

# Development Control Committee

## Minutes

Wednesday, 14 September 2016 at 18:30

PRESENT:-

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

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

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Flaxman-Taylor.

### **2 DECLARATIONS OF INTEREST**

Councillor Annison declared a personal interest in application number 06/16/0445/F, as the objector was known to him, but in line with the Council's Constitution was allowed to both speak and vote on the matter.

### **3 MINUTES**

The minutes of the meeting held on 10 August 2016 were confirmed.

## **4 PLANNING APPLICATIONS**

### **5 APPLICATION 06/16/0442/O - THE ARCHES PUBLIC HOUSE**

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

The Senior Planning Officer reported that the application site was on the north side of Crab lane at the junction with Beccles Road, Bradwell. The Public House building was single storey and consisted of two pitched roofed, pre-fabricated buildings joined by a central flat roof section. There was an entrance area across the front of the "modernist" design and this porch area was the only part of the building of any architectural interest.

The Senior Planning Officer reported that the application was to demolish the Public House and replace it with four detached houses, which would face Crab Lane and a bungalow which would face Beccles Road. The vehicular access into the site would be from Beccles Road using the existing access. The vehicular access from Crab Lane would be closed. There would be a turning area within the site and each dwelling would have two parking spaces.

The Senior Planning Officer reported that the application had been submitted in outline form with the layout, scale and access to be considered as part of the application, the submitted drawing showed the type of dwellings which could fit on the site, but these were not part of the application at this stage.

The Senior Planning Officer reported that Highways had raised no objection to the application subject to conditions regarding access, visibility and parking. The Parish Council had objected to the application on the grounds that there was only one Public House in Bradwell, over-development and access onto Crab Lane would be dangerous. The Historic Buildings Officer had submitted that the design of this simple single story Public House was a good example of the Brewery's taste for Modernism. If planning consent was granted, it should be subject to a condition that a programme for Historic Building recording should take place. The Public House Protection officer from CAMRA, and a member of the public, had submitted that the Public House should be retained as it was one of only two pubs in Bradwell and that as it was constructed of two prefabs, it was of historic interest. Although it would be sad to witness the loss of another Public House in Bradwell, it would be difficult to justify refusal on the loss of a community asset as there would still be two Public Houses, The Sun and Pub on the Shrubs, within a reasonable distance.

The Senior Planning Officer reported that the application complied with Policies CS1 and CS2 of the Great Yarmouth Local Plan: Core Strategy and saved Policy HOU7 of the Great Yarmouth Boroughwide Local Plan and was therefore recommended for approval.

A Member asked for clarification of the Highways conditions requested by the Highways Agency if the Committee was minded to approve the application.

The Senior Planning Officer reported the seven required conditions and two informative notes which had been submitted by the Highways Agency.

A Member queried that a viability statement for the Archers Public House had been submitted by the applicant but did not form part of the agenda papers. The Senior Planning Officer reported that viability statements were private and did not form part of the agenda report.

A Member was concerned regarding the proposed visibility splay and the position of the traffic bollard at the site entrance, as the site was situated in a busy, fast moving area of Bradwell. The Senior Planning Officer reported that the proposed visibility splay was 118 m x 2.4 m.

Ward Councillor Grant reported that he had contacted the Highways Agency as he was concerned with road safety in the application area. He had suggested that a mini-roundabout would be the best solution but Highways had reported that the area in the immediate area of the site was assumed to be safe and that four accidents in the vicinity would need to occur before a mini-roundabout would be considered to improve road safety.

A Member reported that in the absence of The Archers Public House and it being replaced with housing that this would result in less vehicular movements to and from the proposed application site.

The Planning Group Manager reported that the Council had received no proposal from CAMRA to save The Archers Public House or an application for it to be considered as a Community Asset.

A Member reported that this was a difficult application as Bradwell was losing its much needed infrastructure in favour of housing. He thought that the application was over-development of the site but it would be difficult to find valid planning reasons to refuse the application. A Member reported that he had sympathy with these sentiments but it was not good business sense to operate a Public House out of the kindness of your heart. Unfortunately, this was just a reflection of the business trend for Public Houses in today's market.

RESOLVED:

That application number 06/16/0442/O be approved as the proposal complied with Policies CS1 and CS2 of the Great Yarmouth Local Plan: Core Strategy and saved Policy HOU7 of the Great Yarmouth Boroughwide Local Plan.

## **6 APPLICATION 06/16/0445/F - CRAB LANE BRADWELL**

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

The Senior planning Officer reported that the proposal was a full application for a two bedroom bungalow and garage in the rear garden of 18 Crab Lane (plot

3), and a three bedroom bungalow and garage on the site of the existing lock-up garages (plot 4). The bungalows will be similar in design and size to the existing bungalows that had recently been built.

The Senior Planning officer reported that the bungalow on plot 3 would be built between one of the new bungalows and another recently built bungalow, number 35 Beccles Road, with an access formed by extending the private drive across the space between numbers 16A and 16B Crab Lane. The turning area and garage at the front of the bungalow would adjoin part of the rear garden of 20 Crab Lane.

