

# Development Control Committee

## Minutes

Wednesday, 22 June 2016 at 18:30

### PRESENT:

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

Councillor Bensly attended as a substitute for Councillor Hanton

Councillor Walch attended as a substitute for Councillor A Grey.

Mr D Minns (Group Manager Planning), Miss G Manthorpe (Senior Planning Officer), Mrs E Helsdon (Technical Officer) and Mrs C Webb (Member Services officer)

### **1 DECLARATIONS OF INTEREST**

It was noted that the following Declarations of Interest were declared at the meeting:-

(i) Councillor Williamson declared a personal interest in Item 5, as he had written a letter to the Planning Group Manager regarding the Core Strategy and its application to the proposed development.

(ii) Councillor Bensly declared a personal interest in Item 6, as the applicant was known to him.

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

## **2 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A Grey and Hanton.

## **3 MINUTES**

The minutes of the meeting held on 25 May 2016 were confirmed.

With reference to Minute number 8, Councillor Jeal requested that the minute be amended to include the class of gambling or non-gambling machine granted by the Committee. Restrict form of Class D as per this decision notice.

## **4 PLANNING APPLICATIONS**

### **5 APPLICATION NO 06/15/0622/F LAND OFF NEW ROAD BELTON**

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

The Senior Planning Officer reported that the application site comprised 2.44 hectares of existing Grade 3 Agricultural Land and was adjacent to the existing village development limits. The south western corner of the site was not included in the application as it was not in the same ownership. The application site was assessed as part of the Strategic Housing Land Availability Assessment (SHLAA) and designated as deliverable and appropriate for development. However, the site that was put forward in the SHLAA was considerably larger than the site that constituted this application.

The Senior Planning Officer reported that the proposed development lay outside of the village development limits, however, the Interim Housing Land Supply Policy had been drafted and adopted in order that developments such as this, could be assessed with a view to meeting housing targets prior to the adoption of the site specific allocations. As indicated in Policy CS", Belton has been identified as a primary village and in line with the SHLAA, is a sustainable development.

The Senior Planning Officer reported that to reduce overlooking to adjoining residential dwelling to the east of the development, obscure glazing and no windows to be inserted into this elevation in perpetuity at Plot 64 could be conditioned. The Senior Planning officer reported that there was a significant difference in land levels across the site.

The Senior Planning Officer reported that the extension of the landscaping

proposals along the boundary, which included an existing hedge could be conditioned to be maintained to minimise overlooking to the site. Further planting could also be required to ensure adequate coverage.

The Senior Planning Officer reported that concerns had been raised regarding access to the site and the need for a roundabout. Highways have assessed the access and a roundabout to the site access has been accepted by Highways as suitable subject to detailed design. The revised plan had been altered to extend the provision of a public footpath around the site and up to Stepshort to improve pedestrian access. The amended plan included further provision of a public footpath to the opposite side of New Road to further improve pedestrian access around the village.

The Senior Planning officer reported that the reduced application site will result in an area of green space, Bland Corner, between Belton and Bradwell and will not have an adverse effect on the coalescence of the villages. The application did not extend east of Whitethorn Lodge and did not impinge on the boundary to Bradwell as there would still be a dwelling located further to the east.

The Senior Planning Officer reported that during the recent SHLAA assessment, that Anglian Water had stated that there was a need for sewerage treatment upgrades in order to accommodate the new development. However, when Anglian Water were consulted with regard to this application, they reported that the foul drainage from this development was in the catchment of Caister Pump Lane Water Recycling Centre that would have available capacity for these flows.

The Senior Planning Officer reported that the Parish Council had been re-consulted on the amended plans and had withdrawn their original objections, however, they still continued to comment on the availability of proposed parking within the site. Seven letters of objection had been received and the objections had been summarised at paragraph 2.2 of the agenda.

The Senior Planning Officer reported that this application was recommended for approval with the suggested conditions.

A Member asked if the footpath could be extended along Stepshort to Farman Close, as schoolchildren would use this route to the local schools, as traffic coming down the hill was usually travelling at speed, and the installation of a zebra crossing would also be advisable to ensure the safety of the schoolchildren walking to and from school.

