

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Friday, 2 May 2025 in the Council Chamber - Council Offices at 10.00 am

Committee	Cllr P Heinrich (Chairman)	Cllr R Macdonald (Vice-Chair)
Members Present:	Cllr M Batey Cllr P Fisher Cllr M Hankins Cllr P Neatherway Cllr L Vickers Cllr J Boyle (substitute)	Cllr A Brown Cllr A Fitch-Tillett Cllr V Holliday Cllr A Varley Cllr T Adams (substitute)

Member also Attending	Cllr J Punchard (item 9 only) Cllr L Withington (item 8 only)
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Officers in Attendance:	Assistant Director of Planning (ADP) Development Manager (DM) Development Manager- Team Leader (s) (DM-TL) Senior Planning Officers (s) (SPO) Legal Advisor (LA) (except item 8) Principal Solicitor (PS) (item 8 only) Senior Landscape Officer (Arboriculture) (SLO) (item 8 only) Democratic Services Officer(s) (DSO)
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1 CHAIRMAN'S INTRODUCTION

The Chair welcomed everyone to the meeting and explained how he would manage the meeting.

2 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies received from Cllr J Toye and Cllr K Toye.

3 SUBSTITUTES

Cllr T Adams and Cllr J Boyle were present as substitutes.

4 MINUTES

The minutes of the Committee held on the 3rd April 2025 were approved as a correct record and signed by the Chair.

5 ITEMS OF URGENT BUSINESS

None

6 DECLARATIONS OF INTEREST

Cllr Vickers indicated that with regard to PF/24/1351 (Fakenham) she was pre-determined and therefore would speak but not vote. She also declared that she had attended a site visit with others in connection with PF/23/1091 (Hindolveston) but was not pre-determined and would vote.

Cllr Fitch-Tillett confirmed that in connection with PF/25/0384 (Northrepps) she would speak but not vote as she was pre-determined.

Cllr Adams declared that he had previously had discussions with the applicant of PF/24/1079 (Fakenham) but had not indicated support for the application but would abstain at the vote.

Cllr Macdonald stated that the applicant in PF/24/1079 (Fakenham) was a customer of his and therefore he would be considered pre-determined and therefore would abstain at the vote.

Cllr Hankins declared that he was pre-determined in relation to PF/23/1091(Hindolveston) and therefore would not vote.

7 SHERINGHAM - RV/24/1351- VARIATION OF CONDITIONS 2 (APPROVED PLANS), 3 (LANDSCAPE AND WOODLAND MANAGEMENT), 10 (STORAGE SHEDS), 11 (MATERIALS), 12 (ROAD SURFACING MATERIALS), 17 (ON-SITE PARKING AREAS), 21 (VENTILATION/EXTRACTION SYSTEM DETAILS) & 22 (RENEWABLE ENERGY SCHEME) OF PLANNING PERMISSION, 27 (FLOOD RISK ASSESSMENT AND DRAINAGE STRATEGY) PF/22/1928 (REVISED SCHEME FOR THE ERECTION OF 62 RETIREMENT DWELLINGS, ACCESS, ROADS, OPEN SPACE, PARKING AREAS AND ASSOCIATED WORKS) TO ALLOW CHANGES TO TRIGGER FOR SUBMISSION OF DETAILS TO REFLECT THE CONSTRUCTION PHASES OF THE DEVELOPMENT AT SHERINGHAM HOUSE, CREMERS DRIFT, SHERINGHAM, NORFOLK