The Senior Planning Officer reported that the bungalow at 35 Beccles Road was at the end of a development of four bungalows built at the rear of 43 Beccles Road and a similar development of bungalows has also been approved in the rear garden of 49 Beccles Road.

The Senior Planning Officer reported that the proposed bungalows would not have any significant effect on outlook to the existing neighbouring properties if conditions relating to obscure glazing and the erection of a 2 m fence around the site were imposed.

The Senior Planning officer reported that the bungalow on plot 4 would be on a larger plot and could not be considered as over-development. The main concerns with this part of the development are the loss of the lock-up garages and the effect on the rear access to Bradwell Butchery and adjoining dwellings.

The Senior Planning Officer reported that the loss of the garages might result in a loss of parking for nearby residents but the applicant could demolish the garages at any time without planning consent, and the Council could not insist that they remain for residents parking. The Bradwell Butchery and adjoining residents would use the vehicular access between 10 and 12 Crab Lane, this access would remain and there would be a 5m wide access between the rear boundaries of the dwellings and the application site.

The Senior Planning Officer reported that the use of the land for the siting of one bungalow instead of 21 garages would reduce the potential traffic movements in the vicinity and would result in less use of the existing access. The new access which served the development had the necessary visibility to meet Highways standards, as part of the visibility splay crossed the front garden of 14 Crab lane which was secured by a s106 Agreement at the time of the previous application (06/14/0697/F).

The Senior Planning Officer reported that the Parish Council opposed the application on the grounds that access to the dwellings would be very poor. Four letters of objection from neighbouring properties had been received , the main concerns were access, loss of lock-up garages, parking, over-development, character of the area and drainage.

The Senior Planning Officer reported that she had received an e-mail from the

applicant stating that the agreed access between the rear boundaries of the dwellings and the application site would remain at 5.49 m as they were not minded to increase it which might make it difficult for vehicles using the Butchery to manoeuvre.

The Planning Group Manager reported that the applicant could demolish the lock-up garages at any time and/or erect a fence in the application site area without planning permission.

The Senior Planning Officer reported that the application complied with Policies CS1 and CS2 of the Great Yarmouth Local Plan: Core Strategy and saved Policy HOU7 of the Great Yarmouth Boroughwide Plan and was therefore recommended by officers for approval.

A Member asked for clarification as to whether residents had the right to park at the rear of their properties in the area outside the lock-up garages. The Senior Planning Officer confirmed that the residents only had a right of access to the rear of their properties.

A Member asked for clarification as to the width of the access road from Crab Lane. The Senior Planning Officer reported that it was 3.4 m.

The Chairman asked for clarification as to whether the two proposed bungalows could only utilise the access which had been approved by Highways. The Senior Planning officer confirmed that this was correct.

A Member asked whether a "hours of work" condition could be imposed if the application was approved to ensure that the local residents quality of life was not impaired during the build process. The Senior Planning Officer reported that this could be conditioned at Member's request.

Mr Edmonds, objector, addressed the Committee and reported the salient areas of his objection. He reported that he had used the existing access to the rear of his Butchery for the past thirty years and it was essential that this access remained as it was integral for his expansion plans for his business which employed fifteen local people.

A Member asked Mr Edmonds whether he was aware that the applicant could demolish the garages at any time and erect a fence preventing access to the site at any time without the need for planning permission. Mr Edmonds responded that if this occurred he would instigate a civil law suit to protect the access to his building which he had utilised for the past thirty years.

A Member reported that he felt that the application was over-development of the site and amounted to more "back garden development" in Bradwell which was not welcome. He urged the Committee to support the Parish Council, local residents and Mr Edmonds and to refuse the application based on the objections submitted by the Parish Council. Ward Councillor Grant agreed with this proposal.

The Planning Group Manager reported that it would be difficult to uphold refusal of this application at appeal and went through each objection one by one and the reasons they would not stand up at appeal.

A Member reported that the application might have been viewed differently by the Committee if the applicant had agreed to move the fence back by 2 m at Plot 4 to enable a larger turning access area to be made.

A motion for refusal of the application on the grounds that the access to the properties would be very poor, as unlike the existing access between numbers 10 to 12 Crab Lane, there was no visibility splay for the proposed new access which was too narrow for the number of vehicles likely to be using it to travel to and from the new properties was proposed and seconded but was lost at the vote.

A motion for the approval of the application with conditions as requested by the consultees and a hours of work condition was proposed and seconded but was lost at the vote.

RESOLVED:

That application number 06/16/0445/F be refused on the grounds that access to the properties would be very poor and unlike the existing access between numbers 10 to 12 Crab Lane, there was no visibility spaly for the proposed new access which was too narrow for the number of vehicles likely to be using the access to travel to and from the proposed new properties.

## **7 PLANNING APPLICATIONS CLEARED UNDER DELEGATED POWERS AD BY THE DEVELOPMENT CONTROL COMMITTEE FROM 1 AUGUST - 31 AUGUST 2016**

The Committee noted the planning applications cleared by the Planning Group Manager and the Development Control Committee between 1 and 31 August 2016.

## **8 ANY OTHER BUSINESS**

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

## **9 EXCLUSION OF PUBLIC**

The meeting ended at: 19:35