

Development Control Committee

Minutes

Wednesday, 16 November 2016 at 18:30

PRESENT:

Councillor Annison (in the Chair); Councillors Andrews, Fairhead, Flaxman-Taylor, A Grey, Hammond, Hanton, Reynolds, Thirtle, Wainwright, Williamson & Wright.

Councillor Bensly attended as a substitute for Councillor Grant.

Mr D Minns (Planning Group Manager), Mrs G Manthorpe (Senior Planning Officer), Miss J Smith (Technical Officer), Mr G Bolan (Technical Assistant) and Mrs C Webb (Member Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Grant.

2 DECLARATIONS OF INTEREST

It was noted that the following Declarations of Interest were declared:-

Councillor Williamson declared a personal interest in Item 5 as Ward Councillor, Councillors Andrews & Hammond declared a personal interest in

Item 6 as Ward Councillors, Councillor Bensly declared a personal interest in Item 7 as Ward Councillor, Councillor Hanton declared a personal interest in Item 8 as Ward Councillor and Councillor Thirtle declared a personal interest in Item 9 as Ward Councillor. Councillor Hammond declared a personal interest in Item 9 as the applicant was known to him.

However, in line with the Council's Constitution all Councillors were allowed to both speak and vote on the items.

3 MINUTES

The minutes of the last meeting held on 19 October 2016 were confirmed.

4 PLANNING APPLICATIONS

5 06/16/0532/F (a), 06/16/0535/O (b), 06/16/0539/F (c), ROSE FARM, STEPSHORT, BELTON.

The Committee received and considered the comprehensive report from the Planning Group Manager.

The Planning Group Manager reported that this item consisted of three separate planning applications which were being dealt with together as they all related to Rose farm Touring park and were inter-dependant. The main application was for the change of use of part of the holiday park to the siting of park homes for residential use which was a departure from the Local Plan.

The Planning Group Manager reported that a letter from the owners of the adjoining bungalow on the northern boundary had submitted various comments regarding application number 06/87/0062/F.

With reference to application number 06/16/0535/O, it was reported that this application was for the wider area of land to the southern part of the site which currently had permission for touring units and storage of caravans. There was an existing park home on this part of the site which was occupied by a relative of the owners of the site. The proposal was to use this area of land for the siting of residential park homes which will be occupied all year round as dwellings, the site would use the existing access off Stepshort which would also serve the remaining area of the touring park. The application had been submitted in outline form with an indicative drawing showing the possible siting of twenty park homes.

The Planning Group Manager reported that if planning permission be granted, the site owners must contact Environmental Health for a site inspection for the purposes of gaining a residential site licence. The site will need to be compliant with the site conditions for permanent residential sites that were derived under the Caravan Sites and Control of Development Act 1960.

With reference to application number 06/16/0532/F, it was reported that the bungalow on the site which was presently occupied by the site owners was originally approved as an agricultural workers dwelling in 1969, in 1987 planning permission was granted to replace the agricultural occupancy condition with a condition limiting the occupation of the bungalow to persons owning or employed in the operation of the adjoining touring caravan site (permission 06/87/0062/F).

The Planning Group Manager reported that a further photograph had been received from Mr Edwards to reinforce his concerns regarding the treatment of the boundary and had requested the provision of reinforced 8 foot fencing along the northern boundary between the proposed residential area of the park and his property.

With reference to application number 06/16/0539/F, it was reported that this condition only applied to an area at the north eastern end of the site and the part of the land on the northern side of the old railway line that was approved under 06/10/0564/F, the remainder of the site does not have any condition limiting the time that it can be used. The proposal was to remove this condition to allow the whole of the touring park to be used all year round. It would be reasonable to have a consistent approach so that the whole site could be occupied during the same time period, the condition could be replaced with one that stated that the site shall be occupied by any individual or family group for a period of more than four weeks at any one time in order to retain control of the use.

Mrs Myrha, applicant, addressed the Committee and requested that the Committee approve the applications.

A Member proposed that the application be approved subject to the inclusion of conditions as reported in paragraph 4.4 and 4.13 of the agenda which related to provision of fencing and occupancy.

