



GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Minutes

Wednesday, 13 October 2021 at 18:00

Present

:

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

Councillor Candon attended as a substitute for Councillor Annison

Councillor Price attended as substitute for Councillor Mogford

Mr D Glason (Director of Planning and Growth); Mr R Parkinson (Development Control Manager), Mr C Green (Senior Planning Officer), Mr R Tate (Planning Officer), Mr G Bolan (Planning Officer); Ms C Whatling (Monitoring Officer) & Mrs S Wintle (Corporate Services Manager).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Annison and Mogford.

2 DECLARATIONS OF INTEREST

Councillor Freeman declared a personal interest in items 6 and 7 in his capacity as Parish and Ward Councillor for Ormesby and Scratby.

3 MINUTES - 15 SEPTEMBER 2021

The minutes of the meeting held on the 15 September were confirmed subject to the following amendments :-

Item 5 - APPLICATION 06-21-0329-F - POPS MEADOW, GORLESTON

Councillor Williamson commented that he fully supported the recommendations of the Officers, he made reference to the fence which was in obvious need of replacing and suggested that pre coated fencing be considered which would provide for a better finish than galvanised fencing and would be more pleasing to the eye in a conservation area. Councillor Williamson further made reference to the opening times of the facility of 10am until 7pm which in his opinion as restrictive.

Councillor Flaxman-Taylor sought clarification with regard to the opening times of the venue as listed within the pack as 10am until 7pm and asked whether this was both summer and winter opening times, this was confirmed as summer and winter opening times. Councillor Flaxman-Taylor commented that she felt it would be more appropriate to have similar times to that of what was previously agreed for the site of 9am till 9pm. The Senior Planning Officer reported that the applicant had requested 10am until 8pm within their application.

That the recommendation be amended to read :-

RESOLVED :

That application 06-21-0329-F be approved, subject to the following conditions :

- (1) The opening and closing times be amended to 10am to 8pm
- (2) Replacement fencing details to be submitted and agreed in association with the Conservation Area Officer by November 1st 2021.
- (3) Landscape scheme to soften boundary (to dwellings on southern boundary)
- (4) A revised rides and structures layout plan
- (5) A plan showing provision of visibility splay
- (6) Flood warning and evacuation plans submitted, before any permission is issued [as described at paragraph 10.5 above].
- (7) For a temporary period - in order to further assess the impact of the use and safeguard the residential amenities of the occupiers of nearby dwellings and the character of the Conservation Area – subject to Conditions as listed at paragraph 10.6 with the amendment of the existing fencing to be removed and the replacement fencing (to be approved) is to be installed by Easter 2022 (1 March), with visibility splay incorporated therein above and any others considered appropriate by the Development Management Manager including lighting.

4 MINUTES - 22 SEPTEMBER 2021

The minutes of the meeting held on the 22 September 2021 were confirmed subject to the addition of Councillor Fairhead in those present.

5 APPLICATION 06-21-0237-F - 4 BURTONS BUILDINGS, ST PETERS ROAD, GREAT YARMOUTH

The Development Control Manager reported that the application had been brought to the Committee at the discretion of the Director of Planning and Growth, given local interest in the application.

It was reported that since the Officer's report had been published to the Committee the applicant had confirmed that they had submitted the wrong address on the application form, and the application had been advertised and published as such. It was advised that this discrepancy did not appear to have prejudiced or hindered consultation by the public, stakeholders or local community because the application plans were clear with regard to the building concerned, nevertheless the discrepancy should be resolved before any decision is issued.

It was reported that Officers had discussed the situation with the Monitoring Officer and proposed to amend the recommendation contained within the report to request that Committee resolve to delegate authority to the Director of Planning and Growth to issue permission once a new round of public consultation is completed.

Councillor Hammond questioned why the application had not been put back out to public consultation again in light of the issue that had been identified.

Councillor T Wright suggested that a site visit be arranged for the Committee to look at the site in question.

RESOLVED :

That application 06-21-0237-F be deferred to allow for a site visit to be undertaken at the application site.

6 APPLICATION 06-21-0627-F - 7 SPRUCE AVENUE, ORMESBY ST MARGARET

The Committee received and considered the Planning Officers report.

