



GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Minutes

Wednesday, 25 August 2021 at 18:00

PRESENT:-

Councillor Annison (in the Chair); Councillors G Carpenter, Fairhead, Freeman, Flaxman-Taylor, P Hammond, Hanton, Jeal, Mogford, A Wright & B Wright.

Councillor Wainwright attended as a substitute for Councillor Williamson.

Mr R Parkinson (Development Control Manager), Mr C Green (Senior Planning Officer), Mr G Bolan (Planning Officer), Mr R Tate (Planning Manager), Ms C Whatling (Monitoring Officer) & Mrs S Wintle (Corporate Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Myers & Williamson.

2 DECLARATIONS OF INTEREST

Councillor Fairhead declared a personal interest in item number 5, application 06/21/0487-CU, as she was a Ward Councillor.

However, in accordance with the Council's constitution, was allowed to both speak and vote on the item.

3 MINUTES 19 MAY 2021

The minutes of the meeting held on 19 May 2021 were confirmed.

4 APPLICATION 06-21-0538-F - 29 (SEA HAVEN), THE ESPLANADE, SCRATBY, GREAT YARMOUTH

This item was deferred.

5 APPLICATION 06-21-0487-CU - 138A HIGH STREET, GORLESTON, GREAT YARMOUTH

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

The Senior Planning Officer reported that this application was brought before Committee as many objections and letters of support had been received. The proposal was for an Adult Gaming Centre within the primary shopping street in Gorleston, as identified in the proposals map within the 2015 Core Strategy. The applicant had requested opening hours of 0800 – 22:00 every day. The shopfront would also be re-designed to be set back by 300mm to allow an electrical switch cabinet to be installed at the front of the shop. Separate planning permission would be required for the alterations to the site's shop frontage. This was the subject of current application 06/21/0551/F which was pending and was described as "Proposed new shop front to match existing and glazed doorway to sit flush with front shop windows" and can be seen in plan form in the currently-submitted plans.

Accompanying this change of use proposal were the following documents:-

- Planning Application Forms and Certificates of Ownership;
- Application drawings as detailed on the Drawing Register;
- Design and Access Statement;
- Planning Statement (including Statement of Community Involvement).

The Senior Planning Officer reported that a letter had been received from a planning consultant objecting on behalf of the operator of another licenced betting site in the locality. A further letter had been submitted by the applicant stating that the moral objections made by the other operator were not material planning reasons for refusal. The agent also stated that the objection from this party was commercial competition and was now withdrawn, and that the number of gaming establishments was not material. Commercial competition was not a planning consideration, however, if other employment was prejudiced by the impact of development, that might be a consideration. The proposal generated 4 full time and 2 part time jobs. There was no evidence that if approved, the proposal would lead to the closure of other Gaming sites

or that more jobs would be lost or gained, as such some weight can be given to employment creation.

The Senior Planning Officer reported that there were other gambling opportunities in the High Street and wider Gorleston retail area, but not at a dominant level. Whilst Great Yarmouth also had entertainment of this type, this was not a part of the Gorleston retail area and so did not readily inform decision making on applications within the Gorleston retail area. The applicant's agent stated that proliferation of gambling opportunity was not material to planning consideration, but this was considered not to be correct because whilst the Government had made many commercial changes to permitted development, it had actually further restricted gambling proliferation by defining some types (casinos, betting shops and bingo halls) as Sui Generis activities, in a way that it had not done before, (where casinos alone were Sui Generis), it had also given rights to convert from Gambling activity to other commercial and residential uses.

The Senior Planning Officer reported that the applicant's agent had also made the case that this was a change to an Adult Gaming Centre and no other form of gambling use. As already clarified, all gambling uses in planning terms were regarded as without use classification. The controls offered by the Licencing Acts would not protect the planning purpose, because the licensing regime examined Crime and Disorder and other aspects, but not the impact on amenity or traffic generation, or loss of retail opportunity which were material planning considerations.

The Senior Planning Officer reported that many objectors were concerned about the adverse societal effects of gambling, and whilst those making planning decisions might share their reservations, it was for the Licensing Committee to control this aspect.