A Member asked if every purchaser would be made aware of the maintenance responsibilities of the private road to their property when they purchased their new home. The Senior Planning Officer reported that maintenance of the private roads would be secured through a s106 agreement and be noted on the response to the purchaser's solicitor during the property search procedure.

A Member asked if the affordable housing target would be met at the

development. The Senior Planning Officer reported that 10% of the scheme would be affordable housing.

Mr Hill, applicant's agent, reported the salient areas of the application which was a high quality scheme proving a mix of homes and the design of the dwellings would give a unique appearance to the site and he asked the Committee to grant the application.

A Member asked Mr Hill whether he would consider extending the footpath and to install a zebra crossing with reference to his earlier question to the Senior Planning Officer. Mr Hill reported that this had not been requested by Highways or the Parish Council during discussions.

A Member asked how surface drainage water would be treated. Mr Hill reported that a number of soak-aways would be sited across the development to deal with surface water drainage.

The Chairman asked Mr Hill that, whether, if the Committee was minded to approve the application, but given the concerns regarding the present capacity of Anglian Water, he would be happy to accept the condition that no building works to commence on site until Anglian Water had carried out their proposed upgrade works at Stepshort and Bradwell which would be completed by July 2017. Mr Hill reported that given the timescale it took before any building works could commence that building would probably not commence before this date anyway.

Mr Swann, Parish Councillor, reported that the Parish Council did not object to the application, but that they supported Councillor Williamson's request for the footpath at Stepshort to be lengthened and a zebra crossing to be installed at the junction near to Farman Close.

Councillor Williamson further suggested that a safety railing should be installed opposite the junction near to Farman Close on the opposite side of the road to prevent schoolchildren from crossing the road in that vicinity. the Planning group manager agreed to discuss this issue with the Highways Agency.

**RESOLVED:**

That application number 06/15/0622/F be approved as it was accepted that the application was outside of the village development limits and contrary to the adopted Boroughwide Local Plan 2001, however, the site had been identified as developable and deliverable and there was no objection in planning terms to the development going ahead prior to the formal adoption of the site specific allocations subject to conditions to ensure an adequate form of development and submission of reserved matters. The Interim Housing Land Supply Policy sought to assist in meeting the Local Authorities housing targets and the application was in line with the Interim Housing land Supply Policy (2014).

The application be approved subject to conditions as recommended by

consulted parties and those to ensure a satisfactory form of development and obligations as set out by Norfolk County Council and mitigation measures in line with the aims of the Natura 2000 Sites Monitoring and Mitigation strategy. Permission to not be issued prior to the signing of an agreement under section 106 for provision of infrastructure, GI contribution (subject to negotiation), mitigation (Natura 2000), affordable housing, children's play equipment/space contribution and management agreement for open space, drainage, private roads and children's play (if appropriate).

## **6 APPLICATION NO 06/16/0281/0 REAR OF SELWYN HOUSE, 28 THE GREEN, MARTHAM**

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

The Senior Planning Officer reported that this was an outline application for three detached dwelling with garages and was a re-submission of a previously refused application. The site was located within the Village Development limits as prescribed within the adopted Borough Wide Local Plan and was surrounded by residential dwellings. The current application differs from the previous one as the scale of the proposed dwellings had been reduced, a turning head had been shown and an ecological assessment had been submitted. A maximum foot print could be conditioned if necessary, although this would be dealt with at the reserved matters stage should permission be granted.

The Senior Planning Officer reported that 11 objections to the proposal had been received from local residents which were summarised at paragraph 2.2 of the agenda. Local residents had objected to the possibility of two storey dwellings on the site so if Members were minded to approve, a condition restricting the dwellings to single storey with no accommodation in the roof space would be placed on the permission. Single storey dwellings would complement the existing developed area and reduce overlooking and the development would not have any significant adverse effects on the amenities of the adjoining dwellings.

The Senior Planning officer reported that the Parish council did not oppose the development. However, they requested single storey or 1.5 storey dwellings on the site, that the hedgerows and trees be retained and the asbestos barn building to be safely removed and disposed of. The also raised concerns about construction damage to the private road and future maintenance issues. The Senior Planning Officer reported that an additional letter of concern from a local resident, had been submitted by the agents, which contained photographic evidence with regard to the width of the access road.

