

# Development Control Committee

## Minutes

Wednesday, 19 August 2020 at 16:00

### PRESENT:

Councillor Annison (in the Chair); Councillors Bird, Fairhead, Flaxman-Taylor, Freeman, Lawn, Hammond, Mogford, Myers, Wainwright, Williamson, A Wright & B Wright.

Mr D Minns (Planning Manager), Mr C Green (Planning Officer), Ms C Whatling (Monitoring Officer), Mr A Yardley (Digital Improvement Manager) & Mrs C Webb (Executive Services Officer).

### **1 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **2 DECLARATIONS OF INTEREST**

Councillor A Wright declared a personal interest in item number 5 and Councillor Mogford declared a personal interest in item number 4 as he was a ward councillor for Martham.

However, in accordance with the Council's Constitution, they were allowed to both speak and vote on the matters.

### **3 MINUTES**

The minutes of the meeting held on 15 July 2020 were confirmed by assent.

### **4 APPLICATION 06-20-0130-F - LOW ROAD (LAND SOUTH OF) MARTHAM**

The Committee received and considered the report from the Planning Officer.

The Planning Officer reported that the application was a full planning application for residential development but needed to be considered in conjunction with the outline permission and current reserved matters application for the site immediately to the east through which it was accessed. The site was set to the north of Repps Road which was the main route into Martham from the west and the A149 and is behind property fronting the north side of Repps Road which is shown as not being within the village limits. The land is categorised as Grade 1 agricultural land and is not within the village development limits.

The Planning Officer reported that the proposal was for 32 dwellings, a mixture of 1, 2 & 3 bedroom bungalows situated on 1.35 hectares of land. Eleven of the 32 dwellings were smaller 1 and 2 bedroom giving a density of 25 dwellings per hectare. The applications had been submitted with a planning statement, design and access statement, arboricultural impact assessment, ecology appraisal, transport study, contamination report; and flood risk assessment.

The Planning Officer reported that the site offered eight dwellings as affordable, therefore a s106 agreement was needed to secure affordable housing, contributions towards mitigation impacts on wildlife sites and library and fire hydrant requirements was required before permission was granted.

The Planning Officer reported that the Parish Council had objected to the application as it was outside the development limits, the local roads, schools, doctors could not cope with the development pressures and the land was Grade 1 agricultural land.

The Planning Manager reported that a number of residents had objected to the application and their objections were summarised on page 17 of the agenda.

The Planning Manager reported that the application was recommended for approval.

Councillor Williamson asked whether the proposed properties would have air source or ground source heat pumps to heat the properties.

Councillor Bird asked how many neighbours had objected to the proposal. The Planning Officer clarified that 8 neighbour objections had been received.

Councillor Freeman asked whether the roads would be adopted by NCC and whether there would be a management plan put in place to maintain the green spaces.

The Planning Manager reported that there was an existing legal agreement in place which formed part of the outline application for the adjacent site whereby a management agreement would be put into place for the maintenance of roads and open spaces.

Councillor Fairhead asked for clarification regarding paragraphs 5.8. & 5.9 of the report regarding Anglian Water and the Internal Drainage Board. The Planning Officer reported that Anglian Water had stated that they had sufficient capacity in the existing sewers to deal with the proposed flows.

Councillor Mogford informed the Committee that air source heat pumps were very noisy when in operation. Councillor Hammond reported that air source heat pumps were now classed as permitted development and had evolved and were much quieter.

Mr Nolan, applicant's agent, reported the salient areas of the application to the Committee and asked them to approve the application. He reported that the roads would be adopted by NCC, but not the private driveways, of which there were 2 to 3 serving 6-8 properties each.

Mr Hooper, Parish Council representative, reported that the village infrastructure was at breaking point as the village was due to grow by 30% as a result of recent planning permissions and urged the Committee to refuse the application.

Councillor Mogford, Ward Councillor, reported that he agreed with the Parish Council representative and asked the Committee to refuse the application as the application site was not in the village envelope and was outside the village development limits. The local roads were often log-jammed and the infrastructure, such as water supply, electricity supply and Doctor's surgery was over-loaded.