The Senior Planning Officer reported that it was considered that given current empty shops in the identified primary shopping area, the short-term nature of the current use and the ability to secure active frontage by a pre-use condition, that there was no harm to the diversity and vitality of the shopping centre, caused by officers recommending approval. The setting of the conservation area was considered not to be harmed as little change was proposed to the frontage. Matters relating to the adverse societal impact of gambling could only carry very limited material planning weight, if any. It was considered that further changes to the type of gambling establishment predicted could be controlled through the concept of materiality of change and therefore, the retained policy TR9 was not breached.

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

Councillor Wainwright informed the Committee that the former casino sited in the High Street was now a cinema.

Councillor T Wright asked for confirmation that the premises had been actively marketed over the last 24 months and whether further endeavour should be made to

ensure that the premises could be retained for retail use which would be in keeping with the remainder of the High Street. The Senior Planning Officer reported that the application for change of use had been carefully considered with Policies R2 & R3 in mind which do not set a marketing test.

Councillor Fairhead asked for confirmation that if the change of use was granted by the Development Control Committee, that the applicant would then need to apply to the Licensing Committee for the relevant licensing activities.

Mr Woods, applicant's agent, reported the salient areas of the application and answered the questions which had been raised by the Councillors and urged the Committee to approve the application.

Councillors B Wright & Fairhead reported that, as Ward Councillors, they could not support the application which was in the wrong place, as they were fearful of anti-social behaviour in the area resulting from the change of use from retail to gaming, as the premises was opposite the Feathers public house.

Councillor P Hammond reported that he would support the application as empty premises were more detrimental to the High Street.

Councillor Hanton reported that he could see no problem with the application as two casino's had both opened and closed on the High Street in recent times.

Councillor Wainwright reported that he supported the application as MJS were a respected company and would be creating employment for 6 staff. The premises had laid empty for 24 months with no retail interest and there had been no ASB associated with the nearby gaming establishment, Magic City.

It was noted that the incorrect applicant had been listed on the report which had been discussed by the Committee, it was confirmed that the applicant should have been "M.J.S. Amusements LTD" not Great Yarmouth Borough Council. This was noted by the Committee.

Councillor Flaxman-Taylor moved that the application be approved subject to the conditions contained within the report. This was seconded by Councillor Wainwright and following a vote, it was RESOLVED:-

That application 06/21/0487/CU be approved subject to conditions for:

- Timing
- Compliance
- The use shall be for an Adult Gaming Centre only, for avoidance of doubt.
- Limitation of operating hours to those requested.
- Further agreement of the means by which an active shop type display can be provide to the frontage; and any other conditions or notes considered appropriate by the Development Manager.

6 APPLICATION 06-21-0524-F - OASIS AMUSEMENTS (ADJACENT) BEACH ROAD, HEMSBY

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

The Planning Officer reported that this application was brought before the Committee as Great Yarmouth Borough Council was the applicant. This application was reported to the Monitoring Officer as an application submitted by the Borough Council for determination by the Borough Council as Local Planning Authority (LPA). The Monitoring Officer had checked and made a record on the file that she was satisfied that it had been processed normally and that no other members of staff or Councillors had taken part in the Council's processing of the application, other than the staff employed within the LPA, as part of the determination of this application

The Planning Officer reported that the application was for the installation of 6; 6m tall steel columns supporting 6; mesh-lighting internally-illuminated letters, each of 2.3m height x 1.8m width, and associated ground works and infrastructure, including supporting platform.

The location of the illuminated letters spelling "HEMSBY" were on the south side of Beach Road, Hemsby, located to the rear of Oasis Amusements and could be seen from the east side of the recently constructed Richardsons car park. The letters were proposed to stand on a pole and reach 6m tall and will be seen from Beach Road, Hemsby.

The Planning Officer reported that the site was located within the Prime Commercial Holiday Area which was a well established area for tourists and locals to visit throughout the year.

The proposed letters were to attract visitors to the area and allow a visual advertisement of the location Hemsby, the letters also allowed visitors and local residents to take photos/selfies to advertise their visits to the local area on social media platforms.

