



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Development Control Committee

**Date:** Wednesday, 09 August 2017

**Time:** 18:30

**Venue:** Council Chamber

**Address:** Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

## AGENDA

### CONTENTS OF THE COMMITTEE AGENDA PLANNING APPLICATIONS & CONDUCT OF THE MEETING

#### Agenda Contents

This agenda contains the Officers' reports which are to be placed before the Committee. The reports contain copies of written representations received in connection with each application. Correspondence and submissions received in time for the preparations of the agenda are included. However, it should be noted that agendas are prepared at least 10 Working Days before the meeting. Representations received after this date will either:-

- (i) be copied and distributed prior to or at the meeting – if the representations raise new issues or matters of substance or,
- (ii) be reported orally and presented in summary form by the Principal Officer of the Committee – especially where representations are similar to, or repeat, previous submissions already contained in the agenda papers.

There are occasions when the number of representations are similar in nature and repeat the objections of others. In these cases it is not always possible for these to be included within the agenda papers. These are either summarised in the report (in terms of numbers received) and the main points highlighted or reported orally at the meeting. All documents are available as 'background papers' for public inspection.

## Conduct

Members of the Public should note that the conduct of the meeting and the procedures followed are controlled by the Chairman of the Committee or, if he/she so decides, the Vice Chairman. Any representations concerning Committee procedure or its conduct should be made in writing to either –

- (i) The Planning Group Manager, Town Hall, Great Yarmouth. NR30 2QF
- (ii) The Monitoring Officer, Town Hall, Great Yarmouth. NR30 2QF

## DEVELOPMENT CONTROL COMMITTEE

### PUBLIC CONSULTATION PROCEDURE

- (a) Thirty minutes only will be set aside at the beginning of each meeting to deal with applications where due notice has been given that the applicant, agent, supporters, objectors, and any interested party, Parish Council and other bodies (where appropriate) wish to speak.
- (b) Due notice of a request to speak shall be submitted in writing to the Planning Group Manager two days prior to the day of the Development Control Committee meeting.
- (c) In consultation with the Planning Group Manager, the Chairman will decide on which applications public speaking will be allowed.
- (d) Three minutes only (or five minutes on major applications at the discretion of the Chairman) will be allowed to (i) objectors together, (ii) an agent or applicant and (iii) supporters together, (iv) to a representative from the Parish Council and (v) Ward Councillors.
- (e) The order of presentation at Committee will be:-
  - (1) **Planning Officer presentation** with any technical questions from Members
  - (2) **Agents, applicant and supporters** with any technical questions from Members
  - (3) **Objectors and interested parties** with any technical questions from Members
  - (4) **Parish Council representatives, Ward Councillors and Others** with any technical questions from Members
  - (5) **Committee debate and decision**

## Protocol

A councillor on a planning or licensing decision making body should not participate in the decision and / or vote if they have not been present for the whole item.

This is an administrative law rule particularly applicable to planning and licensing - if you haven't heard all the evidence (for example because you have been out of the room for a short time) you shouldn't participate in the decision because your judgment of the merits is potentially skewed by not having heard all the evidence and representations.

It is a real and critical rule as failure to observe this may result in legal challenge and the decision being overturned."

## **1 APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

## **2 DECLARATIONS OF INTEREST**

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

## **3 MINUTES**

**6 - 17**

To confirm the minutes of the meeting held on 12 July 2017.

## **4 PLANNING APPLICATIONS**

## **5 APPLICATION 06/17/0168/F**

**18 - 57**

Sub-division of gardens to form plot for detached 2 bed house. 31-33 Station Road, Hopton.

## **6 APPLICATION 06/07/0340/F**

**58 - 92**

Removal of Condition 5 of pp 06/15/0043/F & Condition 3 of pp 06/14/0099/F to allow annexe to be used as a separate dwelling, The Manor Barn, Browston Lane, Browston.

**7      APPLICATION 06/17/0354/F      93 - 101**

Variation of Condition 2 of pp 06/14/0780/F to allow a variation of design. Rear of 33 Nelson Road, Gorleston.

**8      APPLICATION 06/17/0346/F      102 -  
104**

Two storey extension, internal alterations and conversion of part of existing garage to form a habitable space. Rose Havre, Stepshort, Belton.

**9      DELEGATED PLANNING DECISIONS MADE BY THE      105 -  
DEVELOPMENT CONTROL COMMITTEE AND OFFICERS 1-31      115  
JULY 2017**

The Committee is asked to note the planning decisions made by Development Control Committee and Officers during July 2017.

**10      OMBUDSMAN AND APPEAL DECISIONS**

The Committee is asked to note the following appeal decisions:-

(i) **06/16/0692/F** - proposed single storey residential dwelling and re-siting of stables at Short road (land off), Cherry lane Browston - appeal dismissed. original application was an officer delegated refusal.

(ii) **06/16/0200/F** - Demolition of garage at 15 Belstead Avenue; erection of three new bungalows in rear garden at 15 Belstead Avenue, Caister-on-Sea - appeal dismissed. Original application was an officer delegated refusal.

(iii) **06/16/0276/F** - 5 dwellings, garaging, community space for bowling green, car park and new highway access at The Street, (Land to the North), Runham - appeal dismissed. original application was an officer delegated refusal.



**11     ANY OTHER BUSINESS**

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

**12     EXCLUSION OF PUBLIC**

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."

# Development Control Committee

## Minutes

Wednesday, 12 July 2017 at 18:30

Present :

Councillor Williamson (in the Chair); Councillors Andrews, Annison, Fairhead, Flaxman-Taylor, Grant, Hammond, Hanton, Thirtle, Wainwright and Wright.

Councillor B Coleman attended as a substitute for Councillor Reynolds.

Also in attendance :-

Mr D Minns (Group Manager, Planning), Mrs G Manthorpe (Senior Planning Officer), Mr J Ibbotson (Planning Officer), Mr J Flack (Solicitor, nplaw), and Mrs S Wintle (Member Services Officer).

### **1 APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Reynolds.

### **2 DECLARATIONS OF INTEREST**

Councillors Grant, Hammond, Hanton and B Coleman declared a Personal Interest in item 6, but in line with the Council's Constitution all were allowed to speak and vote on the matter.

Councillor Williamson declared a Pecuniary Interest in item 8 in his capacity as a Trustee of the SeaChange Arts.

### **3 MINUTES**

The minutes of the meeting held on the 21 June 2017 were confirmed.

### **4 MATTERS ARISING**

There were no matters arising from the above minutes.

### **5 PLANNING APPLICATIONS**

### **6 APPLICATION 06/17/0218/O - PLEASURE BEACH SOUTH BEACH PARADE GREAT YARMOUTH**

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

The Group Manager, Planning reported that the application was a hybrid application comprising a full Planning application for an 81 bedroom Premier Inn hotel; associated pub/restaurant and ancillary works and an outline application for a large casino with internal restaurants, bars, etc. Cinema with restaurants / bars and indoor play centre.

The Group Manager Planning reported that the Design and Access Statement submitted with the application sets out the description of the development. It stated the following :-

The original strategy was to :-

- Separate the functions based on whether they were family or adult orientated uses
- Orientate family uses within the Golden mile, to naturally extend from the existing amusement Park.
- Create a public, pedestrian friendly central point
- Relate to the existing leisure structures of Pleasure Beach and to the adjoining industrial area.
- Position the car parking / ancillary uses away from the main pedestrianised areas.

Members were advised that in keeping with the original strategy the site had been revised and the previous analysis had been utilised to inform and enhance the revised proposals. Massing, Zones, Linkages and Public Realm strategies have been retained to respond to the sites context and commercial

requirements.

The Group Manager, Planning reported that the illustrated drawings showed the scale, massing, and location of the buildings and soft and hard landscaping of the development and range of external finishes that could be used on the buildings. The proposed development would be brought forward in three distinct phases :-

Phase 1 - The Premier Inn hotel with Beefeater restaurant to the ground floor together with associated car parking (total of 152 car parking spaces)

Phase 2 - The leisure boxes (Cinema, Play Centre and Restaurants), along with multi storey car park and temporary car parking to be created where the casino would be sited (total of 612 car parking spaces); and

Phase 3 - The Casino together with associated car parking (total of 685 car parking spaces)

The Group Manager, Planning reported that the applicant and agents held a public exhibition and consultation on 30 January 2017, where 111 people had attended. The proposals were also presented to a number of Members of the Council, which was followed by a public exhibition to enable members of the Public to provide comments on the revised scheme. He advised that the applicant had reported that the scheme had been well received.

The Group Manager, Planning reported that there had been a number of planning applications / approvals on the site in the past, of particular relevance to this application the two planning permissions that were granted in 2006 and 2011 were summarised in detail. It was reported that the applications were subject to Section 106 Agreements. The Planning Group Manager advised that the previous planning permissions and the most recent in particular albeit expired and the National Planning Policy Framework are material considerations in determining the application and that changes in planning policy terms since the 2011 planning permission should be taken into consideration.

The Group Manager, Planning reported that there had been 1 letter of support received in respect of the application, Peel Ports had no objection to the application in principle providing concerns raised are noted, Highways England, had raised no objection and Norfolk County Highways had also raised no objection subject to a number of conditions appertaining to the development.

The Group Manager, Planning reported that the Local Lead Flood Authority (LLFA) Norfolk County Council had initially raised a number of objections to the proposal which the applicant's had sought to address, the applicants have now provided the additional information requested by the LLFA and the LLFA response was verbally reported to Members.

The Group Manager Planning reported on comments that had been received

previously from English Heritage in respect of concerns raised in relation to the height of the hotel and its impact on the 'iconic and recognisable' Nelson's Monument, he reported that the applicants had addressed the concerns by engaging with consultees and as a result a number of amendments were made to the proposals.

The Group Manager, Planning reported that Historic England had no objection to the application on heritage grounds in light of the previous consented scheme and the more sympathetic response offered by the current proposals, however they considered the proposal would entail some harm to the significance of Nelson's Monument and the scenic roller coaster and suggested that conditions to address this matter to meet the requirements of the NPPF paragraphs 60,61 and 131.

In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA), Members were reminded that they must have special regard to the desirability of preserving listed structures or their settings or any features of special architectural or historic interest which they may possess in the decision making process. This means that Members must accord considerable significance and weight to any harm to a listed building or its setting. This requires that the harm be weighed against the public benefits of the proposal, giving great weight to the conservation of the listed buildings and their setting.

The Group Manager considered although the harm to the setting of the two listed buildings would be modest and the harm to the setting of the listed buildings had to be balanced by the considerable public benefits of the proposal in terms of employment and other economic benefits and contribution to the regeneration and character of the area.

The Group Manager, Planning reported that the application is recommended for approval subject to satisfying the requirements of the LLFA and conditions outlined and Section 106 agreement requested by the Highway Authority. The site is a brownfield site with a recent approval on site for a similar development that is supported by the Core Strategy and will potentially add to the offer available in the Great Yarmouth area and enhance the all year offer of the town in addition to being a job creator. All of which accord with the Council ambitions for the town.

Mr Laister, applicants agent, reported the salient areas of the application advising the Committee of the three phased development which would provide a large scale visitor attraction and urged the Committee to approve the multi million pound design.

A Member asked what guarantees could be offered to Members that phases 2 and 3 of the design brief would be delivered, the applicant's agent reported that discussions were underway with operators to gain further understanding of what is required to undertake phase 2 but that these were at a very advanced stage and could commence October / November 2018, he advised that phase 3 was in working progress and that the applicant was aware and

acknowledged that there would be licensing issues surrounding the casino.

Councillor Jeal, Ward Councillor stated that he was pleased that the application had been re-applied for, however raised some concern in respect of the play area to be situated near to a residential area due to car enthusiasts. Councillor Jeal stated that he was pleased the car park had been moved back to allow for the Nelson's monument and asked whether a pathway leading to the beach had been included within the plans. The Applicant's agent advised that a pathway had been included within the plans.

RESOLVED :

(i) That application 06/17/0218/O be approved subject to the conditions and Section 106 agreement set out within the Group Manager's Planning report and being compliant with the Local Plan policies set out in response from Strategic Planning also set out within the Group Manager's Planning report.

(ii) That the outline application be approved with all matters reserved which will be subject to a detailed application.

## **7 APPLICATION 06/17/0266/O - DECOY ROAD ORMESBY ST MARGARET GREAT YARMOUTH**

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

The Senior Planning Officer reported that the application was for outline permission for the construction of six dwellings. The access and layout are part of the outline application to be determined at this stage with the reserved matters of scale, landscaping and appearance to be determined at a detailed application stage. The site is outside the village development limit for Ormesby meaning the proposal was a departure from the Local Plan; however the village development limit is adjacent to the eastern boundary.

The Senior Planning Officer reported that there had been no objection received from the Parish Council, however they had stated that they would like consideration to be given to the road which is used by farm traffic and horses and consideration given to the developments location outside the village development limit, a request had also been made that the pump station remained maintained.

The Senior Planning Officer reported that no objection had been received from Highways subject to conditions including highways works such as the installation of a footpath and the reduction of the speed limit to 30mph.

The Senior Planning Officer reported that no objections had been received from Building Control, Strategic planning, Environmental Health, Essex and Suffolk Water and UK Power Networks. The Senior Planning Officer reported that 7 objections had been received from the Public Consultation, one common area of objections are against the access and the suitability of the road.

The Senior Planning Officer reported that the location of the Development is considered acceptable in principal and contributes to the supply of housing as set out in the adopted Core Strategy. She advised that appropriate weight should be given to policies CS2 and CS3 of the adopted Core Strategy and in addition the Interim Housing Supply Policy does provide criteria for new housing that is positioned outside the village development limit but still adjacent. The Strategic Planning team were consulted and had no objections as the development would contribute to the Boroughs supply of housing.

The Senior Planning Officer reported that the site is considered broadly sustainable once highway improvement works have been completed in accordance with the highway department's consultation response. Highways have recommended the installation of a footpath which the applicant has included on their plans and they have recommended a condition to ensure work does not start until the speed limit is lowered. With these works undertaken the access is considered acceptable and the site is deemed sustainable.

The Senior Planning Officer reported that the proposal was outline only and did not include the final appearance or scale, the indicative appearances are considered acceptable in a rural location and the design principals are considered to outweigh the contrast to the traditional style of the adjacent properties. The landscaping was also indicative at this stage, however the applicant has stated that no trees will be removed and has shown on the layout plan reasonable extensive planting, particularly to the boundaries.

The Senior Planning Officer reported that the application was recommended for approval subject to all conditions ensuring a suitable development including reserved matters of landscaping, scale and appearance. Subject to highway conditions, details of boundary treatments, Environmental Health conditions and potential conditions relating to utilities and water drainage and conditions relating to a bat survey.

A Member asked in respect of an objection that had been raised in regard to loss of view from properties, the Senior Planning Officer advised that the issue raised was not a planning matter.

A Member raised concern in respect of flooding within the development area, the Senior Planning Officer advised that the development site was not located within the flood zone area and that no objections had been received in relation to flooding issues.

A Member asked whether the width of the road would be decreased to enable a pathway, and it was advised that the road width would remain the same and the pavement would be added as an addition to the road.

Mrs Storey, Objector reiterated the main concerns and objections that had been raised by neighbouring properties.

Mr Cheetman, Parish Councillor reported that whilst the Parish Council had not raised an objection to the development he stated that the Parish Council had concerns in relation to the pumping station and the need for consideration in respect of speed of traffic.

A Member pointed out that the pumping station would not be the responsibility of the Borough Council and suggested that the Internal Drainage Board be contacted.

RESOLVED :

That application 06/17/0266/O be approved subject to all conditions ensuring a suitable development including the reserved matters of landscaping, scale and appearance, subject to highway conditions, details of boundary treatments, Environmental Health conditions and potential conditions relating to utilities and water drainage and conditions relating to a bat survey.

## **8 APPLICATION 06/17/0220/F AND 06/17/0221/LB - THE DRILL HOUSE YORK ROAD GREAT YARMOUTH**

In light of his Pecuniary Interest in the item to be debated the Chairman left the meeting.

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

The Senior Planning Officer reported that the application site adjoined the Drill House (commonly referred to as the Drill Hall) had recently been granted approval for a change of use and physical alterations. The land between the gates, where it is highways land, is reported within the design and access statement as highways land is subject to a stopping up order which had not yet been confirmed. It was reported that there was a section of land adjacent to the Town Wall which had previously been in the Borough Council's ownership had since been transferred to Sea Change Arts.

The Senior Planning Officer reported that at the time of publication of the report in respect of the above application there had been no objections received, however since publication a letter of objection had been received, this letter was read verbatim to Members of the Committee as follows :-

"Dear Mr Minns,



Please excuse my late submission as I have only found out that our previous objections regarding the gating of the area around the Drill Hall can not be carried forward without an updated letter for this purpose.

The residents that subscribed to previous objections did not expect to be in this position again of having to convince the planning committee that the gating of a public thoroughfare is completely unacceptable to the local residents as it will deny access and enjoyment of our local section of the historic wall.

It will deny the local residents in Deneside who do not fall in the Resident parking scheme and are subject to double yellow lines, the opportunity to park near their own properties.

It will allow for a gated compound to be formed for the sole use of Seachange Arts to use as they see fit. They have already in the past eluded to the siting of caravans, overnight accommodation of travelling acts, scenery workshops etc. We have already experienced the noise and activity during these periods of these arts projects.

We have already eluded to the "noise funnel effect" this area produces due to the high walling of the surrounding buildings.

I respectfully request that the committee consider not just the output of Seachange Arts a couple of times a year but the 52 weeks a year impact the residents do and will incur with this ever expanding arts venture.

There is no room for expansion of this project here in this area without a detrimental impact on the surrounding area.

I therefore request this application be turned down in view of it being inappropriate for the surrounding area and detrimental to the amenities of the immediate area. "

The Senior Planning Officer reported that since publication of the agenda comments had been received from the Conservation Officer as follows :-

"Conservation supports a contemporary approach to the design of gates in this location and the use of Corten steel cladding (to both sets) is seen as acceptable. There is a concern that actual construction will require modification to the graphic forms illustrated and details will need to be submitted for approval."

The Senior Planning Officer reported that the agent had stated that the gates would not physically be attached to the Drill House although this was unclear from the drawings submitted and as such would need to be conditioned should Members be minded to approve the application.

The Senior Planning Officer reported that the design and access statement

stated that access would be available during weekday daylight hours when safe and appropriate to do so, at other times it is stated that the keys will be made available for residents whose properties adjoin the yard for repair. In order to comply with the Core Strategy access should be maintained to historic assets such as the Town Wall.

In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA), members were reminded of the need to special regard to the desirability of preserving listed structures or their settings or any features of special architectural or historic interest which they may possess. Also of the need to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas, as required by section 72(10) of the LBCA. In addition, the Town Wall is an Ancient monument subject to the provisions of the Ancient monuments Acts. However, given the conditions proposed and that the Conservation Officer had not objected to the proposal, officers were satisfied that the proposal would not result in harm to the listed building or conservation area.

The Senior Planning Officer reported that should Members be minded to approve the application a condition would be recommended to be placed upon the land to retain access during the opening hours of the Drill House, although this would not comply fully with policy CS10 as the access would be restricted it is reasonable to restrict access when the historic asset would not be visible owing to light levels.

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

A Member asked how the Council would police the gates to ensure they were being opened and closed at the correct times. It was advised that should a complaint be received in relation to the gates opening and closing times, enforcement action could be taken.

A Member asked if the application was approved, why gates would be erected on highways road, John Flack, nplaw, advised that the applicant had submitted an application to Norfolk County Council for a stopping up order which, if successful, would result in the road ceasing to be highways owned.

Some concern was raised in relation to the design for the gates, it was advised that further information would be sought as the design brief was unclear.

A Member asked for clarification in relation to residents parking rights if the gates were closed, John Flack, nplaw, advised that if a successful stopping up order was obtained from Highways, then this area would cease to be a public right of use area.

Mr Cross, Applicant, summarised to the Committee the salient reasons for the application, he advised that the main concern was safety and that it was hoped the gates would provide security and prevent crime.

A Member asked for clarification in relation to the gates being closed at 11 pm, who would be responsible for the closing of them at this time. The applicant advised that this was a matter to be decided.

Councillor Robinson-Payne, Ward Councillor raised her concerns in respect of the application and stated that she felt insufficient information had been submitted to enable the Committee to make a decision on the application, she pointed out that the application did not comply with the Core Strategy and urged Members to refuse the application.

Councillor Jeal, Ward Councillor stated that he had supported Seachange in many aspects of their work, however, he felt that the access needed to remain open to residents of the Borough and tourists alike.

