



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# **Development Control Committee**

## **Minutes**

Wednesday, 03 February 2021 at 16:00

**PRESENT:-**

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

Mr D Glason (Director of Planning & Growth), Mr D Minns (Planning Manager), Mr R Parkinson (Development Control Manager), Mr G Sutherland (Senior Planning Officer), Ms C Whatling (Monitoring Officer), Mrs S Wintle (Corporate Services Manager), Mr M Severn (IT Support) & Mrs C Webb (Executive Services Officer).

### **1 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

## **2 DECLARATIONS OF INTEREST**

Councillor Mogford declared a personal interest in item number 5 as he was a member of the Broads Internal Drainage Board.

Councillor Flaxman-Taylor declared a personal interest in item 6 as she had been approached by the objector and the applicant was known personally to her. Councillor Flaxman-Taylor would speak solely as a Ward Councillor and would not speak and vote on the item.

Councillor Williamson declared a personal interest in item 7 as he had been approached by local residents and had, as a result, written a letter of objection to the planning department expressing the views of his constituents. Councillor Williamson would speak solely as a Ward Councillor and would not speak and vote on the item.

## **3 MINUTES**

The minutes of the meeting held on 25 November 2020 were confirmed by assent.

It was noted that in regard to application number 06-20-0156-O, that Councillor Wainwright had proposed that the application be approved and this had been seconded by Councillor Williamson.

## **4 MINUTES**

The minutes of the meeting held on 13 January 2021 were confirmed by assent.

## **5 APPLICATION NO 06-20-0562-O HIGHFIELD EQUESTRIAN CENTRE NEWPORT ROAD HEMSBY**

The Chairman welcomed Rob Parkinson, Development Control Manager, to the meeting. The Chairman reported that the Committee would hold a minutes silence at 6 pm to mark the sad passing of Captain Sir Tom Moore and to remember all those who had sadly lost their lives to Covid19.

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

The Senior Planning Officer reported that the proposal is for the provision of up to 150 dwellings on 4.26 hectares, the accompanying Masterplan indicates structured landscaped open space including the provision of a green corridor, play space, publicly accessible open space and sustainable urban drainage on 4.09 hectares. The overall density would be 35 dwelling units per hectare. A mixture of dwelling sizes and tenures is proposed, including 50% affordable housing. Supporting materials submitted with the application refer to the standards anticipated to be accommodated in any new residential development such as open space and play space, and the applicant expresses a willingness to meet community infrastructure requirements to mitigate the impact of the development. No information has been provided to demonstrate how the development could provide the indicated percentage of affordable housing.

The Senior Planning Officer reported that vehicular access is shown off a new access off Yarmouth Road towards the middle of the site, south of the petrol filling station opposite the allotment gardens. A bicycle and pedestrian access point would be located at the NW corner of the site.

The Senior Planning Officer reported that the following supporting information has been submitted with the application:

Planning Supporting Statement, Statement of Community Involvement, Design and Access Statement, Flood Risk Assessment and Drainage Strategy, Residential Travel Plan, Transport Assessment, Preliminary Ecological Appraisal, Shadow Habitats Regulations Assessment and a Desk Based Archaeological Assessment and a Preliminary Contamination Assessment

The Senior Planning Officer reported that Hemsby Parish Council objected to the application for the following reasons:

The site is mainly on Grade 1 agricultural land; development could set a precedent to develop the opposite side of Yarmouth Road; the road is extensively used by visitors in the summer, slowing and turning in & in combination with the petrol filling station could be hazardous; impact on residential amenity; adequacy of sewerage system in the vicinity; potential conflict between pedestrians and vehicles on Yarmouth Road where there is no footway; over-development of the village; change in character of land from rural to developed.

The Senior Planning Officer reported that at the time of writing 33 representations have been received summarised as follows:

Support for affordable housing (1 representation), Inadequate infrastructure to support more housing, schools, doctors, social services, water and sewerage capacity, Site is outside the village envelope, loss of Grade 1 agricultural land,

loss of green space, rural character.

