

Broads Authority

Planning Committee

Minutes of the meeting held on 19 July 2013

Present:

Mr M Barnard	Dr J S Johnson
Miss S Blane	Mr P E Ollier
Prof J Burgess	Mr R Stevens
Mr N Dixon	Mr J Timewell
Mr C Gould	Mr P Warner
Dr J M Gray	

In Attendance:

Mrs S A Beckett – Administrative Officer
Mr S Bell – for the Solicitor
Mr F Bootman – Planning Officer
Mr B Hogg – Historic Environment Manager
Ms C Smith – Head of Development Management

Members of the Public in attendance who spoke:

**BA/2013/0096/FUL & BA/2013/0109/LBC
Norfolk Mead Hotel, Coltishall,**

Mrs H Getley	Objector – Resident No 4, Norfolk Mead Cottages
Mr G Hall	Resident No 1, Norfolk Mead Cottages
Mr Holliday	Applicant

1/1 Appointment of Chairman

The Head of Development Management welcomed everyone to the meeting and invited nominations for the Chairman.

Dr Gray was duly nominated and seconded. There being no other nominations it was

RESOLVED

that Dr Gray be appointed as Chairman for the forthcoming year 2013/14.

Dr J M Gray – in the Chair

1/2 Apologies for Absence and Welcome

Apologies for absence were received from Mr C Fox and Mrs Lana Hemsall.

1/3 Appointment of Vice-Chairman

The Chairman invited nominations for the Vice-Chairman. Mr Gould was nominated and duly seconded. There being no other nominations it was

RESOLVED

that Mr C Gould be appointed as Vice- Chairman for the forthcoming year 2013/14.

1/4 Welcome to New Member and Declaration of Interests

The Chairman gave an outline of the composition of the Planning Committee which was comprised of 14 members. He welcomed Mr John Timewell to his first Planning committee meeting of the Authority having recently been appointed by Norfolk County Council.

Members introduced themselves and expressed declarations of interest as set out in Appendix 1 to these minutes.

1/5 Minutes: 21 June 2013

The minutes of the meeting held on 21 June 2013 were agreed as a correct record and signed by the Chairman.

1/6 Points of Information Arising from the Minutes

There were no points of information to be reported.

1/7 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

1/8 Chairman's Announcements and Introduction to Public Speaking

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the revised Code of Conduct for Members and Officers, and that the time period was five minutes for all categories of speaker. Those who wished to speak were requested to come up to the public speaking desk at the beginning of the presentation of the relevant application.

1/9 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests had been received to defer items.

1/10 Applications for Planning Permission

The Committee considered applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

(1) **BA/2013/0096/FUL & BA/2013/0109/LBC Norfolk Mead Hotel, Coltishall**

Erection of a function room and service block within walled garden with formation of new openings with East wall of garden to provide access to car park

Applicant: Mr James Holliday

The Planning Officer explained that the proposals involved two applications for planning permission and Listed Building Consent as the Norfolk Mead Hotel was a Grade II Listed Building and he addressed these as one application. He provided a detailed presentation of the applications for the erection of a function room and service block within a walled garden together with the retention of a replacement ventilation ducting on the roof of the existing hotel kitchens. The new function room would be a pavilion style structure of contemporary design used to host weddings and other functions and was intended to complement the accommodation, restaurant and bar services already offered at the Norfolk Mead site. The applications included retrospective permission for the infilling of a swimming pool within the walled garden area. The application was also situated within the Coltishall Conservation Area. It was confirmed that a Heritage Assessment had been submitted with the application in order to validate it, although it was recognised that this was not as detailed as the level required by the Georgian Society. The Heritage Statement needed to be proportionate to the character of the building and relevant to the area.

In assessing the applications, the Planning Officer addressed the main issues of principle, design, highways and amenity in the context of the Conservation Area and the Listed Building and concluded that the proposals were in accordance with national and the Authority's policies, would preserve and enhance the Conservation Area and could be recommended for approval subject to conditions. The proposals would include substantial investment to complement the existing facilities to increase the viability of the hotel operation and provide improved benefits to tourism and the local economy. The new structure was low level and designed so as not to impact on the Listed Building and the use of high quality materials and details were essential to the success

of the scheme. The proposals included separate access to the new service area from that for customers using the hotel and the Highways Authority was satisfied with the proposals and had raised no objections.

