

Reference: 06/17/0066/F

Town: Gorleston

Officer: Miss G Manthorpe

Expiry Date: 07/06/17

Applicant: Mr P Hammond

Proposal: Redevelopment of land for 13no. residential units revised from - redevelopment of site to construct 11 houses and retain a single light industrial unit.

Site: Former Florida Group Limited Building, Bells Marsh Road, Gorleston, Great Yarmouth.

REPORT

1. Background / History :-

- 1.1 The site comprises 2192 square metres, 910 of which is internal floor space, of land which was formally in use as a commercial premises. The applicant has stated that the whole site was previously in use as B2 (General Industrial) and this use ended the 1st January 2012 which results in the site having been empty for 5 ½ years.
- 1.2 There have been limited applications on the site with the most recent being from 1984. There have been no applications at the site that are relevant to the current application.

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

- 2.1 Neighbours – There has been 6 objections from persons in the locality or their agents to the application which are summarised below and a selection are attached to this report.
 - The visibility at the access to Riverside Road is inadequate.
 - The business operating at the adjoining site needs to block the access several times per week to take deliveries.
 - There is no provision for visitor parking.

- The joinery business adjacent has unrestricted use and is a noise generating use which is incompatible with residential uses.
- The gates at Riverside Road are not shown.
- Has anyone actually surveyed the access?
- Object to the kerb island in front of Astec House. This would prevent the use of two off road parking spaces.
- Unsuitable access.
- Residential access via the industrial site will cause obstructions and health and safety issues,
- Overdevelopment
- Members should conduct a site visit to note the relationship between the proposed and existing uses. .
- Can types of glass mitigate overlooking and what boundary treatments are proposed.
- Loss of light.
- Incorrect labelling of adjoining property – residential not ‘works’.
- Can the design ad location be reconsidered to prevent overlooking.
- Plot 7 and 8 will be disturbed by works conducted in existing garages.
- Inadequate drainage.

2.2 Highways – Following amendments to the original scheme Norfolk County Highways (Highways) have no objection to the development proposed. My past response noted the access proposal at Riverside Road and I note that there has been public comment in relation to these and especially in relation to blocking one properties access. As I outlined in my earlier response the proposal establishes a principle that is acceptable to the Highway Authority. These off-site works will be subject to a small highway works agreement where the final design will be agreed and any concerns will be taken into account and addressed accordingly; certainly the blocking of an established access is not the intention.

2.3 Housing Options – 20% affordable housing (2 units) will be required to be policy compliant. Subject to the satisfactory provision of this on-site as part of the s106 agreement we would look to support the application.

2.4 Building Control - No adverse comments.

2.5 Health and Safety Executive – The HSE does not advise, on safety grounds, against the granting of planning permission.

2.6 Environmental Health – No objection to the application, pre commencement conditions requested for land contamination, acoustic report and protection system for dwellings and gardens.

- 2.7 Conservation Officer – Enhancement should be made which would include design changes and front gardens with rear parking.
- 2.8 Environment Agency - Thank you for consulting us on this application, received on 9 March 2017. We have examined the documents as submitted and have no objection to this proposal, providing that, with regards to flood risk, you are satisfied that the development will be safe for its lifetime and that you assess the acceptability of the issues within your remit.

Flood Risk Assessment:

A FRA prepared by Evans Rivers and Coastal, referenced 1735/RE/01-17/01 and dated January 2017 has been submitted in support of this application. To assist you in making an informed decision about the flood risk affecting this site, the key points to note from this document are:

Actual Risk:

