

Development Control Committee

Minutes

Wednesday, 06 March 2019 at 18:30

PRESENT:-

Councillor Hanton (in the Chair), Councillors Annison, Bird, G Carpenter, Drewitt, Fairhead, Flaxman-Taylor, Wainwright, Williamson, A Wright & B Wright.

Councillor A Grey attended as a substitute for Councillor Hammond.

Mr A Nicholls (Head of Planning & Growth), Mr D Minns (Planning Manager), Mrs G Manthorpe (Senior Planning Officer), Ms C Whatling (Monitoring Officer), Ms H Ayers (Planning Technician) & Mrs C Webb (Senior Member Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Hammond.

2 DECLARATIONS OF INTEREST

The Chairman reported that all of the Committee Members declared a personal interest in items 6 & 7 as they all knew the applicant, Councillor Hammond, as he was Ward Councillor for Yarmouth North.

3 MINUTES

The minutes of the meeting held on 6 February 2019 were confirmed.

It was noted that Councillor G Carpenter had been omitted for the attendance list.

4 PLANNING APPLICATIONS

5 APPLICATION NO 06-16-0190-F FORMER FERRYSIDE BUILDING & LAND 98 HIGH ROAD GORLESTON

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

The Senior Planning Officer reported that the original application had been submitted in June 2016 and had been amended to the current application for 34 residential dwellings and associated infrastructure. The design of the flats had been amended to provide 28 flats over three or four storeys. There was a row of six terraced properties at the High Road boundary, all to be three bedroom dwellings with two storeys and rooms in the roof space.

The Senior Planning Officer reported that there had been 15 neighbour objections received to the proposal citing density of properties too high, ignoring the design of the Conservation Officer, no removal of trees, insufficient parking, no disabled parking, no motorbike parking, the closure of Ferry Boat Lane, retention of wall, relocation of bus stop, hard standing to exacerbate drainage issues, Ferryside building to be retained and incorporated into proposal, loss of privacy, building works could damage nearby homes, homes devalued, out of character with area and street scene, massing and height out of scale with area, more modern design preferred and ground destabilisation.

The Senior Planning Officer made reference to the Emerging Local Plan Policies - Local Plan Part 2 and Paragraph 177 of the NPPF which had been amended on 19 February 2019. Consideration had been given to Local Finance considerations under Section 70(2) of the Town & Country Planning Act 1990.

The Senior Planning Officer reported that some trees would be lost as a result of the development and explained which trees were of what species and which on the site were covered by a TPO. The developer would plant five new semi-mature trees in their place and this would be conditioned.

The Senior Planning Officer reported that the application was recommended

for approval with conditions as requested.

A Member asked for confirmation of where the bin storage areas would be situated.

A Member was concerned regarding the six proposed dwellings fronting High Road as he felt that they were too close to the curtilage and were overdevelopment of the site.

Several Members raised concerns regarding the re-siting of the bus stop as the entrance to the proposed development was close to a major roundabout bringing traffic from Great Yarmouth to Gorleston High Street. The development was also sited close to Gorleston Fire Station.

Members were also concerned regarding the loss of trees on site and that some of these were covered by a TPO and should therefore not be removed.

A Member was concerned regarding the proximity of the site to the port and the noise nuisance which arose from port operations which could affect future residents of this development.

A Member remarked that the design proposal reminded him of a prison block with a concrete exercise yard in the centre and asked where the children could safely play. Another Member reported that the nearest play area was Southtown Common and would require children to cross a very busy dual carriageway which was unacceptable in safety terms.

Mr Kelf & Ms Ellis, objectors, addressed the Committee and reported their concerns regarding the proposed development and asked that the application be refused.

Councillor Williamson, Ward Councillor, reported that he welcomed the development of the site but not this application especially the proposed six dwellings along High Road which would result in a tunnel effect to the street scene. This site was very important as it was the gateway to Gorleston and needed to be developed carefully and sympathetically.

Following a vote, it was

RESOLVED:-

That application number 06/16/0190/F be refused on the grounds of no open space, loss of trees including trees covered by TPO's, no houses fronting High Road to protect green space, highways issues resulting from the development as it is in close proximity to the major roundabout leading on to the High Street, over-development of the site, impact on the Conservation Area, no children's play area and parking to be sited at rear of the site and not in the middle.

