



Development Control Committee

Minutes

Wednesday, 17 March 2021 at 17:00

PRESENT:-

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

Ms C Whatling (Monitoring Officer), Mr D Minns (Planning Manager), Mr R Parkinson (Development Control Manager), Mr G Sutherland (Senior Planning Officer), Mr G Bolan (Planning Officer), Mr M Whitton (Planning Enforcement Officer), Mrs S Wintle (Corporate Services Manager) & Mrs C Webb (Executive Services Officer).

1 APOLOGIES FOR ABSENCE

There were no apologies given at the meeting.

2 DECLARATIONS OF INTEREST

Councillors Freeman and Mogford declared a personal interest in item number 5, as they were a member of the Broads IDB and the Broads Authority.

Councillor Annison declared a personal interest in item number 6, as his wife was employed in the kitchens at East Norfolk Sixth Form College.

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

3 MINUTES 3 FEBRUARY 2021

The minutes of the meeting held on 3 February 2021 were confirmed by assent.

4 MINUTES 17 FEBRUARY 2021

The minutes of the meeting held on 17 February 2021 were confirmed by assent.

5 APPLICATION 06-19-0625-F - HALL FARM, HALL ROAD, MAUTBY

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

The Development Control Manager summarised a letter which had been received from Richard Buxton Solicitors, who were acting on behalf of Gail & Ruder Younge, who had objected to the application and the Council's response to said letter.

The Planning Manager reported that the application is an area of land in an adjoining field to the south of Hall Farm. The site is within very close proximity to the boundary with the Broads Authority and is visible from the south as Hall Lane continues south as a public bridleway and a popular route to the Broads footpath network.

The Planning Officer reported that Core Strategy Policy CS11 requires development to avoid harmful impacts on landscape assets and [at part (d)] ensure that the Broads and their settings are protected and enhanced; and, (e) safeguard and where possible enhance

the borough's wider landscape character. Although not yet adopted, the principles of Final Draft Local Plan Part 2 policy E4 should also be noted, as these are considered consistent with the requirements of National Planning Policy Framework paragraph 170, and state:

"Development which inter-visible within, or otherwise affecting the landscape of, the designated Broads area, will be carefully controlled to avoid adverse impacts on their natural beauty, and the enjoyment of their special qualities, including views out from those areas.

The Planning Officer reported that the site is screened from Hall Road to the east by a mature hedge and trees and is only visible from the road to the south / south-east of the site. The

applicant has planted some trees along part of the southern boundary which helps to screen some of the site, but these have only had varying success and any approval must be subject to a landscaping and tree planting scheme to ensure improved planting and screening establishment measures.

The Planning Officer reported that the applicant has stated that they will carry out additional planting to further screen the application site from view, so a condition is recommended to be attached to any planning permission granted. The condition would expect an appropriate landscape plan to be provided within 3 months of the decision date, with the landscape plan to be implemented in the next planting season (October/November 2021), in line with the Council's Arboriculturist suggestions with regards to species and locations.

The Planning Officer reported that the Broads Authority have objected 'strongly' to the application. Their objection concerns the impact on the environment and on the setting of the Broads, with specific reference to the encroachment of an industrial process into the open countryside, and an erosion of the remoteness of the area within the Broads landscape and national park qualities. Furthermore, the Broads Authority has concerns that the activities, operations and noise created are incongruous with the sense of empty and undeveloped setting, as distinct from occasional agricultural noise and activity. The Broads Authority considers that retaining the use within this location will be incompatible with the quiet environment and character. This should be considered when taking into account the proposal, given the status of the Broads Authority area being equal to a National Park.

The Planning Officer reported that when considering the landscape importance of the site, the location is also affected by both paragraphs 170 (a) and (b), and 172 of the National Planning Policy Framework (NPPF). Paragraph 170 states: Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

The Planning Officer reported that paragraph 172 of the National Planning Policy Framework also requires that “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads...[and] the scale and extent of development in these designated areas should be limited.” These are important principles, the aims of which should be applied to sites such as this which are likely to have an impact on the setting of the Broads. As the site is close to the boundary of the designated Broads area, it is appropriate to minimise the visual impact of the proposed operations and ensure the development is as recessive and low-profile as possible.

The Planning Officer reported that the open and unspoilt area to the south of Mautby provides a complementary landscape or even a ‘buffer’ to the Broads area, but it is noted that in some instances there has been encroachment which has eroded the setting of the Broads by the creep of industrial processes into the open landscape, and this should be prevented from continuing unchecked. However, it is considered that the proposal is for the storage of timber, wood fuel and firewood in association with an industrial process, and will be ancillary to the industrial process that takes place within the establish use to the north. Although linked to that industrial activity, and supporting the industrial process, the use proposed for this site in isolation does not cause any further significant detrimental harm to character, appearance and special qualities of the Broads Authority area. There are a range of conditions proposed to be added as part of any permission to be granted, which will ensure the development retains a suitable, low-impact appearance more in keeping with the rural nature of the site.

