



GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Minutes

Wednesday, 25 November 2020 at 16:00

PRESENT:-

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

Councillor Candon attended as a substitute for Councillor P Hammond.

Councillor G Carpenter attended as a substitute for Councillor Freeman.

Mr D Glason (Director of Planning & Growth), Mr D Minns (Planning Manager), Mr C Green (Senior Planning Officer), Mr G Sutherland (Senior Planning Officer), Mr R Tate (Planning Officer), Ms C Whatling (Monitoring Officer) & Mrs S Wintle (Corporate Services Manager).

Mr M Severn (IT Support).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Freeman & P Hammond.

2 DECLARATIONS OF INTEREST

Councillors Annison, Bird, Candon, G Carpenter, Flaxman-Taylor, Lawn & Mogford declared a personal interest in item number 5, as they were friends of Councillors Donna & Paul Hammond.

Councillor Mogford declared a personal interest in item number 4 as he was a Member of the Broads Internal Drainage Board.

Councillor Fairhead declared a personal interest in one of the items as the speaker was known to her.

Councillor Annison declared a personal interest in item number 4, as the applicant's agent was known to him.

However, in accordance with the Council's Constitution, they were allowed to both speak and vote on the matter.

Councillor Bird declared a personal & prejudicial interest in item 6, as his views on houses of multiple occupation were well-documented and therefore, he would not take part in the determination of the application.

3 MINUTES

The minutes of the meeting held on 28 October 2020 were confirmed by assent.

4 06-20-0156-O LAND OFF FOSTER CLOSE ORMESBY ST MARGARET

The Committee received and considered the report from the Senior Planning

Officer.

The Senior Planning Officer reported that the proposal had been presented to Members in September 2020 and deferred for greater clarity regarding drainage matters and mitigation of impact on protected species. It was further deferred from the meeting on 11 November 2020 as public speaking was not permitted and because the recommendation had changed to reflect the emerging housing need situation, it was therefore considered that public speaking should be permitted.

The Senior Planning Officer reported that this land was beyond the development limits for the village but considered relatively well located to goods and services and would deliver a significant number of new homes, including affordable homes, off an access that had sufficient highway capacity. Currently the Council was very close to being able to demonstrate a five-year housing supply as the existing supply calculation was based on statistics and methodologies nearly five years old, and therefore out of date, when compared to national methodology. In addition, other permissions on land in the emergent plan would provide further housing supply.

The Senior Planning Officer reported that the emergent situation carried limited weight at present, but the planning balance was considered to justify a recommendation for refusal now that the recalculation of need was to occur next month, however, this site was considered to be comparatively well located. The site was situated to the south of the existing development and was taken off a stub called Foster Close which currently offered access to two dwellings.

The Senior Planning Officer reported that the site was 1.89 hectares and had no back history and was farmland, approximately half was shown as Grade 1 (the best agricultural land) and half as Grade 3 land and was outside the village "residential boundary", which fringed the site to the north west and south sides.

The Senior Planning Officer reported that the land was open scrubby grassland to the centre, though Google Earth showed it cropped until relatively recently. There was a hedgerow to the east side of relatively low extent, with trees to the north, south and much of the western boundaries. Part of the conservation area touched the site boundary in the south west corner.

The Senior Planning Officer confirmed that the carriageway width of Foster Close & Symonds Avenue was 5.5m, with footways on both sides to Foster Close, Station Road, Beechcroft, Ormesby St Margaret and the access was through land that was part of its curtilage and which benefited from planning permission for a seven-unit scheme.

The Senior Planning Officer reported that some greater weight was given to the emergent policy because of the relative age of the housing supply calculations and the emergent reduction in need. However the housing need

adjustments were being opposed in consultation and therefore would require the Inspector's scrutiny before accorded full weight.

The approval of other sites within the Part 2 Local Plan allocations already had effective full weight, in providing deliverable sites.

