



Development Control Committee

Date: Wednesday, 08 December 2021

Time: 18:00

Venue: Council Chamber

Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

CONTENTS OF THE COMMITTEE AGENDA PLANNING APPLICATIONS & CONDUCT OF THE MEETING

Agenda Contents

This agenda contains the Officers' reports which are to be placed before the Committee. The reports contain copies of written representations received in connection with each application. Correspondence and submissions received in time for the preparations of the agenda are included. However, it should be noted that agendas are prepared at least 10 Working Days before the meeting. Representations received after this date will either:-

- (i) be copied and distributed prior to or at the meeting – if the representations raise new issues or matters of substance or,
- (ii) be reported orally and presented in summary form by the Principal Officer of the Committee – especially where representations are similar to, or repeat, previous submissions already contained in the agenda papers.

There are occasions when the number of representations are similar in nature and repeat the objections of others. In these cases it is not always possible for these to be included within the agenda papers. These are either summarised in the report (in terms of numbers received) and the main points highlighted or reported orally at the meeting. All documents are available as 'background papers' for public inspection.

Conduct

Members of the Public should note that the conduct of the meeting and the procedures followed are controlled by the Chairman of the Committee or, if he/she so decides, the Vice Chairman. Any representations concerning Committee procedure or its conduct should be made in writing to either –

- (i) The Planning Group Manager, Town Hall, Great Yarmouth. NR30 2QF
- (ii) The Monitoring Officer, Town Hall, Great Yarmouth. NR30 2QF

DEVELOPMENT CONTROL COMMITTEE

PUBLIC CONSULTATION PROCEDURE

- (a) Thirty minutes only will be set aside at the beginning of each meeting to deal with applications where due notice has been given that the applicant, agent, supporters, objectors, and any interested party, Parish Council and other bodies (where appropriate) wish to speak.
- (b) Due notice of a request to speak shall be submitted in writing to the Planning Group Manager two days prior to the day of the Development Control Committee meeting.
- (c) In consultation with the Planning Group Manager, the Chairman will decide on which applications public speaking will be allowed.
- (d) Three minutes only (or five minutes on major applications at the discretion of the Chairman) will be allowed to (i) objectors together, (ii) an agent or applicant and (iii) supporters together, (iv) to a representative from the Parish Council and (v) Ward Councillors.
- (e) The order of presentation at Committee will be:-
 - (1) **Planning Officer presentation** with any technical questions from Members
 - (2) **Agents, applicant and supporters** with any technical questions from Members
 - (3) **Objectors and interested parties** with any technical questions from Members
 - (4) **Parish Council representatives, Ward Councillors and Others** with any technical questions from Members
 - (5) **Committee debate and decision**

Protocol

A councillor on a planning or licensing decision making body should not participate in the decision and / or vote if they have not been present for the whole item.

This is an administrative law rule particularly applicable to planning and licensing - if you haven't heard all the evidence (for example because you have been out of the room for a short time) you shouldn't participate in the decision because your judgment of the merits is potentially skewed by not having heard all the evidence and representations.

It is a real and critical rule as failure to observe this may result in legal challenge and the decision being overturned."

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

3 MINUTES

6 - 13

To confirm the minutes of the meeting held on the 10 November 2021.

4 APPLICATION 06-21-0356-F EX-EDWARD WORLLEDGE SCHOOL SITE, LAND WEST OF 63-78 LICHFIELD ROAD, GREAT YARMOUTH

14 - 37

Report attached.

5 APPLICATION 06-21-0796 F - EX- EDWARD WORLLEDGE SCHOOL, LAND WEST SIDE OF LICHFIELD ROAD, GREAT YARMOUTH

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Report attached.

6 APPLICATION 06-20-0618-F LAND EAST OF CHURCHILL ROAD & NORTH OF ESCOURT ROAD, GREAT YARMOUTH

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Report attached.

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| 7 | <u>APPLICATION 06-21-0766-CU LAND ADJACENT TO
(COPPERFIELD), BLACKBIRD CLOSE, BRADWELL</u> | 78 - 91 |
| | Report attached. | |
| 8 | <u>APPLICATION 06-21-0536-F - 60 MARINE PARADE,
GORLESTON, GREAT YARMOUTH, NORFOLK</u> | 92 - 110 |
| | Report attached. | |
| 9 | <u>APPLICATION 06-21-0771-F 20 CONIFER CLOSE, ORMESBY ST
MARGARET</u> | 111 -
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| | Report attached. | |
| 10 | <u>APPLICATION 06-21-0415-F - LAND AT SOUTH DENES ROAD
AND SOUTH BEACH PARADE GREAT YARMOUTH, NR30 3QF</u> | 124 -
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| | Report attached. | |
| 11 | <u>DELEGATED DECISIONS BETWEEN 1 NOVEMBER 2021 AND
30 NOVEMBER 2021</u> | 183 -
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| | Report attached. | |
| 12 | <u>POST COMMITTEE DECISIONS DETERMINED BETWEEN 1
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| | Report attached. | |
| 13 | <u>APPEALS DETERMINED BETWEEN 1 NOVEMBER 2021 AND 30
NOVEMBER 2021</u> | 197 -
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| | Report attached. | |

14 ANY OTHER BUSINESS

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

15 EXCLUSION OF PUBLIC

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."



GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Minutes

Wednesday, 10 November 2021 at 18:30

PRESENT:-

Councillor Freeman (in the Chair); Councillors G Carpenter, Fairhead, Flaxman-Taylor, Mogford, Williamson, A Wright & B Wright.

Councillor Candon attended as a substitute for Councillor Hanton, Councillor Galer attended as a substitute for Councillor P Hammond & Councillor Wainwright attended as a substitute for Councillor Jeal.

Mr D Glason (Planning & Development Director), Ms C Whatling (Monitoring Officer), Mr R Parkinson (Development Control Manager), Mr G Bolan (Planning Officer), Mr C Green (Senior Planning Officer), Mrs H Ayres (Planning Technician) & Mrs C Webb (Executive Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Annison, P Hammond, Hanton, Jeal & Myers.

2 DECLARATIONS OF INTEREST

The Chairman asked that it be recorded in the minutes that all Councillors had

received an email from the applicant giving further information regarding application number 06/21/0356/F on 9 November 2021.

Councillor G Carpenter reported a personal interest in item number 4 as the applicant and his family were known to him personally.

However, in accordance with the Council's Constitution , all Councillors would be allowed to both speak and vote on the item.

3 MINUTES

The minutes of the meeting held on 13 October 2021 were confirmed.

4 APPLICATION 06-21-0356-F - EX-EDWARD WORLLEDGE SCHOOL SITE, LAND WEST OF 63-78 LICHFIELD ROAD

This application was deferred.

5 APPLICATION 06-21-0237-F - 4 BURTONS BUILDINGS, ST PETERS ROAD

The Committee received and considered the report from the Planning Officer.

The Planning Officer reported that a site visit had been undertaken to 3 Burtons Buildings, St Peters Road, Great Yarmouth on Monday, 8 November 2021.

The Planning Officer reported that the site occupies a plot located between properties on St Peters Road and Lancaster Road and has a pedestrian access from St Peters Road.

St Peters Road is made up of mainly commercial use on the ground floor with residential above with Lancaster Road being predominantly made up of residential terrace properties.

The Planning Officer reported that the application relates to the existing 3-storey building being demolished and the construction of a new 4-storey building to form 4 residential self-contained flats, the proposal will be utilising the existing pedestrian access with the outside area to the north proposed to be used as a bin and cycle store for the development.

The Planning Officer reported that the current use of the existing building is full residential, the current state of the building is in slight disrepair with the conversion to form flats not considered achievable by utilising the existing building. The proposed site is located on St Peters Road, under the new emerging policy UCS7 of the Local Plan Part 2, St Peters Road is identified as a local centre and all though we cannot apply full weight to the policy due to the plan not being fully adopted we can consider this relevant, the site is considered within close proximity to the proposed local centre and with links to the seafront on Marine Parade, Great Yarmouth, which is located to the east of the site, and with easily accessible links into the Town Centre to the north.

The Planning Officer reported that since the submission of the application the original proposal has been revised from 6 flats to 4 with each flat occupying its own floor, it has also gone from a 2 bedroom flat development to 1 bed flats over all floors.

The Planning Officer reported that the proposal is to have a similar shape to the existing dwelling. The building will sit in a similar footprint to the existing dwelling but the proposal is to have a smaller footprint at ground floor level to allow good access to the site so the depth will increase by 1m from the first floor upwards. Throughout the planning process the roof has been changed from a flat roof to a mansard style roof, this is considered to allow the development to fit in with the character of the area with the majority being pitched roofs, by doing this it has allowed the head space for the 4th flat.

The Planning Officer reported that the proposal sees the west elevation having balconies though the centre of the building from the first-floor level to the top of the development with windows consistently located either side of the balconies. The only windows proposed on the development are mainly located on the west elevation with single windows located on the north elevation - with these being bathroom windows any permission granted will be conditioned to ensure these will be obscurely glazed. The east and south elevations do not contain any windows as these are upon boundaries of the site.

The Planning Officer reported that the proposed materials suggested for the development are as follows:

- Red clay roof tiles to match adjacent dwellings
- White K Render finish to the external walls from first to third floor
- Red brick on the ground floor element matching the existing buildings
- Fenestration around the windows to be PVCU in Anthracite grey.

The Planning Officer reported the details of the floor plans, site photographs, public comments and the principle of development to the Committee.

The Planning Officer reported that within this particular area of Great Yarmouth there are large amounts of tall buildings and with the height not increasing substantially from the existing the proposal is considered in character with the area, whilst all efforts have been made to keep the proposal in keeping with the existing area. The use of white render will copy that of the existing building and help reduce a sense of scale by avoiding heavier materials.

The Planning Officer reported that Core Policy CS9 seeks to respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised; making efficient use of land and reinforcing the local identity.

The proposal is considered to tie in with the surrounding area with the variety of buildings within the vicinity of the site, it makes use of materials to match the existing character of the area whilst also introducing new and modern techniques to the area, the proposal makes use of a mansard style roof which has allowed the roof

height to remain lower in terms of the scale of the area but also allowing the proposal to utilise the roof space and provide good levels of amenity spaces for potential future occupiers.

The Planning Officer reported that the proposed site is visible from the street scene although it is set behind buildings located directly on the street but is consistent with the street scene.

The Planning Officer reported that at the time of writing, there have been 10 objections received from residents close to the application site and in surrounding areas, with further comments being received in relation to the revised plans; the issues raised are summarised as below:

- Over-development
- Anti-social behaviour
- Overlooking
- Loss of light
- Increase pressure on parking.

The Planning Officer reported that the proposal for 4 self-contained flats was consistent with the surrounding area. Lancaster Road is predominately made up of terraced properties, however, St. Peters Road is made up of commercial on the ground floor with flats above. This type of accommodation is well suited to this location and will be consistent with the aims set out in policies CS2 & CS3 in respect of providing well accessed and sustainable developments with good types of housing mixes.

The Planning Officer reported that the proposal is to be built larger than the existing building, the existing building has a height of 9.67m with the proposal increasing the total height to 10.8 m, the proposal also includes a lift shaft duct which protrudes 1m above the proposed roof height bringing the total height of the building, including the lift shaft to 11.5m. The enlargement is due to the extension of the existing building footprint to the north, as the existing width of the building is 7.41m with the proposal looking to achieve a width of 10m, which will cause the building to be located closer to properties 74,75 & 76A Lancaster Road. Given the proximity of the building to its neighbours, it will be important to establish precise site levels and both the existing and proposed floor levels, which can be achieved by condition.

The Planning Officer reported that the proposal, in shape, will be similar to that of the existing building, however, the ground floor will have a different depth with the first floor and above, protruding out by a metre which will allow better access to the site for future residents.

The Planning Officer reported that the proposal was originally submitted with a flat roof, however, this was considered not to be consistent with the style of the surrounding area as most had a pitched roof and therefore, it was considered that a mansard roof would be beneficial which gives the visualisation of a pitched roof fitting in with the street scene whilst allowing for utilisation of the roof space.

The Planning Officer reported that the proposal has the west elevation having balconies through the centre of the building from the first floor level to the top with windows located either side of the balconies with single windows located on the north elevation. These are bathroom windows and any permission granted will be conditioned to ensure these are obscurely glazed. The east and south elevations do

not have windows as these are boundaries of the site.

The Planning officer reported that the proposal includes an area to the north to house cycle and bin stores, this being a discreet area and away from the street and allows for safe storage of cycled for future occupiers which can be easily accessed from the site with pedestrian access from St Peters Road.

The Planning Officer reported that concerns had been raised to the LPA that the proposal will result in over-development but the proposal is not increasing in size dramatically, with the proposal extending further north and west than the existing dwelling, the site lends itself to a substantial residential dwelling.

The Planning officer reported that the current outside amenity areas are proposed to be built on and then the area to the north utilised as the cycle and bin store, and the inclusion of balconies to allow the first, second and third floors a level of outdoor amenity space. In regard to the first floor, it is proposed to have improvements to the western boundary of the curtilage by the use of conditions enabling the LPA to comment of the proposed improvements.

The Planning Officer reported that objections had been received from local residents on the enjoyment and amenities of their dwellings and these have been considered. However, this area of GY is heavily populated with terraced houses and flatted developments and the site lends itself to a large residential property with the application allowing the demolition of the existing building then the proposed building being erected.

The Planning Officer reported that the area is built up with back to back properties and there has always been an element of over-looking but this proposal has reduced the number of elevations with windows, only on the west and north elevations. This allows the property to have an outlook whilst reducing over-looking. As the existing property offers the same outlook, it is the opinion of officers that the proposal will not adversely affect the enjoyment and amenities of neighbours.

The Planning Officer reported that the site is accessed via a shared gate at St Peters Road to the south, the possibility of providing a security gate was suggested, however, due to right of access, the shops must have access to the rear of their buildings and it would not be in the applicant's control to achieve this. However, the proposal will result in more people living in the area with more journeys which will result in more natural surveillance in the area.

The Planning Officer reported that the proposed site is considered a sustainable location with good access to St Peters Road and good public transport links into the town centre and outer town centre facilities.

The Planning Officer reported that NCC Highways have raised no objection, there is no parking on site and there is a cycle store, no permanent parking can be achieved on St Peters Road and the surrounding streets are for permit holders. It is therefore considered the development would be less suitable for car owners.

The Planning Officer reported that the site is located within the orange 400m to 2.5k Indicative Habitat Impact zone and proposes the net increase of two dwellings. A Shadow HRA has been submitted and is deemed acceptable and the fee of £440 has been received prior to any permission being granted allowing the application to address the impacts on the designated wildlife areas.

The Planning Officer reported that no measures to ensure biodiversity enhancements have been proposed but measures such as bird boxes should be conditioned if permission is granted.

The Planning Officer reported that the application was recommended for approval subject to the use of conditions as set out within the agenda report and presentation, the proposal will comply with the aims of policies CS1, CS2, CS3, CS9 & CS11 of the GY Local Plan: Core Strategy, paragraphs 8, 62, 111 and 130 of the NPPF, and is consistent with the aims set out in the emerging policies of the final draft Local Plan Part 2.

Councillor A Wright asked the Planning Officer if he was aware that there used to be a car repair garage on the site. The Planning Officer reported that he was not aware of this and that there had always been a residential property on the proposed site.

The Chairman asked for clarification regarding the use of wording slight disrepair at paragraph 1.3 of the report and had a structural survey been carried out as part of the application process.

The Development Control Manager clarified paragraph 1.3 as follows; the current use of the existing building is full residential and is being proposed to us that the current state of the building is in slight disrepair.

The Monitoring Officer asked for clarification of the application site. The Planning Officer confirmed that the application site was 3 Burtons Buildings and that the previous application and the site notices had all had the address as 3 Burtons Buildings.

Mr Parrott, applicant's agent, addressed the concerns of the objectors to the Committee and asked them to approve the application.

Councillor G Carpenter was concerned how the building materials would be taken to and away from the application site without causing undue dust, noise and distress to neighbouring home owners and asked how the applicant planned to mitigate this. He also asked how long would the process take from start to finish.

Mr Parrott reported that it was a difficult site but that the existing building would be demolished brick by brick and materials would be brought to site by hand. The build would be completed as quickly as possible as additional labour would be utilised on site as it was a labour intensive project.

Councillor A Wright asked why the existing building could not be converted into three flats which would negate the need for demolition. Mr Parrott explained that the existing floor space was not large enough and it would not be financially viable.

Councillor A Wright was concerned regarding the old Victorian drains in that part of town and whether this development would damage them and asked if a survey of the drains had been undertaken as part of the application process. He further asked how long the property had been in the ownership of the applicant. Mr Parrott thought it was approximately 18 months to 2 years and that the drains issue would be a matter for building control.

Councillor G Carpenter reported that the proposal would result in the over-development of the site and result in the loss of amenity for neighbours and therefore he could not support the application.

Councillor A Wright also felt that the development would result in over-development, although he did not oppose the architectural design, unfortunately, it was proposed in the wrong area and would greatly affect the amenity of the neighbours due to noise and dust from the demolition phase.

Councillor Flaxman-Taylor & Williamson reported that they agreed with Councillors Carpenter & Wright and that they could not support the application either.

Councillor Mogford spoke in favour of the application.

The Chairman reported that after going on the site visit that he was concerned about the sheer bulk size of the northern elevation.

Councillor A Wright proposed that the application be refused on the grounds that it would result in over-development of the site due to scale, mass and footprint. This motion was seconded by Councillor Flaxman-Taylor.

The Development Control Manager suggested that the Committee cite policy CS9 of the Core Strategy; high quality of design, HOU17 and Local Plan Part 2; policy A2 as grounds for refusal.

Following a vote, it was RESOLVED:-

That application number 06/21/0237/F be refused as it would result in over-development due to its scale, mass and footprint, as it was contrary to policy CS9 of the Core Strategy, HOU17 & Local Plan Part 2; policy A2.

