

**Reference: 06/14/0071/F**

**Parish:** Hopton on Sea

**Officer:** G Manthorpe

**Expiry Date:** 03-04-2014

**Applicant:** Tredwell Developments Limited

**Proposal:** Demolition of existing buildings and construction of six two storey dwellings with associated site works etc.

**Site:** Lowestoft Road (Old)

## **REPORT**

### **1. Background / History :-**

1.1 The application site is 0.11 ha (0.27 acres) located to the east of Lowestoft Road (old) Hopton; the previous use of the site was a car repair and sales business which is no longer in operation. To the north of the site is Hopton Recreation ground, to the east properties and curtilage of existing residential units 'The Laurels' with 30, 32, 34, 36 and 38 The Laurels abutting the site, to the south is the residential dwelling Ford house and to the west over Lowestoft Road (old) is open space and the Old Post House a residential dwelling.

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1.2 The planning history for the site includes an application in 2005 for a larger porta cabin (approved with conditions) and 2005 car sales to the front and rear, porta cabin, valet shed and customer parking (approved with conditions)

### **2.0 The Proposal**

2.1 The application proposes to demolish the existing buildings on the site and construction of six two storey dwellings with associated site works. The six houses shall have three bedrooms and off road parking.

### **3. Consultations :-**

3.1 **Hopton-on-Sea Parish Council:** The Parish Council have objected to the proposed development on the grounds of over development.

3.2 **Notice/Neighbours:** There have been four letters of objection to the proposed development from two households and one letter of support.

**3.3 Norfolk County Highways:** As noted in the correspondance although there were pre application discussions the initial submission has been amended to seek compliance with highway requirements. The revised plans are, in highways terms, acceptable subject to conditions given

**3.4 Environmental Health:** Conditions recommended regarding hours of work, work to be carried out in accordance with the remediation strategy, validation report prior to occupation, specific floor membrane used during construction, 300mm of demonstrably clean topsoil to garden, water pipes in contact with the ground should be made in a material resistant to the passage of hydrocarbons, water is supplied to mitigate dust issues and that the hours of work are constrained.

**3.5 Strategic Planning:** no comment.

**3.6 Norfolk Fire Service:** no comment

**3.7 Building Control:** no comment that would affect the planning decision.

**3.8 Norfolk constabulary:** comments regarding safeguarding the development against crime.

**3.9 GYB Services:** Advised to keep bins within the boundary and present to (old) Lowestoft Road.

#### **4. Policy :-**

##### **4.1 Planning Policy**

**4.2 POLICY HOU8** INDIVIDUAL DWELLINGS OR SMALL GROUPS OF DWELLINGS\* MAY BE PERMITTED IN THOSE AREAS WHERE POLICY HOU7 APPLIES AND

WITHIN THE VILLAGE DEVELOPMENT LIMITS OF BURGH CASTLE, FRITTON AND ST OLAVES, HOPTON-ON-SEA (LINKS ROAD/WARREN ROAD), ORMESBY ST MARGARET (YARMOUTH ROAD), ORMESBY ST MICHAEL, REPPS, ROLLESBY, RUNHAM, STOKESBY, THURNE, WEST SOMERTON AND WINTERTON. IN ALL CASES CRITERIA (A) TO (E) OF POLICY HOU7 SHOULD BE MET.

*(Objectives: To ensure an adequate supply of appropriately located housing land whilst safeguarding the character and form of settlements.)*  
developments generally comprising not more than 5 dwellings.

##### **4.3 POLICY HOU7**

NEW RESIDENTIAL DEVELOPMENT MAY BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE PARISHES OF BRADWELL, CAISTER, HEMSBY, ORMESBY ST MARGARET,

AND MARTHAM AS WELL AS IN THE URBAN AREAS OF GREAT YARMOUTH AND GORLESTON. NEW SMALLER SCALE RESIDENTIAL DEVELOPMENTS\* MAY ALSO BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE VILLAGES OF BELTON, FILBY, FLEGGBURGH, HOPTON-ON-SEA, AND WINTERTON. IN ALL CASES THE FOLLOWING

CRITERIA SHOULD BE MET:

- (A) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE FORM, CHARACTER AND SETTING OF THE SETTLEMENT;
- (B) ALL PUBLIC UTILITIES ARE AVAILABLE INCLUDING FOUL OR SURFACE WATER DISPOSAL AND THERE ARE NO EXISTING CAPACITY CONSTRAINTS WHICH COULD PRECLUDE DEVELOPMENT OR IN THE CASE OF SURFACE WATER DRAINAGE, DISPOSAL CAN BE ACCEPTABLY ACHIEVED TO A WATERCOURSE OR BY MEANS OF SOAKAWAYS;
- (C) SUITABLE ACCESS ARRANGEMENTS CAN BE MADE;
- (D) AN ADEQUATE RANGE OF PUBLIC TRANSPORT, COMMUNITY, EDUCATION, OPEN SPACE/PLAY SPACE AND SOCIAL FACILITIES ARE AVAILABLE IN THE SETTLEMENT, OR WHERE SUCH FACILITIES ARE LACKING OR INADEQUATE, BUT ARE NECESSARILY REQUIRED TO BE PROVIDED OR IMPROVED AS A DIRECT CONSEQUENCE OF THE DEVELOPMENT, PROVISION OR IMPROVEMENT WILL BE AT A LEVEL DIRECTLY RELATED TO THE PROPOSAL AT THE DEVELOPER'S EXPENSE; AND,
- (E) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE RESIDENTIAL AMENITIES OF ADJOINING OCCUPIERS OR USERS OF LAND.

(Objective: To ensure an adequate supply of appropriately located housing land whilst safeguarding the character and form of settlements.)

\* ie. developments generally comprising not more than 10 dwellings.

#### 4.4 POLICY HOU15

ALL HOUSING DEVELOPMENT PROPOSALS INCLUDING REPLACEMENT DWELLINGS AND CHANGES OF USE WILL BE ASSESSED ACCORDING TO THEIR EFFECT ON RESIDENTIAL AMENITY, THE CHARACTER OF THE ENVIRONMENT, TRAFFIC GENERATION AND SERVICES. THEY WILL ALSO BE ASSESSED ACCORDING TO THE QUALITY OF THE ENVIRONMENT TO BE CREATED, INCLUDING APPROPRIATE CAR PARKING AND SERVICING PROVISION.

(Objective: To provide for a higher quality housing environment.).

#### 4.5 POLICY HOU16

A HIGH STANDARD OF LAYOUT AND DESIGN WILL BE REQUIRED FOR ALL HOUSING PROPOSALS. A SITE SURVEY AND LANDSCAPING SCHEME WILL

BE REQUIRED WITH ALL REQUIRED WITH ALL DETAILED APPLICATIONS FOR MORE THAN 10 DWELLINGS THESE SHOULD INCLUDE MEASURES TO RETAIN AND SAFEGUARD SIGNIFICANT EXISTING LANDSCAPE FEATURES AND GIVE DETAILS

OF, EXISTING AND PROPOSED SITE LEVELS PLANTING AND AFTERCARE ARRANGEMENTS.

(Objective: To provide for a high quality of new housing development.)

## 5 National Policy: National Planning Policy Framework (NPPF)

5.1 Paragraph 4 of the NPPF sets out the presumption in favour of sustainable development.

5.2 Paragraph 49 reads as follows: 49. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

5.3 Paragraph 51 reads as follows: 51. Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

5.4 It is stated in the NPPF that weight shall be given to policies in emerging plans, the relevant paragraph is 216 as follows: 216. From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

## 6 Emerging Local Plan: Draft Core Strategy (Regulation 19, 2013)

### 6.1 Policy CS2

6.2 Policy CS2 identifies the areas for growth and sets out the sustainable settlement hierarchy for the Borough. Policy CS2 identifies Hopton as one of the primary villages capable of growth and also promotes the use of previously developed land.

## 7 Assessment

7.1 The application is for the demolition of the existing buildings and the construction of six three bedroom two storey dwellings. The land has previously been used for the sale of cars, vehicle repair and a petrol station. The current application provides for two types of dwellings to be constructed, units 1,2 and 3 are proposed to be 3 bedroom dwellings with an en suite to the master bedroom and family bathroom on the first floor. The ground floor comprises a wc, kitchen/dining area and living accommodation. Units 4,5 and 6 are of slightly larger construction with three bedrooms, master with ensuite and family bathroom to the first floor and a wc, kitchen, living and dining room and a garden room to the ground floor.

7.2 The site is currently a brownfield site located within the village development limits of the Borough Wide Local Plan 2001. There is a presumption in favour of development for sites which are within the village development limits as they have been assessed as sustainable locations for residential development. Given the current condition of the land the development would offer a degree of betterment by removing derelict buildings which shall fall into further disrepair if another use is not identified.

7.3 There were initial concerns regarding the parking and sewer protection although through revised plans and the submission of additional information these have been over come. The Highways Officer has suggested a number of conditions to be applied should planning permission be granted.

7.4 Accompanying the application is a 'Desk Study, Quantitative risk Assessment, Including Site Investigation' for the site. This study details the levels of contamination on the site and has been seen and commented on by Great Yarmouth Borough Council Community Protection Manager Glenn Buck. Mr Buck has acknowledged the Stage 1 and 2 investigation into the contamination issues and has noted the remediation strategy. Mr Buck has suggested a number of conditions to be placed on any grant of planning which are acceptable from a planning standpoint.