The Senior Planning Officer reported that the proposal site was at the edge of the settlement and density was therefore appropriately low for the site, and the dwellings offered were larger homes with no two or one-bedroom types, so land use cannot be characterised as "efficient" as required by the policy. This was an outline application, however, and so whilst the number of dwellings was cited in the application as an upper figure proposed as allowed, the numbers would be established together with design and layout, including publicly accessible open space at "reserved matters".

The Senior Planning Officer reported that no self builds were proposed on this site and there was no detail to indicate that any specialist housing provision was to be provided. These matters could be addressed during section 106 negotiations and whilst adaptable home details were not provided in this outline application, this might readily be achievable later in the reserved matter process.

The Senior Planning Officer reported that the Landscape Character Assessment identified the site as being within the Ormesby and Filby Settled Farmland character area. The character assessment identified Ormesby St Margaret as a nucleated settlement. It identified the boundary hedgerows as important features which indicated enclosure and indicated the landscape pattern, these features were important to the settlement and the character of Ormesby St Margaret should remain. This can be secured at reserved matters stage.

The Senior Planning Officer reported that the site had development on three sides and therefore, was contained within the landscape, especially given the boundary hedge. It was considered there was no conflict with Policy CS11. Importantly the containment of the site within other enclosing development did help to prevent settlement coalescence as being a harmful outcome.

The Senior Planning Officer reported that the design of development on this east boundary would need to reflect the edge of settlement context when reserved matters stage follows, in line with the recommendations of G3.22 of the Landscape Character Assessment.

The Senior Planning Officer reported that an ecology Preliminary Environmental Assessment (PEA) has been produced and submitted. Norfolk Ecology had responded. There were 7 ponds or water features within 250m of the site that either provided habitat for or supported great crested newt populations. However, Central Government had recently introduced measures to prevent the presence of newts from delaying development under the District Level Licence scheme. This required developers to pay for offsite improvement to habitat suitable for newts rather than protecting individual

populations. The former method of survey, fencing and translocation remained in force, but the essence of the new legislation was that with an appropriate Certificate from Natural England, applications should not be refused on grounds of the presence of Great Crested Newts. At present, no such certificate had been provided, because the certificate that had been submitted had not been counter-signed by Natural England. If one was not present at the time of determination, then either the application cannot be determined positively at that time (though a resolution subject to, could be made), or this should form part of the refusal reason.

The Senior Planning Officer reported that the housing team had been critical that the mix was all three-bedroom development, and whilst the numbers were fixed by the need to agree a section 106 for affordable housing contribution at outline planning stage, this could be addressed by variations to the indicative plans at reserved matters. In any case, the provision of substantial open space and a more mixed offer of property size would be necessarily negotiated as part of the reserved matters stage. This too would be able to address the need to reduce scale towards the country edge of the site to create a softened urban edge.

The Senior Planning Officer reported that as the land to the north with the approval for seven units was as yet unbuilt and in the same ownership, for the purposes of determining affordable housing contribution, this fell within emergent policy H2 – “Affordable housing on phased or cumulative developments” as this policy had not been commented on at consultation, it carried very considerable weight in advance of formal adoption of the emergent plan, this matter however was subject to negotiation as part of the section 106 agreement. This needed to reflect the combined development of 40 homes rather than 33 on this specific site and deliver 8 affordable units. If this was not secured, a section 106 would not be signed and the application would have to remain undetermined, any appeal made against non-determination would then reference policy H2, but this was not a matter that would inform the recommendation in this report other than to direct how the section 106 should be framed in making recommendation at this time.

The Senior Planning Officer reported that in regard to access and highways, the drawing reference 20/230/04 showed vision splays of 2.4 x 67m westerly and 2.4 x 60m easterly at the Symonds Avenue to Station Road junction and 2.4 x 65m in both directions at the Symonds Avenue to Foster Close junction. This was sufficient for the County Council to make no objection with regard to the suitability of the access, this was the one matter identified as being for consideration at outline stage. The County had raised an issue of continuous footway access to the village along Station Road, however, this was now available as recent pavement works had been completed and in addition, there was a further off-road route. It has been confirmed that the width of the access at 5.5m carriageway width with footpaths to both sides was the same dimensions as Symonds Avenue.

