



Development Control Committee

Minutes

Wednesday, 07 September 2022 at 18:00

PRESENT:-

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

Mr M Turner (Head of Planning), Mr R Parkinson (Development Control Manager), Mr R Tate (Planning Officer), Ms C Whatling (Monitoring Officer), Mr M Brett (IT Support) & Mrs C Webb (Democratic Services Officer).

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 DECLARATIONS OF INTEREST

There were no declarations of interest given at the meeting.

3 MINUTES

The minutes of the meeting held on 20 July 2022 were confirmed.

Councillor Wainwright asked why the minutes of the meeting held on 6 July 2022 had not been included in the agenda pack for approval by the committee. The Democratic Services Officer apologised for the oversight and assured Councillor Wainwright that they would be included in the next agenda pack.

4 APPLICATION 06-22-0197-O - MILL BARN, HEMSBY ROAD, MARTHAM, GREAT YARMOUTH

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

The Planning Officer reported that the site comprises an unused pasture field with a single structure, a disused agricultural barn, adjacent Hemsby Road at its eastern end. The site measures an area of 0.77ha. Mill Barn is an early 19th century red brick barn located on the west of Martham Road in Hemsby. The brick barn is situated at the frontage of the site adjacent to the highway edge and immediately abutting a bend in Hemsby Road. Whilst inside the Parish of Martham, the barn lies outside of the village development limits and is within the open countryside. The site is approximately 1km from the village centre. To the south of the barn is Mill Farm House, and to the north is a small cluster of dwellings with a mix of circa 1930s semidetached dwellings to the west and a smattering of bungalows closer to the barn.

The Planning Officer reported that the application is an outline application (with full details of access only) for the demolition of the existing barn on the site and for the erection of a new dwelling. The application also proposes to create a new access to the north of the existing barn, to serve the new dwelling, and associated realigning of the carriageway. The existing access to the south of the barn would be used only for access to the existing dwelling neighbour to the south (notwithstanding that there is an existing access serving that dwelling already). Being an outline application with full details of access only, the details of landscaping, design, scale and layout are not being assessed as part of this application and would remain as reserved matters.

The Planning Officer reported that the application was Outside Development Limits as defined by GSP1, was within the 'Nutrient Neutrality' Catchment Area of the Trinity Broads SAC network and was within the Orange 400m to 2.5km Indicative Habitat Impact Zone for purposes of GIRAMS. The Planning Officer detailed the relevant planning history of the application site to the Committee.

The Planning Officer reported that having considered the details provided, the application is considered to fail to comply with policies CS01, CS02, CS09, CS10 and CS11 from the adopted Core Strategy, and policies GSP1, H8, E4 and E5 from the adopted Local Plan Part 2. This is not disputed by the applicant's agent.

The highways works proposed are considered to be negligible and not a public benefit which would be sufficient to outweigh the conflict with policy and harm to the landscape and historic environment. There are no other material considerations to suggest the application should be recommended for approval contrary to the provisions of the adopted development plan and national guidance and the expectations of the national planning policy framework.

The Planning Officer advised the Committee that application 06/22/0197/O should be

refused, for the following reasons:

