

# Development Control Committee

## Minutes

Wednesday, 08 March 2017 at 18:30

### PRESENT:

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

Councillor Bensly attended as a substitute for Councillor Hanton & Councillor Plant attended as a substitute for Councillor Flaxman-Taylor.

Mr D Minns (Planning Group Manager), Mrs G Manthorpe (Senior Planning Officer), Mrs E Helsdon (Technical Officer), Mr J Flack (Solicitor, nplaw) & Mrs C Webb (Member Services Officer).

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Flaxman-Taylor & Hanton.

### **2 DECLARATIONS OF INTEREST**

Councillor Thirtle declared a Personal Interest in Item 5.

Councillors Grant, A Grey & Bensly declared a Personal Interest in Item 6.

However, in line with the Council's Constitution they were allowed to both speak and vote on the matter.

### **3 MINUTES**

The amended minutes, as tabled at the meeting, were confirmed as a true record.

### **4 APPLICATION 06/16/0695/O - CHOICE FURNISHINGS, 73 SOUTHTOWN ROAD, GREAT YARMOUTH**

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

The Senior Planning Officer reported that the application site was on the corner of Southtown Road and Gordon Road which was currently in use as a retail store and showroom and previous had been the Anson Arms Public House. The Site had existing vehicular accesses from Southtown Road and Gordon Road.

The Senior Planning Officer reported that the proposal was an outline application for the demolition of the existing buildings on the site and the erection of 14 houses. The application included an indicative layout and elevations but the only detailed part of the proposal that was part of the outline application was the means of access; the appearance, landscaping, layout and scale were all matters to be considered at the detailed stage if permission was granted in principle.

The Senior Planning Officer reported that Highways had requested that part of the Southtown Road frontage of the site was dedicated as public highway and if the development was to proceed, this require the stopping-up of this section of highway. The Highways Officer had no objections to the development subject to standard conditions, one of which was that no work should commence until the stopping-up order had been granted.

The Senior Planning Officer reported that four letters of objection had been received from local residents citing increased traffic, over-development and over-looking of adjacent properties. The Senior Planning Officer reported that since the report had been published, further letters of objection had been received highlighting increased traffic movements along Gordon Road.

The Senior Planning Officer reported that the site was within the Affordable Housing Sub-Market Area 3 where the threshold for providing affordable housing was 15 dwellings or more. This proposal was below the threshold so would not have to provide affordable housing or financial contributions but as it

was for more than ten dwellings and no open space/play space was provided on site, approval would be subject to a Section 106 Agreement to provide contributions to open space and children's play provision.

The Senior Planning Officer reported that the application was recommended for approval as the proposal complied with Policies CS1, CS2 and CS3 of the Great Yarmouth Local Plan: Core Strategy and saved Policy HOU7 of the Great Yarmouth Local Plan.

Mr Nourse, applicant's agent, reported the salient areas of the application to the Committee and requested that they approve the application.

Mrs Spruce, objector, reported that the development would result in her property being overlooked by 3 1/2 storey buildings which would result in loss of light and privacy. Her outlook would be a blank wall and she requested that if the application was approved that the facing walls be painted white to reflect light into her property.

RESOLVED:

That application number 06/16/0695/O be approved as the proposal complied with Policies CS1, CS2, and CS3 of the Great Yarmouth Local Plan: Core Strategy and saved Policy HOU7 of the Great Yarmouth Local Plan.

## **5 APPLICATION 06-16-0790-F - CHURCH VIEW (LAND SOUTH OF) FLEGGBURGH, GREAT YARMOUTH**

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

The Senior Planning Officer reported that the site was located towards the centre of Fleggburgh, between Rollesby Road & Tower Road, but not strictly within the settlement 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 site is high grade agricultural land (Grade 1).

The Senior Planning Officer reported that the Parish Council had not objected to the proposal, two letters of objection and one letter in support of the application had been received.

The Senior Planning Officer reported that Rights of Way over a private road was a civil matter and the access was outlined in such a way as to indicate that the access was owned by the applicant. Following direct discussions between the applicant and the PROW Officer, the application had been amended to provide an improved road surface standard and footway. This would help to alleviate concerns of residents of Church View regarding the access condition following development.

The Senior Planning Officer reported that the Highway Authority did not object providing a Section 106 agreement was sealed to secure visibility requirements across third party land.

The Senior Planning Officer reported that Plot 2 had been re-positioned with the single storey garage to the northern boundary of the site and the proposed dwelling further to the southern plot boundary. Plot 2 also had a window at the gable end shown as obscured glazing which could be conditioned to alleviate overlooking to Springfield, the property most affected by overlooking.

The Senior Planning Officer reported that objectors had raised the issue of surface water which would be dealt with by soakaway which could be conditioned if the application was approved.

