

Development Control Committee

Minutes

Tuesday, 18 March 2014 at 18:30

PRESENT:

Councillor Castle (Chair), Councillors Blyth, Collins, Cunniffe, Fairhead, Holmes, Marsden, Reynolds, Shrimplin, D Thompson.

Mr D Minns (Group Manager Planning), Mrs E Helsdon (Technical Officer), Ms G Manthorpe (Senior Planning Officer), Mrs C Webb (PA to CEO).

1 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Field.

2 MINUTES

The minutes of the meeting held on 25th February 2014 were confirmed.

3 PLANNING APPLICATIONS

(a) APPLICATION NO - 06-13-0685-F - HOPTON BEACH

The Group Manager Planning reported that this was a full planning application accompanied by an environmental statement to construct a Coastal Protection Scheme at Hopton on Sea. Emergency works have been and continue to be installed to protect the base of the cliff. The proposed scheme would provide for long term protection of the cliffs and the holiday village. The severe coastal erosion experienced at the site is of concern on a number of levels, including degradation of the coast recreational and visual attractiveness, safety of beach users and of guests of Hopton Holiday Village, severance of beach access, economic impact to local businesses in an area largely dependent on tourism and long term concerns over the threat to the village itself and associated infrastructure. The Group Manager Planning reported that the scheme would be entirely financed by the applicant who were the owners of the holiday village.

The Coastal Manager took the committee through the salient areas of the application.

Ten rock groynes would be constructed and tied into the linear rock revetment to form a single structure with pedestrian access provided at the junctions. The groynes would be spaced at 100 metre intervals and would be 50 metres in length, jutting out into the North Sea from the base of the revetment. It was anticipated that the scheme would have a service life of 20 years.

The Group Manager Planning reported that a monitoring system needed to be included as a condition of the application determination. Any deleterious effect on both the Great Yarmouth Borough Council and Waveney District Councils coastal frontage and/or defences and Port, as a result of the proposed scheme, which was identified from the monitoring, would then need to be rectified at the applicants expense.

The Group Manager Planning reported that 43 letters of support had been received, together with 4 letters raising objection to the proposal. He also reported that a further representation had been received from Great Yarmouth Port Company Ltd regarding the committee report and its recommendations.

Lenny Gent, Chairman of Hopton Parish Council reported that the Parish Council had no objections to the planning application, and gave its full support to the proposals.

Councillor Hilary Wainwright, Ward Councillor reported that she fully supported the application and was pleased that the Borough Council had worked closely with Bourne Leisure and the Hopton Coastal Action Group on this proposal.

A Member reported that it was scandalous that a private company had to undertake the necessary coastal protection and that a better government funding scheme for coastal erosion needed to be introduced as a matter of urgency.

Members recognised that this proposal would help the sustainability of the Bourne Leisure site, provide stability to the remaining defense structures and help alleviate the concerns of the local community. The Group Manager Planning reported that the application for coastal works was recommended for approval with the proviso of an agreed Monitoring Report incorporating trigger points and timescales for action, standard time conditions and a highway condition.

Resolved: That application number 06-13-0685-F be approved subject to the condition outlined in the report.

(b) APPLICATION NO 06-13-0744-F - LAND OFF JONES (GC) WAY - MARSTONS INN

The Group Manager Planning reported that this application had been submitted in two parts. A full application for the public house/restaurant which was to be sited towards the southern end of the site near the roundabout on Pasteur Road and the access road, and an application for a coffee drive through restaurant which would be sited at the northern end near to the Tesco roundabout. The site involved in the application was an area of land between Jones (GC) Way and the A12 to the south of the Tesco store, the access would be from Jones (GC) Way using the existing spare road entry which was currently shut off with concrete blocks. The Group Manager Planning reported that he had received no public responses in objection to the scheme. The Group Manager Planning reported that the Environment Agency required an acceptable Flood Risk Assessment. Further talks would also be required to enable the Waveney, Lower Yare and Lothingland Internal Drainage Board to approve the

scheme. The Group Manager Planning reported that the pub/restaurant would create between 50-60 jobs with 20 full time and the remaining part-time employment. The application included a sequential test, which looked at alternative sites and premises and the conclusion was that there were no suitable alternatives available within the town center or edge of center areas. The application also included an Ecological Assessment Report, which looks at the possible presence of protected species on the site. The report concluded that the site offered little habitat of value to wildlife except for the land drains which provided the potential habitat for water voles. The report goes on to recommend that appropriate mitigation measures should be undertaken to prevent any potential harm to water voles.

