

# Development Control Committee

## Minutes

Wednesday, 05 April 2017 at 18:30

### PRESENT:

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

Councillor Walch attended as a substitute for Councillor A Grey.

Councillor Walker attended as a substitute for Councillor Williamson.

Mr D Minns (Planning Group Manager), Mrs G Manthorpe (Senior Planning Officer), Mr J Ibbotson (Planning Officer),

Mr J Flack (Solicitor, nplaw), Mr G Bolan (Technical Planning Officer) and Mrs S Wintle (Member Services Officer).

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A Grey & Williamson.

## **2 DECLARATIONS OF INTEREST**

The Chairman reported that all Councillors had received correspondence in relation to Item 6, and was therefore declared as a personal interest for all Members of the Committee.

Councillor Thirtle reported a personal interest in Item 7.

However, in line with the Council's constitution, they were allowed to both speak and vote on the items for consideration.

## **3 MINUTES**

The minutes of the meeting held on the 8 March 2017 were confirmed as a true record.

## **4 PLANNING APPLICATIONS**

### **5 APPLICATION NUMBER 06/16/0583/0 YARMOUTH ROAD (LAND AT), HEMSBY**

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

The Senior Planning Officer reported that the application site was located to the South-west of Hemsby, off Yarmouth Road, the site was currently used as arable farmland and had a public footpath that ran from the access on Yarmouth Road, along the western boundary of the site. The site was adjacent to the village development limits of Hemsby and was considered to have a good access to a range of facilities.

The Senior Planning Officer reported that the proposal was an outline application for the proposed development of 93 residential dwellings, associated public open space and new vehicular access from Yarmouth Road. The Senior Planning Officer reported that appearance, landscaping, layout and scale would be decided by a Reserved Matters Application should the outline application be approved.

The Senior Planning Officer reported that the Parish Council had submitted a number of observations and suggested conditions in relation to the application and that there had been 13 letters of objections received from local residents citing; increase in surface water flooding, loss of dog walking area, traffic problems caused by the additional traffic, GP and Schools unable to cope with population increase, village was overcrowded, loss of view, dangerous access to Church Farm residential home, lagoon will stagnate causing health issues

and noise nuisance from building works. Local residents would prefer the old Pontin's site to be re-developed for additional housing in the village.

The Senior Planning Officer reported that Norfolk County Council Mineral Waste had initially objected to the application, however, subject to conditions outlined in paragraph 2.5 of the report being imposed on any grant of permission, they would rescind their objections.

The Senior Planning Manager reported that the Committee should note the comments from UK Power Networks contained in paragraph 2.11 of the agenda report prior to making their decision.

The Senior Planning Officer reported that the application included the addition of a footpath. Norfolk County Council had reported that the local schools would require additional infrastructure so they have had requested a S106 agreement to cover this. There are ongoing discussions regarding the Green Infrastructure requirements. The Senior Planning Officer reported that the application was compliant with affordable housing requirements.

A Member questioned whether Anglian Water had the capacity to deal with the proposed development. The Senior Planning Officer reported that Anglian Water had stated that they had no objections to the application as adequate measures had been proposed by the applicant.

Mr Nichols, applicant's agent, reported the salient points of the application and requested that the Committee approve the application.

Mrs Ellis, Parish Councillor, reported the salient concerns of the Parish Council to the Committee. Mrs Ellis reported that the Parish Council understood the need for more housing in the village but were concerned that the application would cater for starter homes as opposed to affordable housing. They were concerned regarding access to the site as this would result in another access off of Yarmouth Road which was a busy thoroughfare and therefore a safety concern.

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

#### RESOLVED:

That application number 06/16/0583/O be approved as it was accepted that the application site 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 noted that sites that come forward should commence development within two years, it was therefore recommended that the time for the

submission of reserved matters was two years from the date that the permission was issued, as opposed to the standard three years. With the inclusion of this condition and the submission of reserved matters, the application was in line with the Interim Housing Land Supply Policy (2014).

The application to 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. That permission to not be issued prior to the signing of an agreement under Section 106 for provision of infrastructure, mitigation, affordable housing, children's play equipment/space and management agreement.