Housing has been approved for re-development at the former Pontin's holiday centre, the village doesn't need more houses for at least 5 years, Yarmouth Road is busy in summer, traffic generation and new access impact on safe road use for visitors, no footways hazardous for pedestrians and cyclists. Hemsby is a holiday destination, more development will spoil the character, and have a negative impact on quality of life. Insufficient shops, services, no senior school and employment in village mean householders will have to make journeys. Increase flood risk on Newport Road.

The Senior Planning Officer reported that the Borough Core Strategy seeks to support

sustainable development, which is environmentally, economically and socially beneficial. In this the Borough has planned and identified more than enough residential developments sites to meet its obligations for then designated plan period. The site lies outside of the Hemsby Development Boundary in the adopted local plan where new residential development will only be permitted in exceptional situations. With a resident population of approximately 3,000 Hemsby is identified in policy CS2 of the Core Strategy as a Primary Village settlement with a small range of services and opportunities for employment, retail and education. It serves a limited local catchment and contains a lower level of access to public transport. In this case the site is located on a road having bus service it is within walking distance of the primary school, doctors' surgery, small supermarket and post office located in the village centre.

The Senior Planning Officer reported that Norfolk County Council have advised that Hemsby Primary School will likely be at capacity as a result of development of this site and other sites within the vicinity. Norfolk County Council advise that Hemsby Primary School cannot be expanded on its existing site to accommodate new pupils arising from the developments. As a result, it is likely that new pupils arising from this development may have to travel to schools in Ormesby. This reduces the sustainability of this location for further development.

The Senior Planning Officer reported that whilst it may be argued the site is in a reasonably sustainable location, it is not necessary to develop the property contrary to the Development Plan. It is considered that to do so is not economically, socially or environmentally beneficial at this time. A major residential site has been allocated in the emerging Local Plan for 190 dwellings at the former Pontin's Holiday Centre. That site has planning permission and can be delivered in a 5- year timescale. The National Planning Policy Framework puts significant weight on the deliverability of housing developments and requires local planning authorities to identify a five-year supply of deliverable sites. Where a five year supply cannot be demonstrated the NPPF states that policies in the development plan, including those which are most important for determining applications, are treated as being out-of-date meaning that speculative applications for housing developments could be permitted where they would usually be contrary to development plan. In this

case as of December 2020 the Borough has a supply of 6.71 years so the development is not needed.

The Planning Officer reported that Policy CS11 seeks to safeguard and enhance the natural environment. The development of 150 houses would add undue recreational pressure on vulnerable habitat sites protected for conservation. The policy seeks to protect high quality agricultural land. The larger part of the site is designated Grade 1 agricultural land. Policy CS12 also seeks to protect the best and most versatile agricultural land as a valuable resource for future generations. Given a sufficient housing supply is deliverable elsewhere in the borough including in Hemsby, it is not necessary to sterilise this current asset.

The Senior Planning Officer reported that studies and assessments will likely show that by means of appropriate engineering and technical solutions, development can be serviced at the site. However, it is not necessary to do so at this time. The development of the site is premature to the need of the community. It is not necessary to add additional pressure on local schools or health care facilities. Hemsby is a primary holiday destination in the borough, it is not necessary to develop the site with the associated disturbance to residents and visitors. Visitors are the main driver of the local economy.

The Senior Planning Officer reported that information submitted with the application states it is the applicant's intention to provide 50% affordable housing (75 houses) in the development. However, no evidence is provided of how that can be achieved or is viable in relation to the costs of providing infrastructure, roads, utilities, surface water drainage, sewers, without which little weight should be given. In the case of any planning permission the subject of a Section 106 agreement, a monitoring fee of £500 per obligation shall be required to be paid by the applicant as a requirement of the agreement.

The Senior Planning Officer reported that the application is recommended for refusal. In this case the site adjoins but is beyond the existing built up settlement limits, it is of a rural character supporting an equestrian use that could normally be anticipated in a countryside location. The village has a range of services, including a doctor's surgery and a primary school. The site is with half a mile of the village centre and a bus stop is located at the northern end of the site. The adopted Core Strategy seeks to provide approximately 30% of the boroughs housing requirement in primary settlements such as Hemsby and has allocated a site for 190 houses to the north at the former Pontins Holiday Centre, planning permission has also been granted for that site. In accordance with central government planning policy, the Council has an obligation to be able to demonstrate a 5-year Housing supply. As of December 2020, the Council can demonstrate a supply of 6.71 years.