The Planning Officer reported that the following consultations had taken place:-

- (a) Hemsby Parish Council - No Objection
- (b) Norfolk County Council Highways – No Objection
- (c) Conservation – No Objections
- (d) Nearby Neighbours – No Objections

The Planning Officer reported that the following policies were relevant to the consideration of this application:-

- (a) Core Strategy 2013 – 2030 policies:
 - CS8 – Promoting tourism, leisure and culture

(b) Remaining - 2001 Borough Wide Local Plan

- BNV22 – Advertisements

The Planning Officer following that the following emerging Local Plan Part 2 (final draft) policies should also be noted:

(a) L1 – Holiday Accommodation Area.

The Planning Officer reported that the proposed letters were to be located south of the Oasis amusements within and running on the east side of the Richardsons car park. Each letter was located 3.5m from ground level to bottom of the letter, with each letter being 2.3m in height, each letter will space 0.25m apart.

The Planning Officer reported that Beach Road, Hemsby was located within the Prime Commercial Holiday Area, it saw a vast amount of tourism and visits from local residents each year, and Beach Road was predominantly made up of amusements, children's rides, hot and cold food stalls and other attractions. Beach Road led to the east end where the entrance to the beach was located.

The Planning Officer reported that the proposal would be 6m in height in total and would extend north to south, for an area up to 11.67m long, the LED's serving the letters was 110 lm/watt. The manufacturer of the letters had stated that the combined wattage of the Hemsby letters was 180w, therefore, these letters would emit 19,800 lumens over a 26.8m² surface area. These were very low level lights and could be conditioned as such.

The Planning Officer reported that the letters would be illuminated from dusk until midnight. This had been considered by officers and it was proposed that any approval could be conditioned so that no illumination would occur outside of the hours 09:00 – 00:00 hours, which was consistent with other attractions within the area and there were no residential dwellings which would be affected by the development.

The Planning Officer reported that the letters would be operational through the summer season but to protect the letters, they would be removed during the winter period for safe storage and protection from bad weather. It was proposed that any permission granted be conditioned that the letters should only be erected during the period 29th April until the 1st October in any given year.

The Planning Officer reported that the site was within the prime commercial holiday area, the proposal was considered to be an attraction, which would contribute on a small scale, it was considered to benefit the local economy by boosting the use of tourist facilities across the Borough and attracting visitors, which was consistent with the aims set out in Core Strategy policy CS8. The proposed letters were considered in keeping with the design and character of Beach Road, Hemsby area, and as this area hosted numerous signs and illuminations, the application site would have an acceptable relationship in amenity and character terms, subject to imposition of appropriate conditions.

The Planning Officer reported that the application was recommended for

approval with the following conditions:-

(a) The development must be begun not later than three years from the date of this permission.

(b) The development shall be carried out in accordance with the application form, specification list and approved plans drawing reference received by the LPA on 23/07/21:-

- Elevation of illuminated letters
- Typical Illuminated Letter
- Site Location Plan
- Letter impression

(c) The letters hereby approved shall not be illuminated outside of the hours below:

09:00 – 00:00 Hours Monday – Sunday

(d) The level of illuminance shall be restricted to a maximum level as proposed in the application - the LED's serving the letters shall be no more than 110 lm/watt and the combined wattage shall be no more than 180w and emit no more than 19,800 lumens over the approved 26.8m² surface area.

(e) The Letters here by approved shall be removed from the site by no later than 1st October in any year and shall not be erected again until the 29th April at the earliest in the following year; and any other conditions considered appropriate by the Planning Development Manager.

The Planning Officer reported that subject to restricting the use to holiday only and restrictions on occupancy over the year, the proposal complied with the aims set out in Policy CS8 of the Great Yarmouth Local Plan: Core Strategy, Remaining Policy BNV22 of the Borough Wide Local Plan and was consistent with the aims set out in emerging Policy L1 of the final draft Local Plan Part 2.