6 APPLICATION NO 06-17-0681-F FORMER FLORIDA GROUP LTD BUILDING, BELLS MARSH ROAD, GORLESTON

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

The Senior Planning Officer reported that the application had been submitted by a Member of the Council in a personal capacity and the Member had taken no part in the Council's processing of the application.

The Senior Planning Officer reported the salient points of the application detailing the differences between the current application and an application that had previously been refused on flood and drainage grounds with a recommendation for refusal from the LPA and the LLFA.

It was reported that one of the changes that have been made to this application in comparison to the application previously refused is the raising the internal habitable floor levels the development. By proposing this it is assessed as safe for the lifetime of the development. There are areas of land within the vicinity that have been subject to approvals that have or have not been built out and, taking these into account it is deemed that there are not alternative sites within an area of less risk that would be suitable for this type of development, the Senior Planning Officer reported that the sequential and exemption tests are passed.

It was reported that the access to plots 1-7 will be from Bells Marsh Road with undercroft parking and forecourt parking to the frontage. The existing garages at Bells Marsh Road will be retained and are in separate ownership to the applicant. Plots 9 – 13 will share an access with the existing industrial unit and have designated parking areas within the site. There will be a loss of parking spaces at Bells Marsh Road as noted by objections to the application, the Senior Planning Officer reported that this, in the absence of objections from the Highways Authority, was not a reason to refuse the application. It was stated that the Highways Authority had no objections to the application or the shared access between the proposed residential and existing commercial uses.

In response to the objections from the nearby properties as to the existing uses and residential in relation to noise it was reported that Environmental Health were consulted on the application and have recommended a pre commencement condition is placed on the development to ensure that appropriate noise mitigation measures are in place. It was reported that EH were satisfied the uses could co-exist subject to this condition being imposed.

It was reported that the site is located within an area designated under the Core Strategy as land allocated for employment uses. The applicant had, as part of the previous application, submitted additional information which had satisfied Strategic Planning that policy CS6 had been complied with by the marketing of the site for a period in excess of 18 months and as such had complied with this policy and there are no strategic planning objections.

It was reported that amendments to windows had been made and that the overlooking to adjacent properties was not so significant to warrant a recommendation of refusal.

It was reported that the LPA have a 2.6 year housing land supply and that the application site is located within a sustainable development and, on balance, was recommended for approval.

RESOLVED:-

That application number 06/17/0681/F be approved. The permission shall contain all conditions as requested by consulted parties and all that were deemed necessary to ensure a satisfactory form of development as being compliant with the Local Plan policies and the National Planning Policy Framework referred to together with the habitats mitigation payment of £110 per dwelling.

7 APPLICATION NO 06-18-0601-F DAMGATE LANE MARTHAM

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

The Committee received further documentation from an objector which had been approved by the Chairman and Monitoring Officer prior to the commencement of the item.

The Senior Planning Officer reported that the application had been submitted by a Member of the Council in a personal capacity and the Member had taken no part in the Council's processing of the application.

The Senior Planning Officer reported that the proposal was a full application for the erection of 3 bungalows with associated curtilage and parking on an existing vacant site located on the east side of Damgate Lane, Martham, which was a largely residential area. The site is located to the North of Martham and outside the saved development limits of the 2001 Local Plan and in the emerging Local Plan 2.

The Senior Planning Officer reported that it was accepted that the application site was outside of the village development limits and therefore contrary to the adopted Borough Wide Local Plan 2001. However, this Local Plan policy was very dated and the site had been assessed as developable and deliverable and there were no other significant objections in planning terms to the development, subject to conditions to ensure an adequate form of development and submission of reserved matters.

The Senior Planning Officer reported that the development, as proposed, would be a boost to housing supply in accordance with paragraph 59 of the NPPF and the proposal conforms with a range of other relevant Local Plan

policies as detailed in the agenda report.

The Senior Planning Officer reported that no other significant harms were identified that were judged to outweigh the benefits arising from the need for housing, given that the Appropriate assessment had confirmed that there would be no significant adverse impact on Natura 2000 sites subject to the proposed mitigation.

