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DEVELOPMENT CONTROL COMMITTEE

20 January 2009 – 6.00 pm

PRESENT:

Councillor Reynolds (in the Chair); Councillors Barker, Blyth, Castle, Collins, Cook, Cunniffe, Jeal, Jermany, Linden and D Thompson.

Councillor Watts attended as substitute for Councillor M Thompson.

Mr T Major (Assistant Development Control Manager), Mrs E Helsdon (Technical Assistant) and Miss S Davis (Senior Member Services Officer).

1. MINUTES

The minutes of the meeting held on 16 December 2008 were confirmed.

2. PUBLIC CONSULTATION

In accordance with the agreed procedure for public consultation, the Committee considered the following applications:-

Councillor Reynolds declared a personal, non-prejudicial interest in the following item on the grounds that occasionally he had undertaken work transporting seasonal workers for another company who were linked to the applicant, but in accordance with the provisions of the Members' Code of Conduct was allowed to speak and vote:

(a) Application Number 06/08/0131/F – Hostel Accommodation for Seasonal Workers at Mill Farm, North Road, Ormesby St Margaret, Great Yarmouth

The Committee received details of the application and it was noted that the site had been amended to exclude the land to the south and the layout had now been revised. The Officer stated that the site was currently used for the temporary housing for up to 150 agricultural workers operating under the Caravan Sites and Control of Development Act 1960 and the Town and Country Planning (General Permitted Development) Order 1995. This meant that the applicant did not require a site licence or planning permission as the site was used for the accommodation of persons employed in farming operations during a particular season. The mobile units were placed on site in March and removed in December with the workers transported to and from their place of work by minibus. It was proposed to provide a similar form of accommodation on a permanent basis rather than removing the units each year and to provide permanent ancillary facilities by converting an existing building to form kitchens, showers, WC's and a laundry, together with the creation of a recreation room within an existing grain bin. This would result in an overall reduction in the number of mobile units for accommodation and ancillary purposes from 26 to 18. Access to the adjacent sub-station would be retained and a recreation area would be created to the north of the site. The

applicant's agent had submitted a report which indicated the number of staff likely to be on site at certain times of the year. Following advertisement of the proposals on site, in the press and letters sent to immediate neighbours, 21 letters of objection had been received. The main concerns related to potential noise and disturbance from the operation of the site, and previous problems of nuisance. In an attempt to overcome some of these issues, the applicant had agreed to increase the height of the wall between the site and No 64 North Road to 2.4m. It was not intended that any more units would be placed to the south and No 68 North Road would be used by a caretaker who would supervise the accommodation. The Highways Authority had no objection, subject to agreement regarding the routing of HGV's onto the site and the Parish Council had not objected, subject to a maximum number of people on the site at any one time, agreement on the siting of the accommodation units and the provision of adequate screening to safeguard the privacy of neighbours. In response to their comments, the Officer pointed out that the scheme had now been amended. Reference was made to an acoustics report submitted by the applicant and it was noted that the Environmental Health Officer had no objection, subject to the advice within the noise assessment being followed plus noise attenuation being provided to the sites used for recreation. Anglian Water had recommended that a condition be imposed so that the development was suitably phased in line with the anticipated improvements to Anglian Water's sewerage network. The Environment Agency had requested a percolation test to be carried out to ensure that soakaways would work adequately in adverse conditions. The Campaign for the Protection of Rural England had objected on the grounds that the proposals would have a detrimental affect on the village and would be a despoliation of local amenities. EDF Energy had no objection provided that a suitable means of access to the existing sub-station was maintained and that the delivery and siting of the accommodation units would not affect overhead power lines. The Officer pointed out that if planning permission was granted this would allow the Council to control the number of units and their siting. It was also intended to provide additional planting to the north and eastern side of the site to soften the impact on any views. It was felt that as the units would predominantly be sited between the existing buildings, it was not considered there would be an adverse affect on the landscape. With regard to drainage, provided the requirements of the relevant bodies were met, there were no overriding objections. The Officer recommended that the application be approved, as amended.

