

Reference: 06/20/0130/F

Parish: Martham

Officer: Chris Green

Expiry Date: 16-06-20

Applicant: Cripps Developments

Proposal: Development of site for 32 residential dwellings. (in conjunction with adjacent site with Reserved Matters ref: 06/20/0075/D)

Site: Low Road (Land south of) Martham

REPORT

1. Background

- 1.1 This is a full planning application for residential development but needs to be read in conjunction with the outline permission and current reserved matters application for the site immediately to the east through which it is accessed.

2. Site and Context

- 2.1 This site is set to the north side of the C class Repps Road, the principle route into Martham village from the west and A149 road. Slightly to the west of the site is the Martham West Broiler Farm. The site is behind property fronting the north side of Repps Road that is shown as not within the village limits. The land is categorised as Grade 1 agricultural and is not within the village development limits. In the north east corner of the site there is an existing bungalow and to the centre of the north boundary some outbuildings shown on the plans as to be demolished.
- 2.2 Low road an unclassified and narrow road occupies the north boundary of this proposal site and runs into Cess Road around 30m to the east of this site at roughly the midpoint of the proposed open space within the scheme already approved in outline. Cess Road leads to the River Thurne
- 2.3 The wider two sites are fringed by existing development, with bungalows within Pear Tree Close and development occupying the whole east fringe of the approved site with three further bungalows (approved 2007) along part of the north of that site fronting Cess Road. To the south of this site are a row of detached houses fronting Repps Road. There is a single further existing bungalow to the south side of the already approved outline scheme that is enveloped on three sides by that scheme.

- 2.4 Repps Road is at this point within the 30mph zone with the westernmost of the two points of connection approved under the outline permission for the larger site being 150m approximately from the point where Repps Road becomes National Speed Limit.
- 2.5 The GY landscape Character Assessment defines this land as being within the north east fringe of the G2 Settled Farmland where limited views are framed by extensive enclosure hedges and narrow lanes.
- 2.6 There is an existing bus stop 250m to the east of the site approved in outline. Services 1 and 1A serve points east and south, Winterton to Yarmouth and Lowestoft at peak 30-minute intervals. There is a daily service in addition to Acle and two daily services to North Walsham.

3. Proposal

- 3.1 The proposal is for 32 dwellings on 1.35 hectares of land
- 3.2 The mix is as follows for open market
- 2 bed bungalow: 3
 - 3 bed bungalow: 21
- 3.3 and the following mix for affordable homes as initially submitted:
- 1 bedroom bungalows 6
 - 2 bedroom bungalows 2
- Later adjusted to
- 1 bedroom bungalows 4
 - 2 bedroom bungalows 4
- 3.4 Thus eleven of the 32 dwellings are smaller types 1 and 2 bed types, giving a density of 25 dwellings to the hectare.
- 3.5 Accompanying both proposals are the following documents:
- Planning statement
 - Design and Access Statement
 - Arboricultural Impact Assessment
 - Ecology Appraisal
 - Transport Study
 - Contamination Report
 - Flood risk assessment (after submission)

4. Relevant Planning History

- 4.1 This application site is to the immediate west of the site approved in outline for the same developer as 06/18/0149/O for up to 56 dwellings on 11 October 2019 and subject to a reserved matters application reference 06/20/0075/D currently undetermined for 47 dwellings and a larger area of open space. Both

this site and the linked site are outside adopted plan development limits. The site approved in outline is shown included within the emergent proposals map as a result of its approval in outline, but this site subject to this application is not.

4.2 Of other relevant history, is the approval in outline of a site to the south of Repps Road for 144 dwellings under application 06/16/0435/O on 22 February 2018, now expired as a result of the time limit for reserved matters being 2 years and the expiry date pre-dating the commencement of the impacted period created by the pandemic and subject to central government mandated extensions of time. In the interim this land was shown as included on the proposals map for emergent policy. This scheme would have funded a roundabout at the point where the speed limit currently reduces from 60 to 30 mph.

4.3 There is a further full application on the eastern part of the land covered by the above referenced outline application for 46 dwellings reference 06/19/0639/F as yet undetermined.

