

# DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 6 March 2025 in the Council Chamber - Council Offices at 9.30 am

**Committee** Cllr P Heinrich (Chair) Cllr R Macdonald (Vice-Chair)  
**Members Present:**

Cllr M Batey	Cllr A Brown
Cllr P Fisher	Cllr A Fitch-Tillett
Cllr M Hankins	Cllr V Holliday
Cllr P Neatherway	Cllr J Toye
Cllr K Toye	Cllr L Vickers

**Substitute** Cllr J Boyle

**Also in attendance:** Cllr L Withington

## 1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor A Varley.

## 2 SUBSTITUTES

Councillor J Boyle was present as a substitute for Councillor A Varley.

## 3 MINUTES

The minutes of the Development Committee held on the Thursday 23<sup>rd</sup> January and Thursday 6<sup>th</sup> February were to be presented at the next Development Committee meeting.

## 4 ITEMS OF URGENT BUSINESS

None.

## 5 DECLARATIONS OF INTEREST

Councillor R Macdonald advised he knew the applicant of item 10 and would abstain during the vote.

Councillor M Batey advised the applicant was a family member and he would leave the room during item 12.

Councillor J Toye advised as Portfolio Holder for Sustainable Growth he had early conversations with the applicant but confirmed he was not predetermined with respect to item 10.

Councillor L Vickers advised she was not predetermined and would like to vote and speak as the Local Member.

## 6 SHERINGHAM - PF/24/1229 - ERECTION OF 41 RETIREMENT LIVING APARTMENTS WITH ASSOCIATED ACCESS, CAR PARKING, LANDSCAPING,

## **ANCILLARY FACILITIES, AND ASSOCIATED WORKS AT LAND AT, THE ESPLANADE, SHERINGHAM, NORFOLK**

### Officers report

The DMTL presented the report and brought to the attention of the Committee, the revised comments from Planning Obligations Co-ordinator at Norfolk County Council in addition to the fire hydrant, a contribution of £7,585 towards the capacity of the library was requested. He added the reason for the amendments from Norfolk County Council was due to the development being assessed as a care facility instead of retirement apartments. The DMTL outlined the amendment to the recommendation as the applicant confirmed the agreement.

The DMTL brought to the Committee's attention the general location and access of the proposed site. He explained the access was from St Nicholas Place which was a designated conservation area. He highlighted in the proposed plan the parking at the rear of the site, the existing garage block to be demolished, EV charging points and the two entrances into the building. The DMTL presented to the Committee photos and montages of the site which included the view from the esplanade and boulevard.

### Public Speakers

Deborah McNeil- Sheringham Town Council Clerk  
Roger Kendrick Venables- Objecting  
Rachel Clare (Agent)- Supporting  
Malcolm Peddar- Objecting  
David Prescott- Supporting

### Local Member

The Local Member- Councillor L Withington - expressed her concern for the proposal given the issues, scale, form, massing and character which had not been resolved despite engagement with the developer. She highlighted the core strategy policies, EN2, EN4 and EN8 were not being met. She expressed her concerns further by referring to the design and character of the proposal and stressed the importance of this along with the impact on the conservation area.

Councillor L Withington explained a major concern was the loss of the iconic view from the War Memorial to Marbel Arch. Additionally, she explained the parking and access concerns as the proposed parking allocation was 0.5 spaces per unit, based on urban assumptions and not North Norfolk's standard. She added this would place further strain on an already congested area along with the access from St Nicholas Place which was a narrow and difficult entry point. Councillor L Withington highlighted the drop-off point on the Boulevard or Esplanade was unfeasible due to the congestion.

As the Local Member, Councillor L Withington brought to the Committee's attention the impact of the proposal on residents of Upcher Court which would significantly reduce the residents' quality of life. She summarised with outlining that the lack of Section 106 contributions was disappointing including the absence of affordable housing provision. Finally, she stated the community requests for conditions which were the construction management plan and a parking and access review.