The Senior Planning Officer reported that the applicant had approached the landowners of the field to the east and a haul road for construction purposes

could be negotiated on a temporary basis across this land to allay some of the objections made on this issue. Whilst this offer was not presently certain and a recent suggestion to put a haul road through the grounds of "Beechcroft" was not considered useful, Members could, if minded to overturn the recommendation to resolve to approve, subject to the haul road through the field being effected. To that end, the applicant had also suggested that a pre-commencement condition for a Construction Management Plan, including the haul road and other measures to be agreed, would be acceptable to them.

The Senior Planning Officer reported that since deferral, a large number of further objection letters had been received. One point made by correspondents, was that whilst the Local Lead Flood Authority had agreed that this site would have a run off rate below the Greenfield (undeveloped) rate. This was acceptable to the LLFA, but they were concerned that other smaller scale development that did not have sustainable drainage provision would cause increased harm to them. While this would be true once those properties were built, the LLFA had confirmed that the requirements of sustainable drainage were met. Logically, if this development does not go ahead, water would continue to run off the field like it did now and so the addition of other impermeable areas in the vicinity, would not be addressed in terms of impact. The applicant's flood engineer had also confirmed that notwithstanding the foregoing, he had conducted sustainable drainage for the Dairy Farm site, in line with building regulation principles.

The Senior Planning Officer reported that it was considered that Covid 19, might impact on the delivery of housing, however, any impacts had yet to be realised. The Government had taken various steps such as extending commencement dates for planning permissions. In the context of the responses to submissions made to the Local Plan Part 2 at Public Examination, the planning team had responded that "The Borough Council would also play a role in supporting house builders to ensure that its housing targets were met. In any case, changes to housing targets and land availability on the plan were unlikely to mitigate any effect. No change required". (to the local plan part 2). It was noted that housing transactions and building construction operations were sectors less impacted by the lockdown. Officers consider it was too early to lend weight to impacts from Coronavirus.

The Senior Planning Officer reported that the applicant considered it was unfair that the recommendation had changed because the housing supply figures only become out of date next month, as could be seen from the foregoing report, officers considered that the weight to be accorded increased and it was a matter of planning balance, rather than that the matter resolved as a switch being operated. This scheme was delayed because the issue of Newts arose during the process and the timing of the Government's introduction of District Level Licencing did not enable a positive decision until that scheme was announced and details provided. In a shifting policy landscape, decisions had to reflect the circumstances at the time they were made.

The Senior Planning Officer reported, that in conclusion, the site offered a contribution to housing supply and was relatively well located in relation to the pattern of the settlement, albeit accessed in a slightly convoluted manner through other land with existing permission for development in this applicant's ownership. The predicted housing land supply and objectively assessed need provided increasing weight against the proposal in and the current objectively assessed need carried diminished weight given the imminence of the re-calculation of need, on balance, which now suggested the proposal should be refused. This was a fine balance and the recommendation was changed to reflect those being made elsewhere at Committee to demonstrate consistency.

The Senior Planning Officer reported that the application was recommended for refusal as it was contrary to the development plan and not required by virtue of diminished housing need underpinned by the national method of calculation.

Mr Glen Holmes, applicant's agent, addressed the Committee and reiterated the salient areas of the application. He highlighted that when the application was first heard by the Committee in September, the recommendation was for approval but this had now been changed to refusal due to the recent changes in the Council's housing land supply figures. He urged the Committee to apply common sense during their determination and urged them to approve the application which would result in much needed homes for the village.

Mr Clare, objector, reported the concerns of local residents to the Committee. He realised that it was difficult for the Committee to appreciate their concerns as Ormesby did not have a Neighbourhood Plan in place. However, the residents were upset at the loss of Grade 1 agricultural land and the spur off of Foster Close was not large enough to serve the proposed development.

Mrs Christine Lee, Parish Council representative reported the strong views of the Parish Council and urged the Committee to refuse the application on the grounds of loss of Grade 1 agricultural land and road safety concerns.