- 1) The application has been submitted as a replacement dwelling. The existing barn has not been converted to a residential dwelling and is not in a habitable condition. As a result, the proposal cannot be considered as a replacement dwelling and thus fails to comply with Policy H8 of the Great Yarmouth Local Plan Part 2 (2021).
- 2) The site is located in an unsustainable location remote from schooling, town centre shopping, health provision, and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport. The site has a lack of safe pedestrian access to the local amenities within the village and therefore it is considered that there would be a reliance on the private car for future occupants of the proposed development. The site is not, therefore located to minimise the need to travel and is not in a sustainable location for new development. As a result, the proposed development is contrary to policy, conflicts with the aims of sustainable development and does not satisfy the requirements of Policies CS1 and CS2 of the Great Yarmouth Local Plan Core Strategy (2015) and Policy GSP1 of the Great Yarmouth Local Plan Part 2 (2021).
- 3) The barn is of local historic and architectural value and is a prominent feature in the landscape; its location, positioning, historic materials, and vernacular design contribute to the local character and distinctiveness, and it can be considered as a non-designated heritage asset. The loss of the barn would contribute to eroding the rural character, and a new dwelling would be out of keeping with the character and appearance of the surrounding rural area, and would represent an unacceptable intrusion of built form in this countryside location. It would not make a positive contribution to the local character and distinctiveness of the area. Its removal therefore would result in the loss of this historic value which would not be mitigated by the recycling of the existing materials in a new dwelling on the site. The minor highways improvements proposed in the application do not outweigh the level of harm cause to the non-designated heritage asset. The proposal is, therefore, contrary to Policies CS9 and CS10 of the Great Yarmouth Local Plan Core Strategy (2015) and Policies E4 and E5 of the Great Yarmouth Local Plan Part 2 (2021).
- 4) The site is located outside of any defined settlement boundary, is not allocated and is not supported by any specific Development Management policy which allows for development outside of the development boundary. As such, the application is contrary to the adopted development plan and the proposal does not offer overriding benefits or other material considerations to suggest that the application should be determined positively contrary to the conflict with the development plan.

Mr Harper, applicants agent, outlined the salient areas of the application to the Committee and urged them to approve the application which would result in a new building being erected on the site which would be set back from the road and improve road safety in this area. Mr Harper raised the issue that the Howes Percival legal assessment which he had submitted had not been included in the agenda report which detailed a recent successful legal challenge against a council in Hampshire, whereby a former church building in Monkton had been demolished and a new building been built to replace it and set back from the road. The applicant had been awarded substantial costs from the council.

Councillor Myers asked Mr Harper to explain why, if works had started on site in 2008 by digging out the footings and a trench, works had not been completed by 2022.

P Cllr Hooper, Chairman of Martham Parish Council, addressed the Committee and spoke in support of the application. The barn was not listed, was not of historic importance and was a blot on the landscape and its demolition would eliminate a blind corner and be of assistance to motorists. P Cllr Hooper urged the Committee to approve the application.

Councillor Grant, Ward Councillor, addressed the Committee and informed them that he, and the majority of the residents of Martham, were in favour of the application, as it would result in the removal of an eyesore of a derelict barn, improve road access and open up the entrance to the village for traffic approaching from Hemsby.

Councillor Mogford reported that he agreed with the views of the parish & ward councillors and he could not support the officer recommendation to refuse the application. Councillor P Hammond reported that he agreed with Councillor Mogford.

Councillor Myers reported that just because the barn was considered to be a blot on the landscape by certain individuals, that this was not a material planning consideration. Councillor Williamson agreed with Councillor Myers and that the application must be considered carefully to preserve the heritage and landscape of the village of Martham.

The Monitoring Officer reminded the Committee that if they were minded to vote against the officer recommendation that they would require intelligible planning reasons which the public would understand and these would need to be stated prior to any vote as they would be required to be submitted as evidence at any subsequent challenge.

Proposer: Councillor Williamson
Seconder: Councillor Wainwright

Following a vote, it was **RESOLVED:-**

That application number 06/22/0197/O be refused for the following reasons:-

1) The application has been submitted as a replacement dwelling. The existing barn has not been converted to a residential dwelling and is not in a habitable condition. As a result, the proposal cannot be considered as a replacement dwelling and thus fails to comply with Policy H8 of the Great Yarmouth Local Plan Part 2 (2021).