The Planning Officer reported that it is noted that the Broads Authority has concerns that any proposed tree screening will either be seasonal and less effective as a visual screen, or will need to include inappropriate species of trees, such as conifers which bring their own problems. Whilst some types of conifers are native such as Scots Pines, the existing screening has used conifers which are seen to be unusual and rather incongruous in appearance. A sensitive landscape plan and site layout plan will need to take these concerns into account but it is considered possible to achieve a balance, which should reduce the site’s prominence year round.

The Planning Officer reported that the proposed controls are intended to ensure the operations are seen against the backdrop of the industrial process, which will to some extent actually screen the established industrial uses of the wood yard at Hall Farm behind this site.

Subject to the conditions being agreed within a suitable timeframe, to reflect the retrospective nature of the application, the proposal will satisfy paragraph 170 of the NPPF and accord with the principles of emerging Local Plan Part 2 policy E4, and adopted policy CS11 of the Core Strategy.

The Planning Officer reported that these controls to be secured by conditions include; limiting the height of the wood to be stored on the site; agreeing a plan for the layout of wood in the site, including areas for woodchip and orientation of logs to appear more recessive in views from the south; providing the improved tree screening and planting establishment; preventing the storage of anything other than the wood, including plant, machinery and apparatus, and including no parking of vehicles overnight; and the provision of improved surfacing within the Hall Farm environment to prevent debris being brought into the public highway and/or scarring the landscape.

The Planning Officer reported that the applicant has previously been granted temporary permissions for the use on this area of land, which has allowed the Local Planning Authority a chance to monitor if this is an acceptable use in principle, and establish possible areas which should be controlled. Due to the use being for storage only it is unlikely to cause any significant harm to the amenities of the nearest dwellings and it is considered that the use is acceptable and will comply with the aims of Policy CS6 of the Core Strategy and Paragraphs 83 and 84 of the NPPF. Any consent should also include conditions limiting deliveries to Monday to Friday, limit working hours, prohibit mechanically powered cutting, sawing work, etc. taking place on the site, require a landscape plan being received 3 months from the date of issuing decision with the plan implemented at next planting season, restricting the height of the log piles and orientation and restrict use to the storage of wood only and prevent any plant or machinery remaining on this site outside working hours.

The Planning Officer reported that the application for a permanent use of land is located further from the closest neighbour than has previously been considered acceptable on a temporary basis. Taking all the above considerations into account, it is the Officer's opinion that the harm or potential harm associated with the proposed use of the site solely for storage of timber, when appropriately conditioned, will be minimal, and that the economic benefits outweigh the levels of detrimental impact.

The Planning Officer reported that the application was recommended for approval subject to the imposition of conditions, the proposal will comply with Policies CS1, CS6 and CS11 of the Great Yarmouth Local Plan: Core Strategy, and Paragraphs 83, 84 and 170 of the NPPF, and is consistent

with the aims set out in emerging policies of the final draft Local Plan Part 2 with the following suggested conditions:-

1. Permission shall be granted on a personal basis, for the benefit of the applicant only.
2. The site shall only be used whilst the applicant operates from Hall Farm.
3. The land shall be cleared of all wood and woodchip and activity and shall be reverted to agricultural use within 1 month of the use ceasing or if the applicant relocates from the existing site.
4. An appropriate tree planting and landscape plan to be submitted within 3 months of the decision date. The landscape plan and tree protection measures to be implemented in the next planting season following approval of those details.
5. A plan for the layout of the site shall be submitted within 3 months of the date of this permission, detailing areas for wood piles in the site, including areas for woodchip and orientation of logs with the aim to appear more recessive in views from the south, and shall be laid out within 1 month.
6. Details of a scheme for the provision of improved surfacing within the Hall Farm environment to prevent debris being brought into the public highway and/or scarring the landscape, shall be submitted within 3 months, and implemented in accordance with the approved details within 2 months.
7. No woodpiles shall be any more than 2.50m in height.
8. Working hours to be 0800 – 1700 Mon-Fri with no work on Saturdays, Sundays or Public Holidays
9. There shall be no deliveries to the site outside 0800 – 1700 Mon - Fri
10. The site shall only be used for storage of timber and not for plant and machinery and apparatus, and including no parking of vehicles overnight.
11. There shall be no mechanically powered cutting, sawing work, or splitting of timber (or other similar operation) etc. taking place on the site.
12. No sales of wood, fuel or timber from the site; and any other conditions considered appropriate by the Planning Manager.

Councillor Hammond was concerned that a suggestion had been made that the reversing alarms on delivery vehicles could be disarmed to reduce noise nuisance at the site. The Planning Manager reported that no conditions would be imposed that would cause a health and safety risk.

Councillor A Wright asked for assurance from the Planning Manager, that in

light of the Solicitor's letter received, that the officer report in front of them for consideration and determination this evening was lawful. This concern was echoed by Councillor Wainwright as the solicitor's letter which they had received today had concluded that it would be unlawful for the Council to grant permission on the basis of the Officer's report and the incomplete assessment contained therein and that as this firm of solicitors were experts in the field of environmental, planning and public law, that this concerned him.

