward

J Rest – observing  
N Smith - observing

### **Officers**

Mr P Rowson – Head of Planning  
Mrs S Ashurst – Development Manager  
Mr G Lyon – Major Projects Manager  
Miss S Hinchcliffe – Major Projects Team Leader (SH)  
Mr G Linder – Major Projects Team Leader (GJL)  
Miss J Medler – Development Management Team Leader  
Mr B Fraga da Costa – Planning Officer (BFdC)  
Mr C Reuben – Planning Officer (CR)  
Ms D Romaine – Environmental Protection Officer  
Miss L Yarham – Democratic Services and Governance Officer

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

An apology for absence was received from Councillor Ms M Prior. There was one substitute Member in attendance.

#### **103. MINUTES**

The Minutes of a meeting of the Committee held on 1 November 2018 were approved as a correct record and signed by the Chairman.

#### **104. ITEMS OF URGENT BUSINESS**

None.

## 105. DECLARATIONS OF INTEREST

<u>Minute</u>	<u>Councillor:</u>	<u>Interest</u>
106	Mrs A Fitch-Tillett	Involved in landscaping project for some time and did not take part.
106	N Lloyd	Former manager of one of the gas terminals but no financial interest

## 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.

### 106. **WALCOTT - PF/18/1533 - Placement of up to 1.8 million cubic metres of sand to varying depths on the beach frontage covering an area north west of Bacton Gas Terminal to the south eastern extent of the settlement of Walcott. Provision of replacement combined surface and process water outfall and retention of gabion cliff protection at the Bacton Gas Terminal; Land between, north west of Bacton Gas Terminal and the south eastern extent of Walcott, Norfolk for North Norfolk District Council**

Councillor Mrs V Uprichard (Vice-Chairman) chaired the meeting during consideration of this application.

The Committee considered item 1 of the Officers' reports.

#### Public Speakers

Pauline Porter (Walcott Parish Council)  
Sheree Fletcher (supporting)

The Major Projects Team Leader (SH) presented the report and displayed plans and photographs of the site, including visualisations of the finished scheme. She explained the process involved in the placement of the sand and how the scheme would protect Bacton Gas Terminal and down-drift villages. She recommended approval of this application as set out in the report.

Councillor Mrs V Uprichard asked if sand would be carried onto the road if the sea broke onto it, resulting in a muddy road which would be a hazard to motorists and pedestrians.

The Major Projects Team Leader explained that the depth of sand and wider beach should prevent overtopping in the future.

Councillor R Reynolds recognised that the scheme was an absolute necessity. He asked if the North Norfolk Fishermen's Society was satisfied with the proposal, and if it complied with Policies EN8 and EN9.

The Major Projects Team Leader explained that there had been a great deal of consultation and liaison with the local community and interest groups before submission of the application. She referred to the concerns raised by the fishermen in relation to restriction of where they could fish and the impact on their catch. These matters were covered in the Environmental Statement and whilst the fishermen had not been reconsulted, a liaison officer would act as a point of contact for them.

Councillor Mrs P Grove-Jones considered that the work was necessary to mitigate the impact of surges on residents and the coastline. She was concerned as to where the sand would be sourced and the impact on the marine environment and sea life.

The Major Projects Team Leader explained that the sand would be sourced from a site which was already licenced for extraction, but the exact location had not yet been finalised.

Councillor Mrs P Grove-Jones proposed approval of this application as recommended.

Councillor R Shepherd asked for confirmation that this proposal was to add the sand as a single operation.

The Major Projects Team Leader explained that the current application was for the initial placement of sand. The Environmental Statement suggested that further placement could take place in front of the terminal in the future but it would require a separate consent process at the time.

Councillor R Shepherd considered that the scheme, although not perfect, was as good as it could get. He seconded the motion to approve the application.

Councillor N Lloyd supported this application. It was of benefit to people living in the coastal areas and of great national interest as gas remained a very important energy resource and the site needed to be protected.

