

Development Control Committee

Minutes

Wednesday, 14 October 2020 at 16:00

PRESENT:-

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

Councillor Plant attended as a substitute for Councillor Bird.

Mr D Glason (Director of Planning & Growth), Mr D Minns (Planning Manager), Mr C Green (Planning Officer), Mr R Tate (Planning Officer), Ms C Whatling (Monitoring Officer) & Mrs S Wintle (Corporate Services Manager).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bird & Myers.

2 DECLARATIONS OF INTEREST

Councillor Annison declared a personal interest in item 5 as he was a Parish

Councillor on Hopton Parish Council.

Councillor Freeman declared a personal interest in item 4 as he was Ward Councillor for Ormesby and a Parish Councillor on Ormesby Parish Council.

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

3 MINUTES

The minutes of the meeting of 16 September 2020 were agreed on assent.

4 APPLICATION 06-20-0313-F - LAND OFF SCRATBY ROAD, SCRATBY, GREAT YARMOUTH

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

The Planning Officer reported that this site was currently an open field of 3.11 hectares and owned by Pages Farm. It was classified as Grade 1 agricultural land. This was within the Habitat Regulations Assessment zone within 2.5 to 5km of a habitat of significance. The landscape character assessment places the land within the G3: Ormesby and Filby Settled Farmland.

The Planning Officer reported that Scratby has a physical limit line running along Beach Road around 50m to the north of this site and there have been recent permissions on land outside the physical limits at the junction of Scratby Road with Beach Road and to back land immediately north of this site also in the ownership of the local farmer, as was this site.

The Planning Officer reported that along Beach Road was the subsidiary settlement of California to the east, this is classified as an area of prime holiday accommodation. Scratby Road is speed restricted to 40 mph and Beach Road is now 30mph restricted. The Village Hall and local shops were within 200m of the proposed site.

The Planning Officer reported that there was a footpath north of the site listed as Ormesby and Scratby FP1, this was unlit across fields a circuitous of 1.2km to the edge of the Ormesby Village. To the south of the site and opposite it, was an unnamed, single track, metalled highway with a 30mph speed limit, unlit and without footway, which debouches onto Station Road, Ormesby at a point beyond lighting and footways. The distance from the proposal site to the start of the footway on Station Road was 500m.

The Planning Officer reported that the proposal was for 67 dwellings, comprising 28 bungalows and 39 houses, including a 20% (as submitted with an offer to increase this to 25%) level of affordable housing (6 no. shared

equity dwellings and 7 no. affordable rented dwellings). The single storey dwellings were fringing the Scratby Road with the higher dwellings to the rear.

The Planning Officer reported that the application included the following information:

Topographical Survey Site Layout Plan House and garage plans/elevations,
Tree Survey/Arboricultural Method Statement Landscaping Details
Ecological Report
Shadow HRA
Design & Access Statement/Planning Statement (incl. Statement of
Community Involvement)
Landscape Assessment Site Investigation/Contamination Risk Assessment
Transport Statement (incl. Safety Audit) Off Site Highway Improvements
Flood Risk Assessment and Drainage Strategy Utility Assessment.

The Planning Officer reported that application reference 06/18/0475/O was approved in principle at Committee for 19 dwellings on the northern part of this site. The section 106 agreement required before issue had not been completed and the decision had not been issued. This site would have probably provided 4 affordable homes, though numbers are not expressly mentioned in the Committee report, just that 20% would be affordable.

The Planning Officer reported that the Parish Council were concerned regarding safe access from the highway when the the site was “pick your own” fruit business generating high volumes of traffic in the summer. The current 40 mph was too high, and vehicles exceeded this and the majority of vehicles drive at speeds in excess of this speed restriction. The developer had offered to work towards a traffic regulation orders and physical changes along the road to achieve a significant reduction in speed. The Parish Council had requested a 30 mph speed limit on Scratby Road with appropriate speed reduction measures.

The Planning Officer reported that a substantial number of neighbours and residents of the village had objected and these were summarised on pages 15 & 16 of the agenda report.

The Planning Officer reported that Norfolk County Highways had commented as follows:

Highways – comment regarding the short-term character of the pick your own use and regards the proposed use as more intensive on that basis.