- The site is currently protected by flood defences with an effective crest level of 3.49m AOD which is above the present-day 0.5% (1 in 200) annual probability inchannel flood level of 3.36mAOD. Therefore the site is not at risk of flooding in the present-day 0.5% (1 in 200) annual probability flood event. The defences will continue to offer protection over the lifetime of the development, provided that the Catchment Flood Management Plan (CFMP) policy is followed and the defences are raised in line with climate change, which is dependent on future funding.
- If the CFMP policy is not followed then at the end of the development lifetime, with climate change applied to the design 0.5% annual probability flood event, through overtopping of the current defences, using the on-site defended flood level of 4.38mAOD and minimum site level of 1.10m AOD, the actual risk depth of flooding on the site would be 3.28m deep and in the building using the proposed finished floor levels of 1.90m AOD would be 2.48m deep.
- Therefore assuming a velocity of 0.5m/s the flood hazard would be danger for all including the emergency services in the 0.5% (1 in 200) annual probability flood event including climate change, should the defences not be raised.

Residual Risk:

- Finished ground floor levels have been proposed at 1.90m AOD. This is below the 0.5% annual probability undefended (worst case breach) flood level including climate change of 4.36m AOD and therefore at risk of flooding by 2.46m depth in this event.
- Finished first floor levels have been proposed at 4.80m AOD and therefore there is not refuge above the 0.1% (1 in 1000) annual probability breach flood level of 5.03mAOD as the first floor would flood by 0.23m depth.

- The site could experience breach flood depths of up to 2.26m during the 0.5% (1 in 200) annual probability including climate change breach flood event and up to 3.93 metres deep during the 0.1% (1 in 1000) annual probability including climate change breach flood event.
- The site is shown to be at high actual risk of flooding by 0.5m depth in the Great Yarmouth SFRA. The FRA proposes mitigating this through Flood Resilient Construction measures and a water entry strategy. Norfolk County Council Lead Local Flood Authority should be consulted on the planning application to advise if this is acceptable.
- Therefore assuming a velocity of 0.5m/s the flood hazard is danger for all including the emergency services in the 0.5% (1 in 200) annual probability breach flood event including climate change.
- Flood resilience/resistance measures have been proposed to 5.03m AOD which is the 0.1% (1 in 1000) annual probability undefended (worst case breach) flood level including climate change.
- A Flood Evacuation Plan has been proposed and is necessary to ensure the safety of the development in the absence of safe access and with internal flooding in the event of a breach flood.

2.9 Anglian Water – The foul drainage from this development is in the catchment of Great Yarmouth Water Recycling Centre that will have available capacity for these flows.

The surface water strategy/flood risk assessment submitted with the application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with the LLFA and Anglian Water. We request a condition covering drainage strategy to be agreed.

Condition:

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

2.10 Norfolk County Council Lead Local Flood Authority – Object to the application. Additional information was submitted following the original objection and the subsequent response, received on the 20th July, is that the objection is maintained. The objection from the 12th June is summarised below:

We object to this planning application on the grounds of a lack of information relating to:

- The development changing vulnerability categories from less (general industry) to More Vulnerable (Housing) is at risk of flooding from surface water which has not fully been assessed. There is Insufficient information to show that this allocated site has been supported by a sequential test that addressed the sources of flooding (including surface water) and whether the application has met the exception test (NPPF paragraph 102).
- National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) has not been followed to show how the most vulnerable elements of the development have been placed in areas of lowest flood risk on the site.
- The surface water or fluvial flow paths originating off site and demonstration that these would not lead to flooding of buildings within the development.
- The demonstration of how the site proposes to drain and that this would not result in flooding of the proposed building or by discharging it to a location which would lead to the increased risk of flooding elsewhere.
- Insufficient information provided regarding the future adoption and maintenance of the entire drainage system;

Reason:

To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.

We will consider reviewing this objection if the following issues are adequately addressed.

- Confirmation that a sequential test taking account of all sources of flooding has been undertaken (NPPF paragraph 102) and an exception test has been met to reflect the change to a more vulnerable use i.e. from commercial to residential.

As part of a revised Flood Risk Assessment and submission of a drainage strategy, we would expect evidence to demonstrate that the proposals for surface water management associated with overland flow are sufficient to:

- Remove the proposed properties within the development from being at risk of surface water flooding in the 1 in 100 year plus climate change rainfall event; and/or prove they are not at risk.
- prevent an increase in the risk of flooding elsewhere as a result of the development; and,

- appropriately integrate within the development layout the ingress, through flow and egress of surface water flow path exceedance routes identified as affecting the development site.

