



GREAT YARMOUTH
BOROUGH COUNCIL

Development Management Committee

Minutes

Wednesday, 26 July 2023 at 18:30

PRESENT:-

Councillor M Bird (in the Chair); Councillors Annison, Boyd, Capewell, Freeman, Galer, Green, Martin, Mogford, Murray-Smith, Pilkington.

Councillor Jeal attended as substitute for Councillor T Wright.

Councillor Borg attended as substitute for Councillor B Williamson.

Mr R Parkinson (Development Manager), Mr N Harris (Principal Planning Officer) Mr R Tate (Planning Officer), Ms C Whatling (Monitoring Officer) Via Teams, Mr D Zimmerling (IT Support) & Mrs S Wintle (Democratic Services Manager).

01 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor T Wright and Williamson.

02 DECLARATIONS OF INTEREST

Councillor Pilkington declared a personal interest in item 4 in his capacity as an employee of the potential contractor for the installation of the decking/verandas that are on the caravans at the site.

Councillor Capewell declared a personal interest in item 4 in his capacity as Ward Councillor for the site location.

Councillor Annison declared a personal interest in item 4 in his capacity as Ward Councillor for the site location and advised that he would be speaking on the item as Ward Councillor and would therefore not partake in the vote or any discussion on this item.

03 MINUTES

The minutes of the meeting held on the 12 July 2023 were confirmed.

04 APPLICATION 06/23/0220/F - HOPTON HOLIDAY VILLAGE, WARREN ROAD, HOPTON ON SEA, GREAT YARMOUTH, NR31 9BW

Members received and considered the Principal Planning Officer's report which reported on a proposed redevelopment of the existing ancillary pitch and putt golf course to provide for the installation of 110 bases for the siting of static caravans with associated landscaping, drainage and utility infrastructure, access, car parking and lighting.

Members were advised of 2 updates since the publication of the report as follows :-

- SUGGESTED CONDITIONS

Minor re-wording (shown underlined below) of Condition no. 15 to provide greater clarity in terms of the details required to be submitted, as follows:

Before the installation of below ground services, details in written and drawn form of the means by which passive provision of electric vehicle charging shall be made available at each caravan base within the development shall be submitted to and approved by the local planning authority. Details shall demonstrate that the necessary underground infrastructure will be installed to allow for connection and activation of charging points at a future date as demand requires. The works shall accord to the approved scheme and be available prior to first occupation of each base and shall be retained thereafter.

- A further letter of objection had been received by Officers on the 26 July 2023 which objected to the application and followed similar objections that had been received and already reported to the meeting.

The Principal Planning Officer summarised the report and its recommendations to the Committee and highlighted in more detail through a presentation to the Committee the relevant planning policies throughout.

Members were advised that a landscaping scheme had been prepared, which integrated the new pitches within the existing Holiday Park and natural woodland features. The mature woodland boundaries around the perimeters of the site would be retained and would be enhanced through the implementation of a Woodland Management Plan.

The Principal Planning Officer reported on the Lighting proposed, which was a mix of Solar Low-Level lighting and wired streetlights. Each static caravan

pitch would have a solar Low-level light to offer both lighting for the parking and for the illumination of the number plate for the holiday maker to find the correct units they are staying in when arriving and returning on an evening. The solar lights would also offer a third purpose that they are removable to help with siting of holiday homes.

Streetlights had also been offered in key locations which would see heavier traffic to increase the lighting levels for junctions, turning heads and gaps between developments.

The Principal Planning Officer summarised the planning balance of the applications and advised that the proposal was considered acceptable in principle as there was no material conflict with local plan policy and highway impacts were within acceptable limits and did not raise any highway safety objections from statutory consultees. It was further advised that the 109 (net) new caravan pitches proposed represented a modest 10% increase in the scale of the pitch provision at the site and was well within the Caravan Site License pitch cap and finally, the economic and tourism benefits were considered to outweigh the loss of the existing pitch and putt facility which is not public open space.

Councillor Galer asked with regard to paragraph 17.3 within the report which referred to conditions that in his opinion are there to ensure caravans were only used for holiday purposes and not permanent residential use, he asked if any consideration had been given to restricting these conditions similar to other sites who have restrictions in place. The Principal Planning Officer reported that the conditions detailed within the report followed model guidance and that had been recommended by the Planning Inspectorate and therefore Officers were comfortable that the conditions were appropriate for the application.