The Senior Planning Officer reported that Anglian Water had confirmed that there were assets on the site which belonged to them. A pre-commencement meeting would be held between all parties to discuss. The proposed development would require land drainage consent in line with the Broads Drainage Boards bye-law number 3. It was also noted that there is a electricity cable running across part of the site.

The Senior Planning Officer reported that a number of objections had been received from local residents and Martham Parish Council citing the impact on the public & visual amenities, highway concerns regarding parking issues in Damgate Lane & Staithe Road, traffic and vehicular access and potential flood risks along Damgate Lane.

The Senior Planning Officer reported that Paragraph 177 of the NPPF stated that where an appropriate assessment was required, the presumption in favour of sustainable development (the "tilted balance") did not apply. The application of Paragraph 177 meant that even though it was accepted that there was not a five year supply of deliverable housing land in the Borough, the tilted balance did not apply.

Mr Les Fearn, objector, addressed the Committee and reiterated his concerns and requested that the Committee refuse the application due to highway safety and surface water flooding concerns.

Members raised concerns regarding the height differences between one side of Damgate Lane and the other side which was approximately 2.2 metres and the effect of this on drainage from the site and highway safety. The Senior Planning officer reported that Highways had requested offsite access to the development and road widening allowing cars to pass safely to protect free vehicular movement along Damgate Lane.

RESOLVED:-

That application number 06/18/0601/F be approved subject to the conditions requested by Highways, Anglian Water, Broads Drainage Boards and the payment of a contribution of £110 per unit towards the Council's Habitats Monitoring & Mitigation Programme. The proposal complied with the aims of Policies CS2, CS3, CS9, CS11 & CS14 of the Great Yarmouth Local Plan:Core Strategy and saved Policies HOU10 and HOU16 of the Great Yarmouth Borough-wide Local Plan.

8 APPLICATION NO 06-18-0224-F 20 ELMGROVE ROAD GORLESTON

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

The Senior Planning Officer reported that the proposal would involve the demolition of the garage and a conservatory that was on the side of 20 Elmgrove Road, Gorleston and the sub-division of the site into two roughly equal sized plots. the Senior Planning officer reported that the submitted design would not have a significant adverse effect on the character of the area and the street scene.

The Senior Planning Officer reported that the application indicated that there would be one off-road parking space to the front of the proposed dwelling. The Highways officer had raised no objection to the proposal.

The Senior Planning Officer reported that 13 neighbour objections had been received to the original application and 12 objections to the revised design citing parking, type of house, building disruption, and would be out of character in the area.

The Senior Planning Officer reported that a Shadow Habitats Regulations Assessment (SHRA) had been submitted and it was the assessment of the LPA, as competent authority, that any adverse effects of the development on Natura 2000 sites could be adequately mitigated for by a contribution to the habitats Monitoring & mitigation Strategy.

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

Mrs Helen Skoyles, daughter-in-law of the applicant (deceased), addressed the Committee and asked that the Committee support the revised application.

A Member asked if there were any protected trees on the application site and voiced his concerns regarding this application as it was another example of "backland development" in the Borough.

RESOLVED:-

That application number 06/18/0224/F be approved subject to the conditions requested by Highways and the payment of a contribution of £110 towards the Council's Habitats Monitoring and Mitigation Programme. The proposal complied with the aims of Policies CS1, CS2, CS3, and CS11 of the Great Yarmouth Local Plan:Core Strategy and saved policies HOU7 and HOU17 of the Great Yarmouth Borough-wide Local Plan.

9 DELEGATED AND COMMITTEE DECISION LIST 1-28 FEBRUARY 2019

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

RESOLVED:-

That the Committee note the delegated and committee decision list for the period 1 - 28 February 2019.

10 OMBUDSMAN AND APPEAL DECISIONS

RESOLVED:-

That the Committee receive and note the appeal decision regarding application number 06/17/0485/F which was an officer delegated refusal and had been dismissed by the Planning Inspector.

11 ANY OTHER BUSINESS

A Member requested that all future agenda reports to include a site plan and accompanying proposal to assist them in their preparation for Committee.

12 EXCLUSION OF PUBLIC

The meeting ended at: 20:30