Councillor A Wright asked for confirmation as to the progress of the Neighbourhood Plan. Mrs Lee reported that a public questionnaire was due to be sent out on 2 December 2020 but the plan had been delayed due to Covid19.

Councillor Freeman, Ward Councillor, reported that Station Road was a well-known rat-run used by 40,00 plus vehicles a month with no footway and that it could not take the additional vehicular movements which would result from the development. he asked the Committee to adhere to the officer recommendation and refuse the application.

Councillor Wainwright reported that he was confused that the application had come back to the Committee with a different officer recommendation. Speeding and rat-runs were problems experienced across the Borough and not just Ormesby, and therefore, he could see no reason to refuse the

application and would vote in favour of the application, which would result in 16, 2-bedroom starter homes built in the village which would allow local young people to get on the housing ladder and remain in the village they had grown up in.

Councillor Bird reported that he agreed with Councillor Wainwright's views, as did Councillors Myers and Williamson.

Councillor A Wright reported that he was in favour of approval as the Neighbourhood Plan was still in its infancy and the application land was mainly Grade 3 and not Grade 1.

Councillor Wainwright proposed that the application be approved with the requested conditions. This was seconded by Councillor Wainwright.

RESOLVED:-

That application 06-20-0156-0 be approved subject to s106 for affordable housing (in combination with the site to the north) and for recreational mitigation based on the 33 dwellings and approximately £70k for primary school education, and £2475 for contribution to library service. A timing condition in accordance with outline applications. Application for details of reserved matters. Conditions for the timing of the surfacing the access, wildlife mitigation, lighting design, security fencing for protection of trees and details of permanent hard and soft landscape within the reserved matters. Conditions are required to address potential land contamination and site development noise and dust. A condition to secure further reserved matters details for electric vehicle charging facilities is recommended. Archaeology conditions are required.

**5 06-20-0426-F LAND ADJ RAYNSCOURT LODGE 16 EUSTON ROAD
GREAT YARMOUTH**

The Corporate Services Manager reported that this application had been reported to the Monitoring Officer as an application submitted by a family member of Councillors D & P Hammond. The Monitoring Officer has checked and made a record on the planning file that she was satisfied that the application had been processed normally by the Planning Department and that the Member(s) concerned would take no part in the Council's processing of the application. Councillor P Hammond will not be in attendance at the meeting and has been substituted by Councillor Candon.

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

The Senior Planning Officer reported that the development was for more than 10 dwellings and accordance with the Council's Habitats Monitoring and

Mitigation Strategy, a bespoke Habitats Regulations Assessment was required to be provided in order to determine the application. At this time, no assessment had been provided. This was a sufficient reason to refuse the application.

The Senior Planning Officer reported that the site lied within the Great Yarmouth Development Boundary wherein development would be supported in principle unless material considerations outweigh that principle. In this case those would be matters of local identity, the character and appearance of the Seafront Conservation Area, amenity highway safety, and flood risk.

The Senior Planning Officer reported that these two considerations were linked, as the local identity was derived from the characteristics that defined the conservation area. That is the architecture, design, scale and massing of buildings on Euston Road and Marine Parade which were Victorian and early Edwardian seaside leisure and residential buildings. The main observations from Heritage England set out in the consultation section of the report were repeated below:

"Standing at a prominent corner of Euston Road and Marine Parade; along Euston Road were a series of Victorian and Edwardian villas and larger residential buildings often detached and set in their own gardens, with elegant architectural details such as Italianate towers and turrets. This contrasted with Marine Parade where adjacent to the site was a row of three-storey terraced houses. To the east was the flank of the former Royal Aquarium, an impressive large building with a decorated frontage design to be the focal point of the street. Though much changed, the Aquarium was part of a group of a nationally important collection of buildings from the leisure industry of the period. Developing the site could have an effect on this historic significance. In this case, the concern was the proposals' scale and height. "The proposed building would match the height of the adjacent terrace on Euston Road but rise up to five storeys at the corner, which was taller than other buildings in either Marine Parade or Euston Road. This would mean that the proposed building could be seen above the Royal Aquarium in views from North Drive and form an imposing feature within the surrounding streets. This taller element was clearly intended to punctuate the two roads and form a 'corner turner' with its chamfered face. However, it was not an elegant bay making the joining of the two street facades, but a heavy, bulky block with a somewhat squat and inelegant form. The three-storey section takes its cue from the height the Victorian terrace, but the façade was crammed with fenestration due to the floor to ceiling heights and the large number of small units it accommodated. The roof windows showed that a fourth storey has in fact been added and further served to make the street façade cluttered. Other than its height, it did not reflect the character of the adjacent terrace".

The Senior Planning Officer reported that it was considered that the proposal was too large and bulky (massing,) also too tall compared with and viewed in the context of the neighbouring buildings; the number of units gives rise to the

building size and a multitude of windows across the elevations. Importantly, the upper floors would project above the former Royal Aquarium in longer views from the seafront, and dominate the skyline. This would be significantly detrimental to local identity and to the character and appearance of the conservation area, neither preserving or enhancing its historic character and appearance.

The Senior Planning Officer reported that the density of the development would create 28 two and three bed dwellings which could reasonably expect to generate at least 30 people and 20+ vehicles. Except for the units with balconies, there would be no amenity space on the site. There would be pressures for amenities off site including on-street parking, public spaces and leisure facilities. The consultation responses set out the compensation that would be needed to address these impacts. In the case of parking, there would be no provision off site and the County Surveyor recommended omission of the proposed 6 spaces off Euston Road and acknowledged that the development would result in additional pressure for on-street parking in the vicinity. An objector questioned the adequacy of waste storage within the development, this was shown as provided, in the ground floor of the building.

The Senior Planning Officer reported the highway and transport impact - as stated in the consultation response from the County Highways Authority, whilst there were reservations about the scale of the development, especially in relation to the amount (16 spaces), that would likely result in additional pressure to on-street parking; the constrained usability of the 10 spaces located under the building and the remaining 6 spaces requiring backing off or onto Euston Road close to its intersection with Marine Parade; they considered that this alone would be insufficient to sustain refusing this application. Therefore it was considered that in combination with the matters of, adverse impact on local identity, adverse impact on the character and appearance of the conservation area, amenity and flood risk there were a sufficient number of adverse impacts that were not being mitigated by this development to substantiate refusal.

The Senior Planning Officer reported the Flood Risk, the site was located partly within Zone 3a, as such having a high probability of coastal flooding. The Flood Risk Assessment submitted showed the ground floor apartments (7 units) would flood internally by 1.22m in a 1 in 200 year event and would therefore be unsafe for occupants. To overcome this objection, finished first floor levels would need to be raised to 5.27m above datum. That is, the first-floor level would have to be 1.52m higher than proposed (1.22m +0.3m freeboard).

The Senior Planning Officer reported that the development proposed provided underground parking also seven of the 28 units located on the ground floor would be at risk of flooding. Given this is a cleared site, it was considered that a development could be designed to remove the risk of flooding by omitting living areas below the level which could flood.

The Senior Planning Officer reported that the recommendation was for refusal. The proposal is contrary with the aims of Policies CS9, CS10 and CS13 of the Great Yarmouth Local Plan Core Strategy, also to Policies A1 and E5 of the Emerging Local Plan Part 2 and saved Policies HOU7, TCM19 and TR12 of and the Great Yarmouth Borough-wide Local Plan (2001) (LP).

Mr Lee Hammond, applicant's agent, addressed the Committee and informed them that the application site was not in, but located, adjacent to the Conservation Area and he asked the Committee to approve the application.

Councillor Wainwright asked if the proposed flats would be for rental or for sale. Mr Hammond reported that he was not developing the site but his understanding was that they would all be delivered within a year of permission being granted and would be for sale.