## **6 APPLICATION NUMBER 06/17/0047/F 12/13 SOUTH MARKET ROAD, GREAT YARMOUTH**

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

The Senior Planning Officer reported that the property was a three storey dwelling house which was currently derelict. Part of the ground floor had been sub-divided to form a small ground floor flat. The site had, in the past, been used as a HMO, however, Environmental Health had halted this unlicensed use in 2015. The property had since been sold at auction and the new owner sought to regularise the HMO status and renovate the property to bring it up to Council standards.

The Senior Planning Officer reported that saved Policy HOU23 of the Great Yarmouth Borough Wide Local Plan (GYBWLP) was a set of criteria by which to measure the potential impact of the development. Factors to be considered were the impact upon the amenities of neighbours, the developments affect upon the character of the area and the quality of accommodation for future residents.

The Senior Planning Officer reported that the site complied with parts A,B,C,D and H of saved Policy HOU23 but was not compliant with parts E,F and G. The Planning officer reported that the proposal was recommended for refusal as it was considered contrary to Policy HOU23 of the GYBWLP as the scheme would result in harm to the amenities of neighbouring residents and would not afford future occupants adequate accommodation.

The Senior Planning Officer reported that there were no letters of objection from local residents. The Senior Planning Officer reported that the Council had a strong record on restricting the proliferation of HMO's and the central

location and requirement for significant investment into the building did not overcome the issue of impact upon neighbouring amenity.

The Senior Planning Officer reported that the application was recommended for refusal as it was considered to be contrary to Policy HOU23 of the Great Yarmouth Boroughwide Local Plan as the scheme would result in harm to the amenities of neighbouring residents, and would not afford future occupants adequate accommodation.

Mr Rodgers, applicant, reported the salient areas of the application and asked the Committee to respectfully approve the application.

A Member asked for clarification as to the room size requirements in Law and under Environmental Health regulations. The Member reported that this type of accommodation was needed in the Borough but that the development needed to have adequately sized rooms which met statutory requirements and therefore, he would have to recommend refusal of the application.

A Member asked for clarification regarding the management of the development. The applicant reported that Anchorage Trust would manage the HMO.

RESOLVED:

That application number 06/17/0047/F be refused as the application was considered to be contrary to Policy HOU23 of the Great Yarmouth Boroughwide Local Plan as the scheme would result in harm to the amenities of neighbouring residents, and would not afford future occupants adequate accommodation.

## **7 APPLICATION NUMBER 06/17/0026/0 104 CALIFORNIA ROAD, SCRATBY**

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

The Senior Planning Officer reported that the application site was situated on California Road, adjacent to the junction with Rottenstone Lane and under the Boroughwide Local Plan, it was defined as Primary Holiday Accommodation under Policy TR4. The site was not currently used for accommodation purposes, but Policy TR4 also included the loss of facilities and attractions. The proposal was also contrary to the aims of Policy CS8 which looked to strengthen the Tourism offer. However, the applicant had stated within the Design and Access Statement that the business was no longer viable. The applicant had provided accounts which show a consistent loss for the last five years and the National planning Policy Framework contained a "golden thread" which favoured sustainable development.

The Senior Planning Officer reported that the proposal site was outside the Village Development limit so was governed by Policy HOU10. However, it was considered that the submitted layout showed that 5 properties could fit onto the site and had suitable levels of parking and curtilage. The application was therefore recommended for approval subject to all conditions ensuring a suitable development.

The Senior Planning Officer reported that the Parish Council had objected to the number of properties on the site and how this would affect vehicular movements. Highways had initially recommended refusal, but following amendments, had removed objections subject to conditions.

The Senior Planning Officer reported that there had been 8 public objectors and 14 separate objections citing road could not accommodate construction vehicles, over-development, loss of holiday use, unit sizes were inappropriate, impact upon pedestrians, parking, overlooking, height of properties, unsuitable access road, vehicular visibility and impact upon the character of the area.

The Senior Planning Officer reported that the layout, scale, appearance and landscaping were also matters to be reserved, meaning the application was for the principle of development only. The plans submitted were indicative and could be changed at the detailed application stage. The impact of the proposal to the amenities of the neighbouring properties in terms of overlooking and overshadowing could be addressed at the detailed stage. The properties should be designed to not significantly and adversely affect the amenities of the neighbouring properties. The Senior Planning Officer reported that it was considered that the submitted layout showed that five properties could fit onto the site and provide suitable levels of parking and curtilage.

