

# Development Control Committee

## Minutes

Tuesday, 15 December 2015 at 18:30

### PRESENT:

Councillor Reynolds (in the Chair); Councillors, Andrews, Annison, Collins, Jermany, Lawn, Linden, Sutton and T Wainwright.

Councillor Robinson-Payne attended as a substitute for Councillor Blyth.

Councillor Jeal attended as a substitute for Councillor Wright.

Mr D Minns, Miss G Manthorpe, Miss J Smith and Mrs C Webb (GYBC Officers)

### **1 DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest declared at the meeting.

### **2 APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors Blyth, Grant and Wright.

### **3 MINUTES**

The minutes of the meeting held on 17 November 2015 were confirmed.

### **4 PLANNING APPLICATIONS**

### **5 APPLICATION 06/15/0579/F 101 CHURCHILL ROAD GREAT YARMOUTH**

The Chairman reported that this application had been deferred.

### **6 APPLICATION 06/15/0618/F LIDL PASTEUR ROAD GREAT YARMOUTH**

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

It was reported that the Lidl store was situated between Pasteur Road to the north west and Station Road to the south east. There was housing to the north east at Plevna Terrace and the main residential area of Southtown was on the opposite side of Station Road to the south east.

The application was to vary the opening hours of the store to allow it to open for an extra hour in the evenings, 10 pm instead of 9 pm on Monday to Saturday.

It had been reported that there had been one letter of objection citing noise and disturbance caused by the increased activity. Since the store has been open, complaints had been made to the planning department on a regular basis regarding deliveries being made to the store outside the permitted hours.

The Senior Planning Officer reported that the application was recommended for approval on a temporary one year permission.

Mr Robertson, an objector, reported that he strongly objected to the proposed change of trading hours. The application overrides the original planning application and subsequent applications for changes to deliveries and opening hours which had been refused. He was concerned that further relaxation of the original condition would result in activities leading to significant disturbance to local residents. He asked that the Committee refuse the application.

Councillor Linden, Ward Councillor, reported that she had sympathy for the local residents and that the management of Lidl no longer listened to local residents concerns regarding the correct operation of their store and did little to rectify any concerns raised and asked that the Committee support Mr Robertson and the other residents and refuse the application.

The Chairman asked how many local residents had been informed of the proposal and how many letters of objection had been received. The Senior Planning officer reported that 32 letters had been sent out by the Planning Department and only 1 letter of objection had been received.

A Member reported that there were no objections from Environmental Health and that breaches of the delivery times was an enforcement and not a planning issue.

A Member reported that he was unhappy that Lidl's breached the conditions of their planning application on a regular basis and therefore this latest application should be refused as it would have an adverse impact on residential amenity.

RESOLVED:

That against the advice of the Planning Group Manager, that application number 06/15/0618/F be refused as it would have an adverse impact on residential amenity.

## **7 APPLICATION 06/15/0607/F 57A TAN LANE CAISTER**

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

The application sought to remove the north-east corner of no.57 Tan Lane and reposition the entrance doors to facilitate the development. No. 57A Tan Lane was currently used as a hairdresser and adjoined 57 Tan Lane. The corner which was the subject of the application was adjacent to a narrow private access. The building was not within a Conservation Area and it was not listed.

It was reported that 18 letters of objection had been received citing objections relating to the ownership and rights of use of the access, increased risk of pedestrian and vehicle collision, there was no improvement to visibility, damage to a historic asset and the application proceeded other proposals.

The Senior Planning Officer reported that the application site was freehold and the correct notifications had been served to that effect.

The Parish Council objected on the grounds that insufficient information had been provided by the applicant on the application and the proposed works would not improve vehicular access. No objections had been received from Highways or the Public Rights of Way Officer and Building Control had no adverse comments.

The Committee was reminded that they should consider Policy BNV18 whilst determining the application. The Planning Group Manager reported that this application was for the removal of the corner only and had been assessed on its own merit and not in conjunction with any current or forthcoming applications.

Mr Botwright, applicants agent, reiterated the salient areas of the application and asked that the application be approved as it would improve the safety for both pedestrians and vehicles.

Mr Hacon, objector, addressed the Committee and reported that his family felt constantly harassed by the continuing stream of planning applications for this property which could affect his home.

A Ward Councillor reported that a search on the Land Registry could not confirm who owned the land adjacent to the access. The ownership and rights of use of the access was a civil matter between the applicant and the owner. The Chairman reported that legal arguments had nothing to do with the determination of this planning application.

The Senior Planning Officer reported that the application was recommended for approval as it conformed to Policy BNV18 of the Boroughwide Local Plan.

A Member reported that he was against this application as it would have a detrimental effect on the street scene.

RESOLVED:

That against the recommendation of the Planning Group Manager, that application number 06/15/0607/F be refused as it would have a detrimental effect on the street scene.

## **8 PLANNING APPLICATIONS CLEARED UNDER DELEGATED POWERS AND BY DEVELOPMENT CONTROL COMMITTEE FROM 1 NOVEMBER - 30 NOVEMBER 2015**

The Committee noted the planning applications cleared under delegated powers and by the Development Control Committee for the period 1 November 2015 to 30 November 2015.

## **9 OMBUDSMAN AND APPEAL DECISIONS**

The Planning Group Manager reported that planning application number 06/14/0825/F - Erection of nine single storey dwellings with associated open space and road widening at land off Hall Road, Martham, Great Yarmouth. This appeal was dismissed and the original application was an officer delegated refusal.

The Planning Group Manager reported that with regard to the Pointer's East application, the Secretary of State had decided not to call in the application so the Council was now free to determine it.

## **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