

# Development Control Committee

## Minutes

Wednesday, 10 July 2019 at 18:30

Attendance :

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

Also in attendance :

Mr A Nichols (Head of Planning & Growth), Ms C Whatling (Monitoring Officer), Mr D Minns (Planning Manager), Mrs G Manthorpe (Senior Planning Officer), Mrs G Smith (Technical Officer) & Mrs S Wintle (Corporate Services Manager).

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mogford.

### **2 DECLARATIONS OF INTEREST**

Councillor Lawn declared a Pecuniary Interest with regard to Item 7 and left the meeting whilst the item was discussed as Councillor Lawn's daughter was a joint applicant.

Councillor P Hammond declared a personal interest with regard to Item 4 in

that he had been contacted by the Architect involved with the application.

### **3 MINUTES**

The minutes of the meeting held on the 12 June 2019 were confirmed.

Councillor Williamson made reference to Item 4 which had been withdrawn at the last meeting, and asked whether a legal reason could be provided as to the withdrawal of the application and further asked whether all documents with regard to the consultation were on line. The Senior Planning Officer advised that the consultation for this application had now commenced and that all documentation should be live on the website.

### **4 APPLICATION 06-15-0441-O, FORMER PONTINS HOLIDAY CENTRE, BEACH ROAD, HEMSBY**

The Committee received and considered the Planning Manager's report which re-presented an application for demolition of existing buildings and re-development of the site for up to 190 dwellings, retail development and holiday accommodation, together with associated open space, landscaping and infrastructure.

The Planning Manager reported that the application was being re-presented with a revised proposal to Members following a resolution to refuse the application by the Development Control Committee in March 2016.

The Planning Manager provided Members with an overview of the original proposal in line with the current revised proposal. He advised that the outline planning permission was still being sought for a residential led, mixed-use redevelopment of the application site as a whole. He reported that the description had been changed and the scheme no longer proposed community facilities but now included an element of holiday accommodation. He reiterated the plans proposed for the demolition of existing buildings and re-development of the site for up to 190 dwellings, retail development and holiday accommodation, together with associated open space, landscaping and infrastructure. As with the original 2015 submission, permission was being sought for the principle of the development and the main access points, with matters relating to layout, scale appearance and landscaping reserved for future approval.

Members were advised that the revised proposals included an area of approximately two hectares to the north of the site, adjacent to Beach Road, for holiday accommodation, in the form of 50 static caravans. It was reported that the existing site was well established with extensive planting and hedging, and the layout shown on the masterplan sought to retain areas of established planting within open space provision on the site.

The Planning Manager detailed the consultation responses received from the Parish Council who had objected to the application, together with the public responses whereby following re-consultation of the revised plan 109 objections had been received in total. Members were advised of the number of statutory consultation responses that had been received from external sources which included Norfolk County Council, Highways, Historic Environment Service, Norfolk Constabulary (Architectural Liaison Officer), Infrastructure, Lead Local Flood Authority, Environment Agency, Anglian Water, Essex and Suffolk Water, Natural England which included internal Great Yarmouth Borough Council internal responses.

The Planning Manager reported that the application in question sought to establish the principle of a residential led mixed use development on a brownfield site. He advised that it was evident from the consultation responses from statutory bodies that subject to conditions and planning obligations that the site can accommodate the principle of the development proposed without adversely impacting upon the infrastructure of the area, local amenity or natural ecological habitats.

The Planning Manager provided a detailed summary as to the principle of the development and pointed out that it should be noted that the NPPF encouraged effective use of land.

The Planning Manager reported that in summary the proposal would enable a site which has been derelict for nearly 10 years, with seemingly very little prospect of being viably re-occupied or re-developed for largely tourism use, to be re-developed to provide much-needed housing, along with some space for tourism caravans. No significant harms have been identified, and where harms exist, it is concluded that they can be satisfactorily controlled through planning conditions or the S106 legal agreement.

