

Development Control Committee

Minutes

Wednesday, 22 May 2019 at 18:30

PRESENT:

Councillor Annison (in the Chair); Councillors Fairhead, Flaxman-Taylor, P Hammond, Lawn, Mogford, Wainwright, Williamson, A Wright & B Wright.

Councillor Candon attended as a substitute for Councillor Bird.

Councillor D Hammond attended as a substitute for Councillor Freeman.

Mr A Nicholls (Head of Planning & Growth), Mr D Minns (Planning Manager), Mrs G Manthorpe (Senior Planning Officer), Mr J Beck (Planning Officer), Miss J Smith (Technical Officer), Ms C Whatling (Monitoring Officer) & Mrs C Webb (Executive Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bird, Freeman & Myers.

2 DECLARATIONS OF INTEREST

Councillor Mogford declared a personal interest in item 5 as a Ward Councillor & item 7 as a Parish Councillor. However, in accordance with the Council's constitution, Councillor Mogford was allowed to speak on item 5 as a Ward Councillor unable to vote on item, 5 but was allowed to both speak and vote on item 7.

Councillor Williamson declared a personal interest in item 7, as he was the Chairman of the Great Yarmouth Preservation Trust. However, in line with the Council's Constitution, he was allowed to both speak and vote on the matter.

Councillors D & P Hammond declared a disclosable pecuniary interest in item 8 as they resided in the neighbouring property and in accordance with the Council's constitution, left the meeting whilst the item was determined.

3 MINUTES

The minutes of the meeting held on 3 April 2019 were confirmed.

4 PLANNING APPLICATIONS

5 06-18-0315-0 HALL VIEW MARTHAM ROAD ROLLESBY (LAND TO REAR OF)

The Committee received & considered the report from the Planning Manager with regard to the development of the site for up to 13 dwellings with proposed means of vehicular access.

The Senior Planning Officer reported that the application is an outline application with access only forming part of the current application and should the outline application be approved, the appearance, scale, layout & landscaping shall be decided under a separate application.

The Senior Planning Officer reported that the site comprised of 0.6 hectares of land located to the north of Rollesby. The site was to the east side of Martham Road, to the south of the site were residential dwellings addressed as Bittern Road, the west of the site was the rear garden of a residential property and there were open fields to the north of the site. The site was currently grassed paddock and garden land and there was no planning history for the site.

The Senior Planning Officer reported that the Parish Council had submitted a detailed objection to the application. There had been 50 neighbour objections to the application citing bat disturbance, noise, loss of views, insufficient

highways access, speeding occurs, land for footpath not within highways or applicants control, restrictive covenant on site, loss of value to existing properties, pavement would spoil character, electricity supply struggles to cope, detrimental to character of the village, the SHLAA marks the land as not currently developable, there has been a serious accident on the road already, poor quality plans on website, loss of light to existing dwellings, insufficient drainage information submitted, no street lighting should be erected, public documents not displayed correctly, pond not to be disrupted, application should not be considered, no evidence that moving the speed sign will reduce the speed that people drive, insufficient information submitted and two-storey dwellings will cause overlooking and be out of character.

The Senior Planning Officer reported that Highways, following amendments to the application and clarification on offsite works which are required by Highways, that Highways do not object to the application. The Arboricultural Officer had reported that none of the trees on site were worthy of retention but the rear eastern hedge was worthy of retention for screening and some amenity value.

The Senior Planning Officer reported that the application had been submitted in June 2018 and the Highways & Habitat Regulation Assessment being the main reason for the delay to the application being heard by Committee. The Senior Planning Officer reported that confirmation had been received from Highways stating that the land was in their ownership which the offsite improvements were proposed on.

The Senior Planning Officer reported that local residents had commissioned their own traffic survey as they did not agree with the findings of the traffic survey undertaken by the Highways Authority.

The Senior Planning Officer reported that it had been discussed whether the demolition of the donor dwelling would result in a more attractive access to the development. The applicant had not agreed to this but to provide an adequate form of development and to protect the donor dwelling a 1.8 m brick wall would be required to be erected at the boundary to the hall View dwelling and the footpath/road that will serve the new development.