The housing requirement for borough can be met and exceeded by the number of deliverable dwellings from existing planning permissions and from those allocations in the emerging Local Plan Part 2. No information has been submitted with this application to demonstrate the deliverability of the housing proposed within a 5-year period. No information has been provided as to how 50% of the housing would be affordable. Further, at time of writing this report the applicant has not provided sufficient evidence to rule out significant effect

from associated recreation on protected habitats. The proposal involves the permanent development of grade 1 agricultural land. Accordingly, it is considered that the development of the site would be an unwarranted intrusion in the countryside and place additional recreational pressure on protected habitats.

The Senior Planning Officer reported that it is recommended that the application is refused as being contrary to the Development Plan. The proposal is contrary to saved Policy HOU10 of and the Great Yarmouth Borough-wide Local Plan (2001) (LP), also Policies CS1, CS11 and CS12 of the Great Yarmouth Local Plan: Core Strategy and Policies GSP1 and H13 of the Great Yarmouth Local Plan Part 2.

Councillor Fairhead asked if the information requested by the Broads IDB regarding a site investigation had been forthcoming. The Senior Planning Officer reported that the request involved the infiltration capacity of the ground in relation to surface water greenfield run-off rate and that this would form part of the Reserved Matters application.

Mr Peter Atkin, applicant's agent, addressed the Committee and reported the salient areas of the application and urged the Committee to approve the application.

Councillor Wainwright asked Mr Atkin in regard to the proposed 50% affordable housing provision on the site. Mr Atkin reported that he had written to the Planning Department and offered 50 % affordable housing as part of the s106 agreement for the site had given details of the interested Housing Associations. However, they had only been given two days notice that the application would be going to Committee and it was not possible to submit the required viability report in time.

The Senior Planning Officer reported that as per the report, a viability report regarding the provision of affordable housing had not been received and that the applicant had requested that the application be taken to the earliest planning committee for determination.

Mrs Hannah Gray, objector, reported her objections and those of other residents to the Committee as she was a member of the Hemsby Neighbourhood Plan Steering Group. She asked the committee to refuse the application which would be detrimental to the residents of Hemsby.

Mr Keith Kyriako, Chairman of Hemsby Parish Council, reported that the

Parish Council were strongly against the proposed development and that 605 local residents had signed a petition against the application.

Councillor Galer, Ward Councillor, reported that he was a member of the Broads IDB but that he did not see any direct conflict so would not declare a personal interest. Councillor Galer reported that he represented the views of the Neighbourhood Plan Steering Group, the Parish Council and his Ward Parishioners and opposed the application. The application was not warranted as the Borough had a 5 year land supply.

Councillor P Hammond reported his concerns that the application site often flooded following heavy rain.

The Senior Planning Officer reported that further advice from the Highways Authority had been received today regarding the application.

Councillor Wainwright proposed that the application be refused. This was seconded by Councillor Mogford.

#### RESOLVED:-

That application number 06/20/0562/O be refused. In this case the site adjoins but is beyond the existing built up settlement limits, it is of a rural character supporting an equestrian use that could normally be anticipated in a countryside location. The village has a range of services, including a doctor's surgery and a primary school. The site is with half a mile of the village centre and a bus stop is located at the northern end of the site. The adopted Core Strategy seeks to provide approximately 30% of the boroughs housing requirement in primary settlements such as Hemsby and has allocated a site for 190 houses to the north at the former Pontins Holiday Centre, planning permission has also been granted for that site. In accordance with central government planning policy, the Council has an obligation to be able to demonstrate a 5-year Housing supply. As of December 2020, the Council can demonstrate a supply of 6.71 years. The housing requirement for borough can be met and exceeded by the number of deliverable dwellings from existing planning permissions and from those allocations in the emerging Local Plan Part 2. No information has been submitted with this application to demonstrate the deliverability of the housing proposed within a 5-year period. No information has been provided as to how 50% of the housing would be affordable. Further, at time of writing this report the applicant has not provided sufficient evidence to rule out significant effect from associated recreation on protected habitats. The proposal involves the permanent development of grade 1 agricultural land. Accordingly, it is considered that the development of the site would be an unwarranted intrusion in the countryside and place additional recreational pressure on protected habitats.