The Planning Manager reported that the proposal is considered to comply with policy HOU9 of the Great Yarmouth Borough-Wide Local Plan 2001 and policies CS1, CS3, CS4, CS6 CS7 and CS8 of the Core Strategy and the National Planning Policy Framework material considerations that are considered to - in this instance - outweigh conflict with Policy TR4 and TR11 of the Great Yarmouth Borough Wide Local Plan 2001.

Members were advised that application was recommended for approval subject to conditions required to provide a satisfactory form of development as outlined and referred to above and the completion of a Section 106 Agreement for the provision of affordable housing, library books, green infrastructure provision, Natura 2000 mitigation including financial as outline in the report, play space and maintenance provision and highway requirements.

A Member asked with regard to the local schools and whether these were to be included as assets to the area and he was advised that schools did not fall in the category of an asset.

A Member asked with regard to the proposals for static caravans and whether conditions could be added to the application to ensure these were put into situ, the Planning Manager advised that a condition could be added to the application and it was suggested that this be a phased in approach condition.

The applicants agent provided a brief summary whereby Members were reminded that the Council's draft local plan identified a clear need for housing, the agent reminded Members that the site had been vacant for a number of years and therefore was in need of development, he advised that the development would generate jobs and would therefore benefit the economy, the agent advised that the applicant had worked hard to locate a tourism related business for the site but had been unable to attract any commercial or tourism industries. The agent stated that in his opinion the application to be considered provided a positive proposal for the site and encouraged Members to consider approval for the proposed application.

Mr Archibold, Objector addressed the Committee and provided his views as to why he felt that the application should be recommended for refusal, he advised that he had approached Northern Trust with a commercial idea for the site but had not received any communication from Northern Trust. The Monitoring Officer reminded Members that they were to consider the application included within the agenda of the meeting.

Mrs Foster, Objector addressed the Committee and summarised a number of concerns of the local residents, she advised that residents were fighting to retain a tourism industry for the site, reference was made to the policies that had been detailed with the proposals and advised that objections had been made taking these policies in to account. Mrs Foster commented on the proposed government standard for housing supply which would see the figure for housing supply drop significantly and therefore state that she felt the application was premature.

A Member sought clarification as to the proposed reduction in the housing supply and he was advised that whilst new standard methodology was being introduced the Council had adopted the core strategy to fulfill the local plan requirements and advised that the figure detailed within the current local plan was the most recent and up to date figure.

Charlotte Hill, Parish Council Representative addressed the Committee and reported the concerns of the Parish Council and urged the Committee to refuse the application.

A Member asked in light of comments with regard to the need for the retaining of tourism at the site, whether tourism within Hemsby had deteriorated since the closure of the site, it was advised that Hemsby had not seen a decline in visitors since the closure of the site.

Councillor Bensly, Ward Councillor reported the concerns of his constituents to the Committee and stated his own concerns with regard to the applicant and

asked Members to consider refusing the application in order to safeguard the tourism industry within Hemsby.

A Member raised some concern with regard to comments that had been made by Councillor Bensly.

Councillor Galer, Ward Councillor reported the concerns of his constituents to the Committee and stated his own concerns with regard to the applicant and asked Members to consider refusing the application.

Members hereby entered into a general debate with regard to the application.

Councillor Hammond reported that he could find no reason to refuse the application and recommended approval.

Following a vote it was :-

**RESOLVED :**

That Application 06/15/0441/O be approved subject to conditions required to provide a satisfactory form of development as outlined and referred to above and the completion of a Section 106 Agreement for the provision of affordable housing, library books, green infrastructure provision, Natura 2000 mitigation including financial as outline in the report, play space and maintenance provision and highway requirements.

## **5 APPLICATION 06-19-0159-D, ROLLESBY ROAD (LAND AT) BROILER FARM, MARTHAM**

The Committee received and considered the Senior Planning Officer's report which presented approval of reserved matters - appearance, appearance, landscaping, layout and scale of application 06/15/0673/O - including discharge of conditions 13, 19, 21, 22 and 24.

The Senior Planning Officer reported that the application was for reserved matters and discharge of condition application only, the principle of development has been established as appropriate and in accordance with the principles of sustainable development. The site is noted in the draft Local Plan Part 2 as having been granted outline planning permission. The reserved matters subject to the application are scale, appearance and landscaping with access having been previously determined.