### Members debate

- a. Councillor P Fisher sought clarification on the height of the proposed site building compared to Upcher Court.
- b. The DMTL confirmed the proposed site building was approximately 2.5 meters higher than Upcher Court.
- c. Councillor P Fisher commented the height difference was not that much greater.
- d. Councillor M Batey asked if there was a construction management plan and if residents of Upcher Court were to be consulted.
- e. The DMTL explained a construction management plan would be required through a condition if permission was granted as outlined in the recommendation. He commented that residents of Upcher Court would be not be formally consulted on the construction management plan.
- f. The Chair, Councillor P Heinrich referred the Committee to page 34 of the agenda which outline the list of conditions if the proposal was approved.
- g. Councillor K Toye commented this was an attractive development and would provide additional homes for alternative living spaces. She commented that she was concerned if the number of parking spaces was sufficient for the number of proposed residents. Councillor K Toye commented the proposed development was a floor higher than Upcher Court and explained it would be overwhelming for surrounding residents. She added further that she understood the need for this type of residence but suggested the number of units should be reduced.
- h. The DMTL clarified the proposed development was four storey and the top floor was contained within the roof space.
- i. Councillor V Holliday commented this development was hugely impactful on the coastline. She questioned what was the evidence these would be retirement dwellings and highlighted there was only one lift and questioned if there was any additional support. She further questioned if there was any second home restrictions or health contributions. She commented the lack of parking was a concern and affordability was also an issue.
- j. The DMTL advised Building Control would determine if one lift was sufficient and confirmed there was no restrictions to prevent the development becoming second homes and it had been raised with the agent but thought it was unlikely to be used as second homes due to the service charges and costs.
- k. Councillor V Holliday sought further clarification on the Second Home Council Tax Premium and if this made the service charge attractive.
- l. The ADP confirmed any resident would need to pay the Council Tax at the rate set by this authority.
- m. The DMTL explained the agent had confirmed based on other developments second home restrictions were not needed and the number of parking spaces were sufficient based on other developments within the district. He also confirmed that a healthy contribution was unnecessary as it was below

the threshold of needing to consult the health authority.

- n. The Chair, Councillor P Heinrich agreed with Councillor V Holliday regarding the health contributions and commented there would be excess demands on health facilities.
- o. Councillor J Toye referred to the War Memorial near the proposed development site and questioned if permission was granted, a condition be considered to use screening to cover the construction and scaffolding during the winter months to respect the War Memorial parade.
- p. Councillor M Hankins sought clarification on the parking and access to the development. He further asked if the access would be two way and if the parking provision was within standards.
- q. The DMTL referred to the presentation given to the Committee and confirmed that the access road would be widened to allow two vehicles to pass. He added further the parking was below the standard for a dwelling but the policy CT6 allowed for variation where appropriately justified to Officers from evidence from the developers on demand and other permitted schemes.
- r. Councillor R Macdonald referred to the presentation and sought clarification on the area which will be used for parking once the garages had been demolished and how cars would be able to park on and access this area.
- s. The DMTL confirmed the area which was parking spaces and manoeuvring space on the plans and confirmed this was a shared area.
- t. The Chair, Councillor P Heinrich sought clarification on the rights of access on the land not owned by McCarthy & Stone and if a legal agreement was in place.
- u. The Agent, Rachel Clare confirmed the existing parking and manoeuvring areas. She explained the rights of access was a legal issue and not a planning issue and McCarthy and Stone have rights of access for the development which encompassed the access to the parking spaces.
- v. Roger Kendrick Venables, the public speaker objecting to the development and a member of the residents association, he clarified the access from St Nicholas Place which would be widened was part of the Freehold which the Resident Association owned. He confirmed the arrangement was that McCarthy and Stone would rebuild the access and the maintenance cost of the access in the future would be shared. He added as part of the agreement no construction traffic would use this access.
- w. Councillor L Vickers referred to the objection made by the Conservation Officer and commented that the proposed development was dominant.
- x. The SCDO commented that their concern was that the scale would dominate the conservation area.
- y. Councillor P Neatherway sought clarification on the Section 106 agreement on this application.
- z. The DMTL explained developer contributions were requested but the

financial viability appraisal was submitted by the applicant and the independent assessor had concluded the applicant had made the case in justification that the proposed development was unable to support the delivery of affordable housing or other section 106 contributions. He highlighted to the Committee that a contribution to libraries and GI RAMS Tariff was being made.