RESOLVED:

(i) That application number 06/16/0535/O be approved with the condition that a fence along the northern boundary with the nearest adjacent property, as the proposed change of use of this part of the holiday park to a residential home site was considered acceptable.

(ii) That application number 06/16/0532/F be approved as the bungalow had the benefit of a separate vehicular access from the road and could be easily separated from the touring park. The bungalow was situated within the Village Development Limit and there was no planning objection to the removal of the condition.

(iii) That application 06/16/0539/F be approved subject to the condition that no part of the site shall be occupied by any individual or family group for a period of more than four weeks at any one time in order to retain control of the use.

6 06/16/0537/F, 57A TAN LANE, CAISTER

The Committee received and considered the comprehensive report from the Planning Group Manager. The Planning Group Manager reported that all the necessary notices had been served in respect of this application.

The Planning Group Manager reported that the application was to remove the north east corner of number 57 Tan Lane and re-positioning of the entrance. The unit beneath was commercial but there was a flying freehold unit above which was also affected by the proposal. The application stated that the purpose of the alterations was to allow for a better turning angle into the driveway. The design and access statement goes into further detail and stated that the amended entrance would improve access to Sand Dune Cottages in light of its year round occupancy. It was recognised that the access was relatively narrow and with limited visibility looking both east and west.

The Planning Group Manager reported that Highways had been consulted on the application and they had not objected to the development subject to conditions. The Planning Group Manager reported that 53 neighbour objections had been received citing impact to character and heritage of the area, no benefit to the area, the application was for the gain of another site, there was no change to the previous application which was refused and the loss in business floor space. A petition in support signed by 33 people and 3 letters of support had also been received.

The Planning Group Manager reported that a further letter of objection had been received from Mr Hacon reiterating the right of use of the access and future maintenance issues.

The Parish Council had questioned the benefit of this proposal as it would not improve access for vehicles. A previous application to remove the corner of the property was refused by Committee last year. However, there have been changes as planning application 06/14/0751/F was successfully appealed which allowed for all year occupancy for the holiday units to the rear of 57 Tan Lane. This would potentially increase the intensity of use for this access and the applicant had quoted Policy CS8 of the adopted Core Strategy in that the application supported a tourism use.

The Planning Group Manager reported that the application should be assessed on its own merit based on what was submitted as part of the planning application, as opposed to any perception of future development and in determining this application, it did not grant any rights of access.

The Planning Group Manager reported that the alterations were to the front of the property and would have an impact on the street scene. Saved Policy BNV18 of the Boroughwide Local Plan and Policy CS9 of the adopted Core Strategy required all developments to be sympathetic to their surroundings and relate well to landscape and other buildings. It should be noted that the

application would result in the loss of a small area of the building which was not Listed or within a Conservation Area.

The Planning Group Manager reported that the Conservation Department was consulted on the proposal and had provided two potential design options that would help mitigate any impact to Character that the Committee could consider. The development would result in a modest loss to business floor space, however, the loss was not considered significant and would not result in a substantial loss to Caister's retail offer.

The Planning Group Manager reported that the application was recommended for approval subject to the conditions requested by Highways.

Councillor Reynolds reported that as the building was not Listed or in a Conservation Area that the owner could demolish the building without planning permission.

Councillor Andrews, Ward Councillor, reported that this application was the same as the previous application and should also be refused as the application was purely for the benefit of a future development at the rear of the access.

The Planning Group Manager reported that the application before the Committee was to remove the corner of the building and no other planning applications had been submitted so the Committee should only consider the application before them.

Mr Parker, applicant's agent, reported the salient areas of the application and that the improved access would help to facilitate access for emergency vehicles.

Councillor Andrews asked whether Mr Hacon, who had responsibility for half of the maintenance of the access passage had been informed. Mr Parker reported that all the correct notices had been served and ownership was not a material planning consideration.

Councillor A Grey asked for clarification as to how much land would be gained as a result of the loss of the corner of the building. Mr Parker reported that the loss of land would amount to just under a metre.