Councillor Bird asked for clarification regarding the proposed balconies and whether these could be conditioned, if permission was granted, as Juliet balconies rather than full balconies which could be used for storage of such items as bicycles and for drying linen which resulted in an eyesore for local residents and visitors alike. Mr Hammond reported he would be happy for the provision of Juliet balconies only to be conditioned.

Councillor Williamson asked if the applicant had consulted the Conservation Officer during the application process. Mr Hammond reiterated that the application was adjacent to the applicant site only. The Senior Planning Officer reported that the application was in the Conservation Area and had been since its designation in 2003. The applicant was also required to submit a bespoke Habitat Regulation Assessment as part of the application process as per Government legislation.

The Chairman reported that there were no objectors or Ward Councillors who wished to speak on the application and the floor would be opened to debate.

The Planning Manager reported that the principle of development for the application site was accepted but the Committee had to be mindful of how the applicant got to that point. The Council could not condition certain items as the applicant had submitted a full application and if changes were consequently proposed to the scheme, amended drawings would need to be submitted to allow re-consultation to be carried out. The Committee needed to think carefully, if they were minded to approve the application, what was actually being proposed. The applicant should be advised to go back to the drawing board and go back to planning principles for this prominent corner location.

Councillor Lawn proposed that the Committee refuse the application as per the officer recommendation. This was seconded by Councillor Williamson.

RESOLVED:-

That application 06/20/0426/F be refused. The proposal is contrary with the

aims of Policies CS9, CS10 and CS13 of the Great Yarmouth Local Plan Core Strategy, also to Policies A1 and E5 of the Emerging Local Plan Part 2 and saved Policies HOU7, TCM19 and TR12 of and the Great Yarmouth Borough-wide Local Plan (2001) (LP).

6 06-20-0426-F 110-111 WELLESLEY ROAD GREAT YARMOUTH

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

The Planning Officer reported that Houses in Multiple Occupation (HMOs) played an important role in providing lower-cost accommodation in the Borough and the Council was keen to ensure that where they were proposed (and present), they were of a good standard.

However, HMOs could impact on the amenity of both residents and neighbours alike and therefore, the Council must ensure that HMOs are appropriately located and designed. Key considerations included: parking provision, bin storage and general amenity to ensure that the quality of the environment is maintained.

The Planning Officer reported that Saved Policy HOU23 sets out considerations for the change of use to HMO. This would, however, be replaced by emerging draft 'Policy H12: Houses in multiple occupation' which sets out how such proposals should be considered.

Of most relevance to this proposal, was the prevalence of other HMOs in the immediate area to avoid sandwiching or over concentration, bin storage, amenity, occupancy, and room size. Emerging Policy H12 requires that no more than 20% of properties within 50 metres of the application site are large HMOs (in sui generis category).

The Planning Officer reported the emerging Local Plan Part 2 had just completed Publication (Regulation 19) consultation and has been submitted to the Secretary of State for Examination. Within this plan, 'Policy H12: Houses in Multiple Occupation', sets out the detailed requirements for considering HMO proposals. Also identified in the plan is 'GY7: Great Yarmouth Back of Seafront Improvement Area', of which Wellesley Road was located within. Policy H12 states that HMOs will not be permitted within the 'Back of Seafront Improvement Area' due to the need to protect the character and nature of the area. In accordance with paragraph 48, of the National Planning Policy Framework, significant weight can be applied to emerging policies where there are no outstanding objections such as is the case with Policy H12 and Policy GY7. Consequently, this proposal will conflict with the emerging plan.

The Planning Officer reported that draft Policy H12: Houses in Multiple Occupation outlined the minimum space standards (please see below table) to ensure that sufficient bedroom space was provided. If Members were minded to approve against officer recommendation, it was recommended to include a condition restricting the occupancy of the rooms to one person per room:-

Floor area of room number of persons:-

10.2 sqm (110sqft) or more 2 people

8.4 sqm (90-110sqft) 1.5 people

6.5-8.4 sqm (70–90sqft) 1 person

4.6 sqm (50-70sqft) 0.5 person (i.e. child of 1-10 years old only)

Less than 4.6 (50sqm) Not suitable as sleeping accommodation.

