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**DEVELOPMENT CONTROL COMMITTEE**

**18 July 2006 – 5.00 pm**

**PRESENT:**

Councillor Plant (in the Chair); Councillors Blyth, Burroughs, Cook, Jeal, Jermany, Linden, Reynolds, D Thompson, M Thompson and Wainwright.

Councillor Pettit attended as substitute for Councillor Castle.

An apology for absence was received from Councillor Castle.

Mr D Minns (Acting Development Control Officer), Mrs E Helsdon (Technical Assistant) and Miss S Davis (Senior Member Services Officer).

**1. MINUTES**

The minutes of the meeting held on 20 June 2006 were confirmed.

**2. PUBLIC CONSULTATION**

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

**Councillors Cook, Hodds, Jermany, Linden, Plant, Reynolds, D Thompson, M Thompson and Wainwright declared a personal, prejudicial interest in the following item however it was noted that they had been granted dispensation from the Standards Committee on 10 July 2006 and were therefore aloud to speak and vote:**

- (a) **Application Number 06/06/0432/CU – Change of Use of a Section of Open Space to Use as Hotel Garden and Additional Car Parking on Land to Rear of 19/20 North Drive Great Yarmouth**

The Committee was informed that the application site was 9m X 26m extending across the rear of 19/20 North Drive with a number of mature trees, one being dead and another diseased. The site was also located within Conservation Area Number 16 however the remainder of the Recreation Ground was outside that Area. The Conservation Officer had not objected as the proposal would be consistent with other properties in the area, however, four letters of objection had been received from residents and one from Ward Councillor Taylor who was concerned at the loss of public open space. It was noted that Policy REC11 stated that the Council could refuse proposals which would erode the provision of amenity open space or any other land which contributed positively to the community or street scene and Members were asked to decide what contribution this site made to the open space.

PPG17 sought to protect open space and Members were advised that in this particular case the application did not erode any of the playing pitch. The Acting Development Control Officer reported that if approved the application would need to be referred to the Secretary of State as it was a departure from the Borough-Wide Local Plan but he recommended approval subject to final details of the car park layout, the replacement of the dead and diseased trees together with the provision of additional lighting. He added that a Tree Preservation Order had already been prepared for service on the site.

The applicant reported that the hotel had been a family business since 1959 and provided services not only for the tourist industry but also for the community and local businesses which now necessitated additional facilities. He indicated that he wanted to purchase a small piece of rough ground that was not used as a recreational facility but had been the location of anti-social behaviour and drug use. He added that the isolation of the site meant there was no natural surveillance and it was, in his opinion, a blight on the recreation and residential amenities. Members were informed that 95% of the adjoining properties had similar ground within their curtilages and he stressed that the remainder of the recreational ground was not within a Conservation Area. He indicated that he would retain the healthy trees, replace those removed and lay specialist meshing. The applicant was asked whether he intended to erect a new boundary wall using similar materials and he responded that he would re-use as many of the original bricks as possible.

An objector reported that he lived at 16 North Drive and was also representing four other objectors namely the occupants of 17, 18 and 21 North Drive together with 14/15 Sandown Road. He indicated that his fellow objectors were concerned in relation to noise and the change of use but his own concern was the change of habitat. He explained that the site contained the only canopy of trees in the area which was extremely important for birds and wildlife and he feared that if the site was used as a car park this would disturb the birds and their flight-line would change. He added that many people used the area particularly those wishing to look at the birds and wildlife.

Ward Councillor Taylor reported that he objected on the ground of loss of public open space and pointed out that there was a well maintained public car park almost opposite the hotel or Beach Coach Station was available nearby. He referred to a previous similar application from the then occupiers of 14/15 Sandown Road but reminded Members that this had caused such a public outcry the application had been refused. He added that people used the recreation ground not just as a play area and for the many years he had represented the area he had not heard of one complaint regarding anti-social behaviour. He stressed that he did not wish to lose any public green leafy areas to private development.