The Senior planning Officer reported that an important factor when determining applications is whether a Local Authority had the ability to demonstrate a five year housing land supply. There is currently a housing land supply of 2.55 years, although this did not mean that all residential developments have to be approved, the presumption in favour of sustainable development must be applied.

The Senior Planning Officer reported that the application complied with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

The Senior Planning Officer reported that the application was recommended for approval subject to conditions to ensure an adequate form of development

including those requested by consultees and a s106 agreement securing Local Authority requirements of children's recreation, public open space, affordable housing and Natura 2000 payment. The proposal complied with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

A Member asked how far Rollesby had progressed their Neighbourhood Plan. The Senior Planning Officer reported that they had not progressed far enough to carry any weight.

Mrs Feltham-Daniels, objector, reported the salient areas of the objectors concerns and asked the Committee to refuse the application.

Councillor Mogford, Ward Councillor, reported the concerns of his constituents to the Committee and asked the Committee to refuse the application. The Monitoring Officer reminded Councillor Mogford that he was not entitled to take part in any ensuing debate or vote on the matter.

Councillor Wainwright reported that he could find no reason to refuse the application and recommended approval. This was seconded by Councillor Williamson and following a vote:-

It was RESOLVED:-

That application number 06/18/0315/O be approved subject to conditions to ensure an adequate form of development including those requested by consultees and a s106 agreement securing Local Authority requirements of children's recreation, public open space, affordable housing and Natura 2000 payment. The proposal complied with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

6 06-18-0717-O BEECH HOUSE MAIN ROAD FLEGGBURGH

The Committee received & considered the report from the Planning Manager with regard to the residential development to provide 4 plots for detached houses and garages.

The Senior Planning Officer reported that the application was an outline application with appearance only as a reserved matter. The current application will therefore include determination of layout, access, scale and landscaping. The layout provided four houses accessed from a private drive to a central point off the northern boundary of the site. The layout provided garages for each dwelling with plots three and four shown a detached garages and plots one and two with attached garages. The application had provided a turning circle within the site and car parking and turning to each dwelling. The layout of the dwellings is a continuation of the existing dwellings to the east and as such continued the linear progression of the village.

The Senior Planning Officer reported that the Parish Council supported this application whilst noting concern regarding access onto the road and there had been two objections from neighbours citing the entrance road is on a blind corner, this application could open the flood gates for other applications, speeding along this section of road, previous application (06/06/0683/O) had been refused, overlooking and residents on Pound Lane were not notified of the application.

The Senior Planning Officer reported that the Arboricultural Officer reported that the trees were currently being reviewed and those that were deemed worthy shall be protected by a TPO. The Senior Planning Officer reported that they had no objection to the application apart from conditions requested to limit the hours of operation. The applicant was advised to note the recommendation relating to suppressing dust.

The Senior Planning Officer reported that although appearance was not applied for at this stage, it would be the goal of the Local Planning Authority to seek for a high quality design in this location. One of the objections was that the notifications were not correctly carried out. The application was advertised by way of site notice erected at the application site and neighbours which adjoined the site were also written to. Adequate notifications of the application was carried out in excess of statutory requirements.

The Senior Planning Officer reported that an important factor when determining applications was whether a Local Authority had the ability to demonstrate a five year housing land supply and we currently had a land supply of 2.55 years, therefore, the presumption in favour of sustainable development must be applied. The Senior Planning Officer reported that the development limits as proposed by the emerging Local Plan part Two could not be afforded significant weight as there were outstanding objections. Although only very limited weight could be applied at this stage of the document, the objections reduced the weight further.

The Senior Planning Officer reported that the application complied with policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Local Plan:Core Strategy.

The Senior Planning Officer confirmed that the Shadow HRA submitted by the applicant had been assessed as being suitable for the Borough Council as competent authority to use as the HRA record, in accordance with the Conservation of Habitats and Species Regulations 2017. Following the completion of the shadow HRA, the applicant had paid the appropriate mitigation of £110 per dwelling, totalling £440.

The Senior Planning Officer reported that the application was recommended for approval subject to the conditions to ensure an adequate form of development including those requested by consultees.