- aa. The ADP commented the proposed site was suitable for a housing development and advised the application was called in due to the scale and dominance of the development. He outlined the relevant policies to the Committee which were on page 19 of the agenda along with the adopted core strategy policies. In addition, the ADP brought to the attention of the Committee the National Planning Policy Framework (NPPF), referred to in paragraph 11d, page 33 of the agenda. He reminded the Committee that applications that the NPPF protected, covered areas or assets of particular importance - therefore the war memorial and proximity to the conservation area in relation to this application; and this could provide a reason for refusing the development proposal. The ADP added, however, that in his opinion this was not a strong enough reason for refusal and advised an adverse impact of the development would outweigh the benefits when assess against the policies in the NPPF for directing development to sustainable location. He highlighted that the question to the Committee was whether the scale and massing of this development would result in a well-designed place. He reminded the Committee if the application was refused, the reasoning needed to be demonstrated. He advised the Committee that it appeared that they were not in a position to make a decision and therefore recommended that as per page 74 of the constitution, the ADP has the authority to recommend the item be deferred on the grounds a decision was made and failed to observe the proper principles of planning decisions.

**UNANIMOUSLY RESOLVED** by 13 votes for.

**That Planning Application PF/24/1229 be DEFFERED.**

*The meeting was adjourned at 10:50am and reconvened at 11:04am*

**7 HIGH KELLING - PF/24/1892 - CHANGE OF USE OF EXISTING BUILDINGS FROM CARE HOME TO 35 DWELLINGS WITH ASSOCIATED LANDSCAPING, BICYCLE STORAGE AND REFUSE AND RECYCLING STORAGE AT PINEHEATH CARE HOME, CROMER ROAD, HIGH KELLING, HOLT, NR25 6QD**

Officers Report

The SPO- MB introduced the report and drew the Committee's attention to the updated comments from Highways which had been previously circulated and therefore the amended recommendation. He explained the recommendation was for approval subject to section 106 obligations and planning conditions including those recommended by the Highways Officer. The SPO- MB explained the application was for the change of use of existing buildings from care home to 35 dwellings.

The SPO-MB outlined the site location and advised it was surrounded by wooded area which was protected by TPOs. He explained that the proposed site block included Block A, B, C and D and advised of the site's previous use. He added the existing floor plans for Block A and B contained a connected corridor and the proposed plans showed this corridor to be removed. The SPO- MB presented to the

Committee the proposed plans for the ground floor, first floor and roof plans.

The SPO-MB commented that the overall character of the buildings would be retained as part of the development. He commented the proposal for Block B was to convert the building to 18 units, Block C was 12 proposed units and Block D would remain an ancillary building for refuse and plant storage. He highlighted as part of the development, open space areas were proposed. The SPO-MB highlighted the main issues were the loss of the care home provision and absence of affordable housing provision and whether the proposed development was acceptable from a Highway safety perspective.

### Public Speakers

Joe Haines (Agent)- Supporting

### Local Member

The Local Member, Councillor M Batey, raised his concerns and objections on the Highway safety of the proposed development. He explained that the access to and from the development was not safe and commented that a type of crossing was needed to be able to cross the road. He added an additional 35 vehicles in this area would cause further issues. Councillor M Batey stated he was predetermined.

The Local Member, Councillor C Ringer, the DM read out a statement on his behalf. Councillor C Ringer (as the Chair of Bodham Parish Council and adjacent Ward Member) outlined his concerns but highlighted he was not opposed to development on this site. He stated the proposed development was unacceptable as there was no affordable housing or financial contribution which contradicted NNDC policy HO3.

In his statement Councillor C Ringer expressed his concerns for the local infrastructure, particularly the A148, which was already under considerable pressure. He commented High Kelling was a difficult area for pedestrians and the absence of a crossing was a serious concern. He added the developer should make a contribution to the cost of a crossing and of providing a dog waste bin with agreement and consultation with Bodham Parish Council and NNDC Environmental Services. In the statement, Councillor C Ringer concluded that he believed this development was not the right development for this site.

