



# Development Control Committee

## Minutes

Wednesday, 19 April 2023 at 18:00

### PRESENT:-

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

Councillor Candon attended as a substitute for Cllr Freeman.

Councillor Mogford attended for agenda items 1 - 4 only.

Councillor Galer attended as a substitute for Cllr Hammond for agenda items 1 - 4 only.

Mr R Parkinson (Development Manager), Mr N Harriss (Principal Planning Officer), Ms C Whatling (Monitoring Officer), Mr M Brett (IT Support), Ms C L. Webb (Executive Services Officer) and Ms T Koomson (Senior Democratic Services Officer).

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Freeman who was substituted by Cllr Candon and from Cllr Hammond who was substituted by Cllr Galer for agenda items 1 - 4 only (not present for agenda item 5; application 06-21-0657 F).

## **DECLARATIONS OF INTEREST**

Cllr G Carpenter declared a personal non-pecuniary interest on agenda item 5, informing the Committee that he has known the applicant over sixteen years as a neighbour. He was able to participate and vote on the item.

## **MINUTES**

The Minutes of the meeting held on 22nd March 2023 were agreed.

### **06-22-0546-F - Land north of Scratby Road, Scratby**

The Development Manager Mr R Parkinson referred the Committee to the main report and the addendum report of 22nd March attached to the main agenda pack and the second addendum report of the 19th April and the additional viability report that was only received on the afternoon of the 19th April. The Chair gave the Committee sufficient time to study the latest reports relating to the application.

The Committee then received and considered the full report set out on the agenda pack, which was prepared and presented by the Development Manager Mr R Parkinson. The application was brought to the Committee as per Constitution as it is a development of more than 25+ dwellings. Whilst some areas of the development still needed clarification and/or adjustment in line with officer recommendation, the Committee was asked to confirm whether it is appropriate to proceed in the recommended direction of travel in the terms described in the report (and subsequent amendments) through authority delegated to officers. The application was proposed erection of 41 no. dwellings, vehicular access, landscaping, open space, footpath improvements and associated infrastructure.

The Development Manager updated the Committee on additional information received from the applicant as well as comments received from the Highways Authority, Tree Officer and the public (as per addendum reports provided). He confirmed that having considered the details provided, the application is considered to comply with policies CS1, CS2, CS3, CS4, CS9, CS11, CS15 and CS16 of the adopted Core Strategy, and policies GSP3, GSP5, GSp6, GSP8, A1, H1, H4, E4, E6, E7, I1 and I3 of the adopted Local Plan Part 2. Although proposal was contrary to some adopted policies, it is considered the material considerations of additional affordable housing and open space provision combine to overcome or reduce some of the severity of conflict with policy, and it is considered that there are no other material considerations to suggest the application should not be recommended for approval subject to proposed conditions as per addendum report of the 22nd March.

The Development Manager further advised the Committee that including the consideration of the Development Viability Review and the potential changes in the affordable housing provision in the development, it was recommended to delegate

authority to the Head of Planning to DETERMINE the application 06-22-0546-F, in accordance with the Report, Update Addendum Report No. 1, and Update Addendum Report No.2, subject to:

(A)

(i) Complete the affordable housing viability investigation and agree the overall affordable housing provision with the applicant: final mix, type and tenure of open-market and affordable housing across the site, with regard to the results of the affordable housing viability investigations.

(ii) Complete a Section 106 Agreement to secure:

(i) Affordable housing, Financial contributions, on-site feature management e.g. open space, drainage, landscaping.

(ii) A viability appraisal / clawback mechanism for additional affordable housing provision or commuted sum, if the development has not provided Affordable Housing within 18 months of commencement.

(iii) Appropriate planning conditions, as per the Update Report no. 1 including Commencement of development within 12 months, rather than 3 years.

(B)

(i) If the applicant does not provide the optimal quota of affordable housing relevant to the 'rural exception site area', and the overall mix on the application site, to delegate authority to the Head of Planning to REFUSE the application for failing to provide the amount of affordable housing appropriate to the policy status of the site, with regard to the NPPF and policies CS2, CS3, USC4, GSP1, GSP8 and H1.