5. Consultations :- All consultation responses received are available online or at the Town Hall during opening hours

5.1 Parish Council Object as outside development limits. The local roads, schools, doctors cannot cope with the development pressures. The land is grade 1 agricultural land

5.2 A number of neighbours have objected on the following summarised grounds:

- This is an overdeveloped village.
- Roads are inadequate, with queues at the A149. The roundabout negotiated with one of the other local schemes will not occur if this application alone proceeds losing the speed reduction benefits.
- We will lose our view over open peaceful countryside.
- There is no need for building here. There are empty properties in the borough which could be renovated and re-used at a lower cost.
- The bottom of the field floods, as it is on a slope.
- Because of levels bungalows will be higher than other property leading to overlooking.
- Property value will suffer.
- There is a lot of wildlife on the field.
- The local roads, schools, doctors cannot cope with the development pressures.
- The footway link into Peartree Avenue will reduce tranquillity for a residence serving children and adults with disabilities.
- The land is grade 1 agricultural land.

5.3 The CPRE objects on grounds that there are six applications around Martham testing the lack of published housing land supply, that could if all built add 530 homes to the village and permissions account for 350 already. The proposal

is on Greenfield land and will put pressure on local infrastructure and lead to intrusion into the Countryside.

Consultations – External

Norfolk County Council

- 5.4 Highways** –County highways do not object as vision splays and pedestrian access footways are sufficient, providing conditions to agree both construction geometry and details to adoptable standards are attached and roads and footways to binder course before occupation. A Construction Traffic Management Plan and Access Route is required and must be enacted on site in the agreed form
- 5.5 Archaeology** - No further work is required on the this western site covered by this application. Further work needs to be agreed on the larger part to the east subject to reserved matters where the model conditions still apply.
- 5.6 Fire Service** - No objection. Compliance with building regulations required.
- 5.7 Norfolk County as Infrastructure** providers have requested contributions under section 106 for a hydrant over and above that triggered at the 50th house by the adjacent scheme and for library contributions at £75 pre dwelling. As there is current school capacity they are not requiring contributions towards increased capacity.
- 5.8 Local Lead Flood Authority** object in regards to the drainage “half time” exceeding 24 hrs. Further testing was underway week commencing 3rd August 2020, and the results of this will feed in to revised proposals that should be available shortly after the closing date for report writing. Any further feedback from the Local Lead Flood Authority will be reported to committee if available at the time of the meeting. (See the recommendation section for implications).

Other External Consultees

- 5.8 Anglian Water** - There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask for a standard note to be included.
Wastewater Treatment: The foul drainage from this development is in the catchment of Caister - Pump Lane Water Recycling Centre that will have available capacity for these flows. Used Water Network: The sewerage system at present has available capacity for these flows.
Surface Water Disposal: The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.
- 5.9 The Internal Drainage Board** notes that infiltration drainage might not be feasible and that if drainage is to be to a watercourse its own consenting regime will be triggered and might frustrate development.

- 5.10 **Natural England** note the proximity of the Broads Area and potential for impact. They seek green infrastructure on site and financial mitigation of cumulative effects of development.

Consultation - Internal GYBC

- 5.11 **Environmental Health – (contaminated land, noise, air quality)** Request a suite of land contamination conditions following the findings of the phase 1 appraisal that accompanied the application in outline. They also request air quality and construction site operating hours. On a site of this size it is considered appropriate to make these conditions.
- 5.12 The **Head of Housing** initially raised concerns that the mix of the proposed affordable units offered insufficient 2-bedroom homes, and therefore did not reflect need. The applicant has altered the mix so that this site delivers eight number two-bedroom dwellings across both sites, and satisfaction has been expressed with this. (There are now four one bedroom and four two bedroom affordable homes proposed).

6. Assessment of Planning Considerations: Policy Considerations:

National policy

- 6.1 Paragraph 47 of National Planning policy Framework states: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise
- 6.2 At present the Council is unable to demonstrate a 5-year supply of deliverable housing sites. Paragraph 11(d) of the NPPF, the lack of five-year supply should weigh heavily in favour of the application unless any adverse impacts of doing so would significantly and demonstrably outweigh benefits when assessed against the policies in the Framework taken as a whole. As this site makes a significant contribution including affordable housing delivery this issue is considered to carry significant weight.

Local Policy Adopted Core Strategy

- 6.3 Great Yarmouth Borough adopted Local Plan Policy CS1 - "Focusing on a sustainable future" seeks to create sustainable communities where growth is of a scale and in a location that complements the character and supports the function of individual settlements. This is a major development on unallocated land. Martham is a primary village where 35% of borough wide development is advised as focussed.
- 6.4 The number of objections and the lack of community involvement that is implicit where a site has been allocated as part of the planning process challenges the community's aspirations.

