

## **DEVELOPMENT COMMITTEE**

**Minutes of the meeting of the Development Committee held on Thursday, 19 September 2024 in the Council Chamber - Council Offices at 9.30 am**

<b>Committee Members Present:</b>	Cllr P Heinrich (Chairman)	Cllr R Macdonald (Vice-Chairman)
	Cllr M Batey	Cllr A Brown
	Cllr P Fisher	Cllr A Fitch-Tillett
	Cllr M Hankins	Cllr V Holliday
	Cllr G Mancini-Boyle	Cllr P Neatherway
	Cllr J Toye	Cllr K Toye
	Cllr L Vickers	

### **Substitute Members Present**

<b>Officers in Attendance:</b>	Development Manager (DM)
	Principal Lawyer (PL)
	Senior Planning Officer (SPO)
	Senior Landscape Officer – Arboriculture (SLO-A)
	Democratic Services Officer – Regulatory Committees

<b>Also in attendance:</b>	Cllr A Fletcher
	Cllr T Adams
	Cllr J Boyle

### **54 TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr A Varley.

### **55 SUBSTITUTES**

Cllr L Paterson was present as a substitute for Cllr A Varley.

### **56 MINUTES**

The minutes of the Development Committee meeting held on Thursday 22<sup>nd</sup> August were approved as a correct record.

### **57 ITEMS OF URGENT BUSINESS**

None.

### **58 DECLARATIONS OF INTEREST**

Cllr V Holliday advised she had been in receipt of lobbying with respect to item 10. The Chairman confirmed this communication had been circulated amongst the Committee.

### **59 BRISTON - PF/23/2048 - DEVELOPMENT OF EXISTING BARN COMPLEX TO**

**FORM 11NO DWELLINGS WITH ASSOCIATED CAR PARKING AND LANDSCAPING, INCLUDING GROUND MOUNTED PV ARRAY, MANOR FARM, 44 FAKENHAM ROAD, BRISTON, MELTON CONSTABLE, NORFOLK, NR24 2HJ**

The SPO introduced Planning Applications PF/23/2048 and LA/23/2049 together, however, the applications were voted on separately.

The SPO outlined the sites' location and relationship with the local setting, and detailed existing and proposed floor plans and elevations for each of the proposed barn conversions, demolitions and replacements. It was noted that, where possible, existing features and openings would be retained for several of the barn conversions. Visualisations were offered as demonstratives to illustrate landscape and boundary treatments.

The SPO established the Class Q fall-back position, should the Committee be minded to refuse the applications.

The Case Officer confirmed the key issues for consideration and advised that the principal of development was supported through the re-use of appropriate buildings. With respect to the impact to associated heritage assets, character and design, the SPO advised that Officers considered there would be less than substantial harm resulting from the conversion of units 1 and 3, which would be limited to these units alone. Any harm arising must be weighed against public benefits, and whilst the scheme would not include provision of affordable housing (as established through the independent viability assessment), Officers were satisfied that the public benefits would outweigh heritage harm specifically in addressing the housing shortfall, reuse of existing buildings, enhancement of the site through demolition of inappropriate structures, and through S106 contributions.

Public Speakers

Sasha Edmunds (Agent) – Supporting

Local Member

The Local Member – Cllr A Fletcher – stated that Briston had a long history of being exploited through patchy and piecemeal development with no concomitant increase in services. He noted that the local primary school was at capacity, the GP surgery in Melton Constable was at risk of closure, and the predication of Google Maps and lack of pavements in the village made for perilous trips for pedestrians. He considered the applications would not bring public benefits to residents and suggested improvements to the scheme to make it agreeable.

The Local Member encouraged improvements to the junction between the proposed development and Fakenham Road, and through appropriate calming measures which would benefit the village as a whole. He considered the Highways estimates did not accurately reflect the busy nature of the road, nor the volume of parked cars on the road, especially at school drop off and pick up times. The Local Member

considered that the proposed development would exacerbate existing traffic problems without mitigation.

Cllr A Fletcher was critical of the absence of affordable housing offered through the development, and considered the £50,000 compensation figure to be insufficient, and unlikely to benefit the village.

The Local Member stated that residents were anxious that the dwellings would be used as second homes, and asked if anything could be done, or should be done, to ensure the dwellings were used as primary residences.