The Group Manager Planning reported that in conclusion it was considered that although the proposal might be considered to not comply with Policy EMP10 of the Borough Wide Local Plan it did conform with the aims of the NPPF and emerging policies CS6 and CS7. It was an existing employment site and the proposals would generate employment for people in the local area. The recommendation was for approval subject to the resolution of the drainage issues to the satisfaction of the Environment Agency and the Internal Drainage Board.

Mr Trew, Applicants Agent reported the salient part of the application and assured the committee that an acceptable drainage design would be achieved with the Environment Agency and the Internal Drainage Board.

Councillor Linden, Ward Councillor reported that she welcomed the proposal and the improvement it would make to the visual appeal to one of the main gateways to Great Yarmouth. However she had concerns regarding vehicular access as the access to the site was nearby to a very busy roundabout where in the summer season there were often long queues of traffic. She welcomed the prospect for local jobs for the residents of Southtown and Cobholm.

Councillor Holmes, Ward Councillor also welcomed the proposal and the much needed prospect of employment for local residents.

Resolved: That application number 06-13-0744-F be approved subject to satisfying the Environment Agencies concerns regarding flood risk and drainage.

(c) APPLICATION NO 06-14-0021-F - FRANKIE AND BENNY

The Group Manager Planning reported that the proposal was for full planning permission for a restaurant, servicing, car and cycle parking, landscaping and associated works. The proposed restaurant would be sited towards the southern end of the site, close to the junction between Jones (GC) Way and the new access. The car park and servicing area would be to the north of the building. The restaurant building would be for Frankie and Bennys who were a national brand with over 200 restaurants throughout the United Kingdom. The building would be a single storey building with a shallow mono pitched roof and would follow the standard design guidelines of the brand. The usual opening hours of the restaurant were between 9am and 11pm, offering a breakfast, lunchtime and evening menu. The application included a sequential assessment which looked at alternative sites and premises and the conclusion was that there were no suitable alternatives available within the town center or out of center areas.

The Group Manager Planning reported that the only outstanding matter to be resolved with this application was the surface water drainage from the site. In their

response, the Environment Agency stated that they would have no objection providing the Internal Drainage Board confirmed that the proposed run off rates would not increase flood risk elsewhere. The Group Manager Planning reported that it as considered that although the proposal might be considered to not comply with Policy EMP10 of the Borough Wide Local Plan, it did confirm with the aims of the NPPF and emerging policies CS6 and CS7. It was an existing employment site and the proposals would generate employment for people in the local area. The recommendation was to approve subject to the resolution to the drainage issues to the satisfaction of the Environment Agency and the Internal Drainage Board.

Mr Wheeler, Applicants Agent took the Committee through the salient areas of the application.

Councillor Linden, Ward Councillor reported that she welcomed the proposal but again had highways concerns due to the access from the busy adjacent road network. She was also concerned regarding the provision of paving as local pedestrians needed safe pedestrian access and unobscured views at pedestrian crossings.

Councillor Homes, Ward Councillor reported that he also welcomed the application, but he requested that the applicant consider the installation of safe pedestrian pavement access from the bypass to the Cobholm and Lichfield Resource Center which would be most welcomed by local residents.

Resolved: That application number 06-14-0021-F be approved subject to satisfying the Environment Agencies concerns regarding drainage.

(d) APPLICATION NO 06-14-0012-F - 44 SUSSEX ROAD GORLESTON

The Group Manager Planning reported that this item had been deferred pending further discussions with the applicant.