It is not for the LLFA to specify the exact methodology to use to demonstrate the above, however we have the following recommendations for the potential modelling activities that could be undertaken.

- The current modelling for the site includes the national Environment Agency Risk of Flooding from Surface Water models which is strategic in nature and are unlikely to be suitable to be modified for this site-specific assessment.
- Two-dimensional modelling would be the preferred approach for the site, based on freely available Environment Agency LiDAR information. Software such as Flood Modeller, InfoWorks ICM, TUFLOW, as well as others, have the capabilities to model such processes.
- The upstream inputs to the model could be based on a catchment analysis, bearing in mind the urban nature of the upstream catchments. Factored inflows could be used that represent the currently predicted flood extents on the site.
- The modelling should take into consideration the roughness of the ground surface and could include infiltration processes within existing and proposed permeable areas
- The model should be run as a minimum for the 1 in 30 year and 1 in 100 year including a 40% allowance for climate change
- Although referred to, currently there is little information in Planning Practice Guidance (PPG) on how to use Surface Water Flood Mapping in development management scenarios. The 1 in 100 year and 1 in 1000 year probability flood extents can be used as proxy for Flood Zone 2 and 3 respectively. This is consistent with PPG Paragraph: 018 (Flood Risk and Coastal Change Reference ID: 7-018-20140306) which states “other forms of flooding should be treated consistently with river flooding in mapping probability and assessing vulnerability to apply the sequential approach across all flood zones”

In addition we would expect a drainage strategy to:

- Ensure the post development run off rates and volumes reflect the pre development run off rates and volumes. Brownfield sites are strongly recommended to discharge at the original predevelopment (greenfield) runoff rate where possible.
- Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any

utility plant susceptible to water (e.g. pumping station or electricity substation) within the development from onsite surface water flow

- Include SUDS features which can include a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetland.
- Include a maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.

For information, based on the current information and design, we would not accept that placing dwellings on a ground floor with a depth of flooding up to 0.5m with potential rapid inundation is acceptable when considering it as “safe for the lifetime of development”.

- 2.11 Police Architectural Liaison Officer – Comprehensive comments received giving advice on security of the development.
- 2.12 Building Control – No objection.
- 2.13 Strategic Planning - The proposal seeks to demolish the existing industrial unit and replace it with eleven dwellings, retaining a single light industrial unit.

The site is situated within a safeguarded employment area under Policy CS6 – Supporting the local economy, and is immediately adjacent the designated Main Urban Area. The policy permits alternative uses on such land subject to criteria being met. This includes the consideration of where: there is a satisfactory relationship with neighbouring uses, the applicant can demonstrate that there has been no commercial interest in the re-use of the site for employment uses over a period of at least 18 months, a sequential viability test has been applied.

The site is surrounded by existing residential uses to the south and west, with employment uses to the north and east. With the incorporation of a small light industrial unit on the north-east of the site, and taking into consideration the existing residential properties, it is unlikely that the site could be considered un-neighbourly to locate housing. It is also understood that the site has been vacant for a period of time. The potential loss of employment land should be weighed up against its realistic use for employment purposes in the near future and the availability of alternative employment land in the wider area.

The application should also be considered in the context of meeting the Borough's housing needs. Gorleston-on-Sea is identified in the Core Strategy (Policy CS2) as a Main Town that in combination with Great Yarmouth will contribute to approximately 35% of the Borough's housing growth. Weight should

also be given to the NPPF requirement to significantly boost housing supply (paragraph 47), with local emphasis also on the Core Strategy's settlement hierarchy to direct the locations suitable for growth.

The site is also located within Flood Zone 3. Policy CS13 and national planning policy outline the Council's approach to development in flood risk zones.

