

# Development Management Committee Report

Committee Date: 24 January 2024



Application Number	06/23/0616/D - Click <a href="#">here</a> to see the application webpage
Site Location	Land at Nova Scotia Farm, west of Jack Chase Way, West Caister
Proposal	Reserved Matters application for details of appearance, landscaping, layout & scale of development for 173 residential dwellings with associated infrastructure, drainage basin, access road and highways works representing part Phase 1(a) pursuant to outline planning permission 06/19/0676/O (development of up to 665 dwellings, local centre, land for primary school, health centre, highways works and open space)
Applicant	Persimmon Homes
Case officer	Mr N Harriss
Parish & Ward	Caister Parish, Caister South Ward
Date Valid	5 September 2023
Expiry / EoT Date	27 December 2023 (EoT requested)
Reason at committee	Constitution: The application is a major development of over 1ha and more than 25 dwellings.

## **SUMMARY OF RECOMMENDATION: DELEGATE FULL POWERS TO ALLOW OFFICERS TO CONSIDER AND DETERMINE APPLICATION REFERENCE 06/23/0616/D**

### **1. The Site and Planning Background**

- 1.1 The site is the Policy CA1 Housing Allocation on agricultural land west of Jack Chase Way, Caister which as part of the Outline Planning Permission (OPP) ref: 06/19/0676/O was extended to the north to include additional open space.
- 1.2 To the north and west, the site is bordered by the remainder of the Nova Scotia Farm. The farm is accessed from the A149 to the west. It generally consists of arable land, alongside a solar farm (which is located to the northwest of the site). The farmyard (a complex of agricultural buildings used for storage and potato packing), and associated farmhouse, lies adjacent to the western boundary of the site. Beyond this, a range of dispersed agricultural dwellings are located on the access road to the farm.
- 1.3 To the east, the site is bounded by existing hedgerows and trees, alongside Jack Chase Way. Jack Chase Way bypasses the northern end of Caister for traffic headed to and from Ormesby St Michael, Ormesby St Margaret, California and Scratby, and connects with the A149 Caister

Bypass at the intersection with Norwich Road. The A149 provides connections to Gt. Yarmouth to the south and Norwich to the west.

- 1.4 Beyond Jack Chase Way to the east lies a range of existing residential areas, situated around Prince of Wales Road, Diana Way and Covent Garden Road. These residential areas date from the late twentieth century, including a range of single and two-storey detached and semi-detached dwellings. There is a large area of green open space situated to the east of Jack Chase Way (between Covent Garden Road and Diana Way), which includes a range of existing play equipment, sports pitch, and public footpaths with the Caister Water Tower beyond.
- 1.5 To the north-east of Jack Chase Way is Beauchamp Grange, a recent development of 189 single and two storey dwellings including 2, 3, 4 and 5-bedroom detached and semi-detached properties. To the south, the site is bounded by the A149 Norwich Road, a dual carriageway. Beyond the A149 is further arable farmland and West Caister.
- 1.6 The OPP was approved on 24 May 2023 following completion of a related S106 Legal Agreement. Except for access, all other matters were reserved for future determination i.e. layout, scale, appearance, and landscaping. The Outline Planning Permission is subject to 43 conditions. These include:
  - Pre-commencement conditions,
  - General operating conditions,
  - Prior to first occupation conditions; including for off-site highway works; and,
  - Conditions with specific trigger points.
- 1.7 Separate applications will be submitted to GYBC to discharge these Conditions, where necessary.
- 1.8 As detailed above, the outline planning permission is subject to a Section 106 Legal Agreement relating to several Schedules, as follows:
  - Phasing of the Development.
  - Affordable Housing Provision.
  - Open Space.
  - Sustainable Drainage.
  - Recreational Impact Avoidance and Mitigation Contribution.
  - Local Centre Site.
  - Healthcare Contribution.
  - Community Facility Contribution.
  - Library Contribution.
  - Primary School Site and Education Contribution.
  - Green Infrastructure Contribution.
  - County Council Monitoring Fee.
  - Travel Plan.
  - Bus Service Provision.