The Monitoring Officer reported that she appreciated the concerns of the Committee regarding the late submission of the solicitor's letter in objection to the application on behalf of Mr & Mrs Younge and the officer response given at the meeting. She suggested that the application should be deferred pending the inclusion of the solicitor's letter and the officer response in written format as part of the next report when the application came back to Committee.

Councillor A Wright proposed that the application be deferred. This was seconded by Councillor Mogford and the ensuing vote was unanimous.

RESOLVED:-

That application number 06-10625-F be deferred.

6 06-21-0098-F - EAST NORFOLK SIXTH FORM COLLEGE

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

The Senior Planning Officer reported that this was a planning application to vary a condition of a planning permission which was approved for the development of a multi-sports pitch and ancillary facilities, located at the East Norfolk Sixth Form College. Planning permission was granted (15th January 2020, 06/18/0533/F). The application was to vary condition 10 of the above permission. Condition 10 concerns the siting and design of fencing and boundary treatments to the pitch. In preparing for construction the applicant wishes to rationalise some of the existing and proposed fencing between the boundary of the property and the pitch. This involves some changes to the location and height of the various fences, which includes acoustic fencing.

The Senior Planning Officer reported that this application would normally be dealt with using powers delegated by the Council to the Planning Manager. However, in this case as the planning permission for the pitch raised concerns from the neighbouring householders, mainly regarding noise and parking on match days, the Planning Manager is seeking approval of this application from the Development Control Committee. This is to provide certainty to the applicant; the development is benefiting from external funding from the Football Foundation; its' construction is time dependent. In this case the application only relates to the fences, the

principle of the development of the pitch has been established by the existing planning permission.

The Senior Planning Officer reported that the site was situated within the settlement of Gorleston within development limits. The college is a strategic community asset. Planning permission has been approved for the development of a multi-sports pitch. The key consideration is the impact on amenity of the occupiers of the adjacent dwellings from the erection of the proposed fencing. In this case planning permission is required because the position of the proposed acoustic fence is being moved closer to the dwellings than in the existing permission. The consideration is the material difference between the visual impact of the existing 2m high close board fence with the 6m high mesh fence behind it and the proposed 3.5m high wooden fence with the 4.5m high mesh fence behind it.

The Senior Planning Officer reported that significantly in this case, there is an existing paved alley between the fenced rear gardens of the dwellings and the college boundary fence. This is between 2m and 3m in width which provides separation and reduces any overbearing impact of the proposed 3.5m fence on those properties. It is also considered that the replacement of the existing 6m high mesh ball stop fence with one 4.5m high and being located further away from the existing boundary will have an improved visual impact.

The Senior Planning Officer reported that in conclusion, the college has been working with Sport England, the Football Foundation and Gorleston FC for many years to bring the development of a multi-use pitch to fruition. This application is to vary the position of the fences around the pitch. It is considered that this proposal will rationalise the existing fencing arrangement and not have an adverse impact on the amenity of the adjoining occupiers. Further it will reduce the likelihood of fly tipping which currently occurs along the boundary of the college grounds in this vicinity.

The Senior Planning officer reported that the application was recommended for approval subject to the fences being erected in accordance with the plans and fence specifications submitted with this application. The proposal is deemed in compliance with the aims of Policy CS15 of the Great Yarmouth Local Plan Core Strategy, also to Policy A1 Amenity of the Emerging Local Plan Part 2.

Dr Richards, applicant, reported the salient areas of the application to the Committee and asked them to approve the application as it would protect the health of students and staff, as staff members had to litter pick and remove bags of unsafe rubbish which had been fly-tipped in the alleyway between Baliol Road and the college playing fields on a regular basis.

Councillor A Wright had concerns that the proposal would lower the fence height to 4.5m which would result in more balls flying over the top of it during

professional football matches. The Senior Planning Officer reported that the Football Foundation had put forward the specification for the height of the fencing at 4.5m.

Councillor Myers was concerned that the fencing would block out sunlight from the back gardens of the properties at Baliol Road.

Councillor B Wright, Ward Councillor, was concerned regarding car parking and noise nuisance resulting from this development and requested that this be closely monitored. The Senior Planning Officer reported that a management plan had been submitted and approved as part of the application.

Members were minded to approve the application as they felt that the new proposition would benefit the college students, staff and local residents.

RESOLVED:

That application number 06-21-0098-F be approved subject to the fences being erected in accordance with the plans and fence specifications submitted with this application. The proposal is deemed in compliance with the aims of Policy CS15 of the Great Yarmouth Local Plan Core Strategy, also to Policy A1 Amenity of the Emerging Local Plan Part 2.

7 DELEGATED DECISIONS OF PLANNING APPLICATIONS BETWEEN THE PERIOD 1 FEBRUARY TO 28 FEBRUARY 2021

The Committee received and noted the delegated decision list for the period 1 to 28 February 2021.

8 APPEAL DECISIONS

The Planning Manager reported the salient areas of the three appeal decisions to the Committee for information.

9 ANY OTHER BUSINESS

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

The meeting ended at: 19:00