In conclusion, from a planning policy perspective, the Strategic Planning team raises no objection to the principle of residential development in this location, subject to the satisfactory demonstration that the criteria in policies CS6 and CS13 are addressed. Should you have any queries, please do not hesitate to contact the above named officer.

A further response confirms that the information submitted to demonstrate marketing of the site has met the requirements of policy CS6 of the adopted Core Strategy.

- 2.14 Local Authority 106 requirements – Policy compliant 40 square metres of usable public open space to be provided per dwelling. Payment in lieu of public open space to be calculated at £12 per square metre shortfall (equates to £480 per dwelling if none provided). Payment in lieu of children's recreation equipment £920 per dwelling. Given the location of the development no children's play equipment is being requested and as such no mitigation is offered to offset the payment. There is no usable public open space put forward with the development, payment in lieu will be accepted.

The Local Planning Authority will not accept liability for the open space, drainage, roads (this does not preclude highway adoption by agreement) or private drives and as such should the resolution be made to approve this development the requirement will be on the developer to secure future maintenance by management agreement and agreed nominated body. Given the size and type of open space this does not need to be secured by way of s106 agreement.

3 Local Policy :-

- 3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):
- 3.2 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.

3.4 HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will 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.

4 National Policy:- National Planning Policy Framework (NPPF)

4.1 The presumption in favour of sustainable development is set out under paragraph 4.

4.2 Paragraph 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.

4.3 Paragraph 50 states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.

4.4 Paragraph 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should: (partial)

- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
 - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 4.5 Paragraph 22: Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 4.6 Paragraph 100. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:
- applying the Sequential Test;
 - if necessary, applying the Exception Test;
 - safeguarding land from development that is required for current and
 - future flood management;
 - using opportunities offered by new development to reduce the causes and
 - impacts of flooding; and
 - where climate change is expected to increase flood risk so that some
 - existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations.
- 4.7 Paragraph 101. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

- 4.7 Paragraph 102. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
 - a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted.

- 4.8 Paragraph 111. Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local Planning Authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.
- 4.9 Paragraph 186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.
- 4.10 Paragraph 187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

5 Core strategy – Adopted 21st December 2015

- 5.1 Policy CS1: Focusing on a sustainable future. For the Borough of Great Yarmouth to be truly sustainable it has to be environmentally friendly, socially inclusive and economically vibrant not just for those who currently live, work and visit the borough, but for future generations to come. When considering development proposals, the Council will take a positive approach, working positively with applicants and other partners to jointly find solutions so that proposals that improve the economic, social and environmental conditions of the borough can

be approved wherever possible. To ensure the creation of sustainable communities, the Council will look favourably towards new development and investment that successfully contributes towards the delivery of (partial of a – f):

a) Sustainable growth, ensuring that new development is of a scale and in a location that complements the character and supports the function of individual settlements

b) Mixed adaptable neighbourhoods, which provide choices and effectively meet the needs and aspirations of the local community

Planning applications that accord with this policy and other policies within the Local Plan (and with policies in adopted Neighbourhood Plans, where relevant) will be approved without delay, unless other material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole
- Specific policies in that Framework indicate that development should be restricted

5.2 Policy CS2: Achieving sustainable growth. This policy identifies the broad areas for growth, sets out the sustainable settlement hierarchy for the borough and two key allocations. (partial a-e)

a) Ensure that new residential development is distributed according to the following settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements:

- Approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth

5.3 Policy CS4: Delivering affordable housing. This policy sets out the thresholds for the provision of affordable housing. The site is within affordable housing sub-market area 1 Gorleston delivering 20% affordable housing.