- 6.5** There is little long-term economic benefit associated with the proposal. Affordable housing, self-build and adaptable homes will be delivered along with public open space within the other land adjacent.
- 6.6** This site is 200m from the Repps Road Co-op supermarket, this village has two supermarkets run by the Co-op, and the emergent policy allocation site MA1 is around the same distance from the other supermarket, so the proposal site is well located for services.
- 6.7** Policy CS3 - Addressing the borough's housing need dates to adoption in 2015. The housing requirement derives from the Core Strategy which the Council considers to be out-of-date as it will be five years old in December 2020 and the emerging Local Plan reflects this at policy UCS3. This emergent policy reduces predicted need from 7,140 to 5,303, the supporting text lays out what has been achieved to date and where delivery is likely to be provided and on that basis, there is considered to be a buffered five year supply available.
- 6.8** The need will be reassessed in accordance with NPPF paragraph 73 which requires the five-year supply to be assessed on the basis of the local housing need calculated using the national standard methodology set out in the NPPF. Under this the housing requirement for the five-year supply is 2,142 as opposed to 3,367. The April 2019 Five Year Supply indicates a supply of 2,302 homes over the five-year period. Therefore, against the local housing need figure the Council will have a five-year supply. This however will be the situation predicted to exist in December of this year rather than now.
- 6.9** Policy CS4 - Delivering affordable housing requires 20% of housing on this site be provided as affordable, for 33 dwellings this requires 6.6 dwellings to be provided. This proposal for eight is to be read with the reserved matters proposal reference 06/20/0075/D which also proposes a further eight to provide 20% across the two sites of 80 dwellings in total. Emergent policy H2 formalises this principle by requiring the consideration of cumulative site numbers on affordable housing requirements.
- 6.10** Policy CS9 - "Encouraging well-designed, distinctive places": greenfield site with limited opportunity for linkages being on a former field where the road to the north suffers from being narrow and outside the village so unrestricted with regard to speed and where hedgerows, themselves desirable as retained would constrain vision from any pedestrian or cycle access. The layout shown has some formality looped roads and a public open space within the adjacent reserved matters application site, that can assist with distinctiveness. The use of bungalows will greatly assist in settling this urban expansion into the landscape given the current and enhanced boundary hedging.
- 6.11** Emergent plan: This plan and proposals map encloses the outline application adjacent and now subject to a reserved matters application within the village physical limits, as too it does for the site south of Repps Road, whereas this linked site is shown still as outside those limits.

- 6.12 Policy MA1: Land north of Hemsby Road, Martham, identifies land north of Hemsby Road (4.08 Hectares) as an allocated for approximately 95 residential dwellings and employment development.
- 6.13 The GY landscape Character Assessment G2 Settled Farmland identifies this area as having limited views, framed by extensive enclosure hedges and narrow lanes. It suggests in management terms that hedges should be retained, and narrow lanes not altered by modern highway engineering impositions.

The Emergent Local Plan

- 6.14 Policy GSP1: "Development Limits" repeats and reinforces existing spatial policy stating "development will not be permitted on land outside of Development Limits except where it comprises the use and development of land associated with agriculture or forestry; or specific policies in the Local Plan indicate otherwise
- 6.15 Policy UCS3: "Adjustment to Core Strategy Housing Target" recognises that the housing requirement over the plan period needs to be reduced to reflect the objectively assessed need as updates from 7140 units to 5303 new dwellings, this has the effect of giving the Borough a five year housing supply reinforced by recent approvals for outline permission on housing land allocations within the emergent plan and therefore removing the lack of supply argument, upon adoption. At present this carries little weight, and the delivery of 32 homes carries weight in the circumstances here.

7. Local Finance Considerations:

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. It is assessed that financial gain does not play a part in the recommendation for the determination of this application. There are section 106 contributions required by policy that would provide an offsetting justification for the proposal, in terms of wider public benefit and requirement to provide affordable homes.

8. Shadow Habitats Regulation Assessment

- 8.1** The applicant has submitted a Shadow Habitat Regulations Assessment (HRA). It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.2** The report rules out direct effects in isolation; but accepts that in-combination likely significant effects cannot be ruled out from increased recreational disturbance on the, Winterton Dunes SPA. The report identifies that despite the proximity of the nearby Broads SAC, recreational access (and potential for disturbance) to the SAC is extremely limited. An Appropriate Assessment (AA) has been carried out. The AA considers that there is the potential to increase recreational pressures at Winterton Dunes SPA, but this is in-combination with other projects and can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling) to ensure that there will be no adverse effects on the integrity of the internationally protected habitat sites.
- 8.3** The Borough Council as competent authority agrees with the conclusions of this assessment. To meet the mitigation requirements, it is recommended that the appropriate contribution is secured by either S.111 or S.106 agreement.