The Senior Planning Officer reported that 9 neighbour objections had been received. It was noted that the majority of the objections to the application from local residents were in reference the principle of development and the access. Both the principle of development and access have been decided at outline stage and are not being reconsidered. The access approved for the development is shown off Acacia Avenue which is accessed via Willow Way

off Rollesby Road. Highways comments on the outline permission included traffic calming measures and the introduction of a 20mph zone to seek to mitigate the potential harm that is caused by the increase in traffic, Members were advised that this had been conditioned.

The Parish Council had objected that the development does not meet biodiversity improvement standards and that developments of this size have the opportunity for biodiversity enhancements. It was noted that it is becoming common practice to condition that fences should have gaps or holes provided to allow for the free movement of hedgehog (and other similar sized animals) to mitigate the loss of open habitat and this can be conditioned as part of the current application. Ecological enhancements are important to be considered at the reserved matters stage of the development and the applicant has submitted a scheme of landscaping.

Members were advised of the number of statutory consultation responses that had been received from External sources which included Norfolk County Council, Historic Environment Service, Lead Local Flood Authority, and internal Great Yarmouth Borough Council responses.

The Senior Planning Officer reported that comments had at the time of publication of the agenda not been received from the Highways Authority and therefore Highways Matters would be dealt with through delegated matters but Members were advised that this would not have an impact on the decision to be made by the Committee.

The Senior Planning Officer reported that the house types were acceptable designs and comprised a mix of sizes and types. The dwellings proposed at plot 55 and plot 1 are bungalows as required within the outline permission. They shall be required to remain as such. Some objectors have stated that the development should be single storey only. It was advised that there was no evidence of need or policy consideration to require that the development be restricted in such a way and as such to request this would be deemed unreasonable.

It was reported that the development provides a mix of houses from 2 bedroom to 4 bedroom and had identified the affordable units to be provided. The variety of types of houses and the layout works well on the site and provides a mix of dwellings with adequate garden sizes for the dwelling to which they are associated with.

The Senior Planning Officer reported that the application was recommended for approval as the applicant had submitted sufficient details to have the reserved matters approved and relevant conditions discharged and subject to written confirmation of approval from the Highways Department.

The Applicant's agent presented to the Committee and reminded Members that the application only sought approval of the reserved matters, the Agent advised the granted planning application of 55 dwellings would assist with the

Borough Council's housing needs and demands and the development would provide a high quality policy compliant site.

A Member commented on the tree conditions works and asked if the trees would be replaced if lost within a 5 year period, this was confirmed.

RESOLVED :

That subject to written confirmation of approval from the Highways Authority approval be given to application 06-19-0159-D as the applicant had submitted sufficient details to have the reserved matters approved and relevant conditions discharged.

Councillor Lawn hereby left the meeting.

## **6 APPLICATION 06-18-0563-F, FOLLY COURT COTTAGES, COURT ROAD, ROLLESBY**

The Committee received and considered the Senior Planning Officer's report which sought approval of a proposed self build detached dwelling and garage.

The Senior Planning Officer reported that there had been a previous application on the site in recent years that had been refused and were subject to a dismissed appeal. The application sought change of use for temporary storage of personal touring caravan & retention of shed, erection of brick electricity unit to house existing electric supply to former building.

Members were advised that the current application had received objections from the Parish Council as they felt that the proposed site was designated as agricultural land. Previous building on the land had a retrospective application refused and the structure was removed. The site is outside of the development limit for Rollesby. The road is very narrow and not suitable for further development, together with four neighbour objections who had raised a number of reasons for their objections detailed within the Senior Planning Officer's report.

The Senior Planning Officer provided the Committee with a summary of the comments that had been received from both External agencies and Internal Great Yarmouth Borough Council departments.