Mr Hacon, objector, reported that he had responsibility for half of the maintenance of the access passageway and that he felt that the correct procedures had not been followed. He felt strongly that all persons responsible for the existing access should agree to any changes. Mr Hacon reported that he had installed two wooden posts at his boundary when the wall had been demolished by vehicles who had hit his wall whilst trying to enter or exit via the access passageway.

Councillor Reynolds reiterated that this was not a material planning consideration and that as the building was not Listed or in a Conservation

Area, the owner could demolish the building without the need for planning permission. Therefore, he proposed that the application be approved.

RESOLVED:

That application number 06/16/0537/F be approved subject to the Highways conditions as laid out in the agenda.

7 06/16/0295/F, 79 COMMON ROAD, HEMSBY

The Committee received and considered the comprehensive report from the Planning Group Manager.

The Senior Planning Officer reported that the application was to build five new residential chalet bungalow properties on a piece of land currently used for storage of agricultural machinery. There would be a single access into the site which would open into a large area of hard-standing. The application is a departure from the Local Plan as the site is outside of the village development area and therefore contrary to Policy HOU10. However, Strategic Planning had not objected to the principal of the development. The site was adjoining the main residential body of Hemsby and was considered a sustainable location.

The Senior Planning Officer reported that a previous application at this address had been refused due to concerns regarding the highway. Revisions had been made to this application which included the provision of a 10 metre passing area to overcome the narrow road and a large area of hard-standing with space in which vehicles can turn to leave the access in forward gear. This addition of highway improvements would provide better pedestrian access and safety and a visibility splay has also been provided. The highway access accords with Policy CS16 and the Interim Housing Land Supply Policy. therefore, Highways no longer objects subject to conditions ensuring the improvements are made and the access and turning areas were retained.

The Senior Planning Officer reported that three members of the public and the Parish Council had objected to the proposal citing highways grounds as the access road was narrow with associated parking issues, poor layout, density of the site was over-development, errors in the Design & Access Statement, the reduction in numbers was not enough, the housing was not linked to rural activities and the application was contrary to Policies HOU10. and CS9.

The Senior Planning Officer reported that the application did not include full details of the materials for external walls and hard-standing but this could be conditioned. The boundary treatments needed to be considered in order to break up the hard frontage. Currently, there was a line of trees to the front and a revised plan showing the position of the trees indicated that they could be retained.

The Senior Planning Officer reported that the land was not within a flood zone

or an area of crucial drainage, however a drainage condition should be included alongside a condition regarding slab levels to ensure the land drained adequately and the properties were not inappropriately raised.

The Senior Planning Officer reported that the land was defined as Grade II agricultural and the application must be considered against the loss of agriculturally graded land. The land also lies along a major pipeline but the BPA and HSE had not objected to the development.

The Senior Planning Officer reported that Norfolk Fire Service had received the necessary evidence and the proposed development would meet the required regulations and therefore raised no objections.

The Senior Planning Officer reported that the application was recommended for approval with the requested conditions.

Mr Stone, applicant's agent, reported the salient areas of the application and asked the Committee to grant the application.

Councillor Bensly reported that residents concerns had been alleviated by the inclusion of a passing bay and he asked that this be conditioned to take place early in the build process. Mr Stone reported that he was quite happy for this to be conditioned if the application was approved. The Planning Group Manager reported that this could be conditioned as part of the schedule contained on page 94 of the agenda, reference item SHC 39(a).

RESOLVED:

That application number 06/16/0295/F be approved subject to the following conditions; materials and hard surfaces to be agreed, boundary treatments and landscaping to be agreed including any trees to be retained, appropriate permitted rights to be removed, drainage and slab levels to be agreed, contamination report required, working times to be restricted and highway conditions to include provision of passing bay prior to any building works commencing on site.

8 06/16/0472/0, WOODLAND, 14 BEACH ROAD, SCRATBY

The Committee received and considered the comprehensive report from the Planning Group Manager.

The Planning Group Manager reported that the application for a dwelling in this application was a departure from Local Plan policy because the site was outside the settlement boundary for Scratby and was not located within an allocated area for residential development. However, whilst a departure from the adopted Local Plan, the Interim Housing Land Supply Policy bears some weight with the application and, on balance, it was felt that the development accords with the interim Housing Land Supply Policy.