Councillor Fairhead asked for confirmation that no nearby residential properties would suffer from glare emanating from the letters. The Planning officer confirmed that the proposed lighting was low level which did not omit very much glare.

Councillor T Wright asked why the letters would be operational from 29 April as this would miss the Easter period when the holiday season began. Councillor Jeal reported that he agreed with Councillor Wright and that the start date ought to be 1 April. The Planning office reported that this date had been decided upon to miss inclement weather.

The Chairman reported that there were no speakers to this application.

Councillor P Hammond moved the application subject to conditions as requested. This was seconded by Councillor Freeman.

RESOLVED:-

That application number 06/21/0524/F be approved subject to the following conditions:-

(a) The development must be begun not later than three years from the date of this permission.

(b) The development shall be carried out in accordance with the application form, specification list and approved plans drawing reference received by the LPA on 23/07/21:-

- Elevation of illuminated letters
- Typical Illuminated Letter
- Site Location Plan
- Letter impression

(c) The letters hereby approved shall not be illuminated outside of the hours below:

09:00 – 00:00 Hours Monday – Sunday

(d) The level of illuminance shall be restricted to a maximum level as proposed in the application - the LED's serving the letters shall be no more than 110 lm/watt and the combined wattage shall be no more than 180w and emit no more than 19,800 lumens over the approved 26.8m² surface area.

(e) The Letters here by approved shall be removed from the site by no later than 1st October in any year and shall not be erected again until the 29th April at the earliest in the following year; and any other conditions considered appropriate by the Planning Development Manager.

7 APPLICATION 06-21-0526-F - PLEASURE BEACH GARDENS, SOUTH BEACH PARADE, GREAT YARMOUTH

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

The Planning Officer reported that this application was brought before Committee as Great Yarmouth Borough Council was the applicant. This application was reported to the Monitoring Officer as an application submitted by the Borough Council for determination by the Borough Council, as Local Planning Authority (LPA). The Monitoring Officer had checked and made a record on the file that she was satisfied that it has been processed normally and that no other members of staff or Councillors had taken part in the Council's processing of the application, other than staff employed within the LPA.

The Planning Officer reported that the application was for the installation of 13; 8m tall steel columns supporting 13; mesh-lighting internally illuminated letters, each of 2.3m height x 1.4-2.2m width, and associated ground works and infrastructure including supporting platform. The location of the illuminated letters spelling "GREAT YARMOUTH" were on the east parade side of the Pleasure Beach Gardens, south of the Pleasure Beach Gardens café, the proposed letters would be supported on stations and were proposed to reach up to 8m tall and would be seen from South Beach Parade.

The Planning Officer reported that Pleasure Beach Gardens was located within Conservation Area No.16 – Seafront and was within the Great Yarmouth Golden Mile, it was also located just south of the Prime Commercial Holiday Area, with the closest part being at Wellington Pier and was a well established area for tourists and locals to visit. The proposed letters were to attract visitors to the area and allow a visual advertisement of the location Great Yarmouth, the letters would also allow visitors and local residents to take photos/selfies to advertise their visits to the local area on social media platforms.

The Planning Officer reported that the following consultation responses:-

- (a) Norfolk County Council Highways – No objections.
- (b) Conservation – No Objections
- (c) Nearby residents – 3 objections and 1 Letter of Support received.
- (d) Environmental Health Officer – no objections.
- (e) County Ecologist – no comments received to date.

The Planning Officer reported that the following policies were relevant to the consideration of this application:

Core Strategy 2013 – 2030 policies:

- CS8 – Promoting tourism, leisure and culture

Remaining - 2001 Borough Wide Local Plan

- BNV22 – Advertisements

The Planning officer reported that the following emerging Local Plan Part 2 (final draft) policies should also be noted:

- GY6 - Great Yarmouth Seafront Area.