(ii) If the Section 106 Agreement is not progressing sufficiently revert to Committee Chair to refuse.

Cllr Hanton noted that there were quite a lot of mitigation on the report and rereferred specifically to point 26.3 'conclusion and recommendation' on the report. He further asked if in officer's view, any reasons for refusal of the previous application (06/20/0313/F) would still be relevant considerations (point 4.5 (1, 2, 3) of the report). The Development Manager went through the points and considered that point 1) is not relevant as this application is materially very different and includes green spaces and affordable housing that point 2) is not relevant as this application has taken trees and landscaping issues into consideration and that point 3) is not relevant as this development is using less agricultural land and provides other aspects to justify the use of that land.

Cllr Myers referred to proposed revised recommendation: "Point A) (ii) Complete a Section 106 Agreement to secure: (ii) A viability appraisal / clawback mechanism for additional affordable housing provision or commuted sum, if the development has not provided Affordable Housing within 18 months of commencement" and asked clarification how this would work in practice. The Development Manager talked through the revised recommendation specifically in relation to affordable housing provision and referred the Committee to condition B ii) If the Section 106 Agreement is not progressing sufficiently revert to Committee Chair to refuse.

The Chair invited Mr Harper (Agent to the applicant) to speak.

Mr Harper acknowledged a comprehensive report and presentation prepared by the Development Manager. He noted that this application has no comparison to the previous application (06/20/0313/F) that was refused in 2020 as this proposal offers three times more affordable housing and three times more green space. He noted that in Scratby there has been recent 'ad hoc' developments of at least 12 to 14 dwellings, but none of them offered any affordable properties or wider benefits to the area. Subsequently, there is currently no affordable housing provision in Scratby. This development of 41 dwellings not only include affordable housing, but would provide improvements that would benefit wider community for example the footpath on Scratby Rd. and green space. The development would be five minutes away from a shop, close to cafe, pub and other village amenities. Ormsby Schools also have spaces and in fact need more pupils. Mr Harper was confident that people want to come and live in Scratby and that this development has the benefit of the whole Scratby in mind. He believed it offers an opportunity for people to stay in the village and offers affordable energy efficient homes for the local people. Mr Harper referred to the development viability review and confirmed the applicant's willingness to work with the Council's appointed consultants to find the right mix of affordable housing for this development. He further advised the Committee that he is confident from working with the highways that the traffic on Scratby Road can be (and will) slowed down and that a safe footpath to Scratby can be provided.

The Committee had no additional questions and the Chair thanked Mr Harper for his contributions.

The Chair invited the ward Cllr Freeman to speak.

Cllr Freeman noted that the proposal would involve building 19 properties on rural exception land. He referred the Committee to section 24.2. on the officer report and concerns that this development would set a precedent and would create an isolated separated community. He noted that a bigger development of 67 dwellings on the same land was refused and there is another 19 dwellings unresolved application. He noted the lack of access to schools for any potential families with children residing in these properties. The nearest schools are in Ormesby and the journey there would take up to 30 minutes each way, and more importantly, there is no safe footpath to Ormesby. He advised the Committee that he had walked along the Scratby Rd at various times (and weather conditions) to make observations relating to the proposed footpath to Scratby village. Subsequently he disagreed with the assessment that a safe 2metre wide footpath would be possible along the Scratby Rd to provide access to the village amenities. He noted that accessibility needs to be a primary consideration on this development and at present it simply is not adequate. Although proposal is to provide affordable housing, the lack of access means it is not practicable solution to those who don't own cars. The public transport provision is 'one bus per hour' during the summer months and even less frequent during the winter months. The provision of public space that the development offers is irrelevant as Scratby already has a beach and the proposal in his view does nothing to improve the environment such as planting of trees or other design features as per local design plan. He noted that in Scratby, there are about 450 dwellings and Ormesby is considered to be 'the centre' and that these proposed 41 dwellings would be a separated unit outside the main village. In summary, Cllr Freeman urged the Committee to refuse the application on the basis of loss of agricultural grade I land, poor access and for this development being outside the identified development limit.

