

# Development Control Committee

## Minutes

Wednesday, 18 October 2017 at 18:30

### PRESENT:

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

Mrs G Manthorpe (Senior Planning Officer), Mr G Bolan (Technical Planning Officer), Mrs C Whatling (Solicitor, nplaw) and Mrs C Webb (Member Services Officer).

### **1 APOLOGIES FOR ABSENCE**

There were no apologies for absence given at the meeting.

### **2 DECLARATIONS OF INTEREST**

Councillors Annison declared a Personal Interest in Item 5. Councillors Flaxman-Taylor, Thirtle, Wainwright and Williamson declared a Personal Interest in Item 6. Councillor Thirtle declared a Personal interest in Item 7. However, in accordance with the Council's Constitution, they were allowed to both speak and vote on the matter.

### **3 MINUTES**

The minutes of the meeting held on 13 September 2017 were confirmed.

### **4 PLANNING APPLICATIONS**

#### **5 06/17/0339/O LOWESTOFT ROAD (LAND EAST OF) HOPTON GREAT YARMOUTH**

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

The Senior Planning Officer reported that this was an outline application for the erection of up to 200 dwellings with associated works, open space and allotments. The site comprised approximately 9.3 hectares of agricultural land with only the means of access to be considered as part of this application. To the north of the site was an existing residential development; to the east was existing residential development and part vacant land. To the south of the site, separated by existing highway was agricultural land and to the west lies the A47. There was no planning history for the site.

The Senior Planning Officer reported that the Parish Council did not object to the application but had requested a number of conditions. One neighbour consultation response had been received citing that open space is fixed in the location on the indicative plan and not altered at reserved matters stage, the existing boundary hedge adjacent to no.52 Church Road was preserved and enhanced by additional planting, the potential to increase the land allocated to allotments and a condition limiting the number of access points from Lowestoft Road.

The site was assessed as part of the Strategic Housing Land Availability Assessment (SHLAA) and was found to be deliverable and developable. The application site had been to the Local Plan Working Party in June 2017 for the Primary Villages Housing Allocations Recommendations (as identified in the Core Strategy) for development within Hopton. The Local Plan Working Party agreed to recommend that the current application site and the site to the south, known as site 32 on LPWP documents be recommended for allocation.

The Senior Planning Officer reported that the Highways Authority had not objected to the original application but had not yet responded to the amended layout which included a potential additional access to Longfellows Lane. The Senior Planning Officer reported that the development would lead to an unacceptable risk of flooding downstream. However adrainage strategy had

been agreed with Anglian Water and a condition had been requested to ensure the required mitigation measures.

The Senior Planning Officer reported that the application would be subject to a 10% affordable housing contribution on site should permission be granted. A s106 agreement would also be required to cover the requirement for public open space and childrens play equipment. The Senior Planning Officer reported that the application was strongly supported from a Strategic Planning perspective. Paragraph 215 of the National Planning Policy Framework (NPPF) stated that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.

The Senior Planning Officer reported that the proposed development lies outside of the village development limits, however, the Interim Housing Land Supply Policy (IHLSP) had been drafted and adopted in order that developments, specifically those for housing outside of the village development limits could be assessed with a view to meeting housing targets prior to the adoption of the site specific allocations.

The Senior Planning Officer reported that the application was recommended for approval with requested conditions by consulted parties and appropriate conditions to ensure an adequate form of development. This specifically excluded the conditions that did not meet the requirements of paragraph 206 of the National Planning Policy Framework. It was recommended that permission was not issued until a s106 agreement had been agreed and signed by all relevant parties.

Mr Green, Applicant's Agent, reported the salient part of the application and asked the Committee to support the application which was worthy of the residents of Hopton. Councillor Annison asked for clarification regarding the retention of the mature trees/hedging which was, in fact, located on land owned by neighbouring residents to the proposed site and not the Council. Mr Green agreed to investigate this matter.

Mr Broom, neighbour, reported that he resided adjacent to the proposed site and commended the applicant's agent on the level of local consultation they had undertaken in respect of the application. Mr Broom reported that he had no objection to the application but hoped that the application would not change when submitted at the Reserved Matters stage.

Mr Garrett, Parish Council representative, reported that the Parish Council were unhappy that the Traffic Assessment was undertaken in December and not during the busy summer holiday period.

Councillor Annison reported that he was disappointed that the Traffic assessment was not carried out during the summer holiday period and requested that if the application was approved that a condition be imposed that another traffic assessment be carried out during peak visitor times. The Senior Planning Officer reported that an Interim Travel Plan was requested by Highways and would be conditioned and that Highways had no objection to

the application.  
RESOLVED:

That application number 06/17/0339/O be approved with requested conditions by consulted parties and appropriate conditions to ensure an adequate form of development. This specifically excluded the conditions that did not meet the requirements of paragraph 206 of the National Planning Policy Framework.

It was recommended that permission was not issued until a s106 agreement had been agreed and signed by all relevant parties. The s106 agreement shall include those provisions requested by consulted parties barring those excluded within the agenda report and those of the Local Planning authority to include natura 2000 contribution, affordable housing, public open space or payment in lieu and children's recreation or payment in lieu of. The s106 agreement to include provision for a management agreement to exclude any liability for open space, children's play space or drainage which shall be managed by nominated body which can include a management company.