The routes to school and Ormesby generally are not analysed and their suitability not characterised, and mitigation proposed and the villages of Scratby and Ormesby St Margaret are separate entities. Adequate vision needs to be identified at the proposed off-site pedestrian crossing and by survey on the Scratby Road access.

Some of the offsite improvements offered may not be deliverable as a result of space constraint or legal impediment. There are matters of detail within the submitted layout that would need to be altered.

The Planning Officer reported that comments had now been received from Environmental Health who had raised no objections subject to conditions if the application was approved, although they did highlight that a noise survey had not been submitted as part of the application.

The Planning Officer reported that the proposal was contrary the adopted development plan. At present the Council was unable to demonstrate a 5-year supply of deliverable housing sites. Footnote 7, of the NPPF, stated that this triggers the tilted balance as stated in Paragraph 11(d) of the NPPF. The lack of five-year supply should weigh heavily in favour of the application unless any adverse impacts of doing so would significantly and demonstrably outweigh benefits when assessed against the policies in the Framework taken as a whole.

The site was not considered to be in a sufficiently sustainable location to accommodate the scale of development proposed. The development would also result in loss of best and most versatile agricultural land, harm to the landscape and poor design quality, contrary to local and national planning policies.

Additionally, the weight to be given to the lack of a five-year supply and the tilted balance should be reduced given that the Council should soon be in a position to demonstrate a robust five-year supply and that the existing housing target is out-of-date.

Whilst the development would provide benefits in terms of providing new homes, including affordable homes, together with new open space and traffic calming, these benefits were not considered sufficient to outweigh the harm caused by the fact that the proposal is contrary to numerous policies of the Development Plan and the fact that it does not represent sustainable development in line with the National Planning Policy Framework.

The Planning Officer reported that the key points were as follows:

- Policy & location 5 year HLS
- Existing pattern of development
- Landscape impact
- Routes to school
- Offer of highway improvements - speed limit reduction/footways/crossing point
- Offer of enhanced Affordable Homes contribution of 25%.

The Planning Officer reported that the application was recommended for refusal for the following reasons:

Refuse as contrary to policies HOU10, CS1 and CS2 and NPPF as being outside the development limits and unsustainable location for scale of development, notwithstanding the “tilted balance” where the numerical assumptions underlying this apparent shortfall are considered out of date. The proposal is also contrary to CS11, CS12 and NPPF as it harms the

qualities identified for this area in the Landscape Character Assessment and uses Grade 1 (best and most versatile) agricultural land.

The proposal is contrary to policy CS9 and NPPF on design in that it shortfalls in places on amenity and fails to create distinctiveness, legibility and connectivity within the scheme.

Councillor A Wright reported that he would support the recommendation for refusal as he was concerned, once again, regarding the loss of Grade 1 agricultural land.

Councillor Hammond asked for clarification, if the Committee refused this application, would the approval still stand for the homes to the north of the application site. The Planning Officer reported that it would but the s106 agreement was still outstanding so no notice of planning approval had been issued yet.

Councillor Wainwright asked for clarification regarding whether the Council did or did not have a 5 year HLS at this time. The Planning Manager explained the current HLS situation to the Committee.

Mr Alan Presley, applicant's agent, addressed the Committee and reported the salient areas of the application which would result in a good quality development supplying much needed homes in the northern parishes and urged the Committee to approve the application.

Mr Terry Harper, joint agent, reported that the development had been designed in a way to give a village entrance feeling and an offer of £25k funding had been made to the Parish Council for traffic calming measures and he asked the Committee to approve the application.

Councillor Wainwright raised the Parish Council's concerns that local schoolchildren would be expected to walk to school along an unlit road with no footpath. Mr Harper reported that, in his experience, the majority of school children traveled to school by car.

Councillor Freeman highlighted the concerns of local residents regarding the overall speed along the main access road. Mr Harper reminded the Committee of the promised £25k funding for traffic calming measures which could be conditioned as part of the s106 heads of terms agreement, if the Committee so wished.

Councillor Hammond suggested that the planning officers should be given more time to review the application and that the application should be deferred. Mr Harper asked that the Committee reach a decision tonight but that it be subject to further highway consultations.