A Member asked whether a condition could be implemented to ensure that access could be maintained during daylight hours. The solicitor, nplaw, advised that this could be applied for via an Access Management Plan.

Following a debate, a motion was put forward to refuse the application, as it was against Policy CS10, of the Great Yarmouth Boroughwide Local Plan, however, following a vote this motion was lost.

RESOLVED :

That application number 06/17/0220/F be approved, subject to a management plan for access, all conditions to ensure an adequate form of development and a condition requiring the gates to be open during operational hours of the Drill House.

## **9 APPLICATION 06/17/0331/A - 9 THE GREEN MARTHAM**

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

The Senior Planning Officer reported that the application was for the retention of an illuminated advertisement in a conservation area. The advertisement, when originally displayed, was subject to a number of complaints and as such advice was given stating that the advertisement did not benefit from deemed consent under the Advertisement regulations and consent was therefore required for the display.

The Senior Planning Officer reported that the main objections to the application, including the Parish Council's objections, were in relation to the illumination of the advertisement and that the advertisement, by illumination, changed colour. It was reported that in discussing the concerns with the applicant the white illuminate lettering could be conditioned to white which could mitigate the appearance of the advertisement.

The Senior Planning Officer reported that the site is located within a conservation area and of the need to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas, as required by section 72(1) of the LBCA. As such, the appearance of the venue should be assessed when considering the application. It was reported that the advertisement was similar to the previous sign at the premises and as per the Conservation Officer's comments, was acceptable given the utilitarian appearance of the building.

The Senior Planning Officer reported that the application was recommended for approval subject to conditions required to provide a satisfactory form of development, those requested by Highways and a condition ensuring that the illumination is not on outside of the hours that the business is open.

Councillor B Coleman, Ward Councillor raised his concerns in relation to the application and stated that he felt the signage should be replaced with signage in keeping with the village area and should not be illuminated as this was completely out of character for the area.

RESOLVED :

That application number 06/17/0331/A be approved, subject to conditions required to provide a satisfactory form of development, those requested by Highways and a condition ensuring that the illumination is not on outside of the hours that the business is open.

#### **10 APPLICATION 06/17/0348/F - MARINE PARADE (FORMER AMAZONIA REPTILE ZOO) GREAT YARMOUTH**

The Committee received and considered the comprehensive report from the Planning Assistant.

The Senior Planning Officer reported that there was an amendment to Paragraph 1.2 of the application report in that the attraction would be released on steel ropes not elastic.

The Senior Planning Officer reported that the application was for a change of use from vacant land to the siting of a 'Slingshot' amusement ride, along with the erection of fencing and installation of matting.

The Senior Planning Officer reported that there had been no objections received in respect of the application, a number of consultees had returned comment, the British pipeline raised a number of points to be considered when developing near to major pipeline, Norfolk Constabulary had recommended security measures for the applicants consideration. It was reported that the site is within a flood zone and accordingly a flood risk assessment was provided,

however the Lead Local Flood Authority had not commented as the application is below the threshold in terms of size for a comment to be put forward. The application site is within the conservation area, but was not immediately adjoining any listed buildings.

The Senior Planning Officer reported that the application was recommended for approval subject to all conditions ensuring a suitable development including a temporary permission and conditions ensuring the units removal when not in use (off-season).

Mr Knowles, applicant advised the Committee that hoped the attraction increased the footfall within the Town Centre and Seafront and asked the Committee to approve the application.

RESOLVED :

That application 06/17/0348/F be approved, subject to all conditions ensuring a suitable development including a temporary permission and conditions ensuring the units removal when not in use (out of Season).

#### **11 DELEGATED PLANNING DECISIONS MADE BY THE DEVELOPMENT CONTROL COMMITTEE AND OFFICERS 1 - 30 JUNE 2017**

Resolved :

The Committee noted the planning decisions made by the Development Control Committee and Planning Officers for the period 1-30 June 2017.

#### **12 OMBUDSMAN AND APPEAL DECISIONS**

The Chairman reported that there were no appeal or ombudsman decisions to report to the Committee.

#### **13 ANY OTHER BUSINESS**

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

#### **14 EXCLUSION OF PUBLIC**

The meeting ended at: 20:30

**Reference:** 06/17/0168/F

**Parish:** Hopton

**Officer:** Mr J Ibbotson

**Expiry Date:** 10/08/17

**Applicant:** Mr W Howkins

**Proposal:** Subdivision of gardens to form plot for detached 2 bedroom house.

**Site:** 31/33 Station Road  
Hopton  
Great Yarmouth  
NR31 9BH

## REPORT

### 1 Background / History :-

- 1.1 31 and 33 Station Road are two semi-detached dwellings dating to the Victorian period. The properties face onto Station Road, with pedestrian access from this road. Vehicular access is from the lane which runs to the west of the properties. The buildings have relatively long curtilages, which currently has a pitched roof garage located at the north eastern end of the gardens. This structure forms a rear boundary with 12 St Clements Mews.
- 1.2 The neighbouring property to the east is the village shop and north east is modern houses on St Clements Mews, to the west on the opposite side of the lane is 29 Station Road, a large detached property of a similar age to the host dwellings, and to the north west also on the other side of the private access lane and footpath is 83 and 85 Potters Drive. The adjoining property to the north is 81b Potters Drive. This property faces westwards over the rear garden of 83 Potters Drive. Running along the western boundary runs a public right of way, part of which is open for vehicular traffic, part of which is only open to pedestrians, cutting through from Potters Drive.
- 1.3 The land had been subject to a previous planning application (06/13/0071/F), which was refused. This application had sought permission for a two bedroom house to the rear of the host properties, and was refused for the following reason.

*"The design of the proposed house and its location on the plot will result in the proposed dwelling extending beyond the rear elevation of the neighbouring dwelling to the north which would be an unneighbourly form of development that would cause overshadowing and loss of light and outlook to that dwelling."*

*The proximity of the first floor window to the rear of the proposed dwelling to the rear boundary of the site would also result in overlooking of the existing house at the rear and would have significant adverse effects on the amenities of that property. In addition to this the application does not show any parking or turning area for the proposed dwelling and is lacking in detail regarding the replacement parking for the existing houses and details of the boundary treatment following demolition of the existing garage. The proposal would therefore be contrary to Policy HOU15 and criteria (A), (C) and (E) of Policy HOU7 of the Great Yarmouth Borough-Wide Local Plan which seek to safeguard the character and form of settlements and protect the amenities of the occupiers of nearby dwellings.”*

- 1.4 Planning permission is sought in this instance for the erection of a two storey detached dwelling house. This would follow the part demolition of the garage on site and subdivision of the garden of 31 and 33 Station Road. The development would use of part of 31 Station Road's garden to widen the existing access from the lane and also provide two tandem parking spaces for the proposed dwelling. Additionally a single parking space for No. 33 would be created in what had been the rear garden of 31 Station Road. Parking for number 31 Station road would be provided in a new access onto Station Road onto a single parking space in the front garden of No.31 Station Road.
- 1.5 This planning application has taken into account some of the concerns of neighbours and following negotiation taken into account the reasons for refusal of the previous planning application. The reasons why the previous application had been refused were that the set back of the rear elevation in relation to 81b Potters Drive would have caused loss of light, the potential overlooking of the property to the rear, and lack of detail regarding access.
- 1.6 The proposal differs in that it has a front and rear elevation broadly in line with the neighbouring property to the north, 81b Potters Drive. The first floor layout has been altered to allow for the rear bedroom to have a window in the southern side elevation rather than the rear elevation to avoid overlooking of No. 12 St Clements Mews. It has also included alternative off street parking and a widened access in line with Norfolk County Council Highways Department's standards.
- 1.7 The development would have a single bedroom on the front of the building with two first floor windows in the front elevation. These windows would face the same direction as the first floor windows of 81 and 81b Potters Drive and would to an overlook the gardens and property at 83 Potters Drive, and the garden of 29 Station Road. Through negotiation the agent has agreed that the smaller window in the first floor front elevation would be obscure glazed to limit the degree of overlooking. In addition the rear brick wall of the garage will be retained to form the boundary treatment to the rear.

## **2 Consultations :-**

- 2.1 Highways – sets out that whilst there would be a reduction in parking provision for the existing properties, and that there might be parking displacement on



balance there are not sufficient grounds to refuse the application on Highways Grounds as Hopton is noted to have a good level of services and also access to public transport. The lane access is to be widened and would improve vehicle pedestrian interaction. The parking provided to the front of No. 31 Station Road would be NCC highways policy compliant. Conditions are suggested.

- 2.2 Parish Council – objects on the grounds that the proposal is over-development of the site, the proposal does not meet NCC parking standards of two cars per dwelling, provides insufficient space for turning and would infringe on the foot path, increase traffic in the area and in particular on Station Road, and the demolition of the garage would compromise the shared boundary and cause overlooking of 12 St Clements Mews.
- 2.3 Local residents – Five letters of objection were received in regards to the initial application drawings, subsequently amendments have been made which have to an extent addressed the concerns of some of the residents however the final amendment consultation resulted in 2 letters of objection and one letter of comment. Copies of which are attached, the main reasons for objection are that the building has previously been refused permission and the objections still stand, these being poor access onto a busy road, insufficient parking, over development of the plot, loss of privacy at the properties to the rear and opposite, loss of gardens of the donor properties and detrimental impact upon the character of the area. Other issues related to the boundary treatment, and also construction disturbance.

The owners of 81a Potters Drive wish that if the council is minded to approve that a 1.8m high timber panel fence is erected between this property and the application site.

The letters of objection to the final amendment sets out that the development would harm the amenity of No. 83 Potters Drive, would result in unacceptable and dangerous vehicle movements, cause the loss of the garages and No.31 Station Road's garden, as well as the loss of a well-used grass verge. Additionally one letter sets out that the neighbouring property 83 Potters Drive was not shown on plan.

- 2.4 Building Control Officer – No objection

### **3 Policy :-**

- 3.1 Policy CS3 – Addressing the Borough's housing need

To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:

- a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by:



- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
  - Allocating two strategic Key Sites; at the Great Yarmouth Waterfront Area (Policy CS17) for approximately 1,000 additional new homes (a minimum of 350 of which will be delivered within the plan period) and at the Beacon Park Extension, South Bradwell (Policy CS18) for approximately 1,000 additional new homes (all of which will be delivered within the plan period)
  - Allocating sufficient sites through the Development Policies and Site Allocations Local Plan Document and/or Neighbourhood Development Plans, where relevant
  - Ensuring the efficient use of land/sites including higher densities in appropriate locations
  - Using a 'plan, monitor and manage' approach, which uses a split housing target to ensure that the plan is deliverable over the plan period (as shown in the Housing Trajectory: Appendix 3), to ensure the continuous maintenance of a five-year rolling supply of deliverable housing sites
- b) Encourage the effective use of the existing housing stock in line with the Council's Empty Homes Strategy
- c) Encourage the development of self-build housing schemes and support the reuse and conversion of redundant buildings into housing where appropriate and in accordance with other policies in the Local Plan
- d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites
- e) Support the provision of housing for vulnerable people and specialist housing provision, including nursing homes, residential and extra care facilities in appropriate locations and where there is an identified need
- f) Encourage all dwellings, including small dwellings, to be designed with accessibility in mind, providing flexible accommodation that is accessible to all and capable of adaptation to accommodate lifestyle changes, including the needs of the older generation and people with disabilities
- g) Promote design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas and make efficient use of land, in accordance with Policy CS9 and Policy CS12

### 3.2 Policy CS9 – Encouraging well-designed, distinctive places

High quality, distinctive places are an essential part in attracting and retaining residents, businesses, visitors and developers. As such, the Council will ensure that all new developments within the borough:

- a) Respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised; making efficient use of land and reinforcing the local identity
- b) Consider incorporating key features, such as landmark buildings, green infrastructure and public art, which relate to the historical, ecological or geological interest of a site and further enhance local character
- c) Promote positive relationships between existing and proposed buildings, streets and well lit spaces, thus creating safe, attractive, functional places with active frontages that limit the opportunities for crime
- d) Provide safe access and convenient routes for pedestrians, cyclists, public transport users and disabled people, maintaining high levels of permeability and legibility
- e) Provide vehicular access and parking suitable for the use and location of the development, reflecting the Council's adopted parking standards
- f) Seek to protect the amenity of existing and future residents, or people working in, or nearby, a proposed development, from factors such as noise, light and air pollution and ensure that new development does not unduly impact upon public safety
- g) Conserve and enhance biodiversity, landscape features and townscape quality
- h) Minimise greenhouse gas emissions and the risk of flooding, through the use of renewable and low carbon energy and efficient site layouts and building designs, in accordance with Policy CS12
- i) Fulfil the day-to-day social, technological and economic needs of residents, visitors and businesses by ensuring the provision of capacity for high speed digital connectivity, suitable private and communal open space, cycle storage and appropriate waste and recycling facilities

Applicants are encouraged to engage with the Council's Development Control section early on in the design process through pre-application discussions to help speed up the planning process and ensure that the selected design is the most appropriate for the site.

### 3.3 POLICY HOU7

NEW RESIDENTIAL DEVELOPMENT MAY BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE PARISHES OF BRADWELL, CAISTER, HEMSBY, ORMESBY ST MARGARET, AND MARTHAM AS WELL AS IN THE URBAN AREAS OF GREAT YARMOUTH AND GORLESTON. NEW SMALLER SCALE RESIDENTIAL DEVELOPMENTS\* MAY ALSO BE PERMITTED WITHIN THE

SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE VILLAGES OF BELTON, FILBY, FLEGGBURGH, HOPTON-ON-SEA, AND WINTERTON. IN ALL CASES THE FOLLOWING CRITERIA SHOULD BE MET:

- (A) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE FORM, CHARACTER AND SETTING OF THE SETTLEMENT;
- (B) ALL PUBLIC UTILITIES ARE AVAILABLE INCLUDING FOUL OR SURFACE WATER DISPOSAL AND THERE ARE NO EXISTING CAPACITY CONSTRAINTS WHICH COULD PRECLUDE DEVELOPMENT OR IN THE CASE OF SURFACE WATER DRAINAGE, DISPOSAL CAN BE ACCEPTABLY ACHIEVED TO A WATERCOURSE OR BY MEANS OF SOAKAWAYS;
- (C) SUITABLE ACCESS ARRANGEMENTS CAN BE MADE;
- (D) AN ADEQUATE RANGE OF PUBLIC TRANSPORT, COMMUNITY, EDUCATION, OPEN SPACE/PLAY SPACE AND SOCIAL FACILITIES ARE AVAILABLE IN THE SETTLEMENT, OR WHERE SUCH FACILITIES ARE LACKING OR INADEQUATE, BUT ARE NECESSARILY REQUIRED TO BE PROVIDED OR IMPROVED AS A DIRECT CONSEQUENCE OF THE DEVELOPMENT, PROVISION OR IMPROVEMENT WILL BE AT A LEVEL DIRECTLY RELATED TO THE PROPOSAL AT THE DEVELOPER'S EXPENSE; AND,
- (E) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE RESIDENTIAL AMENITIES OF ADJOINING OCCUPIERS OR USERS OF LAND.

(Objective: To ensure an adequate supply of appropriately located housing land whilst safeguarding the character and form of settlements.)

\* ie. developments generally comprising not more than 10 dwellings.

#### **4 Assessment :-**

- 4.1 The proposal differs to the previously refused application (06/13/0071/F) in amongst other reasons by its siting in relationship to neighbouring dwellings, as well as window positioning. Additional detail has been provided as part of this application to show how access, turning and parking would be provided. The scheme put forward to the Planning Committee is an amended scheme following negotiation which has taken on board the concerns of the planning officer, NCC Highways officer, Parish Council and neighbouring residents. Whilst the application would result in some compromises, on balance the benefits of providing a new dwelling in a sustainable location outweighs the minimal harm that would be caused by this development.

- 4.2 This application would see the building being constructed broadly in line with the neighbouring property No. 81a Potters Drive, and therefore there are no projections to the rear which would result in overshadowing or overlooking of this dwelling. The final amendment has a first floor room and window layout that will not directly overlook properties to the rear. The current garage wall on the boundary with 12 St Clements Mews would be retained, and a condition could be placed on the application to ensure adequate height boundaries on other elevations. The separation distance to the host properties is sufficient. Therefore the properties to the North, East and South would not suffer through loss of privacy, light or outlook. The distance from the proposed dwelling to 29 Station Road means that this neighbouring property would not be adversely affected through overlooking or loss privacy.
- 4.3 Strong objections have been received from the occupants of the property on the opposite side of the footpath to the west, no.83 Potters Drive in regards to overlooking and loss of privacy. The proposal includes two first floor windows which would overlook the garden and rear windows of No.83. Whilst this would cause a degree of overlooking it is not considered sufficiently severe to warrant refusal.
- 4.4 No81b Potters Drive, which is closer to No 83 Potters Drive than the proposal already overlooks the site. As this is a relatively recent development of houses in a suburban area the density and proximity means that overlooking is characteristic of the general pattern of development. The proposed dwellings nearest first floor window is approximately 20m away from No 83 Potters Drive. The first floor bedroom windows would face at approximately 90 degrees the rear elevation of this neighbouring property and the potential for overlooking is possible, but would not be worse than that caused by 81b Potters Drive. To mitigate further there is agreement from the agent to use obscure glass in the nearest first floor window. On balance therefore the scheme is considered to be in compliance with policy HOU7 (E) of the Great Yarmouth Borough Wide Local Plan.
- 4.4 This final revision of the plans results in the proposed dwelling having sufficient parking provision to meet NCC requirements. The two host properties would only have a single parking space each which would not meet the parking requirements set out by NCC.
- 4.5 However, following consultation with the NCC Highways Officer their advice is that this would not be a sufficient reason to refuse the application. Hopton has good public transport links, as well as access to nearby schools, shops and other services. Therefore the site is considered to be a sustainable location, where one car per property would work. Whilst objections have stated that overspill on street parking is undesirable or potentially dangerous, on street parking is not restricted in the area, and therefore overspill parking could park on the roads. By allowing the dropped curb of No.31 Station Road, this is likely to restrict parking directly in front of these properties which would be beneficial.

