

Reference: 06/20/0102/F

Parish: Filby

Officer: Mr G Chibumbu.

Expiry Date: TEA

Applicant: Mr G Hughes.

Proposal: Proposed two detached barn style dwellings.

Site: Homestead, Main Road, Filby, NR29 3HS

1. Site and context: -

- 1.1 The Homestead is a residential plot and consists of a detached dwelling and three agricultural barns. To the rear of the detached dwelling is a large Grade II listed barn and the other barns are not listed. The plot has a substantial sized amenity space. The detached dwelling and agricultural barns are sited at the end of a row of properties with an open field which stretches approximately 200 metres to the south and 925 metres to the west and nearest row of detached dwellings in Poplar Drive.
- 1.2 The Homestead is a designated Grade 1 agricultural land and is accessed off Main Road. The application site is outside the development limits and shares a boundary with The Beeches (adjacent detached dwelling) which is within the limits. Main Road is characterized by two storey semi and detached suburban style dwellings with pitched and hipped roofs.
- 1.3 The first application was for two detached suburban style dwellings which would be accessed off Main Road via a new proposed access to the west of the existing dwelling. The proposed new access would affect existing trees along Main Road in order to provide visibility splays which meets the highway standards. Following submitted objections, the scheme was revised to two linked barn style dwellings.

Following further objections from parish council and conservation section, the scheme was re-amended to two detached barn style dwellings. The existing seven trees along The Homestead's front border Main Road were considered by the LPA to have significant amenity value and contributes to Main Road's character, therefore, were protected by a Tree Preservation Order No. 16/2019. Seven other trees are largely confined to the site's periphery.

2. The proposal

- 2.1 The application is a full application for the sub-division of the existing plot to create two new plots and erect two detached barn style dwellings with new access, private drive to the west of The Homestead.

- 2.2 The proposed detached dwelling would be accessed via a new existing vehicular access which links the western part of the plot with the agricultural barns. A new driveway for the proposed dwellings will be linked from the existing access.

3. Relevant planning history

- 3.1 06/19/0292/F – Withdrawn on 12/02/20.
- 3.2 06/89/1352/F – Approved on 08/12/89.
- 3.3 09/81/0256/F – Approved on 19/05/81.

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

- 4.1 Neighbours: - Two letters of support and one raising no objection have been received neighbours which are summarised below:

Support 1.

- No detriment effect on visual amenity.
- Contribution of new development in Filby without encroaching on agricultural land.
- Unlike other building projects in the village, the application has merit.

Support 2.

- The proposed development has adapted plans according to criteria required by the council, accommodating the TPOs and creating plans to build aesthetically pleasing properties in keeping with the village ambience.
- The family have been in Filby for generations, and wish to continue to do so, by permitting the above application it would give the family a home and can lead onto the conservation of the barn and outbuildings, which are needing considerable repair.

Neighbour.

- No objection to the proposed developments

4.2 Parish Council:- The Parish Council Objects to the application for the following reasons:

- Extra slowing, stopping and turning traffic generated by the proposed development on Main Road would be detrimental to the safety and free flow of other road users.
- The site is outside the current and proposed Village Development Area within the parish and Filby Parish has already in the last 4 years accommodated extra 38 dwellings and an outstanding 24 with approved planning permission representing 19.8% which is more than the 5% the Core Strategy Target and more than the latest Draft Local Plan Part 2's windfall number more development would not be acceptable.
- The design and type of buildings associated with the application would be contrary to Filby Neighbourhood Plan's design code.

4.3 Historic England: - No adverse comments

4.4 Natural England: - No objection subject to appropriate mitigation on Natura 2000 being secured.

4.5 Building Control: - No adverse comments.

4.6 Conservation Officer: - First Objection – PA 06/19/0292/F – Received on 15/07/19

- Development on this site is considered inappropriate
- Proposed suburban type located near a 17th century barn would devalue the setting of the listed building
- A scheme with a design which has more regard to the context and setting of the site would be more acceptable

Second Objection following the re-submission of PA 06/19/0292/F - Received on 27/04/20

- Objection to the scale of the development.
- The site, being the front garden adjacent to the existing access driveway is considered to be complementary to the listed barn.
- The development is too large both in footprint and height for the site. Any new structures developed in the curtilage of a listed building are recommended to be subordinate to the historic asset and to consider views both in and out from the asset.