### Members debate

- a. The Chairman asked Officers to clarify the access and traffic issues identified by the Local Member.
- b. The SPO advised no objection had been raised by the Highways Authority following submission of revised plans, and subject to conditions.
- c. The DM responded to comments made from the Local Member. With respect of affordable housing, he advised the independent viability assessment established that affordable housing would not be viable for this application, and therefore the policy requirement for affordable housing had not been satisfied. The Council had successfully negotiated a £50,000 affordable housing contribution which would be cascaded, with priority going first to development of affordable homes in the parish, before sites close to the parish were considered, and later within the broader district.
- d. Cllr A Brown asked the DM to clarify the Class Q fall-back position for the benefit of the public.
- e. The DM advised that Permitted Development allowed for the conversion of barns to dwellings, though some limitations applied. Permission could be obtained for an alternate scheme under Class Q. Officers considered that the proposals before Committee were better than the fallback position and would allow for betterment in heritage terms.
- f. Cllr L Paterson noted Class Q allowed for the development of up to 10 residential units.
- g. The DM reflected that the site was located within the Nutrient Neutrality catchment and would still need to satisfy habitat regulations, irrespective of Class Q.
- h. Cllr L Paterson did not consider the 11 proposed dwellings to be too many for the village and felt that the development would tidy up the site.
- i. Cllr J Toye noted asbestos was located on the site and sought assurances

that this would be handled appropriately. Additionally, he asked if there would be a time limit for the cascade of funds.

- j. The PL advised that the housing strategy team would consider what developments could utilise the funds, typically around when the development was near completion. If it were unlikely that the funds could be used in the near future in Briston, the cascade would be enacted. There was no set timeframe.
- k. The DM advised asbestos was covered by relevant regulations, though a condition could be added if the Committee were so minded.
- l. The Chairman noted that a construction environmental management plan would be in place.
- m. Cllr J Toye was satisfied for Officers to cover off the asbestos condition under the list of delegated conditions.
- n. Cllr V Holliday asked if any affordable housing was being built in Briston in the near future which the S106 monies could be used towards.
- o. The DM was unaware of schemes in the pipeline for Briston which would be suitable. He confirmed that the housing team would actively pursue sites.
- p. Cllr V Holliday asked if Nutrient Neutrality would be mitigated off-site.
- q. The SPO confirmed off-site mitigation was proposed, and noted both Natural England and the Council's Ecological Officer were satisfied with the proposal.
- r. Cllr V Holliday considered there would be heritage harm arising from the proposal but recognised this was somewhat offset though the benefits arising from conserving the barns. She noted the extensive glazing proposed and asked if reduced VLT glazing could be conditioned. Additionally, with respect to the Local Members comments, Cllr V Holliday asked if traffic calming measures could be conditioned and a principal residency condition imposed.
- s. The DM advised that the Highways Authority did not object to the scheme, and in the absence of a highway objection it would be difficult to justify asking for traffic calming measures. With regard to a principal residency restriction, the DM advised that under current local plan policy it would be unreasonable to impose second home requirement, given the Briston did not have the relevant neighbourhood plan policy (as was the case in Wells).
- t. Cllr A Fitch-Tillett noted the historic debate regarding traffic in Briston, and agreed the development would place additional pressures on the road network. She asked if the school had a crossing patrol in the area? Regardless, she was unable to support the scheme due to highways safety

concerns.

