



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Development Control Committee

## Minutes

Wednesday, 20 July 2022 at 18:00

**PRESENT:-**

Councillor Freeman (in the Chair); Councillors G Carpenter, Fairhead, P Hammond, Hanton, Mogford, Myers, A Wright & B Wright.

Councillor Candon attended as a substitute for Councillor Flaxman-Taylor.

Councillor D Hammond attended as a substitute for Councillor Annison.

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

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Annison, Flaxman-Taylor, Wainwright & Williamson.

Councillor Candon attended as a substitute for Councillor Flaxman-Taylor.

Councillor D Hammond attended as a substitute for Councillor Annison.

### **2 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3 06-22-0197-O MILL BARN HEMSBY ROAD MARTHAM**

The Chairman reported that this item had been deferred.

**4 06-22-0203-F SHERIDAN GROVE, LORDS LANE, BRADWELL**

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

The Planning Officer reported that Sheridan Grove is a detached two storey dwelling accessed via a private drive located to the south of Lords Lane in Bradwell. The dwelling sits on a 0.15ha plot which is similar in size to the neighbouring properties. The private lane is relatively narrow, with planting on both sides it is verdant and tranquil in character. The site is within the development limits.

The annex subject to this application is a detached outbuilding located to the north of the main dwelling. The building was formerly a garage but planning permission was granted in 1991 (06/91/0838/F) to convert this into an annex. Condition 2 of that permission stated the below:

“The granny flat hereby permitted shall only be used by the occupiers of the adjoining dwelling, or their dependants, and shall not be used as a separate dwelling or let separately for holiday purposes”

The reason for the condition is:-

This permission is granted under exceptional circumstances for a form of development not normally permitted by the Local Planning Authority and to enable the Authority to retain control over the use of the site.”

The applicant started using their annex for holiday accommodation during 2021 before being notified in December 2021 that they were operating in breach of condition 2 of 06/91/0838/F. This led to an application (06/22/0001/F) being submitted which was withdrawn due to a lack of information. This application has been submitted with the information that was missing in the previous application.

The application seeks to remove condition 2 of planning permission 06/91/0838/F to allow the annex to be used for holiday accommodation. Information submitted in support of the application describes the annex as “a one-bedroom self-contained bungalow with its own fenced off garden. There is a king size bed, fully fitted kitchen with cooking/eating apparatus, shower room, living/dining room, self-contained garden, and hot tub. The annex is currently advertised on the site Airbnb with a target audience of couples.” No external works are proposed as part of this application.

The Planning Officer reported that the use of the outbuilding as a holiday let will change the character of the use; however, the property is located within the development limits for Bradwell, albeit outside of any defined Holiday Accommodation Areas (protected under LPP2 policy L1). Core Policy CS8 at part (a) supports year-round tourism and at part (e) supports the development of new high quality tourism

accommodation.

The site is located sustainably, being within walking distance to the main facilities within Bradwell. Bradwell is well located and equipped to accommodate an additional holiday let without overwhelming local infrastructure. As such, the application complies with CS08 E encourages holiday accommodation which can be easily accessed and good connectivity with existing attractions.

The Planning Officer informed the Committee that should Members be minded to approve the application then it would be appropriate to impose condition to ensure the use is restricted to holiday use only. Suggested conditions include ensuring use of a log book and a condition ensuring the holiday let remains in the same ownership as the main dwelling.

Members may be aware that sometime holiday uses were historically restricted to seasonal occupation. Whilst there could be many and various reasons for this, it should be noted that the Government's cancelled Circular 11/95 stated that in matters concerning holiday-let or holiday accommodation uses, a condition should simply specify that the permitted accommodation should be used for holiday use only and the convention that a restriction on the period during which a caravan or mobile home may be occupied by reference to a season defined by a date range, to aid enforcement, was only appropriate where a unit is unsuitable for occupation all the year round because of its light construction.

The outbuilding the subject of this application is capable of year round occupancy – as demonstrated by the existing lawful use as a granny annex – as such, a condition restricting occupancy between a date range is not considered appropriate in this case.

The Planning Officer reported that the Parish Council had objected to the application due to the impact on the neighbours. Ward Councillors; Councillors Annison & Hacon had also objected to the application as it went against planning policy CS08, CS09 & Policy L2 of the LPP2 and were covenants on the site which did not allow this to take place. Two letters of objection from local residents have also been received.