Third Objection following revision to first scheme's design – Received on 29/04/20

- Although significant progress in design has been made, we consider that the footprint and height need to be reduced in order to prevent unnecessary erosion of the setting of the heritage asset.
- The site, being the front garden adjacent to the existing access driveway, is considered to be complementary to the listed barn.
- Considering the nature of the site and its surrounds, especially the listed asset and trees, it is recommended to review and amend the plans and elevations. Development of the site will cause erosion of the setting of the listed building and have a negative impact on the significance of the heritage asset.

General Comments and withdrawal of previous objection following a third revision to the scheme- Received 24/06/2020.

- Further request was to keep the revised but reduce the height and the overall scale of the proposal as much as possible in order to reduce the impact on the listed barn and its setting.
- The passage referred to as the 'link' between houses would be removed and the width of the gable reduced with 350mm.
- Conservation sections agrees to the proposed alterations and make the following recommendation:

Recommendation:

Soft red bricks laid in lime mortar should be used instead. A brick bond including snapped headers is advised to his is to ensure that vernacular materials and approaches are used as far as practicable within the setting of the listed barn.

4.7 NCC Highways – No objection subject to visibility splays, vehicular access and highway safety conditions.

- Vehicular access to be re-graded such that the gradient shall not exceed 1:12 for the first 5 metres into the site.
- The access shall be constructed in accordance with NCC residential access construction specification.
- Visibility splays shall be provided in full accordance with the details indicated in the submitted plans and retained in the approved form thereafter.

5 Local Policy :-

Core Strategy – Adopted 21st December 2015

5.1 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. Filby is identified as a Secondary Village and is expected to receive modest housing growth over the plan period due to its range of village facilities and access to key services.

5.2 Policy CS3: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:

a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (extract only):

- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
- Ensuring the efficient use of land/sites including higher densities in appropriate locations

d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites.

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

Policy CS10: The character of the borough is derived from the rich diversity of architectural styles and the landscape and settlement patterns that have developed over the centuries. In managing future growth and change, the Council will work with other agencies, such as the Broads Authority and Historic England, to promote the conservation, enhancement and enjoyment of this historic environment by conserving and enhancing the significance of the borough's heritage assets and their settings, such as Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, archaeological sites, historic landscapes including historic parks and gardens, and other assets of local historic value, promoting heritage-led regeneration and seeking appropriate beneficial uses and enhancements to historic buildings, spaces and areas, especially heritage assets that are deemed at risk and ensuring that access to historic assets is maintained and improved where possible.

5.4 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species.

5.5 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: (a to f)

- e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures.

Policy CS16: The council will seek to support improvements that reduce congestion, improve accessibility and improve road safety without an unacceptable impact on the local environment, in accordance with Policy CS11 and communities, in accordance with Policy CS9.

6 Draft Local Plan Part 2

6.1 The local Plan Part 2 has been submitted for inspection and is therefore at a very advanced stage. In accordance with paragraph 48 on submission, those policies of the plan which have no unresolved objections could be given more significant weight. Emerging policies of particular relevance include:

- Policy GSP1 – Development Limits – the site is outside of the proposed development limits and therefore contrary to the emerging policy
- Policy A2 – Housing Design Principles – requires dwellings to meet building regulations standard M4(2) for adaptable homes.
- Policy H4 – Open Space provision
- Policy E4 – Trees and Landscape – requires retention of trees and hedgerows
- Policy E7 – Water conservation – requires new dwellings to meet a water efficiency standard (This would be a condition of planning permission.)

Apart from Policy E7, all of the above policies have objections against them therefore only limited weight can be given.

7 National Policy: - National Planning Policy Framework (NPPF), February 2019

7.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

7.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of

sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

- 7.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 7.4 Paragraph 11 (partial): Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 7.5 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:

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

- 7.6 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.
- 7.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 7.8 Paragraph 76. To help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start.
- 7.9 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.10 Paragraph 170 (partial). Planning policies and decisions should contribute to and enhance the natural and local environment by:
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

7.11 Paragraph 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

7.12 Paragraph 200. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

8 Legislation

8.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 (Section 72) also states that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

9 Shadow Habitats Regulation Assessment

9.1 The applicant has submitted a shadow Habitat Regulations Assessment (HRA) template as drafted by Great Yarmouth Borough Council. 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.

9.2 Great Yarmouth Borough Council as competent authority agrees with the conclusions of this assessment. The impact of this development 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.

10 Assessment

10.1 Filby is classified in the Core Strategy as a secondary village, as a settlement containing few services and facilities, with limited access to public transport and very few employment opportunities. The Draft Local Plan Part 2 states that 'Filby is characterised as a long, linear settlement which meanders tightly along the main

road running through the village. There are frequent open breaks along the length of the settlement which positively contribute towards its semi-rural character. Filby is well served by local facilities and amenities including a shopping parade along the main road, serving residents of both Filby and Fleggburgh. It is a popular village with a strong community presence.'