2) The site is located in an unsustainable location remote from schooling, town centre shopping, health provision, and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport. The site has a lack of safe pedestrian access to the local amenities within the village and therefore it is considered that there would be a reliance on the private car for future occupants of the proposed development. The site is not, therefore located to minimise the need to travel and is not in a sustainable location for new development. As a result, the proposed development is contrary to policy, conflicts with the aims of sustainable development and does not satisfy the requirements of Policies CS1 and CS2 of the

Great Yarmouth Local Plan Core Strategy (2015) and Policy GSP1 of the Great Yarmouth Local Plan Part 2 (2021).

3) The barn is of local historic and architectural value and is a prominent feature in the landscape; its location, positioning, historic materials, and vernacular design contribute to the local character and distinctiveness, and it can be considered as a non-designated heritage asset. The loss of the barn would contribute to eroding the rural character, and a new dwelling would be out of keeping with the character and appearance of the surrounding rural area, and would represent an unacceptable intrusion of built form in this countryside location. It would not make a positive contribution to the local character and distinctiveness of the area. Its removal therefore would result in the loss of this historic value which would not be mitigated by the recycling of the existing materials in a new dwelling on the site. The minor highways improvements proposed in the application do not outweigh the level of harm cause to the non-designated heritage asset. The proposal is, therefore, contrary to Policies CS9 and CS10 of the Great Yarmouth Local Plan Core Strategy (2015) and Policies E4 and E5 of the Great Yarmouth Local Plan Part 2 (2021); and

4) The site is located outside of any defined settlement boundary, is not allocated and is not supported by any specific Development Management policy which allows for development outside of the development boundary. As such, the application is contrary to the adopted development plan and the proposal does not offer overriding benefits or other material considerations to suggest that the application should be determined positively contrary to the conflict with the development plan.

(It was noted that Councillor G Carpenter abstained from the vote on this item).

5 APPLICATION 06-22-0415-F - NORTH DRIVE ESPLANADE (ADJ TO NORTH DRIVE CAR PARK), GREAT YARMOUTH

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

The Planning Officer reported that This application was reported to the Monitoring Officer as an application submitted by the Borough Council, as applicant, for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 13th July 2022, and the Monitoring Officer has checked the file and is satisfied that it has been processed normally and that no other members of staff or Councillors have taken part in the Council's processing of the application other than staff employed within the LPA as part of the determination of this application.

The Planning Manager reported that the proposal seeks to remove the existing concrete plank fencing, 7 benches and planting, to install a concrete pad of 4.2m width and then install 43 no. beach huts. The concrete pad will be retained behind a wall constructed of facing brickwork and a hairpin top fence 1.1m high is proposed to be installed on top of the brick wall, behind the beach huts. The beach huts are separated to form five blocks (1 block of 7 huts and 4 blocks of 9 huts), with the existing footways between The Esplanade and the car park retained. The Beach Huts will have 2 x 3 metre footprints and be constructed out of timber. There will be glazing

to the doors. The beach huts will be of traditional form with a pitched roof and a variety of colours. The Beach Huts would be available for sale on a long lease with an annual ground rent, with the Council to build and dispose of individual huts. This will allow the Council to have control over the design and colour of the huts.

The application also includes converting the eastern side of the North Drive Pavilion into an amenity block purely for the use of hirers or owners of these beach huts. This would include a WC, disabled WC, hand wash and baby change facilities together some small storage areas for items needed for the day to day running of this facility. The external alterations would include bricking up existing door openings and creating a new door.

The Planning Officer reported that It is considered that whilst there is a small level of 'less than substantial' harm to the conservation area, the public benefits provided through the improved tourist offer is sufficient to outweigh the level of harms caused. There are no other material considerations to suggest the application should not be recommended for approval, and planning conditions can be used to ensure the satisfactory operation and appearance of the proposed beach huts. It is considered therefore that the proposal complies with the aims of Policies CS8, CS09 and CS10 of the Great Yarmouth Local Plan: Core Strategy and adopted policies L2, E3 and E5 from the adopted Local Plan Part 2. Subject to securing a suitable landscape planting scheme, the application would also comply with adopted Local Plan Part 2 policy E4.