### Members Debate

- a. The Development Manager explained to the Committee the application included a visibility splay of 43 metre either side of the junction access and commented fewer traffic was generated due to the existing development. He explained a higher visibility would therefore be difficult to justify. He outlined the Highways comments included a 59 metre visibility splay but there was no evidence to show that this was achievable on the site.
- b. Councillor A Brown commented on viability and affordable housing and Highways. He highlighted to the Committee affordable housing had been challenged and it was difficult for the Committee to reject applications on the basis of affordable housing when the viability assessment suggested otherwise. He commented further with regards to Highways and referred to a meeting he attended following a fatal accident on the A148 near the application site and expressed his concern for needing the highest standards which would be 59 metres visibility. He encouraged the Committee to add a

requirement for a contribution from the developers towards a highways crossing. He summarised that there was a need to repurpose buildings and land to develop and therefore proposed to approve this application with the Highways conditions with the maximum visibility.

- c. Joe Haines, the Agent, advised he was not able to confirm if a 59 metres visibility was achievable as suggested in the requirements from Highways. He commented the 43 metres was achievable which was the requirement in accordance to the speed limit on this part of the road.
- d. The HDMN commented although the speed limit was 30 mph, a visibility requirements needed to be considered in terms of what traffic was travelling at and 85% of the vehicles would determine the target speed. He commented further looking at the verges, a 59 metre visibility was reasonable and achievable. He explained that a further assessment was required to determine if a crossing was achievable.
- e. Councillor V Holliday commented she felt the crossing was more important and this was a very busy road during peak times and questioned if the HDMN had the number of vehicle movements for this part of the A148. She sought clarification on why the number of traffic movements had decreased. She referred to 12 vehicles movements during peak times and questioned how children would travel to school. She commented further that the road and pavements were unsafe to travel by foot or cycle. She expressed the need for a crossing to be put in place. She questioned further the construction of the site and if the quality of the build was sufficient enough in terms of insulation.
- f. The HDMN explained there was a submission made by the applicant regarding traffic data which had been carried out into sub categories of housing which showed the proposed housing generated a lower level of traffic than a residential property. He commented that the evidence which had been submitted did not allow for a refusal from Highways.
- g. The SPO- MB explained as part of the application an energy statement sets out air source heat pumps and insulation to reduce energy loss.
- h. Joe Haines, the Agent confirmed the development would provide 10% of energy from onsite solar and air source heat pumps. He added that improvement to the fabric of the buildings would achieve an overall 79.4% reduction in energy usage. He explained further that affordable housing was not met as the existing buildings had to be reused which resulted in higher costs. He confirmed the applicant would consider a contribution towards a highways crossing.
- i. Councillor J Toye referred to the conditions and highlighted there was not a Highway condition to protect pedestrians and therefore felt he could not support the recommendation.
- j. Councillor K Toye sought clarification on the width of the road or the minimal width of the road that a crossing could be put in. She asked if further signs could be installed to make this a safer road. She suggested she could not support the recommendation without a crossing being put in place.
- k. The HDMN explained in regards to a crossing, wide loads needed to be

considered and it needed to be assessed if a crossing was achievable along with safety auditing.

- l. The Chair, Councillor P Heinrich asked if speed cameras would improve matters.
- m. The HDMN confirmed Vehicle Activate Speed (VAS) speed signs were already in place and warning signs for pedestrians and junctions.
- n. The DM reminded the Committee when making a decision on a planning application to not ask the applicant to contribute to existing problems beyond the proposal and to be able to justify asking for a contribution. He explained the Committee could delegate authority to the AD of Planning subject to further negotiations on achieving the visibility and a highways contribution.
- o. Councillor M Hankins commented his concerns for this road not being safe. He suggested he would support deferment whilst the safety aspects of this road was considered.
- p. Councillor J Toye commented on the vehicle movements and highlight these were now different and included local children catching the bus.
- q. Councillor V Holliday referred back to the reduced amount of vehicle movement and commented there would be approximately 63 vehicles to the new dwellings including children going to school. She consequently agreed with the maximum visibility of 59 metres. She questioned if a zebra crossing would be appropriate.
- r. The HDMN said that the assessment would outline the type of crossing which was appropriate.
- s. The SPO- MB commented that the surrounding trees were protected which could have an impact on the visibility.
- t. Councillor P Fisher highlighted to the Committee the request from Councillor C Ringer for dog waste bins to be included in the conditions. He commented the focus needed to be on the access to and from the development and the visibility. He added he did not believe the road was wide enough for a crossing with an island.
- u. The Chair, Councillor P Heinrich suggested a condition for primary residence to avoid further second homes residences.
- v. The ADP commented the Parks and Recreation ground financial contribution could be interpreted to include dog waste bins and explained the primary residences restrictions was not a provision of the NNDC and NPPF which the Committee could insist on. He referred the Committee to paragraph 11d of the NNPF and agreed the maximum visibility was preferable. He commented further that the crossing needed to be achievable and if conditions were made they needed to be achievable therefor a caveat needed to be included. He explained in regards to the contribution from the applicant towards a crossing was to be considered but also a caveat needed to discuss the contribution that would improve pedestrian safety.
- w. The PL clarified that within the Section 106 agreement, the £68,928 included