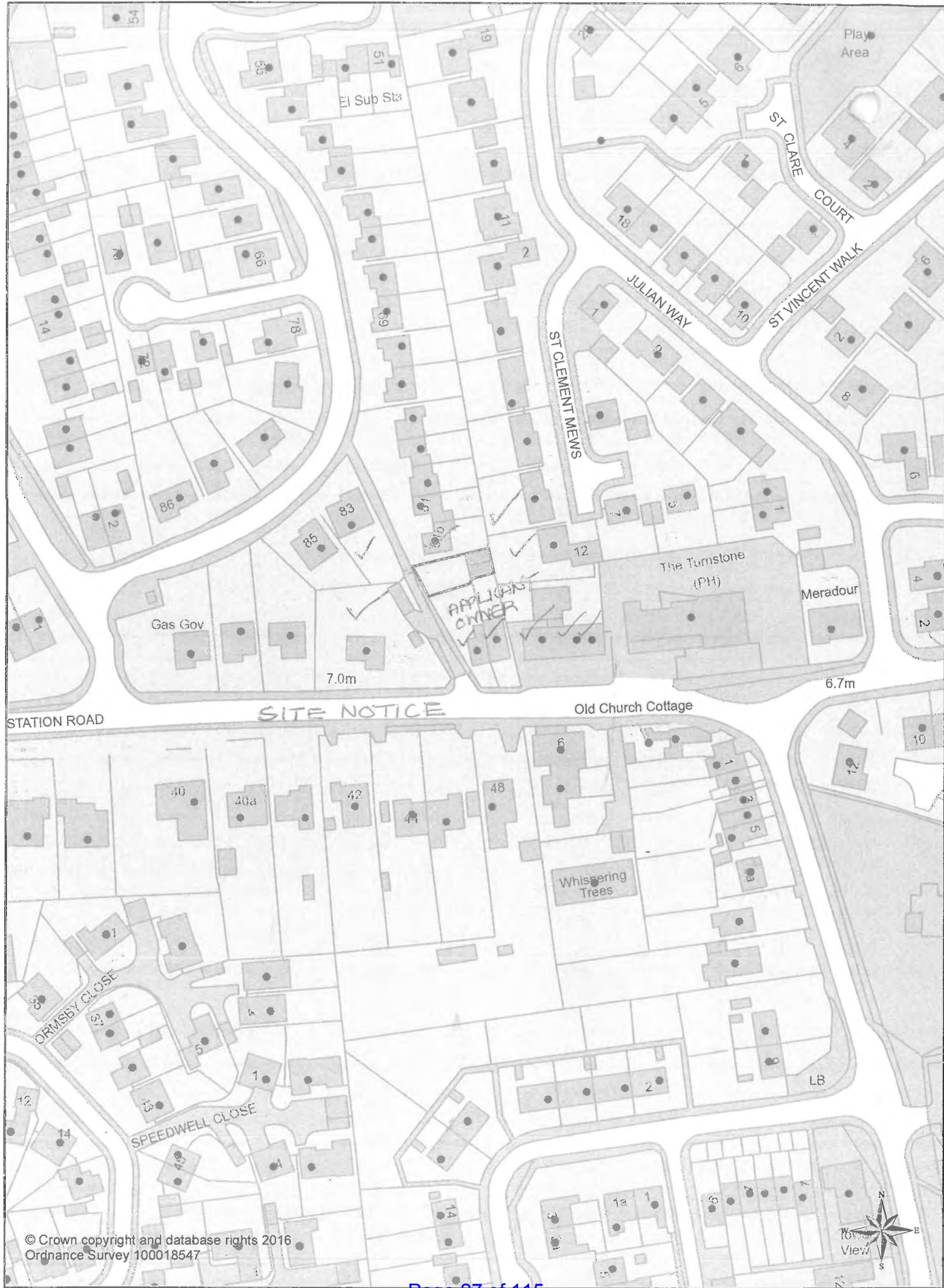
- 4.6 In terms of the intensification of the use of the lane as access, at least 4 vehicles can currently park on the rear of the site or in the garage as accessed by the lane (which also acts as a footpath). This proposed development would restrict the number of vehicles parking in this area to 3 vehicles which would be a net reduction in vehicle parking spaces and thus likely vehicle movements. Additionally the proposal includes widening the width of the access which would ensure that pedestrian and vehicles have sufficient space to manoeuvre. Therefore the proposal would not result in sufficient change over the current number and type of vehicle movements and would widen the access to allow for improved pedestrian and vehicular crossing.
- 4.7 Other issues to consider are the design of the structure, and the quality of amenity provided for future residents. The external appearance of the proposed dwelling is a typical two storey suburban dwelling which would be constructed in traditional building methods. The building line of 81 and 81A Potters Drive would be continued, and whilst the plot is a subdivided garden, it has been shown that there is sufficient space to provide adequate gardens and not cause undue amenity loss to neighbours. Therefore the proposal is considered to be of an acceptable appearance. The infill will not break up the gap between the pair of Victorian cottages (31/33 Station Road) and the larger house (29 Station Road) which date back to when there had been a railway in the area. Therefore the character of the street scene as viewed from Station Road would remain relatively unchanged.
- 4.8 The internal layout is acceptable with all rooms having an acceptable outlook but not being overlooked to an extent which would be considered to have limited privacy. The rear garden would be relatively private and the front garden could be landscaped to ensure acceptable vehicular visibility, but also have a positive visual appearance. The proposed dwelling would have a floor area of 65m<sup>2</sup> which is 5m<sup>2</sup> under the size specified for a 2 bedroomed 3 person property in Governments guidance as set out in Technical housing standards – nationally described space standard. However the property includes built in storage space, would have room for an outside store, and both bedrooms are compliant with the Technical Housing Standards, in this instance it is considered justified to accept the form of development as it as addressed the reasons of refusal for the previous application.
- 4.9 As the development is for a single dwelling, no additional contributions would or could be required to be made by the developer for instance for affordable housing or infrastructure provision. The dwelling would be a windfall development which contributes (in a minor way) to the councils housing provision.

## **5 RECOMMENDATION :-**

- 5.1 Approve - subject to conditions as requested by highways, requiring boundary treatment details to be provided including the retention of the rear 2.4m wall, requiring cycle sheds to be provided, requiring the first floor rear bathroom

window and first floor smaller window to be obscure glazed, removing permitted development rights and restricting hours of construction.





06114/01681F  
31 Station Road



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## Elaine Helsdon

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**From:** Martin & Denise Collins '  
**Sent:** 30 July 2017 13:26  
**To:** Jack Ibbotson  
**Cc:** plan; hoptonparishclerk@hotmail.com  
**Subject:** Re: Objections to proposal 06/17/0168/F, 31-33 Station Road (R/O) Hopton  
**Attachments:** Parking 50\_52 Station Road.png; Sat 50\_52 Station Road.jpg

Good day,

Following our site visit with Mr. Ibbotson and reiterating our previous objections, we have considered the above revised drawing and strongly object to this revised application for the following reasons:

1. Overlooking & loss of privacy. The property still overlooks our property and in difference to any existing properties has a direct line of sight into both our lower and upper living spaces. It also overlooks into our garden more than any existing property. Both points leading to a loss of our presently enjoyed amenities & privacy. Previously described as "angled slightly away", it is in fact only 3 to 4 degrees different from existing property angles and therefore negligible. Other residents, particularly 29 Station Road, are similarly affected with regard to overlooking & loss of privacy.

2. Lack of parking.

a) Only 4 spaces for 3 properties.

b) Also, if this application is NOT taken in isolation and we consider the surrounding area - two new properties were recently constructed on the south side of Station Road opposite the Turnstone public house, numbers 50 & 52. These two properties appear to have been built with NO parking provisions at all\*\*. These two houses, the nearby busy shop, post office, and public house together with the additional parking demands this new application brings at a narrow part of the main road already congested with two bus stops would mean at times, complete travel chaos for Hopton residents and visitors alike.

\*\*Having consulted planning application 06/14/0404/F for 50 & 52 Station Road, decided on 4th August 2014, it would appear the properties were planned with parking provision at the rear of number 50. However, planning application 06/15/0337/F, decided on 28th August 2015, allowed the on-site parking provision to be removed. This decision to remove the on-site parking in 2015 now has considerable impact on the application for 31-33 Station Road as it is extremely probable that application 06/15/0337/F was granted with no objections in the full knowledge that

31-33 Station Road had considerable off-road parking space at the rear, space that is now planned to be removed.

c) The applicant or one of his agents, a person unknown to us, already, unwittingly, acknowledges the parking problems now, before the proposed additional property is even built. Whoever he is owns a blue Mercedes, registration ending in WUY and he repeatedly parks outside our house on Potters Drive (83) and walks through the passageway to the two railway cottages, carrying radiators and other supplies (we have photographic evidence). Despite it being on a dangerous bend in Potters Drive he is quite entitled to park there, free of double yellow lines, he is committing no crime. But it clearly displays the present problems he has in finding a parking space and the parking displacement that will occur if this application is granted, unfairly to the residents of neighbouring areas.

3. Public safety.

a) The egress site line is dangerous to oncoming traffic & pedestrians in both directions, with additional parking from properties on Station Road, again at a narrow part of the main road already congested with two bus stops.



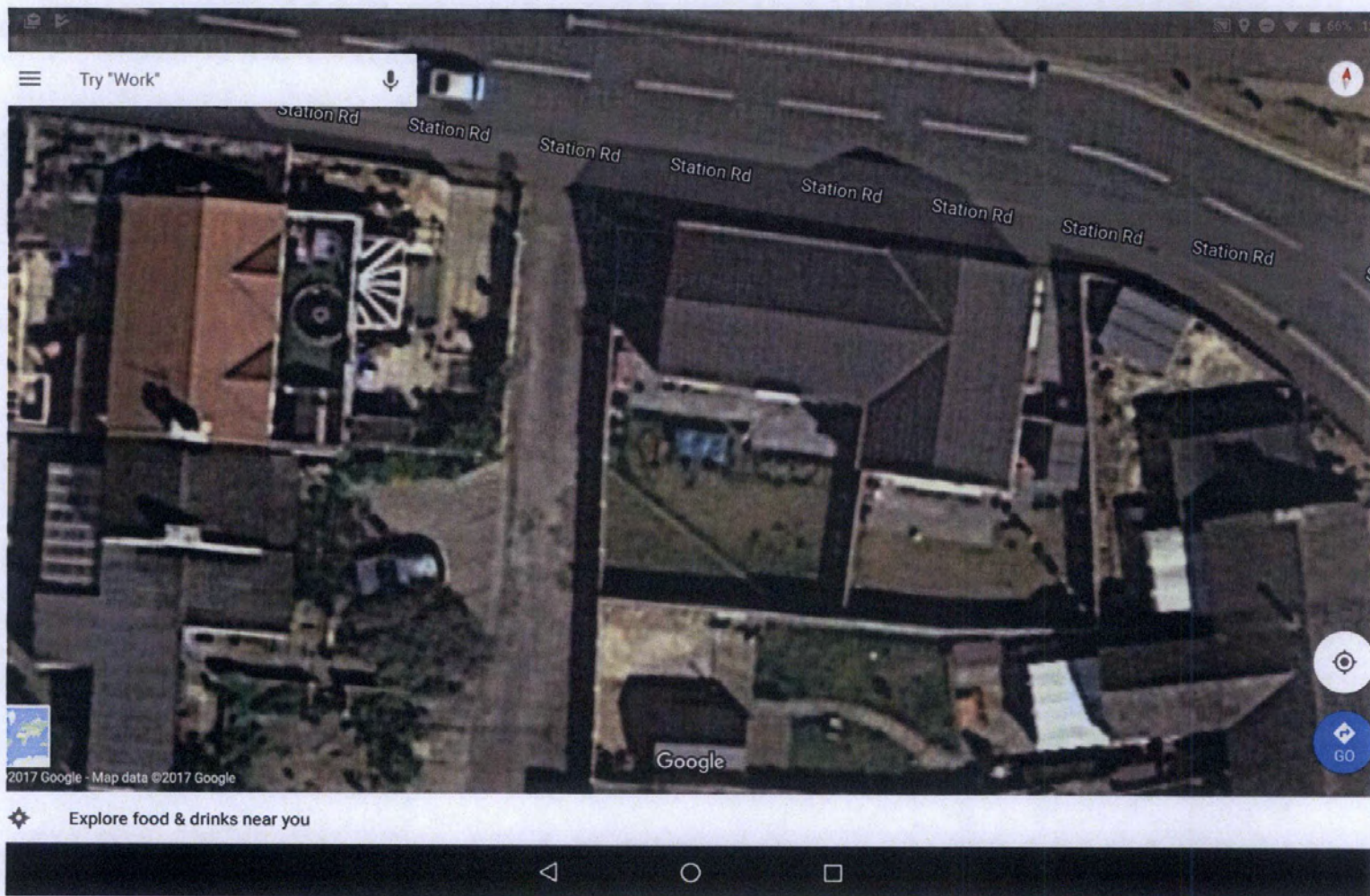
b) In significant difference to the present arrangements, the proposed design dictates a need for vehicles, in order to park in the allotted spaces, to reverse into or out of the public passageway where pedestrians will be walking unprotected. Reversing out of the parking spaces would be more dangerous to pedestrians than reversing in, particularly if line of sight is obscured and there is no guarantee the drivers would choose the safest option. Worse the tandem parking proposal may cause complete congestion if the blocked in car needs to leave and the other car has to move into the passageway for that to happen. Initial plans may allow for provision of line of sight from the parking spaces, with suitable landscaping, but that would not be enforceable over a period of time. If a new owner decided they wanted more privacy and planted a 6ft hedge then they could, no matter how unsafe. The present 6ft hedge on the border of 81a already obscures pedestrians leaving the passageway from vehicles and this proposed development will only make it more dangerous.

c) The present surface of the passageway dictates that vehicles have to drive slowly to avoid damage to their vehicles, which increases pedestrian safety. There is sufficient space for pedestrians to stand clear as a slow moving vehicle passes. If this passageway is resurfaced to a high speed surface then this will decrease pedestrian safety. Speed bumps are not suitable for pedestrian areas and a high speed surface would dictate a clear requirement for pedestrian and vehicle separation  
- none exists on the proposed plans.

4. Garden Grabbing. There is a significant reduction to the garden of number 31. This reduces amenity space.

The architects supplied drawings have throughout excluded our property from the plans. You could argue this was done on purpose to give our objections less significance to those reviewing the application remotely  
- it is at least how we have been made to feel. We purposefully had to make quite some fuss and upset some parties before we finally felt listened to and therefore, mission accomplished, now fully apologise for any upset caused.











25 JUL 2017

Customer Services



MR &amp; MRS R. WATTS S

"STATION HOUSE"

29, STATION ROAD

HOPTON-ON-SEA NR31-9BH

21<sup>ST</sup> JULY 2017.

PLANNING APPLICATION 06/17/0168/F.  
TO PLANNING SERVICES.

## AMENDED PLAN FOR DRIVE BETWEEN 29 & 31 STATION RD

WE WERE DISTURBED TO READ, THAT MR HOWKINS - WISHES TO TAKE THE GRASS - VERGE AWAY, DOWN THE DRIVE, IT'S USED A LOT, BY PEDESTRIANS, WHEN CAR'S ARE IN THE DRIVE.

WE CUT THE GRASS REGULARLY, AND PICK UP ALL LITTER, IN THE DRIVE.

SURELY THE GRASS - VERGE, COMES - UNDER HEATH & SAFETY, AND NOT TO BE TURNED INTO, A MUDDY AREA.

RAILWAY - COTTAGE 31, IS LOSING MOST OF ITS BACK GARDEN, FOR A CAR - PARK, NOW WE READ, ITS LOSING ITS FRONT - GARDEN ALSO, FOR A CAR - PARK !!

TWO NICE GARAGES, ARE STANDING, AND A GOOD TURNING AREA, FOR AT LEAST, 4 CARS AWAY FROM PEDESTRIANS AND SCHOOL - CHILDREN, SURELY THIS MUST COUNT, FOR SOMETHING.

A WATER STOP - COCK, IS ON THE GRASS VERGE FOR HOUSE 31, JUST WHERE A CAR, WOULD DRIVE - OVER IT, FOR THE FRONT - GARDEN TO PARK.

YOURS FAITHFULLY



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**Elaine Helsdon**

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**From:** D J Kenn  
**Sent:** 16 July 2017 20:50  
**To:** plan  
**Cc:** Hopton Parish Council  
**Subject:** Response to Planning app 06/17/0168/F  
**Attachments:** Response to GYBC 16 July.docx

Dear Sir / Madam

Please find attached a letter with reference to Planning Application 06/17/0168/F (revised plans)

Regards

Mrs C L Kennedy



Virus-free. [www.avg.com](http://www.avg.com)

46 Anglian Way  
Hopton  
Great Yarmouth  
Norfolk  
NR31 9DB  
16<sup>th</sup> July 2017

Planning Services  
Development Control  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Dear Sir/Madam

**PLANNING APPLICATION**

**APPLICATION:** 06/17/0168/F

**PROPOSAL:** Subdivision of gardens to form plot for detached 2 bedroom house (revised plans)

**LOCATION:** 31-33 Station Road (R/O) Hopton Great Yarmouth NR31 9BH

I have received your letter dated 11<sup>th</sup> July 2017 advising of amended plans for the above proposal.

If the council are so minded to approve this application I would request that you consider attaching a condition requiring a 1.8m boundary fence to match existing between the proposed site and 81a Potters Drive, Hopton (owing to the demolition of garages currently forming the boundary between the site and my property) at the applicants expense.

Yours Faithfully

C L Kennedy

cc. [hoptonparishclerk@hotmail.com](mailto:hoptonparishclerk@hotmail.com)



S

46 Anglian Way  
Hopton  
Great Yarmouth  
Norfolk  
NR31 9DB  
18<sup>th</sup> June 2017

Planning Services  
Development Control  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Dear Sir/Madam

**PLANNING APPLICATION**

**APPLICATION:** 06/17/0168/F

**PROPOSAL:** Subdivision of gardens to form plot for detached 2 bedroom house (revised plans)

**LOCATION:** 31-33 Station Road (R/O) Hopton Great Yarmouth NR31 9BH

I have received your letter dated 12<sup>th</sup> June 2017 advising of amended plans for the above proposal. I feel it's necessary to reiterate comments that were made in the original response of 2<sup>nd</sup> May 2017.

Although I do not live at 81A Potters Drive at the moment, I would like to point out that I feel the proposal is unneighbourly owing to the close proximity to my property of the proposed development.

I note that only revised plans have been submitted which now makes the original written application completely inaccurate and this I feel must be drawn to the attention of the Planning Committee members.

After reading the application thoroughly I note that the agent has not been fully accurate with details submitted to the GYBC as this proposal would involve the demolition of 2 existing garages currently located on the proposed site.

Currently the north facing wall of the garages form the boundary with my property and I would like to know if the application is approved as to what the applicant will construct in its place, as I believe the garage wall should be replaced with a boundary fence (to match the existing) at the applicants expense.

Again, if the original written application still stands Section 10 of the application is not been completed truthfully as it asks questions about 'vehicle parking' currently and proposed. The application states this number would be increased from 2 to 3 – in fact the proposal would involve the demolition of 2 garages (2 spaces) and the removal of 4 parking spaces in front of the garages. No longer will there be any parking provisions for 31 and 33 Station Rd Hopton, whereas currently there are SIX places between the 2 properties (although the original application stated only 2). By the removal of off road parking provision for these 2 properties it will only make the parking situation on Station Rd far worse.

As for the car parking provisions for the proposed dwelling there is only **ONE** which does not meet NCC parking requirements of **TWO** off road parking spaces per two bed dwelling.

The site has already been subject to a recent (2013) planning application which was refused as un neighbourly form of development with difficult turning and parking of vehicles, as the Highways had concerns that a recommended visibility splay of 2.4m x 43m was not achievable owing to a large hedge on the adjoining site, however, this has now been relaxed by .4m (16 inches). However, I feel I must point out the location of 2 bus stops on Station Rd



could also affect visibility as well as vehicle parking along Station Rd owing to the close proximity of the local shop and Post Office.

Yours Faithfully

C L Kennedy

cc. [hoptonparishclerk@hotmail.com](mailto:hoptonparishclerk@hotmail.com)



S

## Elaine Helsdon

**From:** Martin & Deni  
**Sent:** 16 June 2017 12:55  
**To:** Jack Ibbotson  
**Cc:** plan; hoptonparishclerk@hotmail.com  
**Subject:** Re: Objections to proposal 06/17/0168/F, 31-33 Station Road (R/O) Hopton  
**Attachments:** image1.jpg; image2.jpg; image3.jpg; image4.jpg; image5.jpg

Friday 16th June 2017

With reference to planning application 06/17/0168/F, 31-33 Station Road (R/O) Hopton GREAT YARMOUTH NR31 9BH.

Thank you for your letter received today (16th June) dated 12th June 2017 informing us of the amended planning application referenced above and dated 6th June 2017 and requiring comments by the 26th June. It is stated that there is a limited time scale within which the LPA must deal with the matter but we have to put forward that only allowing ten days, particularly at this time of year when people are going away on their holidays, is quite clearly unreasonable and appears to be in favour of the applicant. The amended plans now increases the radius and number of households that may be affected and it would be a reasonable action to decline the original application and force the applicant to re-submit.

The amended plans make no difference to our main objection which is, overall, our loss of privacy and light. To demonstrate this more clearly I have attached some photos as all the plan drawings exclude our house altogether, which for a person reviewing this application remotely in an office, means they do not have sufficient information for our best interests. You can see from the photos that our garden & patio are currently overlooked by 81a Potters Drive, but it does not overlook directly into our house. When we purchased our house in January two conifer trees ensured patio privacy from 81a but in the interest of public safety we have had to clear the garden as the roots were damaging the wall which runs alongside a public footpath. The wall has been repaired and we intend to shortly re-instate this previous privacy with something that has less substantial roots and planted further away from the wall. If the proposed dwelling is built it will not only overlook our garden & patio but it will, unlike 81a Potters Drive, also overlook directly into our house, through into our patio doors & living space, our kitchen window and into our two rear upstairs bedrooms. The only way we could guarantee the privacy we currently enjoy would be to plant substantial trees in the form of 40ft monsters along the rest of the wall, losing a substantial area of our garden and whose roots would damage the wall again. It would be so unreasonable to do this that we would be forced to put the house up for sale and move.