Councillor Jeal asked if there were any Tree Preservation Orders on the site. The Principal Planning Officer reported that there were no TPO's on the site, however, conditions in relation to the landscape and woodland management were proposed and that this included protective fencing.

Councillor Pilkington asked with regard to fire safety and whether the safety certificate would be undertaken by Norfolk Fire and Rescue, Councillor Pilkington also asked if the Borough Council would receive a record of this inspection taking place. It was advised that this was not a requirement of the planning application.

Councillor Murray-Smith asked with regard to the earlier comments raised by Councillor Galer in relation to restrictions on the months of use. He asked how enforceable these conditions would be, as he felt that in his opinion this was an easy and straight forward condition to enforce. The Principal Planning Officer advised that conditions needed to be reasonable and it was felt that the conditions already included were in line with the Planning Inspectorate recommendations. Councillor Murray Smith asked if the applicant had confirmed they were satisfied with the conditions, the Principal Planning Officer advised that they had engaged with applicant and they had been satisfied with the conditions included.

Councillor Martin raised some concern with regard to the potential for increase in traffic and asked if traffic measuring had been undertaken at peak times such as checking in times, the Principal Planning Officer confirmed that traffic counting measures were completed and that the Highways Department had raised no objection

to the application.

Councillor Martin referred to paragraph 14.5 within the report and asked whether there had been any indication given as to how many existing on site caravan users travelled by other modes of transport other than car, it was advised that this figure had not been given.

Councillor Pilkington sought clarification as to when the traffic measures had been undertaken, it was confirmed that this had been completed by an automatic traffic counter.

Mr James Harris, agent addressed the Committee and advised that the applicant owned 4 parks within Great Yarmouth Borough and was therefore a significant contributor to the tourist economy. He advised that the applicant had added very few pitches at the site since 2001 and was now looking to add in these additional pitches. Mr Harris commented that the applicant had taken their time completing the application and had ensured that they had addressed and worked on any concerns that had been raised.

Members were informed that the application if successful would see the creation of around 60 new jobs and would potentially see a further £139,000 of increased funds in the area.

Mr Harris advised that the application had received no objections from the any utilities companies and the applicant had agreed to a woodland management plan as part of the application conditions.

Councillor Jeal asked if the applicant had discussed the application with the Local MP, this was confirmed.

Councillor Boyd asked with regard to the traffic measures that had been undertaken, Mr Harris confirmed that the majority of traffic movement took place between 10 and 11am on check out days, customers arriving were given time slots to arrive between 12 noon and 6pm with slots being given in 15 minute intervals. Mr Harris also confirmed that they were encouraging customers to use bikes or public transport as other methods of travel whilst staying at the park.

Councillor Galer asked whether the applicant would consider a closure order to prevent the potential for permanent residence which would be in place between January and February. Mr Harris advised that the applicant was comfortable with the conditions that had been proposed by the Principal Planning Officer and advised that the site already closed between these months. Councillor Jeal sought clarification that the park was closed during these times to everyone, this was confirmed.

Councillor Martin asked what measures had been put in place to limit traffic and whether the applicant had a figure for how many park users travelled by car or alternative means. Mr Harris confirmed that there were no specific measures in place for preventing people travelling by car, however the park had proposed a framework travel plan to be put in place to encourage the use of alternative modes of transport. Mr Harris advised that they did not hold the figures of park users cars or different modes of transport.

Councillor Pilkington asked if there were plans to employ more staff if the application was successful, this was confirmed.

Mr Tony Summersgill, caravan owner at the site and objector to the application, addressed the Committee and advised that the application proposed would dramatically impact the site and the surrounding area. He advised that the area was currently a 9 hole golf course which was currently overgrown and also saw wildlife such as deer's and users of the park cycling on the area. Mr Summersgill advised that owners at the park received no formal consultation on the proposed development other than what had been sent to all of the local community.

Mr Summersgill advised that his main concerns and reason for objecting to the application were based on the traffic movements at the site, he referred to the calculation within the report which had advised approximately 40 cars could arrive during a one hour period, he commented that in his opinion this calculation was not factually correct and had been acknowledged by the Parish Council who had witnessed 66 cars using Warren Road within a one hour period, he further advised that Mondays were a particularly busy day with queues of cars waiting to enter some of which took up to 20 minutes to enter the park. Mr Summersgill advised that the proposals had caused a lot of unhappiness with owners of the park.