- u. Cllr L Paterson advised there were no footpaths on the other side of the road and therefore no crossing places in the vicinity.
- v. The DM confirmed the Highways Authority would have considered agricultural movements from the site based on existing permission, though noted operation had ceased in recent years.
- w. Cllr R Macdonald confirmed a school crossing patrol was in place.
- x. Cllr L Paterson stated that it was regretful there would be no affordable homes on site. However, on balance, he considered that the right balance was met, and so proposed acceptance of the Officers recommendation.
- y. Cllr A Brown thanked the Case Officer for his reports and presentation. He considered that there was much to appreciate with these applications, noting Nutrient Neutrality habitat regulations had been satisfied, the scheme proposed good landscaping and design, and that the site would see betterment through re-generation. However, he considered the proposals did not accord with the Council's corporate plan objectives for local homes for local people. Further, he was critical of viability assessments, which in his experience only ever justified applicants to reduce or eliminate affordable housing. He agreed with the Local Member that the £50,000 was insufficient, particularly given inflationary pressures, and suggested a % return may be better.
- z. Cllr V Holliday followed up on her earlier comments and asked if these would be conditioned.
- aa. The DM advised that whilst conditions regarding reduced VLT glazing could be imposed, this would be at a cost to the developer. He further argued that it may be challenging to justify such a condition in this location given the site was not located with a dark skies area or within the designated National Landscape.
- bb. The Chairman invited the Agent to answer questions from the Committee. The Agent confirmed no cost analysis had been undertaken with respect to reduced VLT glazing given the site was not located within the AONB. She confirmed that consideration could be given to VLT glazing, if this were conditioned, but that this may be at a cost to other elements of the scheme.
- cc. The DM advised that VLT glazing conditions would be subject to viability assessment given this would be a significant expense to the applicant. He stated that the Council could engage in discussions with the applicant, but cautioned against a stringent imposition of the suggested condition if it were to result in reduction of S106 monies.

- dd. Cllr L Paterson saw merit in reduced light spill for the roof lights, but not side glazing.
- ee. Cllr J Toye considered reduced VLT glazing in this location would be of limited benefit given existing light spill.
- ff. Cllr L Vickers supported comments made by Cllr J Toye, and agreed with the DM that a reduction in the limited S106 contribution should be avoided. Cllr L Vickers seconded the Officers recommendation.
- gg. The DM sought confirmation what additional conditions the Committee wished to impose, noting discussions regarding asbestos and reduced VLT glazing.
- hh. Cllr V Holliday asked that roof light conditions be imposed.
- ii. Cllr L Paterson was supportive of Cllr V Holliday's suggestion, and considered asbestos was covered by relevant legislation, and therefore concluded imposing a specific planning condition would not be necessary.

**RESOLVED** by 8 votes for, 1 against and 5 abstentions.

**That Planning Application PF/23/2048 be APPROVED in accordance with the Officers Recommendation.**

- 60 BRISTON - LA/23/2049- DEVELOPMENT OF EXISTING BARN COMPLEX TO FORM 11NO DWELLINGS WITH ASSOCIATED CAR PARKING AND LANDSCAPING, INCLUDING GROUND MOUNTED PV ARRAY, (LISTED BUILDING CONSENT) MANOR FARM, 44 FAKENHAM ROAD, BRISTON, MELTON CONSTABLE, NORFOLK, NR24 2HJ**

*The Committee debated Planning Applications LA/23/2049 and PF/23/2048 together but voted on each of the applications separately. For the full minutes, please see the minutes for PF/23/2048.*

Cllr L Paterson proposed acceptance of the Officers recommendation, Cllr L Vickers seconded the motion.

**RESOLVED** by 8 votes for, 1 against and 5 abstentions.

**That Planning Application LA/23/2049 be APPROVED in accordance with the Officers recommendation.**

- 61 WELLS-NEXT-THE-SEA- PF/24/1123 - ERECTION OF SINGLE STOREY SIDE EXTENSION; ALTERATIONS TO FENESTRATION; ADDITION OF 10NO. DORMER WINDOWS TO REPLACE ROOFLIGHTS; ADDITION OF SOLAR PANELS; CREATION OF POOL TO REAR AND ALTERATIONS TO LANDSCAPING/PARKING, YOUTH HOSTEL, ST NICHOLAS CHURCH ROOMS, CHURCH PLAIN, WELLS-NEXT-THE-SEA, NORFOLK NR23 1EQ**

The SPO introduced Planning Application PF/24/1123 and the Officers recommendation for approval subject to conditions. He confirmed that communication had been received following publication of the agenda, though noted the comments related to points already identified in earlier communication (detailed in the Officers Report).

The Case Officer outlined the site location, located within the Wells Conservation Area, and relationship within the local setting specifically the adjacent grade II listed Saint Nicholas Church. He confirmed the existing and proposed floor plans and elevations and provided images in and around the site.

### Public Speakers

Roger Arguille – Wells Town Council  
Tom Leahy– Supporting

### Local Member

The Local Member – Cllr P Fisher - expressed his concern for the proposal, given the number of Wells residents who would be adversely affected. He shared in the concerns raised by Wells Town Council that the proposal would not accord with the Wells Neighbourhood Plan. Further, the Local Member was critical that the facility would not operate as a Youth Hostel and would not have an onsite manager to deal with any disturbances.