Resolved: That application number 06-14-0012-F be deferred.

(e) APPLICATION NO 06-13-0748-O - CORNER HOUSE, STEPSHORT, BURGH CASTLE

The Group Manager Planning reported that the application site was currently used as a garden area and it was proposed to sub divide this to form a building plot for a single storey dwelling with integral garage. The character of the area was mixed with larger detached single and two storey dwellings to small terraced properties. The site was within the village development limits for Burgh Castle as defined in the adopted Great Yarmouth Borough Wide Local Plan. The site itself was currently used as garden space and had a large outbuilding located in situ.

The Group Manager Planning reported that there had been 3 letters of objection received in relation to the proposal which cited that new vehicular access would be a traffic hazard, there was considerable potential for an accident, the position of the new dwelling would be very close to the existing property, loss of residential amenity and it was an unacceptable level of in-filling and development.

The Group Manager Planning reported that there had been some concerns raised by Norfolk County Highways, it was considered that these could be overcome by

handing the property and making some other minor alterations to the scheme. If Norfolk County Highways were satisfied with the amendments then they would remove their holding objection and would be satisfied with the proposal. It was considered that the dwelling would sit quite comfortably in the immediate surroundings and would represent an acceptable form of development within the village. The Group Manager Planning reported that the applicant and an objector who had requested to address the committee were unable to attend.

The Chairman reported that as the main objector was Norfolk County Highways and he was a Norfolk County Councillor that he would declare a personal non pecuniary interest in the matter.

Resolved: That application number 06-13-074-0 be approved subject to acceptable amendments and removal of objections from Norfolk County Highways. The development was considered to accord with the provisions of the adopted Great Yarmouth Borough Wide Local Plan and in particular policy HOU8.

(f) APPLICATION NO 06-13-0679-F - ELMHURST COURT ESTATE, LEMAN ROAD, GORLESTON

The Group Manager Planning reported that this planning application was considered that the previous committee meeting of the 25th February 2014 when it was resolved to defer consideration to request the applicant to remove the seating area from the application and submit further details of the dimensions of the play trail equipment. However, no response has been received from the applicant. The Group Manager Planning reported that 5 letters of objection had been received from local neighbours. Their main objection was possible antisocial behaviour from the bbq/seating area, the other concern was nuisance caused by teenagers using the play equipment and possible danger from its proximity to the A12.

Councillor Trevor Wainwright, Ward Councillor reported that he had seen sight of the proposed play equipment to be sited, which was too large for small children to use safely. The proposed play equipment would be a magnet for older children to use it and congregate there, which could possibly result in antisocial behaviour to neighbouring properties. He reported that he objected to the proposed application and asked that the committee refuse the application.

Mr Fisk, Objector, reported that the local residents would raise no objection to the replacement of the goal posts with smaller goal posts and netting but were against the introduction of the proposed large play equipment which could lead to antisocial behaviour.

A Member raised concerns that the trim trail was sited only 10 foot away from the nearest residential property.

Resolved: That against the recommendation of the Group Manager Planning that application number 06-13-0679-F be refused as the proposal would encourage antisocial behaviour and would adversely impact on the residential amenity of the area.

4 PLANNING APPLICATIONS CLEARED BETWEEN 1 - 28 FEBRUARY 2014

The Committee received the Group Manager Plannings schedule i respect of applications cleared during the period 1st February to 28th February 2014 and the delegated powers, together with those determined by the Development Control Committee.

5 OMBUDSMAN AND APPEAL DECISIONS

Ombudsman Decisions

The Group Manager Planning reported that the Ombudsman had ruled that the Council had nothing to answer with regard to the maladministration claim brought by the applicant for the application at 38 Yallop Avenue, Gorleston.

6 ANY OTHER BUSINESS

There was no other business as was determined by the Chairman of the meeting as of being of sufficient urgency to warrant consideration.

The meeting ended at: 19:20