

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 18 June 2026 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:	Cllr R Macdonald Chairman) Cllr A Brown Cllr A Fitch-Tillett Cllr V Holliday Cllr L Paterson	(Vice- Cllr M Batey Cllr P Fisher Cllr M Hankins Cllr P Neatherway Cllr L Vickers
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Officers in Attendance:	Assistant Director – Planning Development Manager (DM) Solicitor Planning Team Leader – DW Senior Planning Officer – AW Trainee Planning Officer – NW Senior Planning Officer (Landscaping) – IM Democratic Services & Governance Officer
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1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr P Heinrich, Cllr K Toye, and Cllr C Rouse.

Cllr R Macdonald served as Chairman for the meeting.

2 SUBSTITUTES

None in attendance.

3 ITEMS OF URGENT BUSINESS

None.

4 DECLARATIONS OF INTEREST

Cllr A Fitch-Tillett declared a pecuniary interest in agenda item 8, PF/25/0902. Her property was impacted by the planning application.

Cllr V Holliday declared a non-pecuniary interest in agenda item 9, PF/26/0708, and advised she would speak only as Local Member. She would not speak or vote as a Committee Member.

5 FAKENHAM - PF/24/2184 - ERECTION OF TWO BUILDINGS FOR USE AS A RESTAURANT AND FARM SHOP, AND ASSOCIATED DEVELOPMENT INCLUDING A SEPARATE WC AND BAR, TWO POLYTUNNELS, CAR-PARKING, PATHS AND ACCESS AT SALMONDS LANE, THORPLAND, FAKENHAM, NORFOLK, NR21 0HB

The Presenting Officer introduced the application and recommendation for refusal.

He advised that the application was being returned to Committee following conditional approval on the 25th June 2025 to delegate approval to the Assistant Director for Planning. The Applicant had subsequently declined to sign the S106 legal agreement linking ownership of the farm and the business to the site, the application was therefore returned to Committee in the absence of the S106 agreement and must be considered against the Local Plan adopted in December 2025. There was no fall-back position in this instance as planning permission was not granted.

The Presenting Officer detailed the sites' location, proposed and existing site plan and elevations, visualisations, and photos in and around the site.

The Officers report outlined the key issues for consideration. It was important to note that the new Local Plan did not have a specific farm diversification policy as detailed in the previous core strategy. Policy E4 was therefore the most relevant policy in the Local Plan. Officers contended that the application failed to accord with policy E4, and it was not of a proportionate small scale as the policy requires. The presenting officer noted a recent appeal decision for use of an agricultural barn at Sharrington strawberries, referenced in the officer's report, and appended to the agenda. Officers held reservations that without a S106 agreement, there would be no mechanism to tie the land to the wider farming enterprise. This matter could not be controlled through a planning condition.

Further, the application was considered contrary to Local Plan policies CC9 and CC3. Whilst Officers accepted the scheme would provide economic benefits, it was considered that, overall, these benefits do not outweigh the harm arising from the main policy conflicts.

Public Speakers

Angela Glynn – Fakenham Town Council
Jack Spencer – Supporting

Local Member

Cllr C Cushing expressed his support for the application. He expressed his disappointment that the application had been returned to Committee, noting there was a significant level of support for the application. When the application was considered in 2025 at Committee, little debate was held regarding specific conditions, rather these were simply delegated to officers. The Local Member stated he had spoken with the former Assistant Director for Planning before he left the Council and was informed that officers understood the intent given by Development Committee to see this application built out.

The Local Member did not consider the application was submitted by a large estate and recognised the need for farms to diversify in order to survive. The costs associated with farming had been further put under strain in 2026 as a result of the Iranian War, driving up the price of fertiliser and fuel, and it was forecast to be an exceptionally dry summer.

With regards the Officer assessment, he was critical of the assertion that the site was constrained by accessibility issues (as identified on p.12) and noted that many other sites in North Norfolk including the Jarrolds, Letheringsett would not have received permission to open had the current rules been applied retrospectively.

Additionally, he noted the optics of the Council approving 2 fast food chain restaurants in Fakenham in recent years, but opposing this local family run business serving local and high-quality food.

It was recognised that the Applicant had spent well over £1000 in drawing up a scheme, hiring professionals, and submitting a planning application.

Cllr C Cushing recognised that the application had received a significant amount of public support and urged the Committee to support local business.