He noted that the site was located in the quieter area of the town, in a residential area, and was often used by visitors for parking, which made driving down the road difficult. Cllr P Fisher considered the proposal would have an adverse impact on the already congested highways network and argued that larger vehicles parking at the facility would likely overhang onto the footway.

The Local Member affirmed that the WI would be most adversely impacted by the development, and relayed the real concern that membership would be affected by consequence of the proposal.

Cllr P Fisher considered it naive to believe that the noise restriction proposed would be enforceable given there would be no on-site manager for the party house.

The Local Member asked, if the Committee were minded to support the application, that the application be deferred to allow a site visit to take place in the first instance.

### Members Debate

- a. Cllr L Paterson sought clarification whether there would be a live-in manager.
- b. The SPO advised the application did not specify changes to the management arrangement or operational use, only to those proposed physical external alterations.
- c. Cllr M Hankins asked if the Wells Neighbourhood Plan had been consulted upon.
- d. The DM advised the Plan has been consulted upon and supported through a local referendum. The Plan had subsequently been made by the District

Council in recent months.

- e. Cllr M Hankins asked why the application was contrary to the Neighbourhood Plan.
- f. Cllr A Brown noted within the Officers report, planning balance and conclusion, that Officers expressed the view that the proposal was considered to be in general accordance with development plan policy considerations, including the requirements within the Wells Neighbourhood Plan, and provisions within the NPPF.

Cllr A Brown was mindful of the pressure which would be placed on the Environmental Protection Team if there were misuse or abuse of the facility. He suggested that a sui generis use class condition be imposed, ensuring that any amendment or infringement of the youth hostel use class designation, would generate a further planning application or certificate of lawfulness.

- g. The Chairman shared in the valid concerns raised that the facility may be used as a party house without condition.
- h. Cllr A Brown asked if it could be further conditioned that a record be maintained of occupancy, and these details be made available to the council when requested. Further whether single-sex large groups could be banned.
- i. The DM advised that the application did not propose a change of use, though pre-application advice was sought for a change of use. The DM noted that it was important to recognise the differences between a Youth Hostel and what was effectively a large dwelling being as a holiday let. He advised that the Council had been successful at appeal on dwellings with over 6 bedrooms being used for sui generis use. He confirmed that a Youth Hostel already had sui generis use, and that going to another use class would require planning permission. Should the Committee be so minded, it may wish to re-impose the class condition (which was not proposed to change by way of the application) for the avoidance of doubt. In the event there was a breach, this would become an enforceable matter.
- j. Cllr A Brown endorsed the imposition of a condition to reduce ambiguity both for the public and for the Councils environmental protection and enforcement teams. He proposed that should a condition be added.
- k. The DM suggested wording for such a condition, along the lines, 'use of the site shall remain for Youth Hostel purposes. Final wording of the condition to be delegated to the Assistant Director for planning.
- l. The Chairman invited the Applicant to speak again, and address comments made by the Committee. The Applicant stated that the existing use of the building was for single, large groups who would rent entire use of the building. He noted that there had not been an on-site manager for over 5 years, and that the YHA had allowed for single, large groups before relinquishing the building. He did not consider there would be a change of use and stated that he intended to do exactly the same thing as before, just to a slightly higher end of clientele. The Applicant outlined mitigations which would be in place to address issues on site but affirmed that he had not experienced issues elsewhere in the country because of the client base. The



Applicant confirmed the site may be used as a yoga retreat, or by multi-generational families, and that he had no desire to host hen/stag groups. He confirmed he may be agreeable to conditions regarding noise, but felt that any overly onerous condition, on a business which was already struggling, would not stand up to challenge.

- m. The PL was supportive of comments made by the DM, and agreed there was a distinct difference between a Hotel and a Youth Hostel, noting recent case law on the matter. The PL suggested a condition be imposed that the site be used as a Youth Hostel and not a Hotel, to try and distinguish the difference between the two, which had been raised as a concern by the Committee.
- n. The Chairman quired how enforceable such a condition would be.
- o. The PL advised the condition would be enforceable.
- p. Cllr J Toye seconded the proposed condition.
- q. Cllr K Toye thanked to the applicant for his clarification and agreed that Wells was not the preferred destination for hen or stag groups. Cllr K Toye stressed that younger people should not be demonised or perceived to be a problem for noise disturbances. She proposed acceptance of the Officers recommendation, though recognised pre-existing parking and highways issues in Wells were a problem.