6 DELEGATED DECISIONS MADE BETWEEN 1 SEPTEMBER 2021 AND 31 OCTOBER 2021

The Committee received and noted the delegated decisions made by the planning officers between 1 September 2021 and 31 October 2021.

7 PLANNING APPLICATIONS CLEARED BETWEEN 1 SEPTEMBER AND 31 OCTOBER 2021 FOLLOWING DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE

The Committee received and noted the planning applications approved by the Development Control Committee between 1 September 2021 and 31 October 2021.

8 APPEAL DECISIONS BETWEEN 1 SEPTEMBER AND 31 OCTOBER 2021

The Committee received and noted the appeal decisions made between 1 September 2021 and 31 October 2021.

9 ANY OTHER BUSINESS

The Development Control Manager asked the Committee whether they would like to undertake a site visit to a site at Euston Road, Great Yarmouth in connection to an application which had previously been withdrawn by the applicant, Hammond Property Developments Ltd, due to design concerns.

Councillor A Wright asked if the Committee could also undertake a site visit to the ex-Edward Worlledge School site, land west of 63-78 Lichfield Road.

RESOLVED:-

That the consensus of the Committee was that site visits to be undertaken at Euston Road, Great Yarmouth & Lichfield Road, Southtown prior to the determination of the associated planning applications by Hammond Property Developments Ltd.

The meeting ended at: 20:30

Reference: 06/21/0356/F**Parish: Great Yarmouth****Officer: Chris Green****Expiry Date: 24-9-21****Applicant: Hammond Property Developments Ltd****Proposal: Erection of 9 dwellings comprising: 6no. three storey, three-bedroom terrace houses with garages, and 3no. two-bedroom flats above 10no. additional garages; creation of 9no. additional parking spaces****Site: Ex- Edward Worlledge School Site, Land West of 63-78 Lichfield Road, Great Yarmouth**

REPORT

This application is brought before the Development Control Committee as the applicant is a company whose owners and Directors are two serving Borough Council Councillors, Cllr Paul Hammond and Cllr Donna Hammond, and their immediate family member, Mr Lee Hammond. The land at both this application site and some adjoining land which is material to the determination of this application is also owned by the same company. As such this application was reported to the Monitoring Officer on 23th September.

This application was withdrawn from the DC Committee agenda of 10th November 2021 on the day of the meeting because additional information had been received which requires Officer appraisal. The report has been updated accordingly at paragraphs: 6.1-6.3, 6.11-6.12, 6.18, 6.54, 8.1 and 9, though Members are requested to consider the whole report afresh to gain a comprehensive overview.

1. The site

- 1.1 This site is on land formerly occupied by the Edward Worlledge school building, a late 19th or early 20th century single storey school building. The original parts of the school which formed this application site have been demolished and the site largely cleared. Although the original school building has been removed there remains a large 1/1.5-storey flat-roofed brick and corrugated sheet building at the rear of the application site, and a part-demolished wing attached to the remaining in-tact building. The western half of the site is undisturbed tarmac and the eastern half has been left as loose bare ground following demolition and clearance.

- 1.2 Although technically single storey, the former school building featured the typical high ceiling rooms of the traditional school and featured a slate roof with terracotta parapet and lintels and other architectural embellishments.
- 1.3 The remnant two bays of this school, adjoining this application site to the north, remain and were last used as a nursery facility, though it is understood that this role has now ceased. A war memorial that had been within this part is reported as being required to be re-sited as part of the private sale contract with the education authority. This is not part of the application nor the red-lined site, however.
- 1.4 This adjoining land to the north is however also part of what an area shown as blue-lined land and is within the applicant's ownership and by extent also their control. Since the lodging of this application with the Council a separate application reference 06/21/0796/F has been made for the part of the old school as yet undemolished to be demolished and to be the site of 5 x three storey townhouses. That new application has been made by a different agent by a different applicant, though the submitted certificate shows it to be in the ownership of Hammond Property Development Ltd at the time of submission.
- 1.5 As the adjoining land is within the ownership of the applicant of the application currently before Development Control Committee the land and the recently submitted application both become a material consideration in the determination of this current proposal. This position is established in case law.

2. Site constraints / context

- 2.1 This application site is part of land formerly dedicated to education and as such is shown as being outside the urban area on the current proposals map and therefore would ordinarily be subject to consideration under policies relating to land outside the defined development limits / urban area.
- 2.2 However, the emergent Local Plan Part 2 policy GSP1 physical limits, and associated revised proposal map, does show that this site will be within the urban area development limits once that plan is formally adopted. Given the advanced state of this (with no objections from the public or modifications asked for) this is considered to carry greater and significant weight. In practice the site is surrounded by areas of terraced housing to the east and north and has the character of an urban setting.
- 2.3 The whole site is in a high-risk flood zone (Zone 3). A site-specific flood risk assessment is included. The applicant has supplied a letter from an agent stating that no other sites of similar capacity within the Great Yarmouth urban area in a lower flood risk area, are currently available.

3. Proposal

- 3.1 The proposal for 9 dwellings on the site includes a row of six three-storey town houses terraced together to the east side of the site fronting Lichfield Road.

These have garaging and utility rooms to the ground floor and living accommodation at first and second floor surmounted by a hipped roof over the whole terrace. An amended plan has revised the application to show the end properties gabled to break up the form and attempt to reduce the sense of mass of the proposal, but the overall rectangular block remains.

- 3.2 The terrace is set back from the highway by the depth of a parking bay (scaling at just under 6m), giving a distance between the terraced housing existing opposite and the proposal of 20m.
- 3.3 Behind the terrace, ten lock up garages with three flats set above are proposed to the rear (west) side of the site. This allows a separation of 16.5m from the garage block and the flats above to the rear elevation of the town houses. There are nine outside parking bays shown behind the remaining part of the school / nursery, which are proposed for use as 'nursery parking' although as mentioned above the nursery use appears to have finished.
- 3.4 Within the Design and Access Statement the applicant has proposed that the double-yellow line parking restrictions on the east side of Lichfield Road could be moved to the west side in front of this site.
- 3.5 Accompanying the proposal are the following documents:
- Planning Application Forms and Certificates of Ownership;
 - Application drawings as detailed on the Drawing Register;
 - Design and Access statement
 - Flood Risk Assessment and mitigation and evacuation proposals
 - A letter assessing lack of sequentially preferable site availability
 - Habitat Regulations Assessment

4. **Relevant Planning History**

Within this site there is no relevant history.

The former school was demolished without first providing prior notification to demolish the buildings to the Local Planning Authority. Building Control were correctly notified.

The site to the north is currently subject to an application for the following development:

06/21/0796/F: Proposed demolition of remainder of former school buildings and construction of a terrace of 5 houses with garages. [Pending consideration].

5. **Consultations:-**

All consultation responses received are available online or at the Town Hall during opening hours

Neighbour comments have been received (summarised):

- Demolition was carried out without a prior notification of demolition application although Building Control received a demolition notice in November 2020.
- Demolition was carried out unprofessionally with disregard to health and safety. Heavy vehicles caused vibration and road subsidence.
- The proposal provides each house with a driveway and one garage, the garages are too small for modern cars and will lead to garage conversions if a condition is not applied to stop this from happening.
- As each house has 3 bedrooms two cars spaces are needed per property. If the garage is used for other purposes, there will be unsafe over-spill roadside parking. The drives associated with the development will reduce parking opportunities to their frontage.
- There is no turning head provision to the end of Lichfield Road. Parking on Gordon Road displaces to Lichfield Road.
- Neighbours mention of various parking restrictions and object to the changes suggested.
- Loss of existing parking spaces. The revised parking in front of the existing terrace would cause light loss when larger vehicles are parked on that side.
- The garages to the rear are referred to as "lock ups". Existing residents should not be forced to rent these when the development forces them to park away from their properties! If rented for storage, this will create further unwanted traffic.
- Access for refuse and emergency services will be difficult.
- The design has a large footprint, height, massing and built form across the full width of the plot and a poorly proportioned nondescript design with no contextual links to the Victorian terrace street setting.
- The development will harm the amenity of the nearest neighbouring properties by design, height and distance from common boundaries.
- The proposed development would be overbearing and cause a loss of light and outlook.
- The three-storey design will dominate the street scene and creates overlooking from a higher level.
- The design is unbalancing to the adjacent two storey dwellings.
- There is no room for soft landscaping.

- There is the common law right to light, which entitles neighbours to receive light passing through window apertures. There are no daylight and sunlight assessments with the application.
- There will be increased noise and disturbance as a result of the development.
- Concern over possible loss of parking for 90-93 Lichfield Road

Further neighbour comments have been received in respect of revised plans received 16 August 2021 (summarised).

- Parking for new residents is improved but not for existing residents.
- Not everyone can pay to rent a lockup garage.
- There will still be a loss of sun light, daylight and residents' common law right to light, and a loss of outlook.
- The 3-storey scale of development is not in keeping with the street or the adjoining streets.
- The nursery has ceased using the building as it was left in such a dangerous condition and unfit for purpose, they decided it was the best option, so allowing for parking becomes irrelevant.
- The new flood defences should make it unnecessary to build to 3 storeys.
- No soft landscaping has been added.
- A poor design, of overbearing bulk and mass, the character of the street is not enhanced.
- The building has already been demolished without any permission being granted, myself and the neighbours have had to look out at the unsightly land for nearly a year.

Consultations – External

5.1 Norfolk County Council – Local Highways Authority – Initial Objection.

Garages on all the plots 1-6 are too small. Garages for flats plots 7-9 are inadequate unless two are allocated to each as no outside parking spaces shown. (Note this aspect was addressed in the revised plans, as the garages were increased in size and additional frontage parking provided)

5.2 Norfolk County Council – Ecology Service: No objection.

The HRA form is fit for purpose. Subject to the payment towards the Council's Habitats Monitoring and Mitigation Strategy, no adverse impacts resulting from increased recreation are anticipated.

The application site is located within a SSSI IRZ but does not meet the criteria requiring consultation with Natural England.

It is not clear from the documents submitted if the original buildings remain. If they have not been demolished it is recommended that, due to their age, a Preliminary Roost Assessment (PRA) for bats is submitted in support of the planning application. The NPPF and Policy CS11 states that developments should avoid harmful impacts on biodiversity, priority habitats and species, and take measures to create biodiversity features.

It is recommended that the development include enhancements such as externally mounted bird and bat boxes. It is recommended that a minimum of 9 house sparrow terraces (e.g. Vivara Pro WoodStone House Sparrow Nest Box) or a minimum of 9 swift boxes are incorporated into the design. These should be installed according to the instructions, and in groups. Details can be submitted in support of the application or conditioned.

5.3 Norfolk Historic Environment Team (Archaeology) – Objects to the demolition having taken place without historic appraisal.

The building is a fine example of Edwardian Architecture that should be recorded before demolition.

5.4 Internal Drainage Board: Comments - The Board's Byelaws apply.

The applicant intends to discharge surface water to a sewer. We recommend that you satisfy yourselves that this proposal is in line with the drainage hierarchy and is viable in this location. We are not aware of any riparian owned/maintained watercourses within or adjacent to the site boundary. This should be confirmed by the applicant. Whilst the consenting process as set out under the Land Drainage Act 1991 and separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents.

5.5 Environment Agency: (precised) – No objection.

Following submission of further information that clarifies all habitable space is on the first floor and above, we have no objection providing that the LPA has taken into account the flood risk considerations which are its responsibility.

While the site lies within tidal Flood Zone 3a, it does benefit from the presence of defences. The ground floor will flood to a depth of 1.8m during 1 in 200 annual probability flood events. The depth is a “hazard to all” including emergency services. We do not object however as an Emergency Flood Plan and a Flood Evacuation Plan has been submitted by the applicant.

Consultation - Internal to GYBC

- 5.6 **Environmental Health – (contaminated land, noise, air quality)**
No comments provided.
- 5.7 **Conservation officer** - comments are included within the report body.
- 5.8 **Resilience officer:** As there is safe refuge on upper floors, no objection.

6. Assessment of Planning Considerations:

- 6.1 Planning law at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reiterated at and paragraphs 2 and 47 of the National Planning policy Framework (NPPF).
- 6.2 At the time of this DC Committee meeting the local development plan comprises the adopted Local Plan (2001) policies and the Core Strategy (2015). The emerging Local Plan Part 2 (LPP2) has received support from the Planning Inspectorate and is due to be considered for adoption on 09th December 2021, and those policies will replace the Local Plan 2001 and modify some policies of the Core Strategy. The NPPF states at paragraph 48 that weight should be applied to emerging policies commensurate with the progress made towards adoption. As such it is considered that significant weight should be given to the policies within Local Plan Part 2 in the determination of this application.
- 6.3 Whilst the Council has an up-to-date development plan and 5-year-housing land supply the National Planning Policy Framework remains a material consideration but the development plan retains primacy.

Relevant Policies:

Borough Local Plan 2001: HOU7 (New housing within settlements)

Core Strategy 2013: policies CS9, CS10, CS15

Other material considerations:

Emerging policies of the draft Local Plan Part 2 (Final Draft) (LPP2):

- GSP1 (Development limits) *
- GSP8 (Planning obligations) *
- H3 (Housing density)
- H4 (Open space provision for new housing development) *
- A1 (Amenity)
- A2 (Design)
- E1 (Flood risk),
- E4 (Trees and landscape)
- E7 (Water conservation) *

- C1 (Community facilities)
- I1 (Vehicle parking for developments)
- I3 (Foul drainage)

The draft policies should be noted as some considerable degree of weight can be attributed to them in the planning assessment, given the stage of their preparation. Those marked * introduce new requirements should this decision be taken after adoption of the LPP2.

National Planning Policy Framework (2021):

- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change and flooding
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

National Planning Practice Guidance and National design guide (2021)

Principle of development – proposed uses

6.4 Demolition of the remaining flat-roof structure in this site is accepted despite the loss of the former educational use if it helps realise improved designs and site potential.

6.5 Principle of residential development –

The development within this application proposal offers new housing on an unused now vacant brownfield site. The Council has a healthy 5-year land supply position, and the ‘windfall’ development of new housing in accessible sites makes an important contribution to the housing supply, but it is not reliant on windfall sites to maintain the supply. Nevertheless this is an important contribution of housing, and is a sustainable and accessible site.

6.6 Emergent LPP2 policy GSP1 (development limits) is considered to carry weight and places this site within the defined urban area thus making the location one considered to be sustainable and appropriate for housing.

6.7 Policy LPP2 H3 – The existing plot size of the terraces is 118 square metres each and the new town houses are 108 square metres each so there is little difference in plot footprint size. In this location new housing should be at least 50 dwellings per hectare (dph); this site is 0.19ha in area so the 9 dwellings proposed represents a development of 47 dph, so this development is less than the minimum density expectation of 50 dwellings per hectare suggested by policy H3. The under-supply of dwellings on the site may be in part due to the awkward application site shape but the lower density has not been justified.

Notwithstanding, the number of dwellings is not atypical, therefore, of the density and terraced character of the local area.

- 6.8** The principle of a level of residential development in this location is therefore accepted, subject to meeting the criteria set out in the remainder of the development plan, in respect of highways impact, sustainability, design and townscape, landscaping and residential amenity, for example.

Principle of lock-up garages –

- 6.9** Garages not directly associated with residential use have in past case law been identified as sui generis or storage within use class B8. The proposals map does not support B8 in this location and could give rise to amenity and highways concerns. No firm details on the use of the proposed garages has been supplied, nor mechanisms offered on operation.

Principle of excess parking –

- 6.10** 9no. unrelated additional parking spaces are shown within the red lined area as being dedicated to the educational use but there is no legal agreement or condition requested to secure this. If otherwise minded to approve this would need addressing. While the nursery use appears to have finished in planning terms the use endures until a further permission arises.

Principle of Development – Affordable housing

- 6.11** Although this application is for 9 dwellings and therefore below the government's threshold set out in the National Planning Policy Framework for the requirement to provide affordable homes, the original and larger site of the school is proposed in this and the other received application 06/21/0796/F. The adjoining land in the applicant's ownership and the application for that site are significant material considerations (for example planning case law Rugby School Governors v SoS for Env (1975) which looked at site 'subdivision' or disaggregation and in doing so identified piecemeal development as a material consideration in planning assessments). Together the two applications propose 14 dwellings (9 and 5 respectively). Providing a total of 14 homes is above the GYBC threshold for affordable housing and triggers the requirement for a 10% contribution towards affordable housing within policy CS4 of the adopted core strategy in this area "Affordable housing sub-market area 3". Rounded up, this would equate to 2 affordable homes or a financial commuted sum to be provided in lieu for off-site provision of affordable housing (or a combination of on-site and off-site provision). This should be considered to be required until proven otherwise to be unfeasible, unpracticable and unviable.
- 6.12** A viability appraisal was provided for this application on 08th November, and Officers are content that there are adequate grounds to use the same information for the application proposing 5 dwellings at the adjoining land (ref. 06/21/0796/F). The appraisal is up-to-date and relevant for use in both applications because the viability appraisal proposes reasonable estimations

and values for the development finance of all 14 dwellings across both sites. Unfortunately, it has not been possible to gain external assessors' feedback in time to draw definitive conclusions on the viability assessment at the time of writing this report so the viability appraisal remains under review and the Officer's assessment of that will be reported verbally to the DC Committee meeting.

- 6.13** The justification and requirement to expect affordable housing to be considered across both sites arises from Local Plan Part 2 Policy H2: "Delivering affordable housing on phased or cumulative developments":

"Where residential sites are proposed adjacent to a recently permitted scheme (within the past 3 years) and identified as phased or cumulative development, as evidenced in addition to one or more of the below criteria, the affordable housing requirement will be calculated based on the total development (i.e. the site subject to the application together with any adjacent plots meeting the criteria below), and not treated individually.