The Senior Planning Officer reported that it is recommended that the application is refused as being contrary to the Development Plan. The proposal is contrary to saved Policy HOU10 of and the Great

Yarmouth Borough-wide Local Plan (2001) (LP), also Policies CS1, CS11 and CS12 of the Great Yarmouth Local Plan: Core Strategy and Policies GSP1 and H13 of the Great Yarmouth Local Plan Part 2.

## **6 APPLICATION NO 06-20-0521-F 45 MARINE PARADE GORLESTON NR31 6EX**

The Committee received and considered the report from the Development Control Manager.

The Development Control Manager reported that the proposal seeks the replacement of the existing 2 storey detached dwelling with a modern three storey property. The proposal is larger in scale than the existing although it is proposed to be the same height as the ridge height of no.44 Marine Parade – 8.5m. The site is roughly rectangular in shape being approximately 18 metres wide and extends at its maximum 44 metres back from the pavement edge. The proposed replacement dwelling will be 15 metres wide and 29 metres in depth. The proposed dwelling is an ‘L’ shape with a 3-storey section fronting Marine Parade, which will be 10 metres in depth, and a single storey projection extending back along the northern boundary on the plot. This single storey section will be at a 1 metre distance from the boundary with no.44 Marine Parade; it will have a flat roof which will be 3.65 metres high.

The Development Control Manager reported that the proposal is a modern, flat roofed design with an integrated double garage. Living accommodation is spread across all three floors with a study, utility room and open plan living/kitchen/dining area on the ground floor, four bedrooms on the first floor, and a bedroom and living room on the second floor with balconies looking out to the east. Marine Parade is predominantly characterised of detached dwellings consisting of two/two and a half stories with pitched roofs; although it should be noted that Marine Parade does not exclusively consist of these types of dwellings and there are examples of flat roofed properties on Marine Parade. When considering the appropriateness of flat roofs in this area, careful consideration has to be given to the integration of the proposal into the area and the impact of the bulk and scale on the setting of the Conservation Area. A well-integrated proposal could contribute to the local distinctiveness of the area.

The Development Control Manager reported that negotiations have been had between the applicants and the Local Planning Authority to mitigate the impact proposal, by virtue of its scale and mass would have on the conservation area. Not all suggestions were implemented, but the revised scheme is considered to be an acceptable compromise. The proposal now being assessed has a reduced second storey and utilises interlocking planes to break up the volumes of the proposal and to reduce the impact of the bulk. The Conservation Section has noted that this design is an improvement over previous iterations although noted concerns about the broad material palette.

The agent has agreed that the proposed materials can be agreed as part of any grant of permission to secure a less intense material palette. Another feature of Marine Parade is the spacing between the detached dwellings. This proposal would have a 2-metre distance between the proposal and the boundary with no.46 and a 1 metre distance to no.44. It is noted that the single storey garage does extend all the way to the northern boundary. When considering the pattern of the development, the inset of the second storey and the extension to no.46 to the boundary, the proposal is not considered to be harmful to the character of the area. A number of objections have been received as part of the public consultation process, detailed at paragraph 2.1. A number of these are concerned the impact that the proposal would have on the level of their amenity.

The Development Control Manager reported that the proposal would have a minimal impact on the level of amenity for the occupiers of no.46. The property is located to the south of the proposal and therefore, by virtue of the path of the sun, any impact on loss of light or overshadowing will be minimal. Concerns have also been raised about overlooking into the velux window on the northern elevation which provides light to an en-suite. As part of the revised plans the balconies now have solid walls to the side which mitigates this; whilst it is noted that some level of overlooking could occur, it would have to be so deliberate it would be unlikely to happen. Moreover, whilst concerns have been raised about levels of overlooking into the rear gardens due to the additional storey, the level of additional overlooking is not considered to be significantly adverse when considering the existing level of overlooking that occurs to the rear gardens. As discussed earlier, the proposal will be located 2 metres away from the boundary with no.44 Marine Parade. The neighbouring property has ground floor windows on its southern elevation and therefore would experience some levels of overshadowing. Although, by virtue of the existing garage and as these windows appear to be secondary windows there is not considered to be significant harm to the neighbouring amenity. The rear projection does extend along the majority of the boundary between the two plots and will be 3.6 metres in height. Although when considering the distance to the rear of no.44 no significant levels of overshadowing should occur.

