

# LARGER PRINT COPY AVAILABLE PLEASE TELEPHONE: 01493 846325

## DEVELOPMENT CONTROL COMMITTEE

23 September 2008 – 6.00 pm

### PRESENT:

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

Councillor Watts attended as substitute for Councillor Collins.

Mr P Warner (Head of Planning and Development), Mr C Skinner (Head of Central Services), Mr D Minns (Development Control Manager), Mr T Major (Assistant Development Control Manager), Mrs W Faldon (Technical Assistant) and Miss S Davis (Senior Member Services Officer).

### 1. MINUTES

The minutes of the meeting held on 22 July 2008 were confirmed.

### 2. PUBLIC CONSULTATION

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

- (a) **Application Number 06/08/0423/F – Conversion of Existing Church Hall to form Four Self-Contained Units, and Construction of Five Terraced Houses, at the Former United Reform Church, Garnham Road/Back Chapel Lane, Gorleston**

The Committee was reminded that they had approved the application for the conversion of the Church to four self-contained flats and the erection of five terraced houses in July, but, because of complaints regarding Committee procedures and that there had been insufficient time for objectors to get together and present their case due to the late despatch of the full agenda to Objectors. Officers and the Chairman had decided that the application should be re-considered in the light of the above. Subsequent to the last meeting, comments had now been received from Norfolk Landscape Archaeology, who had requested a standard condition requiring a programme of archaeological work to be carried out before the development commenced. A further letter had also been received from the Church Property Officer, who had given some background as to why the Church had been closed and confirmed that, as far as they were aware, there were no burials on the site. Two additional representations had also been received, one from a resident of the High Street, who was concerned at the amount of light it would block out from existing properties, and also about the safety, due to the lack of pavements on Back Chapel Lane. The Fire Service had also asked that consideration to be given to the possibility of improving the existing access at the junction of Garnham Road and

Back Chapel Lane to assist emergency access to existing and proposed premises on Back Chapel Lane. Members' attention was drawn to a draft set of conditions being proposed by Officers which included reference to the Fire Officer's comments and preservation of the memorials.

The Head of Planning and Development reported on the background to the actual application, which had previously been considered in July. Members were also reminded of the details of the six letters of objection originally received from residents. The Officer also drew attention to the site plan and slides showing the site and the surrounding area. It was noted that the applicant had agreed to erect a wall and obscurely glaze, remove and replace several windows to overcome objectors' concerns regarding overlooking. Attention was also drawn to photographs of the Church looking down Garnham Road and No 26 Garnham Road, which had recently been granted planning permission for a dwelling in the back garden, was pointed out together with the relative narrowness of Back Chapel Lane.

Reference was made to the list of responses from consultees and it was noted that there were no strong objections or reasons why planning permission should not be forthcoming. The Officer added that the site was part of Gorleston built-up area and the application was, therefore, in line with current planning policy. He stated that the development was quite high in density, but this was not untypical for built-up areas. He added that the proposal was likely to improve the appearance of the area and result in the refurbishment of the Chapel. The proposal included one parking space per dwelling, with three additional spaces, which was in line with Government policy, although the applicant did not have to provide parking at all, due to the type and location of the site. The Officer suggested that Members needed to balance the refurbishment of the Church and the new development against, and give appropriate weight to, the density, parking and residents' objections. He added that the proposal generally accorded with National Planning Policy guidance and was in line with Government thinking of development in urban areas.

It was felt that the residents' issues, as detailed on the Agenda, could be overcome by conditions. Members' attention was drawn to the list of proposed conditions, and it was suggested that if Members were minded to approve the application, those listed, together with the following, should be approved:-

- A condition relating to the Fire Service's request, subject to the Highways Authority endorsing their proposals;
- In relation to draft condition number 6, a further condition regarding the restriction of piling times be added; and these could be discussed with residents;
- The memorials currently located in the Church be retained; and
- A further condition making clear that the development must comply with the plans submitted, to ensure that any amendments required planning consent.

The Head of Planning and Development recommended that the application, subject to the conditions as detailed in the Agenda and above, be approved.

The applicant's agent reported that he was speaking and acting on behalf of the United Reform Church Eastern Province, who owned the disused Chapel and grounds that were the subject of the application. He stated that it was unfortunate that the use of the Chapel could not be sustained, but there were alternative places of worship in the area to meet the current need of the population. The agent reported that this was the third proposal for the site and he reported on the details of the other two proposals. He pointed out that Back Chapel Lane was one-way, which helped organise access, and he reminded Members that the existing use could create

significant amounts of vehicle movements. He stated that there was no record of any burials on site with his client's office, nor the Norfolk Archivist. The rumour stemmed from two memorial stones that formed part of the hard landscape of the gardens area which were horizontal, flush with the ground and had been put there during one or other of the building projects. Both post-dated the Act of Parliament that established local authority cemeteries. He stated that, on the balance of probability, he felt there were no burials on the site, although if there were graves then the requirement for an archaeological dig would determine the issue and this would then set the procedure from the Home Office in motion, that the applicant or successor would have to comply with, so it was not a major issue. The agent referred to neighbours' proposal that the building should be used as a community centre, and stated that his client had pointed out that the building had been under-utilised for many years and there was no shortage of community space in Great Yarmouth and Gorleston. He added that, in fact, there was no shortage of historic buildings in the Borough whose community use had failed to generate sufficient funds to maintain the fabric of those buildings and it was highly unlikely that a fund could purchase the site for that particular purpose.