Councillor B Smith, Member for Bacton Ward, stated that he had been involved with the project since its inception and fully supported the application. He explained that it was necessary to use sand with a heavier grain to prevent immediate erosion and therefore it had to be sourced from a licenced site elsewhere. He stated that a project manager who would be responsible for health and safety would be appointed by the contractor. He stated that sandscaping had been carried out in Holland and Denmark for centuries and it worked well. This project would be a first for the UK and was a good scheme to protect the gas terminal. It was replaceable, flexible and very appropriate for the area.

Councillor Mrs A Claussen-Reynolds requested assurances with regard to public safety and policing of the barriers.

The Major Projects Team Leader explained that until the sand had settled it would act like quicksand until a few tides had passed over it. To ensure public safety there was likely to be a combination of fencing and on site security to prevent public access.

Councillor S Shaw considered that there would be long term benefits for this part of the coast and he supported the application.

Prior to the vote being taken, the Major Projects Manager explained that the conditions set out in the report had been refined.

**RESOLVED** by 11 votes to 0

**That this application be approved subject to the imposition of appropriate conditions as summarised in the report and any other conditions considered to be relevant by the Head of Planning.**

Councillor Mrs A Fitch-Tillett took no part in the discussion or voting on this matter.

**107. BLAKENEY - PF/18/1263 - Demolition of existing dwelling and erection of single storey detached dwelling; 8 Wiveton Road, Blakeney, Holt, NR25 7NJ for Mr McIntyre**

The Committee considered item 2 of the Officers' reports.

Public Speakers

Ian Smedley (objecting)

Anthony Hudson (supporting)

The Development Management Team Leader presented the report and displayed plans and photographs of the site, including photographs taken from the Old Rectory and from various vantage points outside the site. She explained that the landscaping scheme had been approved under a discharge of conditions for the previously approved application.

The Development Management Team Leader reported that two additional letters had been received, including one from "Save our Parsonages". No new planning grounds of objection had been raised in the additional letters.

The Development Management Team Leader recommended approval of this application in accordance with the report.

Councillor Ms K Ward, the local Member, stated that there was equal support and objection to this proposal within the community. The principle of demolition had been established by the previous application and subsequent judicial review. The critical issue was one of visibility. The current proposal would be considerably less visible from outside the site than the approved scheme. She requested that the Committee approve the application.

In response to comments made by the objector, the Head of Planning explained that Counsel had considered the report prior to its publication in the context of the judicial review and found it be sound and robust. In the event of a pre-action protocol letter being received before the issue of the decision notice, further legal advice would be sought. However, in the Head of Planning's opinion, nothing had been raised at this meeting which would change Members' view of the appropriateness of the report and he advised the Committee that it could make a decision on the merits of the report and the views heard from the speakers.

The Chairman asked the Committee to give consideration to how reflective the glass was likely to be and to bear in mind that the site was in a dark skies area. She referred to proposed conditions 5 and 8. She also commented that long distance views would vary with the seasons.

The Development Management Team Leader stated that glazing could be specifically included in condition 3 which required precise details of materials and condition 5 relating to windows.

Councillor R Reynolds referred to the objectors' concerns regarding Policies EN2, EN4 and EN8. He stated that the proposal was in a well-wooded area, the Committee had visited the neighbouring property and could visualise the proposal, and the impact of the proposal would be far less than the existing development. He proposed approval of this application as recommended.

Councillor Mrs A Claussen-Reynolds requested details of the proposed solar panels and how much of the roof area they would cover.

The Development Management Team Leader suggested that the exact specification could be conditioned.

Councillor Mrs P Grove-Jones considered that the proposed sedum roof would help to settle the dwelling into the landscape. She did not consider that it would be detrimental to the village. She seconded the proposal.

Councillor B Smith considered that the existing hedge was quite sparse and lighting could be visible. He asked if it would be possible to improve the hedge. He requested details of lighting of the tennis court.