The Development Control Manager reported that the occupants of no.69 Victoria Road has objected to the loss of outlook and loss of sea views. Views are not a right, but by virtue of the inset top floor and the gap between the dwelling to the south, there should not be a significant change in the outlook out to the east. The application is for a replacement dwelling and therefore there is no net change in the number of dwellings; consequently, a HRA or HMMS payment is not required as part of this application. However, biodiversity enhancement measures, such as bird boxes and bee bricks should be conditioned to ensure that the proposal complies with the aims of the NPPF and Core Policy CS11 from the adopted Core Strategy.

The Development Control Manager reported that the proposal would cover a large portion of the plot and therefore it is recommended to remove permitted development rights (PD) for outbuildings and further extensions should members be minded granting approval. Furthermore, it is recommended to

remove permitted development rights for future windows or openings. A number of neighbours had concerned that occupants would use the flat roof as living space, and whilst it is unlikely, by removing these PD rights it removes this possibility. The proposal is a modern design and the revised plans provides a more successful integration into the area which could contribute to the distinctiveness of Marine Parade. No significant impacts on neighbouring amenity has been identified and therefore the proposal is considered to be acceptable. Concerns about the massing and scale of the proposal have been sufficiently overcome and the proposal would contribute to the character of Marine Parade.

The Development Control Manager reported that the application was recommended for approval subject to the conditions raised in the report; 3-year time condition; in accordance with plans; all demolition materials removed prior to commencement of new dwelling; agreement of materials; access/parking levelled, surfaced and drained; removal of PD rights for extensions, further windows, and outbuildings; Bird boxes/bee bricks provided.

Councillor P Hammond asked for clarification that two contemporary houses had been granted planning permission along Marine Parade, if so, this proposed building would not be out of character with the street scene. The Planning Manager confirmed that two contemporary houses had been granted planning permission.

Councillor Myers asked for clarification regarding the ridge height of the proposed building. The Development Control Manager reported that the height of the flat roof on the third storey was at the same ridge height of the properties either side.

The Chairman reported that no applicant or agent had requested to address the Committee.

Mr Burwood, objector, reported that he lived next door to the application site and that it would be possible to see into one of his daughters bedroom/bathroom from the proposed balcony. Mr Burwood reported that the proposal would result in over-development of the site and loss of privacy and urged the Committee to refuse the application.

Councillor Flaxman-Taylor, Ward Councillor, addressed the Committee and highlighted several areas of the report which required further clarification.

Councillor Myers asked if there was any relevant planning history for the application site. The Planning Manager reported that there was no planning history for this site but several applications had been received for sites along Marine Parade, some applications had been refused at Committee and then gone to appeal. The Planning Manager explained the factors which the Committee should consider, for example, the proposed buildings' relationship to the Conservation Area and the weight each factor should be afforded during the determination process so the Council could have control of the development. The Planning Manager reported that it was difficult to judge the

scale of the development by using the scale available on the website as you had to know how to use it correctly by taking the measurements from the PDF document.

Councillor Freeman reported that he was not against modern developments but he had concerns regarding how this property would affect the existing dwelling to the north of the site which would be separated by a 3.65m boundary wall which would totally overshadow it. In his opinion, the application would result in gross over-development of the site and it would not fit in with the existing street scene. He was also disappointed that the applicant or agent was not in attendance to answer questions.

Councillor A Wright reported that he was concerned regarding the clarifications which had been sought from Councillor Flaxman-Taylor. He asked the Planning Manager to confirm that the report was accurate and factually correct. The Planning Manager confirmed that the report was factually correct.