- a. The application site is the same ownership as one or more adjacent plots of land.*
- b. There is evidence of previous applications for development of a larger site of which the application site forms a part of.*
- c. The site is contiguous to a development that has been either:*
 - under construction or completed in the years prior to the application being made; or*
 - has been granted planning permission or approval of reserved matters within the last 3 years and remains capable of implementation."*

- 6.14** As such, where residential sites are developed separately through cumulative development, the affordable housing requirement will be calculated based on the total development (i.e. the site subject to the application together with any adjacent plots and shall not be treated individually).

- The criteria for assessing this are set out in the policy (and only one needs to apply for the policy to apply).
- This application taken with the other received do appear to meet criteria (a), when the application site is the same ownership as one or more adjacent plots of land.
- Criterion (b) requires that there be evidence of previous applications for development of a larger site of which the application site forms a part of; given the recent submission of the other application, this criterion is regarded as met.
- Criterion (c) is also considered to apply in that the plots are adjacent, and the supplementary clauses are there to cope with developments that have occurred sometime before, but the intent of the policy remains to prevent avoidance of affordable housing requirements by repackaging sites into smaller portions.

- 6.15** It is considered that considerable weight can be accorded to the emergent policy (in accordance with NPPF paragraph 48) as it was subject to modifications by the Planning Inspectorate within the LPP2 examination and adoption process in a manner which strengthened the policy by clarifying its intended application, but is not subject to any outstanding objections from consultations and will therefore be taken forward for adoption in December.
- 6.16** Furthermore, adopted Core Strategy policy CS4(a) states: *“In order to decide whether a particular site exceeds the requisite size thresholds set out above, the Council will assess not only the proposal submitted but also the potential capacity of the site.”*. Given the lower-than-minimum density proposed, this further indicates that the site itself and in combination with the adjoining land may have capacity to provide affordable housing or be considered to fall within the affordable housing threshold.
- 6.17** Policy CS4 supporting text 4.4.4 explains further:
- “Where land that is above the threshold is subdivided to create separate development schemes, all or part of which fall below the threshold, the land will be considered as a whole, and affordable housing sought on each scheme. In addition, if permission were granted for development below the threshold and a subsequent application was made on adjacent land controlled by the developer when the first permission was sought, the council would treat both sites as a single entity and expect full affordable provision to be made through the second permission.”*
- 6.18** The requirement could be set aside only if the development of both the individual site and the combined site are considered to be unviable to provide affordable housing within the sites or as an off-site contribution. Following independent examination, if the affordable housing expectation is to be waived, Officers would need to be satisfied that the appraisal of both sites demonstrates that affordable housing contributions would render the land incapable of development.

Principle of development – loss of community facilities

- 6.19** Policy CS15 - Providing and protecting community assets and green infrastructure, identifies schools, colleges and other educational facilities as being of value and requires the Council to resist the loss of important community facilities unless appropriate alternative provision of equivalent or better quality facilities is made in a location accessible to current and potential users or a detailed assessment clearly demonstrates there is no longer a need for the provision of the facility in the area. This is reiterated in emerging LPP2 policy C1.
- 6.20** While no information has been provided to address these requirements, it is clear that this site was surplus to current educational needs and sold on that basis by the Education Authority. Given the emergent policy GSP1 which does

not specifically protect the site any longer, little weight is accorded to adopted policy CS15 or emerging policy C1 in this particular instance.

Design and amenity

- 6.21** Retained policy HOU7 from the 2001 Local Plan is permissive of development within settlement boundaries (which this site is accepted to be), however there is a requirement that proposals should not be significantly detrimental to the form and character and setting of the settlement. This test might be deemed to be passed as “significant detriment” is likely to be considered a high benchmark, but it is noted that HOU7 has a limited remaining period of relevance due to the impending adoption of the Local Plan Part 2.
- 6.22** Of greater relevance is the more recent adopted 2015 Core Strategy policy CS9 which starts by stressing the importance of “High Quality” design, and this threshold is therefore considered to require a better design standard from the first principle, rather than assess applications against a policy which only seeks to ensure a scheme does not create “significant harm” (as HOU7 does).
- 6.23** Furthermore, emerging Local Plan Part 2 policy A2 and policy E4 set out clear expectations for design to achieve high standards, and these are consistent with the requirements of the National Planning Policy Framework. As such, the policy context and direction of travel is clear: developments must respect and positively enhance the local character of the area through design.
- 6.24** Adopted Policy CS9 - "Encouraging well-designed, distinctive places" also considers matters of amenity both for existing and future residents. This proposed development creates problems both in regard to privacy for neighbours and for residents within the scheme. Furthermore, the design aesthetically is inferior to the building that has been lost and is not in keeping with the character of the local area.
- 6.25** The three-storey terrace will be dominant in relation to its neighbours, because of the overall bulk (for example it could make use of design features such as attic rooms to reduce this). The introduction in the revised designs of slight forward stepped end gabled elements actually increases the bulk in comparison to the first proposal and barely offers articulation to the form that otherwise might help break up the bulk.
- 6.26** As a result the development is severe and imposing and rather utilitarian, lacking interest, relief or sense of identity between units or across the site. The unbroken roof form and building line also make the scale and appearance unacceptable and out of keeping with the character of the surrounding local residential area. These concerns for visual amenity and quality of design apply across the site and not just to the façade facing Lichfield Road as the rear courtyard and flats are also prominent and visible from various perspectives.
- 6.27** There is also a high likelihood that all the available frontage to Lichfield road will be occupied by parking but nothing is designed-in to the scheme to break up

the car-dominated setting. The effect will be to create a car-dominated streetscene which is unattractive and unwelcoming and may discourage and possibly also physically hinder pedestrian movement and access along Lichfield Road towards the neighbouring school to the south.

- 6.28** The windows on the first and second floor all face directly across the street, though the stepping back to allow forecourt parking does mean that the privacy would be better than in many terraced streets in terms of the relationship at first floor level. However the second floor, necessary to achieve some reasonable exploitation of the site, does create overlooking from a higher vantage point, that again might be addressed by using roof windows rather than conventional windows within the façade. It is noted that the school was a tall but single storey building, with no overlooking, but nevertheless the impact from this relative change in privacy proposed, affecting the neighbours, is considered a materially more harmful proposal and unacceptable, and does not exploit the site opportunities to provide an improved relationship between existing and future residents.
- 6.29** To the rear the direct overlooking relationship is only 16.5m between proposed terraces and flats which is substantially less than that which would allow an appropriate sense of privacy for future occupants. This is exacerbated by the raised height of the flats and the very limited garden spaces available to the terraced houses, which is very small and considered unacceptable for a family dwelling in terms of both space available and quality thereof.
- 6.30** A suggested means to lower the terrace row's roof and add projecting bays with lateral facing windows in a modern idiom, suggested by Officers, was rejected as too expensive to realise given low housing values in Southtown, but no evidence was supplied to support that statement.
- 6.31** In terms of additional policy support in this regard, emergent policy A2, design, section b. Identity, says: New homes should be architecturally locally distinctive, innovative and visually attractive through the scale and proportions, use of materials, facades and detailing. This should not prohibit contemporary architecture. This is considered to expect higher yet design standards, in line with central government's National Design Guide (January 2021).

Policy A2 goes onto state: "Planning applications will be refused for housing development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account the above criteria and the National Design Guide and any future local design guide/code."

The NPPF paragraphs 126, 130, 131 and 134 also expect a high standard of design and states that development that is not well designed should be refused.

Highways and access

- 6.32** The objection received from County Highways was made before the revised scheme was provided. The revised scheme now shows larger garages and sufficient space for additional vehicles on the paved forecourt. Refusal on highway related grounds is not suggested on those grounds alone, and the updated response from County Highways shows they do not object to the proposals.
- 6.33** However, it must be recognised that many elements of a scheme's design and layout must come together to create a suitable form of development that will avoid an unacceptable highways impact. In this development it is considered unacceptable that there is such a dominance of parking, with restricted access into the site, and no means for non-car access and safe manoeuvring within the site. Taken together the scheme represents over-development that is considered likely to lead to a detrimental impact on the local amenities and hindrance to safe and free flow of traffic and parking provision in the vicinity.
- 6.34** The garages for the town houses, in the revised scheme measure 2.8 x 6m which falls short of the 3 x 7m in the County Council's Parking Standards, but with two frontage parking spaces this is not a critical failing. The other lock up garages exceed the standard at 3 x 8m.
- 6.35** The space between the terraced rear gardens and the lock-up garages appears able to park a car in front of a garage and still turn into / from other garages, effectively allowing a parking space in front of each lock-up. If the 10 garages, the spaces in front of those, and the 9 nursery parking spaces are all used this could result in up to 29 cars parking behind the terraces all accessed from Lichfield Road, in addition to the 12-18 spaces (2 spaces & garage per terrace) available in front of the terraces.
- 6.36** There are no dedicated proposed cycle storage areas nor convenient access from the rear terrace yards which rely on gated passage to the rear parking courtyard. The access into the courtyard does not offer any safe or dedicated pedestrian route to the rear parking area and flats above the lock-up garages.
- 6.37** There are no proposals offered for either the management of the nursery spaces, nor the hours of use or management of the lock-up garages. There are no proposals to justify non-ancillary storage (residential or otherwise) in this site where the highways capacity and proximity of residential (existing and proposed) is unlikely to make a compatible neighbour. It would be difficult to monitor use of the garages through planning condition to ensure they were used for non-commercial means, and it would be unreasonable to require use only by residents of this scheme or existing local residents. As a non-ancillary B8 storage use unrelated to this development of housing, this part of the scheme is considered unacceptable in both principle and highways and amenity terms.
- 6.38** The applicant has proposed that the double-yellow line parking restrictions on the east side of Lichfield Road could be moved to the west side in front of this site. The Highway Authority has not mentioned this specifically but if an application were considered favourably a condition could be used to require promotion of a TRO through the local highway authority, but there is no

guarantee that a TRO would be successful nor that allowing parking opposite the frontage parking on this site would be acceptable (due to the narrowing of the carriageway). It is considered that little weight should be given to this element of the scheme.

Historic Environment

- 6.39** The demolished school was not listed and not in a conservation area, however the building was of quality and heritage value (as evidenced by the use of architectural salvors to remove terracotta parts) and certainly within the description of being an undesignated heritage asset. Demolition does represent development, and the loss is therefore a material planning consideration and should inform decision making to some extent in raising the expectation for a replacement building of similar or better quality. This is considered in line with National Planning Policy Framework (2021) section 16 “Conserving and enhancing the historic Environment” where Paragraph 194 requires sufficient detail to be provided to describe the significance of the heritage asset proportionate to the assets' importance and the submitted Design and Access Statement is mute on heritage matters. Paragraph 203 requires that weight should be applied to planning judgements where a non-designated heritage asset is lost.
- 6.40** Policy CS10 Conservation of the Historic Built Environment expects applications to preserve or enhance heritage assets. Because the original building has been demolished, preservation of an undesignated asset has not occurred and the proposal by way of its plain form and excessive bulk is considered not to offer enhancement in comparison to the building that had occupied the site.

Ecology and landscaping

- 6.41** The development should have been subject to a prior notification application being submitted to the local planning authority for their approval of the method of demolition and proposals for site restoration. That did not take place and it is not clear if the developers undertook any pre-demolition bat surveys, which should have been done given the age and uninhabited condition of the building. As the Council's ecological consultant states, had they not been demolished the development should be subject to a Preliminary Roost Assessment (PRA) for bats. It is not known if the development has caused a loss of habitat or protected species, and nothing has been proposed in mitigation / remediation, nor biodiversity enhancement.
- 6.42** Notwithstanding past events, the development could be rendered acceptable in ecology terms by providing enhancement measures. Nothing is proposed but could potentially be required by conditions requiring a Biodiversity and Ecology Enhancement Plan, for example.
- 6.43** The application has not offered any landscaping which might prove a beneficial

asset for breaking up and softening an otherwise hard environment. Whilst it is noted that the current site and immediate surroundings have no or little softer areas either, it is still nevertheless considered necessary to introduce some or urban landscaping planting to offer improved visual amenity and environmental enhancement and recognition of the need to help address climate change.

- 6.44** The importance of this is recognised in emerging Policy E4 to which considerable weight can be attached: *“Developments should include landscaping schemes as appropriate to the size and nature of the development in order to mitigate impacts on and where possible enhance the local landscape character.”*
- 6.45** As proposed the application fails to address adopted policy CS11 and emerging policy E4 and fails to meet the expectations of the National Planning Policy Framework (eg. paragraph 131), and has not justified why a decision should depart from these.

Flood risk

- 6.46** Emergent Policy E1: Flood risk, directs the operation of the Sequential Test for residential development and carries weight in this case: For sites within Great Yarmouth Town (as this is) the area of search for alternative sites can be limited to Great Yarmouth Town.
- 6.47** In attempting to demonstrate that the scheme addresses the Sequential Test requirements, the applicant has supplied a letter from an agent stating that no other sites are currently available in a lower flood risk area which have similar capacity for 12 dwellings and 10 private garages within the Great Yarmouth urban area. The statement provided is considered realistic when assessing the extent of flood zone 3 across the town's urban area and the limited number of underused / vacant sites where permissions, applications or policy allocations don't already apply.
- 6.48** If it is accepted that the developments cannot be accommodated in a lower flood risk area, applications require a Flood Warning and Evacuation Plan and this has been provided and covers this and proposes construction methods to mitigate impact. A compliance condition could be applied, to establish floor levels, escape routes and emergency access / refuge etc, were approval recommended.

Surface water drainage

- 6.49** There have been no recorded groundwater flood events across the area between 2000 and 2003, as indicated by the Jacobs study. Figure 5 of the Great Yarmouth Surface Water Management Plan (SWMP) dated 2014, shows that the site is not at risk of groundwater flooding. Figure 6 of the SWMP indicates that there have been no historical incidents of groundwater flooding at the site.

- 6.50** The Environment Agency's Surface Water Flood Risk Map (Figure 10) indicates that there is a very low surface water flooding risk (i.e. less than 1 in 1000 year chance). Figure GY_16 of the 2017 SFRA shows that the site would not be affected during the climate change 1 in 100 year event.
- 6.51** The former site was already covered by hardstanding so the run-off and contribution to surface water flood risk is not increased by this proposal, and a requirement to provide sustainable drainage schemes only applies to developments of 10 or more dwellings, in order to reduce flood risk elsewhere.
- 6.52** No sustainable drainage scheme has been proposed and the application expects to drain to the mains sewer network so this would not meet the tests for the drainage hierarchy, but it is no worsening of the current situation and policy would not support requiring its provision.

Local Finance Considerations

- 6.53** Under Section 70(2) of the Town and Country Planning Act 1990 the Council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus, or the Community Infrastructure Levy (which is not applicable to the Borough of Great Yarmouth). Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority, for example.

Habitats Regulation Assessment

- 6.54** The site lies within the Orange Habitat Impact Zone more than 400m but less than 2.5Km from an internationally protected wildlife site and appropriate mitigation is required for addressing the legal requirements of the Habitat Regulations Assessment process (HRA) is required. The applicant has provided a HRA report which is acceptable, and the necessary mitigation has been provided by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling).

7. The Planning Balance

- 7.1** It is considered that the site is appropriate for some degree of residential dwelling development in principle, given the emergent policy background.
- 7.2** However, as presented the development does not make best use of the potential capacity within the application site area as represented by the under-provision of homes in comparison to minimum density expectations.

- 7.3** The potential for detrimental impacts to be caused by comings and goings and use of garages unrelated to this site, for which there is no demonstrable need or justification, is unacceptable in principle of use of land and in practical design.
- 7.4** The proposal fails to provide a design appropriate to the site as a result of overbearing scale, poor resultant privacy for existing and future residents, and a failure to provide a building to enhance the area when compared to the lost undesignated heritage asset.
- 7.5** The layout constraints, designs and competing uses within the site proposals also represent overdevelopment of the site, with questionable safety and practicality in the site circulation, and little scope for safe and inviting access by means other than the private car. This is exacerbated by the absence of proposed management of the space and lack of clarity about the use of parking for the nursery building area.
- 7.6** The minimal amenity space offered to future residents, in combination with a lack of landscaping to soften a hard environment, creates an unacceptable living environment and poor urban design, and is not supported.
- 7.7** In combination with the application for the adjoining site (06/21/0796/F) the division of the wider site into two parts is considered to create a situation where policy requires an affordable housing contribution. If this development independently is considered to be viable, or if development of this site in combination with the adjoining site is deemed to be viable, with some degree of affordable housing provision or contribution, this application would be contrary to both emerging and adopted policy. However, the planning balance would shift if appraisal is deemed convincing by independent review and the scheme is deemed unviable with affordable housing, but the physical demerits identified would remain.
- 7.8** The only public benefit offered in this proposal is the provision of additional open-market residential units on a brownfield site, but this is not an allocated site and the Council's healthy 5-year supply position does not rely on this site to maintain an up-to-date development plan. Therefore, there are not considered to be any material considerations which weigh sufficiently in favour of this application to justify taking an opposing view to that of the development plan's requirements for a scheme of improved quality overall.
- 7.9** Refusal of this application is both consistent with the adopted local development plan, and supported by emerging policy, and is in line with the expectations of the National Planning Policy Framework and National Design Guide.
- 7.10** The decision maker should be mindful that the principle of residential development in this location is considered acceptable. However, because these failings are considered capable of being overcome to some degree through a reappraisal of the site layout, uses and possibly density, whether or not in combination with the adjoining site, but presently only a slightly revised scheme has been offered, a timely refusal is suggested in order that a further application might be submitted with substantial improvements required.

8. Conclusion

8.1 The application is recommended for refusal on the following grounds:

- Inappropriate provision of B8/sui generis lock up garage storage uses.
- Design.
- Amenity.
- Overdevelopment, including compromised accessibility and safety of non-car users and absence of landscaping.
- Non-compliance with emergent policy on density and under-supply of housing in the application site.