When Stuart French states that creating vehicle access to the front of the existing properties would remove one space of on street parking provision I assumes he means one space for each house? It is quite clear that two spaces of parking would be lost. Stuart French seems to suggest that the existing properties could have one space at the rear and one at the front, but the amended plans only provide for one space for each property at the front removing the ones at the rear. Also the new property now only provisions one space whereas two are required. It is true that there is no right to parking on the highway but the following should be considered:

1. It is a busy area for parking with the shop and public house. The parking displacement could create serious public safety in that narrow road area with the bus stop opposite. Parking for the shop is very difficult already with large volumes of customers.
2. A vehicle in each of the proposed front driveways would actually entirely block visibility one way for either driver, particularly if the vehicles are reversing out (reversing out of drives is dangerous and people shouldn't do it but they do). The pathway outside the existing properties is very narrow and quite busy, forcing persons to stop and wait whilst someone else passes. People parking for the shop will park as close as they can to each entrance without blocking the drive. This would actually reduce visibility from the accesses not maintain it.
3. A year or two ago two houses were built opposite the shop that seem to have no parking provision at all and this application further compounds parking problems in this area needlessly.



Overall this application includes plans for an accident waiting to happen not to mention the effect it will have on the community as a whole and direct neighbours.

Below is the text of our original objection, amended to reflect the amended application:

My Wife and I wish to formally OBJECT to the application for the following reasons:

1. Overlooking, overshadowing & loss of privacy.

a) The proposed building would overlook & overshadow our property to our rear and lead to an additional unacceptable loss of our privacy. Three conifer trees gave us privacy from the adjacent building to the north of the proposal, but we have had to (in the interest of public safety to users of the footpath), remove these as they were damaging the wall on our eastern boundary. Once we have also removed the stumps/roots & repaired the wall we intend to replace this small privacy border with something else. However if the proposed building goes ahead, we will be forced to install a privacy border along the entire eastern perimeter and some of the southern perimeter of our property at great personal expense and risk of further damage to the wall.

b) A simple arc of distance reveals that the proposed property would be closer to our boundary than any of the other existing properties on that side which is unreasonable considering the existing properties are already rather close.

2. Over-Development & Garden Grabbing.

a) The proposed building would make the area appear over-developed for the space available. Also this appears to be "garden-grabbing" a practice we believe is frowned upon by national planning guidelines as gardens are no longer considered as brownfield sites?

3. Pedestrian safety & loss of residential amenities. In relation to vehicle access & egress.

a) The 1 parking bay is insufficient for the property and makes no allowance for a two-car family, visitors and deliveries, all of whom would no doubt park outside of the bay and block access for vehicles and pedestrians alike. The only alternative will be for vehicles to park on Station Road (and two of those spaces are planned to be lost) and/or the bend on Potters Drive and walk through, blocking those areas for existing road users and residents. This already happens a little for the properties adjacent to the footpath to the east of my property and therefore it will clearly increase.

b) The proposed plans rely on monopolising the existing access way for reversing and turning of vehicles with no allowance for pedestrian safety - for instance a pathway with safety barrier. The proposed plans also do not appear to allow sufficient space for reversing & turning a standard size vehicle? Parking, turning & reversing space should be constrained within the land that the developer owns. There is a real



danger of vehicles attempting to reverse out into the busy Station Road. There is also no limit to the size of the vehicle that could be parked in these bays that will be attempting to reverse and turn.

c) The developer has owned the existing cottages for many years and it is apparent from the state of the access way that he has made no attempt to maintain it. If this is developed and tarmac laid the developer has no further obligation to continue to maintain it and it will fall into the same disrepair. As we understand the land is not owned by anyone and the developer is unlikely to be able to claim adverse possession as it is a public footpath, shared by other householders and it has not been maintained by him. If this land is not owned who will be responsible should an accident occur (note b above). Who will indemnify the residents who use this amenity against the owners?

d) Further to pedestrian safety being a major factor; The access way is used by the entire village either side of Station Road, particularly cyclists and children. From the south: it gives access to the playing field and the foot & cycle paths to Gorleston; From the north: it gives access to the school, shops, pub, beach and the rest of the village. The plans proposed do not include a footpath with a safety barrier and these would be particularly necessary with any reversing & turning of vehicles. If the access way has tarmac laid then vehicles may enter the access way at some speed into a blind corner and injury or fatality of a pedestrian or cyclist is likely. The access way is not wide enough to support a pathway with barrier together with a road for vehicles.

e) Clearly this access way is a major residential amenity and if this proposal went ahead the only safe thing to do would be to close it off completely to pedestrians, which is both unreasonable & unacceptable.

#### 4. Design, Visual Impact & Effect on the character of the neighbourhood.

a) The design of the building appears to be completely out of character with the existing properties - in particular the design of the front porch and that the front aspect appears to be totally covered in cladding. No other nearby buildings are cladded or have that design.

b) All of the detached houses or blocks of houses on this estate have been very cleverly positioned and angled by the original designers. Buildings are set back or set forward to minimise overlooking and are angled sympathetically in parallel to the direction of the road in front of the property in such a way overlooking is also minimised. No such clever positioning or angling appears to have been applied in these plans and indeed the opposite is true - probably as there is insufficient room in the gardens of the cottages to do so. Therefore it will be out of character of the neighbourhood in both design and positioning.

#### 5. Noise & disturbance.

a) If these plans are approved then the noise & disturbance of additional vehicles (residential or commercial) using the access way is something we currently don't have to endure.



b) If these plans are approved then the additional parking of vehicles (residential or commercial) on Station Road and/or the bend on Potters Drive will cause noise & disturbance we currently don't have to endure.

c) See note c below, but possibly it can not be considered as part of the objection?

#### 6. Other

a) The fact that the monopolising of the public access way will affect the whole of the village with the loss of this major public amenity then this case should be discussed before a planning committee and discussed with the Parish Council Members before proceeding further.

b) We only moved to this house at the beginning of January 2017. We paid a significant amount of money for local searches which mentioned nothing of the previous planning attempt at this location. Obviously this new planning application was after we moved and would not have shown. We may have to consider our legal position depending on the outcome.

c) We are under the impression that the noise & disturbance in any possible execution of these plans can not be considered as an objection. However the heavy machinery and vehicles needing access during the execution is an even more serious safety concern to pedestrians than when it is built. Further the noise & disturbance during execution of the proposal will affect my employment as I frequently work night shifts. We purposely chose this area to move to because it had clearly already been fully developed to avoid such noise & disturbance.























S

**Elaine Helsdon**

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**From:** Hopton Parish Council <hoptonparishclerk@hotmail.com>  
**Sent:** 16 June 2017 10:22  
**To:** plan  
**Subject:** 06/17/0168/F Sub-division of gardens to form plot for detached 2 bedroom house  
31/33 Station Road Hopton on Sea

Hello Planning

The Parish Council has reviewed the revised drawings relating to the above, and it does not appear to address any of the previous concerns raised by the Council.

There are only 3 parking spaces shown on the plan which does not accord to NCC parking policy (see letter from Stuart French of Highways Development). There are currently 6 parking spaces, including the two garages, for two houses.

Properties 31 and 33 Station Road now have front drives access/exit from 3 locations. Considering the traffic flow and proximity of the layby this seems more hazardous.

The Parish Council's objection to this application still stands.

Regards

Julie McNair

FCILEX, Clerk and RFO to Hopton-on-Sea Parish Council

Office at the Village Hall Station Road Hopton on Sea NR31 9BE open Mon, Tues, Thurs, Fri 9.30am to 1.30pm Tel: 01502 730768 Website <http://hopton-on-sea-parish-council.norfolkparishes.gov.uk/>

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## Internet Consultees

Application Reference 06/17/0168/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Mr Philip and Mrs Gina Goddard

Address 10 St Clement Mews

Hopton on Sea

Great Yarmouth

Norfolk

Post Code NR31 9SZ

Telephone [REDACTED]

Email Address [REDACTED]

For or Against OBJ Object

Speak at Committee

Further to our objections previously made against this proposal in 2013, we would like to reiterate that we still object to this on the basis of:

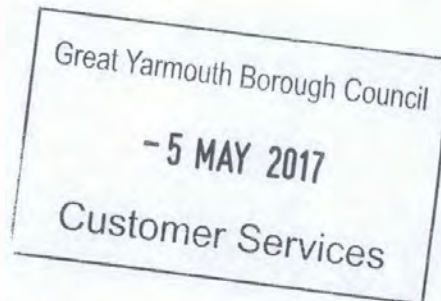
- \* reduced privacy for our property.
- \* comments made by our neighbours in opposition to this, with which we fully agree, in documents submitted to the council.

Date Entered 09-05-2017

Internet Reference OWPC1103



Planning Services  
Development Control  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF



46 Anglian Way  
Hopton  
Great Yarmouth  
Norfolk  
NR31 9DB  
2<sup>nd</sup> May 2017



Dear Sir/Madam

**PLANNING APPLICATION**

**APPLICATION:** 06/17/0168/F

**PROPOSAL:** Subdivision of gardens to form plot for detached 2 bedroom house  
**LOCATION:** 31-33 Station Road (R/O) Hopton Great Yarmouth NR31 9BH

I have received a letter as the owner of 81A Potters Drive, Hopton with regards to the above application. Although I do not live at 81A Potters Drive at the moment, I would like to point out that I feel the proposal is un neighbourly owing to the close proximity to my property and that my private rear garden would be overlooked from the upstairs windows of the proposed development.

After reading the application thoroughly I note that the agent has not been fully accurate with details submitted to the GYBC as this proposal would involve the demolition of 2 existing garages currently located on the proposed site.

Currently the north facing wall of the garages form the boundary with my property and I would like to know if the application is approved as to what the applicant will construct in its place, as I believe the garage wall should be replaced with a boundary fence (to match the existing fence) at the applicants expense.

However, Section 10 of the application is not been completed truthfully as it asks questions about 'vehicle parking' currently and proposed. The application states this number would be increased from 2 to 3 – in fact as already stated the proposal would involve the demolition of 2 garages (2 spaces) and the removal of 4 parking spaces in front of the garages. Therefore, the number of parking spaces would be reduced from 6 to 3, not increased.

The site has already been subject to a recent (2013) planning application which was refused as un neighbourly form of development with difficult turning and parking of vehicles, as the Highways had concerns that a recommended visibility splay of 2.4m x 43m was not achievable owing to a large hedge on the adjoining site, however, this has now been relaxed by .4m (16 inches). However, I feel I must point out the location of 2 bus stops on Station Rd could also affect visibility as well as vehicle parking along Station Rd owing to the close proximity of the local shop and Post Office.

Yours Faithfully

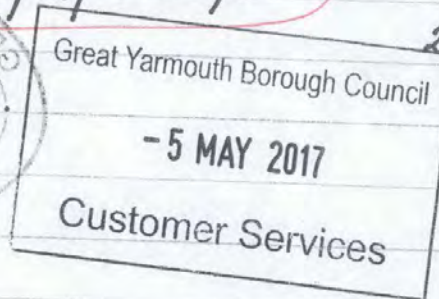
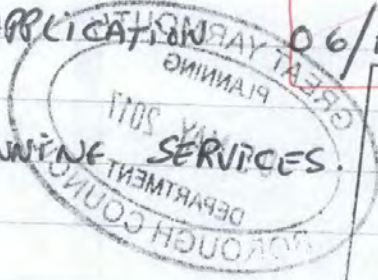
C L Kennedy (Mrs)

cc. hoptonparishclerk@hotmail.com



PLANNING APPLICATION 06/17/0168/F

TO PLANNING SERVICES



MR & MRS R. WATTS  
STATION HOUSE

29, STATION ROAD

HORTON ON SEA

NR 31.9BH

3rd May 2017

WE WERE, SOMEWHAT SURPRISED, TO BE MADE AWARE OF, A SECOND APPLICATION, FOR A TWO BEDROOM HOUSE, TO BE SITUATED BEHIND, 31 & 33 STATION ROAD HORTON. THE FIRST APPLICATION REF. 06/13/0071/F dated 25-2-2013. WE WROTE TO YOU, OBJECTING, TO THAT APPLICATION, AND - IN OUR-VIEW, OUR OBJECTIONS, ARE STILL VALID. STATION ROAD, IS A VERY BUSY ROAD, LEADING TO "HAVEN HOLIDAY RESORT" AND TO "POTTER'S HOLIDAY COMPLEX". THERE ARE TWO BUS-STOPS, AND A POST-OFFICE AND SHOP, ALL WITHIN - METRES, OF THE DRIVE - ENTRANCE. AT PRESENT, 31 & 33 STATION-ROAD, HAVE A GARAGE EACH, AND ADEQUATE-SPACE, FOR TURNING, IN FRONT, OF THE GARAGES. IF THIS HOUSE, IS BUILT, THIS AREA, WOULD ALL GO, AS WOULD MOST, OF THE BACK GARDENS, TO THESE HOUSES, 31 & 33. MOST-FAMILIES, HAVE MORE THAN, ONE CAR, THESE DAYS, AND THERE WOULD BE, NO SPACE, FOR TURNING-ROUND, AND WITH THE-DRIVEWAY ALSO, A PEDESTRIAN - LINK, FROM POTTERS DRIVE. WITH-INADEQUATE, TURNING-FACILITIES, ANY EXTRA - CARS, WOULD BE - PARKED, ON STATION ROAD. IN THE FORTY-YEARS, WE HAVE LIVED, IN STATION-HOUSE, WE HAVE, ALWAYS REVERED, OUR CAR, UP THE DRIVE, TO OUR-GARAGE. WE CANNOT SEE, OTHER YOUNGER-FAMILIES, DOING THIS WITH THEIR-CARS. THE NEW-PROPOSED - HOUSE, WOULD BE CROWDED IN, THUS TAKING THE HISTORY, OF THE RAILWAY-WORKERS-COTTAGES AWAY FOR EVER!

Yours Faithfully



S

**Jill K. Smith**

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**From:** Hopton Parish Council <hoptonparishclerk@hotmail.com>  
**Sent:** 04 May 2017 11:28  
**To:** plan  
**Cc:** Carl Annison Borough Councillor; Andy Grant; Sue Hacon B.C. Hopton  
**Subject:** 06/17/0168/F Objection by Hopton on Sea Parish Council

Hello Planning (copy Hopton's Borough Councillors)

The Parish Council objects to the following application and recommends refusal on the grounds stated below.

**Hopton-on-Sea Parish Council**  
**Planning Application 06/17/0168/F**

Recommend REFUSAL – grounds:

1. Over development of back land site.
2. Not meeting NCC parking standards of TWO off road parking spaces per two bed dwelling; shortfall of THREE parking spaces.
3. Insufficient room to manoeuvre vehicles in and out of all allocated parking spaces crossing the public footpath between Potters Drive and Station Road.
4. Extra vehicle movements on to Station Road, sight line exiting on to road inadequate, vehicle has to be across footway to ensure visibility in both directions.
5. Demolition of garage will compromise shared boundary between site and 12 St Clements Mews; will cause overlooking from new property causing loss of amenity.

Regards

Julie McNair

FCILEX, Clerk and RFO to Hopton-on-Sea Parish Council

Office at the Village Hall Station Road Hopton on Sea NR31 9BE open Mon, Tues, Thurs, Fri 9.30am to 1.30pm Tel: 01502 730768 Website <http://hopton-on-sea-parish-council.norfolkparishes.gov.uk/>

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**Elaine Helsdon**

**From:** Jack Ibbotson  
**Sent:** 02 May 2017 14:53  
**To:** Martin & Denise Collins  
**Cc:** plan  
**Subject:** RE: Objections to proposal 06/17/0168/F, 31-33 Station Road (R/O) Hopton

Hi Martin & Denise,

Thanks for forwarding this email.

My colleague will upload this comment to the website and I will assess the application taking into account your points, which having read briefly, are material planning matters.

Kind regards

Jack Ibbotson

-----Original Message-----

**From:** Martin & Denise Collins [mailto:~~family@collins-email.co.uk~~]  
**Sent:** 02 May 2017 14:43  
**To:** Jack Ibbotson  
**Cc:** plan  
**Subject:** Objections to proposal 06/17/0168/F, 31-33 Station Road (R/O) Hopton

Dear Mr Ibbotson,

Please find below our detailed objections to the proposed plans.

Just to note that your contact details from the link on the proposal gives an incorrect email address for you of [ji@great-yarmouth.gov.uk](mailto:ji@great-yarmouth.gov.uk) (see here: <http://planning.great-yarmouth.gov.uk/OcellaWeb/officerDetails?officer=JI> ).

Thanks & best regards,

Martin & Denise Collins

83 Potters Drive, Hopton, NR31 9RH.

~~07516 155769 01502 731254~~

With reference to planning application 06/17/0168/F, 31-33 Station Road (R/O) Hopton GREAT YARMOUTH NR31 9BH.

My Wife and I wish to formally OBJECT to the application for the following reasons:

1. Overlooking. overshadowing & loss of privacy.

a) The proposed building would overlook & overshadow our property to our rear and lead to an additional unacceptable loss of our privacy.  
Three conifer trees gave us privacy from the adjacent building to the north of the proposal, but we have had to (in the interest of public safety to users of the footpath), remove these as they were damaging the wall on our eastern



boundary. Once we have also removed the stumps/roots & repaired the wall we intend to replace this small privacy border with something else. However if the proposed building goes ahead, we will be forced to install a privacy border along the entire eastern perimeter and some of the southern perimeter of our property at great personal expense and risk of further damage to the wall.

b) A simple arc of distance reveals that the proposed property would be closer to our boundary than any of the other existing properties on that side which is unreasonable considering the existing properties are already rather close.

c) The developer is obviously concerned about overlooking from his own perspective and the negative impact that has, as the plans for the proposed building have no upstairs windows on the southern aspect which means his own properties will not be overlooked. The properties he doesn't own on every other aspect are going to be overlooked.

## 2. Over-Development & Garden Grabbing.

a) The proposed building would make the area appear over-developed for the space available. Also this appears to be "garden-grabbing" a practice we believe is frowned upon by national planning guidelines as gardens are no longer considered as brownfield sites?

## 3. Pedestrian safety & loss of residential amenities. In relation to vehicle access & egress.

a) The 3 parking bays are insufficient for the properties and make no allowance for two-car families, visitors and deliveries, all of whom would no doubt park outside of the bays and block access for vehicles and pedestrians alike. The only alternative will be for vehicles to park on Station Road and/or the bend on Potters Drive and walk through, blocking those areas for existing road users and residents. This already happens a little for the properties adjacent to the footpath to the east of my property and therefore it will clearly increase.

b) The proposed plans rely on monopolising the existing access way for reversing and turning of vehicles with no allowance for pedestrian safety - for instance a pathway with safety barrier. The proposed plans also do not appear to allow sufficient space for reversing & turning a standard size vehicle? Parking, turning & reversing space should be constrained within the land that the developer owns. There is a real danger of vehicles attempting to reverse out into the busy Station Road. There is also no limit to the size of the vehicle that could be parked in these bays that will be attempting to reverse and turn.

c) The developer has owned the existing cottages for many years and it is apparent from the state of the access way that he has made no attempt to maintain it. If this is developed and tarmac laid the developer has no further obligation to continue to maintain it and it will fall into the same disrepair. As we understand the land is not owned by anyone and the developer is unlikely to be able to claim adverse possession as it is a public footpath, shared by other householders and it has not been maintained by him. If this land is not owned who will be responsible should an accident occur (note b above). Who will indemnify the residents who use this amenity against the owners?

d) Further to pedestrian safety being a major factor; The access way is used by the entire village either side of Station Road, particularly cyclists and children. From the south: it gives access to the playing field and the foot & cycle paths to Gorleston; From the north: it gives access to the school, shops, pub, beach and the rest of the village. The plans proposed do not include a footpath with a safety barrier and these would be particularly necessary with any reversing & turning of vehicles. If the access way has tarmac laid then vehicles may enter the access way at some speed into a blind corner and injury or fatality of a pedestrian or cyclist is likely. The access way is not wide enough to support a pathway with barrier together with a road for vehicles.

e) Clearly this access way is a major residential amenity and if this proposal went ahead the only safe thing to do would be to close it off completely to pedestrians, which is both unreasonable & unacceptable.



#### 4. Design, Visual Impact & Effect on the character of the neighbourhood.

a) The design of the building appears to be completely out of character with the existing properties - in particular the design of the front porch and that the front aspect appears to be totally covered in cladding. No other nearby buildings are cladded or have that design.

b) All of the detached houses or blocks of houses on this estate have been very cleverly positioned and angled by the original designers.

Buildings are set back or set forward to minimise overlooking and are angled sympathetically in parallel to the direction of the road in front of the property in such a way overlooking is also minimised. No such clever positioning or angling appears to have been applied in these plans and indeed the opposite is true - probably as there is insufficient room in the gardens of the cottages to do so. Therefore it will be out of character of the neighbourhood in both design and positioning.