Committee Debate

- a. The Council's Solicitor advised that S106 negotiations commenced a year ago, with the Council taking a very commercial approach, understanding the applicant's position, and agreed only to bind 2 agricultural fields to the application, representing approximately 5% or less of the total land holding. There were a number of delays, and issues with the applicant securing the mortgage. Ultimately, the applicant's solicitor advised against entering into the S106 agreement. The Council's Solicitor stressed the Council applied as much flexibility as it could, and that they remained cognisant of the economic benefits arising from the scheme.
- b. Through the Chairman, the Committee invited the Applicant to respond to comments made by the Council's Solicitor. He agreed that the Council has been flexible, and stressed it was not the intention to sell off the business, given the deeply personal family history.
- c. The Development Manager recognised this was not an easy application for the Committee to consider. The granting of planning permission would be a departure from the adopted Local Plan. Prior negotiations were irrelevant to the Committee's consideration of this application. Members were asked to make a planning judgement taking into account all relevant policies. He cautioned that granting permission may open the flood gates and stressed if members wished to vote in favour of the application, against Officer advice, they must clearly communicate the material considerations which justify a departure from planning policy. Officers and the Highways authority remained of the opinion that accessibility was an issue and crossing of the A148 on foot was dangerous.
- d. Cllr M Hankins asked for clarity regarding the S106 agreement which remained at issue.
- e. The Solicitor confirmed that the S106 agreement would have tied the application to 2 agricultural fields held by the applicant, and not the wider business as a whole. It would not have impacted leases, or a potential traveller's site. The wording had been agreed between parties, but later the applicant had advised they did not wish to proceed with the linkage at all.
- f. Cllr L Paterson and Cllr L Vickers expressed their support for the application, with Cllr L Paterson noting the dispute between legal teams and acknowledged the family businesses often presented complex challenges. Whilst Cllr L Vickers and Cllr L Paterson recognised policy constraints, and understood Officers' role to uphold planning policy, they placed weight on the

application having been submitted by an existing family and that business was already being transacted on the site through the food truck. Further, Cllr L Vickers noted the 2 fast food facilities in Fakenham were for drive throughs, and so walking to these locations was not possible.

- g. Cllr V Holliday and Cllr P Neatherway shared in members comments and stated they were not comfortable granting permission without a S106 agreement. Cllr V Holliday considered the application would merit a revised viability assessment.
- h. Cllr A Brown agreed that he would like to find a way forward. He enquired if the applicant had exhausted all options regarding mortgage provider and whether a standard planning conditions could be applied in place of a S106 agreement.
- i. The Council's Solicitor advised that a mortgage had been secured in May. This was not an outstanding issue.
- j. The Development Manager reiterated Local Plan Policy and affirmed that it was policy to encourage walking and cycling modes of transport. The site in question relied on car use, though agreed he was not ignorant that other facilities in the Town also encouraged road use.
- k. Cllr A Fitch-Tillett stated that not linking the application to the farm in some way raised alarm bells to her. She affirmed that she was supportive of the scheme in principle but that she would be unable to vote for approval without an appropriate S106 agreement.
- l. The Applicant was invited to respond to comments from the Committee. He advised there had been some delay due to a charge needing to be released. He had been advised by his legal team that the S106 agreement was not a requirement under planning policy. He affirmed that had it been an alternate field of less significance that it wouldn't have been such an issue.
- m. Cllr P Fisher thanked Officers and speakers for their comments but stated that he felt more confused than when the debate started. He shared in the Committee's earlier comments that granting permission without a S106 agreement would be difficult.
- n. Cllr L Paterson acknowledged the other conditions were not disputed, including that 70% of goods sold from the farm shops to have been grown and reared in Norfolk. He argued that the conditions would serve as a natural deterrent to chain outlets buying out the site in the event that permission was granted and the business sold on.
- o. Cllr A Fitch-Tillett proposed acceptance of the Officer's recommendation, second by Cllr A Brown.

RESOLVED

That Planning Application PF/24/2184 be REFUSED in accordance with the Officer's recommendation.

- p. The Committee welcomed the Applicant to come back, and encouraged a resolution be reached.

6 POPPYLAND - PF/25/0902 - INSTALLATION OF SECTIONS OF NEW FOOTPATH, ALONG WITH UPGRADE OF SURFACING OF EXISTING AREAS USED AS PERMISSIVE FOOTPATHS TO CREATE A SINGLE NEW CONNECTED WALKWAY WITH REST STOP AREAS AND INTERPRETATION BOARDS (PART RETROSPECTIVE), FOREST PARK, NORTHREPPS ROAD, NORTHREPPS, NORFOLK

The Case Officer introduced the Officer's report and recommendation for approval subject to conditions. She provided an update to the Officers report and advised that Overstrand Parish Council had written to the Council, maintaining their objection, summarised on p.46.

The SPO-AW outlined the site's location plan, noted use of extant footpaths, and provided visualisations of the footpath and photos along the proposed route.

The footpath would make use of surrounding public footpath connections and would bring wider public benefits.

It was recognised that amenity concerns, particularly that of overlooking of neighbours along specific stretches of the footpath was an issue. The Police and Crime Officer considered the footpath to be sufficiently safe, and Officers noted the transient nature of the footpath. Regardless, Officers agreed with objectors that there was a moderate degree of harm caused to residential amenity through overlooking along a 400m stretch of the footpath along Bracken Avenue.