The Planning Officer reported that the application is recommended for approval subject to the conditions as outlined in the agenda report.

Councillor A Wright was concerned regarding the incursion of seating outside the beach huts and on to the promenade which could hinder pedestrians and he suggested that a demarcation line should be introduced which would encompass an allowed hatched seating area. The Chairman reported that this could not be enforced as any member of the public was entitled to place a chair anywhere they so wished on the promenade.

The Planning Manager reported that this would be a licencing matter and not a planning matter.

Councillor Fairhead asked if a clause on the hire of the beach huts would mirror that of Gorleston beach huts i.e. that no more than 6 people may inhabit the hut. Councillor Flaxman-Taylor reported that she attended the Gorleston Beach Hut Forum and that their tenancy agreement set out what could and could not be done and one of the conditions as that seating could not exceed 2 m from the front of the beach hut. The Planning manager reported that once again, this was not a planning matter but was a matter for Property Services.

Proposer: Councillor P Hammond
Seconder: Councillor Wainwright

RESOLVED:-

That application number 06/22/0415/F be approved subject to 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 :-

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the details contained in the planning application forms and following drawings received by the Local Planning Authority – subject to being revised in accordance with satisfying the Environment Agency concerns and including landscaping areas within the proposal:

- Location Plan: 003A, received on 21 June 2022
- Proposed Plan and Location: 001A, received on 18 August
- Beach hut East and West elevations: 002, received on 21 June 2022
- Beach hut side elevation: 004, received on 21 June 2022
- Beach hut side section: 005, received on 21 June 2022
- Beach hut front elevation: 006, received on 21 June 2022
- Beach hut door section: 007, received on 21 June 2022
- Beach hut front elevation section: 008, received on 21 June 2022
- Beach hut floor plan: 009, received on 21 June 2022
- Pavilion Proposed Elevations: 012, received on 21 June 2022
- Pavilion Proposed floor plan: 013, received on 21 June 2022
- Proposed Landscaping Plan: 014, received on 18 August 2022.

The reason for the condition is:-

For the avoidance of doubt.

3. No use of the beach huts hereby approved shall take place until the amenity block within the Pavilion Building has first been made available to users of the beach huts approved as part of this permission, and such facilities to be available for use at all times that the huts are in use.

The reason for the condition is :-

In order to ensure permanent availability of the amenity block to users of all of the beach huts on The Esplanade.

4. The beach huts shall be securely anchored to their bases.

The reason for the condition is :-

To ensure they remain in-situ should there be a flood event. To prevent damage to property and the wider environment.

5. The approved planting scheme as shown on plan 014 (received by the Local Planning Authority on the 18th August 2022) shall be carried out in its entirety within the first planting and growing season following the first use of the beach huts hereby permitted. For the duration of a period of 10 years from the first use of the beach huts, any trees, shrubs or hedges planted in accordance with the planting scheme which die, are removed or become seriously damaged or diseased shall be replaced in the next immediate planting season with others of similar size and species, unless the Local Planning Authority gives its first written consent to any variation thereof.

The reason for the condition is :-

To ensure a high quality form of development and in the interests of ensuring appropriate visual amenity for the local area and to enhance biodiversity.

6. The beach huts hereby permitted shall not be used for any form of overnight

accommodation.

The reason for the condition is :-

In order to allow the Local Planning Authority to retain control over the use of the huts and to minimise the flood risk vulnerability of users of the huts.

7. There shall be no use of any beach hut until a copy of the Flood Response Plan dated 25th July 2022 and received by the Local Planning Authority on the 18th August 2022 has first been circulated to and made available to the prospective users of that beach hut, and also displayed within the beach hut. The evacuation response plan shall thereafter remain available in each beach hut and the operation of the beach huts shall thereafter be in accordance with the details of the approved Flood Evacuation Response Plan.

The reason for the condition is :-

To ensure appropriate flood protection measures are in place in order to minimise the flood risk vulnerability of users of the huts.