The Committee had no additional questions and the Chair thanked Cllr Freeman for his contributions.

The Chair invited the Parish Cllr Nathan to speak.

Parish Cllr Nathan thanked the Committee for the opportunity to speak and referred to section 1.1 and 1.2 on the report and the fact that the proposal involves building on the agricultural land that is not inside the village and would in fact create a 'hamlet inside a hamlet'. He then referred to section 2.1 of the report and the proposed use of exception land to build affordable housing, but noted that currently there are plenty of other developments that provide affordable housing in Great Yarmouth in areas that are accessible unlike this site. Cllr Nathan referred to section 3.2 of the report that confirms the limited accessibility and employment opportunities that means young people are leaving the village; not because of lack of housing. He further asked the Committee to consider the planning history on report section 4. He specifically noted that in his view, although smaller developments have taken place in the village, the village has not changed and this development does not meet the requirements of achieving sustainable growth as per policy CS2. Referring to section 5 and the responses to the consultations, Cllr Nathan confirmed that a survey was carried amongst the local residents and that out of 366 respondents, 98% rejected this proposal. In his view this clearly demonstrated that the residents of the village are against this proposal and that pursuing this development is disregarding local policies.

Cllr T Wright asked what evidence does Cllr Nathan have to support the claim that young people are leaving the village due to lack of employment opportunity rather than affordable housing. Cllr Nathan confirmed that he has reports that show that the main issue is accessing jobs in Norwich as well as in Great Yarmouth Town Centre. (Young) people leave Scratby due to lack of public transport provision to access these job opportunities from the village.

The Chair thanked Cllr Nathan for his contributions.

Cllr Myers agreed that public transport is always an issue. He further noted that there are policies for and against this proposal and the Committee needs to decide what carries more weight. He further noted that location of the development inside or outskirts of the village makes little difference in relation to accessibility to transport. He further noted the need for housing and especially affordable housing provision.

Cllr Wright agreed that the lack of public transport does have an impact and contributes to people leaving villages and rural areas. However he also emphasised the fact that affordable housing is a key 'community facility' that should be encouraged even if what is considered 'affordable' is still unaffordable to many. He further considered that this development is on the grade 1 agricultural land, which he strongly believes needs to be protected. As such he is yet to be persuaded what weighs more on the scales on this specific development; affordable housing or protection of that land.

Cllr Hanton agreed with Cllr Myers that there are many conflicting policies and numerous mitigations on the officer report. He confirmed that he has also made note of comments made by Cllr Freeman and Cllr Nathan in relation to this development.

Cllr Williamson proposed to approve the revised officer recommendation (as above) to delegate authority to the Head of Planning to DETERMINE the application, in accordance with the Report, Update Report No. 1, and Update Report No.2, subject to proposed conditions. This was seconded by Cllr Wainwright.

Following a vote; the motion was lost.

Cllr Flaxman-Taylor noted that she was not happy with the proposed delegated authority on the recommendation and was therefore unable to support this.

Cllr Candon moved a substantive motion to reject the officer recommendation on material considerations namely the layout of the proposal and the loss of agricultural land and considerations on concerns raised by the ward and parish Councillors. This was seconded by Cllr Mogford. Cllr Flaxman-Taylor added to the motion a concern in relation to delivery of affordable housing.

The Development Manager asked the Committee to review the specific policies relating to layout and design and loss of agricultural land and affordable housing.

Cllr Candon moved to clarify his substantive motion to reject officer recommendations on material considerations relating to Layout and Design as per policy A2 (d), loss of agricultural land as per policy CS6 (j) and Delivery of affordable housing as per policy CS4 (d). This was seconded by Cllr Mogford.

Following a vote, the motion was lost.