#### 5. Noise & disturbance.

a) If these plans are approved then the noise & disturbance of additional vehicles (residential or commercial) using the access way is something we currently don't have to endure.

b) If these plans are approved then the additional parking of vehicles (residential or commercial) on Station Road and/or the bend on Potters Drive will cause noise & disturbance we currently don't have to endure.

c) See note c below, but possibly it can not be considered as part of the objection?

#### 6. Other

a) The fact that the monopolising of the public access way will affect the whole of the village with the loss of this major public amenity then this case should be discussed before a planning committee and discussed with the Parish Council Members before proceeding further.

b) We only moved to this house at the beginning of January 2017. We paid a significant amount of money for local searches which mentioned nothing of the previous planning attempt at this location. Obviously this new planning application was after we moved and would not have shown. We may have to consider our legal position depending on the outcome.

c) We are under the impression that the noise & disturbance in any possible execution of these plans can not be considered as an objection.

However the heavy machinery and vehicles needing access during the execution is an even more serious safety concern to pedestrians than when it is built. Further the noise & disturbance during execution of the proposal will affect my employment as I frequently work night shifts. We purposely chose this area to move to because it had clearly already been fully developed to avoid such noise & disturbance.



Jack Ibbotson  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Your Ref: 06/17/0168/F  
Date: 31 July 2017

My Ref: 9/6/17/0168  
Tel No.: 01603 638070  
Email: [stuart.french@norfolk.gov.uk](mailto:stuart.french@norfolk.gov.uk)

Dear Jack

**Great Yarmouth: Subdivision of gardens to form plot for detached 2 bedroom house  
31-33 Station Road (R/O) Hopton GREAT YARMOUTH NR31 9BH**

I refer to the revised plan, drg No.1171/1 Rev C., which has been submitted for consultation.

I am aware of the iterations that the proposals have gone through and that there is a reduction in parking provision resulting from the the proposals. Whilst there could be possible displacement of parking, although the widening of the private track may reduce this, I also have to be minded that Hopton does have a good range of local services (shops, doctors, schooling, etc), a regular bus service and cycle links into Gorleston, all of which may help to reduce the reliance on the private motor vehicle as a primary mode of transport.

In terms of the access it is noted that a minimum of 4.2 metres can be maintained and that the parking has been set back which will assist turning movements. The private access track is also shown as being widened which provides additional shared space for vehicle/pedestrian interaction on the private footpath link between Station Road and Potters Drive.

Therefore on balance, having given due consideration to the proposals and national policy I do not consider I could sustain an objection on highway grounds to the proposals as now submitted.

Accordingly should your Authority be minded to approve the application I would recommend the following conditions and informative note be appended to any grant of permission.

*Continued/...*



SHC 08 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 1171/1 RevC) in accordance with the highway specification (Dwg. No. TRAD 1) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

SHC 10 Prior to the commencement of the use hereby permitted the vehicular access (indicated for improvement on drawing number 1171/1 Rev C) shall be widened to a minimum width of 7 metres and provided in accordance with the Norfolk County Council residential access construction specification for the first 5 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: In the interest of highway safety and traffic movement.

SHC 11V Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.2 metres for for a minimum length of 10 metres as measured from the near edge of the highway carriageway.

Reason: In the interest of highway safety and traffic movement.

SHC 14 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

SHC 19 Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

Continued/...



SHC 24 Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

Inf. 2 This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Development Management and Operations Team on 0344 800 8020.

If required, street furniture will need to be repositioned at the Applicant's own expense.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

Yours sincerely

*Stuart French*

Highways Development Management & Licensing Officer  
for Executive Director for Community and Environmental Services

Encl

Jill K. Smith

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**From:** Hopton Parish Council <hoptonparishclerk@hotmail.com>  
**Sent:** 18 July 2017 11:57  
**To:** plan  
**Subject:** 06/17/0168/F Subdivision of gardens to form plot for detached two bedroom house 31/33 Station Road Hopton-on-Sea

Hello Planning

The Parish Council has considered the above revised drawing and **strongly objects** to this revised application as there is lack of parking i.e. only 4 spaces for 3 properties (including a 3 bedroom property that requires 2 parking spaces). There is a reduction to the garden of number 31. This reduces amenity space. The egress site line is dangerous to oncoming traffic in both directions, with additional parking from a property on Station Road.

Regards

Julie McNair

FCILEX, Clerk and RFO to Hopton-on-Sea Parish Council

Office at the Village Hall Station Road Hopton on Sea NR31 9BE open Mon, Tues, Thurs, Fri 9.30am to 1.30pm

Tel: 01502 730768 Website <http://hopton-on-sea-parish-council.norfolkparishes.gov.uk/>

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**Reference:** 06/17/0340/F

**Parish:** Belton with Browston

**Officer:** Mr G Clarke

**Expiry Date:** 11-08-2017

**Applicant:** Mr R Smith

**Proposal:** Removal of condition 5 of planning permission 06/15/0043/F and condition 3 of planning permission 06/14/0099/F to allow annexe to be used as a separate dwelling.

**Site:** The Manor Barn  
Browston Lane  
Browston

## REPORT

### 1 Background / History :-

- 1.1 The Manor Barn is detached building to the south of The Manor House, which is a grade II listed building standing in large grounds to the west of Browston Lane, the building is a former cart shed that was granted approval for conversion to an annexe in 2014 (06/14/0099/F). There is another house approximately 50m to the south of the annexe, Manor Farm Cottage, other than this there are no other dwellings in the immediate area.
- 1.2 The building that is now the annexe was originally a cart shed for the Manor House, planning permission was originally granted for its use as an annexe in 2007 (06/07/0702/F), this permission was not implemented and a further application for an annexe was submitted and approved in 2014 (06/14/0099/F). Prior to this planning permission had been refused for its conversion to three, one-bedroom letting apartments in 2005 (06/05/0609/CU) and another application for the conversion of the cart shed to a one bedroom letting apartment was withdrawn before a decision was made in 2006 (06/06/0512/F). The reasons for refusal of the first application were that the access onto Browston Lane was not suitable to serve further development and the site was not an appropriate location for new holiday development.
- 1.3 In 2015 planning permission was granted for an extension to create an additional room to the annexe to provide space for a live in carer (06/15/0043/F). In 2016 a planning application was submitted for the removal of the occupancy condition which limits the use of the annexe to the occupiers of The Manor House or their dependents (06/16/0227/F). This application

was refused on the grounds that the removal of the condition would result in the formation of a new dwelling in the countryside outside any area where residential development would normally be permitted and that sufficient evidence to support a need for a dwelling contrary to policy had not been provided. The applicant appealed against the refusal but the appeal was dismissed on 24<sup>th</sup> February 2017, the main reasons for the decision were the lack of accessible local services and the increase in travel by private car.

## **2 Consultations :-**

- 2.1 Highways – no objection.
- 2.2 Parish Council – objects, an annexe is usually attached to the main building therefore this dwelling must be retained within the curtilage of the main property and not sold as a separate dwelling.
- 2.3 Local residents – two letters of objection have been received, copies of which are attached, the main reasons for objection are that the building has previously been refused permission to be used as a separate dwelling.
- 2.4 Strategic Planning Officer – supports the application.

## **3 Policy :-**

### **3.1 POLICY HOU10**

Permission for new dwellings in the countryside will only be given if required in connection with agriculture, forestry, organised recreation, or the expansion of existing institutions.

The council will need to be satisfied in relation to each of the following criteria:

- (i) the dwelling must be required for the purpose stated
- (ii) It will need to be demonstrated that it is essential in the interests of good agriculture or management that an employee should live on the holding or site rather than in a town or village nearby
- (iii) there is no appropriate alternative accommodation existing or with planning permission available either on the holding or site or in the near vicinity
- (iv) the need for the dwelling has received the unequivocal support of a suitably qualified independent appraiser
- (v) The holding or operation is reasonably likely to materialise and is capable of being sustained for a reasonable period of time. (in appropriate cases evidence may be required that the undertaking has a sound financial basis)



- (vi) the dwelling should normally be no larger than 120 square metres in size and sited in close proximity to existing groups of buildings on the holding or site
- (vii) a condition will be imposed on all dwellings permitted on the basis of a justified need to ensure that the occupation of the dwellings shall be limited to persons solely or mainly working or last employed in agriculture, forestry, organised recreation or an existing institution in the locality including any dependants of such a person residing with them, or a widow or widower or such a person
- (viii) where there are existing dwellings on the holding or site that are not subject to an occupancy condition and the independent appraiser has indicated that a further dwelling is essential, an occupancy condition will be imposed on the existing dwelling on the holding or site
- (ix) applicants seeking the removal of any occupancy condition will be required to provide evidence that the dwelling has been actively and widely advertised for a period of not less than twelve months at a price which reflects the occupancy conditions\*

In assessing the merits of agricultural or forestry related applications, the following additional safeguard may be applied:-

- (x) where the need for a dwelling relates to a newly established or proposed agricultural enterprise, permission is likely to be granted initially only for temporary accommodation for two or three years in order to enable the applicant to fully establish the sustainability of and his commitment to the agricultural enterprise
- (xi) where the agricultural need for a new dwelling arises from an intensive type of agriculture on a small acreage of land, or where farm land and a farm dwelling (which formerly served the land) have recently been sold off separately from each other, a section 106 agreement will be sought to tie the new dwelling and the land on which the agricultural need arises to each other.

Note: - this would normally be at least 30% below the open market value of the property.

### 3.2 POLICY HOU11

Outside the urban areas of Great Yarmouth, Gorleston and Bradwell and the village development limits shown on the proposals map for other settlements, proposals for the change of use of existing buildings to residential use will be permitted where:

- (A) the applicant can demonstrate that every reasonable attempt has been made to secure suitable commercial re-use; or

- (B) residential conversion is a subordinate part of a scheme for commercial re-use; and,
- (C) the building is suitable for conversion enabling residential use to be achieved without extensive alteration, rebuilding and/or extension;
- (D) the form, bulk and general design of the building is in keeping with its surroundings;
- (E) suitable access can be provided which does not significantly harm the appearance of the building, or its setting, or the surrounding countryside;
- (F) the proposal complies with other relevant policies of the plan.

(Objective: to allow development in the countryside only where there is a proven long-term need.)

#### **4 Assessment :-**

- 4.1 The annexe was originally created for the applicant's grandmother and was occupied by her until she passed away in February 2016, the building is currently unoccupied. The proposal is to remove condition 5 of planning permission 06/15/0043/F and condition 3 of planning permission 06/14/0099/F which was the original approval for the annexe. The wording of the condition is as follows:-

"The additional accommodation hereby permitted shall only be used by the occupiers of The Manor House, or their dependents, and shall not be used as a separate dwelling or let separately for holiday purposes".

- 4.2 A similar application was refused earlier this year and subsequently dismissed on appeal, in the decision letter the Inspector did not consider that the use of the annexe as a separate dwelling would detract from the setting of the listed building or cause any harm to the character and appearance of the countryside. The reasons for dismissing the appeal were that there are no services in Browston, that travel by private motor vehicle is the only realistic option on a day to day basis and the proposal was contrary to the aims of Policy HOU10 and paragraph 55 of the National Planning Policy Framework which aim to restrict the spread of new housing in the countryside. The Inspector considered whether there is a shortfall in housing land supply within the Borough but decided that the adverse impacts of granting permission would significantly outweigh the benefits and the proposal would not be sustainable development.
- 4.3 Since the appeal was dismissed the applicant's personal circumstances have changed and there is a need for his parents to live in the annexe to help to look after family members who are suffering from ill health. They could do this with the existing conditions being in place but are reluctant to do so with the conditions attached as they would like to move there full time and they would have to move out if The Manor House was sold in the future. There would be



little difference in traffic movements if the parents occupied the annexe with the conditions in place or as a separate dwelling so it may be considered that on further consideration the reasons for dismissing the appeal can be overcome.

- 4.4 The Planning Statement that accompanies the application refers to two recent approvals for conversion of buildings to dwellings in the nearby area at Hobland House and High House. These applications were different in that they were empty, unused buildings that could be considered as acceptable for conversion under saved Policy HOU11 which allows for the conversion of rural building to dwellings.
- 4.5 As the previous application was dismissed on appeal earlier this year the recommendation is to refuse, however Members may consider that, taking into account the exceptional circumstances in this case, the use of the annexe as a separate dwelling without complying with the conditions will not cause any harm to the character of the area or result in any significant increase in traffic movements and an exception to Policy made be made in this instance.

## **5 RECOMMENDATION :-**

- 5.1 Refuse – the proposal is contrary to saved Policy HOU10 and the aims of Paragraph 55 of the NPPF.

ACK 29/6/17

MR & MRS J. R. TUTTLE  
OAK LODGE  
CHERRY LANE  
BROWSTON  
GREAT YARMOUTH  
NR31 9DN

June 27th 2017

Planning Services  
Development Control  
Town Hall  
Hall Plain  
Great Yarmouth  
NR30 2QF



Dear Mrs Helsdon,

Re: Application 06/17/0340/F

Thank you for informing us of the above.

The original building which was a cart shed, has had numerous applications applied for:-

1. It was refused in the first instance for a holiday let.
2. The second application for an annexe was passed on condition that it was only to be used by the occupiers of the Manor House or their dependents and not to be sold off separately.
3. The third application was for a large extension on the annexe to accommodate a live in carer. This was granted under exceptional circumstances for a form of development not normally permitted but the same conditions still applied, meaning that it could not be sold off separately from the Manor House.
4. The applicant then inquired in March 2016, regarding his parents wanting to purchase the annexe but only if the annexe was separate from the Manor House.
5. The fourth application was for the removal of condition 5 re: PP 06/15/0043/F to allow the annexe to be used as a separate dwelling. This was refused, as the original conditions still applied.
6. Then the applicant went to Appeal to get the condition removed but this was dismissed.
7. This new application 06/17/0340/F for the removal again of condition 5 of planning permission 06/15/0043/F is wanting the annexe to be used as a separate dwelling.

We would assume that the conditions and reasons for refusals before, still stands. The Planning Office and the Appeal are both in agreement that the conditions should not be removed and the (cart shed) annexe should remain with the Manor House.

Yours sincerely

J R & V A Tuttle

[Redacted signature area]



Great Yarmouth Borough Council

22 JUN 2017

Customer Services

Planning  
Town Hall

*Browston Lane / Lound Road  
Browston*

*16th June*

Dear Sir number 06/17/0340/F

*I am writing this on behalf of myself and some other residents who cannot believe that since the last application for a change of use of the cart shed (annexe) was refused by you for a separate dwelling and then the appeal also refused permission that the owner has put in for it again.*

*Does the word no not mean anything?*

*Mind you if you pass it, it makes a mockery of your stipulations and then does it mean that all the residents and myself who have an annexe could then apply for the same thing?*

*Name and address withheld so need for a reply. I will hear soon enough.*

*With thanks*



nps/group  
06/17/0340/F



# Browston; The Manor Barn Annexe

## Planning Statement

Statement in support of a planning application  
to remove the occupancy condition to allow  
permanent occupation

May 2017 (v1)

**Report Prepared by:**  
Andy Scales BA (Hons) MRTPI



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## APPENDICES

**APPENDIX ONE** – Letter from Mr and Mrs Smith outlining personal circumstances

**APPENDIX TWO** – Copy of permission 06/14/0099/F

**APPENDIX THREE** – Copy of permission 06/15/0043/F

**APPENDIX FOUR** – Copy of appeal decision

**APPENDIX FIVE** – Plan showing location of sites granted relevant planning permissions (and decision notices)

## **1.0 Introduction / Background**

- 1.1 The application site is located some 1300 metres south of Bradwell and a similar distance east of Belton on the west side of Browston Lane.
- 1.2 Browston Lane itself extends from Bradwell in a southerly is characterised by individual dwellings alongside larger small groups / clusters of housing separated by more open areas. Immediately opposite the site (on the east side of Browston Lane) is such a cluster. The application site itself is well screened from Browston Lane.
- 1.3 The application site consists of an existing building in residential use. The building is located some 30 metres to the south of The Manor House. The Manor House is a Grade II listed building standing in large grounds to the west of Browston Lane. There is another house approximately 50m to the south of the annexe, Manor Farm Cottage.
- 1.4 The applicants, Richard and Isabel Smith, bought the Listed Building in 2015. They have spent over £190,000 on the site in the repair, upkeep and maintenance of the house, its barn / outbuildings (including the annexe) and grounds to return this Grade II Listed Building and site from a poor state of repair to a very good condition.
- 1.5 As outlined in the planning history (see section 2.0), the application site building (with annex use consent) consists of two bedrooms, living room/kitchen and bathroom. It has a separate access to the building and space for two vehicles to park. The 2014 planning permission was for the change of use (effectively conversion) of the former cart shed to an annexe. This initial consent was to meet a particular family need. This was to accommodate the applicant's elderly relative. Subsequent to this, a further planning permission was granted to extend this building for a 'live in carer'. Unfortunately, last year the elderly relative passed away and the building now remained unoccupied.
- 1.6 The application site was subject to a recent appeal. Following this decision, the applicant has discussed both the reasons advanced for refusal and their personal circumstances with Planning Officers. They have been invited to resubmit a planning application which address the reason advanced by the Inspector for refusal (which were not advanced by Members in the original refusal and their personal circumstances, which were not raised in the original application refused (or appeal), to allow reconsideration of this matter.
- 1.7 This Planning Statement has been prepared to support the planning application and it outlines the planning history relevant to the application, planning policy considerations, personal circumstances (also see Appendix 1) and then makes an objective assessment of the application in relation to development plan policy and other material considerations.



## 2.0 Planning History

### 2.1 Planning applications / appeal on application site

- 2.1.1 The initial consent granted to the former cart shed under application 06/14/0099/F, allowed the conversion to residential accommodation in the form of a 'granny annexe'. This imposed condition 3 to limit occupation as an annexe. Decision attached as Appendix 2.
- 2.1.2 Application 06/15/0043/F granted planning permission for an additional room to an existing building used as an annex. No reference was made in this application to the previous consent on this building. It imposed condition 5, which sought to re-impose the occupancy restriction of the 2014 permission. Decision attached as Appendix 3.
- 2.1.3 A planning application 06/16/0227/F was submitted on 1 April 2016 to remove condition 5 of planning permission 06/15/0043/F to allow use of an existing annexe as a separate dwelling. The application effectively sought permission for unrestricted residential use of an existing outbuilding. This application was refused, under delegated powers, in 8 June 2016 on the following grounds. Decision also attached as Appendix 4.

*The removal of the condition limiting the occupancy of the annexe would result, in effect, in the formation of a new dwelling in the countryside outside any area where the Local Planning Authority would normally permit residential development and therefore has to be considered against saved Policy HOU10 of the Great Yarmouth Borough-Wide Local Plan. Policy HOU10 states that permission for new dwellings in the countryside will only be given if required in connection with agriculture, forestry, organised recreation, or the expansion of existing institutions. The proposal is contrary to this policy in that no need for the dwelling has been demonstrated to satisfy the criteria of the above policy and there is, therefore, insufficient justification to warrant a departure from national and local policies designed to protect the countryside.*

- 2.1.4 An appeal was lodge in 10 October 2016. The Inspector dismissed the appeal. However, the Inspector is clear in his view that the use and impact on the countryside and amenity of nearby residents is acceptable. Paragraph 12 states

*'The existing annexe is situated within the grounds of the Grade II listed The Manor House as a comparatively small and subservient building to the main house. From an internal inspection, it is laid out for residential use. It has a simple and pleasant appearance and does not detract from the setting of the listed building given the design and siting. The annexe is not highly visible from Browston Lane to the east due to the buffer provided by paddocks and vegetation. Browston Lane is characterised by intermittent development amongst fields and paddocks. Thus, in terms of the character and appearance of the countryside, the use of the annexe as a separate dwelling would be acceptable and it would not be isolated in a physical sense'*

- 2.1.5 The Inspector however has identified that 'Browston has few services' (para 13) and the use of the annexe as a separate dwelling would have a negative impact in

terms of 'lack of accessible local services' and 'increased travel by private car' (para 15).

## 2.2 Other relevant planning approvals

- 2.2.1 Whilst the appeal was dismissed, this decision is at odds with local decision-making, undertaken under the same NPPF planning policy context on sites located in similar proximity to settlements. These include decisions at Hobland House (Ref 06/16/0488/F) and High House (Ref 06/15/0573/F) – with the Hobland House decision being made by the Council after the date of the refusal of the application that was subject of the appeal decision. A copy of each decision notice is attached as Appendix 5.
- 2.2.2 The appeal site is located a little over one kilometre to the south and east of the nearest settlement boundary. Hobland House where permission (recently granted) adjacent to a Grade II listed Building for residential conversion under (Ref 06/16/0488/F) is also located a kilometre south of its nearest settlement boundary. In addition, in locational terms, the recent consent for conversion at High House is located in a very similar position in relation to services / facilities and road network to this application site. The three locations are marked on the plan attached as Appendix 5.