Furthermore, Officers will need to report to the Development Committee meeting whether there is potentially an additional reason for refusal on grounds of:

- Potential non-compliance with policy on affordable housing provision in combination with the adjoining site.

However, the inclusion of this reason for refusal is subject to a review of a viability appraisal submitted, the findings of which will be reported verbally to Development Committee at the meeting.

9. RECOMMENDATION: -

Refuse the application on the following grounds of:

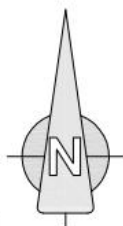
1. Provision of mixed uses without reasoning and management proposals;
2. Poor design;
3. Unsuitable and inadequate amenity for future residents;
4. Unacceptable detrimental impact on amenity for neighbours;
5. Overdevelopment of the site that does not enhance local character nor include landscaping provision, and no other forms of biodiversity enhancement;
6. The unjustified under-supply of housing in this application site; and,

[possibly – with final recommendation to be confirmed at the Committee meeting]

7. Non-compliance with policy on affordable housing provision in combination with the adjoining site.

Appendices:

- Appendix 1 Location plan
- Appendix 2 Site layout plan
- Appendix 3 Proposed floor plans and elevations – terrace row houses 1-6
- Appendix 4 Proposed floor plans and elevations – flats 7-9 and garages
- Appendix 5 Site Aerial View



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Planning

client:

**Hammond Property
Developments**

location:

**Lichfield Road
Great Yarmouth**

title:

Site Location Plan

scale @ A4:

1:1250

date:

March 2021

project no:

8284

drawn by:

CS

approved:

BH

dwg no:

P05

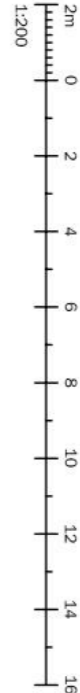
revision:

A

A	04.08.21	Red and blue lines adjusted.	KC
rev:	date:	description:	by:

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KEY: ☒ SNB - Vivara pro woodstone house, sparrow nest box (9 NO) between 2 and 4 metres up.



rev	date	description	by
D	05.08.21	Blue lockers added to gardens. Nine woodstone house sparrow nest boxes added between two and four metres up.	KC
C	04.08.21	Red and blue lines adjusted. Garage on to Lichfield Road omitted. Posts 1 & 6 windows omitted.	KC
B	28.07.21	Main house plans adjusted. Garage/flux KC positions adjusted. Rear house gardens to improve vehicle access to gardens.	KC
A	27.04.21	Note added regarding double yellow	CS



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client: **Hammond Property Developments**
location: **Lichfield Road Great Yarmouth**
title: **Proposed Site Layout**

scale @ A1: **1:200**
drawn by: **CS**
date: **March 2021**
approved: **BH**
project no: **8284**
dwg no: **P01**
revision: **D**

Planning

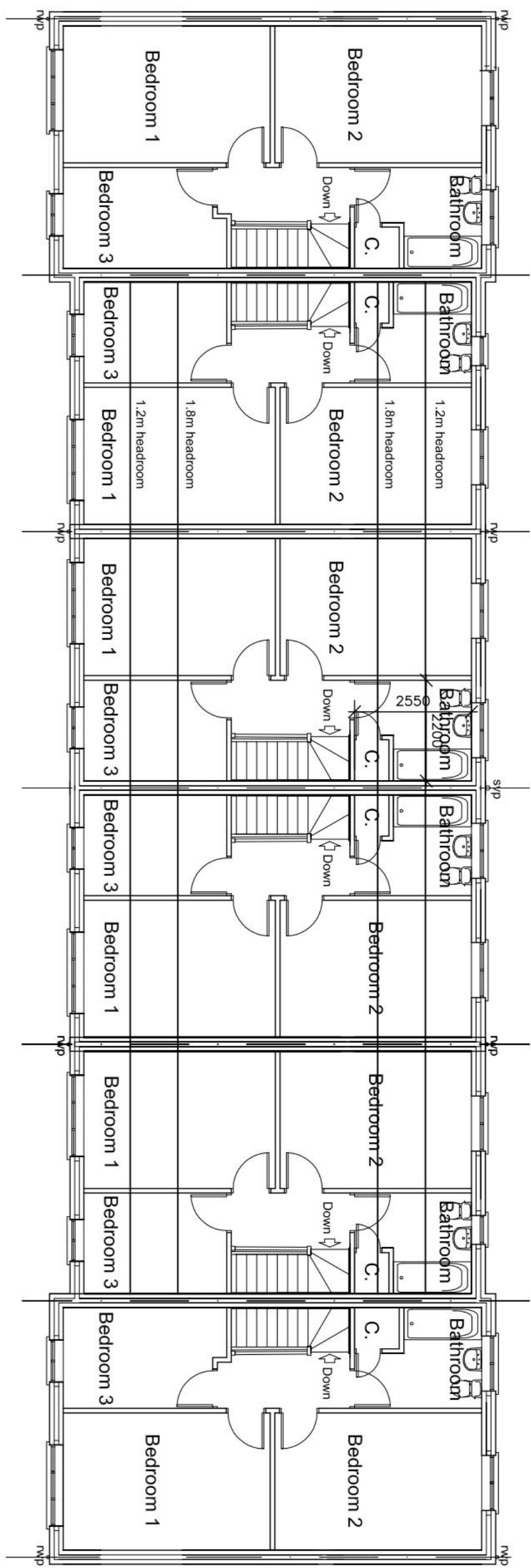
Proposed Site Layout
Units 1-9

Scale - 1:200

North College

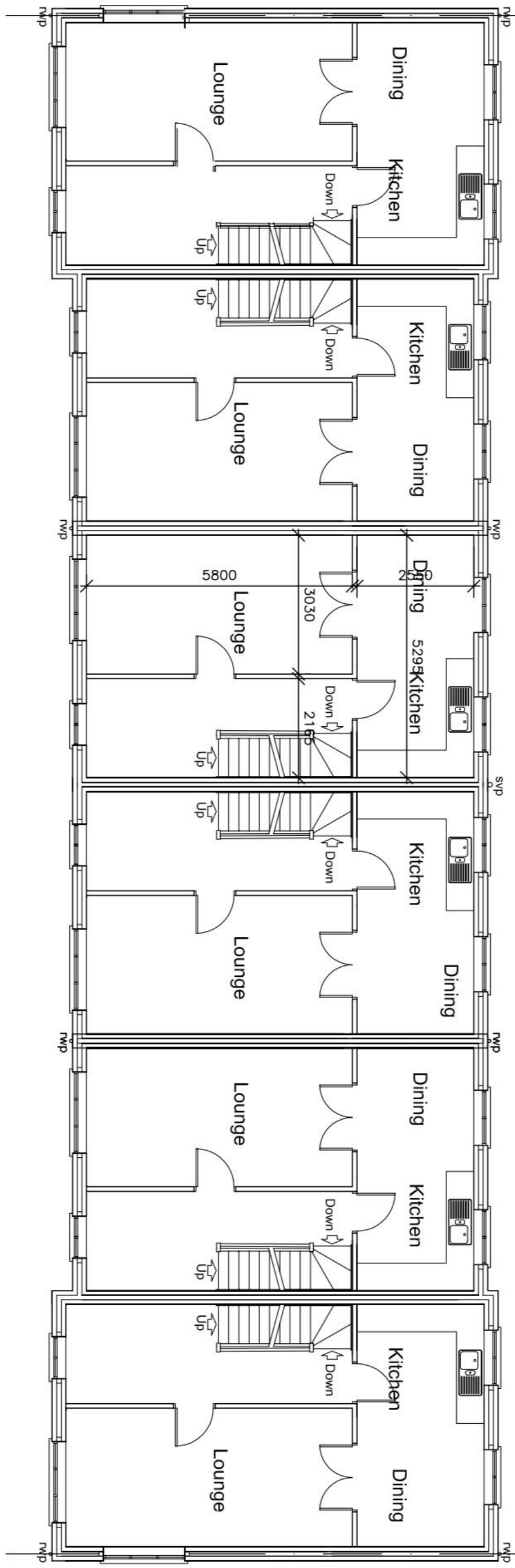
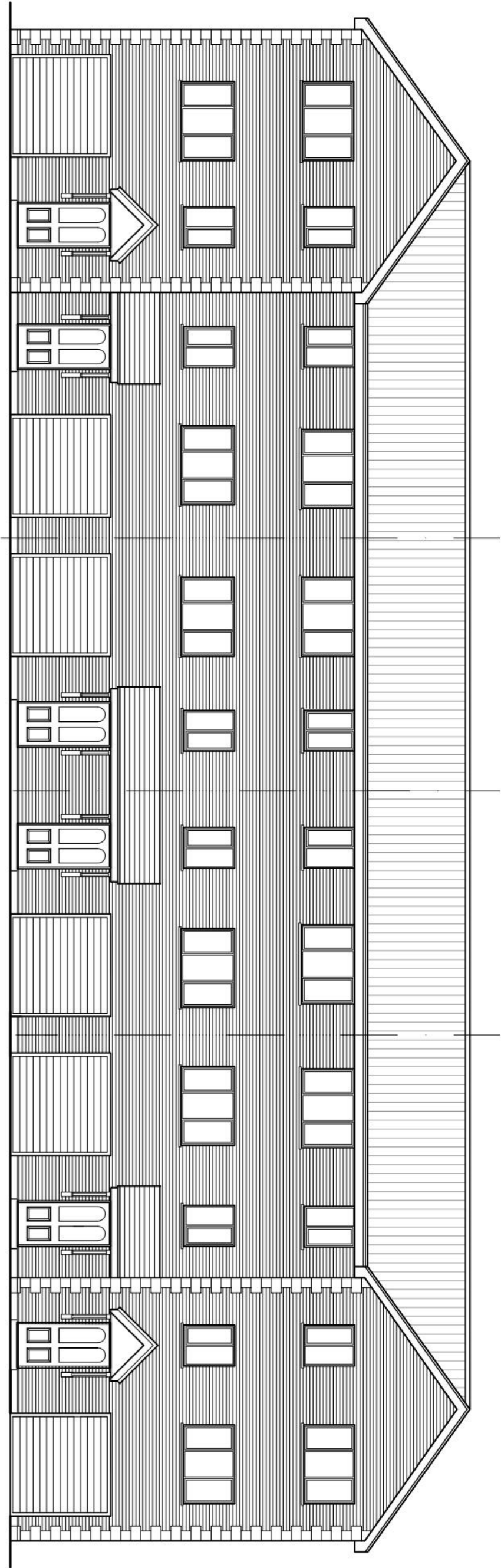
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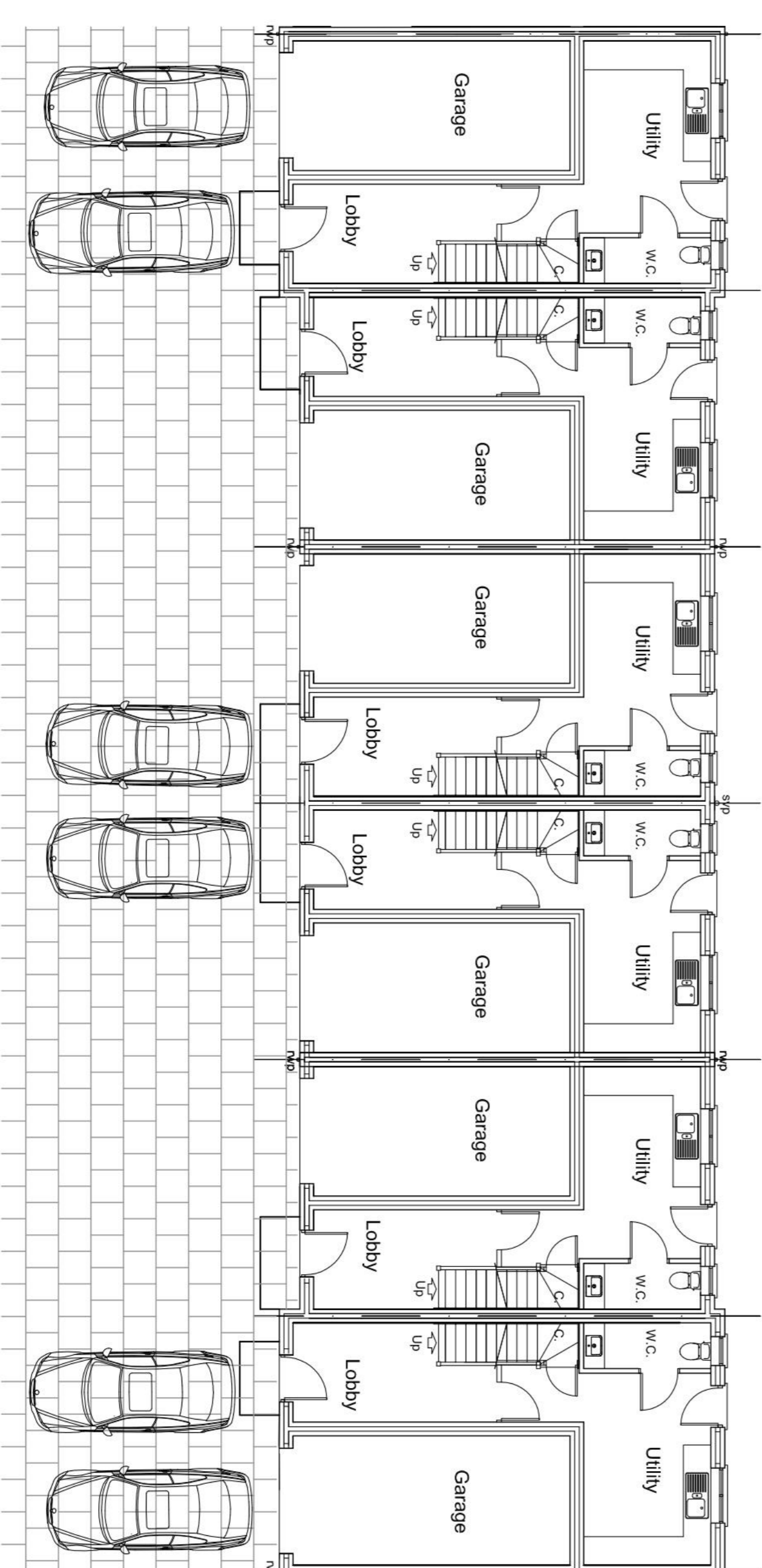
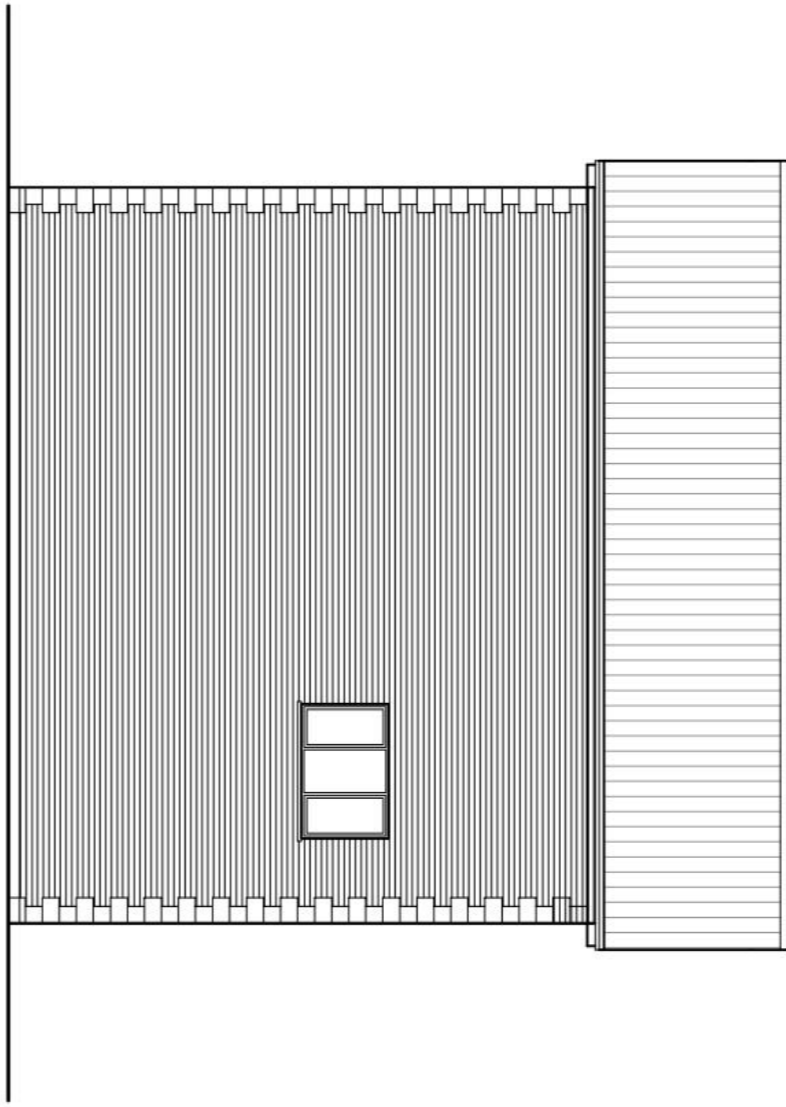
Proposed Second Floor Plan
Plots 1-6