Cllr T Wright and Myers both acknowledged the challenges the Committee was having in reaching a decision.

Cllr Wainwright acknowledged that the Committee is in deadlock at least partly because of the Housing viability review -report and the subsequent uncertainty of the final mix, type and tenure of open-market and affordable housing across the site.

Cllr Wainwright therefore moved a further substantive motion to defer the decision on this application until such time that the consultations in relation to the mix of affordable housing have been agreed and that the application should be brought back to the Committee and considered in full when these consultations have been concluded. This was seconded by Cllr Flaxman-Taylor and Cllr Williamson.

Following an unanimous vote, it was RESOLVED:-

That the decision on this application is deferred and that it would be brought back to the Committee and considered in full after the ongoing consultations in relation to affordable housing mix have concluded.

## **06-21-0657-F - Land adjacent Raynscourt Lodge 16 Euston Road Great Yarmouth**

Cllr Mogford and Cllr Galer exited the Committee and did not participate in the debate or a vote on this item.

The Monitoring Officer Ms C Whatling gave the Committee procedural guidance. She reminded the Committee that in the previous meeting of the 22nd March, there was a motion to approve the application, but this fell as the vote was lost. She further clarified that it does not follow that because a motion to approve is lost, the application is refused by default. There has to be a second, substantive vote on a motion to refuse. Unfortunately, a combination of factors meant that this did not occur, and the meeting was closed, this having been the last item on the agenda. Subsequently it was recognised that the procedure had not been completed and no determination had been made. This is why there now had to be a continuation of the process; not a re-hearing of the matter. That is also why the Committee in relation to this item is comprised only of those members who attended the meeting of the 22nd March.

The Principal Development Officer Mr N Harris gave the Committee a brief summary of the application. The application was brought before the Committee as per Constitution (25+ dwellings) and as it is a connected application submitted by a relative of a Councillor, as applicant, for determination by the Borough Council as Local Planning Authority. The application was for redevelopment of site (Land adjacent Raynscourt Lodge, 16 Euston Road, Great Yarmouth) to create 28 self-contained flats.

He reminded the Committee that having considered the details provided, the application was considered to comply with policies CS2, CS9, CS10, CS11, CS13, CS16 and Policies GSP1, GSP4, GSP5, A1, A2, E1, E5, E6, E7, H3, and I3 of Local Plan Part 2 and it was therefore recommended in the meeting of the 22nd March that the application 06/21/0657/F should be delegated to the Head of Planning to Approve subject to mitigation payment and conditions as per the agenda report.

The Principal Planning Officer noted that as the motion to approve the recommendation was lost; the Committee now has to consider the planning balance. He referred to previous comments made about viability of the project and noted that brownfield sites are generally more expensive to develop due to existing constraints, including contamination and in this case flood risk and drainage and that redevelopment reduces the pressure for greenfield development elsewhere. He further clarified to the Committee the sites where listed buildings are in relation to this development.

Cllr Hanton noted that issues had been raised about the height of the development but that the hotel that existed on the site was also multi-storey and that there are other high(er) buildings on the seafront.

Cllr Myers referred to his previous considerations about the s.106 funds and lack of affordable housing. He accepted that viability and what is considered 'reasonable' in this (or any other) development proposal is open to interpretation. He further noted that it is important to consider the overall benefits to the area, need for housing and

the benefits of developing a brownfield land. He acknowledged the importance of trying to balance the benefits against the shortcomings of this proposal whilst keeping development viable.

Cllr Candon agreed with Cllr Myers that this application had considerations for and against but that he still considered that the benefits outweigh the shortcomings and that although the development does not include affordable housing, as per his previous comments, the development does provide homes and contributes to viability of the seafront.

Cllr Williamson confirmed that he mis-spoke in stating that former Aquarium building is a grade II listed building, but that none the less it is a non-designated heritage asset on a conservation area and he considered the proposal to have an adverse impact on this building as well as conserving the seafront area as a whole (as per policy CS10).