5.4 Policy CS6: The Borough of Great Yarmouth has a diverse local economy. It is the main service base in England for the offshore energy industry and has a thriving seasonal visitor economy. To ensure that the conditions are right for new and existing businesses to thrive and grow, there is a need to continue to strengthen the local economy and make it less seasonally dependent. This will be achieved by: (partial of a-m)

b) Safeguarding existing local employment areas identified in Table 10 and future local employment areas allocated in other Local Plan Documents for employment use. Alternative uses will only be allowed where it can be demonstrated that:

- There is a satisfactory relationship between the proposed use and any pre-existing neighbouring uses, without significant detriment to the continuation and amenity of existing or proposed uses
- There is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months
- A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: mixed use of the site that incorporates an employment-generating use, then non-employment use.

5.5 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.

5.6 Policy CS13: The risk of flooding and coastal change is expected to increase with climate change. This presents a challenge for property/business owners and service providers in susceptible areas and will also place some important biodiversity and heritage assets at risk. The Council will ensure a sustainable and practicable approach to flood risk and coastal change and ensure development does not increase the risk of flooding elsewhere. This will be achieved by (partial a-h)

a) Directing new development proposals away from areas of highest risk of flooding (Flood Zones 2, 3a and 3b) unless it can be demonstrated that:

- The requirements of the Sequential Test are met
- Where applicable, the requirements of the Exception Test are met. A safe access/egress route throughout the duration of the flood event should be provided. However, if this is demonstrated as not being possible then evacuation will be considered as a means of making the development safe
- A satisfactory Flood Response Plan has been prepared

c) Seeking the use of Sustainable Drainage Systems (SuDS) in all new developments

d) Ensuring that new development takes into consideration the findings of the Surface Water Management Plan

- 5.7 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (partial of a to f)

d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought.

f) Make certain that new developments for which a planning obligation is necessary does not take place until a planning obligation agreement has been secured and approved. Payments should be made in a timely and fair manner to minimise the impact on existing services and infrastructure

6 Appraisal

- 6.1 The site is located within the urban area of Gorleston and is currently located within an area designated for employment use.
- 6.2 The site is located within close proximity to all amenities and is within easy walking distance to a major supermarket thus reducing the reliance on a car for everyday necessities.

7 Assessment :-

- 7.1 The application is a full application for the erection of 13 new dwelling houses with associated curtilage and parking. The application originally sought to retain an industrial unit on the site however following consultations with Highways the industrial unit was removed and an additional two dwelling houses shown in this position. Following additional details and ongoing discussions with highways there are no highways objections to the application. A number of objections received state that the access is not sufficient however Highways have concluded that the access and associated works are acceptable to serve the development. It is noted within the highways officers comments that the offsite highway improvements shall be conditioned and are not intended, as per one objectors comments, to remove the ability to cross an existing access. Should the application be approved the details of these works shall be required to be submitted.
- 7.2 The site is located within an area designated under the Core Strategy as land allocated for employment uses. The applicant has submitted additional information which has satisfied Strategic Planning that policy CS6 has been complied with by the marketing of the site for a period in excess of 18 months. Policy CS6 is compliant with the National Planning Policy Framework which

states that employment land that is not going to be brought back into use should not be protected indefinitely.