The Planning Officer reported that there had been 3 objections/comments received and 1 letter of support from nearby residents to the Pleasure Beach Gardens, and the issues raised were summarised below:-

- Strength of Illuminance
- Blocked Views
- Late night illuminance
- Application lacking details

The Planning Officer reported that resident's comments were received prior to further information being submitted to the Local Planning Authority, but the level of illuminance has since been confirmed as LEDs serving the letters with 110 lm/watt. The manufacturer of the letters had stated that the combined wattage of the Great Yarmouth letters was 380w, therefore, these letters would emit 41,800 lumens over a 62.18m² surface. Concerns regarding the level of illuminance at night, the proposal suggested the letters would be illuminated

from dusk until midnight. This had been considered by officers and was proposed that any approval could be conditioned so that no illuminance would occur outside of the hours 09:00 – 00:00 hours, which was consistent with other attractions along South Beach Parade and Marine Parade, including the Pleasure Beach directly to the south.

The Planning Officer proposed that the letters would be operational through the summer season but would be removed during the winter period for safe storage and protection from bad weather. It was proposed that any permission granted should be conditioned such that the letters should only be erected during the period 29th April until the 1st October in any given year.

The Planning Officer reported that the proposal was considered acceptable in the proposed location and area; the area was just south of the Prime Commercial Holiday Area and within the Great Yarmouth Golden Mile and will bring much needed benefits to the tourism and leisure industry. The proposed letters were considered to be in keeping with the design and character of the Pleasure Beach Gardens area and with this area hosting numerous signs and illuminations, the application site would have an acceptable relationship in amenity and character terms, subject to imposition of appropriate conditions as follows:-

(a) The development must be begun not later than three years from the date of this permission.

(b) The development shall be carried out in accordance with the application form, specification list and approved plans drawing reference received by the LPA on 23/07/21.

- Elevation of illuminated letters
- Typical Illuminated Letter
- Site Location Plan
- Letter impression

(c) The letters hereby approved shall not be illuminated outside of the hours below:

09:00 – 00:00 Hours Monday – Sunday

(d) The level of illumination shall be restricted to a maximum level to be confirmed by the LPA in discussion with Environmental Health Officers, Ecology Officers and Highways Officers.

(e) The letters hereby approved shall be removed from the site by no later than 1st October in any year and shall not be erected again until the 29th April at the earliest in the following year; and any other conditions considered appropriate by the Planning Development Manager.

The Planning Officer reported that the application was recommended for approval subject to restricting the time the letters could be illuminated and the removal of the letters outside of the summer season, the proposal complied with the aims set out in policy CS8 of the Great Yarmouth Local Plan: Core Strategy, Remaining - 2001 Borough Wide Local Plan Policy BNV22 and was consistent with the aims set out in emerging policy GY6 of the final draft Local Plan Part 2.

Councillor Jeal asked for confirmation as to the type of lighting. The Planning Officer reported that the lights were similar to fairy lights and would not cause any issues resulting from glare and they would be sited some 265m away from the nearest property.

Councillor Mogford was concerned that the lights would cause problems for mariners.

The Chairman reported that there were no speakers for the application.

Councillor Jeal, who was a Ward Councillor, reported that he would be happy to support this application in his ward.

Councillor T Wright was concerned that the lighting was similar to the type which had been installed in Regent Road which often malfunctioned with entire sections going out and an immediate response to future faulty lighting should be taken into account.

Councillor Wainwright proposed that the application be approved subject to conditions. This was seconded by Councillor G Carpenter.

RESOLVED:-

That application number 06-21-0526-F be approved subject to restricting the time the letters could be illuminated and the removal of the letters outside of the summer season, the proposal complied with the aims set out in policy CS8 of the Great Yarmouth Local Plan: Core Strategy, Remaining - 2001 Borough Wide Local Plan Policy BNV22 and was consistent with the aims set out in emerging policy GY6 of the final draft Local Plan Part 2.

a) The development must be begun not later than three years from the date of this permission.

(b) The development shall be carried out in accordance with the application form, specification list and approved plans drawing reference received by the LPA on 23/07/21.

- Elevation of illuminated letters
- Typical Illuminated Letter
- Site Location Plan
- Letter impression

(c) The letters hereby approved shall not be illuminated outside of the hours below:

09:00 – 00:00 Hours Monday – Sunday

(d) The level of illumination shall be restricted to a maximum level to be confirmed by the LPA in discussion with Environmental Health Officers, Ecology Officers and Highways Officers.