The agent referred to the remaining objections, namely of overlooking, and stated that overlooking to the west, ie over 26 Garnham Road, would improve. He added that currently there were six first floor and six ground floor windows that faced in that direction and, in any event, the owner of 26 Garnham Road had planning consent to erect a two-storey house that, when built, would shield No 26 from any immediate impact from the proposal. The applicant had offered a number of features that would help with that overlooking. He referred to the houses on High Road, separated from the site by Back Chapel Lane, which all had high walls at the rear, or high doors. He pointed out the house in the corner was almost completely unaffected, whilst the remainder were already overlooked by existing buildings that would be demolished. The ceiling heights of the new houses were likely to be lower and, therefore, the windows, so it could be argued that the overall impact was less without the agreed special measures. He stated that, in his opinion, the distances involved and the proposals, as made, together with the existing spatial arrangement, meant that the impact from overlooking was very slight. He concluded that the Borough was very short of land for new build, affordable housing and, therefore, there was a need to make full use of the in-fill sites, with established design criteria. He added that the proposal was well-balanced, well-designed and ticked all the boxes.

The agent was asked whether all the premises had space for bins, and he responded that there was adequate space within each curtilage. Clarification was sought as to whether the new buildings would be of a similar character to the Chapel and he replied that they would be of a modern design, but stated this was not as important, because they were not immediately adjacent to the Chapel. He added that a management company would be responsible for the upkeep of the Chapel.

An objector's two photographs were displayed and she queried who would pay her electricity bills, bearing in mind that her property would now be cast in shadow due to the development. She added that the proposal raised serious concerns regarding the narrowness of the road and lack of pavement. She also queried how pedestrians would be able to walk on the pavements if people from the new houses would be reversing over the pavements from their garages.

The residents' representative circulated photographs of the road. The objector referred to the applicant's agent's comments regarding who had put in the application and he stated that it was not the Church but it was Breitling Homes and the agent and the Church were only interested in the sale of the building. He stated that residents had enjoyed an open community for many years but since the Church had been closed last July several incidences of vandalism and break-ins had occurred. He expressed concern at what he stated were outrageous proposals,

bearing in mind the dangers of Back Chapel Lane and the problems with parking in the area. He felt that the proposals would completely change the area and should not go ahead on any scale. He referred to the Planning Officer's comments and stressed that, in his opinion, the roads were dangerous and stated that the fact that there was not any pavement for people to walk on added to the danger. He pointed out that the last house on the road had already had five impacts from vehicles and that the one-way system was regularly abused. The objector referred to the erection of the proposed wall and stated that this could affect every resident of Back Chapel Lane and Avenue Road. Whilst he agreed that the area did "need to be updated", he suggested the Chapel should be used by the community as there were not many community services available in Gorleston. He stated that if the proposal went ahead, existing residents would then open their curtains to see buildings above and directly in front of them and he queried what was to stop the occupiers of the new buildings replacing any obscured glass with clear glass. He accepted the Head of Planning and Development's explanation of the procedural issues surrounding this application and the reason for its re-determination. He queried whether a Highways Authority representative had actually visited the site and suggested that this land should not be developed when there were many quality houses for sale within the Gorleston area. He concluded that he felt the decision at the last meeting had been wrong and expressed concern at the safety of adults and children, the parking situation, lack of adequate drainage and the potential impact of this with a further 12 houses, dangerous vehicle movements and the fact that the memorial stones should be kept in the same place. He added that he did not feel that the new houses would fit in with the character of the area.

The objector was asked whether he felt that one parking space per unit would not be of benefit to local residents. The objector responded that everyone was entitled to a parking space, but people did have visitors, which would necessitate more than one space. He also pointed out that he had had to help the Fire Brigade in the past as they could not access the road with their tenders. Clarification was sought as to whether the objector accepted that, if the Church re-opened for commercial use, the number of vehicular movements would be significantly higher than the proposed development. The objector stressed that he did not accept this and stated that there were already problems in the area, including several drivers taking up more than one space, and clarification was already being sought with the Highways Authority as to what the existing white lines were for. In response to a query regarding how many accidents there had been on the road, he stated that there had been two fatalities from vehicles coming out of Back Chapel Lane across Garnham Road and several accidents with people stepping out of existing houses straight on to the road because there was no pavement. He also added that the situation had not improved since the road had been made one way, because drivers still used it as a two-way system. He concluded that he felt this was a massively over-developed site.