Cllr T Wright moved a substantive motion to refuse the application as per his previous comments about over devolvement and specifically that the proposal did not meet the requirements of Core Policy C1 a) and f) in that it does not compliment character in the area nor braise unique landscapes and historic environment, CS9 e) and f) lack of parking facilities and impact on public safety (boundary impacting visibility), and that it does not support the aims of the Seafront policy GY6 as it would have 'inactive street frontage' and that overall, the harm outweighs the benefit of developing on a brownfield land, as per policy A2 on housing design principles. This was seconded by Cllr Williamson.

Following a vote; the motion was lost.

Cllr Flaxman-Taylor proposed a second substantive motion that the officer recommendation, to delegate application 06/21/0657/F to the Head of Planning to approve subject to receipt of the balance of £2126.04 Habitat Mitigation Payment and subject to the conditions as set out on the agenda report, be approved. This was seconded by Cllr Candon.

The Monitoring Officer advised the Committee that this motion would be allowed. Cllr T Wright requested a recorded vote. This was agreed by the Chair.

Councillors who voted for the motion:

G Carpenter, Hanton, Flaxman-Taylor, Candon, Myers and Annison.

Councillors who voted against the motion:

B Wright, Fairhead, Wainwright, Williamson and T Wright,

Following a vote, it was RESOLVED:-

That the application 06/21/0657/F should be delegated to the Head of Planning to APPROVE, subject to:

(i) Receipt of the balance of £2126.04 Habitat Mitigation Payment and;

(ii) The following Conditions:



1. The development must be begun not later than three years beginning with the date of this permission.

The reason for the condition is :-

Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following plans and documents:

- . Location Plan - Drawing No. P01 Rev A
- . Block Plan - Drawing No. P03 Rev A
- . Proposed Ground Floor & First Floor Plans - Drawing No. P04
- . Proposed Second & Third Floor Plans - Drawing No. P05
- . Proposed Fourth Floor Plan & Roof Plan - Drawing No. P06 Rev A
- . Proposed North & East Elevations - Drawing No. P07
- . Proposed South & West Elevations - Drawing No. P08
- . Flood Risk Assessment July 2021 REF: 2433/RE/01-20/01 REV A

The reason for the condition is :-

For the avoidance of doubt.

3. No development shall commence until full details of the means of surface water drainage in the form of a Surface Water Drainage and Management Strategy have first been submitted to and approved in writing by the Local Planning Authority. The details should include water efficiency and water saving devices such as rain saver systems and green roofs and a Maintenance and Management strategy for the Surface Water Drainage Strategy. The development shall be carried out in accordance with the approved details and implemented prior to the first occupation of the development and retained and maintained as such thereafter.

It should be noted that it is the applicants/developers/owner's responsibility to ensure adequate drainage of the site so as not to adversely affect the surrounding land, property or highway.

The reason for the condition is :-

To control surface water discharge and to minimise the possibilities of flooding in accordance with Core Strategy Policy CS13.

4. Development shall not progress above slab level until a schedule of materials and finishes to be used for external surfaces and features of the proposed building, including details of brick/stone work demonstrating the colour, texture, bond and mortar, have first been submitted to and agreed in writing with the Local Planning Authority and the development shall be carried out in accordance with those details as approved and retained as such thereafter.

The reason for the condition is :-

To ensure the appropriate use of materials that will preserve and enhance the character and appearance of the conservation area in accordance with Core Strategy Policies CS9 and CS10 and Local Plan Part 2 Policy E5.

5. Development shall not progress above slab level until details of the design, materials and finish of the proposed external windows and doors, including method of opening have first been submitted to and agreed in writing with the Local Planning Authority and the development shall be carried out in accordance with those details as approved and retained as such thereafter.

The reason for the condition is :-

To ensure the appropriate opening style and use of materials that will preserve and enhance the character and appearance of the conservation area in accordance with Core Strategy Policies CS9 and CS10 and Local Plan Part 2 Policy E5.