The Planning Group Manager reported that the scheme had previously been refused on the grounds of over-development which would harm the character and appearance of the wider area. These reasons were upheld by the Planning Inspectorate as part of the subsequent appeal. This application had a significant change in the design and scale of the proposal and the policy context had changed.

The Planning Group Manager reported that 5% of the Borough's additional residential development should take place in settlements such as Scratby, and this single development fitted with this more limited distribution of development. The proposed density and layout of a single storey bungalow development in a low density layout including private gardens and domestic landscaping was considered to be appropriate and reflected the character and appearance of the surrounding area.

The Planning Group Manager reported that the site was not within a flood risk area and a sequential approach was not required in the assessment of this application. In terms of run off, the size of the site, use of a soakaway and the conditioning of materials for the drive would ensure that drainage could be adequately dealt with at the property. Due to the site's proximity to the settlement of Scratby, there was adequate foul water capacity available to serve the development with a link to the existing mains drains.

The Planning Group Manager reported that the Highways impact of this development was considered acceptable subject to the provision of a condition which would require the development to create a linked footpath pedestrian access to the development outside of the application site to the existing highways pavement to the north of the site. Within the site, there was space to provide adequate parking and turning. Whilst the access was near a relatively busy road, visibility splays would be provided and Highways had not objected to the scheme.

The Planning Group Manager reported that, on balance, due to the relatively contained nature of the site and retention of open land surrounding the enclosed garden development plot, the development would not erode the rural character of the area, which would retain its appearance from views entering the village from the main coastal road and was therefore recommended for approval.

Mr Eagle, Vice-Chairman Ormesby with Scratby Parish Council reported that they objected to the application and their main concern were the heavy traffic negotiating the blind bend at Beach Road, Scratby. The applicant had not complied with the Parish Council's request to keep the boundary hedge cut back to improve visibility.

Councillor Reynolds, Ward Councillor, reported that he could not support the Parish Council on this occasion. Events had moved on and houses had already been built opposite the proposed site which were outside the village settlement boundary, including the new Village Hall. Councillor Reynolds acknowledged that it was an awkward junction but the provision of an

extended footpath would alleviate some highways concerns for local residents.

RESOLVED:

That application number 06/16/0472/O be approved as the proposal was considered to accord to Policy CS1 and CS2 of the Great Yarmouth Local Plan - Core Strategy and the Interim Housing Land Supply Policy. It was noted that there would be an increase in pedestrian, cycle and vehicular movements from the site and the existing access, and therefore, whilst this was considered acceptable in broad terms, the applicant will be required to improve pedestrian access to the site through imposition of condition. Other conditions relating to landscaping, design and standard highways conditions as requested by Norfolk County Council's Highway Officer would also be required.

9 06/16/0590/CU, HALL FARM, MAUTBY

The Committee received and considered the comprehensive report from the Planning Group Manager.

The Senior Planning Officer reported that the site involved in this application was an area of land to the north east of the field to the south of Hall Farm which was screened from the road by a mature hedge and trees and was only visible from the road to the south of the south. The proposed use would be storage of timber that was awaiting processing on the site to the north and all deliveries to the site would take place during the working week to negate additional noise nuisance from the site and it was not intended to expand the business.

The Senior Planning Manager reported that the only objection was from the occupiers of Hall Farm Cottage which was to the north east, objecting to the loss of Grade I agricultural land and noise and disturbance. The occupier of Hall Farm House which was to the west had not objected to the application. However, the nearest Grade I agricultural land was just over 300 metres to the north of Hall farm, the site itself was not Grade I land, so the proposal would not result in the loss of either Grade I or Grade II agricultural land.

The Senior Planning Officer reported that providing the use was for storage only, it was unlikely to cause any significant harm to amenities of the nearest dwellings, it was considered that the use was acceptable and would comply with the aims of Policy CS6 of the Core Strategy and paragraph 28 of the NPPF. If approved, it was suggested that permission was granted for a temporary period of a year with consent being made personal to the applicant. This would give time to see if any problems occurred and ensure that if the applicant no longer ran the business, the land would revert to agricultural use. Any consent should also include conditions limiting deliveries to Monday to Friday, limit working hours and no mechanically powered cutting, sawing work etc, as suggested by Environmental Health) taking place on the site. The application was therefore recommended for approval with the suggested conditions.