Proposed Front Elevation
Plots 1-6

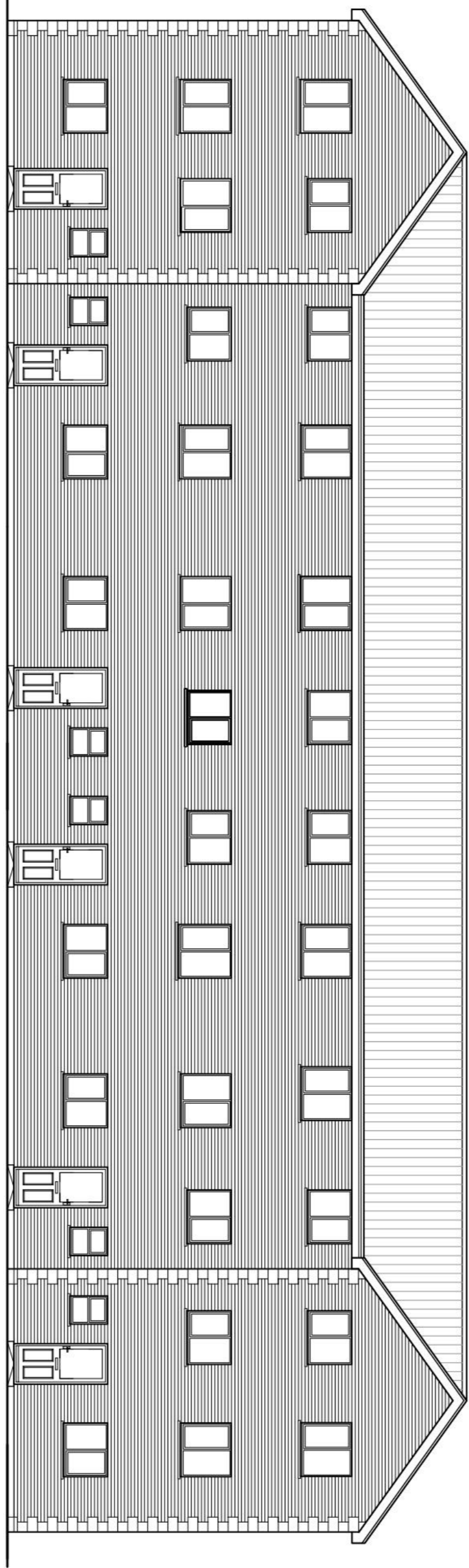


Proposed First Floor Plan
Plots 1-6

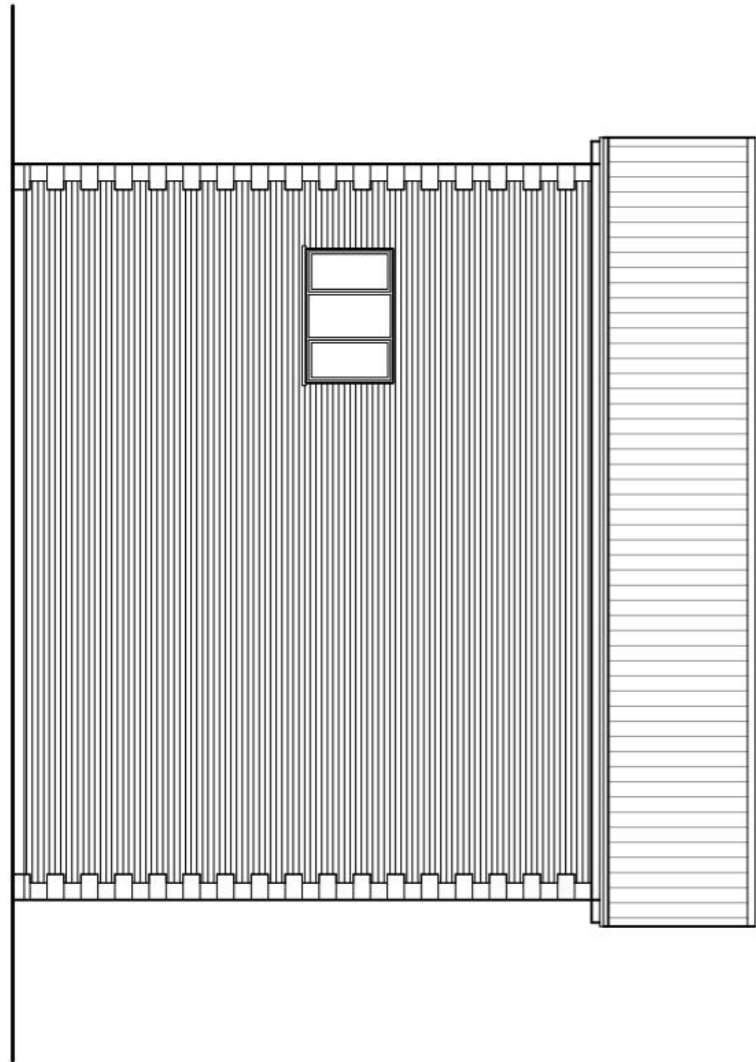
Proposed Side Elevation
Units 1-6



Proposed Ground Floor Plan
Plots 1-6



Proposed Rear Elevation
Plots 1-6



Proposed Side Elevation
Units 1-6

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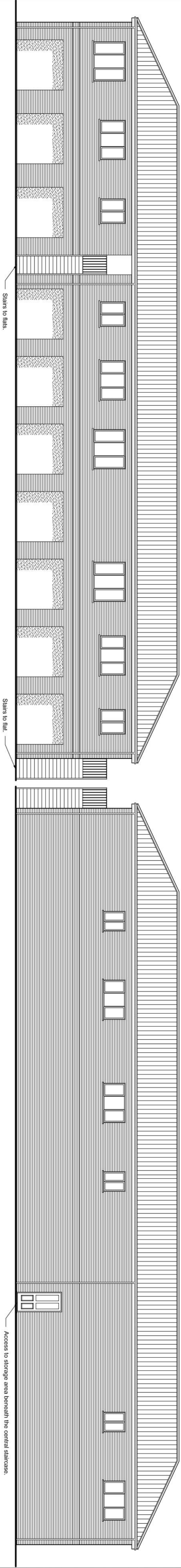
rev	date	description	by
D	05.08.21	First floor side elevation windows moved to the front elevation to bedroom one.	KC
C	04.08.21	Windows and garages omitted.	KC
B	27.07.21	Adjusted to incorporate gabled end units.	KC
A	29.04.21	First floor height increased by 150mm.	CS

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client:
Hammond Property Developments
location:
Lichfield Road Great Yarmouth
title:
Proposed Floor Plans and Elevations Plots 1-6
scale @ A1:
1:100
drawn by:
CS
date:
March 2021
approved:
BH
project no:
8284
dwg no:
P02
revision:
D

Planning

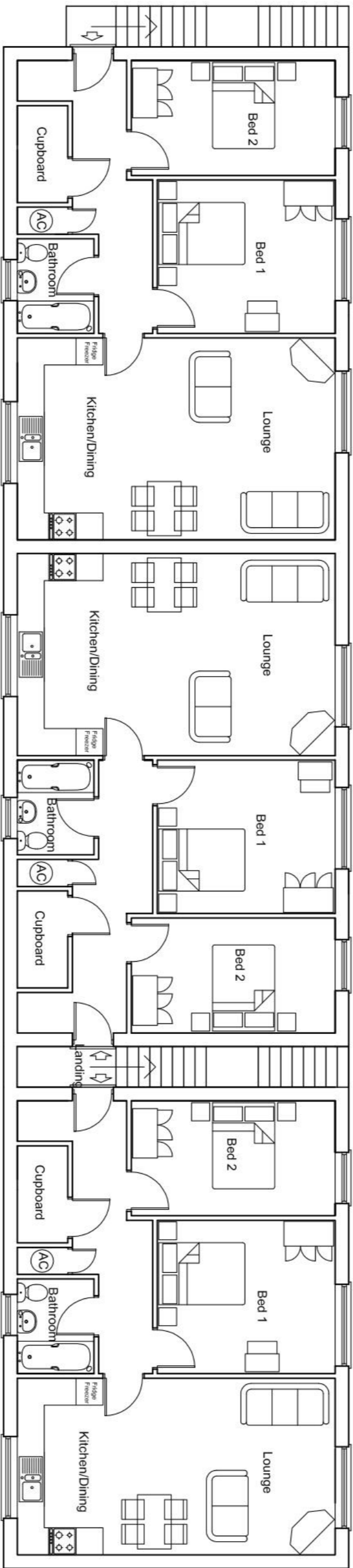


Proposed Front Elevation Plots 7-9

Scale - 1:100

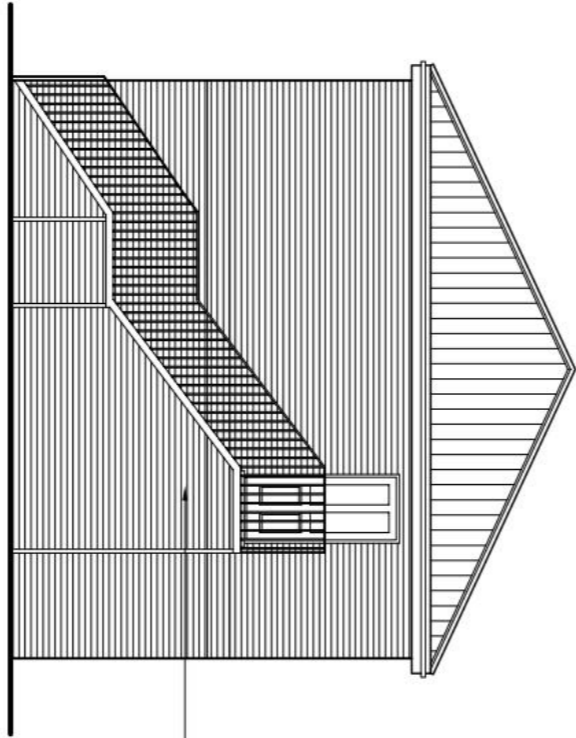
Proposed Rear Elevation Plots 7-9

Scale - 1:100



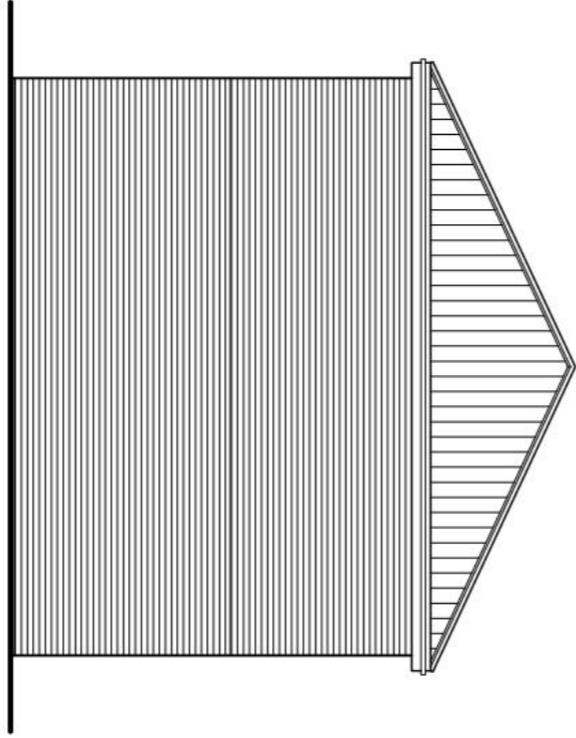
Proposed First Floor Plan Plots 7-9

Scale - 1:100



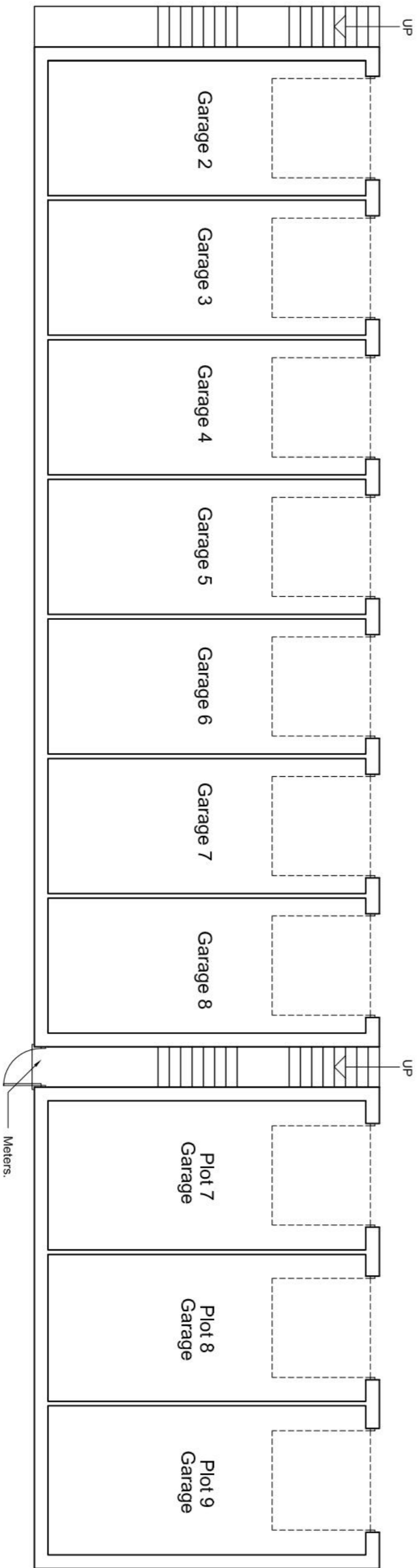
Proposed Side Elevation Plots 7-9

Scale - 1:100



Proposed Side Elevation Plots 7-9

Scale - 1:100



Proposed Ground Floor Plan Plots 7-9

Scale - 1:100

Planning

client:	Hammond Property Developments
location:	Lichfield Road Great Yarmouth
title:	Proposed Floor Plans and Elevations Plots 7-9
scale @ A1:	1:100
drawn by:	CS
date:	March 2021
approved:	BH
project no:	8284
date rev:	P03
revision:	A

client:	Paul Robinson PARTNERSHIP ARCHITECTURE + SURVEYING
location:	6 Octagon Business Park, Hospital Road, Little Plumstead, Norwich, Norfolk NR1 3JF
title:	Proposed Floor Plans and Elevations Plots 7-9
scale @ A1:	1:100
drawn by:	CS
date:	March 2021
approved:	BH
project no:	8284
date rev:	P03
revision:	A



LB

Reference: 06/21/0796/F**Parish: Great Yarmouth****Officer: Chris Green****Expiry Date: 15-11-21****Applicant: Warrens Anglia Ltd****Proposal: Proposed demolition of remainder of former school buildings and construction of a terrace of 5 houses with garages****Site: Ex- Edward Worlledge School Site, Land West side of Lichfield Road, Great Yarmouth****REPORT**

This application is brought before the Development Control Committee as the landowner at the time of application being submitted is a company whose owners and Directors are two serving Borough Council Councillors, Cllr Paul Hammond and Cllr Donna Hammond, and their immediate family member, Mr Lee Hammond. The land at both this application site and some adjoining land which is material to the determination of this application is also owned by the same company. As such this application was reported to the Monitoring Officer on 01 December.

1. The site

- 1.1 This site is on a smaller part of the land formerly occupied by the Edward Worlledge school building, a late 19th or early 20th century single storey school building. Parts of the school have been demolished and the larger adjacent site cleared. Although the original school building has been partly removed there remains on this smaller site two bays, initially retained for nursery use, though this use is now confirmed as not continuing, leading to this application to redevelop the site for residential purposes.
- 1.2 Although technically single storey, the remaining former school building features the typical high ceiling rooms of the traditional school and features a slate roof with terracotta parapet and lintels and other architectural embellishments.
- 1.3 The remnant two bays of the school comprising this application site were last used as a nursery facility, though it is understood that this role has now ceased. A war memorial that had been within this part is reported contractually as being required to be re-sited as part of the private sale contract with the education

authority. This is not part of the application but is only a planning consideration in that it is a non-designated cultural/ heritage asset.

- 1.5 The adjoining cleared land to the south and west forms application site 06/21/0356/F. As the adjoining land covered by application 06/21/0356/F is within the ownership of the applicant at the time of the application both become a material consideration in the determination of this current proposal. This position is established in case law.

2. Site constraints / context

- 2.1 This application site is part of land formerly dedicated to education and as such is shown as being outside the urban area on the current proposals map and therefore would ordinarily be subject to consideration under policies relating to land outside the defined development limits / urban area.
- 2.2 However, the emergent Local Plan Part 2 policy GSP1 physical limits, and associated revised proposal map, does show that this site will be within the urban area development limits once that plan is formally adopted. Given the advanced state of this (with no objections from the public or modifications asked for) this is considered to carry greater and significant weight. In practice the site is surrounded by areas of terraced housing to the east and north and has the character of an urban setting.
- 2.3 The whole site is in a high-risk flood zone (Zone 3). A site-specific flood risk assessment is included but that relates to the development proposed at the adjoining land and is the same report used for application 06/21/0356/F, which means the flood safety precautions cannot be assumed to be relevant to this fully detailed application development. The applicant has not supplied any evidence for the sequential test purposes to show that there are other available sites of similar capacity within the Great Yarmouth urban area in a lower flood risk area.

3. Proposal

- 3.1 The proposal for 5 dwellings on the site is a row of three-storey town houses terraced together and fronting Lichfield Road. These have garaging and utility rooms to the ground floor and living accommodation at first and second floor surmounted by a ridged roof with gabled dormers over each plot along the whole terrace.
- 3.2 The terrace is set back from the highway by the depth of a parking bay (scaling at just under 6m), giving a distance between the terraced housing existing opposite and the proposal of 20m.
- 3.3 Integral garaging is shown, measuring 6 x 2.9m internally. This is below the 3 x 7m standard set out in the County Highways recommended parking standard for the interior of garages, which is intended to allow a car (5m) & storage space for things like whitegoods appliances and cycles.