Councillor Myers asked for clarification regarding the siting of windows as he was concerned regarding potential overlooking into the neighbours bedroom/bathroom. The Planning Manager reported that the elevations were detailed on pages 58 & 59 of the report and on page 60 there was an indicative floor plan which showed that there were no windows to the side of the first floor. On the second floor, a corner window would be treated with obscure glazing. The Development Control Manager assured the Committee that the new building would not exceed the original footprint.

The Chairman asked if the issue of potential overlooking from the corner window on the first floor and the stand-off distance to the edge of the building could be further mitigated. The Development Control Manager reported that the Committee could give delegated authority to officers to seek an amendments to the submitted plans.

Councillor P Hammond suggested that the neighbouring property could install velux blinds to help negate the possibility of overlooking.

Councillor P Hammond proposed that the application be approved. This was seconded by Councillor Wainwright.

**RESOLVED:-**

That application number 06-20-0521-F be subject to the conditions raised in the report; 3-year time condition; in accordance with plans; all demolition materials removed prior to commencement of new dwelling; agreement of materials; access/parking levelled, surfaced and drained; removal of PD rights for extensions, further windows, and outbuildings; Bird boxes/bee bricks provided. Delegated authority be given to officers to amend/condition the stand off distance to the edge of the building in consultation with the applicant.

## **7 APPLICATION NO 06-20-0113-F LAND AT PLANE ROAD GORLESTON NR31 8EG**

The Corporate Services Manager reported that Councillor Williamson had declared a personal interest in this item as he had sent a letter to the planning department over a year ago which detailed the concerns of his ward constituents regarding the application. Councillor Williamson reiterated that these views were the views of his constituents. The Monitoring Officer asked Councillor Williamson to confirm if he was predetermined regarding this application. Councillor Williamson reported that he would speak as a ward councillor only on the application and would not vote on the item.

The Committee received and considered the application from the Development Control Manager.

The Development Control Manager reported that the application site is located within the development limits of Gorleston, which according to Core Policy CS02, is classified as a Main Town which are expected to account for approximately 35% of new development within the Borough. The site is considered to be located in a highly sustainable location, being within 1km of Gorleston High Street and within walking distance of shops and other amenities. Consequently, the application is considered to comply with Core Policy CS02.

The Development Control Manager reported the proposed dwelling is located on a parcel of green space on the junction of Plane Road and Beccles Road. The land is not designated within the Core Strategy as an area of Open Amenity Space. As such, in accordance with Saved Policy REC11 the application should be identified on its individual merits. The application site also includes a triangular piece of grassed area in front of the terraced properties on Plane Road, before the applicant passed away, this was maintained by the applicant. The area is primarily residential, with there being a mix of dwellings, both terrace and detached, within the immediate area. Plane Road itself is verdant in character with trees lining both sides of the road.

The Development Control Manager reported that the dwelling will be positioned to the north of the existing row of terrace properties, appearing to continue the line of the terrace and leaving approximately 7 metres of open space to Beccles Road; it will have a footprint of 9.103 metres by 5.390 metres. The proposal has been revised and the proposed dwelling now has a hipped roof with a ridge height of 7.13 metres. This is equal to the height of the adjacent terrace and the hipped roof ensures that the dwelling is not dominant in the street scene. In terms of the proposed dwelling, it will use facing brickwork on the ground floor with hardieplank cladding on the upper floor. It is proposed to use roof slates and white U-PVC windows. When considering the wide variety of materials within the local area, the materials proposed are deemed acceptable. Due to

the positioning of the property between Beccles Road and Plane Road the property will have active facades fronting both highways.

The Development Control Manager reported that the Conservation of Habitats and Species Regulations 2017, and Core Strategy Policy CS11/Natura2000 Monitoring and Mitigation Strategy, establishes a strict regime for consideration of the impact of a development on both protected species and wildlife habitats. There are 3 separate issues to consider in relation to the above legislation and policy and the current proposal, being the ecology of the site itself, any recreational pressures on Natura2000 sites and impact on protected species offsite. The Natural Environment Team (NETI) at Norfolk County Council have responded to the application with no objections on ecology grounds; however, they have recommended that there are opportunities to incorporate nesting boxes on site, in either the form of a swift terrace box or swift nest boxes, to mitigate the loss of the felled tree. These can be conditioned. They have also recommended a nesting bird informative to make the applicant aware of the potential for wild birds nest.