## 3.0 Planning Policy

- 3.0.1 The Planning and Compulsory Purchase Act 2004 carried forward the provisions of the Town and Country Planning Act 1990, giving statutory force to a planning led system of development control. Under Section 38 of the 2004 Act, the determination of planning applications must be in accordance with the approved Development Plan for the area, unless material considerations indicate otherwise.
- 3.1 a) Development Plan
- 3.1.1 Development plan policy is provided by the following
- Great Yarmouth Borough Council Core Strategy (adopted 2015);
  - Great Yarmouth Borough Local Plan 'saved' policies (adopted in 2003).
- 3.1.2 The Council is at the early stage of preparing Development Policies and Site Allocations DPD's. The work undertaken to date is limited so should carry no weight.
- 3.1.3 In terms of development plan policy, it is considered that the following saved Local plan policies are relevant
- Policy HOU10 – New Dwellings in the Countryside
  - Policy HOU11 - Change of use of existing buildings outside development limits to residential use



### 3.2 b) NPPF

- 3.2.1 The Local Plan policies are somewhat out of date, other than those contained in the Core Strategy that accord with the provisions of Central Government advice, notably the National Planning Policy Framework (NPPF). Planning decisions (including applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF provisions should be taken into account and is a material consideration in planning decisions.
- 3.2.2 The NPPF advice contains a number of important provisions relevant to five year land supply (underlining shows my emphasis).

*Para 49 - Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.*

*Para 14 - At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking..... For decision-taking this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - specific policies in this Framework indicate development should be restricted.*

- 3.2.3 In relation to housing in rural areas, it is a matter for each Local Planning Authority to interpret the advice contained in paragraph 55. This states

*To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as; .....*

- *where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or .....*

### 3.3 c) Five year land supply considerations

- 3.3.1 The Council also have prepared in 2016 a Five Year Housing Land Supply Position Statement. This identified a five-year housing land supply of 5.17 years. However, this includes land which neither has the benefit of allocation nor with a planning. Without this, there is no five-year land supply and there has been some slippage in delivery of planning consents on some sites (in the last 12 months since the 2016 figure was published) that would bring into question the robustness of the figure. This is a material consideration.

#### **4.0 Personal Circumstances**

- 4.1 In seeking initial approval and the appeal decision, no personal circumstances were advanced. However, in this case, the family circumstances represent a material planning consideration.
- 4.2 The full details of personal circumstances are outlined in Appendix 1. In summary, during the processing of the recent appeal, the applicant's son, Otto, was suffering from deteriorating health. Both Otto and Mrs Smith have a heart condition, Otto has had a heart transplant but has over the past 18 months had mental health issues which is a result of him losing his brother who sadly died waiting for a second heart transplant. While waiting for the decision on our appeal, Otto has deteriorated so badly that he needs 24 hour supervision and has a range of complex medical needs. This has put an immense pressure on us as a family to meet these needs.
- 4.3 The family consider that this permission would make significant difference to the family with support for Otto and Mrs Smith (who is struggling with her health as well as coping with Otto). The security of a consent would finance firstly the special care required by the family whilst secondly still allow funds and borrowing to be secured to continue the investment in repair, upkeep and maintenance of the Listed Building and its grounds.

#### **5.0 Assessment against planning policy / material planning considerations**

- 5.0.1 The key starting point to determine the planning applications is the requirement to determine in accordance with development plan policy unless material considerations otherwise dictate. The recent application site planning history / appeal decision, other relevant planning decision / NPPF advice and personal circumstances all represent material considerations.
- 5.1 Application Site History / Appeal Decision (The Manor House Barn)
  - 5.1.1 The application site is detached and to the south of the Manor House (which is Grade II Listed) and is one of two outbuildings located to the south, the smaller a garage and the larger the former cart shed building granted consents for a residential (annexe) use. The permissions accepted that the residential character, layout and appearance met the design policy tests and preserved the character, appearance and setting of The Manor House.
  - 5.1.2 In respect of planning history and planning policy, from the decision notice which refused consent to remove the condition in 2016, it is clear that the Local Planning Authority raise no amenity, traffic generation / highway safety, landscape or heritage objection to the proposed scheme. The single reason for refusal was conflict with policy HOU 10 which relates to new dwellings in the countryside and policy HOU 10 relates to new build rather than change of use or conversion. (This is notwithstanding proposals for conversion of change of use need to be judged



against a separate saved policy HOU 11 – an approach taken on other sites close by).

- 5.1.3 However in considering the appeal, the Inspector clearly considered the case as a conversion (under policy HOU11) and concluded 'in terms of the character and appearance of the countryside, the use of the annexe as a separate dwelling would be acceptable and it would not be isolated in a physical sense'. Therefore, the Inspector in coming to this decision effectively rejected the reason advanced by the Local Planning Authority.
- 5.1.4 As outlined to, and accepted by, the Inspector, policy HOU11 is relevant as the 2014 should have been judged in relation to this policy as a change of use of existing buildings outside development limits to residential use (and the policy context remains unchanged). Clearly, in granting consent in 2014, the principle of residential use was established. Policy HOU11 states
- 5.1.5 Following the grant of the 2014 permission and its use by the applicants late relative, the site has a residential character and appearance and would only be suitable for such continuing residential type use. It would not be suitable for a commercial re-use (as encouraged by criterion (a) of policy HOU11) as such a use would prove difficult to accommodate without detrimental to the character and appearance of the site or setting of the heritage (listed) asset. In relation to the other policy HOU11 criteria, the residential use (either temporary or permanent) complies in full with (c) – (f). Whilst the permanent use is not subordinate to any commercial re-use, in view of the heritage considerations outlined (which would be likely to preclude commercial use) and as the site is already in residential use, it would be inappropriate to give criteria (b) any significant weight in considering permanent residential use in this case.
- 5.2 Other Relevant Planning Decisions / NPPF advice
  - 5.2.1 The appeal Inspector in making his decision focussed the rejection based on the *'lack of accessible local services'* and *'increased travel by private car'*.
  - 5.2.2 In considered the application site, the Planning Authority has recently approved a proposal, based on policy HOU11, in locations with similar accessibility considerations to the application site (including associated with Listed Buildings). This represents an important material consideration.
  - 5.2.3 Planning permission has recently been granted (on 7 October 2016) in the locality (at Hobland House) for the change of use, conversion and alteration of an existing outbuilding (in the grounds of a Grade II Listed Building) to form a single dwelling house with amenity space (LPA ref 16/0488). In addition, in locational terms, the recent consent for conversion at High House is located in a very similar position in relation to services / facilities and road network.
  - 5.2.4 The key site characteristic and site specific considerations which apply to this application site and the nearby recently approved applications are similar and

comparable in that sites are located in the countryside; (in the case of Hobland House in the grounds of, but detached from, Grade II Listed Buildings); and seek to use an existing building for permanent residential use. Furthermore, the planning policy context has not changed in the period between the decisions.

5.2.5 In considering NPPF advice, it is a matter for the Local Planning Authority to consider how sustainability considerations are to be interpreted in relation to their local circumstances. Based on the decisions outline above (and also the original refusal of permission to remove the planning condition which was silent on this issue), limited weight is given in the Borough to accessibility to local services and increase travel by private car considerations when sites are located within less than a mile of such larger settlements (such as Bradwell). Therefore as the Inspector was supportive of permanent use of the building and even without the other material considerations outlined below, consistency in local decision-making should mean the application should be approved.

5.2.6 The Councils' five-year housing land supply is also relevant. As at April 2016, this was claimed at 5.17 years. This figure relies on sites that are neither allocated or with the benefit of planning permission. Furthermore, this information is over a year out of date. It is unrealistic to anticipate that all non-allocated sites or those with no planning permission will come forward at a speed envisaged to ensure the supply is met. Whilst this application would only effectively create a single new dwelling unit (which would make only a very modest contribution to the required five year housing land supply), this consideration should be weighed in relation to the other matters.

### 5.3 Personal Circumstances

5.3.1 In addition to the robust arguments outlined above, there are strong personal circumstances that also represent material considerations that should support the grant of planning permission.

5.3.2 As outlined in section 4 and detailed further in Appendix 1, physical / mental health issues affect the applicant's son and health issues affect Mrs Smith. The extent of support required is significant. The family consider that this permission would make significant difference to the family with support for their surviving son and Mrs Smith. The security of a consent would allow for the special care and support required by the family to be financed by the family whilst also allow funds and borrowing to be secured to continue the investment in repair, upkeep and maintenance of the Listed Building and its grounds.

## 6.0 Conclusion

6.1 In view of the above, it is considered that in view of the policy context, coupled with other material considerations, there is clear justification to approve the application to remove the occupancy condition on the building.



# APPENDIX 1

Dear Dean Minns

Further to our telephone conversation on the 11th May for the removal of condition 5. The reasons for asking for this removal was our parents wanted to buy the annex and sell their home to move in, yes they could move in without permission but they wanted the security if we ever moved out of The Manor House for any unforeseen reason they didn't have to move, so splitting the deeds was the answer. Unfortunately the planning permission was refused on the 8th June 2016.

We decided to appeal but while this decision was being looked at our son Otto deteriorated in his health. Otto and my wife have a heart condition, Otto has had a heart transplant but has over the past 18 months had mental health issues which is a result of him losing his brother who sadly died waiting for a second heart transplant. While waiting for the decision on our appeal Otto has deteriorated so badly that he needs 24hr supervision and has a range of complex medical needs. This has put an immense pressure on us as a family and our need for extra support to help meet these complex needs.

On the 24th February we were informed our planning appeal was dismissed on different reasons to the Council's refusal, as you can appreciate this has been a big blow to us. As a result we decided to meet Graham Clarke on Thursday 30th March to explain our circumstances and how this permission would make such a difference to us as a family with support for Otto and my wife who is struggling with her health as well as coping with Otto.

Graham suggested us to resubmit our planning application as given our circumstances have changed, the Council may grant this on special circumstances. He also suggested to seek support from our local councillors. Cllr Carl Annison kindly acknowledged our email and the severity of our situation and has brought this to your attention.

Your sincerely

Richard & Isabel Smith



# APPENDIX 2

## THE BOROUGH OF GREAT YARMOUTH

Town and Country Planning Act 1990

### PLANNING PERMISSION

#### Part 1 - Particulars of Application

Reference No :- **06/14/0099/F**

Submitted :- 17th February 2014

**Development at :-**

The Manor House  
Browston Lane  
Browston Great Yarmouth  
NR31 9DP

**For :-**

Change of use from cart shed to granny annexe

**Agent :-**

Mr R Smith  
The Manor House  
Browston Lane  
Browston Great Yarmouth  
NR31 9DP

**Applicant :-**

Mr R Smith  
The Manor House  
Browston Lane  
Browston Great Yarmouth  
NR31 9DP

#### Part 2 - Particulars of Decision

The Great Yarmouth Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act, 1990 that permission has been granted for the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

1. The development must be begun not later than three years beginning with the date of this permission.

The reason for the condition is :-

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the details contained in the planning application forms and drawings received by the Local Planning Authority on 18th February 2014.

The reason for the condition is :-

For the avoidance of doubt.

3. The additional accommodation hereby permitted shall only be used by the occupiers of The Manor House, or their dependents, and shall not be used as a separate dwelling or let separately for holiday purposes.

The reason for the condition is :-

This permission is granted under exceptional circumstances for a form of development not normally permitted by the Local Planning Authority and to enable the Authority to retain control over the use of the site.



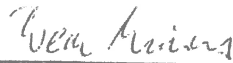
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting the order) no extensions shall be built or windows inserted into the walls or roof of the building.

The reason for the condition is:-

To enable the Local Planning Authority to retain control over the appearance and size of the building.

5. REASON FOR APPROVAL OF THE APPLICATION :-

The proposal meets the criteria of Policy HOU11 of the Great Yarmouth Borough-Wide Local Plan.

A handwritten signature in dark ink, appearing to read 'Vera Moring', written over a horizontal line.

Date: 22nd April 2014

Group Manager (Planning)  
Town Hall, Hall Plain, Great Yarmouth

# APPENDIX 3



## THE BOROUGH OF GREAT YARMOUTH

Town and Country Planning Act 1990

### PLANNING PERMISSION

#### Part 1 - Particulars of Application

Reference No :- **06/15/0043/F**

Submitted :- 4th February 2015

**Development at :-**

The Manor House  
Browston Lane Browston  
GREAT YARMOUTH  
NR31 9DP

**For :-**

Proposed additional room to annexe to provide live in care

**Agent :-**

Mr R Smith  
The Manor House  
Browston Lane Browston  
GREAT YARMOUTH  
NR31 9DP

**Applicant :-**

Mr R Smith  
The Manor House  
Browston Lane Browston  
GREAT YARMOUTH  
NR31 9DP

#### Part 2 - Particulars of Decision

The Great Yarmouth Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act, 1990 that permission has been granted for the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

1. The development must be begun not later than three years beginning with the date of this permission.

The reason for the condition is :-

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the details contained in the planning application forms and drawings received by the Local Planning Authority on 5th February 2015.

The reason for the condition is :-

For the avoidance of doubt.

5. The additional accommodation hereby permitted shall only be used by the occupiers of The Manor House, or their dependents, and shall not be used as a separate dwelling or let separately for holiday purposes.

The reason for the condition is :-

In order to enable the Local Planning Authority to retain control over the use of the site as the building is not in an area where a separate dwelling would normally be permitted.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting the order) no extensions shall be built or windows inserted into the walls or roof of the building.

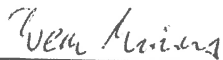
The reason for the condition is:-

To enable the Local Planning Authority to retain control over the appearance and size of the building.

7. REASON FOR APPROVAL OF THE APPLICATION :-

The proposal meets the criteria for domestic additions set out in Policy HOU18 of the adopted Great Yarmouth Borough-wide Local Plan.

8. STATEMENT OF POSITIVE ENGAGEMENT: In dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

A handwritten signature in dark ink, appearing to read 'Ven. M. King', written over a horizontal line.

Date: 1st April 2015

Group Manager (Planning)  
Town Hall, Hall Plain, Great Yarmouth



# APPENDIX 4



## Appeal Decision

Site visit made on 24 January 2017

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 February 2017

**Appeal Ref: APP/U2615/W/16/3160561**

**The Manor Barn, Browston Lane, Browston, Great Yarmouth NR31 9DP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Richard Smith against the decision of Great Yarmouth Borough Council.
- The application Ref 06/16/0227/F, dated 24 March 2016, was refused by notice dated 8 June 2016.
- The application sought planning permission for additional room to annexe to provide live in care without complying with a condition attached to planning permission Ref 06/15/0043/F, dated 1 April 2015.
- The condition in dispute is No 5 which states that: "The additional accommodation hereby permitted shall only be used by the occupiers of The Manor House, or their dependents, and shall not be used as a separate dwelling or let separately for holiday purposes".
- The reason given for the condition is: "In order to enable the Local Planning Authority to retain control over the use of the site as the building is not in an area where a separate dwelling would normally be permitted".

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The disputed condition is attached to two planning permissions<sup>1</sup> from 2014 and 2015, but the application form and decision notice refer to the 2015 planning permission only. Nevertheless, under Section 73 of the Town and Country Planning Act 1990, I can either allow the appeal and create a new planning permission without the disputed condition or dismiss the appeal. In either scenario, the existing two planning permissions would remain extant. For the avoidance of doubt, I have taken into account both planning permissions when determining this appeal.
3. The site address on the original application form was incomplete, so the address shown above is based on the decision notice and appeal form.

### Background and Main Issue

4. The 2014 planning permission related to the change of use from a cart shed to 'granny annexe' at The Manor House. This was approved in accordance with Policy HOU11 of the Great Yarmouth Borough-Wide Local Plan 2001 ('the Local

<sup>1</sup> 06/14/0099/F granted permission on 22 April 2014 and 06/15/0043/F granted permission on 1 April 2015

- Plan") which provides for the change of use of existing buildings to residential use where certain criteria are met. A condition was attached restricting the use of the additional accommodation to occupiers of The Manor House or their dependents.
5. The 2015 planning permission related to a proposed additional room to the annexe to provide live in care. This was approved in accordance with Policy HOU18 of the Local Plan, and the same condition was attached.
  6. The appellant is seeking to avoid having to comply with the disputed condition on the 2015 planning permission to allow his parents to purchase the current annexe and continue to live there should he come to sell the main house. The Council has stated that this would be contrary to Policy HOU10 of the Local Plan which restricts new dwellings in the countryside to specific types of dwelling, none of which have been put forward by the appellant in this appeal
  7. The main issue therefore is whether the disputed condition is necessary to prevent the use of the appeal building as a separate dwelling, having regard to the character and appearance of the countryside and the proximity of services.

#### Reasons

8. There is some disagreement between the appellant and the Council as to whether Policy HOU10 and/or Policy HOU11 are relevant to this appeal. I accept that Policy HOU11 has some relevance given the above planning history, but the principle of a residential use has already been established. From the evidence before me, there would be no conflict with Policy HOU11 should a new planning permission be created without the disputed condition.
9. However, the conditions on both planning permissions clearly seek to avoid the use of the appeal building as a separate dwelling, which brings into play Policy HOU10. There is nothing in Policy HOU10 that indicates a new dwelling has to be an entirely new building, and so I consider this policy to be of relevance to this appeal.
10. The cited planning permission at Hobland House (ref 06/16/0488/F) appeared to involve the conversion of an existing outbuilding to a single dwelling under Policy HOU11, rather than the conversion of a residential annexe, and so is not identical to this appeal. I have determined this appeal on its own merits based on the evidence before me.
11. The Council contends that Policy HOU10 is in general conformity with the National Planning Policy Framework (NPPF) and I have no reason to disagree. The Council emphasise the relevance of paragraph 55 of the NPPF which seeks to locate rural housing where it will enhance or maintain the vitality of rural communities and avoid new isolated homes in the countryside unless special circumstances apply.
12. The existing annexe is situated within the grounds of the Grade II listed The Manor House as a comparatively small and subservient building to the main house. From an internal inspection, it is laid out for residential use. It has a simple and pleasant appearance and does not detract from the setting of the listed building given the design and siting. The annexe is not highly visible from Browston Lane to the east due to the buffer provided by paddocks and vegetation. Browston Lane is characterised by intermittent development amongst fields and paddocks. Thus, in terms of the character and appearance



of the countryside, the use of the annexe as a separate dwelling would be acceptable and it would not be isolated in a physical sense.

13. However, the village of Browston has few services and is accessed via narrow country lanes lacking in lighting and pavements. This means that travel by private motor vehicle is the only realistic option on a day to day basis. While there are already vehicle movements to and from The Manor House, the creation of a separate dwelling in the annexe would result in two separate properties occupied by two separate households. There would likely be more travel requirements and so the new dwelling would be functionally isolated from services and facilities.
14. No special circumstances have been put forward by the appellant in support of a new isolated dwelling, including those examples listed in paragraph 55 of the NPPF. I acknowledge the appellant's personal circumstances, but these can carry only limited weight in favour of the allowing the appeal. I note that the provision of a new dwelling would help in a very modest way to increase local housing supply, but there is little evidence that it would enhance or maintain the vitality of rural communities in terms of supporting local services.
15. The use of the annexe as a separate dwelling would lead to negative social and environmental effects in terms of the lack of accessible local services and the inefficient use of natural resources through increased travel by private car. It would conflict with Policy HOU10 in terms of the creation of a new dwelling in the countryside outside of specified exceptions and would not follow the approach of paragraph 55 of the NPPF. The adverse impacts of the change of use would thus be significant, compared to the very modest benefits of a new dwelling.
16. The appellant casts doubt on whether the Council can demonstrate a five year housing land supply, something which the Council has not responded to in its appeal statement. The evidence before me is limited. However, even if I were to accept that there is a shortfall in housing land supply and that relevant policies for the supply of housing should not be considered up to date, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits and the proposal would not be sustainable development.