The Senior Planning Officer reported that the application was recommended for approval with the requested conditions by consulted parties and appropriate conditions to ensure an adequate form of development.

A Member asked whether the access road would be wide enough to allow for nine wheelie bins to be presented at the end of the roadway for collection. The Senior Planning Officer reported that it had been indicated that the road surface would be suitable to allow the bin lorry to collect the wheelie bins from the frontage of each property.

Councillor Thirtle, Ward Councillor, reported that he supported the application as the Parish were pleased that a footpath and a suitable access splay and road to the site would be provided which would benefit residents of the village.

RESOLVED;

That application number 06/16/0790/F be approved as the application with requested conditions by consulted parties and appropriate conditions to ensure an adequate form of development.

## **6 APPLICATION 06/16/786/CU - BREYDON WATER HOLIDAY PARK, BUTT LANE, BURGH CASTLE**

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

The Senior Planning Officer reported that the application covered two sites located on the east and west of Butt Lane, Burgh Castle. Both sites are under the same name and, as per the submitted details, the same ownership. The application was for a change of use, as opposed to a variation of condition, which, if approved, would require conditions requiring the submission of details of the retention of the existing offerings on site and confirmation of layout including design and type of accommodation offered.

The Senior Planning Officer reported that the applicant proposed to use the application site for 12 months of the year as holiday accommodation for caravan use. The Senior Planning Officer reported that the Parish Council and Environmental health had objected to the 12 month occupancy. The Senior Planning Officer reported that granting permission for the site to be occupied for 12 months of the year as holiday use would not grant a residential permission on the site and suitable conditions were detailed in section 6.5 of the report which could be conditioned if the Committee was minded to grant the application.

The Senior Planning Officer reported that a further condition could be placed upon the application site restricting the number of nights which could be spent at the holiday park during any one year. This condition would not prohibit the occupation by numerous persons or families throughout the 12 month period, thus, not having an adverse effect on the tourism offering.

The Senior Planning Officer reported that one objection had been received from neighbours stating that part of the land was not within the applicant's ownership and that a better use of the land would be as a single residential dwelling. However, the Land Registry identified the land at Mill Lane under the same title number as the holiday park, there were no separate titles seen and certificate A had been completed, therefore, the applicant had stated that they owned the land.

A Member reported that holiday use operation across the Borough was confusing and lacked consistency.

The Leader of the Council reported that it was important for the Borough to be able to provide a good holiday offer. The Leader of the Council reported that he was happy with the conditions contained in Section 6.5 of the report but would like to propose an additional condition as follows; no person shall exceed 21 days in residency and then take-up residency again within a 14 day period to ensure that the park remained in holiday use.

The Solicitor, nplaw, confirmed that this additional condition could reinforce the conditions contained in Section 6.5 of the report as it was reasonable and requisite for holiday use. However, the Planning Inspector might not uphold this additional condition at appeal.

A Member reported that the site mainly contained static caravans which were utilised all year round by the owner's family and friends and if Councillor Plant's condition was agreed this would be grossly unfair.

Councillor Myers, Ward Councillor, reported that he was speaking on behalf of Belton and Fritton Parish Councils who both strongly opposed the application as it would lead to a decrease of tourism trade in their parishes. The retention of a month long closure for residency in the park was the best way to retain holiday use. Councillor Myers urged the Committee to reject the application.

A Member reported that it was a difficult application as the nearby Kingfisher Park had already set a precedence with 52 week occupancy. However, he could not support Councillor Plant's proposal as the caravans were static, not touring, and he could not penalise the owners with the 21 day occupancy condition.

The Leader of the Council proposed the following amendment:

To approve application number 06/16/0786/CU with appropriate conditions to ensure an adequate form of development, the retention of existing associated infrastructure and amenities on site and restrictions on the use as holiday use only by example condition in section 6.5 and additional condition regarding restricting residency to 28 consecutive days with a 7 day gap between residencies.

Following a vote, the amendment fell.

RESOLVED:

That application number 06/16/0786/CU be approved with appropriate conditions to ensure an adequate form of development, the retention of existing associated infrastructure and amenities on site and restrictions on the use as holiday use by example condition contained in section 6.5 of the report.

## **7 LIST OF DELEGATED DECISIONS MADE BY THE DEVELOPMENT CONTROL COMMITTEE AND OFFICERS 1-28 FEBRUARY 2017**

The Committee received and noted the list of delegated decisions made by the Committee and Officers for the period 1 - 28 February 2017.

## **8 OMBUDSMAN AND APPEAL DECISIONS**

The Committee received and noted the Ombudsman and Appeal decisions as reported by the Planning Group Manager.

## **9 ANY OTHER BUSINESS**

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

## **10 EXCLUSION OF PUBLIC**

The meeting ended at: 20:30