The point was made that approval of this application would bring the piece of land into the same boundary line with the majority of properties in the area and Members were reminded that it was thought the Conservation Area had been drawn as a straight line with no particular reason for including this site. It was added that this was a difficult area to maintain and the car park referred to by the Ward Councillor was not always open, particularly during the winter. Concern was expressed that approval would mean loss of open space and could set a precedent with the likelihood that a further application would be made for a similar site nearby. Clarification was sought in relation to the trees and it was noted that the Council's Tree Officer had already visited the site and confirmed that two of the trees were in a poor condition. Members were reminded that they also had additional protected status because they were within a Conservation Area.

## RESOLVED:

That Application Number 06/06/0432/CU be approved subject to conditions requiring details of the parking layout, means of enclosure and meeting any requirements of the Conservation Section, and upon sale of the land a Tree Preservation Order being issued to protect the existing trees in the interest of visual amenities of the locality in order to comply with Policy REC11 of the Borough-Wide Local Plan.

**For the Motion to approve the application:**

Councillors Burroughs, Cook, Hodds, Jermany, Reynolds, D Thompson and M Thompson

**Against the Motion to approve the application:**

Councillors Blyth, Linden, Pettit and Wainwright

**Abstained:**

Councillor Jeal.

(b) **Application Number 06/06/0199/D – Construction of Bungalow and Garage at 33 Staithe Road (Rear of) Martham Great Yarmouth**

The Committee was reminded that in 2003 outline planning permission had been granted for the sub-division of the rear garden of 33 Staithe Road to provide a building plot for a bungalow and garage. Construction of the garage was virtually complete and the current application sought approval for the reserved matters specified in the outline consent ie details of siting, design and external appearance of the approved single storey dwelling. It was noted that objections had been received from neighbours relating to the means of access to the site and the proposed size of the bungalow. It was noted that the Highways Authority had stated that given the site had the benefit of an existing consent and was located on a private road it was unable to offer an objection however it had requested a condition that the proposed on-site parking and turning area should be laid out prior to the occupation of the dwelling.

The objector reported that the proposal was detrimental to the form, character and setting of the area, would be an over-development and out of keeping. He added that he felt that this development would exacerbate the existing water supply problems and would be detrimental to amenities including increasing the volume of traffic. He referred to the fact that the exit from the site had a particularly bad blind spot, there was no room to park on the road at present and he felt this development would compound the problems. He acknowledged that development of the site would take place but stressed he felt a four bedroom property was too large and would likely mean four cars which would exacerbate existing problems. He indicated that he was also concerned this would be a house in multiple occupation however he was assured that this would not be the case as a HMO would require planning permission. He added that the entire estate was of a similar size except the proposed dwelling. A query was raised as to whether it was possible to park three/four cars on the site and the objector responded that he did not believe so as it was a very restricted area. He added that residents often had to use other resident's drives in order to access their own. He clarified that his main concern was the safety risk and that the property was too large for the site.

The Acting Development Control Officer clarified that in terms of the footprint it was on a good sized plot. A suggestion was made that if the application was approved a condition be imposed that no windows be installed in the gable end or roofs to avoid overlooking.

RESOLVED:

That Application Number 06/06/0199/D be approved subject to the Highways Authority's requirements and a condition that no windows be installed in the roof or gable end in order to comply with Policies HOU7, HOU15 and HOU17 of the Borough-Wide Local Plan.

### 3. PLANNING APPLICATIONS – APPLICATIONS LIST

**Councillor M Thompson declared a personal, non-prejudicial interest in the following item on the grounds that he was slightly acquainted with one of the applicants but in accordance with the provisions of the Members' Code of Conduct was allowed to speak and vote:**

- (a) **Application Number 06/06/0458/F – Ground Floor Extension to Rear, Second Floor Extension Over Flat Roof and Other Additions at 49-50 Clarence Road Gorleston**

The Committee received details of the application and whilst it was noted that two letters of objection had been received, it was felt that they could be overcome as the only additional windows were a shower room and landing and it was unlikely to generate an increase in parking requirements in the area as this was a Residential Care Home.

RESOLVED:

That Application Number 06/06/0458/F be approved as consistent with Policies HOU18 and BNV18 of the Borough-Wide Local Plan.