- 7.3 The site is located within flood zone 3a and as such consultations have been carried with the Environment Agency with no objection. The Environment Agency have noted the potential risks to the site by flooding and stated that the Lead Local Flood Authority should advise if the mitigation through flood resilient construction measures and water entry strategy as shown in the Flood Risk Assessment submitted in support of the application is acceptable. The Lead Local Flood Authority (LLFA) have objected to the application and stated that they do not believe that the application site is safe for its lifetime owing to the actual risk of flooding, with potential rapid inundation of 0.5m depth as demonstrated by the Great Yarmouth Strategic Flood Risk Assessment (SFRA).
- 7.4 It is understood and accepted that the site is a brownfield site and as such does not currently have greenfield run off rates however, as per the LLFA objection brownfield sites are still recommended to discharge at the original pre-development runoff rate where possible. The LLFA have requested a revised drainage strategy as the submitted details, including additional letter do not provide sufficient information. The LLFA goes on to state that the assertion that groundwater was located at 1.3m has not been supported by evidence to substantiate this statement. The LLFA reiterates that should applicants wish to place development within areas of risk then the onus is on the applicant to quantify the risk to the development through an assessment which has not adequately been provided.
- 7.5 Anglian Water has stated that the details submitted are unacceptable with regards the surface water management strategy / flood risk assessment and requested additional consultation with Anglian Water and LLFA. Anglian Water are satisfied that the surface water management can be conditioned by pre-commencement condition. The LLFA are not satisfied that this can be conditioned. Anglian Water have stated within the consultation response that the last option for surface water disposal should be connection to the sewer and that sustainable drainage, in accordance with local and national planning policy should be applied. In the absence of Anglian Waters agreement to connect to a main sewer for surface water and the confirmation from the LLFA that this is acceptable the application would be recommended for refusal on these grounds.
- 7.6 The applicant has not complied with policy CS13 of the adopted Core Strategy or the National Planning Policy Framework with regards to flood risk and drainage. Other points shall be assessed although at this time, given the failure to comply with policy, further assessment would not be required as the development fails on these merits.

- 7.7 The design of the development, following highways consultation is accepted in highway terms. This includes parking to the frontage which the conservation officer is not in favour of. The properties, with living accommodation on ground floor level as opposed to the normal layout within flood zone 3 of undercroft parking, are suitable in size although it is noted that plot 6 has an exceptionally small curtilage. In the absence of size requirements within policy curtilage should be looked at in relation to the size of the property that it relates to. The properties proposed are three bedroom properties and as such it may be beneficial to reduce the bedrooms at plot 6 to two given the limited curtilage.
- 7.8 The internal configuration of plots 12 and 13 can be amended to place the smallest bedroom and bathroom to the rear which will decrease the level of overlooking to the adjoining properties to a level which is not out of character with the area. The stair window at the side elevation would be preferred at the western elevations. The internal configuration of plots 9, 10 and 11 would also benefit from moving the bathroom and smallest bedroom to reduce overlooking to the adjoining property. The comment from a neighbour noting that their property has been incorrectly labelled was noted during the site visit. The application is assessed in accordance with what is actually present.
- 7.9 The applicant has requested that it be noted that a meeting was arranged with the LLFA but was subsequently cancelled. This cancellation has not resulted in the reorganisation of a meeting.

8 RECOMMENDATION :-

- 8.1 On the basis of the information that is currently submitted it is difficult to support the application.
- 8.2 The recommendation is to refuse the application for the reasons given with the consultation response from the LLFA and that the application has failed the exception test as it has not been demonstrated that the development is safe for its lifetime and is thus contrary to policy CS13 on flood and drainage grounds and the National Planning Policy Framework.



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Your Ref: 06/17/0066/F
Date: 21 June 2017

My Ref: 9/6/17/0066
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Email: stuart.french@norfolk.gov.uk

Dear Gemma

Great Yarmouth: Redevelopment of site to construct 11 houses and retain a single light industrial unit
Former Florida Group Limited Building Bells Marsh Road Gorleston GREAT YARMOUTH NR31 6PU

Further to my letter dated 15 June 2017, I have noted the agent's response to my comments and after discussing the matter further with him I concur with his recollection of our meeting, and I apologise for any inconvenience this has created.

My past response noted the the access proposal at Riverside Road and I note that there has been public comment in relation to these and especially in relation to blocking one property's access. As I outlined in my earlier response the proposal establishes a principle that is acceptable to the Highway Authority. These off-site highway works will be subject to a Small Highway Works Agreement where the final design will be agreed and any concerns will be taken into account and addressed accordingly; certainly the blocking of an established access is not the intention.

Accordingly in light of the above, my earlier holding objection is withdrawn, however, should your Authority be minded to approve this application I would recommend the following conditions and informative note be appended to any such permission

- SHC 08 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided along the Bells Marsh roadside frontage in accordance with the highway specification (Dwg. No. TRAD 1) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Continued/...