And any other conditions considered appropriate by the Development Manager.

6 APPLICATION 06-22-0437-TRE - GREEN SPACE AT JUNCTION OF COAST ROAD AND MANOR GARDENS, HOPTON, GREAT YARMOUTH

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

The Planning Officer reported that this application was reported to the Monitoring Officer as an application submitted by the Borough Council, as applicant, for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 30th August 2022, and the Monitoring Officer has checked the file and is satisfied that it has been processed normally and that no other members of staff or Councillors have taken part in the Council's processing of the application other than staff employed within the LPA as part of the determination of this application.

The trees are located on public space owned by GYBC on the corner of Coast Road and Manor Gardens in Hopton. The trees are prominent in the street scene, being at raised level compared to the adjacent highway. The trees are located in a residential area and the public space backs on the properties which are accessed off of Sea View Rise. Some trees are overhanging into neighbouring properties. The trees are protected by group TPO No.2 1979. Consent of the LPA is required for nearly all works to protected trees, exceptions however include work to dead trees/branches and trees which pose an immediate threat of significant harm.

The proposed tree works include:-

- i) T1 - Monterrey Cypress - crown lift up to 4m by removal of lower branches;
- ii) T2 - Oak – reduce canopy heavily to lessen further impact on property (reduction of branches by up to 2m);
- iii) T3 - Holly - reduce property side limbs by 15% and crown lift to 3m to minimise

further impact on property (reduction of branches by up to 2m).

The Planning Officer reported that as guided by the advice of the Council's Tree Officer, the works are not considered be likely to have a significant impact on the appearance of the trees, and the works will enable the trees to remain in good health and help to increase their lifespan. It is considered that the trees are prominent features in the street scene, and due to their visibility they provide a positive contribution to the local environment and its enjoyment by the public. The works will ensure that the trees continue to contribute to visual amenity whilst reducing the impact on neighbouring properties. The application would ensure the trees will continue to contribute to the visual amenity and character of the area; complying with policies E4, CS09, and CS11.

The Planning Officer reported that the application is recommended for approval with the conditions outlined in the agenda report.

RESOLVED:-

That application number 06/22/0437/TRE be approved with the following conditions and informatives:-

1) The work must be carried out within two years of the date of this consent notice and may only be carried out once.

The reason for the condition is: -

The time limit condition is imposed in order to comply with the requirements of the Town and Country Planning Act 1990 as amended by the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2) The work is to be carried out in accordance with British Standard 3998:2010 (Recommendations for Tree Work).

The reason for the condition is: -

To ensure an acceptable standard of work, thereby minimising possible damage and decay/disease in the future.

3) INFORMATIVE:

Standard of work:

Tree work should be carried out by trained, competent and appropriately insured arborists, to a good standard to comply with BS 3998 Recommendations for Tree Work

4) INFORMATIVE

Photos of work: Photos of the tree after the consented works have taken place are required. Please forward these via email or post.

5) INFORMATIVE:

Protected Species:

The applicant should note that under the terms of the Wildlife and Countryside Act 1981, it is an offence to disturb nesting birds, bats their roosts and other protected

species. You should note that work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that nesting birds, bats and other species will be disturbed.

6) INFORMATIVE:

Property Rights:

The applicant should note that this consent does not affect any private property rights and therefore does not authorise the carrying out of any work on land or entering land outside his/her control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before the work starts.

7) INFORMATIVE:

Highways works:

This proposal involves works that could affect the public highway. It is an OFFENCE to carry out any works that may affect the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Please contact the Area Street Works Co-ordinator, email: streetworks.north@norfolk.gov.uk

7 APPLICATION 06-22-0574-TRE - LAND AT KENT SQUARE, GREAT YARMOUTH

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

The Planning Officer reported that this application was reported to the Monitoring Officer as an application submitted by the Borough Council, as applicant, for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 30th August 2022, and the Monitoring Officer has checked the file and is satisfied that it has been processed normally and that no other members of staff or Councillors have taken part in the Council's processing of the application other than staff employed within the LPA as part of the determination of this application.