Councillor Wainwright reported that he would support the application as the Government was urging Councils to build, build build wherever and whenever, and soon the Council would have no say in any planning matters.

Councillor Bird asked for clarification as to paragraphs 6.2 & 6.15 of the report which referred to the 5 year housing land supply. The Planning Officer reported that the anticipated change to the 5 year housing land supply by the Government would mean that the Council would meet this target in December

2020.

Councillor Fairhead reported that she could not support this application due to reservations regarding water and drainage issues.

Councillor Hammond asked for clarification regarding the village boundaries (as outlined in red and blue on the photograph on page 25 of the agenda), and whether this land formed part of the original Local Plan development sites identified by the Council.

Councillor Myers asked for clarification regarding Policy GSP1, paragraph 6.14, use and development of land associated with agriculture or forestry; or specific policies in the Local Plan indicate otherwise. The Planning Officer reported that the "tilted balance" came into play whilst considering this policy against the application.

Councillor Williamson reported that he was happy to support the application and proposed the application for approval. Councillor Wainwright seconded the proposal.

**RESOLVED:-**

That application number 06/20/0130/F be approved subject to a s106 agreement for items listed in 9.19 of the agenda report and subject to the satisfactory agreement of the local lead flood authority in regard to further infiltration testing and proposals being formulated at the time of report writing for committee closing.

With highway conditions for further details of roads and footways be agreed prior to commencement (adoption standards), and these works to be completed prior to occupation, with the exception of final surface finish (ie complete to binder course). A construction site management plan should be agreed before works, and a traffic management plan, within that plan.

Land contamination conditions were required following the findings of the phase 1 appraisal and air quality and construction site operating hours conditions were recommended. Further details to be submitted for on-site green infrastructure.

## **5 APPLICATION 06-19-0714-F - FORMER GREENFIELDS NURSERY, CHERRY LANE, BROWSTON**

The Committee received and considered the report from the Planning Officer.

The Planning Officer reported that this application was for a large dwelling on a site which was part agricultural field and part former garden centre and therefore, previously developed. There was a prior notification application

approved for a barn conversion on part of the site which was in a relatively remote location.

The Planning Officer reported that the site was 7.3 hectares of Grade 2 agricultural land which was formerly a commercial nursery and arable fields. The site is outside the development limits and the Waveney Valley Landscape character area designation.

The proposal was for a larger farmhouse type of development with timbering applied to the upper floor, the form to the front was of side wings with gables and a central porch projection fronting north overlooking the vineyard and field. To the rear, there was a large offshoot containing at ground level a swimming pool, facing south back to the road. The dwelling is shown as having five bedrooms, all having en-suite and the master bedroom having a substantial dressing room. In addition, there is a downstairs study.

The proposed dwelling is set to the north of the area of existing greenhouses with one retained for bee-keeping. The field to the south west corner was shown as host to an orchard and to the north of the dwelling, a vineyard. A solar array was shown in the north field with forestry to the northern boundary with the A143. The use of the existing arable field was not defined.

The Planning Officer reported that the proposal was described as a low carbon dwelling and there was a list of energy efficiency measures detailed in the planning statement. A planning statement/design and access statement, arboricultural impact assessment and an ecology appraisal accompanied both proposals.

The Planning Officer reported that the Parish Council had objected to the proposal as it was outside the development limits and would set a precedence, if approved. However, as the land around was farmed, this could be justified if agriculturally restricted.

The Planning Officer reported that a neighbour had objected that the land was Grade 1 agricultural land and not Grade 2, the proposal was outside development boundaries and was not for an agricultural user.

The Planning Officer reported that the applicant had asked the Committee to consider that the economic benefit of retaining wealth in the district associated with a larger house and the failure to have a five year housing supply should outweigh spatial planning and local character and amenity. The delivery of a single home has been shown to carry limited weight in appeal decisions in context of the tilted balance that existed when housing supply was deemed insufficient.