The Planning Officer reported that the application had been brought to the Development Control Committee due to the applicant being an employee of the Borough Council.

The Planning Officer reported that the application before Members sought approval of a side and rear extension, and conversion of the garage. The existing garage is proposed to be converted into a study, and the side extension effectively extends the garage forward to provide an additional store room and new porch access at the side of the house.

The site is within the development limits of Ormesby-St-Margaret and is a single storey bungalow which is typical of properties along Spruce Avenue which comprise a mixture of 2 storey houses and single storey bungalows.

The Planning Officer reported that one letter of concern had been received

from a neighbour who had concerns on the grounds of the following :-

- Boundary issues and possible fence removal.
- The window on the front elevation of the proposed existing garage extension looking into their property.
- The toilet – no window has been specified so far for the toilet therefore they assume any fumes would have to be extracted, and are concerned about the placement of the extractor exit.
- Would this affect us at a later date if we wished to extend to the boundary on our side of the property?.

The Committee were informed that the Parish Council had since submitted comments on the application and these were as follows :-

- Concern of overlooking from rear windows
- loss of daylight
- loss of parking

The Planning Officer summarised the assessment of the application to the Committee, he advised that as the neighbour who had submitted comments identified, the extension continues to use the same building line as the external wall of the garage which acts as the boundary between no. 7 and 5 Spruce Avenue. This would require notification and potentially negotiation through the Party Wall Act but the loss or otherwise of a shared boundary fence is a civil matter and is not a material planning consideration. Any grant of planning permission would not give permission to carry out works on any land or property which is not in the ownership of the applicant.

It was reported that the amenities of neighbouring properties have been considered in the assessment of the application. The proposal does not seek any windows in the North-facing elevation or roofslope running along the boundary with the neighbour at 5 Spruce Avenue, and therefore is not assessed to create any significant detrimental impact from loss of privacy.

The Planning Officer reported in terms of amenity impacts there is not considered to be an unacceptable level of detrimental impact due to the single storey scale and the low-rise profile of the garage roof, and the limited area of the proposed extension which will increase the mass on the boundary to no. 5 to the North. It is not assessed to create any significantly detrimental impact on residential amenity due to a sense of overbearing development or overshadowing.

It was reported that in terms of the queries from the neighbour relating to an extractor fan and where this would extract fumes to. Given that there is not one marked on the plan and it is not assessed that this would create a significant detrimental impact upon the neighbours. However it shall be conditioned that the applicant shall route any extraction through the roof or out of another opening away from the neighbours side to prevent any unneighbourly impact.

It was advised that a planning condition shall be used to ensure that no additional windows or openings are added to the north-facing elevation along the common boundary in order to avoid precluding similar development in the future.

The Planning Officer reported that subject to the imposition of conditions as described, the proposal is considered acceptable as it accords with the policy criteria of HOU18 of the saved Borough Wide Local Plan and the criteria in the emerging Local Plan Part 2 Amenity Policy. The proposal would also not be contrary to CS9 in terms of design and was therefore recommended for approval.

Councillor Myers sought clarification on the wall between the two properties and the WC Extractor fan and raised some concern, although it was noted that this was not a matter that the application could be objected on the grounds of, however it was advised that this formed part of a condition within the recommendation that the Extraction to the WC or other rooms shall avoid the shared boundary wall / side elevation.

Councillor T Wright asked for clarification on the comments received from the Parish Council whether these had been an objection to the application or just comments, it was advised that no formal objection had been received only comments and concerns.

Following a vote it was :

RESOLVED

That application 06/21/0627/F be approved subject to the following conditions :-

1. The development must be begun not later than three years from the date of this permission.
2. The development shall be carried out in accordance with the application form and revised plans received by the LPA on the 8th September 2021.
3. The exterior materials to be used in the development shall match those of the existing dwelling.
4. No part of the development shall overhang the boundary.
5. Extraction to the WC or other rooms shall avoid the shared north boundary wall / side elevation.
6. Notwithstanding any relevant Permitted Development rights, there shall be no additional windows or openings added to the north elevation of the extension without the express written permission of the LPA.