9. Concluding Assessment

- 9.1** Eleven of the 33 dwellings are of the smaller one- and two-bedroom types and this is considered in line with type and mix policy. The housing officer has requested a different affordable housing offer as a result of changed circumstances relating to need and supply over the last six months, wanting fewer 1-bedroom bungalows and more with two bedrooms. The affordable contribution taken with the adjoining site in the same ownership is compliant with policy. At a density of 25 dwellings to the hectare this is considered an appropriate use of land given the village fringe setting.
- 9.2** Impact on landscape character: Given the limited views in and out of this site and the proposal being for bungalows, the wider landscape impacts are limited and the proposal to plant trees within the open space area forming part of the outline site will be of benefit if reinforced by native hedgerow too. The existing hedge on Low Road shall be maintained by condition.
- 9.3** Impact on Broads Area and the Upper Thurne and Broads and Marshes SSSI. The site is sufficiently removed from this designation not to have material impact upon it, and the site containment on hedgerows will serve to visually separate it.
- 9.4** Amenity impact for existing neighbours. As an all bungalow development with the exception of one house within this site but abounding the outline approval site, there is no potential for material loss of outlook providing permitted rights are removed appropriately for windows into loft spaces, where these might

cause harm. This relates to plots 77 to 80 inclusive at the rear. The dwelling closest to the south boundary overlooking the houses on Repps Road need not be so conditioned as those properties enjoy lengthy gardens.

- 9.5** Highway and transport impact: This proposal for a combined total of 80 units off Repps Road does not benefit from the speed reducing effects of the roundabout that would have been associated with the 144 dwelling outline permission now expired further to the west on Repps Road. Supplementary traffic survey information has been submitted and does suggest speeds might exceed the stated limit, the road geometry does however allow good vision splays and the 56 dwelling scheme using two access points is approved in outline so a further 24 dwellings might be deemed to add a further 12 dwellings using each access point. It is not considered that this level of use should require the provision of a roundabout.
- 9.6** The County in their response to the suggestion that this proposal required a roundabout did take into consideration the existing outline and the new proposal in determining that a roundabout was not required even where none was provided further to the west. The view expressed was that the earlier 144 dwelling application 06/16/0435/O is at the periphery of the village, at the transition in speed limit between 30mph and national speed limit where the local environment offers little encouragement to adhere to the local speed limit of 30mph, whereas this site access point is further into the village envelope, and where the continuous frontage development created will help re-enforce the existing speed limit.
- 9.7** Layout: the highway team are very concerned that the narrowness of Cess Road and Low Road do not make these suitable points of connection for pedestrian or cycle permeability. Connection back into Martham is to be available via a link into Pear Tree Avenue on the midpoint of the east boundary of the approved site. Not forming a link on the north side of the site provides reason to strengthen the boundary planting here, in order to enhance the landscape containment in line with the management plan associated with the Landscape Character Assessment.
- 9.8** Developer contributions: The agreement that runs with the outline application for the adjacent site included affordable housing to be further agreed before construction and contributions made towards wildlife impact mitigation, education funding, sustainable drainage maintenance, library and open space, with clauses to explain how off-site payment for children's play areas should be calculated.
- 9.9** As this site offers eight dwellings as affordable a further s106 agreement is therefore needed to secure affordable housing, contributions towards mitigation impacts on wildlife sites of and the library and fire hydrant requirements are needed before permission is granted.

10. RECOMMENDATION: -

- 10.1** Approve subject to a Section 106 agreement for items listed in 9.19 above and subject to the satisfactory agreement of the local lead flood authority in regard to further infiltration testing and proposals being formulated at the time of report writing for committee closing.
- 10.2** With highway conditions for: Further details of roads and footways be agreed before commencement (adoption standards), and these works completed before occupation, with the exception of final surface finish (ie complete to binder course. A construction site management plan should be agreed before works, and a traffic management plan within that plan.
- 10.3** Land contamination conditions are required following the findings of the phase 1 appraisal and air quality and construction site operating hours conditions are recommended.
- 10.4** Further details for on-site green infrastructure.

Background Papers 06/20/0130/F