- 3.4 Each terrace house has a private rear garden measuring approximately 11m and 52sqm area, and being similar to the footprint of the dwelling.
- 3.5 However, it is not clear how much of the site the built development occupies and rear garden access is not shown in the plans. Bin storage may have to be located at the front but would require a suitable design solution, but if there was no rear garden access this would preclude cycle storage unless at the front and compromise use of the garden. Given there is a private access path along the north side of the site it may be intended to access gardens from there, but that would need to be clarified. The Committee will be updated verbally.
- 3.6 Behind the terrace houses and their gardens, on adjoining land, there is a flat roof single-storey shed / storage building remaining from the school. This is part of the adjoining site and in the planning application for that site there are proposed to be nine outside parking bays shown proposed for use as 'nursery parking' although the nursery use has finished the ex-nursery building would be removed if this scheme is approved and the building demolished.
- 3.7 Within the Design and Access Statement the applicant has proposed that the double-yellow line parking restrictions on the east side of Lichfield Road could be moved to the west side in front of this site.
- 3.8 Accompanying the proposal are the following documents:
- Planning Application Forms and Certificates of Ownership;
 - Application drawings as detailed on the Drawing Register;
 - Design and Access statement
 - Flood Risk Assessment and mitigation and evacuation proposals
 - Habitat Regulations Assessment

4. **Relevant Planning History**

Within this site there is no relevant history.

The site to the south is currently subject to an application for the following development:

06/21/0356/F: Erection of 9 dwellings comprising 6no. three storey, three-bedroom terrace houses with garages, and 3no. two-bedroom flats above 10no. additional garages; creation of 9no. additional parking spaces [Pending consideration].

5. Consultations:-

All consultation responses received are available online or at the Town Hall during opening hours

6 letters of objection and 0 letters of support are received.

Neighbour comments have been received as below (summarised):

- There will be overlooking from height.
- There is inadequate parking.
- Impact of previous demolition works with concrete breaking causing vibration.
- The scale, proximity and positioning of this proposed development to the existing neighbouring property at 90 Lichfield Road to the north would have a major impact on the 'right to light' from the south currently enjoyed by this property and create poor 'prison like' outlook
- The proposal should respect the current building line.
- Objection from the college that the relocation of parking restrictions will impact access into the college site for emergency vehicles
- Change in parking layout should be made before planning approval of these schemes.
- There will be conflict with garage doors, displacing parking.
- Excessive scale, two storey designs have been approved locally recently so flood zone 3 does not dictate 3 storey design.
- Property in Litchfield Road and Gordon Road will lose light.
- There will be inconsistent appearance with the other site.
- There is a sewer close by, that might be harmed by construction work.
- The ward councillor writes: Concerns regarding child safeguarding from overlooking, because it is a special school.
- Demolition was so badly conducted the remnant is unusable.
- Design is dominant and inconsiderate.
- Parking stress.

Ward Councillor Cllr Waters-Bunn: Objection.

I strongly object to this planning application. The proposed properties will block the natural light to the properties on the opposite side of the road. This proposal will also cause further parking issues on a street that is already very hard to find parking spaces in due to double yellow lines. This road is the main service road to the college for deliveries and this proposal will make this far more difficult.

These new homes will not fit in with the current street scene with all the other houses along the terrace having just a ground floor and first floor.

However, the biggest fear I have with this proposal is the safeguarding of the children in the school playground that these properties will overlook. How will the new owners / tenants of these homes be vetted? Overlooking a playground at a school that has a specialist resource base facility in it needs to be taken into account. These children are already vulnerable, and no school child should need to be worrying about who are looking at them when they are having their playtime or lunch breaks.

Consultations – External

5.1 Local Highways Authority – No Objection subject to conditions.

It is noted that the proposals include for amendments to the existing parking restrictions. Whilst the application does not detail the proposed changes, the principle is accepted as mitigation for the development and to retain on-street parking.

Clearly any amendments to the waiting restrictions would be subject to a detailed design and public consultation. Details of the access to the college may require partial retention of the existing waiting restrictions.

Unless the LPA require specific details of the proposed waiting restriction changes, given the fact that only the Highway Authority can promote the associated Traffic Regulation Orders, I am prepared to deal with this element by condition.

NCC Highways make no objection subject to conditions and informative notes:

1. The vehicular access crossing over the footway shall be constructed in accordance with a detailed scheme to be agreed.
2. A 2.4-metre-wide parallel visibility splay shall be provided across the whole of the site's roadside frontage.
3. The driveway length in front of the garages shall be at least 6 metres as measured from the garage doors to the highway boundary.
4. Prior to the first occupation the access, and on-site car parking shall be laid out, demarcated, levelled, surfaced and drained.
5. No works shall commence on the site until the Traffic Regulation Order for the amendment to existing waiting restrictions has been promoted by the Local Highway Authority.

5.2 Norfolk County Council – Ecology Service: No objection.

I would recommend that a bat survey is undertaken and submitted in support of the application due to its age.

5.3 Historic Environment Service (Archaeology) – No objection – conditions.

The proposed development affects a heritage asset; the former school opened in 1906 with imaginative arched design, and moulded terra cotta, subdivided areas of glazing and the symmetry which adds interest are a fine example of Edwardian architecture in an urban context. We note that the school buildings have already been largely demolished without a record being made, in violation of paragraph 205 of NPPF 2021. The remaining heritage asset is worthy of recording prior to its demolition. If planning permission is granted, we therefore ask that this be subject to condition for a programme of archaeological work.

5.4 Environment Agency: (précised) – No objection.

Following submission of further information that clarifies all habitable space is on the first floor and above, we have no objection providing that the LPA has taken into account the flood risk considerations which are its responsibility.

While the site lies within tidal Flood Zone 3a, it does benefit from the presence of defences. The ground floor will flood to a depth of 1.8m during 1 in 200 annual probability flood events. The depth is a “hazard to all” including emergency services. We do not object however as an Emergency Flood Plan and a Flood Evacuation Plan has been submitted by the applicant.

5.5 Internal Drainage Board notes the site is within their catchment and that while the licence regime is not part of the planning regime it can adversely affect the delivery of schemes with planning permission.

Consultation - Internal to GYBC

5.6 Environmental Health – (contaminated land, noise, air quality)

No comments received to date, but should be updated verbally to the Committee meeting.

5.7 Resilience officer: No objection.

I have reviewed the proposed design, Flood Risk Assessment and location and have no issues or concerns with the application proceeding

6. Assessment of Planning Considerations:

6.1 Planning law at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reiterated at and paragraphs 2 and 47 of the National Planning policy Framework (NPPF).

- 6.2** At the time of this DC Committee meeting the local development plan comprises the adopted Local Plan (2001) policies and the Core Strategy (2015). The emerging Local Plan Part 2 (LPP2) has received support from the Planning Inspectorate and is due to be considered for adoption on 09th December 2021, and those policies will replace the Local Plan 2001 and modify some policies of the Core Strategy. The NPPF states at paragraph 48 that weight should be applied to emerging policies commensurate with the progress made towards adoption. As such it is considered that significant weight should be given to the policies within Local Plan Part 2 in the determination of this application.
- 6.3** Whilst the Council has an up-to-date development plan and 5-year-housing land supply the National Planning Policy Framework remains a material consideration but the development plan retains primacy.

Relevant Policies:

Borough Local Plan 2001: HOU7 (New housing within settlements)

Core Strategy 2013: policies CS9, CS10, CS15

Other material considerations:

Emerging policies of the draft Local Plan Part 2 (Final Draft) (LPP2):

- GSP1 (Development limits) *
- GSP8 (Planning obligations) *
- H3 (Housing density)
- H4 (Open space provision for new housing development) *
- A1 (Amenity)
- A2 (Design)
- E1 (Flood risk)
- E4 (Trees and landscape)
- E7 (Water conservation) *
- C1 (Community facilities)
- I1 (Vehicle parking for developments)
- I3 (Foul drainage)

The draft policies should be noted as some considerable degree of weight can be attributed to them in the planning assessment, given the stage of their preparation. Those marked * introduce new requirements should this decision be taken after adoption of the LPP2.

National Planning Policy Framework (2021):

- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change and flooding
- Section 15 – Conserving and enhancing the natural environment

- Section 16 – Conserving and enhancing the historic environment

National Planning Practice Guidance and National design guide (2021)

Principle of development – proposed uses

- 6.4** Demolition of the remaining parts of the school / nursery buildings in this site is accepted despite the loss of the former educational use if it helps realise improved designs and site potential.
- 6.5** The development within this application proposal offers new housing on an unused brownfield site. The Council has a healthy 5-year land supply position, and the ‘windfall’ development of new housing in accessible sites makes an important contribution to the housing supply, but it is not reliant on windfall sites to maintain the supply. Nevertheless this is a contribution of housing, and is a sustainable and accessible site.
- 6.6** Emergent LPP2 policy GSP1 (development limits) is considered to carry weight and places this site within the defined urban area thus making the location one considered to be sustainable and appropriate for housing.
- 6.7** Policy LPP2 H3 – The existing plot size of the terraces opposite is 118 square metres each and the new town houses on this site have a 139.2m sq curtilage with a 10.8m deep garden of 51.8m sq. In this location new housing should be at least 50 dwellings per hectare (dph); this site is 0.07ha in area so the 5 dwellings proposed represents a development of 64 dph, (when a reasonable allowance for developments to provide an access road is fed into the equation) so this development is over the minimum density expectation in policy H3. This density is not atypical of the terraced character of the local area.
- 6.8** The principle of a level of residential development in this location is therefore accepted, subject to meeting the criteria set out in the remainder of the development plan, in respect of highways impact, sustainability, design and townscape, landscaping and residential amenity, for example.

Principle of Development – Affordable housing

- 6.9** Although this application is for 5 dwellings and therefore below the government’s threshold set out in the National Planning Policy Framework for the requirement to provide affordable homes, the original and larger site of the school in application reference 06/21/0356/F combined with this site would total 14 dwellings, over the threshold.
- 6.10** The adjoining land was in the same ownership as this site at the time of application and this is a significant material consideration (for example planning case law Rugby School Governors v SoS for Env (1975) which looked at site ‘subdivision’ or disaggregation and in doing so identified piecemeal development as a material consideration in planning assessments). Together the two applications propose 14 dwellings (9 and 5 respectively). Providing a

total of 14 homes is above the GYBC threshold for affordable housing and triggers the requirement for a 10% contribution towards affordable housing within policy CS4 of the adopted core strategy in this area "Affordable housing sub-market area 3". Rounded up, this would equate to 2 affordable homes or a financial commuted sum to be provided in lieu of off-site provision of affordable housing (or a combination of on-site and off-site provision). This should be considered to be required until proven otherwise to be unfeasible, unpracticable and unviable.

6.11 A viability appraisal has not been specifically provided for this application but Officers are content that there are adequate grounds to rely on the information provided within a viability appraisal that was submitted for the application for 9 houses at the adjoining land (ref. 06/21/0356/F). That appraisal is up-to-date and relevant for use in this application and is considered a material consideration in the determination of this application because that viability appraisal proposes reasonable estimations and values for the development finance of all 14 dwellings across both sites. At the time of writing that viability appraisal is under review and the Officer's assessment of that will be reported verbally to the DC Committee meeting.

6.12 The justification and requirement to expect affordable housing to be considered across both sites arises from Local Plan Part 2 Policy H2: "Delivering affordable housing on phased or cumulative developments":

"Where residential sites are proposed adjacent to a recently permitted scheme (within the past 3 years) and identified as phased or cumulative development, as evidenced in addition to one or more of the below criteria, the affordable housing requirement will be calculated based on the total development (i.e. the site subject to the application together with any adjacent plots meeting the criteria below), and not treated individually.

a. The application site is the same ownership as one or more adjacent plots of land.

b. There is evidence of previous applications for development of a larger site of which the application site forms a part of.

c. The site is contiguous to a development that has been either:

- under construction or completed in the years prior to the application being made; or*

- has been granted planning permission or approval of reserved matters within the last 3 years and remains capable of implementation."*

6.13 As such, where residential sites are developed separately through cumulative development, the affordable housing requirement will be calculated based on the total development (i.e. the site subject to the application together with any adjacent plots and shall not be treated individually).

- The criteria for assessing this are set out in the policy (and only one needs to apply for the policy to apply).

- This application taken with the other received do appear to meet criteria (a), when the application site is the same ownership as one or more adjacent

plots of land.

- Criterion (b) requires that there be evidence of previous applications for development of a larger site of which the application site forms a part of; given the recent submission of the other application, this criterion is regarded as met.
- Criterion (c) is also considered to apply in that the plots are adjacent, and the supplementary clauses are there to cope with developments that have occurred sometime before, but the intent of the policy remains to prevent avoidance of affordable housing requirements by repackaging sites into smaller portions.

6.14 It is considered that considerable weight can be accorded to the emergent policy (in accordance with NPPF paragraph 48) as it was subject to modifications by the Planning Inspectorate within the LPP2 examination and adoption process in a manner which strengthened the policy by clarifying its intended application but is not subject to any outstanding objections from consultations and will therefore be taken forward for adoption in December.

6.15 Furthermore, adopted Core Strategy policy CS4(a) states: *“In order to decide whether a particular site exceeds the requisite size thresholds set out above, the Council will assess not only the proposal submitted but also the potential capacity of the site.”*. Given the lower-than-minimum density proposed in the site adjoining this application, this further indicates that the whole area of both sites combined may have capacity to provide affordable housing.

6.16 Policy CS4 supporting text 4.4.4 explains further:

“Where land that is above the threshold is subdivided to create separate development schemes, all or part of which fall below the threshold, the land will be considered as a whole, and affordable housing sought on each scheme. In addition, if permission were granted for development below the threshold and a subsequent application was made on adjacent land controlled by the developer when the first permission was sought, the council would treat both sites as a single entity and expect full affordable provision to be made through the second permission.”

6.17 The requirement could be set aside only if the development of the combined site is considered to be unviable to provide affordable housing within the site or as an off-site contribution. Officers received a recent submission of a viability assessment (submitted for the adjoining site application) which looked at the viability of the two sites as one, but the accuracy of that appraisal needs to be considered and independently assessed.

Principle of development – loss of community facilities

6.18 Policy CS15 - Providing and protecting community assets and green infrastructure, identifies schools, colleges and other educational facilities as being of value and requires the Council to resist the loss of important community

facilities unless appropriate alternative provision of equivalent or better quality facilities is made in a location accessible to current and potential users, or a detailed assessment and where relevant evidence of marketing clearly demonstrates there is no longer a need for the provision of the facility in the area. This is reiterated in emerging LPP2 policy C1.

- 6.19** While no information has been provided to address these requirements, it is clear that this site was surplus to current educational needs and sold on that basis by the Education Authority; with this background in mind, little objection is raised to the loss of the former community facility.

Design and amenity

- 6.20** Retained policy HOU7 from the 2001 Local Plan is permissive of development within settlement boundaries (which this site is accepted to be), however there is a requirement that proposals should not be significantly detrimental to the form and character and setting of the settlement. This test might be deemed to be passed as “significant detriment” is likely to be considered a high benchmark, but it is noted that HOU7 has a limited remaining period of relevance due to the impending adoption of the Local Plan Part 2.
- 6.21** Of greater relevance is the more recent adopted 2015 Core Strategy policy CS9 which starts by stressing the importance of “High Quality” design, and this threshold is therefore considered to require a better design standard from the first principle, rather than assess applications against a policy which only seeks to ensure a scheme does not create “significant harm” (as HOU7 does).
- 6.22** Furthermore, emerging Local Plan Part 2 policy A2 and policy E4 set out clear expectations for design to achieve high standards, and these are consistent with the requirements of the National Planning Policy Framework. As such, the policy context and direction of travel is clear: developments must respect and positively enhance the local character of the area through design.
- 6.23** Adopted Policy CS9 - "Encouraging well-designed, distinctive places" also considers matters of amenity both for existing and future residents. This proposed development creates problems in regard to privacy, loss of daylight / overshadowing, and an overbearing presence for neighbours.
- 6.24** The three-storey terrace will be dominant in relation to the terrace opposite, but as a row this shorter terrace of five is more compact and more in keeping with the shorter rows of existing terraces found to the north and on either side of the Gordon Road / Lichfield Road junction. This makes the three-storey form less overbearing to the existing form, and more in keeping with local character, than a longer row of three-storey terraces would be. The use of the front elevation cross-gable feature does articulate each individual dwelling successfully and provides interest and articulation.
- 6.25** The upper (second floor) bedroom windows will however peer down into the bedrooms opposite which is considered uncomfortable, despite the separation distance of 20m on a horizontal plane. There are no concerns with the

development causing unacceptable overlooking to the rear/west, and angled overlooking of side-to-side terrace gardens is to be expected from such housing designs.

- 6.26** However, whilst the gables add interest and linear form they are flush with the front elevation and there is no relief to the row so whilst the overall width may be shorter the mass remains very much unrelenting, and further, lacking in interest in views from the side. The front gables are set high in relation to the second-floor ceiling, doing nothing to mitigate the bulk nor solve the overlooking problem. A suppressed upper storey eaves line with parts of the roof space being used as second-floor living accommodation could address this point, helping to reduce the scale, mass and overall dominant nature within the street.
- 6.27** Furthermore, the owners of 90 Litchfield Road are correct that material light and outlook will be lost if the new building of such mass is constructed as shown much closer to their building than the existing school is. The taller front gables reaching the ridge will also have the effect of blocking some light and increasing shadow.
- 6.28** There is also a high likelihood that all the available frontage to Lichfield Road will be occupied by parking, but nothing is designed-in to the scheme to break up the car-dominated setting. The effect will be to create a car-dominated street-scene which is unattractive and unwelcoming and may discourage and possibly also physically hinder pedestrian movement and access along Lichfield Road towards the neighbouring school to the south. This will be particularly likely if there are no suitable solutions to storing bins and cycle stores at the front in lieu of having access to the rear gardens.
- 6.29** In terms of additional policy support in this regard, emergent policy A2, design, section b. Identity, says: New homes should be architecturally locally distinctive, innovative and visually attractive through the scale and proportions, use of materials, facades and detailing. This should not prohibit contemporary architecture. This is considered to expect higher yet design standards, in line with central government's National Design Guide (January 2021).