The Senior Planning Officer reported that the Fire Service were happy with the reduced width of the access road, from 4.2 m to 4.0 m, as a Fire Tender required a width of 3.7 m to access the development. The Senior Planning officer reported that she had visited the site this morning to gain an

independent measurement of the width of the access road which was 3.95 m not including the edging kerb.

The Senior Planning Officer reported that the proposed development was within an area designated within the Boroughwide Local Plan and was within a sustainable location. National Planning Policy stated that applications which accorded with Local and National policy should be approved without delay. The concerns of the residents have been noted although these could be conditioned to an adequate extent so as to make the development suitable.

The Senior Planning Officer reported that objections had been raised regarding the additional traffic utilising the private road which was managed by a management company which distributed the costs of maintenance between the residents. The applicant had proved that he has right of way over the land and would have the obligation to contribute to the future maintenance of the road. The use of the road by construction traffic had also been raised and it would be possible, prior to commencement of the development, to condition a management construction plan to be submitted to and approved by the Local Planning Authority.

It was reported that this application was recommended for approval with the suggested conditions.

Mr Duffield, applicant's agent, reported that the width of the road adhered to building regulations when the land was purchased when the minimum width of a private drive was 3.7 m and the access road was built at 4.0 m. This is above the minimum width and wider than other access roads to developments which the Committee had approved in the past. Mr Duffield reported that any damage caused to the private road would be reinstated by the developers i.e. the road would be resurfaced if required and the asbestos building would be removed in line with health and safety guidance. Mr Duffield reported that there had been some confusion when the previous application was considered by the Committee, as he had mistakenly stated that bats were to be found in some of the buildings, when in fact they had been found in surrounding trees and the developer was happy to accept a condition to ensure that the hedgerow was filled in to encourage local wildlife.

Mr Hollowell, an objector, reported that the design of the development was poorly thought out. There was no agreement between the developer and the management company which managed the private driveway off of Alder Avenue. The collection point for their wheelie bins was still unknown and the turning circle for vehicles accessing the proposed development was too hard against two of the properties. The development left little amenity space for the properties with one of them having a space of only a metre to the rear fence. He asked that the Committee defer their decision and undertake a site visit.

Mr Huke, an objector, reported that the village feeling was being eroded as a result of all the recent housing development, totalling 265 homes, which had been granted in the last few months. Over 60 metres of mature hedgerow and trees had been removed which reduced the habitat for bats, birds and deer to

name but a few. Martham was now a sea of brick-weave, close-board fencing and astro-turf. Private roads were being introduced which the Council had no control over and he urged the Committee to refuse the application.

Councillor Coleman, Ward Councillor, spoke in support of Mr Huke and the other objector and reiterated local residents concerns regarding the unsuitability of the development, especially the width of the access road which was 5 cm short of Highways requirement. he was also concerned about the issue of wheelie bins and that services had not been laid up to the development which might result in the private driveway off of Alder Avenue being dug up and not resurfaced.

The Senior Planning officer reported that if, for example, Anglian Water dug up the road to lay water pipes, that they would have to make good the road. Mr Duffield reported that the Schedule of Conditions would be adhered to by the developer and the road would be re-surfaced if required.

Although Members were sympathetic to the residents of Alder Avenue, there were no planning reasons to refuse the application.

A Member reported that at the application stage for the development at Alder Avenue, reserved matters were applied to this area so it must have been clear to Councillor Coleman that it would be developed.

**RESOLVED:**

That application number 06/16/0281/0 be approved, subject to conditions required to provide a satisfactory form of development as recommended and as noted within the report including limiting the dwellings to single storey with no living accommodation in the roof of the dwellings and a satisfactory condition relating to the road and submission of a construction management plan. The proposal was considered to comply with Policy HOU7 and HOU17, of the Great Yarmouth Borough-Wide Local Plan 2001 CS1, CS2 and CS4 of the Core Strategy and the national Planning Policy Framework.