The three Ward Councillors reported that they felt the parking was terrible in the area already and the fact that the scheme was of a high density. It was also felt that there was a lack of meeting spaces in the area and changing the use to residential would be a missed opportunity.

The point was made that the Committee needed to consider the planning issues of this application. It was stressed that, although this was the high end of density, this was not unusual for built-up areas and the proposal would tidy up an unattractive site and retain the redundant Church for the future. The Highways Authority had not objected and it was likely that, if the site was re-opened as a commercial venture, there would be more vehicular movements, which could be more dangerous. It was also pointed out that there were no objections from Anglian Water and the issues of the wheelie bins and overlooking had been dealt with by the proposed amendments. It was felt that there was no new information since the application had been determined in July and a recommendation was made that the application be approved, subject to the conditions as detailed on the Agenda, and as recommended by the Officers.

Clarification was sought as to whether the road could be closed off into a cul-de-sac, which could alleviate some of the problems regarding the dangerousness of the road. Reference was also made to piling affecting the existing houses, however, the point was made that this was up to the developer to determine the method and the only controls that Planning could impose would be to limit the hours of construction. It was also suggested that clarification should be sought from the Police as to why they had no objections to the proposals, bearing in mind the number of accidents.

RESOLVED:

- (i) That application number 06/08/0423/F be approved subject to the conditions as detailed above and in the Agenda being imposed in order to comply with Policies HOU7 and HOU15 of the Borough-Wide Local Plan.
  
- (ii) That representations be made to the County Council on behalf of residents on the proposal to turn one of the roads into a cul-de-sac, and to query with the Police why they had not objected, bearing in mind the number of accidents and the issue of enforcement if cars were abusing the one-way system.

**Councillor Reynolds declared a personal, non-prejudicial interest in the following item on the grounds that his company occasionally carried out work for the applicant, but in accordance with the provisions of the Members' Code of Conduct was allowed to speak and vote:**

- (b) **Application Number 06/08/0466/F – Proposed Vehicular Entrance at Hopton Holiday Village, Warren Road, Hopton-on-Sea**

The Committee was reminded that they had considered this application at the last meeting but had deferred determination to allow further consultations on the revised drawings submitted. The Officer reported that this was a well-established holiday location and the proposal was to form a new access road which would involve the loss of a relatively small number of caravans, the reorganisation of the remainder of the vans on this part of the site and the removal of a hedgerow to the southern boundary of the site. It was noted that no objections had been received from the Highways Authority, subject to conditions. Members noted that four letters of objection had been received originally, but an additional 15 had now been submitted with objections ranging from an increase in noise, disturbance and pollution from traffic and pedestrians, the impact on the Coast Road/Station Road junction, traffic congestion, loss of business and reduced passing trade, further degradation of the road surface, speeding vehicles and traffic problems on Warren Road, Coast Road and Station Road. The Officer reported that it was proposed to improve traffic calming in the vicinity of the new access and to improve surface drainage. He recommended that the application be approved, subject to conditions.

An objector reported that he had operated his business in Hopton since 1970 and referred to a previous change in access arrangements in place for one summer which had led to serious congestion in the Park and the village. He pointed out that the number of cars increased ten-fold during the summer and several accidents had already occurred, with cars mounting pavements and hitting pedestrians. He drew Members' attention to the fact that the proposed access was near a blind bend with a very limited view of Warren Road and a narrow pathway. He referred to Anglian Water's comments and stated that the work they had recently carried out to overcome the problems of flooding had not yet been tested with a substantial downpour. He felt that the loss of approximately 40 holiday homes would affect businesses in the area and he queried (a) whether holiday accommodation was important to the local economy; (b) whether

the Council wished to protect businesses and jobs; (c) were residents entitled to peace and quiet. He suggested that the application be refused as being contrary to Policy TR1, as he did not feel the proposal enhanced the built environment or safeguarded community interests.

The point was made that the holiday trade had lessened in the last two years. Concern was expressed that moving the main entrance near to residential properties could result in queuing traffic in the main part of the village. The Assistant Development Control Manager pointed out that the provision of an additional car park inside the entrance containing 48 spaces had been made to address this particular point. A suggestion was made that stewarding of the entrances was important and it was agreed that the Officers would talk to the applicant regarding the management of this issue.

**RESOLVED:**

That application number 06/08/0466/F be approved subject to the conditions required by the Highways Authority, in accordance with Policies TR1 and TR15 of the Borough-Wide Local Plan.

**3. ITEMS FOR INFORMATION**

**(a) Planning Applications Cleared in July and August 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 July and August 2008 by the Development Control Committee.

**(b) Planning Applications Cleared in July and August 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 applications cleared during July and August 2008 under Delegated Powers.

**4. DEVELOPMENT CONTROL TRAINING DATES**

The Committee received details of the proposed dates for training sessions for Development Control issues, together with a reminder that the annual RTPI Conference would be held on 14 October.

**RESOLVED:**

That training sessions be held on 30 September 2008, 13 January and 31 March 2009.

**5. CLOSURE OF MEETING**

The meeting ended at 7.50 pm.