The Senior Planning Officer reported that the application was recommended for approval subject to conditions ensuring a suitable development.

A Member asked for clarification in regard to the installation of a footpath as suggested by Highways. The Senior Planning Officer reported that after amendments to the plan whereby the parking area was changed and a footpath added to the front of the site, Highways had withdrawn their objections subject to conditions that the access and parking was completed prior to occupation and was not obstructed, that surface water was adequately addressed and details were submitted for the pedestrian footpath.

A Member asked where did the properties finish in terms of boundary. The Senior Planning Officer reported that the scale and layout would form part of reserved matters.

Mr Drayton, objector, reported the salient areas of his objection to the application.

Parish Councillor Peck, reported that the Parish Council had unanimously objected to the proposal although they did not object to the demolition of the arcade, and he urged the Committee to refuse the application.

Councillor Reynolds, Ward Councillor, reported that the dwelling on the most westerly plot nearest to the neighbour should be single storey and re-iterated his concerns regarding visibility issues. The Solicitor, nplaw, reported that design and layout were reserved matters and the Committee should be considering the indicative plans before them and if they felt that five properties was too many then they should refuse the application. Councillor Reynolds reported that it would be better to agree outline permission with the condition that the dwelling be single storey on the most westerly plot.

The Planning Group Manager reported that it would be advantageous to add a condition for a single storey dwelling on the most westerly plot, if the Committee were minded to grant the application.

RESOLVED:

That application number 06/17/0026/O be approved, subject to all conditions to ensure a suitable development. These include, but are not limited to highway and environmental health conditions. A condition limiting the number of units and that they be single storey only. The reserved matters (access, landscaping, layout, scale and appearance) would need to be agreed at a reserved matters stage.

## **8 APPLICATION NO. 06/17/0105/F QUEENS HEAD PUBLIC HOUSE, HIGH ROAD, BURGH CASTLE**

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

The Senior Planning Officer reported that the proposal was to build a terrace of four, two-storey houses to the rear of the site with a parking/turning area at the front. The parking area would be accessed from the existing site entrance off of High Road. There will be two parking spaces per dwelling and each house will have a rear garden.

The Senior Planning officer reported that the site was outside, but adjoining, the Village Development Limit as shown on the Local Plan Policies Map, so it was a departure from the Local Plan but, as the site adjoined the Development Limit, it could be considered under the Interim Housing Land Supply Policy. Therefore, these lower cost terraced properties were considered acceptable in this location and were recommended for approval, as they complied with the aims of the Interim housing Land supply Policy and Policies CS1 and CS2 of the Great Yarmouth Local Plan:Core Strategy.

The Senior Planning Officer reported that the Parish Council had not objected to the application and no letters of objection from local neighbours had been received.

A Member asked whether the demolition order was still in force for the

application site. The Planning Group Manager reported that the Public House had been listed as a Community Asset and could not be demolished for a period of 5 years without the necessary permissions.

Mr Norse, applicant, summarised the salient areas of the application and asked the Committee to approve the application.

The Senior Planning Officer reported that the application was recommended for approval as the application complied with the aims of the Interim Housing Land Supply Policy and Policies CS1 and CS2 of the Great Yarmouth Local Plan:Core Strategy.

RESOLVED:

That application number 06/17/0105/F be approved as the proposal complied with the aims of the Interim Housing Land Supply Policy and Policies CS1 and CS2 of the Great Yarmouth Local Plan:Core Strategy.

## **9 DELEGATED PLANNING DECISIONS MADE BY DEVELOPMENT CONTROL COMMITTEE AND OFFICERS 1 - 31 MARCH 2017.**

The Committee noted the delegated planning decisions made by Officers and the Development Control Committee during March 2017.

## **10 OMBUDSMAN AND APPEAL DECISIONS**

The Committee noted the appeal decisions as reported by the Planning Group Manager.

## **11 ANY OTHER BUSINESS**

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

## **12 EXCLUSION OF PUBLIC**

The meeting ended at: 20:30