**7 APPLICATION NO 06/16/0139/CU 31 MARINE PARADE GREAT YARMOUTH**

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

The Planning Group Manager reported that the application site was within an area designated Prime Commercial Holiday and was within a Conservation Area (Number 16 Seafront). The application site was currently a mixed use of amusements on the ground floor with a Quasar laser tag under D2 use (Assembly and Leisure) on the first and second floor. The application was to change the use of the first and second floor to amusements under use Class Sui Generis. The resultant development would result in amusements will be present on all three floors. The proposal did not involve any changes to the frontage.

The Planning Group Manager reported that no objections to the proposal had been received through the public consultation process. The Committee should consider the impact of these changes had upon the wider viability of the seafront and the continuity of decisions. The loss of Quasar, was not considered to significantly affect the viability of the seafront, as a Quasar laser tag could be considered similar in nature to some of the shooting simulation games.

The Planning Group Manager reported that this application was recommended for approval with the recommended condition.

**RESOLVED:**

That application number 06/16/0139/CU be approved, as the additional amusements would be non-gambling machines with a condition similar to the condition imposed at number 34 Marine Parade, Great Yarmouth.

## **8 APPLICATION NO 06/16/0130/CU 38 MARINE PARADE GREAT YARMOUTH**

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

The Planning Group Manager was reported that the application site was currently a mixed use of amusements on the ground floor under a Sports Bar on the first floor. The application was to change the use of the first floor to a family amusement centre under use Class Sui Generis from a Sports Bar under Class A4. The second floor would remain as a Snooker Hall. The ground and first floor would fall under use Class Sui Generis, whilst the top floor would remain under D2 (Assembly and Leisure) use. The development was not considered to significantly and adversely affect the viability of the seafront.

The Planning Group Manager reported that no outright objections had been received from local residents to the proposal, however, an occupier of a flat at 40 Marine Parade, had raised concerns about possible damage to her vehicle and public blocking her parked car. However, this was not a planning consideration.

The Planning Group Manager reported that this application was recommended for approval with the recommended condition.

Councillor Jeal, Ward Councillor, requested that if the Committee were minded to approve the application, that the Class of gambling machines granted be included in the minute.

**RESOLVED:**

That application number 06/16/0130/CU be approved as the additional



amusements would be non-gambling machines with a condition similar to the condition imposed at 34 Marine Parade, Great Yarmouth.

## **9 APPLICATION NO 06/16/0191/F 47 LARK WAY BRADWELL**

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

The Planning Group Manager was reported that the proposal was to form two bedrooms, a store room and a bathroom in the roof space which would involve the construction of a large flat roofed dormer at the rear and two small dormers to the front of the roof. However, Schedule 2, Part 1, Class B of the General Permitted Development Order allowed the construction of dormer windows to the rear of a roof as permitted development so the only parts of the work shown on the submitted drawing which required planning permission were the dormer windows to the front of the roof slope.

The Planning Group Manager reported that three letters of objections had been received, citing overlooking, loss of privacy and out of character with the area. At present, there were no other dormers to bungalows in the immediate area so the proposal would result in a change of character, but, as dormers to the rear slope could be built as permitted development, there was nothing to prevent other dwellings from doing the same. The two dormers to the front which required consent were relatively small and set back from the eaves, so would not have any significant effect on the character or appearance of the area.

The Planning Group Manager reported that this application was recommended for approval.

RESOLVED:

That application number 06/16/0191/F be approved as the proposal complied with saved Policy HOU18 of the Great Yarmouth Boroughwide Local Plan.

## **10 PLANNING APPLICATIONS CLEARED UNDER DELEGATED POWERS AND BY DEVELOPMENT CONTROL COMMITTEE FROM 1 MAY - 31 MAY 2016**

The Committee noted the planning applications cleared by the Planning Group Manager and the Development Control Committee between 1 and 31 May 2015.

## **11 OMBUDSMAN AND APPEAL DECISIONS**

The Planning Group Manager reported that there were no Ombudsman decisions to report.

The Planning Group Manager reported the following Appeal decision:  
Application number 06/15/0205/O, Erection of 3 bungalows and  
garages/carport at 30 Bulmer Lane, Winterton, Great Yarmouth was approved.

## **12 ANY OTHER BUSINESS**

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

## **13 EXCLUSION OF PUBLIC**

The meeting ended at: 20:10