The Planning Officer explained that the main causes of concern related to the impact on the amenity of the immediate neighbours who lived in the converted barn complex. It was clarified that none of the four units within the complex had holiday occupation restrictions and could be considered as being for permanent residential use. The main concerns related to overlooking from the end gable, noise and traffic generation. The applicants had submitted a noise assessment and the Environmental Health Officer had provided suggested conditions to restrict the playing of music to within the building with doors and windows closed after the hours of 19.00. With regard to the deliveries to the service area, this could also be dealt with by conditions and the Environmental Health Officer was satisfied.

Ms Getley, occupant of No 4 Barn Mead Cottage, explained the concerns she and other residents had about the issue of noise relating to deliveries, refuse collection, cars, guests walking past their properties and playing of music. Although very keen to support the business, there was concern that the views of the neighbouring residents on these issues were not valued. In particular they wished to receive assurances as to how the intended conditions would be enforced.

Mr Hall from No 1 Barn Mead Cottages explained that he was part owner of the drive and had concerns over the parking, particularly with overflow parking along the drive as well as parking at the back of the property next to the service area for reasons of security. He was not opposed to the proposals as such as they would provide an important venue for the current business and be preferable to a marquee in the same spot. Each property had the right to park two cars in front of their property and there was concern about the size of the vehicles accessing the service area across their properties. He hoped that appropriate arrangements could be made.

Mr Holliday, the applicant, explained that he was an independent owner of the hotel and having purchased the property in February had reopened following refurbishment in April gaining AA**** status. Under the present climate many small businesses were closing and by improving and extending the facilities to a high standard that could be offered hoped to increase the viability of a formerly failing business. The proposals would enable the business to increase the number of full time and part time employees and would be using local tradesmen and suppliers where possible. He considered that a building would be much more acceptable than a marquee. On the question of amenity, he explained that this was also important to himself as he lived in the cottage adjacent to the property. Most of the deliveries would be by

vans with the only larger ones being for refuse collection. He commented that options could be explored to provide alternative arrangements for the collection of refuse to minimise the effect on the amenity of the residents. In answer to members' questions relating to car parking, he explained that there was normal capacity for 45 to 50 cars and the wedding venue capacity was 120. He considered that appropriate parking could be arranged which would minimise impact on amenity with careful site management. With regard to drainage, he explained that the possibility of a treatment works was being investigated.

Members noted that the question of foul drainage had been picked up by the Environment Agency and could be conditioned. In general members welcomed the proposals and the potential economic benefits. They considered that the building was preferable to a marquee as it would minimise the noise element. One of the main concerns related to the effect of the proposals on the listed building and the Conservation Area. Members considered that, although the proposed building was of a substantial contemporary design, it provided a measure of enhancement and there would be no significant harm to the main building. Members welcomed the comments from the Georgian Society, although considered that the Authority had to be reasonable in its consideration of the issues raised and the extra information requested.

Members considered that although satisfied on many aspects of the proposals, one of the main concerns expressed related to the additional vehicle movements, the car parking capacity and the potential impact on the amenity of the local residents. It was considered that much could be achieved through careful site management and therefore the submission of a Parking Management Scheme would help to provide reassurances and should be added as a condition.

Members were mindful that any conditions imposed had to be reasonable and enforceable and that the neighbouring residents were seeking reassurances on this issue. It was noted that much would depend on good neighbour relations. Members considered that in general the proposed conditions were appropriate and acceptable. In taking account of the Broads Society's comments relating to the wall, it was proposed that an Informative be added to any conditions to be imposed explaining that any alterations would require Listed Building Consent.

With regard to the condition relating to the restriction on the proposed hours of music between 00.00 to 9.00, Mr Warner proposed, seconded by Mr Gould that this be amended to being restricted from 11.30 pm to 9.00am. On being put to the vote the motion was lost by 4 votes in favour, 6 against.