The application site is within the development limits of Bradwell and is within walking distance to shops and services. Core Policy CS08 supports tourist accommodation, especially in sustainable locations. Whilst neighbours raise concerns about potential increase in noise and disturbances, as discussed above, the proposed use of the annex as a holiday let is not considered to represent an increase in the intensity of the use compared to the annex use and as such should not give rise to a significantly adverse impact to neighbouring amenity. Furthermore, due to the distance between dwellings and existing level of planting, most disturbances should be adequately mitigated or screened to avoid significant disruption. The applicant has provided the required shadow template HRA and the GIRAMS contribution. As such, the application complies with GSP5 and CS11.

The Planning Officer reported that having considered the details provided, the application is considered to comply with policies CS08, CS09 and CS11 from the adopted Core Strategy, and policies GSP1 and A1 from the adopted Local

Plan Part 2. There are no other material considerations and the application is recommended for approval with the conditions as set out in the report.

Mr Amanat, objector, addressed the Committee and informed them that there was a restrictive covenant on the application site and it was not appropriate to operate a holiday let from this location and he respectfully asked the Committee to refuse the application.

Cllr Hanton asked Mr Amanat what were the adverse effects on the neighbours. Mr Amanat replied that people knocked on his door at all times of the day and night with food deliveries and loud music could often be heard emanating from the property which was disruptive for his family.

Cllr Annison, Ward Councillor, reported that he had huge concerns regarding the application and the removal of condition 2 from the planning permission and asked that Members refuse the application. The change to holiday use would result in many more car movements along a private access road which would impact on the residents quality of life. However, if Members were minded to approve the application, he requested that an additional condition be added that signage to the holiday let be erected in the applicants garden.

Councillor Myers reported that it would be difficult to refuse the application but that he agreed with the additional condition that Ward Councillor Annison had requested.

Councillor A Wright reported that he understood and sympathised with the concerns of the neighbours and local residents and that he too, agreed with the request for an additional condition for signage, but was concerned how this would be policed.

The Head of Planning reported that a management sign would be put in place regarding signage/clear directions to the holiday let. It would be the responsibility of the owner to produce and submit the management plan and to tell the planning department how they intended to manage the situation. However, if this management plan was breached, there was no right of appeal and it would go straight to the Magistrates Court.

Councillor P Hammond informed the Committee that lettings agents were often used who might not enforce the management plan and therefore, the application should remain as it was without the additional condition.

Councillor A Wright suggested that the applicants should be advised to use "what three words" as the postcode was unreliable when entered into a sat nav system as this would take you directly to the holiday let.

Proposer: Councillor Myers  
Seconder: Councillor A Wright.

RESOLVED:-

That application 06/22/0203/F be approved subject to the following conditions; as the application is considered to comply with policies CS08, CS09 and CS11 from the adopted Core Strategy, and policies GSP1 and A1 from the adopted Local Plan Part 2.

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 following revised plans received by the Local Planning Authority on the 2nd March 2022:

Site Location Plan: 19-21-GY rev. SLM

And with the revised plan received by the Local Planning Authority on the 19th May 2022:

Existing and proposed block plan - 19-21-GY rev. BP1

The reason for the condition is:-

For the avoidance of doubt

3. The development hereby permitted shall not be occupied at any time other than for use as a single premises of holiday let / rented holiday accommodation, the operation of which shall be ancillary to the use of the dwelling known as Sheridan Grove, Lords Lane Bradwell. At no time shall it be sold, leased or occupied independently from the main dwelling, nor shall the common ownership of the holiday let and main dwelling be severed.

The reason for the condition is :-

To enable the local planning authority to retain control over the development which has been permitted to offer a specific purpose and where the occupation of the premises as a separate dwelling would result in a sub-standard layout of land.

4. The applicant shall maintain a logbook detailing visitors staying at the holiday let and the period of time for which they are staying. The logbook shall be maintained for the duration of the use of the premises as a holiday let, and shall be made available for officers from the Local Planning Authority to view at all times.

The reason for the condition is :-

To ensure the holiday unit is not used as permanent residential accommodation.

5. The applicant shall produce a management plan to promote clear signage and directions to the holiday let.

The reason for the condition is to prevent nuisance to neighbours/local residents. and any other conditions considered appropriate by the Development Manager.

## 5 06-22-0477-A MARINA CENTRE MARINE PARADE GREAT YARMOUTH

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

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 (Local Planning Authority) as part of the determination of this application.