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

- SHC 14 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

- SHC 21 Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage (Bells Marsh Road). The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

- SHC 24 Prior to the first occupation of the development hereby permitted the proposed accesses, on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

- SHC 39A Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until a detailed scheme for the off-site highway improvement works (footway/access Bells Marsh Road and Riverside Road access works) as indicated on drawing number 1164/1 Rev A have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

- SHC 39B Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

Continued/...

Inf.1 It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Development and Operations team based at County Hall in Norwich, tel: 0344 800 8020.

Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the Applicant's own expense.

Inf 10 Please be aware it is the applicant's responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicants title plan. Please contact the highway research team at highway.boundaries@norfolk.gov.uk for further details.

Yours sincerely

Stuart French

Highways Development Management & Licensing Officer
for Executive Director for Community and Environmental Services

Encl

Ref: FWP/17/6/4869

Dated : 20 July 2017

-1-

 **Norfolk County Council** Community and Environmental Services
County Hall
Martineau Lane
Norwich
NR1 2SG

via e-mail
Ms Manthorpe
Planning Services
Development Control
Great Yarmouth Borough Council
Norfolk,
NR30 2QF

NCC contact number: 0344 800 8020
Textphone: 0344 800 8011

Your Ref: 06/17/0066/F
Date: 20 July 2017

My Ref: FWP/17/6/4869
Tel No.: 0344 800 8020
Email: llfa@norfolk.gov.uk

Dear Ms Manthorpe,

Town and County Planning (Development Management Procedure) (England) Order 2015

Redevelopment of site to construct 11 houses and retain a single light industrial unit at Former Florida Group Limited Building Bells Marsh Road Gorleston GREAT YARMOUTH NR31 6PU

Thank you for your consultation on the above site, received on 28 June 2017. We have reviewed the application as submitted and wish to make the following comments.

The applicant has provided additional comments (Canham Consulting, response to NCC Letter Ref FWP/17/6/4693). No further information has been provided to answer our queries.

We maintain our objection to this planning application in the absence of an acceptable Drainage Strategy related to the reasons provided in our previous response (FWP/17/6/4693).

To clarify:

- The NNPF clearly states a sequential approach to development should be applied to all sources of flood risk. Please note we have successfully supported Breckland District Council on appeal where this view was upheld. (Reference to this case is available on the Breckland Council website and has been previously provided to the applicant) If you, as the planning authority, require further discussion or clarification please feel free to get in touch to discuss this further.
- As stated in our previous response and the applicants FRA the Surface Water Management Plan for Great Yarmouth states that this site would be affected by Surface Water Flooding.

- It was not the intention of our letter to force the applicant to submit detailed modelling. We fully support the approach in Planning Policy Guidance to assess, avoid, manage and mitigate flood risk on development sites. As such the applicant could seek to avoid the risk on site as identified by the Surface Water Management Plan. However, if the applicant wishes to place development in areas of risk then the onus is on the applicant to quantify the risk to the development through an assessment. It is for the very reasons stated by Canham Consulting i.e. the inaccuracies of LIDAR and drainage system issues, that we expect site level specific variables such as site drainage and topography to be identified by the applicant.
- We note that the applicant states in its most recent response that '*site investigations undertaken by a Canham Consulting engineer indicated that groundwater was located 1.3m bgl*'. However, we could not locate any additional evidence i.e. infiltration testing/borehole results to substantiate this statement. It is usual in support of full applications to have a ground investigation report that would provide evidence for such statements i.e. soil profiles/bore holes testing. Whilst we appreciate that access to a watercourse may not be possible we require further evidence in relation to the high groundwater levels to confirm infiltration is not possible.

Yours faithfully,

Mark

Mark Henderson
Flood Risk Officer

Lead Local Flood Authority

Disclaimer

We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue.