The Planning Officer reported that Environmental Health had now responded saying that permission should be withheld as no contaminated land work had been submitted and no details of sewerage treatment plant provided. He also reported details of a letter of submission received from Mr Minnis.

The Planning Officer reported that the application was recommended for refusal.

Councillor A Wright asked for clarification of the planning history on the site. The Planning Officer reported that a dwelling was refused in 2002.

Councillor Hammond reported that the land had been grazed by horses. The Planning Officer explained the difference between grazing land and land granted equestrian use. Councillor Hammond also pointed out that by scale, the proposed dwelling equated to a small house on a very large plot and that the hamlet of Browston did not have any physical development limits. The proposed dwelling was eco-friendly with solar panels, an air source heat pump to heat the house and swimming pool and had a vineyard and designated bee-keeping area. The Planning Officer reported that the submission lacked zero carbon solution workings to demonstrate that the dwelling was carbon neutral.

Councillor Myers asked for clarification regarding permitted development rights if the proposal was sited on land which had previously been used as grazing for horses. The Planning Officer reported that this would not have any effect on permitted development rights on the site.

Mr Hardy, applicant's agent, reiterated the salient areas of the application and asked the Committee to approve the application.

Mr Hammond asked Mr Hardy why the application site was suited to bee-keeping. Mr Hardy informed the Committee that the geographical impact of this site had an impact on the quality of the male bees in the area, which resulted in a much higher honey yield, from the average 14kg to approximately 45 times that amount at this site.

Mr Minnis, objector, addressed the Committee and urged them to refuse the application.

Mr Botwright, Parish Council representative, painted a picture of the gradual disjointed development in Browston. The proposed dwelling would result in an unwelcome protuberance between Cherry Lane and A143, in the open countryside. He asked Councillors to refuse the application or, if they were minded to approve, to include an agricultural occupancy condition to the planning permission.

Councillor Myers, Ward Councillor, reported that he felt that the size of the property was inappropriate to the bee-keeping business and therefore, he could not support the application.

The Planning Manager explained the planning history of the site and the difficulty that the Committee would encounter to include an agricultural occupancy condition.

Councillor Hammond proposed that the application should be approved as the dwelling was supported by an orchard, a vineyard and a bee-keeping business

on a very large plot. This was seconded by Councillor Mogford.

Councillor Bird asked for clarification regarding whether the site was brownfield land and for the number of traffic movements when the site was operated by a nursery. The Planning Officer reported that he would need to check the County Highway's response.

Councillor Williamson explained that Browston was a small hamlet and was part of Belton with Browston Parish Council and all the local services were based in Belton meaning the villagers had to cross the A143 or access them via New Road, Belton and therefore questioned the viability of the proposed site.

Councillor Wainwright reported that there was a need for such a property, however, he would like to see starter homes being built on the proposed site to allow young people to live in the village they were born.

Following a motion for approval from Councillor Hammond which was seconded by Councillor Mogford, a vote was taken, however, this motion fell.

Councillor A Wright reported that the Committee should heed the Planning Officer's advice and refuse the application.

Following a motion for refusal, as per the recommendation from the Planning Officer, from Councillor Williamson, which was seconded by Councillor Freeman, a second vote was taken;

**RESOLVED:-**

That application number 06/19/0714/F be refused as it was contrary to spatial planning principles and delivering too little to justify exception notwithstanding housing supply issues. It is refused on grounds of excessive scale and failure to reflect the form of the surrounding development in setting substantially to the rear and into open countryside.

## **6 PLANNING APPLICATIONS CLEARED BETWEEN 01 JULY AND 31 JULY 2020 UNDER DELEGATED POWERS**

The Committee received and confirmed by assent the planning applications cleared between 1 and 31 July 2020 under delegated powers.

## **7 ANY OTHER BUSINESS**

The Chairman reported that there was no other business being of sufficient

urgency to warrant consideration.

The meeting ended at: 18:00