The application seeks advertisement consent for 8 signs on and around the new Marina Centre. This includes:

- 1x 1.5m wide by 4.0m high by 0.1m deep free-standing totem
- 1x 1.0m wide by 4.0m high by 0.1m deep free-standing totem
- 2x 1.0m wide by 2.1m high by 0.06m deep free-standing totem
- 1x 13.3m wide by 3.65m high logo sign (south elevation fascia)
- 1x 8.8m wide by 2.4m high logo sign (west elevation fascia)
- 1x 1.8m wide by 7.0m high external branding (west elevation fascia)
- 1x café signage – vinyl applied to glazed facade.

The totem signs are proposed to be located around the car park. These signs will provide basic way finding for visitors and users of the leisure centre. The totems will be fixed to bolt boxes precast in RC concrete footing, and will be formed of aluminium trays and trims, stainless steel skirt and kick plates. The background will be signal blue (RAL 5005) and the text in signal white (RAL 9003).

The logo / letting signs will use the same colour palette as the totem signs, with lettering in signal white. The logo and lettering be in aluminium polyester powder coated finish. Café signs will be vinyl applied to the windows and door of the café, looking out east to the beach.

None of the proposed signs are to be illuminated.

The principal policy for assessing advertisement applications within the Borough is adopted policy A3 from the Local Plan Part 2. This states:

"In assessing advertisement proposals in terms of amenity, regard will be given to the local characteristics of the neighbourhood in terms of potential impact upon the scenic, historic, architectural, landscape or cultural settings, and whether it is in scale and in keeping with these features.

In assessing advertisements in terms of public safety, consideration will be given to the advertisement's potential to become hazardous to users of paths, roads, rail, waterways and aircraft."

The Planning Officer reported that the signs are well positioned and relate to the existing building, utilising the same colour palette and ensuring use of higher quality materials. Having considered the details provided, the application is considered to accord with policies CS09 and CS10 from the adopted Core Strategy, and policies A1, A3, E5 and GY6 from the adopted Local Plan Part 2. It is considered that the application be recommended for approval subject to

conditions as set out in the report.

Proposer: Councillor P Hammond  
Seconder: Councillor Hanton.

RESOLVED:-

That application 06/22/0477/A be approved as the the application is considered to accord with policies CS09 and CS10 from the adopted Core Strategy, and policies A1, A3, E5 and GY6 from the adopted Local Plan Part 2, 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 following revised plans received by the Local Planning Authority on the 19th of May 2022:

Site Plan Sheet 1:	GYH&FC-SBA -ZZ -00 -DR-A -0801 Rev.P01
Site Plan Sheet 2:	GYH&FC-SBA -ZZ -00 -DR-A -0802 Rev.P01
South/West Elevations:	GYH&FC-SBA -ZZ -XX-DR-A -0821 Rev.C02
Sign Type 01:	002 P04
Sign Type 02:	003 P04
Sign Type 03a:	005 P04
Sign Type 03b:	006 P04
Sign Type 04:	007 P04
Sign Type 05:	009 P04
Sign Type 06:	010 P04
Sign Type 07:	011 P04

The reason for the condition is: -

For the avoidance of doubt.

3. No part of the proposed structures (the totems signs, including any posts and foundations) shall overhang or encroach upon highway land.

Reason: In the interests of highway safety.

4. The proposed signs shall be finished and thereafter retained in non-reflective materials.

Reason: To avoid undue distraction to motorists and to avoid possible resemblance to and confusion with bona-fide road signs.

5. No advertisement is to be displayed without the permission of the owner of the site on which they are displayed (this includes the highway authority, if the sign is to be placed on highway land);

6. No advertisement is to be displayed which would obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport;

7. Any advertisement must be maintained in a condition that does not impair the

visual amenity of the site;

8. Any advertisement hoarding, or structure is to be kept in a condition which does not endanger the public; and,

9. If an advertisement is required to be removed, the site must be left in a condition that does not endanger the public or impair visual amenity.

The reason for the above conditions 5 – 9 is: -

To comply with Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Informative Note:

It is the Applicant's responsibility to clarify the boundary with the public highway. Private structures such as fences, or walls, signs, etc., will not be permitted on highway land. The highway boundary may not match the applicant's title plan. For further details please contact the highway research team at [highway.boundaries@norfolk.gov.uk](mailto:highway.boundaries@norfolk.gov.uk); and any other conditions considered appropriate by the Development Manager.

## **6 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: 20:00