## **6 06/17/0390/F THE KINGS ARMS PUBLIC HOUSE MAIN ROAD FLEGGBURGH**

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

The Senior Planning Officer reported that the application site was part of the outdoor space attached to a public house. The land was currently grassed and was used for purposes incidental to the use of the public house including the provision of a fenced in storage area which was proposed to be removed should the proposed development be approved. The site was located adjacent to the Grade II Listed Church and, as such, the setting of the Listed Building must be considered as part of the application.

The application was for the erection of three detached accommodation lodges to allow for overnight accommodation to be provided at the site. The planning statement stated that the existing building was not able to facilitate such development, and as such, the detached option was being applied for. The location of the proposed lodges had been altered in accordance with a consultation response from the Conservation Officer.

The Senior Planning Officer reported there had been six neighbour objections to the application, as detailed in paragraph 2.1 of the agenda report. The Parish Council had also objected to the application and to the revised drawings detailing that the location of the lodges had been amended to set them 1.5m away from the boundary of the adjoining neighbouring property, Georgian House. The Parish Council objected to the revision as it was too close to the neighbouring property which had recently been under-pinned to a depth of 9 metres. Concern had been raised that the use of soakaways might

undermine neighbouring properties.

The Senior Planning Officer reported that the Building Control Officer had confirmed that he was happy with the revised drawings and proposed materials to be used.

The Senior Planning Officer reported that in considering whether to grant planning permission for a development which affected a listed building or its setting, the local planning authority must have regard to Sections 16 and 66 of the Planning Listed Buildings and Conservation Areas Act 1990.

The Senior Planning Officer reported that the application was recommended for approval with conditions to ensure an adequate form of development.

Ward Councillor Thirtle reported that he was concerned that the water run off from the proposed development could affect the neighbouring property which had recently undergone extensive under-pinning and asked for confirmation that water run off would go into a soakaway.

A Member reported that he fully supported this application as it was an important business and an integral part of the village of Fleggburgh.

Mr Dixon, applicant, reported the salient areas of his application and requested that the Committee grant the application to enable him to further invest into his business which would benefit the local economy.

RESOLVED:

That application 06/17/0390/F be approved, with all conditions referenced, requested by consulted parties and any additional ones to ensure an adequate form of development.

**7 06/17/0443/O NEW HOUSE (LAND ADJACENT TO) ROLLESBY ROAD  
FLEGGBURGH**

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

The Senior Planning Officer reported that this was an outline application with appearance and landscaping reserved. Layout, scale and access were part of the current application. The application had been amended from five to four proposed new dwellings at land to the east of Rollesby Road, Fleggburgh. The land forms part of the curtilage of the property known as New House which was accessed off Tretts Lane. There was no planning history for the application site.

The Senior Planning Officer reported that the Parish Council supported the application and felt it was appropriate to have four entrances/exits rather than all using one access. However, they expressed concern regarding restricted light levels due to overhanging trees. The Parish Council felt that the footpath, which formed part of the scheme, would encourage sustainable walking and a less reliance on the use of cars in the village.

The Senior Planning Officer reported that there had been one letter in support of the application and eight letters objecting to the application. The Highways Authority had not objected subject to conditions which restricted obstructions across accesses, visibility splays were provided, and that access and parking were completed prior to use and subject to highways improvements.

The Senior Planning Officer reported that the proposed development was considered to be acceptable in this location, although it was positioned outside the village development limit, it was adjacent to the south west boundary, and was included in the Interim Land Supply Policy (IHLSP).

The Senior Planning Officer reported that the proposal did not have an adverse or any notable effect on the setting of a nearby listed building, The Shrubbery.

The Senior Planning Officer reported that the water supply was an issue raised during public consultation, however, this was a matter between the applicant and Anglian Water. However, the application site was not within a flood zone or an area of critical drainage, so Anglian Water were unlikely to make comment. Accordingly, the drainage could be dealt with by way of a condition.

The Senior Planning Officer reported that the application was recommended for approval with conditions to ensure an acceptable development.

Mr Hart, applicant's agent, reported the salient areas of the application and the benefits which would result, for example, the extended footpath which would reduce the speeding of cars through the village. He requested that the Committee approve the application.

Mr Peak, objector, reported that he addressed the Committee on behalf of eight objectors, who were unhappy regarding the loss of trees on the application site which would affect the visual amenity of the village.

A Member reported that the benefit of a footpath and highway improvements in that part of the village would reduce speeding vehicles which would greatly benefit local residents.

Ward Councillor Thirtle reported that he was not happy with the proposed loss of trees and hedging but could see the benefit of the addition of a footpath and the highway improvements.

RESOLVED:

That application 06/17/0443/O be approved, for the revised plan for 4 dwellings only with reserved matters to be submitted as part of a detailed application. the application should be subject to both Highway and Environmental Health conditions, slab levels and any conditions required to ensure an acceptable development.

**8 DELEGATED PLANNING PERMISSIONS MADE BY THE DEVELOPMENT CONTROL COMMITTEE AND OFFICERS 1-30 SEPTEMBER 2017**

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

**9 OMBUDSMAN AND APPEAL DECISIONS**

The Committee received and considered the appeal decisions detailed by the Planning Manager.

RESOLVED:

That the Committee note the appeal decisions.

**10 ANY OTHER BUSINESS**

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

**11 EXCLUSION OF PUBLIC**

The meeting ended at: 20:30