Clarification was sought as to how many letters had been received from objectors since the recent Parish Council meeting and it was noted that two letters had been received on the revised proposals. A query was also raised as to how the proposed times of operation would be enforced and the Officer responded that these would be controlled by conditions and Officers would check the condition was being complied with if problems were identified. Reference was made to the fact it was proposed to allow the units to be sited for a temporary period of ten years and the Officer indicated that this period had been suggested to ensure the buildings were of a good standard and that the appearance of the buildings did not deteriorate. In response to queries received from the occupant of 6 Water Meadow Close, the Officer reported that site notices, articles in the press, letters to immediate neighbours and a Parish Council meeting had been held; the occupants of the hostel would work in other local farms as well as on site; and Anglian Water's new sewerage disposal system scheme had come forward during discussions on the application. Clarification was sought as to whether the site was outside the Borough-Wide Local Plan and whilst the Officer responded affirmatively that the site was not zoned for residential use in the Local Plan and was outside the village development limit, he pointed out that the proposal was to house agricultural workers which was allowed.

The applicant reported that the site had been active since 2003 and until a recent public meeting, he had not realised there were any problems or issues being raised by residents. He was aware of only one incident in August which he had dealt with. He accepted that there were problems regarding youths in Ormesby but stated that the workers on the site

would be supervised and he would ensure they behaved. He stated that it was not intended to have 250 students working at Mill Farm as some would work elsewhere. He pointed out that the workers did use local shops. He stated that it was not possible for him to use campsites because of the financial cost and the need to keep the workers together. Reference was made to comments from objectors that tractors were being driven at speed along roads and he pointed out that the highest speed a tractor could achieve was 22/23mph and it was unlikely that the students would be asked to operate this machinery as they were employed as manual labourers. He concluded that most of his workers were not drunken troublemakers and he wanted to provide suitable facilities to ensure that they returned year after year. He clarified that in the last few years there had been 130-150 workers on site in the peak weeks, under the supervision of a caretaker who would remain on site during the months the workers were employed. He pointed out that the farm itself was active throughout the whole year and whilst there had been a few break-ins over the past few years, site security had been improved.

An objector reported that he lived at No 64 North Road. He asked Members to imagine 150 youths congregating outside their houses drinking alcohol and because it was warm the windows had to be closed to reduce the noise and abuse which continued until after midnight. He stated that this type of incident occurred over a number of months every year which destroyed the harmony and balance of the community. He pointed out that the current arrangements were temporary but villagers had grown fearful and were angrily voicing distress and shock about intimidation, littering, unrest, noise and light pollution. They also felt that the new campsite was outside the village development limit and should not be on a valued Greenfield site. He pointed out that, in the past, campsites had been used which had full amenities, resulting in local businesses benefiting but this decision would affect them financially. He suggested that the best solution would be to use local unemployed people but if non-local students had to be employed, smaller groups would be better housed at their specific work sites rather than centralised on Mill Farm. He queried why it was being recommended that consent be granted for ten years when guidance recommended two or three. He also felt that the proposal was not compliant with Planning Policy Statement 7 and the Local Plan had been ignored with abuse of the current temporary arrangement being tolerated as there were portacabins still on site in January. He also felt that the current arrangement contravened and flouted the intention and spirit of the outdated caravan regulations and should not be contemplated as a fallback position. He pointed out that arguments in favour of the proposal, such as the annual movement of the portacabins, were flawed as this operation was quick and simple. The main vehicle disruption being the twice daily student transportation. He felt that the campsite should not be allowed in the face of high numbers of objections including from the CPRE and in contravention of legislation and the Local Plan. For environmental and local economic reasons, to protect Greenfield sites and support heritage and rural communities, he suggested the proposal be rejected or deferred pending wider consultation.

Clarification was sought as to whether the objector had complained to Environmental Health, his local Councillors or the applicant. The objector responded that he had contacted Environmental Health and spoken to the applicant a couple of times. He added that a large influx of any people would change the balance of the village and this caused problems. He stated that, although he had never been intimidated himself, he had heard rumours that others had. He regularly had to remove rubbish from his garden and during the peak weeks, his wife could not sit out in the garden because of the behaviour of the workers. Whilst he agreed the amenities would be better for the workers, he felt that the site should not be used to house the workers at all as they would be better off in local camps which already had the necessary facilities.