The Senior Planning Officer reported on the Habitat Regulation Assessment and advised that the application, informed by a bespoke HRA has been assessed by the Competent Authority as likely to have significant indirect effects on one or more Natura 2000 sites and as such, permission may only be granted if an Appropriate Assessment demonstrated that, taking into account relevant mitigation measures, the application would not adversely affect the integrity of any Natura 2000 site(s) and therefore the assessment of the Council, as Competent Authority, that the application, if approved, would not adversely affect the integrity of Natura

2000 sites, provided that the mitigation sought is secured.

The Senior Planning Officer reported that when assessed on balance the application in the revised form can be supported with appropriate conditions restricting permitted development rights and those required by the Highways Authority. Should it be the case that the trees at the frontage of the property are not protected at the time of an approval, if granted, a condition for their retention for a period to allow the protection to be in place should be placed upon any grant of planning permission. The development should also offer ecological gains in the form of bat and bird boxes and the mitigation as outlined within the ecology report should be conditioned with specific reference to lighting and the time of year that works can be carried out.

The Senior Planning Officer reported that the application was recommended for approval subject to the conditions requested by Highways, and those required to ensure a satisfactory form of development.

A Member asked with regard to the triggered risk zones as detailed within the Senior Planning Officers report, the Senior Planning Officer reported that these had been identified by Natural England and related to the proximity to the Broad.

A Member sought clarification as to the ownership of the land.

A Member asked with regard to hazardous materials at the site, and it was advised that the Environmental Health had not advised of any known hazardous materials on the site.

The Applicants agent addressed the Committee and thanked the Planning Officers for their help and support.

Mr Lake, objector, summarised his main concerns with regard to the application and urged the Committee to consider refusing the application.

Richard Tacon, Parish Council Representative addressed the Committee and made reference to the ongoing works for the Neighborhood Plan for Rollesby which was near completion stage which did not identify the site in question as a required development site and therefore urged the Committee to consider refusing the application.

Members sought clarification as to the emerging Neighbourhood Plan for Rollesby and it was advised that whilst this had been in the draft stages this had not been finalised and could not therefore be considered at this stage.

The Committee hereby entered into a general debate and it was :-

RESOLVED :

That Application 06-18-0563-F be approved subject to the conditions



requested by Highways, and those required to ensure a satisfactory form of development.

Councillor Lawn hereby returned to the meeting.

## **7 APPLICATION 06-19-0120-F, LOWER MARINE ESPLANADE AND BEACH GORLESTON**

The Committee received and considered the Senior Planning Officer's report which sought approval of 2 storage units for the storage of deck chairs or other authorised leisure use, in the area surrounding the model yacht pond.

The Senior Planning Officer reported that the application was to erect 2 storage units around the yachting pond positioned on the Lower Esplanade before Gorleston Beach. The 2 units measuring 3m by 3m in footprint will be positioned near each of the accesses to the yachting pond from the Esplanade.

Members were advised that the application was originally for the 2 storage units and 3 A5 (hot food takeaway) concessions. The hot food takeaways were removed from the application in March.

The Senior Planning Officer advised that the public consultation held on the original proposed scheme received 730 objections, most of the matters raised related to the A5 concessions and the potential for units on the Lower Esplanade. The plans were subsequently amended leaving the storage units only.

The Senior Planning Officer advised that the application was now for the storage units only, the A5 concessions were removed and the alterations to the beach concession did not require planning permission. The storage units are not considered to significantly and adversely affect the viability of the wider seafront. It is recognised that the elevations of the storage sheds have not been provided so it could be conditioned against the dimensions and therefore the application was recommended for approval as the application complied with Policies CS8 and CS9 of the adopted Core Strategy subject to a condition providing clarity of the units size and a condition restricting the sheds to appropriate use.

### **RESOLVED :**

That Application 06-19-0120-F be approved as the application complies with policies CS8 and CS9 of the adopted Core Strategy subject to a condition providing clarity of the units size and a condition restricting the sheds to appropriate use.

**8 DELEGATED DECISION BETWEEN 1 AND 30 JUNE 2019**

The Committee noted the planning applications cleared by delegated officer decision and by the Development Control Committee during June 2019.

**9 ANY OTHER BUSINESS**

There was no other business to be discussed.

The meeting ended at: 20:30