The Planning Officer reported that another issue to note would be the levels of amenity provided to residents. People who lived in HMOs tended to have a more intense use of their private living areas, although adequate communal living areas should be provided as well. The application provided rooms sizes that all fell within or above the minimum sizes outlined in H12. A concern with previous applications had been the cramped form of living accommodation and the poor outlook provided to some bedrooms. This had been resolved by proposing that no windows would look into the rear yard area. There was still a concern that when you took into account the bathrooms and door opening spaces, that usable space for some rooms (rooms 2, 7 and 10) would fall towards the lower end of that standard.

The Planning Officer reported that the proposal included shared living accommodation on both the ground and first floor. Whilst not overly generous in size, these rooms would provide a shared cooking and living area where occupants could spend time outside their private bedroom spaces. The use as an HMO does not benefit the character of the area, the use would be out of character with the larger flat conversions and tourist accommodation in the area. This over intense use would harm the amenity of neighbours through additional vehicle movements, increased visitor numbers and due to residents having to use the public footpath for outdoor amenity area due to lack of private spaces.

The Planning Officer reported that due to the town centre location and close proximity to public transport links, some of the future tenants would use sustainable means of transport as had been indicated currently happened. However, considering there was no space for the provision of secure cycle parking at the property, and a lack of off-street parking as per saved policy HOU23 Part G requires, this issue went towards the reason for refusal due to the potential impact upon the character of the area (vehicle movements) and lack of cycle parking. The Inspector noted in their previous appeal decisions, that the proposal would not conflict with HOU23 concluding that the proposal would not harm the living conditions on the surrounding area in terms of increased comings and goings or disturbance in the immediate surroundings and therefore would not be in conflict with Policy HOU23 (D).

The Planning Officer reported that the first appeal concluded that “In conclusion the development would be acceptable in terms of its effect on the character, appearance and amenity of the surrounding area, the amenities of adjoining occupiers and on-street parking. There is compliance with criteria

(B), (F) and (G) of Policy HOU23. This is in addition to compliance with criteria (A), (C), (D), (E) and (H).” The main considerations in this instance was the compliance of the proposal with the emerging policy. The sui-generis HMO use is located in a protected area (Back of Sea Front) where the emerging policies stress that HMOs would not be permitted due to the need to protect and improve the character of these areas.

The Planning Officer reported that the application was recommended for refusal. The application proposed an HMO in an area where Emerging Policies prevented this use. Consequently, the application was contrary to Emerging Policies GY7 and H12 from the Final Draft LPP2.

Councillor Myers asked whether the re-design/new plans had mitigated concerns with rooms 8,9,10 & 11 with regard to the Planning Inspectorate report. The Planning Officer reported that the new design had resulted in an improved layout and negated the oppressive outlook to the rear.

Mr Graham Norse, applicant's agent, addressed the Committee and reported the changes made to the application to help alleviate the concerns of the Committee, this included reducing the number of rooms to 12 from the original 18. Mrs Wheeler, the applicant, lived on-site and managed the HMO which had received no complaints from local neighbours/objectors or statutory consultees. This application would provide an essential contribution to low cost housing provision within the Borough. He urged the Committee to approve the application which accorded with policy GY7 (e) the provision of dwellings in the locality and met the adopted planning policy.

Councillor Wainwright asked how many residents were in situ. Mr Norse reported that, to the best of his knowledge, that all 12 rooms were let.

The Chairman reported that no objectors or Ward Councillors had requested to speak on the application and the floor was therefore opened up for debate.

Councillor Flaxman-Taylor reported that she supported the officer recommendation and proposed the refusal of the application. This was seconded by Councillor Candon.

RESOLVED:-

That application 06/20/0426/F. The application proposed an HMO in an area where Emerging Policies prevented this use. Consequently, the application was contrary to Emerging Policies GY7 and H12 from the Final Draft LPP2.

7 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