- Officers report
- The DM-TL presented the report, the proposals relating to the variations in the phasing of conditions, and the proposals to revise the site wide drainage strategy previously agreed.
- The DM-TL explained the main issues for consideration and highlighted the previously approved drainage strategy and compared it to the proposed drainage strategy. He took the Committee through the reasons for the recommendation to approve subject to the conditions detailed in the report.
- Public speakers
- Lauren Taylor Brown- objecting
- Samuel Heath- objecting
- Asa Soderberg (Agent for Applicant)
- Local Member
- Cllr Withington spoke as local member. She noted the level of concern from local residents and expressed the importance of the resident's voices being heard. Whilst she believed that local residents broadly supported the development there was a legal obligation not to harm local homes and

residents believed that the issues were more complex than identified. She stated that the flooding in the area had worsened since the development commenced and, since tree removal, had deteriorated further. The drainage system relied on drainage into a culvert with no assessment as to the capacity of that culvert. She believed there were relevant planning breaches as well as damage to trees and therefore asked the Committee to consider a range of additional conditions, including connection to the sewage system, and, if that was not possible, commissioning of an independent report relating to the drainage system together with a site visit by the Committee and LLFA.

- Members Debate

- The Chair asked the SLO to comment. She noted that the area was covered by tree preservation orders and that there had been a subsequent felling licence issued. There was extensive Ash dieback within the area. She confirmed she was comfortable that the developer was undertaking work in compliance with the tree preservation order obligations. There would be extensive restocking and re-establishment work to do which would take some time.
- The DM-TL confirmed that this scheme and the previous one relied on riparian responsibilities of those who are downstream of the site. The principle looking to be achieved was that the attenuation from this development arrived at nil detriment for those downstream. He confirmed that if the Committee came to the conclusion that they believed the scheme did arrive at a nil detriment, that it would be reasonable for the Committee to rely on the riparian responsibilities of those downstream. The LLFA has confirmed that they stand by their decision and agree that the proposals deliver at least nil detriment and some betterment in terms of immediate surface water run-off. He also confirmed the fall-back position is the existing 2022 permission.
- Members throughout the debate noted the local residents' concerns and expressed their own concerns about flooding in the area. Cllr Adams and Cllr Holliday requested further clarification regarding the position of the LLFA and in particular whether the LLFA had carried out an investigation following a recent flooding incident. The DM-TL stated that the LLFA had not investigated following their circulation of questionnaires to residents as no homes had been flooded.
- Cllr Varley was pleased to note the landscape plan and noted the comments from the Senior Landscape Officer.
- Cllr Fitch-Tillett noted the understandable concerns from local residents and was reassured by the position of the LLFA and believed the Officer had made a sensible recommendation.
- Cllr Brown expressed concern that Anglia Water were not willing to adopt the culvert and acknowledged the complicated issues surrounding riparian rights. He expressed concern that the Applicant was proposing to leave the

responsibility for its riparian rights of the development site in the hands of a long term management company. The Chair asked for clarification from the Applicant on this point who confirmed that the management committee would be owned by the residents of the site in accordance with normal practice.

- Cllr Fitch-Tillett proposed and Cllr Fisher seconded the recommendation
- It **was RESOLVED** by 12 votes in favour with 1 abstention
- **That Planning Application RV/24/1351 be Approved in accordance with the Officers recommendation.**

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 provided an update to the Committee on recent objections. She informed them of a late objection letter received the day before Committee which raised issues relating to Paragraph 97 of NPPF, sustainability and transportation issues, accuracy of site plan, evidence base for the level of job creation, how proposed conditions should be presented to Committee and issues relating to the proposed S.106. Officers have considered these points and do not consider the issues change the recommendation.

The SPO-JS also informed the Committee that Fakenham Town Council had changed their position, and now object to the Application based on its proximity to school.

The SPO-JS presented the report and outlined to the Committee the site location boundaries, photographs of the property and relevant issues. Further information was provided regarding paragraph 97 of NPPF in terms of proximity to schools and other places where children and young people congregate and other concentration of uses.

The SPO-JS confirmed the recommendation was for approval subject to conditions and a S.106 agreement.

Public Speakers

None

Local Member

Cllr Punchard spoke as a local member and noted that:-

- a. There had been a net gain in terms of the large vehicles in the area given the change of usage of the site over recent years;
- b. The hours of operation were to be limited;
- c. Approximately 120 flexible jobs were likely to be created;
- d. It was development of a brownfield site;

- e. It was some distance from local schools;
- f. There would be no real visual impact;
- g. It was some way back from the highway;
- h. He had some concerns over pedestrian safety and had made representations to the County Council in this regard.