Councillor Wainwright recommended the application for approval and this was seconded by Councillor P Hammond.

RESOLVED:

That application number 06/18/0717/O be approved subject to the conditions to ensure an adequate form of development including those requested by consultees. The application complied with policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Local Plan:Core Strategy.

7 06-18-0370-F THE OLD VICARAGE THE STREET HEMSBY

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

The Planning Officer reported that this application was for the erection of a new chalet bungalow within the grounds of The Old Vicarage, Hemsby. The plot is to the east of the existing dwelling on an area of land currently utilised for driveway/parking purposes. The proposed dwelling will utilise the existing access and a new parking/turning area will be installed for the existing dwelling. The detached garage to serve the existing property which was shown on the original submitted plans had been removed from the latest revisions. The site is within the Hemsby Conservation Area (no 7).

The Planning Officer reported that the proposed property had been reduced in height to 5.8 m at its highest ridge height and a footprint of approximately 106 sq m. Whilst it was recognised that the footprint had not significantly reduced, the height had resulting in a more subservient character.

The Planning Officer reminded the Committee that the local planning authority must have regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Councillor Fairhead asked for clarification regarding surface water conditions required at the proposed site. Councillor B Wright asked for an assurance that all trees covered by a TPO would be retained on the site.

Mr Dixon, applicant's agent, reported that they were happy with the suggested conditions and appreciated the help of the planning team over the last 12 months which had resulted in this application and asked that the Committee approve the application.

Councillor Williamson moved that the proposal be approved as the Conservation Officer had not objected to the proposal. The application was seconded by Councillor Wainwright.

RESOLVED:-

That application number 06/18/0683/F be approved, subject to all conditions ensuring a suitable development. The full conditions recommended by the Highway Department, landscaping condition, surface water condition, materials, construction times, details of a bat box, removal of extension rights and relevant obscure glazing.

**8 06-18-0716-O WEST ROAD WEST END (THE STABLES PADDOCK FARM)
WEST CAISTER**

Councillor D & P Hammond left the meeting during the determination of this item.

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

The Senior Planning Officer reported that this application was submitted in outline form with all matters reserved for the erection of a four bedroom bungalow with double garages and access through the existing access. The site was outside of the development boundary, however, the scale of the development was appropriate to the size, character and role of the settlement of West Caister and accorded with the level of housing proposed in emerging policy CS". The distance between the proposed dwelling and its closest neighbour, Westaylee, was deemed sufficient at 5 m, with the access through an existing access point which faces Back Lane.

The Senior Planning Officer reported that the applicant had paid the £110 contribution required by the local authority for the Habitats Monitoring & Mitigation Strategy. The Council only had a land supply of 2.55 years and this must be considered as a factor by the Committee during the determination of the application.

The Senior Planning Officer reported that the application complied with Policies CS1, CS2, CS11 and HOU7 of the Great Yarmouth Local Plan:Core Strategy and was recommended for approval.

Councillor Wainwright recommended that the application be approved as taking the Planning Officers advice and the lack of a five year land supply it would be difficult to justify refusal of the application. Councillor Lawn seconded the motion.

RESOLVED:

That application number 06/18/0716/O be approved as it complied with Policies CS1, CS2, CS11 and HOU7 of the Great Yarmouth Local Plan:Core Strategy and the Interim Housing Supply Policy and subject to conditions requested by The Norfolk County Highway Authority and GYBC Environmental Heath.

9 PLANNING APPLICATIONS CLEARED BETWEEN 28 MARCH & 30 APRIL 2019 BY PLANNING MANAGER UNDER DELEGATED POWERS AND BY COMMITTEE.

The Committee received and noted the planning applications cleared by the Planning Manager & Development Control Committee between 28 March and 30 April 2019.

10 OMBUDSMAN AND APPEAL DECISIONS

The Planning Manager reported that there were no ombudsman or appeal decisions to report to Committee.

11 ANY OTHER BUSINESS

The Head of Planning & Growth reported that a further planning training session would be organised as it was essential that all members who sat on Development Control or who wished to act as a substitute member receive training.

12 EXCLUSION OF PUBLIC

The meeting ended at: 20:05