a contribution towards dog waste bin provision and that the s106 agreement needed to include the NNDC Monitoring Fee.

- x. Councillor A Brown clarified the proposal included the caveat for maximum visibility splays and a financial contribution to a form of road safety enhancement.

**RESOLVED:** by 10 for, 2 against and 1 abstention.

**That Planning Application PF/24/1892 be APPROVED in accordance with the Officers recommendation.**

*The meeting adjourned at 12:00pm and reconvened at 12:04pm.*

**8 FAKENHAM - PF/24/1079 - ERECTION OF A DRIVE-THRU RESTAURANT, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS, INCLUDING CUSTOMER ORDER DISPLAYS AT LAND TO THE REAR OF LIDL, FAKENHAM, NR21 8JG**

Officers Report

The SPO- JS introduced the application which was for a McDonald's Drive Thru on an unused and vacant site. She outlined the site location was at the rear of the Lidl site in Fakenham with woodland at the South East of the site. She highlighted to the Committee the access road to the site and the woodland which would be retained as part of the application. She commented that the site was surrounded by industrial buildings.

The SPO- JS explained the application included 55 spaces, 10 cycles spaces, 92 meters squared of dining space, charging points, external dining area and cladding on the exterior of the building to follow the usual design of McDonald's. The SPO-JS outlined the main issues which included highway impacts, litter management and noise. She explained the application was within designated employment land and conflicts with policy SS5; however officers consider this to be an acceptable site and jobs created would have a significant economic benefit.

She explained there was no objection from Highways but an improvement plan included dropped curbs. The SPO-JS explained as part of the litter management, it was proposed that there would be 10 litter bins on the site and that McDonalds would pay for 6 bins outside of the site with a financial contribution towards their maintenance for 15 years. She outlined to the Committee the recommendation was to for approval subject to Section 106 agreement and planning conditions considered necessary by the ADP.

Public Speakers

Tracy Bennett- Objecting  
Kevin Foley- Supporting  
Ben Fox (Agent)- Supporting

Local Member

The Local Member- Councillor L Vickers commented this was a significant development for Fakenham. She expressed her support for the litter management plan but wanted this to be monitored. She referred to the economic growth and the

benefits to residents from this application. She highlighted to the Committee the concerns she had on the highway safety and the junction out of the site and explained this needed further attention from Highways to mitigate the speeding from Holt road. Councillor L Vickers highlighted her concern that the alternative access route through the industrial estate was not given further consideration.

#### Members Debate

- a. The HDMN commented that there was limited accident history for the existing infrastructure and therefore difficult to justify any additional mitigation other than dropped curbs.
- b. Councillor P Fisher sought clarification on the impact on the pharmacy and pedestrians accessing the pharmacy. He commented that vehicle and pedestrian movements would increase from McDonalds, Lidl and the pharmacy. He questioned if McDonalds was in place first whether Highways would have allowed the Pharmacy to be located where it was.
- c. The HDMN confirmed that the access to the pharmacy was not impacted and there was no concern from Highways in relation to the location of the pharmacy.
- d. Councillor V Holliday sought clarification on why an alternative access was not considered.
- e. The HDMN commented he was not aware of an alternative access option and could not identify this access as the site was surrounded by other businesses.
- f. The SPO-JS commented further she was not aware of an alternative access and the Committee was reminded that the application presented to them was what was being considered.
- g. Councillor L Vickers commented she was informed on ecological grounds this could not be an option.
- h. Councillor V Holliday questioned how the Council could control litter from McDonalds.
- i. Councillor A Brown commented that the litter management plan and stats did not cover motorists littering away from the site.
- j. The DM reminded the Committee that litter was not a valid planning reason for voting against the application.
- k. Councillor J Toye commented that McDonalds does try and mitigate the litter and it was not something that could be controlled by this application.