Members debate

- a. The ADP explained to the Committee the reasons for representing this application, that the previous report considered by the Committee didn't actively consider Paragraph 97 of NPPF and following a discussion with the Applicant he felt it was better that the matter came back before the Committee with explicit consideration of Paragraph 97.
- b. Cllr Holliday asked for clarification to reference to public health in the report and the SPO-JS confirmed Public Health were not a consultee.
- c. Cllr Brown noted that he felt the report dealt adequately with the issues surrounding paragraph 97. He supported Cllr Punchard's views regarding pedestrian safety.

Cllr Brown proposed and Cllr Batey seconded the recommendation.

It **WAS RESOLVED** by 9 votes in favour, 1 against and 3 abstentions

That Planning Application PF/24/1079 be Approved in accordance with the Officers recommendations.

The Committee adjourned at 11.38 and Cllr MacDonald left the meeting

The Committee reconvened at 11.50

- 9 ERPINGHAM - PF/24/1364- ERECTION OF TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION, OTHER EXTERNAL ALTERATIONS INCLUDING TO SHAPE OF ROOF AND REPLACEMENT WINDOWS.**

Officers Report

The SPO-AW presented the report for this application that had previously been deferred and had now been resubmitted with an altered design. The SPO-AW took the Committee through key issues including the impact on the character of the area, heritage and design together with the recommendation for approval subject to conditions.

Public Speakers

Gill Wilton-Hanworth Parish Council
Louise Rice- Objecting
Tim Powter-Robinson- Agent for the Applicant.

Local Member

In the absence of Cllr J Toye, his representations were read to the Committee. Cllr Toye clarified that this Application is on a site on Hanworth Common which is the largest enclosed common in England. He noted that when the matter was deferred it was suggested that the Applicant could engage with locals to find a compromise, Cllr Toye noted that the Applicant had engaged with Planning Officers but not locals despite a site visit he had attended.

Cllr Toye commented that the shape of the roof had been an ongoing concern. Whilst he acknowledged that some changes had been made to the Application which made it more acceptable, the distinctive shape of the roof would be lost. He suggested that local residents are not against development and proposed a Committee Site visit.

Members debate

- f. The Chair noted that this application related to a site on Hanworth Common.
- g. Cllr Adams noted it was important that conservation concerns were not overlooked.
- h. Cllr Adams, Cllr Holliday, Cllr Brown and Cllr Fitch-Tillett all addressed the issue of parking, given that parking is not permitted on the Common. SPO-AW confirmed that the application complied with policy CT6 relating to the amount of parking on site.
- i. Cllr Adams, Cllr Holliday and Cllr Brown all expressed disappointment over the loss of the unique roof, with Members noting that there is not a Conservation Area appraisal of the area.

Cllr Fisher Proposed and Cllr Fitch-Tillet seconded the recommendation

It **WAS RESOLVED** by 10 votes in favour and 2 against

That Planning Application PF/24/1364 be approved in accordance with Officers recommendations.

10 HINDOLVESTON- PF/23/1091 - ERECTION OF SINGLE STOREY SELF-BUILD DWELLING FOLLOWING REMOVAL OF REMAINS OF DERELICT COTTAGE AT HOPE HOUSE, 2 MELTON ROAD, HINDOLVESTON

Officers report

The DM-TL presented the report noting that the dwelling was considered abandoned, and took the Committee through the site location, boundaries, elevations and photos of the proposed development. The DM-TL confirmed the recommendation was refusal primarily relating to conflict with the Districts Spatial Strategy and policies SS1 and SS2.