The application is for works to 5 protected Holme Oak trees on an area of green space at Kent Square in Great Yarmouth. The trees are protected by TPO No.16 2018 which was confirmed on the 2nd April 2019. The trees are also located within the No16 Seafront Conservation Area. Consent of the LPA is required for nearly all works to which pose an immediate threat of significant harm.

An application was approved earlier this year for "T1, T2, T3, T4 and T5 Holm Oak trees - Crown lift up to 5m and reduction of remaining lateral branches by up to 2m" (ref 06/22/0094/TRE). However, the applicant has since decided that if these works were to take place then the tree canopies would still provide a desirable roosting site for the starlings due to the dense cover afforded by the evergreen trees and this would have a detrimental impact on the health of the trees. In addition to the previously consented works (i.e. the crown lift of 5m and the canopy reduction of 2m) the current application seeks to add canopy thinning of 20% as this will thin out the

canopy and make it more open. For the avoidance of doubt, this application is requested, to supersede the previous (ref 06/22/0094/TRE). The 5 Holme Oak trees play a significant role in the street scene, softening what is otherwise an area of town with little other soft landscaping, tree or vegetation presence. The trees are mature, and their stature contributes to the historic value of the Conservation Area. The proposal is for (i) a crown lift of the trees up to 5 metres, which means removing all branches that exist up to 5m from the ground level, (ii) to cut back any remaining limbs above 5m height by up to 2 metres from their tips, to ensure the trees do not encroach over the highway, and (iii) thin canopies by a maximum of 20%. There is currently some overhanging of the trees over the highway the rationale for the works originally was that they will mitigate encroachment on the highway, preventing the trees from being damaged by taller vehicles. These works have already been approved under 06/22/0094/TRE but are not yet undertaken. The trees are currently a roost for nesting starlings which has resulted in the grass beneath the trees dying having a negative impact on the surrounding visual amenity. The land is owned by GYBC under King Johns Charter.

The tree works as proposed are potentially extensive but are designed to retain the majority of the crown and ensure they remain significant in the townscape. A consequence of the works is that it will also remove some roosting space within the crown as well as on exposed lower branches. The works are not considered be likely to have a significant impact on the appearance of the trees and will ensure that they remain healthy, including by minimising the risk of vehicles striking the trees. The Local Highways Authority have requested an informative reminding the applicant that the proposal involves works which could affect the public highway. These trees contribute to the local environment and its enjoyment by the public as they are highly visible, but the tree works will not reduce this visibility significantly and this maintenance will help improve visual appearance of the trees. The additional works proposed over those already given consent are not considered to change this assessment.

The Planning Officer reported that securing the long-term health of the trees will ensure that they continue to contribute positively to the character of the Conservation Area. The trees provide habitat to starlings and the starlings are a 'red list' species in decline so there is a national interest in their preservation and enhancement. However, their roosting in Kent Square has in turn resulted in adverse impacts to local residents. The works proposed to the trees will restrict the opportunities for nesting as well as allow more air to move under the trees' canopies helping to improve their health. An informative should be included reminding the applicant that it is an offence to disturb nesting birds under the terms of the Wildlife and Countryside Act 1981, offering additional protection. The application would ensure the trees will continue to contribute to the visual amenity and character of the area complying with policies E4, CS09, CS10 and CS11.

The Planning Officer reported that the application was recommended for approval with conditions as set out in the agenda report.

RESOLVED:-

That application number 06/22/0547/TRE be approved subject to the following conditions and informatives:-

- 1) The work must be carried out within two years of the date of this consent notice and may only be carried out once.

The reason for the condition is: -

The time limit condition is imposed in order to comply with the requirements of the Town and Country Planning Act 1990 as amended by the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2) The work is to be carried out in accordance with British Standard 3998:2010 (Recommendations for Tree Work).