The Development Manager stated that conditions would require the retention of the hedge at 2 metres. The Development Management Team Leader explained that the proposal did not include lighting of the tennis court but the conditions would require the submission of details if it were proposed to install lighting at a future date.

Councillor S Shaw commented that the contemporary design was not to everyone's liking but it would have far less impact than the approved scheme and he therefore supported the application.

Councillor Mrs A Green stated that she had sympathy with the village but could not vote against the proposal. She would therefore abstain from voting.

**RESOLVED** by 10 votes to 0 with 1 abstention

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

**108. DILHAM - PF/18/0606 - Change of use from B1 light industrial to Sui Generis (car repairs) & erection of compound fence (part retrospective); Granary Works, Honing Road, Dilham, North Walsham, NR28 9PR for Mr Purkiss**

The Committee considered item 3 of the Officers' reports.

Public Speaker

Carl Purkiss (supporting)

The Planning Officer (CR) presented the report and displayed plans and photographs of the site. He recommended refusal of this application as set out in the report.

The Planning Officer read to the Committee the comments of Councillor Mrs L Walker, the local Member, who was unable to attend the meeting. Councillor Walker had referred to the concerns which had been raised by the neighbours. She considered that an operation of the size and type proposed was not appropriate in the Countryside and would be better accommodated in a town or an edge of town industrial estate. In the event of approval of this application, she had suggested conditions relating to hours and days of operation, mitigation to reduce noise and pollution, conditions relating to storage of vehicles outside the premises and hours of deliveries to be restricted to prevent conflict on the shared drive.

Councillor Mrs A Claussen-Reynolds noted that there had been previous permission for a steel fabrication business at the site. She asked how long that business had been in operation and if any complaints had been received. She also asked if there were any other businesses surrounding the site and how many jobs were at stake. She expressed concern that doors and windows were required to be kept closed, particularly given the very hot summer of 2018.

The Planning Officer was not sure how long the previous business had operated. The current business had been in operation on the site since the beginning of the year, employing 2 full time and 3 part time staff.

The Development Manager explained that the previous use was B1 which was acceptable in a residential area. The current use was sui generis and not suitable for location in a residential area. She assumed the previous business had left the site at the end of 2017.

The Environmental Protection Officer understood that the previous business did not fully utilise its planning permission. She had recommended that doors and windows were kept closed to mitigate the impacts of noise from the business.

The Head of Planning stated that he understood no complaints had been raised with regard to the previous B1 use but the Council's Enforcement Team had since been involved with regard to compliance with conditions. He advised the Committee with regard to the proposed condition to require doors and windows to be kept closed.

Councillor R Shepherd noted the comments of Councillor Mrs Claussen-Reynolds and the Head of Planning. He considered that the proposed Environmental Health conditions were excessive and it was not possible to run a garage with all of the conditions in place. He proposed a site inspection.

Councillor Mrs P Grove-Jones considered that employment was needed in the Countryside. She referred to two garages in Stalham which were surrounded by residential dwellings. She seconded Councillor Shepherd's proposal for a site inspection.

The Development Manager explained that such a use would be acceptable in Stalham but it was not acceptable in principle in the Countryside.

Councillor R Reynolds asked if the previous use would negate Policy SS2.

The Development Manager explained that each application had to be considered on its merits. In this case, it was not like for like. It was a more intensive operation and unacceptable in a residential area.

**RESOLVED** unanimously

**That consideration of this application be deferred to enable the Committee to inspect the site.**

**109. OVERSTRAND - PF/18/1531 - Demolition of existing conservatory and erection of two storey side and rear extensions, single storey rear extension and front porch; 6 Thurst Road, Overstrand, Cromer, NR27 0PR for Mr Marshall**

The Committee considered item 4 of the Officers' reports.

Public Speakers

Ray Saunders (Overstrand Parish Council)  
Anthony Maggs (objecting)  
Kevin Marshall (supporting)

The Planning Officer (BFdC) presented the report and displayed plans and photographs of the site and surrounding area. He recommended refusal of this application as set out in the report.

