



GREAT YARMOUTH
BOROUGH COUNCIL

Development Management Committee

Minutes

Wednesday, 06 March 2024 at 18:30

PRESENT: -

Councillor T Wright (in the Chair), Councillors Annison, Bird, Boyd, Galer, Freeman, Mogford, Murray-Smith, Capewell, Martin, Pilkington, Williamson
Councillor Newcombe attended as a substitute for Councillor Green.

Also in attendance were Mr A Chrusciak (Interim Head of Planning), Mr N Harriss (Principal Planning Officer), Mr R Parkinson (Development Manager), Mr K Balls (Principal Strategic Planner), Ms C Whatling (Monitoring Officer), Mrs S Wintle (Corporate Services Manager), Mr M Brett (IT Support) and Mrs R Thomson (Democratic Services Officer)

01 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Green who was substituted by Councillor Newcombe

02 DECLARATIONS OF INTEREST

Councillors Bird and Boyd declared a personal interest in item 3 as they were Ward Councillors whose ward included the application site or part of.

03 APPLICATION 06/23/0616/D - Land at Nova Scotia Farm, West of Jack Chase Way, West Caister

The Committee received and considered the Planning Officer's report which asked Members to consider a Reserved Matters application for details of appearance, landscaping, layout & scale of development for 173 residential dwellings with associated infrastructure, drainage basin, access road and highways works representing part Phase 1(a) pursuant to outline planning permission 06/19/0676/O (development of up to 665 dwellings, local centre, land for primary school, health centre, highways works and open space). It was explained that the application site is located to the western side of Jack Chase Way, within West Caister. This Reserved Matters application relates to the southern portion of the outline site and the central spine road which together totals 9.95 hectares in area (the outline application site itself totals 33.6 hectares in area). At present, the site is used as arable fields.

The Interim Head of Planning made reference to the previous committee agenda report which Members had received in January 2024 which sought approval for delegation to Officers for decision. He advised that at that time the Committee had resolved that the application be brought to the Development Management Committee for determination as soon as officers have completed their assessment.

The Interim Head of Planning advised that upon publication of the agenda there remained a number of issues outstanding, but Officers had continued to work with the applicant to ensure the recommendation in front of Members had struck the right balance between the timely determination of the application and resolving outstanding issues.

Members received a presentation from the Principal Planning Officer which looked in detail at the proposal for the site, including details of comments that had been received with regard to the site.

The Chair hereby invited Members to ask technical questions to the Principal Planning Officer.

Councillor Annison raised the issue of the hedgerows due to concern about the lack of hedgerow replacement on similar sites previous to the Nova Scotia Farm development and asked what action the Council can take to prevent hedgerow removal. Councillor Annison also asked what mitigation measures can be put in place to suppress dust caused by construction, for example a condition that would require contractors to spray the site on a regular basis to prevent the dust effect on residents.

The Principal Planning Officer explained that Condition 8 of the application requires the hedgerow to be retained and if this is not complied with a breach of condition notice can be served. It was added that a management company will be on site to deal with any issues and that there is a route of recourse if necessary.

The Principal Planning Officer referred to Councillor Annison's question regarding construction dust and stated that Environmental Health would be able to deal with any air quality issues that may arise, with the power that can take actions when necessary. It was further explained that measures can be implemented and construction management plans will be submitted that will also touch on how the site will be dealt with in relation to dust suppression, particularly in dry months of the year. Councillor Annison stated that construction dust is a problem on large sites such as this as Environmental Health can serve a notice on this site, however the construction companies can appeal the notice and often the works are completed before the appeal takes place. The Interim Head of Planning stated that the Council retains control of this issue via Environmental Health Colleagues, however this is not a matter for this application and would have been issue for the outline planning permission.

Councillor Murray-Smith asked regarding the proposed bike shed and whether Norfolk Constabulary have provided any comment around the security of the bike shed. The Principle Planning Officer stated that no comments had been received from Norfolk Constabulary regarding this matter and that the applicant's agent would be able to comment further. It was added that the intention would be to use a bespoke secure design which is lockable with a double high rack that accords with British Cycling standards.

Councillor Freeman referenced the increase in planting and asked whether the maintenance of these areas would be built into the agreement between property owners or whether this would be the responsibility of the Council. Councillor Freeman also asked if any roads on the site would be adopted as road with brick weave built in do not often get adopted. The Principal Planning Officer stated that the roads on the site will be adopted and that they have been designed to the specification of adoption. It was added that the majority of the green infrastructure around and through the site will be maintained by a management company through the Section 106 agreement.

Councillor Boyd referenced the planned hedgerow removal and asked if there is an exact amount that will be removed in the future, as there are concerns regarding the wildlife that is currently living there.

The Principal Planning Officer stated that the outline planning permission provided consent to achieve four points of access on the Jack Chase Way frontage and that section 3.11 on page 9 of the Officer's report contains an extract from the environmental impact statement regarding this issue. It was added that the applicant is working with Norfolk County Council Highways to design changes to Jack Chase Way, including a signal crossing junction, with the intention to retain additional hedgerow, therefore an exact figure cannot be provided as to what will be removed or retained at this time.