- 10.2 The application is for the sub-division of a residential plot and erection of two detached barn style dwellings. The donating dwelling is The Homestead, detached dwelling accessed from an existing vehicular access from Main Road. Within the curtilage are three existing agricultural barns of which the largest is a Grade II listed building. The Homestead and the proposed dwellings are located outside of Flood Zones.
- 10.3 Main Road is located in a village which is characterized by a mixture of semi and detached dwellings and bungalows of different styles and scale. is comprised of residential properties on both sides. On the northern is are semi and detached two storey dwellings and an open field between the dwellings and on the southern side are semi -detached dwellings. On the western side with an open field stretching from The Homestead's western boundary and a row of detached dwellings in Pound Lane.
- 10.4 The Conservation section initially objected to the first proposal of two detached suburban style dwellings an inappropriate and devalue a 17th century listed barn and recommended a scheme with a design which has more regard to the context and setting of the site.
- 10.5 Following further revisions to the scheme the Conservation section accepted a design of two detached barn style dwellings which would be constructed in soft red bricks laid in lime mortar, a brick bond including snapped headers is advised to his is to ensure that vernacular materials and approaches are used as far as practicable within the setting of the listed barn. The proposed dwellings' fenestration, scale and design would respect the heritage asset and other barns settings and surrounding intrinsic village character.
- 10.6 The proposed dwellings is not considered to have a detriment effect adjacent dwelling, visual amenities and will be set back from Main Road and shielded by landscaping screen from the heritage asset and other barns.
- 10.7 The proposed dwelling would sit to the west of the donating dwelling and listed barn enabling the existing listed barn visible from Main Road to remain in situ with most of it currently shielded by the existing dwelling. The design would respect the Grade II listed barn and would not affect its character.

- 10.8 Access and highway safety conditions are recommended as stated in the consultation response from the NCC Highways Authority. Vehicular access shall be re-graded such that the gradient shall not exceed 1:12 for the first 5 metres into the site and to be constructed in accordance with NCC residential access construction specification. Visibility splays shall be provided in full accordance with the details indicated in the submitted plans and retained in the approved form thereafter.
- 10.9 The proposed development's surface water will be disposed of by means of a soakaway and a proposed connection to the existing drainage system for foul sewage.
- 10.10 The application site is located within the 400m to 2.5km Indicative Habitat Impact Zone and a template HRA has been received and the required £220.00 HMMS payment has been made. Natural England have responded to confirm that with the measures indicated in the HRA secured, then the development can proceed with no adverse impacts to the Natura2000 network.
- 10.11 The Arboricultural Report submitted with the application states that The Homestead has existing seven (7) trees which are largely confined to the site's periphery. One tree will be removed for the development purposes which has low amenity value and mitigation for the loss of the tree will include the planting of a minimum of three new heavy standard root balled or containerised (field maple, pedunculate oak and silver birch) trees with a maintenance period of 5 years .
- 10.12 All other trees on or adjacent to the application site will be retained and protected according to BS5837:2012 standard throughout the construction works with protection measures including the erection of a temporary protective fencing, temporary ground protection, the use of No-dig surfaces, specialist foundations and pre-emptive root pruning as appropriate.
- 10.13 Retained trees and landscaping will provide cover and wildlife habitats as means to enhance the biodiversity in harmony with the proposed development and this will result as a net biodiversity gain on the site.

11 RECOMMENDATION: -

11.1 Approve with the following conditions;

- Soft red bricks laid in lime mortar should be used in the construction of the proposed dwellings with a brick bond including snapped headers to ensure

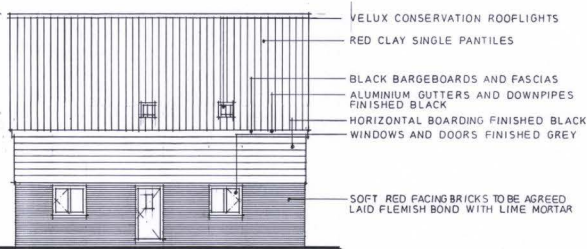
that vernacular materials and approaches are used as far as practicable within the setting of the listed barn.

- Vehicular access to be re-graded such that the gradient shall not exceed 1:12 for the first 5 metres into the site and the access shall be constructed in accordance with NCC residential access construction specification.
- Visibility splays shall be provided in full accordance with the details indicated in the submitted plans and retained in the approved form thereafter.
- Details of construction and surface of access and on- site surface water drainage, the method statement for root protection of trees of the site, conditions that access be constructed in accordance with the approved plans.
- On site car parking and turning areas shall be provided in accordance with submitted plans and be retained in the approved form thereafter.
- Removal of permitted development rights for extensions and alterations to the proposed dwellings including new windows or other openings into the walls or roof without prior consent from the local planning authority.