Councillor J Toye proposed the recommendation.

**RESOLVED:** By 10 for, 1 against, 2 abstentions.

**That the Planning Application PF 24/1079 be APPROVED in accordance with the Officers Recommendation.**

**9 SHERINGHAM - PF/24/2541 - PROPOSED CHANGE OF USE FROM A SHOP (CLASS E) TO A HOT FOOD TAKEAWAY (NO SPECIFIED USE CLASS), INSTALLATION OF EXTRACTION FLUE AT SHOP 1, 37 HIGH STREET, SHERINGHAM, NORFOLK, NR26 8DS**

Officer Report

The ADP explained to the Committee that the reason for calling in the application was due to the differences of reasons for refusal between Officers and Councillor L Withington as the Local Member.

The DMTL presented the application to the Committee and outlined the site location in Sheringham which had residential dwellings behind the site. He highlighted to the Committee the context of the primary retail frontage for the purposes of the application of the policy EC5 of the core strategy. The DMTL explained as part of the presentation the shops within Class E usage fell previously within Class A1.

The DMTL drew the Committee's attention to the proposed front elevations which had no change and the fact that advertisement signage would require a separate consent. He explained the proposed rear and north elevations included a proposed flue for the kitchen ventilation system. He added the proposed floor plans outlined the proposed bin storage location which had no access out so the waste would have to be taken through the kitchen and food serving areas.

The DMTL highlighted that the proposal was acceptable in principle and complied with policy EC5 as it would not result in more than 30% of the units being in use previously within Class A1. He highlighted the main issues which included refuse storage close to adjacent residential buildings and the external appearance and impact on the character and appearance of the conservation area with another hot food takeaway within the town. The DMTL commented the applicant had provided a plan which indicated access from the rear into a private access way to the South. However, as part of this land was not within the application it was therefore not considered.

Public Speaker's

Deborah McNeil- Sheringham Town Council Clerk

Local Member

The Local Member- Councillor L Withington – expressed her support for the refusal of this application and explained to the Committee concerns she had on the impact and change of dynamic of the vibrant independent town centre from the proliferation of hot food takeaways. She explained that by allowing this application, there would be a negative impact on sustainability of the town.

Councillor L Withington outlined there was already 41 businesses out of 114 which contravenes policy EC5 which states these businesses should not exceed 30% of the PRF areas. She added that if the whole town centre was considered this would result in 36% of business with this usage. Councillor L Withington highlighted paragraphs 96 to 107 which outlined planning policies and stated that decisions should aim to achieve healthy, inclusive and safe places. Councillor L Withington asked the Committee to consider the reasons she outlined as part of the reasons for refusal.

## Members Debate

- a. The DMTL confirmed policy EC5 applied to individual primary retail not the total across the town and he added some food uses fall within Class E and it was only hot food takeaways that are in no specified use classes.
- b. Councillor L Vickers sought clarification on the bins and If there was another application which could come forward with a solution.
- c. The DMTL confirmed the issue was the bin storage arrangements and explained the applicant had sent a plan to take bins through the shared access way to the south side of the site. He explained further that this was not included within the application site boundaries and it was unknown if the land was in the applicant's control. He commented the applicant was advised to withdraw the application and re-submit on that basis.
- d. Councillor J Toye asked for future training or a information to the Committee on the controls the Committee had with the changes in the use classes as this was unclear. Councillor J Toye proposed the recommendation.
- e. Councillor A Brown seconded the recommendation following the debate.
- f. Councillor P Fisher sought clarification if this application would return to the Committee if it had been resubmitted with a solution with the bins issue.
- g. The ADP explained if the application was re-submitted and the Town Council objected, discussions would be had the Local Member, Councillor L Withington and determine if the application was to be called in or not.