The SPO-AW affirmed that officers considered that on balance, the moderate amenity harm identified through overlooking and loss of privacy was outweighed by the substantial public benefits arising from the scheme. These include enhanced public access to the countryside, improved safety, enhanced recreational opportunities, greater connectivity and an alternative route from the coast path.

Public Speakers

Sarah Petch – Objecting

Local Member

The Local Member, Cllr A Fitch-Tillett, stated that she was speaking as Local Member and was relaying residents' views. She considered this a remote and tranquil environment and argued that an alternate route along those areas which Officers accepted there was a moderate degree of harm, should be sought. There was already an alternate route which local people used in Overstrand which, if regularised, would be more appropriate.

Cllr A Fitch-Tillett left the meeting.

Committee Debate

- a. Cllr L Paterson asked that a condition be applied that no charge could be levied on users making use of the path.

- b. Cllr V Holliday enquired if the alternate route would be feasible?
- c. The Case Officer was not aware whether discussions had been held with the applicant and the landowner. The Committee were asked to form a planning judgement on the application as presented.
- d. Cllr A Brown shared in residents' concerns regarding the moderate degree of harm caused by overlooking along the 400m stretch. He agreed that an alternate route should be pursued, which Cllr P Fisher echoed.
- e. The Development Manager advised conversations were held by the Applicant and Landowner, which had not been fruitful. Officers had formed a view that, on balance, the benefits of the scheme outweighed the harm.
- f. Cllr L Paterson proposed acceptance of the Officers recommendation, seconded by Cllr M Hankins.

THE VOTE WAS LOST

- g. The Development Manager invited the Committee to form an alternate motion and noted policy ENV6 was a key consideration in Members comments.
- h. Cllr P Fisher proposed deferment of the application, at present in conflict with policy ENV6 of the Local Plan. to enable exploration of alternative options which would minimise the moderate level of harm, including but not limited to, an alternate route or landscape buffering, seconded by Cllr L Vickers.

RESOLVED

That Planning Application PF/25/0902 be deferred.

7 BLAKENEY - PF/26/0708 - ERECTION OF DETACHED GARDEN OUTBUILDING AT 8 WIVETON ROAD BLAKENEY.

The PO-NW introduced the Officer's report and recommendation for conditional approval. She identified the sites' location plan, proposed block plan, floorplans and elevations, visualisations and images in and around the site. The Case Officer confirmed the key issues for consideration detailed in the Officer's report.

Public Speakers

Ross McIntyre – Supporting

Local Member

The Local Member, Cllr V Holliday objected to the application which she considered to be inconsistent with the Norfolk Coast National Landscape and Heritage Zone. She considered the application would have a detrimental impact on neighbours' residential amenity. The application was contrary to the Blakeney Neighbourhood Plan (Clause 6) and failed to respect or ensure protection of the nearby heritage asset and failed to protect trees in a conservation area. Further, the large expanse of glass remained an issue regardless of VLT glazing. The Local Member felt the application was not sympathetic to the local character and failed to preserve or enhance the historic environment.

Committee Debate

- a. Cllr A Brown spoke in support of the application which would seek to replace 3 low quality sheds with a high-quality design. It was notable that Conservation and Design had not objected to the scheme. He was satisfied that the use of the application would be ancillary to the host dwelling and could not be sold off or used as a holiday home. Cllr A Brown was critical of the application being presented to Committee and remarked this demonstrated why the National Scheme of Delegation was coming forward.
- b. Cllr L Vickers considered the application to be well screened by trees even in winter. She therefore considered the application to have a limited impact on neighbouring dwellings.
- c. Cllr A Brown proposed, seconded by Cllr L Vickers, approval of the Officer's recommendation.

RESOLVED

That Planning Application PF/26/0708 be APPROVED in accordance with the Officer's recommendation.

8 NNDC TPO (NORTH WALSHAM) 2026 NO.3 - NORTH WALSHAM TPO 26 1094 - LAND AT KETTS ROAD

Officers report

The SLO-IM introduced the Officer's report and recommendation. She outlined the site's historical context and provided images in and around the site.

Public Speakers

None

Local Member

None in attendance

Committee Debate

- a. Cllr A Fitch-Tillett proposed the Officer's recommendation, seconded by Cllr P Fisher.

RESOLVED

That TPO/26/1094 be confirmed.

9 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

The Development Manager introduced the Officer's Report and spoke positively of the Council's strong performance. He confirmed high quality decisions continued to be made in time for both major and non-major applications, though acknowledged there had been a slippage for in time decisions for non-majors.

Cllr A Brown commended the planning service on their performance and asked how the Council compared against its neighbours.

The Development Manager advised performance benchmarks across authorities may possibly differ. It was hoped that more data on performance would be available in future.

10 APPEALS SECTION

The Committee noted the appeals report.

11 EXCLUSION OF PRESS AND PUBLIC

The meeting ended at 11.54 am.

Chairman