1.9 As well as establishing the principle of development, the Outline Planning Permission identifies parameters which have informed this Reserved Matters Application. These include:

- Condition 2 (Time Limit) requires an application for the first phase or sub-phase (Phase 1a) Reserved Matters relating to appearance, landscaping, layout and scale to be submitted within 12 months of the date of the planning permission; and, Reserved matters application(s) for other subsequent phases (Phases 1b onwards) to be submitted within 5 years of the date of the outline planning permission, or, in respect of the Local Centre Site and Primary School Sites only (Phases 1 (b) and 1 (c)) to be submitted within 10 years of the date of the outline planning permission);
- Condition 3 (Phasing and Delivery Plan) requires that the development shall take place in accordance with the Phasing Plan reference NSC-PP01 Rev D unless otherwise agreed with the local planning authority.
- Condition 7 (Dwelling Design Space Standards) states that applications for reserved matters containing residential elements of the development shall pay regard to the need to achieve nationally described space standards wherever feasible and practicable and shall include a schedule of proposed sizes and an appraisal of their consistency with the nationally described space standards.
- Condition 8 requires that no development whatsoever shall take place until full details of the siting, design, external appearance, and landscaping of the development (herein after referred to as the reserved matters) have been submitted to and approved by the Local Planning Authority, taking full account of the details contained in the following documents relating to the development of the site, including the following plans:-
  - 09941-FPCR-ZZ-XX-DR-L-0002 Rev A - Application Site Location Plan
  - 09941-FPCR-ZZ-XX-DR-L-0004 Rev E - Development Framework
  - 09941-FPCR-ZZ-XX-DR-L-0004.1 Rev D - Development Framework Land Use and Access
  - 09941-FPCR-ZZ-XX-DR-L-0004.2 Rev D - Development Framework Density and Building Heights
  - 09941-FPCR-ZZ-XX-DR-L-0004.3 Rev E - Development Framework Green Infrastructure
  - 09941-FPCR-ZZ-XX-DR-L-0004.4 Rev D - Development Framework Circulation – NSC-PP02 - Lengths of Hedgerow to be Retained / Removed
- Condition 9 (Use limits) specifies that the outline development shall be limited to a maximum of 665 dwellings.

## 2. The Proposal

2.1 The proposal is the first sub-phase of residential development (known as phase 1a) which had to be submitted within twelve months of the date of approval of the OPP. This extends to 9.95 hectares in area (inclusive of section of link road) and is shown edged in red on the site location plan at Appendix 1. This will be served by the approved means of access to the development off Jack Chase Way opposite Prince of Wales Road via a new signalised junction.

2.2 For the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations'), the Reserved Matters application forms an 'application for subsequent consent' comprising EIA Development accompanied by an Environmental Statement (the OPP was EIA Development). As such, this requires the Reserved

Matters application to be consulted on and advertised for an extended period of 30 days. The Council also must determine that the information before them is adequate to assess the significant effects of the development on the environment in accordance with Regulation 9 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

2.3 Following the original submission for 180 dwellings, officers had some concerns regarding the form of layout proposed and attention to the previously-approved parameter plans in terms of providing the appropriate form, quantum and layout of green infrastructure, circulation and access, density, and building heights. Meetings were held over a period to discuss amendments and in response to some of the consultation replies received.

2.4 In December 2023, two tranches of revised plans and documents were received. These required minor revisions to the description of development including a reduction of the number of dwellings proposed to 173 overall. Re-consultation was carried out both electronically and by Press and Site Notices.

2.5 The key changes to the revised layout and design principles relating to the revised submission include:

- A detailed layout referencing the ‘historic line of sight’ throughout the wider development between the non-designated gun batteries located adjacent the site and Great Yarmouth Harbour (adjusted to address Officer’s comments regarding the north – south heritage-based desire line).
- A layout framed by the creation of a series of ‘street types’ that have different functions and design characteristics, which will deliver changes in character across the layout, and seek to provide a legible environment.
- A layout that encourages people to walk and cycle either adjacent the streets, or on the pedestrian and cycle links located within the green infrastructure towards the perimeter of the site.
- A loop road arrangement off which are ancillary roads and private drives that provide routes that are overlooked, direct and well connected, and seeks to reduce vehicle speed by its alignment without physical restrictions such as tables or build out chicanes.
- Significant green infrastructure readjusted to highlight a north – south axis as well as the Green Infrastructure linkages within the western section of the site with pathways either within or outside the existing tree belt to incorporate a variety of dog walking routes both within and around the site peripheries.
- A central linear park acts as a focal point for the development adjacent the loop road to frame the entrance with two Local Areas of Play (LAP) to the northern and southern extents of the linear park afforded natural surveillance with the orientation of surrounding dwellings.
- The amended residential mix and house types are:

Market	Affordable Housing	
	Rent	Intermediate
7 x 1 bed houses	12 x 1 bed flats	2 x 2 bed houses
29 x 2 bed houses	11 x 2 bed houses	
69 x 3 bed houses	8 x 3 bed houses	
33 x 4 bed houses	2 x 4 bed houses	

### **3. Reason for seeking delegation from the Development Management Committee**

3.1 The application is not sufficiently advanced, in terms of representations received, for officers to conclude a full planning assessment, and make a clear recommendation for the Development Management Committee to decide on the application at this meeting.