Councillor Jeal asked with regard to the images of the golf green within the report which had shown this as cut grass and not overgrown as per Mr Summersgill comments advising that this area was in fact overgrown. Mr Summersgill advised that in his opinion the photos contained within the report did not demonstrate the true picture of Warren Road.

Councillor Murray-Smith asked if the photos that Mr Summersgill had referred to could be shown round to the Committee and it was advised these had not been submitted as part of the representations and therefore could not be shown as had not been included in the public documents. The Principal Planning Officer reminded the Committee that there had been no concern raised by the Highway Department with regard to traffic management.

Councillor Windsor-Luck, Hopton Parish Council addressed the Committee and advised that the Parish Council whilst the Parish Council acknowledged the amount of tourist economy that Haven brought into the Borough, they had objected to the application due to concerns raised with regard to the amount of traffic and the road infrastructure not being in place to warrant the additional cars if the proposed application was to be granted.

Councillor Windsor-Luck advised that there was only one route into Hopton with an almost blind right hand turn into Warren Road for the site, she advised that a number of concerns had been raised with regard to construction and emerging vehicles from the site and the impact this could have. Councillor Windsor-Luck commented that if the application were to be successful then consideration were should be given to the establishment of an alternative entrance route to the site.

Councillor Windsor-Luck reiterated the Parish Council's appreciation to the

tourist economy that the Haven site had brought to the Borough but it was felt that this proposal was a step too far.

Councillor Annison, Ward Councillor addressed the Committee and advised that whilst he always liked to promote business growth within the Borough he had, received numerous concerns from residents with regard to road safety and increased traffic. Councillor Annison commented that looking through the comments which had been received he found it very difficult to understand how the Highways department had raised no concern with the proposals and felt that they should be asked to attend meetings to provide reasoning to their comments.

Councillor Annison commented that he felt it would be devastating to see so many more vehicles using the roads through Hopton if the application were to be successful. Councillor Annison made reference to the proposed traffic plan that had been developed and advised that although the plan encouraged more sustainable modes of transport, he commented in his opinion people would still travel by car.

Councillor Annison referred to the NPPF which stated that developments should only be approved if they did not cause a major impact to the Highway and commented that in his opinion this application would cause a major impact and therefore consideration should be given to refusal of the application on those grounds.

Councillor Jeal agreed with Councillor Annison with regard to the need for Highways needing to attend meetings to answer questions when concerns have been raised but commented that it would be difficult to refuse an application based on traffic concerns with no objections from the Highways department.

Councillor Pilkington commented that he felt the application was a positive application which looked to provide employment opportunities within the Borough, however he noted the concerns raised by those that had objected to the application but felt the conditions that had been suggested by the Planning Officers were reasonable for the application.

Councillor Boyd commented that in his opinion there were both positives and negatives to the application, the positives being the need to keep building and encouraging the tourist economy and the negatives being the concerns around the traffic of which should continue to be monitored if the application were to be successful.

Councillor Galer proposed that condition 11 be strengthened to include the closure dates between the 7th Jan and 7th Feb to ensure that the units could not be used as permanent residence. The Principal Planning Officer advised that if the proposal was to be approved this would be contrary to national planning advice. This was also confirmed by the Monitoring Officer. Councillor Galer commented that he had hoped that this would harmonise with existing conditions on the site.

The proposed amendment to strengthen condition 11 to include dates of the 7th Jan to 7th Feb as a closure period was seconded by Councillor Murray-Smith. Following a vote this amendment was LOST.

RESOLVED :

That application 06/23/0220/F be approved subject to conditions as listed within the Planning Officers report and update sheet.

05 APPLICATION 06/22/0612/CU -128-129 NELSON ROAD CENTRAL, GREAT YARMOUTH, NR30 2JY

Members received and considered the Planning Officer's report which reported on a retrospective change of use of a first/second floor flat to a C4 House of Multiple Occupation (HMO).

Members were advised of the following updates since the publication of the report as follows, these had been included in the addendum report which had been circulated and published :-

- A number of attempts were made to gain access inside the property during the application process, including one instance where the applicant did not attend so access was not possible before this morning. To date the agent has assured the LPA that details submitted as part of the application were accurate.
- A site visit on the 26th July finally gained access inside the flat. This site visit revealed a number of issues with the application, which differ from the information submitted with the application. The changes in circumstance prevent Officers from considering the application as they had done to date.
- As a result, the Officer's recommendation has changed. Officers now recommend that the Committee REFUSE the application.
- The following problems had been identified with the application:

1. Current Use:

The site visit revealed that the description of development is inaccurate, and the property is not currently in use as a C4 HMO because only 2 people live there currently. As such, the property is not a retrospective application and currently in C3 residential use. A more accurate description instead would therefore be for the Proposed change of use of the first/second floor flat to a C4 House of Multiple Occupation (HMO), but even today the applicant's agent has stated the HMO use is active and therefore in the applicant's opinion a retrospective application.