*The PL left the meeting.*

- r. Cllr V Holliday confirmed the dictionary definition for a Youth Hostel, as a cheap place for young people to stay for short periods when travelling, and argued this did not align with what the applicant stated the facility would be used for, she was therefore critical that the proposal would conform with the Youth Hostel use class. Cllr V Holliday noted the principal residency restriction in the Wells Neighbourhood Plan and questioned if the application conformed with the Plan. Additionally, she considered the obscured glazing proposed would be insufficient, given it was a panel placed in front of the glazing as opposed to the glazing itself being obscured. Further, as the site was located within the Nation Landscape (formerly known as the AONB) she requested reduced VLT glazing.
- s. The DM confirmed it was for the Committee to decide whether to impose a reduced VLT glazing condition, and to consider if this was proportionate, as whilst the site was located within the National Landscape (formerly known as the AONB) it was also in a built-up urban setting. Should the use change from a Youth Hostel (which already had permission), and be used instead by large groups, this may trigger the requirements under the Neighbourhood Plan for a principal homes condition. The DM advised that the application did not propose a change of use, and therefore was not caught by the policy requirement.
- t. Cllr G Mancini-Boyle noted the 60 representations on page 55 of the Officers report, and asked if this was a fair representation of the views of the Town or reflected petitioning.

*The PL returned to the meeting.*

- u. The SPO advised the representations made weren't all submitted by local people and commented that there had been some form of petitioning.
- v. The DM advised that it was not simply the quantity of submissions which was important but the quality of the representations.
- w. Cllr G Mancini-Boyle agreed the quality of representations was most important.
- x. Cllr L Vickers noted that within the representations that the Youth Hostel had a quiet time when the noise level had to be kept to a minimum, she asked if the noise abatement rule would remain? Cllr L Vickers stated that before voting she wanted to be clear on the implications of the proposal.
- y. The SPO advised a noise management plan could be conditioned, given the likely increased use of the outside space.
- z. The DM recognised the concerns expressed locally about the use of the premises in the evenings and noted the proposed condition to limit usage hours of the outdoor space.
- aa. Cllr J Toye noted that a change of use was not proposed, and the Committee were only invited to vote on the proposed physical adjustments. In those terms, he welcomed the building being brought back to use. He was supportive of Cllr A Brown's comments, and the need to be unequivocal through the use of conditions. Cllr J Toye seconded the Officers recommendation for approval.
- bb. Cllr L Paterson reflected on the comments made by the applicant, and the inference the property would effectively be used as a large holiday let. He was critical of the applicants' comments that the price point would mean a lack of issues regarding noise.

**RESOLVED** by 9 votes for, 2 against and 3 abstentions.

**That Planning Application PF/24/1123 be APPROVED in accordance with the Officers recommendation.**

*The meeting was adjourned at 11.07am and reconvened at 11.22am*

**62 CROMER - PF/24/0201 - ERECTION OF SINGLE-STOREY DWELLING WITH DETACHED BIKE/BIN STORE, THE GLASS HOUSE, FULCHER AVENUE, CROMER, NR27 9SG**

The SPO introduced the Officers Report and recommendation for refusal. The Case Officer outlined the sites' location plan, relationship with existing dwellings and the adjacent railway line as well as proposed floor plans and elevations. Images in and around the site were provided to the Committee.

The SPO affirmed the recommendation for refusal based on the actual and perceived conflicts between the safety and amenity of future occupiers and the close proximity to the trees. This situation would increase the likely pressure for inappropriate management and removal of trees which would be more difficult to

resist with residential occupancy of the site. The proposed development would therefore harm the character and appearance of the site to the detriment of the local landscape and Conservation Area. The Proposal was considered contrary to Policies EN 2, EN 4, EN 8 of the adopted North Norfolk Core Strategy.