- (b) **Application Number 06/06/0363/SU – Single Storey Extension for New Communal Room and Alterations for New Office Accommodation at 105 Caister Road Great Yarmouth**

The Committee received details of the application and it was noted that no objections had been received.

RESOLVED:

That Application Number 06/06/0363/SU be approved subject to an agreement regarding a tree planting scheme in order to comply with Policy EDC5 of the Borough-Wide Local Plan.

**Councillors Jeal, Plant and Reynolds declared a personal, non-prejudicial interest in the following item on the grounds that they were Directors of the Tourist Authority but in accordance with the provisions of the Members' Code of Conduct were allowed to speak and vote:**

- (c) **Application Number 06/06/0493/A – Retention of Panelled Canopy, Built-Up Lettering and Fascia and Neon Signs at Leisureland 42-44 Marine Parade Great Yarmouth**

The Committee was informed of the details of the application.

RESOLVED:

That Application Number 06/06/0493/A be approved as complying with Policies BNV23 and BNV25 of the Borough-Wide Local Plan.

- (d) **Application Number 06/06/0293/F – Demolish Dwelling and Construct Detached House and Garage; Amend Stables to Rear and Form Menage with Illumination at Cherry Gardens Thrigby Road Filby Great Yarmouth**

The Committee was informed of the details of the application and it was noted that the stables were for domestic use not commercial. Members were informed that the plan had already been amended to overcome some of the objections and it was now felt on balance that the proposal accorded with Policy HOU7. The Acting Development Control Officer reported that he wished to see details of the proposed four lights to ensure that they did not disturb the neighbours and added that if necessary a condition could be imposed regarding hours of use. A suggestion was made that final approval be delegated to the Officers who would be supplied with a lux diagram, rather than imposing a time restriction but if agreement could not be reached the matter be brought back to Committee.

RESOLVED:

That the Head of Planning and Development be granted delegated authority to formally approve Application Number 06/06/0293/F subject to the removal of permitted development rights for any additional buildings in the rear curtilage of the house and no additions or windows on the dwelling, the slab level being satisfactory and the submission of a lux diagram in order to comply with Policy HOU7 of the Borough-Wide Local Plan.

- (e) **Application Number 06/06/0463/F – Alterations to Previously Approved House at New House 1 Misburgh Way Hopton Great Yarmouth**

The Committee received details of the application.

RESOLVED:

That Application Number 06/06/0463/F be approved as being consistent with Policy HOU18 of the Borough-Wide Local Plan.

- (f) **Application Number 06/06/0241/CU – Conversion of Two Former Broiler Chicken Houses to Storage Units at Willow Tree Farm Tretts Lane Fleggburgh**

A suggestion was made that determination of the application be deferred to enable clarification to be given on an end user for the storage units.

RESOLVED:

That determination of Application Number 06/06/0241/CU be deferred to enable further information to be provided on an end user for the storage units.

#### 4. ENFORCEMENT ITEM

- (a) **Application Number 06/05/0500/F – Extension at 97 Middleton Road Gorleston**

The Committee was informed that an extension had been constructed 13” higher than that which had been approved and Members’ views were requested on whether enforcement action should be taken. A suggestion was made that, as a compromise, the edge of the extension could be hipped thereby reducing the bulk of the roof.

RESOLVED:

That the applicant be informed that this Committee would favour the roof being hipped as a compromise however if he was unwilling to carry out this works enforcement action would be taken.

**5. APPEAL DECISIONS**

The Committee noted the following appeal decisions:-

- (a) Erection of one number two storey house to provide site security at Sherwood Filby Heath Filby Great Yarmouth
- (b) Erection of a house on plot of land north of 1 Church Lane Filby.

**6. ITEMS FOR INFORMATION**

- (a) **Planning Applications Cleared in June 2006 Following Determination by the Development Control Committee**

The Committee received the Head of Planning and Development's Schedule in respect of applications received during June 2006 following determination by the Development Control Committee.

- (b) **Planning Applications Cleared in June 2006 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 June 2006 under delegated powers.

**7. CLOSURE OF MEETING**

The meeting ended at 6.45 pm.