(e) The letters here by approved shall be removed from the site by no later than 1st

October in any year and shall not be erected again until the 29th April at the earliest in the following year; and any other conditions considered appropriate by the Planning Development Manager.

8 APPLICATION 06-21-0522-CU - 11 BATH HILL TERRACE, GREAT YARMOUTH

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

The Planning Officer reported that this application was brought before Committee as Great Yarmouth Borough Council was the applicant. This application was reported to the Monitoring Officer as an application submitted by the Borough Council, for determination by the Borough Council as Local Planning Authority (LPA). The Monitoring Officer had checked and made a record on the file that she was satisfied that it had been processed normally and that no other members of staff or Councillors had taken part in the Council's processing of the application, other than staff employed within the LPA .

The Planning Officer reported that the site sat to the south of Bath Hill Terrace and was an end terrace unit which formed part of a continuous line of dwellings, all of similar design. It was adjoined to no.10 to the east and an alleyway, which served properties on Nelson Road Central, Rodney Road and the subject property, separating no.11 from the property to the west. The property was a former multi-bedroom guest house which was in a poor state of repair. It had been confirmed that it had not been used as a guest house in approximately 20 years and planning permission was granted in April 2021 to convert the property into 3 self-contained flats (application ref: 06/21/0074/CU, approved under delegated powers). An archway through the front elevation provided access to the rear yard. There was an existing open-sided covered courtyard which was approved to be demolished as part of the approved planning permission.

The Planning Officer reported that the current proposal would replace former permission 06/21/0074/CU and provide two, two-storey dwellings (1 3-bed, and 1 2-bed). Each dwelling would have a rear yard area which would provide space for cycle storage and bin storage. The design and access statement noted that this property was purchased by Great Yarmouth Borough Council in September 2020, as part of a pilot project to tackle former guest houses or HMOs that were either empty and/or in a state of disrepair. The aim of the project was to improve the quality and offer of accommodation within the Town Centre, return the properties to full use and improve areas where properties such as this were detrimental to the street scene. It was noted that the Borough Council also owned the adjoining 10 Bath Hill Terrace to the east, which allowed some degree of control or mitigation to be provided at that property, should the need arise.

The Planning Officer reported the following consultations :-

(a) Norfolk County Council Highways: No objection.

The Planning Officer reported that the dwelling closest to the passageway would be the three bedroomed unit – to be known as 11A Bath Hill Terrace (according to the proposed plans). An ‘upside down’ house, the kitchen and living areas would be located at first floor level. Two bedrooms and a bathroom were located on the ground floor with the remaining bedroom located at the rear at first floor level. The property had a floor area (excluding the staircase) of 101.5sqm. This property had a very small paved rear yard area. The second dwelling had a more conventional layout with the kitchen and living room being located on the ground floor, and two bedrooms and a bathroom at first floor level. This dwelling would have a floor area of 70sqm (excluding the staircase) as well as a yard and small garden area.

The Planning Officer reported that the submitted Design and Access Statement also proposed the following works to improve the external appearance of the dwelling:-

- Front elevation windows to be replaced, fenestration of new uvpc windows to be uniform in design.
- Existing uvpc combination window door frame (right hand side of passageway) to be removed and replaced with window only.
- Existing insecure timber canopy to be removed.
- Front elevation walls are to be freshened and cleaned, external render to be patch repaired and decorated as required.
- Rainwater goods relocated to improve efficiency and design.
- Front elevation boundary walls to be replaced with new face brick walls, engineer brick, creasing tile weathering detail.
- New concrete garden paths installed from street to entrance doors.
- New gates fitted to define boundary.
- Decorative stone finish to front gardens.

The Planning Officer reported that both dwellings would meet or exceed the minimum size standards set out in the national guidance – which was 70sqm for a 2 bedroom, 3 person dwelling and 84sqm for a 3 bedroom, 4 person dwelling. Sufficient internal space was provided for future residents. The proposal was considered an improvement over application 06/21/0074/CU, with respect to outlook provided for residents. The previous scheme included windows looking into the archway which provided limited outlook (although was not considered significantly adverse enough to warrant the refusal of the application). The amended layout of 11A Bath Hill Terrace removed this issue by ensuring all windows to habitable rooms looked out either to the north or to the south (or in the case of bedroom 3, into the private amenity space).