Mr Holly, objector, addressed the Committee and informed them that the majority of residents had not been notified of the application by the Parish Council and that they had found out via Facebook only two days ago, which did not give them much time to mount an objection. He urged the Committee

to keep villages as villages and to refuse the application.

Councillor Scott-Greenard, Ward Councillor, reported that he had discussed the merits of the application with the planning manager today which had been most helpful as he was now satisfied with the content of the agenda report. He was unhappy concerned that the Borough did not have any shared equity properties available at the present time.

Councillor Freeman, Parish & Ward Councillor, reiterated the concerns of the Parish Council and local residents to the application and the required traffic calming measures/highways improvements/traffic regulation order to be conditioned, if the application was approved.

Councillor Wainwright reported that he agreed that shared equity properties were badly needed in the northern parishes and that further highways/traffic calming measures would be required if the application was approved. On balance, he was therefore minded to propose approval with the condition of further highways improvements.

Councillor Williamson reported that he disagreed with Councillor Wainwright and supported the officer recommendation of refusal as, on balance, the development would result in an intrusion into open countryside/landscape and there would be no uninterrupted view across to the coastline.

Councillor Hammond reported that he felt torn, but on balance, he would support approval if highways improvements could be conditioned.

The Corporate Services Manager asked for a proposer for approval of the application. Councillor Hammond proposed that the application be approved subject to a condition requiring the highways improvements/traffic calming measures requested by the Parish Council. This was seconded by Councillor Wainwright.

The motion for approval was put to the vote, but was unsuccessful, and the motion fell.

The Planning Manager reported that it might be prudent for the Committee to defer the application to allow officers time to investigate the highways improvements which had been offered by the applicant, as they might not be deliverable.

Councillor Williamson agreed with the Planning Manager as £25k would not fund vast highways improvements.

Councillor Wainwright was unhappy with the proposal of yet another deferral, as this seemed to be a reoccurring theme at this Committee, which was frustrating for all parties concerned.

Councillor Freeman asked for clarification regarding wording in paragraph 5.12 of the report - legal impediment. The Planning Manager explained the

meaning of the phrase to the Committee.

The Planning Manager reported that officers had wanted to explore the application further with Highways before bringing the application to Committee but he had been asked by the applicant to bring the application forward to this evening.

The Monitoring Officer reported that the Committee should now vote on Councillor Hammond's proposal for deferral which had been seconded by Councillor Flaxman-Taylor.

This motion was put to the vote and was successful.

RESOLVED:-

That application number 06/20/0313/F be deferred.

5 APPLICATION 06-19-0697-D- LOWESTOFT ROAD (LAND EAST OF) HOPTON

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

The Planning Officer reported that the site had been approved in outline, so this was a reserved matters application considering only those matters reserved. It had been referred to Committee because Environmental health had objected to the application but officers considered that there were means to address their objections and that the material balance of delivering homes in this sustainable location, outweighed those concerns.

The Planning Officer reported the concerns of Hopton Parish Council and local residents which were detailed on page 30 of the agenda report.

The Planning Officer reported that the key points of the application were as follows:

- Noise - mentioned as an issue at site selection and at outline application. Remediation possible.
- Air Quality - not an issue in site selection - no indication of issue with regard to Environment Agency mapping system. Air Quality report prepared using assumptions, but accepted by EHO.
- Design - improvements of materials conditioned, not dissimilar to scheme to north of application site. Improvement of spine.

The Planning Officer reported that the application was recommended for approval with conditions as set out on page 37 of the agenda report and those reported at the meeting.

The Chairman asked if it would be possible to add two conditions if the

application was approved; that all trees & hedging, other than those necessary to be removed for the provision of the visibility splay into the site, to be retained and that a pedestrian crossing be provided outside of the site with the developers being asked to contribute to the crossing provision by way of s106 provision.

The Planning Officer reported that all trees would be mapped on the site and that this could be conditioned. However, the provision of a pedestrian crossing had not been raised by NCC. The Planning Manager reported that the principle of this development had been accepted and the s106 agreed and therefore, a pedestrian crossing could not be included at this stage in the proceedings.