The Chair asked whether there was a slide in the presentation that demonstrated the retention and removal of the hedgerow. The Principal Planning Officer stated that there is an illustration slide which shows the four proposed points of access and further explained that one breach of the hedgerow has already been made for site access in accordance with the outline planning permission in order to avoid the bird nesting season.

Councillor Murray-Smith raised the issue of a management company and asked whether this will be a limited company set up by guarantee. The Principal Planning Officer stated that there are no details regarding a management company at the time of this meeting, however officers will be able to provide more information when the introduction of a management company is triggered through the Section 106 agreement. It was added that the details of the management company must be submitted before the date of first occupation. Councillor Murray-Smith request clarification on whether there is any criteria that is normally applied when making decisions regarding a management company. The Chair stated that this would be detail that comes out through negotiations and though it is an issue, it is minor compared to what is on this agenda. It was suggested that Councillor Murray-Smith raise this issue with the applicant's agent.

Councillor Mogford asked whether residents would have any input into the management company on the site. The Chair stated that this is detail for discussions and not for the application being dealt with at this meeting. The Interim Head of Planning stated that the management company is an element of the Section 106 agreement that requires a future submission to seek approval. Once a future submission is made Members would have the opportunity to engage with the submitted details and request the submission be called-in to the Development Management should they feel it appropriate. It was added that this is a separate issue from the application that is being discussed at this meeting.

The Chair hereby invited Ms Debi Sherman, the applicant's agent, to address the Committee.

Ms Sherman thanked officers for their flexibility and assistance in implementing the necessary changes to the application, outlined in the agenda, which would aid in supporting the applicant's intention of producing an exemplar housing scheme on this site. Ms Sherman referenced the Councillor's concerns regarding the removal of the hedgerow and explained that the applicant is looking at ways in which the amount of removal of the hedgerow can be reduced, though the extent of the hedgerow retention could not be confirmed as this would sit with Norfolk County Council Highways. It was explained that approximately 60m of hedgerow could be retained by altering the access points for the footways and cycle paths to align with areas of vehicular access.

Ms Sherman stated that there is 870m of hedgerow surrounding the site and that, as per the outline planning permission, 1548m would be replaced following the completion of the site. It was added that, as approved in the outline planning permission, a 65m stretch of hedgerow has been removed to allow for construction access into the site and that the works to make this land accessible for construction teams should take place before the embargo is imposed and to avoid bird nesting season. Ms Sherman also stated that the applicant has worked with officers to address issues raised by Norfolk County Council Highways and the LLFA, as well as taking on board the newly adopted design code. Ms Sherman referenced previous comments regarding the cycle store and stated that it would be possible to introduce timber cladding on the cycle store which would be secure for residents to store their personal bicycles. It was stated that the applicant has full confidence in their ability to bring forward the right development for this site.

Councillor Annison asked what the applicant would do differently from their previous sites to suppress construction dust. Councillor Annison also asked why the applicant removes all of the topsoil on their sites as this contributes to the issues caused by construction dust. Ms Sherman explained that there has been changes to the applicant's policies since the construction of the site referred to by Councillor Annison. These changes include the introduction of a health and safety team who will check the site regularly and the provision of a construction management plan which contains dust suppression measures. It was reported that since these policy changes came into force there have been no problems on the applicant's sites and therefore this will be standard practice going forward. Ms Sherman also stated that she would raise the concerns regarding the stripping of topsoil with the construction team.

Councillor Boyd requested clarification on how much hedgerow has been removed and how much will be replaced. Ms Sherman stated that 65m of hedgerow has been removed so far and that 870m will be removed in total over the three phases of development. However, it was added that 1548m of hedgerow will be replaced on completion of the site.

Councillor Murray-Smith raised the topic of a management company and asked whether residents would be given a chance to take over the management of the site as a limited company set up by guarantee after the completion of construction. The Interim Head of Planning stated that the details of the management company and its approval would be a matter for a separate meeting.

Councillor Freeman raised concerns regarding traffic on Jack Chase Way and asked whether there was an update as to whether the works to create the construction access point would be completed before the embargo is in place.

Ms Sherman stated that a small highway works application has been submitted to Norfolk County Council Highways in order to put in construction access within the area where hedgerow has already been removed. It was reported that the applicant is hoping for this decision to be made promptly to allow for the works to be undertaken before the embargo is introduced over the Easter weekend. It was added that this access point would enable work to be undertaken on the site without the need to breach the embargo and that once the embargo is lifted work can start on creating a signal crossing on Jack Chase Way, moving forward with the Section 278 agreement with Norfolk County Council.

The Chair hereby invited Parish Councillor Wood to address the Committee on behalf of Caister Parish Council.

Parish Councillor Wood stated that there are concerns regarding the removal of the hedgerow as it has been there for 45 years and it's the home to a variety of wildlife. It was reported that Caister Parish Council had a meeting with the applicant in September 2023 where the applicant stated that they would try to save as much hedgerow as possible, however there has been no confirmation as to how much hedgerow would be saved. It was suggested that a diagram or drawing showing where hedgerow would be saved could be beneficial in addressing the concerns of Caister Parish Council. Parish Councillor Wood stated that the removal of the hedgerow is a serious concern for residents and that he had received ten phone calls from concerned residents on the morning that previously mentioned 65m of hedgerow was removed. It was added that communities all over the UK are campaigning to save hedgerows so it does not make sense to remove those that are currently there.