The Chairman reported that he was one of the local Ward Councillors and he had discussed the application with his colleague and also with the Parish Council representatives. He

pointed out that a lot of residents had not realised the site had been used in this way for over five years. He referred to a recent Parish Council meeting which had been well attended and where the applicant had answered many questions which he felt contributed to the low number of letters received. He also pointed out that the proposals had been revised. The objector interjected that the original letters of objection still stood and he did not agree that objector's fears had been resolved at the Parish Council meeting. The Chairman continued that neither of the Ward Councillors had received any comments on the operation of the site from residents in the past. He pointed out that this application improved the facilities for the workers who he had found had always been polite. He commented that he and his fellow Ward Councillor often received complaints about local youths but none about the seasonal workers. He suggested that the applicant be applauded for trying to provide better facilities and pointed out that the Borough Council would now be able to ensure that the conditions would be enforced as the application sought to regularise an existing situation.

The point was made that most local youngsters did not want to work on a farm and most of the objector's comments had largely been taken on board in the amended plans. It was also pointed out that if the application was refused, the same number of people could still be accommodated but without any controls by the Council. Whilst concern was expressed that the proposal was outside the village development limit, it was accepted that this was not contrary to the Local Plan as they were agricultural workers. A suggestion was made that the proposed design of the 2.4m high wall should be considered further to ensure it did not cause the objector any concern. Whilst sympathy was expressed for the occupier of No 64 North Road, the point was made that the condition suggested within the acoustics report should help reduce any problems but if there were any encountered, the objector was reminded that he should contact local authorities.

RESOLVED:

That Application Number 06/08/0131/F be approved in accordance with the revised site layout plan, subject to conditions that the consent for the accommodation units be for a temporary period of ten years; details be submitted for Council approval in respect of the design of the accommodation units; the units be occupied solely by persons employed in agriculture and only during the period 1 April to 30 November in any year; the measures to control noise be carried out as stated; the boundary treatment be carried out as indicated on the revised site plan together with details of the appearance of the 2.4m high boundary wall being agreed by Officers; the development meets the requirements of the Highways Authority, Anglian Water, the Environment Agency, Building Control and EDF Energy; and permitted development rights be removed in order to comply with Policies HOU10, NNV3 and NNV5 of the Borough-Wide Local Plan.

(b) Application Number 06/08/0828/F – Erection of New Dwelling and Sub-Division of 23 Bells Road to Create New Single Bedroom Dwelling at 23-25 Bells Road, Gorleston

The Committee was informed that, since dispatch of the agenda, the applicants had now withdrawn the part of the application to sub-divide 23 Bells Road. A suggestion was made that, bearing in mind this late change, the application be deferred to allow further clarity on the changes and for residents to be re-consulted. The applicant expressed concern that he had been advised by Planning Officers to withdraw part of the application which he would not have done if he had known that determination of the application would be deferred.

RESOLVED:

That determination of Application Number 06/08/0828/F be deferred to enable further clarification on details of the application and for residents to be re-consulted.

3. PLANNING APPLICATIONS – APPLICATIONS LIST

- (a) **Application Number 06/08/0836/F – Remodelling Part of Existing Static Caravan Park and Extension for Additional Static Caravan Pitches Including Landscaping and Associated Roads at Cherry Tree Holiday Park, Mill Road, Burgh Castle**

The Committee noted that the above application had been withdrawn.

4. ITEMS FOR INFORMATION

- (a) **Planning Applications Cleared in December 2008 Following Determination by the Development Control Committee**

The Committee received the Head of Planning and Development's schedule in respect of the applications cleared during December 2008 by the Development Control Committee.

- (b) **Planning Applications Cleared in December 2008 Following Determination by the Head of Planning and Development Under Delegated Powers**

The Committee received the Head of Planning and Development's schedule in respect of the applications cleared during December 2008 under delegated powers.

5. APPEAL DECISIONS

Members noted the following appeal decisions:-

- Application No 06/08/0410/O – Demolition of an existing garage/garden room and construction of a detached 3 bedroomed bungalow with single attached private garage at 36 Station Road, Ormesby
.....dismissed (Officer delegated decision)
- Application No 06/08/0377/F – Improved access to agricultural land and additional access to dwelling at Norfolk Barn (adjacent to), New Road, Belton
.....dismissed (Committee decision)
- Application Nos 06/08/0026/F and 06/08/0027/CC – Demolition of existing house and outbuildings and erection of eleven cottage-style dwellings and ancillary works at Elmside House, White Street, Martham
.....allowed with conditions (Officer delegated decision)

6. CLOSURE OF MEETING

The meeting ended at 7.15 pm.