7.5 There have been concerns raised regarding the number of dwellings amounting to over development of the site. The provision of six dwellings to a 0.11 ha (0.27 acres) which would equate, as a rough estimate not taking into account population change and varying house types to 54 dwellings per hectare. The rear gardens are of modest size to units 1,2 and 3 with the smallest measuring a little over 5mx5m. The rear gardens are sufficient to accommodate a cycle shed as shown on the approved plan and private outdoor space. The size of amenity space, although limited is adequate for this size of dwelling.

7.6 There are further objections regarding overlooking. The overlooking by unit 6 is not significant owing to the orientation and placement on the plot. The potential overlooking for units 5 and 4 is greatly minimised by the distance the properties are from other properties and the length of the rear gardens. Units 1,2 and 3 will overlook the gardens at the Laurels to a degree although owing to the layout of the Laurels they are currently overlooked by neighbouring properties within the same development. The additional overlooking is not deemed significant enough to recommend refusal on these grounds.

7.7 The loss of the view of the church has been noted as a point of objection; the loss of a view has been considered although it does not hold sufficient weight in this instance to refuse the application.

7.8 The three objections all raised concerns regarding over development. The number of properties at the site can provide adequate parking and private open space to each dwelling indicating that the site is able to accommodate this level of development.

7.9 There has been one letter in support of the application.

## **8.0 RECOMMENDATION :-**

8.1 Approve – The site is within the village development limits and is a brownfield site which is suitable for residential development. Subject to Highways and Environmental Health conditions and the development being built in accordance with the revised layout.

Reference	Comments
06/14/0071/F Loretta Tubby 38 The Laurels Hopton Norfolk  NR319DD	I wish to put forward the following objections towards the proposed development. * I believe that the proposed site will be overdeveloped with the six properties marked for the land. * With all properties on the site I will directly overlooked from all angles, front, side and rear, especially with the plans to keep the existing fencing. It will be extremely intrusive to my privacy. * I have a right to live in my own property without excessive intrusion and a right to light. * If the proposed development was for bungalows not two storey town houses. Also existing fencing was replaced by higher fence panels I feel my privacy would be protected.
For Or Against	OBJ
Speak At Committee	
Date Entered	17-MAR-14
Internet Reference	OWPC177
06/14/0071/F dianne utting 28 the laurels hopton gt yarmouth norfolk nr319dd	I STRONGLY OBJECT TO THE PROPOSED DEVELOPMENT. I BOUGHT MY PROPERTY 14 YEARS AGO, THE VIEW OF THE CHURCH FROM MY BACK GARDEN BEING UP MOST IMPORTANCE IN MY DECISION TO BUY, IF THE PROPOSED DEVELOPMENT GOES AHEAD MY VIEW WILL BE COMPLETELY BLOCKED. THE PROPERTYS WILL ALSO BE INVISIBLE TO MY PROPERTY, AND I WILL BE OVER LOOKED STRAIGHT INTO MY DINING ROOM, EXTREMELY INTRUSIVE TO MY PRIVACY AND AGAIN THIS WAS NOT THE CASE WHEN I BOUGHT MY PROPERTY. I STRONGLY OBJECT
For Or Against	OBJ
Speak At Committee	
Date Entered	18-MAR-14
Internet Reference	OWPC180
06/14/0071/F John & Eve Steward The Old Post House Lowestoft Road Hopton on Sea  NR31 9AH	We live directly opposite the old garage. It has been empty for some time and will become derelict if it is not developed. We would like to see property on this site asap (preferably completed prior to Cripps development on the field beside our property). We would support any development of privately owned houses / bungalows. Our worst case scenario is that it remains an empty garage or is developed for social housing.
For Or Against	GC
Speak At Committee	
Date Entered	28-MAR-14
Internet Reference	OWPC197
06/14/0071/F dianne utting 28 the laurels  nr319dd	I am still objecting to the above proposal plans, planning application 06/14/0071/f. nothing has changed, my view of the church will be obscured by the height of the six two storey dwellings and my privacy intruded upon as I will be directly overlooked straight into my dining room
For Or Against	OBJ
Speak At Committee	
Date Entered	02-APR-14
Internet Reference	OWPC202

Reference	Comments
06/14/0071/F Loretta Tubby 38 The Laurels Hopton	After viewing the new plans I would like to state that my original objections stand. The repositioning of the buildings are even more intrusive to my privacy. I also believe that the site is being over developed and not in keeping with the existing property's on Lowestoft Road.
NR31 9DD	
For Or Against	OBJ
Speak At Committee	
Date Entered	09-APR-14
Internet Reference	OWPC212

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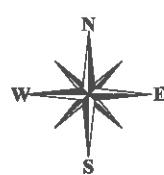
**GREAT YARMOUTH**  
BOROUGH COUNCIL

Planning and Business Services,

Town Hall, Great Yarmouth,  
Norfolk. NR30 2QF

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Metres

Scale = 1:1250 @ A4



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