S

Elaine Helsdon

From: paul carter [REDACTED]
Sent: 23 March 2017 16:28
To: Elaine Helsdon
Cc: enquiries@great-yarmouth.gov.uk
Subject: Planning Application Reference Number: 06/170066/F

28A RIVERSIDE ROAD
NR31 6PL

Application Reference Number: 06/170066/F

Good afternoon

I'm writing in concern of the proposed planning application for 11 properties to be built on the old shoe factory along Bells Marsh road, Gorleston.

Reviewing the application I believe and I'm concerned that there is a misunderstanding regarding the surrounding property's.

I currently live and own the property to the south of the proposed site but within the application my property is referred to as "Works" along with the plan drawing showing a separation within my garden which is also incorrect.

As I have recently completed the renovation of my own property I am by no means against the application for new houses and welcome the change of the vacant site, however I do appeal to the planning office that this application is revisited taking into account of my concerns and the incorrect information within the application.

As mentioned above my concern is the application has been submitted with my property being classed as a works area and not a residential property, it is also worrying why the application is clearly showing a separation within my garden.

Although my property is overlooked by the a few properties along Bells Marsh Road the three proposed property's closest to the South East corner of the site are considerably closer directly looking into my property along with their garden directly joining my boundary.

With the proposal of only having the exciting chain link fence in place and the overview from these buildings this would leave no privacy at all for my family which includes young children.

Would it be possibly for the planning board or the applicant to reconsider the positioning / location or style of these three property taking into account of the above information.

King regards

Paul Carter

[REDACTED]
Mobile: 078 [REDACTED]

Internet Consultees

Application Reference 06/17/0066/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Chris Burgess

Address Hansells Solicitors

13 The Close

Norwich

Post Code NR1 4DS

Telephone

Email Address

For or Against OBJ Object

Speak at Committee

On behalf of client we would like to object to the proposed access to the development site from Riverside Road. The existing access onto Riverside Road is totally unacceptable from a highways safety point of view. The visibility and sight lines from the existing access are below the usual highway safety and design standards for this type of development. Visibility on leaving the development site on to Riverside Road is poor and dangerous and unsuited for the intensity of use proposed in the planning application. Neither will it be possible to improve visibility because of the existing buildings in the sight line which would have to be demolished. This will not be possible because the existing buildings are in current operational use and separate ownership.

Date Entered 17-03-2017

Internet Reference OWPC1062

Internet Consultees

Application Reference 06/17/0066/F

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name Chris Burgess

Address Hansells Solicitors

13 The Close

Norwich

Post Code NR1 4DS

Telephone

Email Address

For or Against OBJ Object

Speak at Committee

development. Visibility on leaving the development site on to Riverside Road is poor and dangerous and unsuited for the intensity of use proposed in the planning application. Neither will it be possible to improve visibility because of the existing buildings in the sight line which would have to be demolished. This will not be possible because the existing buildings are in current operational use and separate ownership.

We therefore would strongly urge the Council to reject the application unless an alternative access can be provided which does not utilise the present existing access which for the reasons aforesaid cannot be upgraded to make it suitable for the use proposed in the planning application.

Date Entered 17-03-2017

Internet Reference OWPC1062

S

Elaine Helsdon

From:
Sent: 12 June 2017 23:32
To: plan
Subject: Planning application 06/17/0066/F

Dear Sir/Madam,

Redevelopment to construct 13 houses at Bells Marsh Road, Gorleston.

With reference to the above planning application I would like to note my objection.

I have viewed the plans and I object to the kerb island on the highway at the front of our building, Astec House, as the kerb extends 3/4 of the way across our front building and would prevent us using the two off road car park spaces.

The driveway adjacent to the front building provides access to the rear unit which is shortly to be occupied by the RNLI who would require 24hour unobstructed access.
I cannot see any purpose for the island as the party wall with the site access road has a low wall which does not inhibit vision.

Please notify me as soon as possible **if I need** to provide any further information to support my objection. I can be contacted via email at [REDACTED]

Kind regards
John J Moore
Cook & Moore Property
Astec House
NR31 6PX

Sent from my iPad