### Public Speakers

Krzysztof Fijalkowski - (Supporting)

### Local Member

The Local Member - Cllr T Adams – expressed his support for the proposal which he considered to be sustainable and represented a windfall development, which would positively contribute to environmental net-gain. The proposal was not objected to by the Highways Authority or by the Heritage team, further concerns regarding Nutrient Neutrality were not an issue at this site. Whilst he respected Officer opinion, he felt that an overly cautious approach to the trees had been taken, given a strict maintenance regime was already in place and would remain unaffected given the sites proximity to the railway line. A schedule for new and existing planting was proposed, indicating the applicants desire to retain and improve upon the site. Cllr T Adams reflected on the close proximity of trees to the Council Offices and other buildings, including overhanging, which was not considered to be an issue in these instances.

Cllr J Boyle – Local Ward Member – expressed her support for the application and acknowledged that house building in this area of Cromer was rare due to a lack of plot availability. She considered that the design of the new home would blend in well with the existing property and argued that much thought had gone into the design to ensure it was as environmentally friendly as possible. The Local Member noted that the ecological report suggested there was a low risk to wildlife by way of the development. Cllr J Boyle endorsed building local homes for local people, and noted this home would be occupied by a young Cromer resident. She disagreed with the Officers assessment with respect of trees, which were well managed and maintained, and would continue to be maintained to a high standard. Cllr J Boyle welcomed the application which she considered to be an innovative construction which would be in accordance with its surroundings.

### Members debate.

- a. The Chairman asked if all the trees on site were subject to TPO's.
- b. The SLO-A advised that the Conservation Area rules protected all trees over 7.5 cm, as the trees in question being far larger than that, they were therefore afforded protection. Should work to the trees be required, the Council would need to be notified, and an application made to undertake works.
- c. The Chairman noted the boundary slope with network rail and asked if network rail had commented on the application, and if concerns had been raised regarding the embankment.
- d. The SPO advised that network rail had commented on the landscaping, with emphasis placed on the owner's responsibility to maintain the site to ensure avoidance of obstructing the railway line.

- e. Cllr P Fisher expressed his concern that the proposal may cause damage to the existing trees, noting they likely had extensive root system. He asked what would be done during the construction phase to avoid cutting and damaging roots.
- f. The SPO relayed details contained in the arboriculture assessment and advised that the applicant proposed to use micro-piling and take a cantilever approach to avoid direct impact to the root areas. Officers were primarily concerned about the effect of the heavy canopy over the proposed development and additional pressures of tree and landscape management.
- g. Cllr V Holliday asked if the applicant had contacted the network rail asset protection team, as recommended in the network rail comments.
- h. The SPO was unable to confirm if the applicant had approached network rail.
- i. Cllr A Brown anticipated that there would be covenants for support between the landowner and network rail, though concluded this was a civil matter, which should not be considered by the Committee.
- j. The PL advised that when building within 10m of an operational railway, there were some requirements regarding risk assessment, method statements, construction, design and management regulations.
- k. Cllr J Toye sought clarity if this was a planning matter, or a building control issue.
- l. The DM stated that how things were constructed would be a matter for building control. However, the impact of a dwelling on trees would fall within the planning remit.
- m. Cllr J Toye endorsed the proposal, provided it could be constructed in such a way as to avoid damaging existing trees. He recognised the proposal was for a smaller building, built to a high environmental standard, with great accessibility to services, and considered the application should be approved.
- n. The DM advised that Officers recognised that there was much in favour for this application, particularly with respect of sustainability, however Officers concluded that it was highly likely that there would be pressure in future to fell existing trees once residents had moved in, which weighed against the proposal. It was for the Committee to weigh to competing factors.
- o. Cllr J Toye was satisfied with the application as proposed and argued that the Committee could not speculate on what might happen in future.
- p. Cllr L Paterson proposed acceptance of the Officers recommendation.

- q. Cllr P Neatherway asked if a TPO could be applied to the trees.
- r. The Chairman noted that the existing Conservation Area granted the trees protected status.
- s. The SPO-A advised that an order could be served to preserve the trees, but a planning application would overrule any order.
- t. Cllr V Holliday seconded the motion.