2. Not a continuous use:

Therefore paragraph 1.3 of the committee report is no longer accurate. This also means for clarity that the proposal would not be eligible for a lawful development certificate for established use as the use can not be said to be continuous as a HMO for 10 years.

3. Inaccurate floor plans:

The submitted floor plans do not show an accurate layout because the 'communal room' is not accessible. The room labelled as 'communal living' on plan 1719/1 is being used as a bedroom. Therefore, the situation as described in paragraph 9.1 of the committee report is different in practice to that which is presented.

4. Amenity

The submitted plans do not show that the only access into the 'communal room' is through 'room 1' which the site visit revealed today. This is not considered to be acceptable and, whether this is in use as a

communal living space or as an additional bedroom, it would infringe on the privacy of residents and would create an unacceptable level of disturbance to occupiers of 'room 1'. This is contrary to Core Strategy Policy CS09 F and Local Plan Part 2 Policy A1 – contrary to paragraph 9.2 of the committee report.

v. Refuse Storage

The site visit also revealed the existing domestic waste from the flat is being disposed of within the commercial waste – not within the alley way as the application form and plans show, nor as described in paragraph 8.2 of the Committee report. Whilst planning cannot change the existing refuse storage situation for the current flat, the application process does represent an opportunity to improve the situation and ensure there is appropriate refuse storage provided in a suitable location of a suitable size for a HMO.

There is no space to store bins within the rear area of the passageway without causing an unacceptable obstruction, contrary to what is indicated on the plans. Permanent storage of bins on the pavement of Rodney Road is also not considered acceptable in terms of visual impact on the street scene – especially given the relationship with the Conservation Area opposite - and odours outside of the Colonel H Public House. This is contrary to policy H12 A which expects that *“there must be provision of adequate practical bin storage for the number of potential occupants out of sight from the street such as within the curtilage to the rear of the property, or in covered bin storage within a frontage curtilage, of a scale and of a design which maintains or improves the character and amenity of the area;”*

Members were therefore advised that following details of the above and the concerns expressed by the Planning Officer the recommendation as detailed at section 14 of the Committee report had now been amended as follows :-

Committee was now recommended to REFUSE the application for the following reasons:

1. There is inadequate space within the control of the applicant to provide the required bin storage needed for a C4 HMO to the level expected by Local Plan Part 2 Policy H12 whilst maintaining appropriate levels of amenity and safety for occupants and neighbours. The proposed location of refuse bin storage in the shared alleyway is not considered acceptable and would act as an obstacle to the rear access and to other properties which utilise the alleyway. The application is therefore contrary to Local Plan Part 2 (2021) Policy H12 A.
2. As a retrospective application the floor plans do not match the internal layout of the application site, and in practice the room labelled as 'communal living' is only accessible through the bedroom labelled 'room 1' on the plans. This would be detrimental to the amenity of occupants of room 1 and would lead to an oppressive living environment for the occupant of room 1 by virtue of offering an unacceptably minimal level of privacy and frequent disturbances. This is contrary to Core Strategy (2015) Policy CS09 F and Local Plan Part 2 (2021) Policy A1.
3. The plans submitted as part of this application have not proven to be accurate and therefore, due to a lack of detail, it is not possible to be sure that the layout is correct and the necessary standards of residential amenity can be achieved; it is not considered that using appropriate conditions would be able to rectify this.

Councillor Murray-Smith asked if the applicant had at any point advised that more people had been living at the property, it was confirmed that the applicant had advised 5 people were living at the property however it had been confirmed following the Planning Officer's site visit that there were only 2 people residing at the property.

Councillor T Wright, Ward Councillor commented to the Committee that he was pleased the recommendation had now been changed and advised that his objection had been based on a number of issues but in particular the bin storage area which was insufficient to store any refuse bins.

RESOLVED :

That application 06/22/0612/CU be REFUSED based on the reasons as detailed in the Planning Officers addendum report.

06 ANY OTHER BUSINESS

There was no other business discussed at the meeting.

The meeting ended at: 20:30