Policy A2 goes onto state: "Planning applications will be refused for housing development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account the above criteria and the National Design Guide and any future local design guide/code."

The NPPF paragraphs 126, 130, 131 and 134 also expect a high standard of design and states that development that is not well designed should be refused.

- 6.30** It is considered that some elements of the design of this shorter terrace are broadly acceptable, such as its smaller size and use of gables and brick detailing to break up the form and identify the component parts. However, the unnecessary vertical scale and massing, the predominance of parking without frontage treatments, the lack of relief and profile articulation and the lack of solutions for post-occupation demands of refuse and storage means the

development fails to satisfy the criteria of achieving a suitable design standard and creates unacceptable amenity impacts. Consequentially, if the development is required to be this tall and this far set back from the road to accommodate frontage parking and yet creates unacceptable design and amenity impacts as it does, it is also considered to be overdevelopment.

Highways and access

- 6.31** County Highways do not object to this scheme providing conditions are attached. No comment in this case was made about garage size, and only in terms of length is it sub-standard, but that does prevent the usual area of storage being provided that would otherwise be possible from garages built to the required space standard.
- 6.32** Because the sites are 4.8m total width only 1 car space can be provided outside, however with the garage this provides the two spaces asked for in the case of three-bedroom properties. Subject to detailing of the forecourt this need not be vehicular dominance, but no design solutions are offered to give confidence in this respect.
- 6.33** Conditions would be required to ensure garages remain of a suitable size and with suitable door access for parking, given there is no scope for any more than 1 space outside the garage.
- 6.34** There are no dedicated proposed cycle storage areas nor convenient access from the rear terrace yards which rely on passage across land not in this application site nor in the applicant's control. This point will need to be addressed, and permission would only be appropriate if this were able to be confirmed.
- 6.35** The applicant has proposed that the double-yellow line parking restrictions on the east side of Lichfield Road could be moved to the west side in front of this site. The Highway Authority has said if an application were considered favourably a condition could be used to require promotion of a TRO through the local highway authority, but there is no guarantee that a TRO would be successful nor that allowing parking opposite the frontage parking on this site would be acceptable (due to the narrowing of the carriageway). It is considered that little weight should be given to this element of the scheme.

Historic Environment

- 6.36** The demolished school adjacent to this site was not listed and not in a conservation area, and the same still applies to the remaining two bays of the school within this site. However the building was/is of quality and heritage value (as evidenced by the use of architectural salvors to remove terracotta parts) and certainly within the description of being an undesignated heritage asset. Demolition does represent development, and the loss of an undesignated heritage asset is therefore a material planning consideration and should inform

decision making to some extent in raising the expectation for a replacement building of similar or better quality. This is considered in line with National Planning Policy Framework (2021) section 16 “Conserving and enhancing the historic Environment” where Paragraph 194 requires sufficient detail to be provided to describe the significance of the heritage asset proportionate to the asset’s importance and the submitted Design and Access Statement is mute on heritage matters. Paragraph 203 requires that weight should be applied to planning judgements where a non-designated heritage asset is lost.

- 6.37** Furthermore, the war memorial is to be removed. It is noted that the submitted viability appraisal provided with the adjoining site application has included a £5,000 sum for its relocation, but no other specifics have been put forward and as the original proposal was to reinstall it in the nursery this matter has some consideration in the balance.
- 6.38** Policy CS10 Conservation of the Historic Built Environment expects applications to preserve or enhance heritage assets. Because the original building is proposed to be demolished, preservation of an undesignated asset has not been considered such as through re-use. It is noted that the design of the dwellings might be trying to replicate some of the features of the former school (e.g. gables, brick soldier courses), but the proposal by way of its overall form and excessive bulk is considered not to offer enhancement in comparison to the building that currently occupies the site.

Ecology and landscaping

- 6.39** The application has not provided a bat presence / absence survey, but the remaining existing buildings can still be subject to pre-demolition bat surveys, which are considered necessary given the age and uninhabited condition of the building. However, any permission would not be appropriate until a Preliminary Roost Assessment (PRA) for bats has been undertaken and the findings understood. Until that assessment is made it is not known if the development would cause a loss of habitat or protected species, and nothing has to date been proposed in mitigation / remediation, nor biodiversity enhancement.
- 6.40** The development should also provide ecology enhancement measures. Nothing has been proposed yet but could potentially be required by conditions requiring a Biodiversity and Ecology Enhancement Plan, for example.
- 6.41** The application has not offered any landscaping which might prove a beneficial asset for breaking up and softening an otherwise hard environment. Whilst it is noted that the current site and immediate surroundings have no or little softer areas either, it is still nevertheless considered necessary to introduce some or urban landscaping planting to offer improved visual amenity and environmental enhancement and recognition of the need to help address climate change.
- 6.42** The importance of this is recognised in emerging Policy E4 to which considerable weight can be attached: *“Developments should include landscaping schemes as appropriate to the size and nature of the development*

in order to mitigate impacts on and where possible enhance the local landscape character.”

- 6.43** As proposed the application fails to address adopted policy CS11 and emerging policy E4 and fails to meet the expectations of the National Planning Policy Framework (eg. paragraph 131) and has not justified why a decision should depart from these.

Flood risk

- 6.44** Emergent Policy E1: Flood risk, directs the operation of the Sequential Test for residential development and carries weight in this case: For sites within Great Yarmouth Town (as this is) the area of search for alternative sites can be limited to Great Yarmouth Town.
- 6.45** The application has not provided any evidence to address the Sequential Test requirements, which means the Local Planning Authority cannot determine if the sequential test is able to be passed. It is acknowledged there are relatively few areas of low flood risk in Great Yarmouth, but nevertheless a scheme of 5 dwellings does not require a particularly large site to be available and deliverable (i.e. underused / vacant sites where permissions, applications or policy allocations don't already apply). The application should not be considered favourably without this issue being addressed.
- 6.46** If it were accepted that the developments cannot be accommodated in a lower flood risk area, applications require a site-specific and development-specific Flood Risk Assessment (FRA) to demonstrate the scheme can be safe in the event of a flood. Unfortunately, the FRA that has been submitted for this application actually relates to the development proposed at the adjoining land and the development proposed within application 06/21/0356/F, which means the flood safety precautions cannot be assumed to be relevant to this fully detailed application development. Whilst the report offers enough comfort that the principles can be accepted, the in-practice design details would need to be agreed by pre-commencement condition if the scheme were approvable, but without those details the flood risk and safety policies are not addressed. Further, the application would need a pre-occupation condition to agree a Flood Warning and Evacuation Plan. A compliance condition could be applied, to establish floor levels, escape routes and emergency access / refuge etc, were approval recommended.

Surface water drainage

- 6.47** There have been no recorded groundwater flood events across the area between 2000 and 2003, as indicated by the Jacobs study. Figure 5 of the Great Yarmouth Surface Water Management Plan (SWMP) dated 2014, shows that the site is not at risk of groundwater flooding. Figure 6 of the SWMP indicates that there have been no historical incidents of groundwater flooding at the site.

- 6.48** The Environment Agency's Surface Water Flood Risk Map (Figure 10) indicates that there is a very low surface water flooding risk (i.e. less than 1 in 1000 year chance). Figure GY_16 of the 2017 SFRA shows that the site would not be affected during the climate change 1 in 100 year event.
- 6.49** The site is already covered by buildings so the run-off and contribution to surface water flood risk is not increased by this proposal.
- 6.50** No sustainable drainage scheme has been proposed but the requirement to provide sustainable drainage schemes only applies to developments of 10 or more dwellings. The application expects to drain to the mains sewer network so this would not meet the tests for the drainage hierarchy, but it is no worsening of the current situation and policy would not support requiring its provision.

Local Finance Considerations:

- 6.51** Under Section 70(2) of the Town and Country Planning Act 1990 the Council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus, or the Community Infrastructure Levy (which is not applicable to the Borough of Great Yarmouth). Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority, for example.

7. Shadow Habitats Regulation Assessment

The site lies within the Orange Habitat Impact Zone more than 400m but less than 2.5Km from an internationally protected wildlife site and appropriate mitigation is required for addressing the legal requirements of the Habitat Regulations Assessment process (HRA) is required. The applicant has provided a HRA report which is acceptable, but the necessary mitigation is usually through providing a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling). No contribution has yet been paid to address this requirement, though Officers would not usually request one if the application is likely to be considered unacceptable anyway. Nevertheless, this should be provided before the development can be considered favourably. Alternatively, if a section 106 agreement is required to secure affordable housing contributions, for example, the impact mitigation payment could be secured through that process.

8. The Planning Balance

- 8.1** It is considered that the site is appropriate for some degree of residential dwelling development in principle, given the emergent policy background.

- 8.2 The proposal fails to provide a design appropriate to the site as a result of vertical scale and massing, and poor resultant privacy for existing residents, and a failure to provide a building to enhance the area when compared to the undesignated heritage asset that is proposed as removed.
- 8.3 The layout constraints, designs, impact on neighbours and lack of access to private gardens within the site proposals also represent overdevelopment of the site, with questionable safety and practicality in the site circulation, and little scope for safe and secure access and storage for cycling and lack of frontage.
- 8.4 The absence of appropriate access to the private amenity space, in combination with a lack of landscaping to soften a hard environment, creates an unacceptable living environment and poor urban design, and is not supported.
- 8.5 The absence of a protected species survey, concerning bats in particular, does not allow the Local Planning Authority to sanction the amendment or removal of a building that has potential to house protected species. Furthermore, the lack of biodiversity enhancement measures fails to address local or national policy, and the absence of HRA impact mitigation payment fails to address the impacts on internationally designated wildlife sites.
- 8.6 With no evidence to demonstrate that the scheme of up to 5 houses cannot be provided anywhere else in Great Yarmouth town at a site of lower flood risk; as such there is no means to pass the flood risk sequential test and therefore it is unsafe in principle to allow new residential dwellings in this high flood risk site.
- 8.7 In combination with the application for the adjoining site (06/21/0356/F) the division of this wider school site into two parts is considered to create a situation where policy requires an affordable housing contribution. If the development in combination is deemed to be viable with some degree of affordable housing contribution, this proposal would be contrary to both emerging and adopted policy. However, the planning balance would shift if appraisal is deemed convincing by independent review and the scheme is deemed unviable with affordable housing, but the physical demerits identified would remain.
- 8.8 The only public benefit offered in this proposal is the provision of additional open-market residential units on a brownfield site, but this is not an allocated site and the Council's healthy 5-year supply position does not rely on this site to maintain an up-to-date development plan. Therefore, there are not considered to be any material considerations which weigh sufficiently in favour of this application to justify taking an opposing view to that of the development plan's requirements for a scheme of improved quality overall.
- 8.9 Refusal of this application is both consistent with the adopted local development plan, and supported by emerging policy, and is in line with the expectations of the National Planning Policy Framework and National Design Guide.
- 8.10 The decision maker should be mindful that the principle of residential development in this location is considered acceptable. However, because

these failings are considered capable of being overcome to some degree through a reappraisal of the site layout, siting and possibly density, whether or not in combination with the adjoining site, a timely refusal is suggested in order that a further application might be submitted with substantial improvements required.

9. Conclusion

9.1 For the reasons described within the report and the links to policies expressed therein, the application is recommended for refusal on the following grounds:

- Design.
- Amenity for residents.
- Amenity impacts on neighbours.
- Overdevelopment, including compromised accessibility and security for cyclists and absence of landscaping.
- No bat surveys provided.
- No biodiversity enhancements offered.
- No HRA impacts mitigation payment has been made to international sites.
- Lack of supporting evidence to suggest that the flood risk sequential test can be satisfied and therefore cannot justify new housing in this high flood risk location.
- Lack of development-specific flood risk assessment to prove flood safety.

Furthermore, Officers will need to report to the Development Committee meeting whether there is potentially an additional reason for refusal on grounds of:

- Potential non-compliance with policy on affordable housing provision in combination with the adjoining site.

However, the inclusion of this reason for refusal is subject to a review of a viability appraisal submitted for adjacent application 06/20/0356/F, the findings of which will be reported verbally to Development Committee at the meeting.

9. RECOMMENDATION: -

Refuse the application on the following grounds of:

1. Inappropriate scale, form and articulation creating inadequate design;
2. Unsuitable and inadequate amenity for residents;
3. Unacceptable detrimental impact to amenity impacts of neighbours;
4. Overdevelopment, including compromised accessibility and security for cyclists;
5. Lack of landscaping provision;
6. Lack of bat surveys to confirm no impact on protected species;

7. Lack of biodiversity enhancement proposals;
8. Lack of impact mitigation payment towards internationally designated sites;
9. Lack of supporting evidence to suggest that the flood risk sequential test can be satisfied;
10. Lack of suitable development-specific flood risk assessment to demonstrate flood risk mitigation through construction methods; and,

[possibly – with final recommendation to be confirmed at the Committee meeting]
11. Non-compliance with policy on affordable housing provision in combination with the adjoining site.

Appendices:

- Appendix 1 Location plan, Site layout plan, floor plans and elevations
- Appendix 2 Site Aerial View

Reference: 06/20/0618/F

Parish: Great Yarmouth

Officer: Gordon Sutherland

Expiry Date: 11-02-21

Applicant: Minster Property Group

Proposal: Development of 30 affordable homes

Site: Land east of Churchill Road & north of Estcourt Road, Great Yarmouth

REPORT

1. Background

- 1.1 This is a full planning application for a “major” residential development (greater than 10 dwellings).
- 1.2 The application was submitted in 2020; in dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner, to achieve a suitable and viable development of the site which has a number of constraints.

2. Site and Context

- 2.1 The application site extends to approximately 0.93 hectares (2.3 acres) in area and comprises previously developed land with a historic use as a hospital in the ownership of the NHS. Historic mapping demonstrates that a number of buildings have been removed from the site since 1900, and it now hosts a single building previously used for administrative purposes. The NHS has confirmed that the site is now underutilised and surplus to requirements, and therefore suitable for redevelopment.
- 2.2 The site is located partly within Flood Zone 2 and Flood Zone 3a (approximately 50% of the site is in each zone). Accordingly, a Flood Risk Assessment and Sequential and Exception Test Assessment have been provided in support of the proposals. Technical reports have been consulted on at length with the Environment Agency and the Lead Local Flood Authority to demonstrate that the proposals are designed to address and mitigate flood risk. Evidence has been provided to demonstrate that the National Planning Policy Framework (NPPF) sequential and exception tests are passed.
- 2.3 The site includes a protected tree in the north-east corner: an Alder TPO ref No.3 1998.

- 2.4** The application has been accompanied by the following technical assessments in respect of design, drainage, ecology and noise considerations and in relation to financial viability:
- Financial Viability Assessment,
 - Design and Access Statement,
 - Habitats Regulations Assessment,
 - Heritage Statement
 - Environmental Noise Assessment
 - Arboricultural Survey and Implications Statement
 - Phase 1 and 2 Site Contamination Investigation Report
 - Soakaway Test Report
 - Flood Risk Assessment
 - Drainage Strategy Report
 - SUDS Maintenance and Management Plan
 - Preliminary Ecological Appraisal
- 2.5** One of the key material considerations in this case is the current need for affordable housing in the Borough; because the application proposes all 30 dwellings as affordable housing, this lends significant additional weight in favour of the proposals.
- 2.6** The site is located beyond Great Yarmouth Town Centre and is to the north of a row of workshops on the south side of Escourt Road behind which lies Conservation Area No 5 St Nicholas/Northgate Street Extension. The application site comprises previously developed brownfield land. There is a single existing building on the application site which will be removed to accommodate the proposals.
- 2.7** In its immediate context the application site is bounded to the east by existing residential development, to the west by the NHS Northgate Hospital site, and to the north by a commercial site currently in use as a depot operated by GYB Services. The Great Yarmouth New Cemetery site is located to the south, behind the workshops across from the site on Estcourt Road.
- 2.8** Beyond these areas, the wider context of the site is predominantly residential, with areas of public open space and recreational facilities including Beaconsfield Recreation Ground and Beaconsfield Play Park located in close proximity to the site. The seafront is located approximately 400m to the east. Great Yarmouth Town Centre is located approximately 700m to the southwest, providing a wide range of shops and services and national bus and rail connections within a 10-minute walk of the application site.
- 2.9** The site is located in the Orange Habitat Impact Zone more than 400m but less than 2.5Km from an internationally protected wildlife site and for developments greater than 10 dwellings a bespoke Shadow Habitat Regulations Assessment (HRA) is required.

3. Proposal

3.1 The application proposes a development of 30 affordable homes served off an adoptable access road from Churchill Road, with private drives off that. The 30 dwellings comprise:

- 14 two bed 4 person houses,
- 2 three bed 6 person houses,
- 2 four bed 7 person houses,
- 8 three bed 5 person houses, and
- 4 one bed 2 person flats.

An acoustic barrier is proposed along the northern boundary and part of the eastern boundary adjoining neighbouring commercial uses (Great Yarmouth Borough Services depot) at Churchill Road. Each plot including the flats is provided with private external amenity space, and new tree planting and soft landscaping is proposed throughout. The layout includes open space and a surface water drainage attenuation basin. Private parking provision for each dwelling and visitor parking spaces are provided throughout.

3.2 A range of five house types and two material combinations are proposed. The proposed house types provide floor areas which meet the national guidance of minimum standards for house design.

3.3 The proposed development comprises 100% affordable housing. The housing mix, type and tenure of the proposed development has been developed in accordance with local requirements.

4. Relevant Planning History

4.1 The site itself has a long history of alterations and ancillary development related to its former use by the NHS. The land to the east adjoining site was also formerly part of the hospital, it has been successfully developed as sheltered housing. Ref 06/10/0351/F - Construction of 20 flats for sheltered housing and 5 general needs housing (all affordable) and associated access road and external works. Approved 13th October, 2010.