11.12 The proposal complies with the aims of Policies CS2, CS3, CS9, CS10, CS11, CS14 and CS16 of the Great Yarmouth Core Strategy, paragraphs(2, 7, 8, 11, 48, 55, 59, 76, 109, 170, 177 200) of The National Planning Policy Framework (NPPF) and The Planning (Listed Buildings and Conservation Areas) Act 1990 (Section 72).



PLOT NO. 2
FRONT ELEVATION (FACING MAIN ROAD)



SIDE ELEVATION

- VELUX CONSERVATION ROOFLIGHTS
- RED CLAY SINGLE PANTILES
- BLACK BARGEBOARDS AND FASCIAS
- ALUMINIUM GUTTERS AND DOWNPIPES FINISHED BLACK
- HORIZONTAL BOARDING FINISHED BLACK
- WINDOWS AND DOORS FINISHED GREY
- SOFT RED FACING BRICKS TO BE AGREED LAID FLEMISH BOND WITH LIME MORTAR

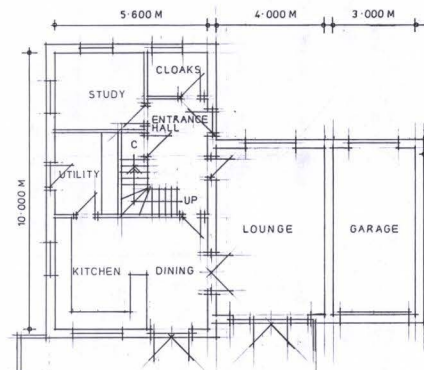


PLOT NO. 1
REAR ELEVATION

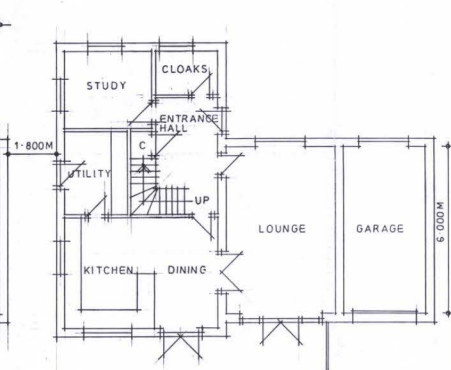


PLOT NO. 2

App. No. 06/20/0102/F
REVISED PLAN
Received 17/07/20



GROUND FLOOR PLAN
PLOT NO. 1



GROUND FLOOR PLAN
PLOT NO. 2

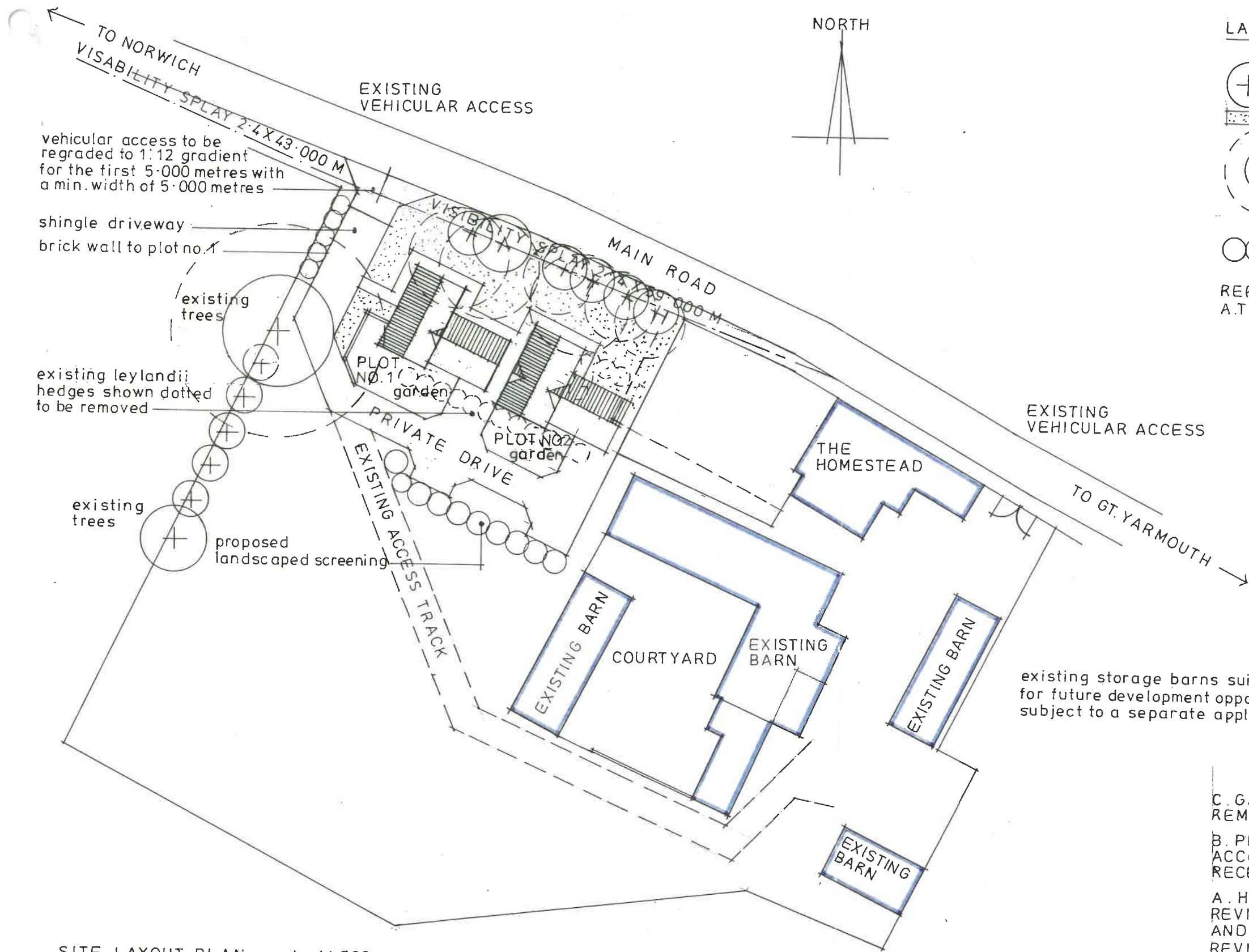


FIRST FLOOR PLAN
PLOT NOS. 1 AND 2

B. ROOFLINK REMOVED BETWEEN 2 PROPOSED PROPERTIES
MAIN GABLES REDUCED FROM 6.000 M TO 5.600 M 12-07-20
A. ROOFPITCH INCREASED AND EAVES LOWERED - ROOFLIGHTS ADDED TO BATHROOMS
SOFFIT DETAIL REVISED 21-08-2019
REVISIONS

project PROPOSED 2 NO. DETACHED DWELLINGS WITHIN CURTILEGE OF THE HOMESTEAD MAIN ROAD FLEBY ST YARMOUTH