#### Conclusion

17. The annexe would not be suitable for use as a separate dwelling having regard to the proximity of services, and would conflict with Policy HOU10 of the Local Plan and paragraph 55 of the NPPF. The disputed condition is therefore necessary to prevent the use as a separate dwelling from occurring. The condition also meets the other tests for conditions set out in paragraph 206 of the NPPF in that it is relevant to planning and the approved development, enforceable in terms of the ability to detect a change in use, precisely worded and reasonable in all other respects.
18. For the above reasons, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

*Tom Gilbert-Wooldridge*

INSPECTOR

# APPENDIX 5





**THE BOROUGH OF GREAT YARMOUTH**  
Town and Country Planning Act 1990

**PLANNING PERMISSION**

**Part 1 - Particulars of Application**

<b>Reference No :-</b> 06/16/0488/F	<b>Submitted :-</b> 25th July 2016
<b>Development at :-</b> Hobland House Hobland Road Bradwell GREAT YARMOUTH	<b>For :-</b> Change of use, conversion and alterations of existing outbuilding to form single three bedroom dwelling house with amenity space
<b>Agent :-</b> Paul Robinson Partnership (UK) LLP The Old Vicarage Church Plain GREAT YARMOUTH NR30 1NE	<b>Applicant :-</b> Mr & Mrs Sturzaker Hobland House Hobland Road Bradwell GREAT YARMOUTH NR31 9AR

**Part 2 - Particulars of Decision**

The Great Yarmouth Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act, 1990 that permission has been granted for the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:-

1. The development must be begun not later than three years beginning with the date of this permission.

The reason for the condition is :-

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the details contained in the planning application forms and drawing no's. 7630 04 Rev. A, 7630 05 and 7630 06 received on 28th July 2016 and drawing no. 7630 07 received on 21st September.

The reason for the condition is :-

For the avoidance of doubt.

3. Prior to the commencement of the development a detailed schedule of all materials and finishes to be used in the development shall be submitted for agreement in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

The reason for the condition is :-

To enable the Local Planning Authority to retain control over the development to ensure that such items are in keeping with and appropriate to a residential barn conversion.

4. No development shall take place until details of the siting of bat boxes and barn owl nesting boxes have been agreed in writing with the Local Planning Authority. The boxes, as agreed, shall be installed prior to the commencement of any development.

The reason for the condition is :-

To provide alternative nesting sites for bats/owls.

5. Prior to the commencement of the development hereby approved, a Phase 1 Desk Survey and Site Walkover investigation to assess whether the land is contaminated shall be carried out and a report shall be submitted to and approved by the Local Planning Authority in consultation with the Environmental Services Group Manager. The investigation shall include details of known previous uses and possible contamination arising from those uses.

If contamination is found or suspected to exist, a Phase 2 Site Investigation report is to be submitted to and approved by the Local Planning Authority in consultation with the Environmental Services Group Manager. If the Phase 2 Site Investigation determines that the ground contains contaminants at levels that could cause harm to human health the applicant shall submit a strategy detailing how the site is to be remediated to a standard suitable for its proposed end use to the Environmental Services Group Manager.

If remediation work is considered necessary the dwelling hereby permitted shall not be occupied until the remediation works agreed within the remediation strategy have been carried out to the satisfaction of the Local Planning Authority.

The reason for the condition is :-

To ensure that risks from land contamination to future occupiers and neighbouring land are minimised together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

6. Prior to the first occupation of the dwelling hereby permitted, a visibility splay shall be provided in full accordance with the details indicated on the approved drawing 7630 07. The splay shall thereafter be maintained free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

The reason for the condition is :-

In the interests of highway safety.

7. Prior to the first occupation of the dwelling hereby permitted, the proposed access, on-site car parking and turning area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.

The reason for the condition is :-

To ensure the permanent availability of the parking/manoeuvring area, in the interests of highway safety.

8. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting the order) no extensions or alterations to the roof shall be constructed and no doors, windows or other openings (other than those expressly authorised by this permission) shall be inserted into the walls or roof of the dwelling without the prior consent of the Local Planning Authority.

The reason for the condition is:-

In the interests of the residential amenities of the occupiers of the adjacent property and the visual amenity of the area.

9. No painting of the external surfaces of the dwelling hereby permitted shall take place without the prior consent in writing of the Local Planning Authority. Proposals shall be submitted to and approved by the Local Planning Authority before the work is begun and the work shall be carried out in accordance with the approved details.

The reason for the condition is :-

To ensure that such work does not detract from the appearance and character of the buildings.

10. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings or enclosures, swimming or other pools required for a purpose incidental to the enjoyment of the dwellings hereby permitted shall be provided without the prior consent in writing of the Local Planning Authority.

The reason for the condition is :-

To enable the Local Planning Authority to retain control over the development in the interests of the visual amenities of the locality.

11. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gates walls or other means of enclosure (other than those expressly authorised by this permission) shall be erected without the prior consent in writing of the Local Planning Authority.

The reason for the condition is:-

To enable the Local Planning Authority to retain control over the development in order to ensure such items do not detract from the appearance of the countryside.

#### 12. REASON FOR APPROVAL OF THE APPLICATION :-

The proposal meets the requirements of saved Policies HOU11 and BNV21 of the Great Yarmouth Borough-Wide Local Plan.

13. STATEMENT OF POSITIVE ENGAGEMENT: In dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.



Date: 7th October 2016

Group Manager (Planning)  
Town Hall, Hall Plain, Great Yarmouth



SITE NOTICE  
& BROWSTON GRE

Track

LB

2 3

Manor House

IN APPLICANTS  
OWNERSHIP

The Manor  
Barn

Pond

Browston Green

Manor  
Farm  
Cottage

3.2m

Browston Rookery

Pond

The Gables

The

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Ordnance Survey 100018547





**Reference:** 06/17/0354/F

**Parish:** Gorleston

**Officer:** Mr G Clarke

**Expiry Date:** 28-09-2017

**Applicant:** Mr W Harrison

**Proposal:** Variation of condition 2 of planning permission 06/14/0780/F to allow a variation of design

**Site:** Rear of 33 Nelson Road  
Gorleston

## REPORT

### 1 Background / History :-

- 1.1 The application site is part of the garden of 33 Nelson Road but the dwelling itself is effectively located in Royal Albert Court which is a development of houses between Nelson Road and Bells Road. The dwelling adjoins the access road and parking areas for Royal Albert Court along its north and east boundaries and the rear gardens of houses on Lower Cliff Road on the south boundary.
- 1.2 A planning application for the demolition of an existing garage on the site and the erection of a dwelling (06/14/0780/F) was refused by Committee on 20 January 2015, the applicant appealed against this decision and the appeal was allowed on 5 May 2015.
- 1.3 The dwelling is now nearing completion and this application is for a variation to allow some amendments to the design, the changes are the creation of an additional first floor room over what was originally shown as a car port, a door to the car port to form a garage and some steps to the entrance door.

### 2 Consultations :-

- 2.1 Highways – no objection
- 2.2 Neighbours – two objections have been received, copies of which are attached. The reasons for objection are the height and bulk of the dwelling, bin storage, land ownership and extra traffic.



### **3 Policy :-**

#### **3.1 POLICY HOU7**

NEW RESIDENTIAL DEVELOPMENT MAY BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE PARISHES OF BRADWELL, CAISTER, HEMSBY, ORMESBY ST MARGARET, AND MARTHAM AS WELL AS IN THE URBAN AREAS OF GREAT YARMOUTH AND GORLESTON. NEW SMALLER SCALE RESIDENTIAL DEVELOPMENTS\* MAY ALSO BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE VILLAGES OF BELTON, FILBY, FLEGGBURGH, HOPTON-ON-SEA, AND WINTERTON. IN ALL CASES THE FOLLOWING CRITERIA SHOULD BE MET:

- (A) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE FORM, CHARACTER AND SETTING OF THE SETTLEMENT;
- (B) ALL PUBLIC UTILITIES ARE AVAILABLE INCLUDING FOUL OR SURFACE WATER DISPOSAL AND THERE ARE NO EXISTING CAPACITY CONSTRAINTS WHICH COULD PRECLUDE DEVELOPMENT OR IN THE CASE OF SURFACE WATER DRAINAGE, DISPOSAL CAN BE ACCEPTABLY ACHIEVED TO A WATERCOURSE OR BY MEANS OF SOAKAWAYS;
- (C) SUITABLE ACCESS ARRANGEMENTS CAN BE MADE;
- (D) AN ADEQUATE RANGE OF PUBLIC TRANSPORT, COMMUNITY, EDUCATION, OPEN SPACE/PLAY SPACE AND SOCIAL FACILITIES ARE AVAILABLE IN THE SETTLEMENT, OR WHERE SUCH FACILITIES ARE LACKING OR INADEQUATE, BUT ARE NECESSARILY REQUIRED TO BE PROVIDED OR IMPROVED AS A DIRECT CONSEQUENCE OF THE DEVELOPMENT, PROVISION OR IMPROVEMENT WILL BE AT A LEVEL DIRECTLY RELATED TO THE PROPOSAL AT THE DEVELOPER'S EXPENSE; AND,
- (E) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE RESIDENTIAL AMENITIES OF ADJOINING OCCUPIERS OR USERS OF LAND.

(Objective: To ensure an adequate supply of appropriately located housing land whilst safeguarding the character and form of settlements.)

\* ie. developments generally comprising not more than 10 dwellings.

### 3.2 POLICY HOU18

EXTENSIONS AND ALTERATIONS TO DWELLINGS WILL BE PERMITTED WHERE THE PROPOSAL:

- (a) IS IN KEEPING WITH THE DESIGN OF THE EXISTING DWELLING AND THE CHARACTER OF THE AREA;
- (b) WOULD NOT SIGNIFICANTLY AFFECT THE AMENITIES OF ANY NEIGHBOURING DWELLING; AND,
- (c) WOULD NOT RESULT IN OVER-DEVELOPMENT OF THE SITE.

## 4 Assessment :-

- 4.1 The original application was refused on the grounds of over-development, adverse effect on the character of the area and adverse effect on the amenities of the occupiers of adjoining dwellings. The Planning Inspector did not agree with these reasons for the refusal and allowed the building of the dwelling, as part of the appeal process it was suggested that if the appeal was allowed conditions should be imposed removing permitted development rights for extensions and windows, the car port should only be used for the parking of cars and that bin storage and cycle parking is provided. The Inspector considered that removal of permitted development rights and restricting the use of the car port were not reasonable conditions and other than standard time limit and approved drawing conditions only imposed a condition requiring bin storage and cycle parking to be provided prior to the occupation of the dwelling.
- 4.2 The proposed amendments to the design of the dwelling will involve raising the height of the building over the car port to provide a dressing room that will be accessed off one of the bedrooms, a door to the car port to create a garage and some steps to the front door which are necessary because the front door is further above ground level than originally shown due to the sloping nature of the site.
- 4.3 The height of the roof over the garage will increase by just over one metre with the ridge height being 0.8m below the main roof of the house so the building will still step down at this end. This is the end of the house furthest from the nearest dwellings on Nelson Road so it is difficult to argue that it would have any adverse effect on neighbours or the character of the area.
- 4.4 The garage door is already in place but as the Inspector did not remove permitted development rights a door could be fitted without the need for planning permission once the dwelling is occupied. The submitted drawing shows cycle and bin storage within the garage as required by the condition on the appeal decision.
- 4.5 The original approved drawing showed the site as being level but in fact the ground slopes down from west to east, the slab level of the building has been set at the approved level at the western end of the site which has resulted in

the slab level at the eastern end being approximately 300mm higher. This has resulted in the entrance door being 0.5m above ground level and two steps being built outside the door to give access to the dwelling. The owner of the adjoining car parking space has written to state that these steps and the footings of the garage encroach onto her land. When the application was submitted Certificate A on the application forms was signed to say that all of the land was in the applicant's ownership, following receipt of the letter from the adjoining owner the owner has signed Certificate B and served notice on the adjoining landowner which validates the application. The steps may encroach onto land that does not belong to the applicant but ownership of the land is not a planning matter and this is a matter for the interested parties to resolve between them.

- 4.6 The fact that most of the work that is subject to this application has already been carried out is not by itself a reason to refuse planning permission, the Council has to consider the application on its merits taking into account the effect on the character of the area and amenities of neighbours. The first floor extension and increase in height of the building will not have any adverse effect on neighbours by virtue of loss of light or overshadowing, the roof is still stepped down from the main ridge line and it is not felt that it will have any significant effect on the character of the area. The type of work that could be carried out as permitted development is also a material consideration and bearing this in mind it is felt that it would be difficult to justify refusal of the garage door as this could be carried out as permitted development once the dwelling is occupied.

## **5 RECOMMENDATION :-**

Approve – the proposal complies with saved Policy HOU7.





ACK 30/6/17

S

Sarah Davis  
20 Connaught Avenue  
Gorleston  
Great Yarmouth  
NR31 7LU

30 June 2017

Dear Mr Clarke

**PLANNING APPLICATION NO: 06/17/0354/F  
33 NELSON ROAD, GORLESTON (rear of)**

I refer to the above revised planning application and would like to submit my objection to the proposal to vary Condition 2 of planning application No: 06/14/0780/F (allowed on appeal).

I am the owner of 7 Royal Albert Court which includes the strip of land that runs immediately adjacent to the majority of the boundary of the application site.

As detailed in my previous objections to the two planning applications for this site, I believed that the proposals would encroach on my land and this has been borne out now that the building and garage have been erected. Below is an extract from my previous objection in January 2015:

"...I would dispute the boundary line of the plot as according to the attached Land Registry Plan the applicant has included a strip of land that is owned by myself – the boundary is actually in a straight line where their existing fence is erected rather than as they have shown in the plans. If they don't have access to this strip I don't see how the application can even be considered yet alone approved bearing in mind the plans would need to be revised to make the dwelling narrower and to bring the garage back into line rather than it's currently proposed extended size."

The house itself has been built within the applicant's boundary, however, I believe that the steps up to the front door of the new dwelling and the footings of the garage encroach onto my land. I am, therefore, currently in dispute with the applicant over land ownership.

In relation to the current application, I would point out that the applicant has not accorded with the existing drawings which form part of the planning permission granted on appeal for this site. Firstly the house was built approximately 3 foot off the ground necessitating two steps (on my land) up to the front door. Secondly, the car port has been changed to a garage (which he has already built up to first floor height) and this has been extended in length to encroach further on my land. I believe this shows a complete lack of respect for the planning process, Committee members who considered and refused the appeal, together with local residents' concerns and objections. If the applicant wished to vary the condition why has he not done so before carrying out the works? In addition, the applicant's plan show a dressing room above the garage but it is currently being marketed by William H Brown, Estate Agents as a study/playroom and I was informed by one of the labourers at an early stage that it was a third bedroom!

Continued...

Many concerns were expressed by residents at the time the first two applications were submitted in relation to the appearance and impact of the proposed dwelling and car port on the immediate surroundings bearing in mind that it was surrounded by smaller terraced one and two bedroomed properties. I remain concerned now that the building is almost complete that it is far too bulky for the surrounding area especially given the raised height of the house and this will be exacerbated if the open car port is changed to a closed garage with additional roof height to allow a room above it rather than just storage space.

I am also concerned in relation to where the bins will be stored as the Inspector was clear that this and cycle provision needed to be determined before the dwelling was occupied. The garage (for which the applicant is currently seeking permission) is already being marketed as such and there is no mention of where the bin storage will be – the garage is not big enough to get a small car in as well as bins and a cycle. There is no other space within the curtilage of the application site to store the bins and cycle other than in the “garage” and I cannot see from the submitted drawings that provision has been made for them which leaves me concerned that the applicant will try to store them on my land given that he seems to have no compunction in using land not in his ownership.

I would also draw your attention to my objections to the earlier applications which I have now updated as they are still relevant:

- The property is dominant in the street scene bearing in mind that even without including the adjoining garage the frontage is larger than all the surrounding properties, including the host property 33 Nelson Road and is therefore out of keeping with the area. My fears have been borne out now that the house has been built and I feel it has been exacerbated by the additional height due the floor levels being raised and would suggest that the applicant should be made to reduce the height to that previously agreed. In addition, approval of the proposal to change from an open car port to a closed garage and to raise the height of the room above the garage will significantly add to this bulky appearance and be detrimental to the amenities of the local residents.
- It is an overdevelopment of the plot bearing in mind that it extends nearly the entire width of the previous garage and garden with no space to the front of the property to divide the plot from the Royal Albert Court private road and in particular my strip of land. The overdevelopment is also demonstrated by the fact that the applicant has had to use part of my land in order to construct his steps.

Continued...

- All other properties are quite a distance away or in a row rather than being one (tall) property surrounded by gardens or parking spaces. I would ask whether the initial planning permission for Royal Albert Court had any restrictions on the positioning of the properties because there are none that can be seen if you look directly into the site from Bells Road – there are only car parking spaces and the single storey garage of 33 Nelson Road. I do not believe this issue was ever investigated and if there was a restriction then this development would be contrary to that as there would be a large two storey detached property in a direct visual line from the entrance.
- The positioning of the lounge/dining room window is adjacent to my car parking space and I am concerned as to any overhang from an open window and the possibility of complaints from any future property owners if I chose to park a high sided vehicle in my space or erect a fence to protect my boundary. This would pose an obvious fire risk to future occupants of the property.

I should be grateful if you would meet me on site to view the application site, what has already been built and to discuss my objections in detail.

I would also urge you to refuse the application on the grounds that it is contrary to Policy HOU7.

If you are minded to recommend approval for the application, I would request that it be considered by the Development Control Committee and that a site visit be held to see first hand the scale of the development in the context of the surrounding properties and open space and, in addition, the impact it has in terms of my parking space.

Yours sincerely,



Sarah Davis

To: Mr Graham Clark, Planning Officer

Cc Ward Councillors Fairhead and Wright



Ack 30/6/17

S

Application Reference 06/17/0354/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Clive Brown

Address 1 Royal Albert Court

Gorleston

Post Code NR31 6HZ

Telephone 07925 382347

Email Address clivebrown1952@gmail.com

For or Against NOS Subject to Condition

Speak at Committee

I am concerned about possible extra traffic to this road which is private i.e. the property in question only has one parking space which is the garage

Date Entered 29-06-2017

Internet Reference OWPC1172





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Ordnance Survey 100018547

*0611/10356/F*  
*Leav of Nelson Road.*

**Reference:** 06/17/0346/F

**Parish:** Belton

**Officer:** Mr G Clarke

**Expiry Date:** 11-08-2017

**Applicant:** Mr & Mrs Williamson

**Proposal:** Two storey extension, internal alterations and conversion of part of existing garage to form habitable space

**Site:** Rose Havre  
Stepshort  
Belton

## **REPORT**

### **1 Background / History :-**

- 1.1 The property involved in the application is a detached house which is served by an unmade road off the north side of Stepshort, the south western boundary of the site adjoins the rear gardens of dwellings fronting Stepshort, the remaining boundaries of the site adjoin woodland. On the opposite side of the access road is the Rose Farm Touring Park.
- 1.2 The house has had planning permissions granted for various two storey and single storey extensions since 1981 all of which appear to have been built.
- 1.3 The current proposal is for a two storey extension on the south east elevation which faces the road and some internal works including conversion of part of the garage to a bedroom.
- 1.4 The application has been referred to committee as the applicant is a councillor.

### **2 Consultations :-**

- 2.1 Highways – no objection.
- 2.2 Parish Council – no objections subject to neighbours.
- 2.3 Neighbours – no comments received.