Councillor Mrs A Claussen-Reynolds referred to comments made by the applicant that he had received an email indicating that the application would be approved and requested an explanation.

The Head of Planning apologised to the applicant. He explained that there had been a difference of opinion. The views in the Officer's report were given in consultation with the Conservation and Design Team and reflected a proper planning position. Any views previously given did not bind the Council to making an inappropriate decision.

Councillor R Reynolds considered that the report was very good and gave a detailed assessment of policy. The proposed extensions were overdevelopment, contrary to policies EN4 and EN8. He proposed refusal of this application in accordance with the recommendation.

Councillor B Smith expressed concern regarding the proximity of the proposed development to the adjacent dwellings. He considered that the proposed extensions would result in the host dwelling becoming subordinate.

Councillor N Pearce considered that the Officer's recommendation was correct. The right to sunlight was very important. He supported the view that the existing dwelling would be subordinate to the extensions. He seconded the proposal.

**RESOLVED** unanimously

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

**110. SMALLBURGH - PF/18/0464 - Erection of 2 two-storey dwellings, detached garage & new accesses; Smallburgh Hall, Hall Drive, Smallburgh, Norwich, NR12 9FW for Mr Coaley**

The Committee considered item 5 of the Officers' reports.

Public Speaker

Ed Plumb (supporting)

The Major Projects Team Leader (GJL) presented the report and displayed plans and photographs of the site. He recommended refusal of this application as set out in the report.

Councillor S Shaw, the local Member, stated that he appreciated that the application did not totally comply with policy but it was intended to fund the renovations to Smallburgh Hall and was very sympathetic to the applicant given his knowledge of the cost of maintaining a large property. He considered that the proposed houses were not offensive although they were not totally in keeping with local dwellings.

Councillor Mrs A Claussen-Reynolds commented that she had been saddened that the woodland had been cleared and fully supported the TPO which had been served on the woodland. She considered that the application was contrary to policies SS1 and SS2. She proposed refusal of this application as recommended.

Councillor B Hannah seconded the proposal.

In answer to a question from Councillor Hannah, the Major Projects Team Leader stated that he understood the applicant had lived at the Hall for approximately 12 years.

Councillor R Reynolds referred to the Landscape Officer's concerns regarding damage to the trees. He considered that the proposal was not sustainable and supported the Officer's recommendation.

Councillor R Shepherd considered that Smallburgh Hall appeared to be in an excellent state of repair and was structurally sound. He considered that the proposed development would be contrary to planning law.

**RESOLVED** by 9 votes to 1 with 1 abstention

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

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

The Development Manager reported that the local Member had requested a site inspection in respect of Blakeney PF18/0932 to expedite the planning process.

**RESOLVED**

**That the Committee visits the following site:**

**BLAKENEY – PF/18/0932 - Demolition of existing dwelling and erection of single storey detached dwelling; Erection of single storey extension; alterations to rear elevation including new dormer windows; raised patio Fairacre, 72 Morston Road for Mr and Mrs Timmins**



**112. NEW APPEALS**

The Committee noted item 7 of the Officers' reports.

**113. INQUIRIES AND HEARINGS - PROGRESS**

The Committee noted item 8 of the Officers' reports.

The Development Manager reported that the appeal in respect of Alby with Thwaite ENF/17/0201 had been withdrawn.

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

The Committee noted item 9 of the Officers' reports.

The Development Manager reported that the appeal in respect of High Kelling PF/18/1177 had been dismissed and a summary would be reported to the next meeting.

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

The Committee noted item 10 of the Officers' reports.

The Head of Planning suggested that in cases where technical issues were involved, such as was the case in the appeal which was allowed at North Walsham, the Inspector should be lobbied for a hearing so that the technical experts could put the case to the Inspector.

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

The Committee noted item 11 of the Officers' reports.

The meeting closed at 12.38 pm.

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CHAIRMAN  
4 January 2019