And any other conditions considered appropriate by the Development Management Manager.

7 APPLICATION 06-21-0560-F - 4 BRACECAMP CLOSE, ORMESBY ST MARGARET

The Committee received and considered the Planning Officers report.

The Planning Officer reported that the application had been brought to the Development Control Committee due to the applicant being an employee of the Borough Council.

The Planning Officer reported that the application before Members sought approval of a first floor extension at 4 Bracecamp Close in Ormesby. The subject dwelling is a two-storey detached brick house set to the north of Bracecamp Close. The dwelling is typical for the area, being of a similar form and style to the other dwellings on the estate. The dwelling sits on the entrance to the estate proper and as such it sits on a larger plot and has increased spacing with neighbours in comparison to dwellings further in the estate.

The proposal was for a first-floor extension to the east of the existing dwelling. It is proposed that the extension would have a flat roof, be clad in cement board cladding and have windows to rooms looking out to the south, east and north.

The Planning Officer reported that one letter of objection had been received from a neighbour who had objected on the grounds of overlooking and loss of privacy. It was reported that an additional letter was received from a neighbour stating that the plans were not viewable on the website. After they were uploaded, the neighbour was informed and invited to comment (on the 9th August 2021), but no further correspondence had been received.

The Committee were informed that the Parish Council had since advised that they had no objections to raise on the application.

The Planning Officer reported that the proposal was considered acceptable in design terms and would not be harmful to the character of the area, and as such would comply with policy HOU18 A.

The Planning Officer reported that the extension included windows on the south, east and northern elevations. The windows to the south would serve the study and look across the road, to the north the windows will serve the en-suite. The dwelling as existing did not have habitable rooms with windows looking out to the east; the proposed plans show a window on this elevation. There is approximately 30 metres separating the eastern wall of no.4 Bracecamp Close and the western wall of no.2 Bracecamp Close. This, in combination with the vegetation screening between the two, would be

considered sufficient enough distance such that significant levels of overlooking should not occur.

It was advised that the window on the eastern elevation would allow partial views over toward the objector's property (6 Symonds Avenue). The distance between the proposed window and the south-eastern elevation of the objector's property is approximately 41.5 metres. Given the obscure angle and distance, significant overlooking is not expected to occur. Moreover, to mitigate concerns regarding overlooking, the windows to the en-suite can be conditioned to be obscure glazed to a standard equivalent to Pilkington Level 5 and to be partial-opening only (i.e. limited to a 45 degree opening from the interior plane).

Due to its siting and distance from the neighbouring properties, it is considered that the proposal would not create an overbearing impact or significant overlooking of the neighbouring properties. As such the application is compliant with policy HOU18 B and emerging policy A1.

The Planning Officer reported that as there are protected trees on site a condition should be used to ensure there are no materials stored, access created, or other works undertaken within the trees root protection area / canopy spread without prior written approval.

It was reported that to be mindful of the proximity to neighbouring dwellings it would be considered appropriate to condition the hours of construction to limit any adverse impact on neighbours.

The Planning Officer reported that the application was recommended for approval subject to conditions as detailed within the Planning Officer's report.

Councillor T Wright made reference to 4.11 within the report and raised some concern with regard to the trees that were of a protected status.

Councillor Price asked how the hours of work could be restricted, and he was advised that these were to be conditioned as part of the the recommendation.

Councillor Jeal made reference to the window that had caused some concern to the neighbouring property and suggested that this could be a glazed window, however it was advised that this window was approximately 45 metres away from the neighbouring property so of a sufficient distance to not cause any overlooking and this room was to be a proposed bathroom so would include a glazed window.

Following a vote is was :-

RESOLVED :

That application 06/21/0560/F be approved subject to the following conditions :-

1) 3-year time limit

- 2) In accordance with plans
 - 3) Obscure glazing for the en-suite and restricted opening
 - 4) Restrict hours of work
 - 5) Protection of tree root protection area / canopy spread area during works
- And any other conditions / notes considered appropriate by the Development Management Manager.

8 ANY OTHER BUSINESS

There was no other business discussed at the meeting.

The meeting ended at: 20:00