6. Development shall not progress above slab level until details of the position, type and method of installation of all new services and related fixtures (including rainwater goods, communications and information technology servicing) to the exterior of the building have first been submitted to and agreed in writing with the Local Planning Authority wherever these installations are to be visible, or where ducts or other methods of concealment are proposed and the development shall be carried out in accordance with those details as approved and retained as such thereafter.

The reason for the condition is :-

To enable the local planning authority to ensure the satisfactory appearance of the development that will preserve and enhance the character and appearance of the conservation area in accordance with Core Strategy Policies CS9 and CS10 and Local Plan Part 2 Policy E5.

7. The development hereby permitted shall be carried out incorporating the measures to mitigate the risk from flooding set out in the flood risk assessment REF:

2433/RE/01-20/01 REVISION A dated July 2021, and shall specifically include:

- implementing and adopting the Water Entry Strategy across the ground floor area of the building; and,
- implementing and adopting a Water Exclusion Strategy (including but not limited to flood barriers across doorways and air brick covers) up to the differential depth limit of 0.6m.
- registering the premises with the Environment Agency's Flood Warnings Direct service and preparing a Family Flood Plan.

There shall be no use or occupation of the dwellings hereby permitted until the mitigation measures have first been introduced and the premises is enrolled within the flood warning system and the family flood plan is introduced and made available to all occupants of the dwellings .

The reason for the condition is :-

To ensure that mitigation measures are undertaken as the property is located within an area at risk of flooding in accordance with Policies CS13 and E5 of the Local Plan.

8. With the exception of demolition, no development shall commence until a Phase 1 contamination report has first been carried out to assess whether the land is likely to be contaminated, and the results of the investigations submitted to and approved in writing by the Local Planning Authority.

The report to be submitted shall also include details of known previous uses and possible contamination arising from those uses. If contamination is suspected to exist, a Phase 2 site investigation is to be carried out to the satisfaction of the Local Planning Authority in consultation with the Environmental Health service. If the Phase 2 site investigation determines that the ground contains contaminants at unacceptable levels then the applicant is to submit a written strategy detailing how the site is to be remediated to a standard suitable for its proposed end-use. This subsequent report shall be submitted to and approved in writing by the Local Planning Authority before the commencement of construction works.

No buildings hereby permitted shall be occupied until the remediation works agreed within the scheme have first been carried out to the written satisfaction of the Local Planning Authority, following submission of a remediation verification report.

The reason for the condition is :-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Part 2 Policy E6.

9. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until:

1) a report has been submitted and agreed in writing by the Local Planning Authority which includes results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified and

2) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the Local Planning Authority.

The reason for the condition is :-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Part 2 Policy E6.

10. A) No development shall take place until an archaeological written scheme of investigation has first been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1) The programme and methodology of site investigation and recording,

2) The programme for post investigation assessment,

3) Provision to be made for analysis of the site investigation and recording,

4) Provision to be made for publication and dissemination of the analysis and records of the site investigation,

5) Provision to be made for archive deposition of the analysis and records of the site investigation and

6) Nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation.

and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).

and,

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason for condition: -

In accordance with Core Strategy Policy CS10.

11. The building shall include measures to meet a water efficiency standard of 110 litres per person per day. No development shall take place above slab level until the details of how this will be achieved have first been submitted to and approved in writing by the local planning authority. There shall be no occupation of any dwelling until those details have first been provided and made available for us in accordance with the details as approved.

The reason for the condition is :-

In the interests of water efficiency in accordance with Local Plan Part 2 Policy E7

12. Development shall not progress above slab level until a Biodiversity Enhancement Plan has first been submitted to and agreed in writing with the Local Planning Authority. The plan shall detail the provision of a minimum of 28 swift boxes. The plan shall be prepared by a suitably qualified and experienced ecologist and include elevation drawings to show the exact location of the swift boxes to ensure they are appropriately located. Ideally the boxes should be integrated within the fabric of the building. The development shall be carried out in accordance with those details as approved and shall remain in perpetuity.