Councillor A Wright was unhappy that the application site, was once again agricultural land. He also asked for reassurance that the planting scheme would be adhered to by the developers. The Planning Manager reported that the retained trees and hedging would be protected for a 5 year period.

Councillor Williamson asked if the development would have any green investment, such as solar panels or heating via air source heat pumps. The Planning Officer reported that no solar reduction had been offered as part of the scheme but that it met current building regulation standards.

Councillor Wainwright asked how close the nearest dwelling was to the A47. The Planning Officer suggested it would be at least 20-25m away. Councillor Wainwright proposed that the application be approved.

Councillor Hammond raised concerns regarding Longfellows Lane which was very narrow and had no passing places and would not support further planting. The Planning Officer reported that there would be no further planting at the southern boundary of the site.

Ms Nicole Perryman, applicant's agent, reiterated the salient areas of the application to the Committee and asked them to approve the application.

Mr Chris Ward, Chairman, Hopton Parish Council, reiterated the concerns of the Parish Council to the application and that a pedestrian crossing was badly needed at the site to ensure pedestrian safety, particularly children. The Parish Council also had concerns regarding contaminated land and the welfare of horses who were stabled on farmland situated at the south western corner site boundary.

The Chairman requested that the Planning Manager ensure that the proper contaminated land surveys were undertaken to alleviate the concerns of the Parish Council. The Planning Manager reported that this was conditioned at the outline approval.

Councillor Williamson seconded the proposal from Councillor Wainwright to approve the application.

Following a vote, it was RESOLVED:-

That application number 06/19/0697/D be approved with conditions for suds basin signage and enclosure, and risk assessment. A condition to require the planting scheme to be implemented to a timetable and for maintenance to accord with the Green infrastructure Management Plan, received 17 April 2020. A condition for passive provision of electric vehicle charging in the common parking areas. A condition to secure water consumption management in line with emergent policy. To remove permitted rights for roof extensions and windows in roofs.. Further details of material are required before works proceed beyond foundations.

Timing & compliance standard conditions. Special conditions to require enhanced energy and low thermal gain measures for properties and window openings in Red Zone for night time noise. Recreation walking routes to be confirmed. Details of sub-station enclosure, location and elevations to be agreed prior to installation.

6 APPLICATION 06-19-0694-F - SEALIFE CENTRE, MARINE PARADE, GREAT YARMOUTH

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

The Planning Officer reported that the proposal was for 3 kiosk units to the frontage of the Sealife Centre under use class A1 (since September 1 use class E) and the facade would be incorporated within the existing Sealife Centre frontage. The design & appearance of the kiosks were considered sympathetic to the wider conservation area.

The Planning Officer reported that an objection had been received as part of the public consultation exercise which referenced a proliferation of ice cream kiosks and food sales premises along the Sea Front, however, as this application did not include A5 use, it would not provide hot food and drink takeaways. The Planning Officer read the letter of objection which had been received in its entirety to the Committee.

The Planning Officer reported that as the application had been deferred at the last meeting, a new site notice had been posted and the Beach House Cafe was consulted, for a period of 10 days. No further consultation responses have been received.

The Planning Officer reported that the application was recommended for approval subject to a condition regarding the shutters.

Councillor A Wright, Ward Councillor, reported that the Council should support the Sealife Centre which was an important 12 month visitor attraction in the Borough and that these kiosks would help to generate additional, much needed revenue for the business in these difficult, harsh economic times.

Councillor Wainwright agreed whole-heartedly with Councillor A Wright's sentiments and moved the recommendation for approval. This was seconded by Councillor Williamson.

RESOLVED:-

That application number 06/19/0694/F be approved subject to condition that the finish of the shutters is to be agreed prior to the commencement of the development.

7 DELEGATED DECISIONS MADE BETWEEN 1 SEPTEMBER AND 30 SEPTEMBER 2020

The Committee received, considered and noted the delegated decisions made by delegated officer decision and by the Development Control Committee between 1 and 30 September 2020.

8 ANY OTHER BUSINESS

The Chairman reported that there was no other business being of sufficient urgency to warrant consideration at the meeting.

The meeting ended at: 18:00