## **UNANAMOUSLY RESOLVED**

**That Planning Application PF/24/2541 be REFUSED in accordance with the Officers recommendation.**

*Councillor A Fitch-Tillett and Councillor J Toye left the meeting.*

*The meeting adjourned at 1:00pm and reconvened at 1:05pm*

## **10 HOLT - PF/24/1760 - CHANGE OF USE EXISTING DETACHED OUT-BUILDING IN REAR GARDEN TO FOOD PROCESSING ROOM AND COOKING ROOM FOR BUSINESS USE AND ERECTION OF EXTENSION TO HOUSE REFRIGERATION (PART RETROSPECTIVE)**

*Councillor M Batey left the meeting.*

The Chair, Councillor P Heinrich explained the applicant was unable to attend and therefore it was proposed by the Chair, Councillor P Heinrich and seconded by Councillor A Brown this item was deferred.

**RESOLVED:** By 10 votes for and 1 abstention.

**That Planning Application PF/24/1760 be DEFFERRED.**

*Councillor M Batey returned to the meeting.*

**11 CROMER - PF/24/2307 - ERECTION OF DWELLING (PART RETROSPECTIVE) AT 16 HARBORD ROAD, CROMER, NORFOLK, NR27 0BP.**

Officer's Report

The SPO-OL introduced the full application, part retrospective permission for a three storey detached property. She advised the Committee of the previous planning permission which had been granted for the site for four dwellings. She explained the works which were carried out were not in accordance with the plans and subsequently a further application was required. She presented the proposed elevations and floor plans and identified the new proposed fencing of 1 metre following objections from highways of a 1.8 metre fence. The SPO-OL highlighted to the Committee Ashwell House, positioned east of the site and explained the property would frame the development.

The SPO-OL brought to the Committee's attention further comments from Highways which included the boundary treatment of 1 metre was acceptable given the low speed residential setting and the reduction of the fence at the front of the property. The SPO-OL outlined the main issues which included external appearance and the effect on the character of the street scene, highways safety and impact on amenity. She advised the Committee the recommendation was for approval.

Public Speakers

Bernard Smith- Objecting

Local Member

The Local Member- Councillor J Boyle had nothing further to add.

Member's Debate

- a. Councillor L Vickers sought clarification on the difference between the original application and the application being presented at this meeting. She questioned further why a new application was submitted.
- b. The SPO-OL clarified one of the main changes was the removal of a garage and now just parking spaces on a driveway. She explained further details on the elevations such as the positioning of the windows were different along with the changes to the fencing. She highlighted to the Committee these were minor details that were amended. The SPO-OL explained a variation of conditions application was submitted; however due to the number of amendments, the applicant decided to submit a new application to save confusion.
- c. Councillor P Fisher sought clarification on the ownership of the land and questioned if this was an ongoing issue.
- d. The SPO-OL confirmed this was a civil matter rather than a planning consideration. She commented that evidence had been provided by the applicant the neighbouring land owner.
- e. Councillor M Hankins commented that a planning application could only be submitted if the land was owned by the applicant.

- f. The ADP clarified an application can be submitted by any person to develop piece of land, however, if the land was not owned by the applicant this needed to be certified within the application. He clarified the process of submitting an application.
- g. Councillor A Brown commented there was an additional control when an owner sells off to a third party some land in that they could impose a restrictive covenant governing what was developed and conditioned through the planning process. He added that was an opportunity that land owners make.
- h. Councillor V Holliday questioned if the property was closer or further away in this application compared to the previous application.
- i. The SPO-OL confirmed the garage was removed and there was now a gap between the neighbouring property, but was not moving closer.

#### **UNANIMOUSLY RESOLVED**

**That Planning Application PF/24/2307 be APPROVED in accordance with the Officers recommendation.**

#### **12 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE**

There was no questions or comments from the Committee on this item.

#### **13 APPEALS SECTION**

There was no questions or comments from the Committee on this item.

The meeting ended at 1.29 pm.

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Chairman