The Chair stated that the removal of 870m had been agreed in the outline planning permission therefore this would not be an issue that could be debated at this meeting. Additionally, that applicant is looking to increase the number of hedgerows and retain as much of the existing hedgerow as possible. It was added that the applicant should take on board the comments raised by Ward and Parish Councillors regarding this matter as it is now on record as an identified issue.

The Chair hereby invited Councillor Penny Carpenter to address the Committee.

Councillor Carpenter stated that she would be addressing the Committee in her role as Norfolk County Councillor for Caister and clarified that she does not sit on the Development Management Committee at Norfolk County Council or Great Yarmouth Borough Council. Councillor Carpenter referenced a point she made in a previous meeting regarding moving the release of land for the use of health and education, stating that she was pleased to see this has moved from phase 3 to phase 1. Further concerns were raised regarding the potential for Prince of Wales Road to become a 'rat run' for cars and Councillor Carpenter asked if there have been any updates to her proposal of reducing the speed limit to 20mph.

Councillor Carpenter raised the issue of parking and asked if the plans allow for each household to have parking for more than two vehicles as these estates typically have narrow spines and off roads which become difficult for larger vehicles such as caravans, buses and HGVs to navigate. It was added that vehicles parking on the road can also make small turning circles non-functional.

Councillor Carpenter noted that although encouraging sustainability is important, it should be recognised that motor vehicles are the main form of transport for most households, especially in an area such as Caister where certain facilities and employment are not within walking distance. It was added that the developers for this site need to ensure that they take the necessary steps to future proof the site in order to cope within a society who rely on motor vehicles.

Councillor Carpenter concluded by highlighting that there are currently not enough police in the area to stretch over this site.

The Principal Planning Officer explained that parking has been provided for in accordance with Norfolk County Council Highways 2022 standards which includes driveways and allocated visitor parking. Members of the Committee were reminded that, as part of the Section 106 agreement, there is an obligation to secure bus provision as the spine road is designed to have a bus services. It was also highlighted that there are various points of connection for pedestrians and cyclists to link to the existing infrastructure in Caister as the intention is to promote alternative modes of transport.

Councillor Annison raised concerns regarding the hedgerow and stated that he would like to see exactly where and how much of the existing hedgerow will be retained.

The Interim Head of Planning clarified that a specific number could not be given at this time as this would sit within the remit of Norfolk County Council Highways under the Section 278 agreement. It was explained that the outline planning permission states that a maximum of 875m of hedgerow would be removed, however there are aspirations to reduce this amount. The Interim Head of Planning added that as a whole, the scheme will provide additional hedgerows. It was stated that nothing in the application brought before Members at this meeting is different to what was agreed in the outline planning permission.

Councillor Freeman asked if moving the cycle way access to align with the vehicular access would reduce the amount of hedgerow that is removed. The Interim Head of Planning stated that it would not be possible to give a definitive answer without consulting Norfolk County Council Highways, however it was confirmed that the applicant moved the pathway with the aspiration of protecting some of the hedgerow.

Councillor Annison stated that it would be beneficial for a representative from Norfolk County Council Highways to answer questions at future meetings. The Chair agreed that this would be beneficial and stated that this has been an issue for a number of years.

Councillor Williamson stated that the loss of hedgerows and trees is always an issue, however it appears that the applicant is making every effort to save as much of the existing hedgerow as possible. It was added that the plan presented is an improvement with additional green spaces and the presentation at the meeting provided reassurance. Councillor Williamson moved to support the plan as presented at the meeting.

The Chair read the recommendations to the Committee as detailed in the addendum report.

Following a vote it was RESOLVED:-

That the Committee delegate authority to the Head of Planning to subsequently APPROVE the reserved matters details and grant consent subject to:

- i. The resolution of outstanding details in respect of:
 - a. The addition of the conditions highlighted above to meet the requirements of the LLFA in relation to surface water drainage;
 - b. highways amendments; and,
 - c. minor matters of elevation design and external materials

- ii. The imposition of appropriate conditions to include:
 - a. those listed in the published report (including any amendments as deemed necessary) and the following clarifications:
 - Condition 1 remains as published
 - Condition 2 is to be updated with the correct plans
 - Condition 3 is deleted as per the advice from the Highways Authority
 - Condition 4 is replaced with 2 conditions to address LLFA comments as described in the Addendum report
 - Conditions 5, 6, 7, 8, 9, 10, 11, 12, and 13 remain as published
 - Condition 14 to be updated with; and
 - b. any additional conditions identified to be required to secure the details related to the resolution of outstanding matters referenced in (i) b-c above
- iii. Subsequently informing the public and the Secretary of State of the final decision, by virtue of this being an application for subsequent consent under the EIA Regulations.

04 ANY OTHER BUSINESS

There was no other business to discuss at this meeting.

The meeting ended at: 20:30