RESOLVED unanimously

that the application for planning permission BA/2013/0096/FUL and the application for Listed Building Consent BA/2013/0109/LBC be approved subject to conditions as detailed in the report including the submission of a Parking Management Plan and an Informative that Listed Building consent would be required for any works to the wall on the site. Subject to these conditions, the development is considered to be in accordance with Policies DP4 (Design), DP5 (Historic Environment), DP14 (Tourism and Recreational Development) and DP28 (Amenity), in accordance with guidance contained within the NPPF, and that there are no material considerations which could justify the refusal of consent in this instance.

(2) **BA/2013/ 0119/COND Shell Petrol Station, Caister Road, Great Yarmouth**

Variation of condition on pp BA/2012/0316/CU to allow for winter and summer opening times
Applicant: Mr Nick Shatri

Members had received correspondence from the neighbour objector, Mr Fell. The Planning Officer provided a comprehensive presentation and detailed assessment of the application for the variation of conditions 2 and 5 of consent BA/2012/0316/CU to allow for the relaxation of opening hours to reflect the seasonal nature of the business. The hours in question were to extend the opening pattern of 8.00 to 18.00 for Mondays to Saturdays, to Sundays and Bank Holidays (between 1 November to 31 March) and in the summer months (1 April to 31 October) from 8.00 to 19.00. The proposal for the relocation of a vinyl screen had been withdrawn. He explained that the application related to a temporary consent previously granted.

Since the report had been written, correspondence had been received from Mr Fell, the neighbour objecting to the proposal and Reedlings Consultants on behalf of the applicant, both of which was circulated to members at the meeting.

In assessing the application, the Planning officer commented that the level of amenity afforded adjacent to this particular site where there was a garage and a public house (albeit currently not operating) could not be expected to be similar to that required at an alternative location such as a housing estate. The current consent on application BA/2012/0316/CU was temporary only to enable monitoring to take place and to properly assess the impacts on residential amenity. Any variation would again be associated with that temporary consent to enable assessment should an application for permanent consent be submitted at the end of the year. Any temporary consent at this juncture would not fetter the Authority in consideration of a future application for permanent consent.

Members noted that conifer trees at the end of the objector's property, which previously could have acted as a buffer, had recently been removed. In general members considered that temporary consent for the amendment to the winter and summer opening times, was acceptable. A member suggested that for consistency purposes in line with Great Yarmouth Borough's previous limitation on openings on Sundays up to 16.00, this time might be retained. However, this was not accepted. Other members commented that weekends and bank holidays were the most popular times for such activities and they needed to focus on the hours stated within the application. They concurred with the Officer's assessment. Although noting the concerns of the neighbouring residential occupier, they considered that the proposal would not result in any unacceptable impacts on residential amenity having regards to the commercial nature of the wider site and the protection of amenity afforded by the fact that this would be a temporary consent permitted whilst the Great Yarmouth Environmental Health Officer continued to monitor noise, disturbance and overspray emanating from the site.

RESOLVED by 9 votes to 1 against

that the application for variation of condition for extension of hours in relation to BA/2012/0316/CU be approved subject to conditions as outlined in the report as in the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with National Planning Policy Framework and Policy DP28 of the DM DPD.

1/11 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee.

RESOLVED

that the report be noted.

1/12 Appeals to the Secretary of State: Update

The Committee received a schedule showing the position regarding appeals against the Authority since October 2012 as set out in Appendix 1 to the report.

RESOLVED

that the report be noted.

1/13 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 11 June 2013 to 9 July 2013.

RESOLVED

that the report be noted.

1/14 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 16 August 2013 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 12.30 pm

CHAIRMAN

Code of Conduct for Members**Declaration of Interests**

Committee: Planning Committee

Date: 19 July 2013

Name	Agenda Item/Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Dr J S Johnson	1/10(1)	Application: BA2013/0096/FUL and BA/2013/0109/LBC Member of Broads Trust. Norfolk Mead Hotel part of the "Love the Broads Campaign" <i>although not aware they were at outset of meeting.</i>