The Development Control Manager reported that the required HMMS payment of £110 has been made. As the application site is located within the Green 2.5km to 5km Indicative Habitat Impact Zone, the applicant has filled in the shadow HRA which has been deemed appropriate. NETI have provided an Appropriate Assessment, although this has not been proceeded with as this information was already included within the shadow HRA.

The Development Control Manager reported that there was a semi-mature tree located on the site; however, after the applicant obtained ownership of the plot this tree was felled. A number of objections note that this tree was felled without permission although this tree did not have a tree preservation order and therefore did not require permission to be felled. After the land left the ownership of the Borough-Council, the Council lost control over the tree. Another concern that was raised noted that the plane trees on Plane Road may be impacted by the development and the creation of a pedestrian access to the site. The applicant has provided an arboricultural assessment at the request of the Arboricultural Officer. The arboricultural assessment provides mitigation measures, including CEZ and methods of additional protection, that the Arboricultural Officer confirmed are suitable for the protection of the plane trees during the development.

The Development Control Manager reported that the proposed development provides two parking spaces per dwelling which is in line with the level of parking normally associated with this type of dwelling. The parking is somewhat detached from the dwelling and both the Highways Officer and Strategic Planning raised concerns about this. Whilst the provision meets that outlined in the Norfolk Parking Standards, however this would fall short of CS9 which while providing some distance away from the property may give rise to the opportunity for crime as well as being less convenient for future residents and inhibit future functionality. However, on balance, when considering the parking restrictions on the junction of Plane Road and Beccles Road and the existing on-street parking it is not considered that the parking provision is unacceptable.

The Development Control Manager reported that neighbours have objected to the parking spaces which will be located 9 metres from the eastern elevation of 12 Plane Road, stating that it will be a car park, have adverse impacts on the health of residents at 10 and 12 Plane Road and would have impact on their view. It is not considered that two parking spaces amounts to a car park and it should be noted that when the site visit was conducted there was car parked in this area. Neighbours have also raised concerns that the parking would have an adverse impact on the accessibility of their properties for disabled residents and that the parking spaces would hinder access for emergency vehicles. It is not considered that the parking area would have a significant impact on these factors. There is a footpath leading besides 14 Plane Road and there is a 2.5 metre gap between the proposed parking spaces and the pathway.

The Development Control Manager reported concerns about the impact upon the school traffic and the lollipop crossing to Wroughton Infant School were raised as part of the public consultation period. Norfolk County Council's Highways Authority did not consider that there would be an unacceptable impact on highway safety or that the residual cumulative impact on the road network would be severe.

The Development Control Manager reported that paragraph 109 of the NPPF states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' In this case, it is not considered that the proposal represents a severe highway danger and therefore complies with the NPPF guidance and Core Policy CS09 E. By virtue of the position of the dwelling, it is unlikely to have an impact on the driveway of 247 Beccles Road. The dwelling will have a total internal gross floor area of 80.6 sqm which exceeds the minimum requirement of 79sqm outlined in the Technical housing standards – nationally described space standard for a two-bedroom, four-person, two storey dwelling. The two bedrooms exceed the minimum floor area requirement of 11.5sqm, at 15.3sqm and 13.4sqm respectively.

The Development Control Manager reported that the dwelling will have a private outside garden (39 sqm) which provides a similar amount of outdoor amenity space to other dwellings in the area. It is proposed to screen this from the highways by a masonry wall to the boundary. The level of outdoor amenity space will be sizeable enough to accommodate the outdoor activities associated with a dwelling of this size and location. The dwelling is located to the northern end of the line of terraces and does not sit in front of the existing houses. The proposed dwelling will be located to the north east of 247 Beccles Road. Consequently, it is considered that there will not be a significant increase in overshadowing or the amount of light reaching those dwellings.