The reason for the condition is: -

To ensure an acceptable standard of work, thereby minimising possible damage and decay/disease in the future.

3) INFORMATIVE:

Standard of work:

Tree work should be carried out by trained, competent and appropriately insured arborists, to a good standard to comply with BS 3998 Recommendations for Tree Work

4) INFORMATIVE:

Protected Species:

The applicant should note that under the terms of the Wildlife and Countryside Act 1981, it is an offence to disturb nesting birds, bats their roosts and other protected species. You should note that work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that nesting birds, bats and other species will be disturbed.

5) INFORMATIVE:

Photos of work: Photos of the tree after the consented works have taken place are required. Please forward these via email or post.

6) INFORMATIVE:

Property Rights:

The applicant should note that this consent does not affect any private property rights and therefore does not authorise the carrying out of any work on land or entering land outside his/her control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before the work starts.

7) INFORMATIVE:

Highways works:

This proposal involves works that could affect the public highway. It is an OFFENCE to carry out any works that may affect the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Please contact the Area Street Works Co-ordinator, email: streetworks.north@norfolk.gov.uk

8 APPLICATION 06-22-0474-TCA - 3 GREYFRIARS WAY, GREAT YARMOUTH

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

The Planning Manager reported that this application was reported to the Monitoring Officer as an application submitted by the Borough Council, as applicant, for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 30th August, and the Monitoring Officer has checked the file and is satisfied that it has been processed normally and that no other members of staff or Councillors have taken part in the Council's processing of the application other than staff employed within the LPA as part of the determination of this application.

The trees are located on Greyfriars Car Park which is owned by GYBC. The trees are located in Conservation Area No. 3 Hall Quay/South Quay. The proposed tree work is to reduce the size of the 8no. 'malus' trees (a genus which includes apples, crab apples etc) to suitable growth points/or branches to be reduced.

The works are not considered be likely to have a significant impact on the appearance of the trees, and the works will enable the trees to remain in good health and help to increase their lifespan. The trees are prominent features in the street scene, due to their visibility they provide a positive contribution to the local environment and its enjoyment by the public. The works will ensure that the trees continue to contribute to visual amenity. The application would ensure the trees will continue to contribute to the visual amenity and character of the area complying with policies E4, CS09, CS10 and CS11. At present, it is not considered that the trees need to be specifically protected by a Tree Preservation Order (TPO) so the application should not be refused, and can be approved but bespoke conditions cannot be appended to approvals.

The Planning Manager reported that the application was recommended for approval with the conditions as set out in the agenda report.

RESOLVED:-

That application number 06/22/0474/TCA be approved subject to the following conditions and informatives:-

Conditions:

- 1) The work must be carried out within two years of the date of this consent notice and may only be carried out once.

The reason for the condition is: -

The time limit condition is imposed in order to comply with the requirements of the Town and Country Planning Act 1990 as amended by the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2) The work is to be carried out in accordance with British Standard 3998:2010 (Recommendations for Tree Work). The work shall be as specified below:

T1 – T8 (Malus) - Reduce trees to suitable growth points/or branches to be reduced. The reason for the condition is: -

For the avoidance of doubt.

3) INFORMATIVE:

Standard of work:

Tree work should be carried out by trained, competent and appropriately insured arborists, to a good standard to comply with BS 3998 Recommendations for Tree Work

4) INFORMATIVE:

Protected Species:

The applicant should note that under the terms of the Wildlife and Countryside Act 1981, it is an offence to disturb nesting birds, bats their roosts and other protected species. You should note that work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that nesting birds, bats and other species will be disturbed.

5) INFORMATIVE:

Property Rights:

The applicant should note that this consent does not affect any private property rights and therefore does not authorise the carrying out of any work on land or entering land outside his/her control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before the work starts.

9 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: TBC