client MR. AND MRS. G. HUGHES
title PROPOSED PLANS AND ELEVATIONS
date AUGUST 2019 scale 1:100 dwgno 644.48

GRAHAM BROWN ARCHITECTURAL SERVICES
9 PRIORY CLOSE CAISTER ON SEA
GREAT YARMOUTH NORFOLK NR30 5AZ
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grahambrowndev@btconnect.com



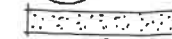
SITE LAYOUT PLAN scale 1:500

App. No. 06/20/0102/F
REVISED PLAN
Received 17/07/20

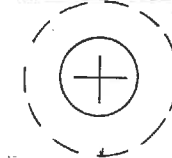
LANDSCAPING SCHEDULE



EXISTING TREE



GRASSED LAWN



EXISTING TREE WITH ROOT PROTECTION AREA SHOWN



PROPOSED SCREENING PLANTING

REFER TO SEPARATE REPORT PREPARED BY
A.T. COOMBS ASSOCIATES LTD.

Great Yarmouth
Borough Council

17 JUL 2020

Planning
Department

C. GABLE WIDTH REDUCED AND LINK ROOF REMOVED 13.07.20

B. PROPOSED HOUSES REPOSITIONED TO ACCOMMODATE ROOT PROTECTION AREAS OF RECENTLY TPO PROTECTED TREES 11.02.2020

A. HOUSE TYPE AMENDED, VISIBILITY SPLAY REVISED, ADDITIONAL NOTATION TO DRIVEWAY AND LANDSCAPING 20.08.2019
REVISIONS

project	PROPOSED 2 NO. DETACHED HOUSES WITHIN CURTILEGE OF THE HOMESTEAD - MAIN ROAD - FILBY - GT. YARMOUTH
client	MR. AND MRS. G. HUGHES
title	PROPOSED SITE LAYOUT PLAN
date	FEBRUARY 2019 scale 1:500 dwg.no. 6444C

GRAHAM BROWN ARCHITECTURAL SERVICES
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