The Planning Officer reported that the proposals included outdoor amenity space for both properties. The two-bed house would have a garden of similar size to its neighbour, which was considered acceptable, but property 11A (the three-bedroom house) was not of an appropriate size and contained only a small yard for the three bedroom property. Whilst smaller in size than would be sought for a new build property, this constrained area can nonetheless, provide for cycle store, bins store area, and enough room to enable clothes drying or sitting out, and was south facing. Ordinarily, this would not be acceptable but, given the site’s location, the inadequate provision of outdoor space was mitigated by the proximity to St Georges Park and, to a lesser extent, the beach.

The Planning Officer reported that if Members were dissatisfied with the level of garden/ outdoor space available to number 11A, it was noted that the Council also owned both no.11 (within the application) and the adjoining 10 Bath Hill Terrace, and it might prove possible to reconfigure the external area of all 3 dwellings to provide more equitable share of space across the properties, but officers think, that on balance, the proposal was considered acceptable.

The Planning Officer reported that the application was recommended for approval with conditions as set out in the agenda report.

Councillor Jeal asked if the premise was sited in a Conservation area.

Councillor T Wright reported that he was pleased that the application had been reduced to two dwellings from three but he was concerned about the size of the garden space allocated to each property, in so much, that it was not of equal size with the 2 bed property having the largest amenity space. He asked whether officers could re-look at this without delaying the scheme.

The Development Control Manager reported that the size of the back garden for each property was not ideal but on balance, it was acceptable in planning terms. However, if members were unhappy, he would re-look at the plans to see if this could be tweaked and talk to the applicant and agent. He also suggested that a further condition be added to any approval that the rear covered extension to be demolished prior to any building works commencing. This was welcomed by Councillor Jeal. The Development Manager reported that he would negotiate and report any revisions at the next meeting.

Councillor P Hammond asked why the previous planning application had been approved under officer delegated powers but this application had come before the Committee. The Development Control Manager reported that this was due to the Monitoring Officer having concerns regarding transparency and integrity of process. The Monitoring officer reported that procedures had been tightened and in future, any applications connected to the Council would come to committee.

Councillor T Wright reiterated that he did not want the proposal to be held up over negotiations regarding the size of the gardens and asked that officers carry this out under delegated powers as the provision of this type of much needed accommodation was more important than the size of the garden.

The Chairman reported that there were no speakers on this application.

Councillor Wainwright moved the applications with the suggested conditions. This was seconded by Councillor Hammond.

Councillor Jeal welcomed this application as the property had fallen into disrepair and been an eyesore in the area for many years and affected the street scene of the guesthouses along Trafalgar Road.

RESOLVED:-

That application 06/21/0522/CU be approved, as the proposal provided two dwellings in a sustainable location which complied with Policy HOU07 from the Borough-Wide Local Plan, subject to receiving confirmation that the appropriate HMMS payment for HRA impacts had been received; and, that approval should be subject to the below conditions:

- (i) 3-year time limit
- (ii) In accordance with plans
- (iii) Cycle and bin storage to be provided
- (iv) Provision of bird boxes; and any other conditions or notes considered appropriate by the Development Manager
- (v) That the rear covered area be demolished prior to any building works commencing on site.

9 ANY OTHER BUSINESS

(a) The Development Control Manager apologised that the list of planning applications approved under delegated powers and by the Development Control Committee between 1 May 2021 & 31 July 2021 was omitted from the agenda pack and had since been emailed to all Members for information.

(b) The Chairman thanked Jill Smith, Planning Technician, for her 38 years of service to the Council and her valued assistance to the Development Control Committee, and wished her well on her retirement. The Committee joined the Chairman and officers in a round of applause for Jill to signal their appreciation.

The meeting ended at: 20:00