### **3 Policy :-**

#### **3.1 POLICY HOU18**

EXTENSIONS AND ALTERATIONS TO DWELLINGS WILL BE PERMITTED WHERE THE PROPOSAL:

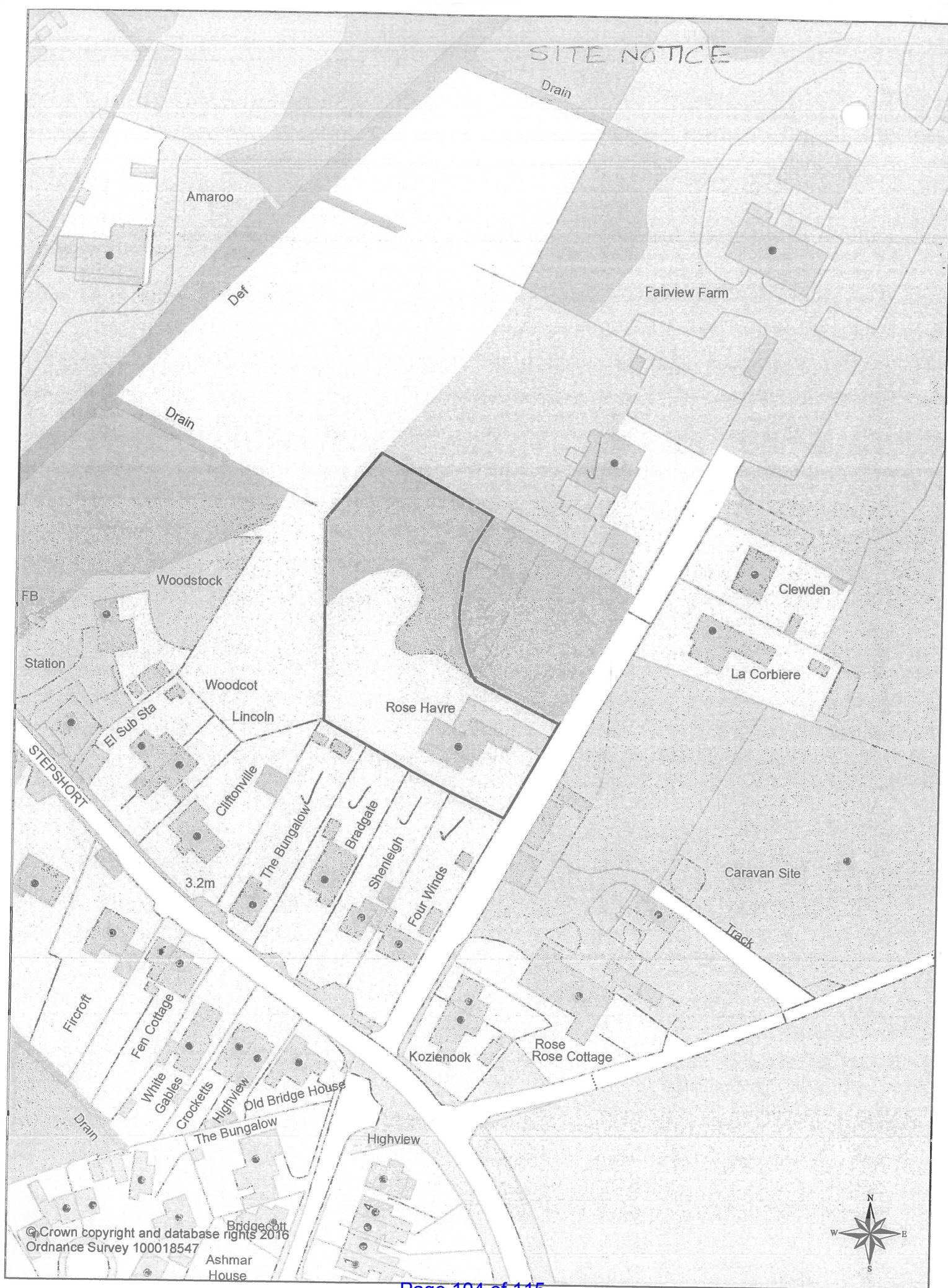
- (a) IS IN KEEPING WITH THE DESIGN OF THE EXISTING DWELLING AND THE CHARACTER OF THE AREA;
- (b) WOULD NOT SIGNIFICANTLY AFFECT THE AMENITIES OF ANY NEIGHBOURING DWELLING; AND,
- (c) WOULD NOT RESULT IN OVER-DEVELOPMENT OF THE SITE.

### **4 Assessment :-**

- 4.2 The description of the proposed development includes internal alterations and the conversion of part of the existing garage to form habitable space however this work will not require planning permission and the only part of the development that requires consent is the two storey extension.
- 4.3 The extension will be built onto the end elevation of the existing two storey part of the house which faces the road, it will have a pitched roof of the same height as the existing and will project 3.6 metres from the existing wall. The extension will form a study on the ground floor and a dressing room and en-suite on the first floor. There will be a window to the dressing room facing the rear gardens of the houses on Stepshort but there are existing first floor windows on this side of the house so the proposal will not introduce any overlooking where it does not already occur.
- 4.4 The extension is in keeping with the design of the dwelling and will not have any adverse effects on the amenities of the neighbours or the character of the area.

### **5 RECOMMENDATION :-**

- 5.1 Approve – the proposal complies with saved Policy HOU18 of the Great Yarmouth Borough-Wide Local Plan.



**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING  
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0336/F</b>
PARISH	Belton & Browston 10
PROPOSAL	Front extension to bedroom to provide bathroom facilities for disabled person
SITE	Deben New Road Belton GREAT YARMOUTH
APPLICANT	Mr C Harding
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0285/F</b>
PARISH	Caister On Sea 3
PROPOSAL	Erection of single storey rear extension and erection of front and rear loft dormers
SITE	64 Winifred Way Caister on Sea GREAT YARMOUTH NR30 5PB
APPLICANT	Mrs J Harding
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0361/F</b>
PARISH	Caister On Sea 3
PROPOSAL	Renewal of PP: 06/14/0190/F - Proposed sub-division of extg curtilage to allow erection of a two bedroom det.bungalow
SITE	Redmond (Adj) Drift Road Caister GREAT YARMOUTH NR30 5QH
APPLICANT	Mr D Burcham
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0240/F</b>
PARISH	Caister On Sea 4
PROPOSAL	One two bedroom chalet bungalow and one three bedroom chalet bungalow
SITE	7 Green Lane (Land West of) Caister GREAT YARMOUTH NR30 5EW
APPLICANT	Mr L Knights
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0272/F</b>
PARISH	Caister On Sea 4
PROPOSAL	Alterations to 15 Belstead Avenue and 3 new bungalows in the rear garden with associated access road
SITE	15 Belstead Avenue Caister GREAT YARMOUTH NR30 5BB
APPLICANT	Mr A Beck
DECISION	<b>REFUSED</b>



**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING  
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0274/F</b>
PARISH	Caister On Sea 4
PROPOSAL	Enhance central stand entrance incl.installation of disabled lift to access 1st floor level remodel 1st floor WC area etc.
SITE	Yarmouth Stadium Yarmouth Road West Caister GREAT YARMOUTH NR30 5TE
APPLICANT	Mr S & J Franklin
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0275/A</b>
PARISH	Caister On Sea 4
PROPOSAL	Proposed new signage above central stand entrance
SITE	Yarmouth Stadium Yarmouth Road West Caister GREAT YARMOUTH NR30 5TE
APPLICANT	Mr S & J Franklin
DECISION	<b>ADV. CONSENT</b>

REFERENCE	<b>06/17/0332/F</b>
PARISH	Caister On Sea 4
PROPOSAL	Proposed parts store in relation to car museum
SITE	Caister Castle Castle Lane West Caister GREAT YARMOUTH NR30 5SN
APPLICANT	The Caister Castle Trust
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0371/PDE</b>
PARISH	Caister On Sea 4
PROPOSAL	Proposed single storey rear extension
SITE	5 Kingston Avenue Caister GREAT YARMOUTH NR30 5ET
APPLICANT	Mrs A Hacon
DECISION	<b>REFUSED</b>

REFERENCE	<b>06/17/0311/F</b>
PARISH	Filby 6
PROPOSAL	Extension to form additional bedroom and lobby
SITE	Heather Bungalow Main Road Filby GREAT YARMOUTH
APPLICANT	Mr R Newnham
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0318/F</b>
PARISH	Fleggburgh 6
PROPOSAL	Erection of a single storey rear extension
SITE	16 The Village Main Road Fleggburgh GREAT YARMOUTH
APPLICANT	Mrs D Lawrance
DECISION	<b>APPROVE</b>

**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0341/F</b>
PARISH	Fritton/St Olaves 10
PROPOSAL	Proposed orangery to side elevation. Oak framed porch to front elevation
SITE	Braken Hill Priory Road St Olaves GREAT YARMOUTH NR31 9HQ
APPLICANT	Mr & Mrs Chater
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0307/F</b>
PARISH	Great Yarmouth 5
PROPOSAL	Flat roof single storey kitchen extension
SITE	252 High Street Gorleston GREAT YARMOUTH NR31 6RT
APPLICANT	Mr S Bowles
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0295/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Erection of summer house in front garden
SITE	4 Park Road Gorleston GREAT YARMOUTH NR31 6EJ
APPLICANT	Mr P Palmer
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0333/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Proposed flat roof extension to rear of shop
SITE	65 Bells Road Gorleston GREAT YARMOUTH NR31 6AG
APPLICANT	Iain S Devine and Partners Ltd
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0334/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Proposed flat roof extension to rear of shop
SITE	64 Bells Road Gorleston GREAT YARMOUTH NR31 6AG
APPLICANT	Elysium Beauty Spa Limited
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0342/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Proposed single storey rear extension
SITE	34 Victoria Road Gorleston GREAT YARMOUTH NR31 6EF
APPLICANT	Mr A Lynch
DECISION	<b>APPROVE</b>

**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING  
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0420/SU</b>
PARISH	Great Yarmouth 9
PROPOSAL	Prior notification of proposed 6 metre high telemetry aerial
SITE	Albany Road Pumping Station Albany Road GREAT YARMOUTH
APPLICANT	Anglian Water Services Ltd
DECISION	<b>NO OBJECTION</b>

REFERENCE	<b>06/17/0335/F</b>
PARISH	Great Yarmouth 11
PROPOSAL	Replacement front porch with larger porch and extension to dining room
SITE	4 Gloucester Avenue Gorleston GREAT YARMOUTH NR31 7LT
APPLICANT	Mr & Mrs Savory
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0045/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Retrospective replacement of shop front with roller shutter
SITE	106 Regent Road GREAT YARMOUTH Norfolk NR30 2AE
APPLICANT	Mr J Hanks
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0289/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Revision of 06/16/0533/F for conversion and extension at rear to form two residential units
SITE	136 King Street GREAT YARMOUTH Norfolk NR30 2PQ
APPLICANT	Mr B Vyas
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0290/LB</b>
PARISH	Great Yarmouth 14
PROPOSAL	Revision of 06/16/0534/LB for conversion and extension at rear to form two residential units
SITE	136 King Street GREAT YARMOUTH Norfolk NR30 2PQ
APPLICANT	Mr B Vyas
DECISION	<b>LIST.BLD.APP</b>

REFERENCE	<b>06/17/0464/M</b>
PARISH	Great Yarmouth 14
PROPOSAL	Prior notification of proposed demolition former Ocean House Suffling Road
SITE	Ocean House Suffling Road GREAT YARMOUTH NR30 3QP
APPLICANT	Great Yarmouth Borough Council
DECISION	<b>PERMITTED DEV.</b>



**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING  
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0208/F</b>
PARISH	Great Yarmouth 15
PROPOSAL	Proposed demolition of existing store and erection of chalet bungalow
SITE	10 Cobden Terrace (Land adj) GREAT YARMOUTH Norfolk NR30 1BT
APPLICANT	Mr R Simpson
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0241/CU</b>
PARISH	Great Yarmouth 15
PROPOSAL	Change of use from casino to commercial storage
SITE	11 Theatre Plain GREAT YARMOUTH Norfolk NR30 2BE
APPLICANT	Mr M Griffiths
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0253/F</b>
PARISH	Great Yarmouth 15
PROPOSAL	Two proposed extensions. One to the west of the site, a small office. The second to the east wing to form new lounge area
SITE	Mildred Stone House Lawn Avenue GREAT YARMOUTH NR30 1QS
APPLICANT	Leaf Care Services
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0269/LB</b>
PARISH	Great Yarmouth 15
PROPOSAL	Proposed secondary internal glazing to be installed to all existing timber sash windows
SITE	51 North Quay GREAT YARMOUTH Norfolk NR30 1JE
APPLICANT	Mr S Daniels - Orbit Living
DECISION	<b>LIST.BLD.APP</b>

REFERENCE	<b>06/17/0287/CD</b>
PARISH	Great Yarmouth 15
PROPOSAL	Removal of unsafe 2nd floor and convert to form 3 No. two bed dwellings - DoC 3, 4, 5 & 6 Re: PP 06/16/0693/F
SITE	4 Stonecutters Way GREAT YARMOUTH Norfolk NR30 1HF
APPLICANT	Julie Harfield
DECISION	<b>APPROVE (CONDITIONS)</b>

REFERENCE	<b>06/17/0304/F</b>
PARISH	Great Yarmouth 15
PROPOSAL	Proposed new reception area
SITE	8 Rampart Road GREAT YARMOUTH Norfolk NR30 1PX
APPLICANT	Ms D Ashleigh
DECISION	<b>APPROVE</b>

**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0310/F</b>
PARISH	Great Yarmouth 15
PROPOSAL	Replacement of old steel building with new larger steel building
SITE	A W Plant Services Eurocentre North River Road GREAT YARMOUTH NR30 1TE
APPLICANT	A W Plant Services Ltd
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0326/F</b>
PARISH	Great Yarmouth 15
PROPOSAL	Retro.app.for the retention of close boarded wooden fencing attached to brick wall extend. around the front boundaries
SITE	22 Salisbury Road GREAT YARMOUTH Norfolk NR30 4LE
APPLICANT	Mr & Mrs Turner
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0308/A</b>
PARISH	Great Yarmouth 19
PROPOSAL	New signage
SITE	The Feathers Inn Public House 128 High Street Gorleston GREAT YARMOUTH
APPLICANT	Enterprise Inns
DECISION	<b>ADV. REFUSAL</b>

REFERENCE	<b>06/17/0309/LB</b>
PARISH	Great Yarmouth 19
PROPOSAL	new signage
SITE	The Feathers Inn Public House 128 High Street Gorleston GREAT YARMOUTH
APPLICANT	Enterprise Inns
DECISION	<b>LIST.BLD.REFUSE</b>

REFERENCE	<b>06/17/0369/CD</b>
PARISH	Great Yarmouth 19
PROPOSAL	Proposed erection of three dwellings to rear of site - Discharge of conditions 3 & 4 Re: P P 06/16/0031/F
SITE	79 Pier Plain T V Palmer Gorleston GREAT YARMOUTH NR31 6PG
APPLICANT	Mr R Grimmer
DECISION	<b>APPROVE (CONDITIONS)</b>

REFERENCE	<b>06/17/0298/CU</b>
PARISH	Great Yarmouth 21
PROPOSAL	Change of use from guest house to dwelling house
SITE	Sandy Acres 81 Salisbury Road GREAT YARMOUTH NR30 4LB
APPLICANT	Mr E King
DECISION	<b>APPROVE</b>

**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING  
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0389/SU</b>
PARISH	Great Yarmouth 21
PROPOSAL	Permanent 8-bay bldg.Ex wks to incl.hard & softplay areas, shed,fencing,ent.& play area canopies,add.car park etc
SITE	North Denes Primary School Jellicoe Road GREAT YARMOUTH NR30 4HF
APPLICANT	Director of Childrens Services
DECISION	<b>NO OBJECTION</b>

REFERENCE	<b>06/17/0323/F</b>
PARISH	Hemsby 8
PROPOSAL	Construct external cold-rooms & canopy to rear & side of exist retail store, relocate ATM machine & install new door
SITE	5-7 Kingsway Hemsby GREAT YARMOUTH NR29 4JT
APPLICANT	Spar Foodmarkets Ltd
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0372/F</b>
PARISH	Hemsby 8
PROPOSAL	Build in of carport to form kitchen
SITE	Heritage 8A Martham Road Hemsby GREAT YARMOUTH NR29 4LS
APPLICANT	Mr & Mrs Maitland
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0375/F</b>
PARISH	Hemsby 8
PROPOSAL	Proposed 2 storey rear extension
SITE	3 Martham Road Hemsby GREAT YARMOUTH NR29 4LS
APPLICANT	Mr Strickland
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0377/F</b>
PARISH	Hemsby 8
PROPOSAL	Single storey lounge & ensuite extensions
SITE	4 Springfield Road Hemsby GREAT YARMOUTH NR29 4LU
APPLICANT	Mr & Mrs A Grant
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0399/F</b>
PARISH	Hemsby 8
PROPOSAL	Proposed fence and wall
SITE	Jasmine Pit Road Hemsby GREAT YARMOUTH NR29 4LG
APPLICANT	Miss E Bishop
DECISION	<b>APPROVE</b>



**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING  
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0395/F</b>
PARISH	Hopton On Sea 2
PROPOSAL	Proposed single storey extension attached to existing garage
SITE	47 Noel Close Hopton GREAT YARMOUTH NR31 9RT
APPLICANT	Mrs Z Ward
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0402/SU</b>
PARISH	Hopton On Sea 2
PROPOSAL	Vary conditions 2 & 5 of PP: Y/6/2012/6005 (06/12/0524/SU) -To enable extg 3 wind turbine head unit inc.rubber system
SITE	Masons Farm Lowestoft Road GREAT YARMOUTH NR31 9AN
APPLICANT	NCC Norfolk Energy Futures
DECISION	<b>NO OBJECTION</b>

REFERENCE	<b>06/17/0267/F</b>
PARISH	Martham 13
PROPOSAL	Conversion of barn to dwelling
SITE	Selwyn House 28 The Green Martham GREAT YARMOUTH
APPLICANT	Mr N Dyble
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0281/F</b>
PARISH	Martham 13
PROPOSAL	Remove existing conservatory and replace with larger brick built room
SITE	3 Staithe Road Martham GREAT YARMOUTH NR29 4PT
APPLICANT	Mrs E Donovan
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0317/F</b>
PARISH	Martham 13
PROPOSAL	Proposed single storey rear extension
SITE	2 Daisy Close Martham GREAT YARMOUTH
APPLICANT	Mr R Bedford
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0209/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Re-submit of 06/16/0464/F-Demo of extg bungalow & erect new chalet bungalow with garage-to incl. pro. flat roof rear extn
SITE	3 Meadowcroft Bungalows Yarmouth Road Ormesby St Margaret GREAT YARMOUTH NR29 3QQ
APPLICANT	Mr J Dearn
DECISION	<b>APPROVE</b>

**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING  
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0338/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Single storey front extension
SITE	30 Yarmouth Road Ormesby St Margaret GREAT YARMOUTH NR29 3QF
APPLICANT	Ms L Hudson
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0330/PDE</b>
PARISH	Rollesby 13
PROPOSAL	Proposed rear garden room extension
SITE	7 Bittern Road Rollesby GREAT YARMOUTH NR29 5DY
APPLICANT	Mr J Cooper
DECISION	<b>REFUSED</b>

REFERENCE	<b>06/17/0325/F</b>
PARISH	Winterton 8
PROPOSAL	Proposed construction of side extension
SITE	55 Bulmer Lane Winterton GREAT YARMOUTH
APPLICANT	Mr G Lee
DECISION	<b>APPROVE</b>

\* \* \* \* End of Report \* \* \* \*

**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE**

REFERENCE	<b>06/17/0254/F</b>
PARISH	Burgh Castle 10
PROPOSAL	Demolition of existing residential dwelling and replacement with new residential dwelling
SITE	Sunnydale Mill Road Burgh Castle GREAT YARMOUTH
APPLICANT	Mr & Mrs I Saunders
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/16/0695/O</b>
PARISH	Great Yarmouth 9
PROPOSAL	Erection of 14 dwellings, associated works and demolition of all existing site buildings
SITE	73 Southtown Road Choice Furnishings GREAT YARMOUTH NR31 0DY
APPLICANT	Choice Promotions Ltd
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0220/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	The erection of two metal gates, one at north and one at south end of the alley to the west of the Drill House
SITE	The Drill House York Road GREAT YARMOUTH NR30 2LZ
APPLICANT	Mr D Cross
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0221/LB</b>
PARISH	Great Yarmouth 14
PROPOSAL	The erection of two metal gates, one at north and one at south end of the alley to the west of the Drill House
SITE	The Drill House York Road GREAT YARMOUTH NR30 2LZ
APPLICANT	Mr D Cross
DECISION	<b>LIST.BLD.APP</b>

REFERENCE	<b>06/17/0348/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	C.O.U from vacant land to the siting 'Slingshot' amusement ride,along with the erection of fencing & install matting
SITE	Marine Parade (Former Amazonia Reptile Zoo Site) GREAT YARMOUTH NR30 3AH
APPLICANT	Mr R Knowles
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/17/0331/A</b>
PARISH	Martham 13
PROPOSAL	Retrospective illuminated sign over shop front
SITE	9 The Green Martham GREAT YARMOUTH
APPLICANT	Mr I Kaykusuz
DECISION	<b>ADV. CONSENT</b>



**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-17 AND 31-JUL-17 FOLLOWING  
DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE**

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REFERENCE	<b>06/17/0266/O</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Demolition of existing agricultural building and construction of six new dwellings
SITE	Decoy Road (Land on) Ormesby St Margaret GREAT YARMOUTH NR29 3LG
APPLICANT	Mr R Hirst
DECISION	<b>APPROVE</b>

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\* \* \* \* End of Report \* \* \* \*