The Development Control Manager reported that concerns were raised by the occupants of 247 Beccles Road that the property would overlook into their living room window, encroaching on their privacy. Due to the positioning of the

windows, it is considered that the angle from the upstairs bedroom window would be too obscure to result in overlooking into the downstairs living area. Moreover, by virtue of the position of the dwelling in relation to 247 Beccles Road (to the north east), no significant overshadowing would occur.

The Development Control Manager reported that neighbours have noted that the loss of some of the green space on the corner of Plane Road and Beccles Road would result in the loss of a view and loss of outlook. The proposals still retain a 7-metre gap to the junction from the wall of the proposed dwelling and it is not considered that there would be a significant change in outlook for dwellings on the opposite side of Beccles Road.

The Development Control Manager reported that the application is recommended for approval as the application is in a sustainable location and provides a minor contribution to the Borough's housing supply, outweighing the potential harms demonstrated; 3 year time condition; in accordance with plans; no overhanging onto the highway; access / parking area to be surfaced levelled and drained; tree protection measures & bird boxes.

Councillor Flaxman-Taylor asked for clarification regarding the ownership/maintenance of the three trees sited on the roadway as their roots had caused the pavement and road to break up in the past. The Development Control Manager reported that these would be in the ownership of the County Council. The other three trees shown on the plan were indicative only.

Councillor Bird asked whether it was known why this area of land had been left and not built on during the original development. The Development Control Manager reported that in the 1960's it was the design ethos of a new housing estate to have green open spaces to the entrances.

The Chairman reported that no applicant's representative (unfortunately, the applicant had sadly passed away since submitting the application), agent or objector had requested to speak at Committee.

Councillor Williamson, Ward Councillor, addressed the Committee and voiced the concerns of local residents to the application. Local residents were concerned regarding the loss of green space for them to use and the future maintenance of the paths to their properties. Councillor Williamson reported that this land had never been in the ownership of the Council and who would own the remaining land once the new property had been built.

The Chairman reported that he had visited the site and that the proposal went against Policy CS9 as it would result in over-development of the site. He was also concerned as the road was very busy during school drop-off and pick-up times. Councillor Fairhead reported that she too had visited the site and thought that the proposal would be over-development, although a bungalow might be a better idea for the size of the site.

Councillor A Wright reported his highways concerns as Plane Road was very narrow and fed into Cotoneaster Way which was a cul-de-sac and used as a

car park area during the school run. it was also dangerous for school children crossing the road at the junction. He was concerned that cars would not use the proposed turning bay but reverse straight out on to the road. Councillor Williamson also reported the traffic issues in the area. The Monitoring Officer reminded Councillor Williamson that he had had his three minute allocation to speak and should not take part in further discussions regarding the application. However, the Chairman reported that he wished the Committee to hear what Councillor Williamson, as a Ward Councillor, had to say on the matter.

The Chairman reported that he was concerned that Highways had not picked this matter up. The Development Control Manager reported that it would be difficult to defend the application on appeal if Members were minded to refuse the application on Highway grounds only.

Councillor A Wright reported that the Committee had concerns regarding highway safety and over-development of the site. The Planning Manager referred the Committee to Policy CS9 criteria (c), (d), and (e) which were necessary to deliver a well-designed and distinctive property which the Committee did not feel was being met.

Councillor Bird was concerned as to who would maintain the land if the application was not approved. The Planning Manager reported that this could be dealt with by serving the appropriate notice on the late applicant's estate though planning legislation. Councillor Myers asked if there would be a covenant to maintain the land included in the deceased land owners' estate. The Planning Manager reported that if there was such a covenant, the Council would not be able to enforce it. The Planning Manager reminded the Committee that the applicants' estate could appeal a planning refusal notice.

Councillor A Wright proposed that the application be refused on the grounds of highway safety, overdevelopment of the site and contrary to Policy CS9 criteria (c), (d) & (e). This was seconded by Councillor Fairhead.

**RESOLVED:-**

That application number 06-20-0113-F be refused on the grounds of highway safety, over-development of the site and being contrary to Policy CS9; criteria (c), (d) & (e).

## **8 ANY OTHER BUSINESS**

The Chairman reported that there was no other business being of sufficient urgency to warrant consideration.

The meeting ended at: 18:00