3.2 The consultation period will expire on 05 February 2024. To date we have received consultee responses from:

#### 3.3 Caister Parish Council

3.3.1 No objections

#### 3.4 Ormesby Parish Council

3.4.1 No objections

#### 3.5 Natural England

3.5.1 No comments

#### 3.6 NCC Historic Environment Service

3.6.1 No comments

#### 3.7 Norfolk Constabulary Designing Out Crime Officer

3.7.1 Comments on Crime Prevention through Environmental Design (CPTED)

#### 3.8 NPS Property Consultants on behalf of Norfolk Constabulary (Estates)

3.8.1 Future Outline or Full applications should address impacts on Policing with developer contributions required for infra-structure needed.

#### 3.9 Anglian Water

3.9.1 Comments on foul water and surface water which are in discussion between the developer and AW Developer Services Team

3.10 At the time of writing this report, there remain outstanding consultee responses which include:

- NCC Highways
- NCC Lead Local Flood Authority
- NCC Natural Environment Team
- GYBC Strategic Planning
- GYBC Conservation/Design
- GYBC Environmental Health
- GYBC Housing Enabling Officer
- Ward Councillors
- Active Travel England

- Historic England

Any comments received in the interim will be reported to Committee by Update Report.

- 3.11 Furthermore, there is pending additional information required from the applicant regarding CGI visualisations of key street scenes within the development for design clarification.
- 3.12 The reason for now seeking delegated authority to determine this application by the Head of Planning is because the Applicant has raised concerns about the wider implications of any delay to the determination of the application. These concerns have been presented by the Applicant, and can be summarised as:
- *A delay in determination of the reserved matters application would impact delivery and the provision of public benefits.*
  - *Works are programmed to start on site prior to the seasonal embargo, prohibiting works on the highway network between March and September.*
  - *Persimmon Homes have been working with the County Council to design the off-site highway works along Ormesby Road. NCC Highways have insisted that they design the junction works as well as consent the S278 scheme. Costs have escalated exponentially, currently there is a budget expectation of over £750,000 for this infrastructure.*
  - *This significant over-run in timescales and costs, when taken in context of the current economic climate, has required a more cautious approach be taken in terms of committing budgets. If the reserved matters application is presented to the January Committee, there is still scope to make the necessary budgetary commitments for 2024. However, if delays persist for a further month, the certainty of a start on site this year becomes much less certain commercially, and a much more risk averse approach is necessary. If a viable commencement cannot be made prior to the seasonal embargo, works will be delayed for 6-9 months, delaying delivery of circa 60 dwellings over the next two years.*
  - *Persimmon Homes have a site team and sub-contractors on standby to commence work. If it is necessary to re-assign the current budget provision, it will very likely result in redundancies and loss of contracts. The developer looks to employ from the local area. If a start on site is delayed, up to 100 job roles would be adversely affected.*
  - *A delay in commencement on Phase 1a would also have long term implications for the ongoing site wide delivery of Phases 2 & 3 and the associated social infrastructure (e.g. affordable housing and the local centre). Phase 1A provides vehicular access and servicing to the local centre site thereby enabling it to be marketed and built out. It also supports the delivery of green infrastructure in the form enhanced green connections, walking routes and habitat enhancements.*
- 3.13 At this stage, with consultation responses awaited, it cannot be assumed that even if the application were delegated to officers that it would be possible to determine it and issue a decision prior to the date of the February Development Management Committee (delay of a month), highlighted by the applicant to be critical.
- 3.14 Equally, until all relevant information and any consultation responses have been properly assessed, the 'direction of travel' of a decision to be taken cannot yet be determined; consequently, it cannot at this stage be presumed that decision will be made to either grant or refuse.

3.15 Nevertheless, by delegating power to officers to deal with the applications, it is considered that this would provide a reasonable opportunity for decisions to be reached and issued within the timelines identified.

#### **4. Conclusion**

4.1 The circumstances relating to this application are considered to be unusual, and a timely decision is essential to assist the provision of ongoing housing delivery at Caister and support the local construction industry, whilst avoiding the seasonal embargo which prohibits works on the strategic highway network (Jack Chase Way) during the summer months.

4.2 In light of these circumstances, it is recommended that the Development Management Committee delegate to the Interim Head of Planning, in consultation with the Chairman of Development Management Committee, full delegated powers to consider and determine application reference 06/23/0616/D.

#### **5. RECOMMENDATION**

**5.1 That full powers be delegated to the Head of Planning, in consultation with the Chairman of Development Management Committee, to consider and determine application reference 06/23/0616/D.**

**APPENDIX 1: Site Location Plan**