Councillor Thirtle reported that although the site was used for storage, heavy lifting machinery such as JCB's were used to move the wood which resulted in noise nuisance to the neighbours. Councillor Thirtle asked for confirmation that the surrounding land was in the ownership of Norfolk County Council. The Senior Planning Officer confirmed that the application site was part of the tenanted portion of land. The Senior Planning Officer reported that if permission was granted, it could be conditioned as being personal to the applicant for a 12 month period. This would give time to see if problems occur and ensure that if the applicant no longer runs the business, the land would revert to agricultural use.

Mr Hewitt, applicant, reported the salient areas of the application and that Environmental Health had not restricted the movement of any wheeled machinery on his site. The land in question had not been cropped or housed livestock for the last twenty years and his other two close neighbours had not experienced any problems as a result of the timber storage. Mr Hewitt reported that he carried out domestic tree removal for the Borough and County Council as part of a carbon neutral operation.

Councillor Thirtle asked Mr Hewitt whether there was an alternative storage area which was away from the neighbouring boundary fence. Councillor Reynolds reported that a disputed Tenancy Agreement was not a planning consideration.

Mr Young, objector reported details of the noise nuisance at unsociable hours he experienced as a result of large machinery in operation in the wood yard and the impact upon the operation of his caravan holiday business.

Councillor Reynolds proposed that this application should be deferred pending a site visit. This motion was seconded but lost at the vote.

RESOLVED:

That application number 06/16/0590/CU be approved as the proposal complied with Policy CS6 of the Great Yarmouth Local Plan:Core Strategy and Paragraph 28 of the National Planning Policy Framework. Permission is initially granted for a temporary period of one year with consent being made personal to the applicant and conditions limiting deliveries to Monday to Friday, limiting working hours and no mechanically powered cutting or sawing work, as requested by Environmental Health, to take place on site.

10 06/16/0415/CU, 9 THE GREEN MARTHAM

The Committee received and considered the comprehensive report from the Planning Group Manager.

The Senior Planning Officer reported that the application was for the sub-division of an existing unit to two commercial units and a change of use to Class A1, A2, A3 and A5. The use applied for were inter-changeable, although

when one was commenced, the only movement between uses was through permitted rights.

The Senior Planning Officer reported that objections had been received regarding increased traffic that the proposed development would create as local residents stated that there were already enough take-away food outlets in the village. Whilst there were no objections from Highways, amended plans had been received providing a pedestrian footpath to the front of the site and a crossing point. These highways improvements could be conditioned to be carried out prior to the commencement of the uses. Car parking was provided with the site although it was not to current standards, however, given the location, it was not reasonable to sustain an objection. The objectors also state that litter would be generated from the hot food take-away, however, this is not a planning consideration.

The Senior Planning Officer reported that should the application be approved, as requested by the Parish Council, that only one of the units be allowed to benefit from the permission to be used as a hot food take-away under Class A5. The opening hours, in line with those suggested by the Parish Council, could be conditioned for all uses, but in particular, the hot food take-away use. The siting of the proposal within a grouping of commercial premises makes the proposed uses in keeping with the character of the area.

The Senior Planning Officer reported that the site was recognised within the Core Strategy as a Local centre which should be supported and maintained to meet the everyday needs of the community. The saved policy of the Boroughwide Local Plan in relation to commercial units also supported developments such as this, provided that there was not a significant adverse impact on the amenities of the area.

The Senior Planning Officer reported that the physical works were supported by the Conservation Department as a minor improvement to the Conservation area. The application was recommended for approval subject to conditions required to provide a satisfactory form of development as it was assessed that the application accords with current local and national planning policy and will be an improvement to an area designated a Local centre in the adopted Core Strategy.

The Senior Planning Officer reported that she had received an e-mail from Environmental Health requesting that the installation of extraction units be conditioned as part of any approval.