The reason for the condition is :-

To secure biodiversity enhancements in line with Core Strategy Policy CS11.

13. Prior to installation, details of the secure cycle storage building for a minimum of 36 cycle spaces as indicated on Proposed Block Plan Drawing No. P03 Rev A shall be first submitted to and approved in writing by the local planning authority and shall thereafter be carried out as approved.

The reason for the condition is :-

In the interests of the satisfactory appearance of the development in accordance with Core Strategy Policies CS9 and CS10 and Local Plan Part 2 Policy E5.

14. Prior to the first use of the development hereby permitted the secure cycle parking shall be provided in accordance with the approved plans/details and retained thereafter available for that specific use.

The reason for the condition is :-

To ensure the permanent availability of the cycle parking in the interests of satisfactory development and encouraging the use of sustainable modes of transport in accordance with Local Plan Part 2 Policy I1.

15. No foul drainage from the development hereby approved shall be discharged other than to the main sewer. The foul water disposal shall be implemented prior to the first occupation of the development and retained as such thereafter.

The reason for the condition is :-

To prevent pollution of the water environment in accordance with Local Plan Part 2 Policy I3.

#### 16. REASON FOR APPROVAL OF THE APPLICATION :-

The proposal complies with Core Strategy Policies CS2, CS9, CS10, CS11, CS13, CS16 and Local Plan Part 2 Policies GSP1, GSP5, A1, A2, E1, E5 and E7.

17. STATEMENT OF POSITIVE ENGAGEMENT: In dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner.

It is confirmed that this shadow HRA submitted by the applicant was assessed at outline (the planning permission) as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017 and the required payment as currently updated has been made enabling this reserved matters decision.

It is hereby acknowledged that the application has been accompanied by the

appropriate and necessary financial contributions for GIRAMS Habitat Impacts Mitigation amounting to £5,206.04 (28 dwellings x £185.93 per flat) received (to be inserted 2023).

18. NOTES - Please read the following notes carefully:-

Anglian Water public combined sewer:

Please note connection for either foul water disposal, surface water disposal or both will require notice to be served on and the consent of Anglian Water under S106 of the Water Industry Act.

Please also refer to Planning Applications - Suggested Informative Statements and Conditions Report prepared by Anglian Water Pre-Development Team dated 1 March 2023 AW Site Ref: 182096/1/017034.

Biodiversity:

In regard to the siting of the bird boxes these should be sited below the cornices on the 3rd, 4th and 5 floors, to the side of, not directly above windows.

Archaeology:

In this instance the programme of archaeological mitigatory work will comprise the monitoring of groundworks for the development under archaeological supervision and control.

A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service. Please note that we now charge for our services. If you have any questions or would like to discuss NCC recommendations, please contact Steve Hickling, Historic Environment Officer Community and Environment Services Tel: 01362 869285 | Dept: 01362 869278 | Mobile: 07775687817

Secure by Design: Your attention is drawn to the advice provided by the Norfolk Constabulary in its letter dated 18th August 2021

on Reference: 06/21/0657/F Committee Date: 22 March 2023

Construction work shall not take place outside the following hours:-

08:00 to 18:00 Mondays

08:00 to 18:00 Tuesdays

08:00 to 18:00 Wednesdays

08:00 to 18:00 Thursdays

08:00 to 18:00 Fridays

08:30 to 13:30 Saturdays

and no work shall take place on Sundays or Bank Holidays. (These hours shall only apply to work generating noise that is audible at the boundary of the nearest noise sensitive property)

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149.)

The site will potentially generate a significant amount of dust during the conversion process; therefore, the following measures should be employed: -

- An adequate supply of water shall be available for suppressing dust;
- Mechanical cutting equipment with integral dust suppression should be used;
- There shall be no burning of any materials on site.

## **ANY OTHER BUSINESS**

The Chair acknowledged and thanked Cllr Fairhead for her contributions to the Development Control Committee and the whole Committee joined the Chair to wish her well.

The meeting ended at: 20:50