**THE VOTE WAS LOST** by 4 votes for and 10 votes against.

- u. The Chairman invited a recommendation from the Committee.
- v. Cllr J Toye proposed acceptance of the proposal. He placed greater weight on the benefits on the proposal and was satisfied that the proposed mitigations would afford protection to the trees, given the outlined methods of construction and arboriculture plan.
- w. The DM noted comments made by the Committee, that they broadly considered the sustainability benefits of the proposal outweighed and potential harm to trees on the site.
- x. Cllr A Brown seconded the motion for approval. He asked than an advisory note be added for the applicant to work closely with Network Rail, and with the Councils Arboriculture Officer going forward. Cllr A Brown was satisfied that final wording of conditions be delegated to the Assistant Director for Planning.

**RESOLVED** by 10 votes for 4 votes against.

**That Planning Application PF/24/0201 be APPROVED. Final wording of conditions to be delegated to the Assistant Director – Planning.**

### **63 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE**

The DM introduced the performance report and spoke highly of the Councils performance record and appeal record.

The PL noted some applications had not been listed on the S106 appendix as they had been dealt with so swiftly. She updated the Committee on the appendix.

Cllr L Paterson declared an interest as the owner of agricultural barns.

### **64 APPEALS SECTION**

The DM noted it had been a slow month for appeal decisions, however a couple enforcement cases had been decided. The enforcement decision at Gunthorpe had been quashed, with the Inspector disagreeing with the Councils allegation.

### **65 LOCAL VALIDATION LIST**

The DM outlined the Local Validation List and its purpose. He advised that current Local Validation List required updating, as the current List was causing delays to decision making. The DM highlighted para 44 of the NPPF,

and the need for Local Authorities to be proportionate in their request for supporting information.

The DM introduced Appendix 1 – the proposed Local Validation list and highlighted some of the proposed changes. It was noted that the List would be subject to a period of public consultation (starting week commencing 7<sup>th</sup> October), and it was hoped that the List would be returned to Committee on 12<sup>th</sup> December for consideration and approval.

He advised that a raft of supporting information would be made available to applicants to help them navigate what was required of them, as it was appreciated that this could be a daunting process for applicants of small householder application who aren't familiar with the process.

- a. Cllr G Mancini-Boyle asked for details regarding the consultation.
- b. The DM confirmed it would be a full public consultation open to members of the public, parish councils, applicants and agents.
- c. The Chairman considered the proposed List to be comprehensive and endorsed having a single check list to aid householders who may not be familiar with the planning system.
- d. Cllr A Fitch-Tillett advised that there was a move for IDB's to become a statutory consultee, though noted conflicting information in the Guardian that the government may get rid of IDB's altogether.
- e. Cllr A Brown asked if the consultation process was discretionary or mandatory.
- f. The DM asked that the Council had previously gone out to public consultation, he understood it was a mandatory requirement.
- g. Cllr A Brown was surprised there was not a section on planning performance agreements on major developments, given this was an income stream to the Council. He asked if this had been considered and discounted. Cllr A Brown suggested links to Nutrient Neutrality defined boundaries be added to s.25 of the proposed list. He also welcomed communicating with applicants and agents of the emerging change as early as possible to avoid frustrating relations. Cllr A Brown shared in the view expressed by the Chairman that the process be simplified for householder applications. For the avoidance of doubt, he further suggested that it be noted that there was more than one Glaven Valley Conservation Area.
- h. The DM advised that Planning Performance Agreements (PPA) had not been details, though advised a suggested S106 obligations List was detailed. He confirmed PPA's typically occurred at the pre-application stage, and therefore could not see the relevance to the Local List, though welcomed further discussion on this matter. With respect to Nutrient Neutrality, he was happy to include the suggested amendments. Regarding communication, the DM advised that transitional arrangements would be in place, and those applications submitted before the 1<sup>st</sup> of January 2025 would be treated under the old Local List requirements. The DM confirmed a householder guide would be in place to support the validation process to make it as simple as possible.

- i. The Committee expressed their thanks to the DM and the Planning Service for their hard work to move things forward.
- j. Cllr J Toye proposed acceptance of the Officers recommendation.
- k. Cllr P Neatherway seconded the motion.

**UNANIMOUSLY RESOLVED**

**That the Council undertake a six-week public consultation on the new Local Validation List.**

**After public consultation, the Local Validation List come into effect (with or without necessary modifications) after sign-off by the appropriate decision making body at North Norfolk District Council.**

The meeting ended at 12.13 pm.

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Chairman