The Senior Planning Officer reported that the application was recommended approval with conditions requested by Highways, Environmental Health and the Parish Council.

Councillor Hammond asked whether a condition could be attached for the provision of litter bins to reduce the litter problem in the village. Councillor Reynolds reported that litter was not a planning consideration. The Senior Planning Officer reported that the provision of litter bins would entail extra

costs for the Council who would be obliged to empty them.

RESOLVED:

That application number 06/16/0415/CU be approved as the application accorded with current local and national planning policy and would be an improvement to an area designated a local centre in the adopted Core Strategy subject to conditions required to provide a satisfactory form of development and those conditions requested by Highways, Environmental Health and the Parish Council.

11 06/16/0126/F, 14 CAMPERDOWN

The Committee received and considered the comprehensive report from the Planning Group Manager.

The Senior Planning Officer reported that this was a full planning application which sought approval for the conversion of a Grade II Listed Building to five self-contained flats. the report covered two applications, one for full planning permission and one for Listed Building Consent. All flats would have access to the rear yard accessed off of Melrose Terrace for bin storage.

The Senior Planning Officer reported that comments received from Environmental Health noted that the flats were undersized according to their standards, and the Committee should give this appropriate weight of consideration. The reasoning for the layout and the inability to alter the internal configuration given by the agent was to preserve the fabric of the building as conversions were more difficult to undertake on Listed Buildings where original fabric was sought to be retained.

The Senior Planning officer reported that the current worked in relation to the existing building and given that the building was constrained by the Listed status, there were no planning policy objections to the size and layout of the units. The property was located within an area defined by the Boroughwide Local Plan as a Secondary Holiday Area, and as such, it was required to assess the application against Policy TR12. The agent had reported that the property had been used as a house in multiple occupation since 2006 and has been subject to enforcement action whilst the authorised use of the site was a guesthouse.

The Senior Planning officer reported that there were no parking provisions identified, there were no objections from Highways, as the location was sustainable with good access for public transport. The application was recommended for approval with the requested conditions.

A Member asked whether the original stairwells would be retained. The Senior Planning Officer reported that they would remain in situ.

RESOLVED:

That application number 06/16/0126/F be approved subject to conditions required to provide a satisfactory form of development, as on balance, the length of time that the property had been in use as residential accommodation, the change of use to flats would provide permanent residences within a sustainable location. The sizes of the properties were not such that a refusal could be recommended with further weight given to the Listed Status of the building and that further internal alterations could cause harm to a heritage asset.

12 06/16/0589/F, 2 SIDEGATE COTTAGES, SIDEGATE ROAD, HOPTON

The Committee received and considered the comprehensive report from the Planning Group Manager.

The Senior Planning Officer reported the application for the conversion dwelling was a departure from Local Plan policy as the site was outside the settlement boundary for Hopton. The Senior Planning officer reported that no neighbours had objected to the proposal. Highways had supported the application subject to a condition to ensure that six cars can park within the site specified for parking, and off of the public highway to ensure that the cycle route was not hindered.

The Senior Planning Officer reported that the parish council did not object to the proposal although one Parish Councillor would prefer the existing dwelling demolished and re-developed.

The Senior Planning Officer reported that the application was recommended for approval as it accorded with Policies CS1 and CS18 of the Great Yarmouth Local Plan Core Strategy and the Interim Housing Land Supply Policy.

RESOLVED:

That application number 06/16/0589/F be approved subject to the addition of conditions to the approval to ensure off-site parking and the submission of landscaping details, as it accorded with Policy CS1 and CS18 of the Great Yarmouth Local Plan - Core Strategy and the Interim Housing Land Supply Policy.

13 DELEGATED DECISION LIST 1 - 31 OCTOBER 2016

The Committee received and noted the list of planning applications approved under delegated powers from 1 to 31 October 2016.

14 OMBUDSMAN AND APPEAL DECISIONS

The Committee noted the appeal decision as detailed in the agenda.

15 ANY OTHER BUSINESS

The Chairman reported that there was no other business of being of sufficient urgency to warrant consideration.

16 EXCLUSION OF PUBLIC

The meeting ended at: 20:30