Public Speakers

Jacqueline Barnes- Supporting

Local Member

Cllr Hankins commended the Applicant and the Officers for their patience in this matter. Cllr Hankins noted that no consultee had any objection to this

development. Whilst the Officer considered this a new market dwelling, Cllr Hankins disputed this fact and believed there was clear evidence that there was previous occupation of this cottage, albeit with a gap. He believed the opportunity to refurbish this cottage and provide a young family with accommodation should be taken. He noted the vibrancy of the village but that the village needed families to live in the community.

Members debate

- a. The DM-TL provided clarification following a question from Cllr Vickers that the Application was for a sperate dwelling not an annex.
- b. Cllr Brown commented that whilst he was sympathetic to the Applicant he was not convinced that the Application met the relevant policies.
- c. The DM explained to the Committee the need for clear material considerations should they be minded to reject the Officer's recommendation
- d. Cllr Adams stated that he considered that this was previously developed land, the circumstances were rare and that the considerable benefits outweighed any policy concerns in this instance.
- e. .Cllr Varley endorsed Cllr Adam's assessment and noted that appropriate conditions relating to landscape, environmental issues and energy efficiency could be imposed.

Cllr Brown proposed and Cllr Fitch Tillet seconded the Officer's Recommendation

It **WAS RESOLVED** by 7 for against, 3 votes in favour and 1 abstention

That the Officers recommendation for refusal be rejected.

Cllr Adams proposed and Cllr Varley seconded that the application be approved subject to conditions.

- f. The ADP clarified that his understanding that the recommendation was that the Application be approved with the Committee delegating approval to Officers to apply conditions they believed appropriate taking into account the suggestions made during the debate and the prior resolution of any nutrient neutrality issue.
- g. The Chair confirmed that the recommendation is to delegate approval subject to such conditions Officers deem appropriate.

It **WAS RESOLVED** by 8 votes in favour, 2 against and 1 abstention

That Planning Application PF/23/1091 be Approved subject to appropriate conditions.

Officers report

The SPO-OL took the Committee through the report showing photos of the site and providing a planning history. The SPO-OL explained the main issues for consideration including a relevant appeal decision, the principle of development and design and impact on the character of the area. The recommendation was for refusal of the Application.

Public speakers

Lorna Fish- Northrepps Parish Council

John Norfolk-Applicant

Local member

Cllr Fitch-Tillett commented on the main issues for consideration noted in the report.

- a. She stated the appeal decision was not relevant given that this site was half a kilometre away and located on a different highway;
- b. Previously there been highly reflecting polytunnels in this location;
- c. There was no impact on the character or amenity of the area;
- d. Highways had no objection;
- e. Any biodiversity issues could be managed by condition.

Members debate

- a. Cllr Adams, Cllr Neatherway and Cllr Vickers noted that the site was a farm yard and wasn't visible from the area and that the impact was small.

Cllr Adams left the meeting at 13.15.

- b. Cllr Hankins asked for clarification as to what use would be permitted if the Application was granted and the SPO-OL stated conditions could limit to holiday use.
- c. Cllr Holliday noted the relevant policies referred to within the report
- d. Cllr Varley expressed support for the recommendation, but was of the view that diversification for a farm was critical and a common sense approach was needed.

Cllr Holliday proposed and Cllr Fisher seconded the recommendation

It WAS RESOLVED by 8 votes against and 2 in favour

That the Officer's recommendation be rejected.

- e. The ADP summarised his understanding of the debate, he understood that the Committee was considering delegating approval to Officers subject to relevant conditions and that, in doing so, they had taken account of the proximity to the farm and farmyard and what was in place on the site before.
- f. Cllr Holliday requested that the conditions tightly confine the site within the redline boundary and the lighting be conditioned.

Cllr Brown proposed and Cllr Neatherway seconded approval of the application subject to conditions.

It **WAS RESOLVED** by 8 votes in favour, 1 vote against and 1 abstention

That the application be Approved subject to appropriate conditions.

12 APPENDIX - APPEAL DECISION

The Committee noted the report

13 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

The Committee noted the report.

14 APPEALS SECTION

The Committee noted the report.

The meeting ended at 1.29 pm.

Chairman