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

5.1 At the time of writing no representations have been received from members of the public.

Consultations – External

5.2 Norfolk Fire and Rescue Service. No objection provided the proposal is constructed in accordance with the Building Regulations.

- 5.3 Local Highways Authority** – The point of access was determined in consultation with the Highway Authority (HA). The HA raise no objection subject to conditions specifying the dimensions required for various aspects of the internal road layout.
- 5.4 Historic Environment Service - Archaeology** – The NCC Historic Environment Service (HES) considers that the proposal will not have a significant impact on the historic environment. In response to concerns relayed by the Council's Conservation Officer from the Great Yarmouth Local History and Archaeology Society, regarding the demolition of the former hospital building, HES has provided a condition that requires the recording of the building prior to demolition and the provision of those records to the County for archival.
- 5.5 Lead Local Flood Authority (LLFA)** – The applicant has worked with the LLFA on the design of the proposed surface water drainage system in line with SuDS features and the LLFA raises no objection subject to the development being carried out in accordance with the drainage scheme shown in version 9 of the flood risk assessment.
- 5.6 Ecology** – The Natural Environment Team (NETI) at Norfolk County Council have reviewed the Preliminary Ecological Appraisal and the Bespoke Habitats Regulations Assessment submitted with the application. The National Planning Policy Framework (NPPF) and Policy CS11 of the Councils adopted Core Strategy states that developments should avoid harmful impacts on biodiversity, priority habitats and species, and take measures to create biodiversity features. The HRA concludes that there would be associated recreation pressure on proximate sites important for nature conservation and that mitigation in the form of an impact payment would be an appropriate way to address that impact.
- 5.7** The application site is a brownfield site which has been vacant for several years. Surveys have identified that site has occasionally been used as a secondary habitat for a protected species; and based on this a licence has been granted for measures to be put in place to prevent occupation by protected species during construction. Conditions are also recommended to enhance the site for biodiversity (bird boxes) in accordance with Core Strategy policy 11.
- 5.8 Infrastructure Requirements [Updated 19th November, 2021]** - In accordance with the County Councils planning obligation standards for provision of infrastructure, NCC request contributions to library service and schools, this is discussed further under the section of the report regarding planning obligations and viability. NCC advise based on planning permission at Northgate Hospital (76 dwellings ref 06/18/0582/F) there is spare capacity in the Early Education sector and Secondary School sector, however, it is advised there are insufficient spaces at Northgate Primary School for this development and NCC therefore seeks a contribution for a projected 7 spaces

(age 4-11) of 7 x £14,022 = £98,154. For increased pressure on the library service NCC seeks £75 per dwelling (75 x 30) = £2,250.

- 5.9** The NCC infrastructure team's consultation responses are valid for only 6 months due to the changing nature of school rolls and other commitments through funding from other permissions. So long the application is determined within 6 months of that advice, the recommendations and implications for viability will be as presented within this report. As stated above the response was refreshed on 19th November.
- 5.10 Natural England (NE)**– No objection - NE considers that the proposed development will not have any significant adverse impacts on statutorily protected nature conservation sites or landscapes (assuming the relevant per-dwelling HMMS payment is made).
- 5.11 Environment Agency** - The site is located partly within Zone 3a as such having a high probability of flooding. The agency requires that the finished floor level of the development shall be 300mm higher than the projected 1 in 200-year flood event allowing for climate change, as such the finished floor levels at ground floor will need to be 3.24m above datum (AOD). The existing levels of the site range between 2.65m AOD at the southern end and 2.73 at the northern end. Revised plans have been received which comply with these dimensions.
- 5.12** The Agency advises consideration of the sequential and exceptions test is a matter for the local planning authority. This is discussed later in the report.
- 5.13** The Agency has reviewed the submitted phase 1 and 2 site investigation report regarding potential for contamination of groundwater from the redevelopment of this brownfield site and recommend conditions to further investigate and mitigate any contamination that may be present on the site, and for conditions to prevent use of piled or penetrative foundations, without prior agreement (which overlap with conditions recommended by the Environmental Health Officer).
- 5.14 Water Management Alliance** - advise that the site is downstream of the watershed and make no comment.
- 5.15 Statutory Undertakers – Anglian Water** confirm with regard to wastewater treatment and foul drainage that the Caister Pump Lane water recycling centre will have capacity for the flows, and defers to the Lead Local Flood Authority in consideration of the design of a suitable system to address surface water associated with the proposal. **Cadent Gas** confirms that there are gas services in the vicinity.
- 5.16 Norfolk Constabulary – Designing out Crime** – Provides various advice that has been shared with the applicant regarding secure design and the provision of lockable access gates.

Consultation - Internal GYBC

- 5.17 Environmental Services – Resilience Officer** raises no objection based on the submitted Flood Risk Assessment.
- 5.18 Trees** – There are a number of trees on the site and where possible these are retained within the proposed layout such as at the northern boundary of the site. The tree officer has reviewed arboricultural assessment, is familiar with the site and has no objection to the proposed development. It is noted that tree loss is disappointing however the trees on site are not of good condition and have limited retention span – including the protected Alder (TPO ref No.3 1998). The tree officer advises that replacement planting would be the best course of action.
- 5.19 Affordable Housing** – The Housing Service notes that the development is for 100% affordable housing and advises that the mix has been discussed and accepted, the requirement for 8 shared ownership properties provided a tenure mix on the site while meeting the borough's highest need of affordable rent. The inclusion of 4 bed properties is very welcome given the increasing need for 4 bed properties in the borough. Discussions have taken place with the applicant to achieve the size as per the national design space standard for each unit.
- 5.20 Conservation** - The Conservation Officer notes the site is located outside the borders of a Conservation Area; however, it has local historic value and accommodates the following non-designated heritage assets: - Cobble and brick boundary wall towards Estcourt Road and Churchill Road. - Former Ward Block originally dating from 1894.
- 5.21** Whilst the Conservation section do not raise objections against the proposed housing development, it has expressed concern regarding a potential loss of a non-designated heritage asset which has a local historic significance. It notes a blue plaque was erected on its boundary wall by the Great Yarmouth's Local History and Archaeological Society to commemorate the site of the former Isolation Hospital.
- 5.22 Environmental Health** - The Environmental Health Officer (EHO) has steered the applicant to ensure the proposal will comply with acoustic standards for amenity and wellbeing, to mitigate noise (from the GYBS depot, and the garage on Estcourt Road). The EHO recommends the mitigation measures set out in the acoustic report supporting the application as detailed below:
- The provision of a 4 metre high acoustic barrier constructed along the northern boundary and partly along the eastern boundary of the site to reduce noise emissions from GYB Services. The minimum specification of the barrier is given in Appendix 4 of the submitted Acoustic Report.
 - The existing 1.8 metre high perimeter wall along Churchill Road and Estcourt Road shall be retained.
 - The gardens should be surrounded by standard 1.8m close-boarded fences.
 - Installed windows shall achieve a minimum sound reduction index of 30 dB Rw.

- 5.23 A condition requiring that the development is carried out in accordance with the acoustic report is recommended. Conditions are also requested to require further investigation and mitigation of any contamination identified within this brownfield site, with standard informatives regarding the protection of air quality during construction and hours of working.
- 5.24 **Property Services** - Have been requested to review the assumptions of the financial viability assessment submitted with this application. A verbal update will be provided at the committee meeting.

6. Assessment of Planning Considerations: Policy Considerations:

Relevant policy

- 6.1 Planning law at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reiterated at paragraphs 2 and 47 of the National Planning Policy Framework (NPPF).
- 6.2 At the time of this DC Committee meeting the local development plan comprises the adopted Local Plan (2001) policies and the Core Strategy (2015). The emerging Local Plan Part 2 (LPP2) has received support from the Planning Inspectorate and is due to be considered for adoption on 09th December 2021, and those policies will replace the Local Plan 2001 and modify some policies of the Core Strategy. The NPPF states at paragraph 48 that weight should be applied to emerging policies commensurate with the progress made towards adoption. As such it is considered that significant weight should be given to the policies within Local Plan Part 2 in the determination of this application.
- 6.3 Whilst the Council has an up-to-date development plan and 5-year-housing land supply the National Planning Policy Framework remains a material consideration but the development plan retains primacy.

Adopted Core Strategy 2013-2030

- 6.4 Great Yarmouth Borough adopted Local Plan Policy CS2 "Achieving sustainable growth" in the Core Strategy (2015) ensures that new residential development is distributed according to the policy's settlement hierarchy which seeks to balance the delivery of homes with creating resilient, self-contained communities and reducing the need to travel. The settlement hierarchy identifies Great Yarmouth as one of the Borough's 'Main Towns' due to wide range of services, opportunities for employment, retail and education and large catchment area that it serves. Therefore, a greater proportion of the plan future housing requirement is directed to it.

- 6.5 The proposal is located within a 10-minute walk of the town centre, schools and a large range of services within it. It is adjacent the Northgate Street local centre and close to the seafront area and recreation facilities, and the proposal is therefore considered to be in a sustainable and accessible location.
- 6.6 Policy CS2 (e) encourages the reuse of previously developed land and existing buildings. The proposal is therefore seen to aid the delivery of the local plan in this respect.
- 6.7 Policy CS4 “Delivering affordable housing” – The site lies within Affordable Housing Sub-market Area 1. Ordinarily a scheme of 30 dwellings in this location would be required to provide 20% affordable housing (6 dwellings) but the proposal is for 100% affordable homes which attracts significant weight in the determination of this application.
- 6.8 Policy CS9 – “Encouraging well-designed, distinctive places” and Policy CS10 “Safeguarding local heritage assets” - The site is vacant, the building on site has been much altered. While of some local interest, a view must be taken on whether the value of the existing building justifies retention or whether the provision of affordable housing provides sufficient benefit to outweigh the need to require retention on site.
- 6.9 Policy CS11 “Enhancing the natural environment” requires the authority to assess the impacts of development on natural assets. In this case in accordance with Habitats Regulations a bespoke Habitats Regulation Assessment is required. NETI have recommended conditions for the provision of bird boxes within the development.
- 6.10 Policy CS13 “Protecting areas at risk of flooding or coastal change” (a) directs new development proposals away from areas of highest risk of flooding unless the requirements of the Sequential Test and Exception Test (where applicable) are met, and a satisfactory Flood Response Plan has been prepared.
- 6.11 The proposal also needs to demonstrate that the development will be safe for its lifetime, taking into account the vulnerability of its users, without increasing flood risk elsewhere.

Local Plan (2001)

- 6.12 Of the outgoing saved policies of the Great Yarmouth Borough-wide Local Plan (2001), the proposal predominantly engages policies HOU7 (New residential development), HOU9 (Developer contributions) and HOU16 (Layout and design of housing proposals).

Emerging Local Plan Part 2 (draft 2021)

- 6.13 The emerging Local Plan Part 2 is close to adoption following the Inspectors consideration on Main Modifications as such, substantial weight can be afforded to the policies therein, and in particular:
- 6.14 Policy GSP1 (Development limits) – retains the emphasis on development in sustainable locations within development limits.
- 6.15 Policy A1 (Amenity) – requires particular consideration on the form of development and its impact on the local setting in terms of scale, character and appearance.
- 6.16 Policy A2 (Housing Design Principles) – requires dwellings to meet optional building regulations and be designed with regards to the local context such as local townscape and urban grain and other detailed design requirement.
- 6.17 Policy E1 (Flood Risk) – the proposal is for residential development within the town of Great Yarmouth, therefore for the purposes of the sequential test, the search for alternative sites can be limited to Great Yarmouth town.
- 6.18 Policy GSP8 (Planning Obligations) – development viability with respect to planning obligations will be considered at the planning stage under limited particular circumstances where the scheme is on previously developed land.

Main issues:

The main issues in the assessment of this application are:

- Principle of development
- Housing mix, type and tenure
- Flood risk and mitigation
- Design and heritage
- Residential amenity & noise protection
- Ecology
- Planning obligations
- Viability

Principle of development

- 6.19 The site lies within the Great Yarmouth Development Boundary wherein development will be supported in principle unless material considerations outweigh that principle. In this case those would be matters of the character and appearance of the locality, amenity, highway safety, and flood risk. In this case the issue of viability is also a consideration.

Housing mix, type and tenure

- 6.20 A range of five house types and two material combinations (brick and brick/render walls) with roof tile are proposed to provide variety in respect of appearance, materials and detailing throughout the site. The two material combinations are interspersed throughout the site to maintain visual interest

and create an attractive street scene. The proposed house types provide floor areas which meet the minimum standards for house design.

- 6.21** The proposed development comprises 100% affordable housing. There is currently an acute and urgent need for affordable housing to be consented and delivered within the Great Yarmouth plan area. This need has been established in detail in the Council's Annual Monitoring Report (AMR). 30 affordable homes are more than the average annual delivery of affordable housing for the whole Borough since 2013, which represents only 7.5% of the estimated annual requirement of 400 units.
- 6.22** The housing mix, type and tenure of the proposed development has been developed in accordance with local requirements and is considered acceptable.
- 6.23** If there are material considerations which otherwise suggest that residential development on this site's Flood Zone 3a area would be inappropriate, the proposed provision of all 30 dwellings as affordable housing would be a significant public benefit to justify the conflict with policy.

Flood risk

- 6.24** Local policy sequential test requirements direct new development proposal away from areas of highest risk of flooding unless the requirements of the Sequential Test and Exception Test (where applicable) are met, and a satisfactory Flood Response Plan has been prepared.
- 6.25** The site is located almost equally across Flood Risk Zones 2 and 3a and therefore considered as having a high probability of coastal and fluvial flooding. The planning practice guidance expects site-specific flood risk assessments to provide the evidence for the local planning authority to apply the sequential test. The applicant provided an assessment of currently available sites within the vicinity, that concludes there are no sites less at risk of flood in the vicinity that could accommodate the number of dwellings proposed. The Local Plan Part 2 makes clear that within the town of Great Yarmouth there are very few sites that are not at risk from flooding (particularly when allowing for climate change over the next 100 years) and so the Local Plan has a housing supply windfall allowance for the town meaning the Sequential Test will only need to consider whether at the time of the application there are any suitable and available sites within Great Yarmouth at a lower risk of flooding than the application site. As such it is considered that the sequential test has been passed.
- 6.26** Having met the sequential test, as set out under paragraph 164 of the NPPF it is necessary for the proposal to pass the Exception Test (being a 'more vulnerable use' within Flood Risk Zone 3a).
- 6.27** For the Exception Test to be passed the development will normally need to demonstrate that the wider sustainability benefits emanating from the proposal would outweigh the flood risk. This takes into consideration relevant factors

including the highly sustainable location (as indicated by its compliance with Policy CS2) and that the development is for 100% affordable housing.

- 6.28** The proposal also needs to demonstrate that the development will be safe for its lifetime, taking into account the vulnerability of its users, without increasing flood risk elsewhere.
- 6.29** It is noted that the finished floor level of the units will be 300mm higher than the 1 in 200-year worst case flood event allowing for climate change and that the first-floor level would provide safe refuge in the 1 in 1000-year coastal flood event.
- 6.30** It is considered that the proposed finished floor level of 3.24m is compatible with the existing levels of adjoining developments, not giving rise to any issues of overlooking or being out of character with the locality. Safe refuge will be available within upper floor levels of the new dwellings which will be set at a minimum of 5.64mAOD, in the event of a 1 in 1000 + plus climate change and/or breach event. A condition is recommended to provide a Flood Warning and Evacuation Plan to be implemented onsite.
- 6.31** It is proposed to dispose of surface water drainage via infiltration on the site including the provision of a detention basin.

Design, layout and heritage

- 6.32** The surrounding neighbourhood has a mixture of ages and styles of residential dwellings, mainly two storey including terraces and an apartment block to the east. The traditional design of pitched roof house in brick and brick and render in semi-detached and terraces is compatible with the local character. The proposed dwellings are of a traditional form using materials compatible with the character and appearance of the locality.
- 6.33** The layout makes best use of the established boundary wall to provide private garden areas. The wall will be retained and will help to blend the new with the existing buildings.
- 6.34** Parking provision and space within the highway is provided throughout the site to allow for safe and convenient parking and manoeuvring.
- 6.35** Notwithstanding the presence of trees including a protected tree on site, their value is limited and the Tree Officer advises that replacement planting would be the best course of action within a successful scheme. A landscape scheme condition is recommended to secure this.
- 6.36** The row of workshops on the south side of Escourt Road lies between Conservation Area No 5 St Nicholas/Northgate Street Extension and the application site. The intervening buildings are a continuous row of two-storey buildings with steep roof, which means there is no inter-visibility between the application site and the conservation area so the proposal will not affect the character and appearance of the Northgate Cemetery and conservation area.

- 6.37** The applicant has considered the integration of the existing historic building and boundary wall within the new development. Excepting for a new access that will be created in a modern section of the boundary wall on Churchill Road, the proposal will retain the distinctive boundary wall and will extend it where it is missing at the south eastern corner of the site.
- 6.38** The existing building (former Ward Block) has suffered several later (post WWII) alterations and while the original design is distinctive, it is not considered sufficiently exceptional that its retention outweighs the benefit of the development. The applicants undertook a heritage statement and in response to the Local History and Archaeology Society a condition is recommended to record the building prior to demolition.

Residential amenity

- 6.39** The buildings are oriented to protect the privacy and amenity of the houses to the east. For new residents, an acoustic barrier is proposed along the northern boundary and part of the eastern boundary adjoining neighbouring commercial uses (Great Yarmouth Borough Services depot) at Churchill Road, to ensure acceptable noise levels within the development.
- 6.40** To secure these protection measures, the measures recommended by the Environmental Health Officer have been incorporated into the designs of the development, and shall be required by conditions. A condition requiring that the development is carried out in accordance with the acoustic report and will include those aspects discussed at paragraph 5.22:
- The provision of a 4 metre high acoustic barrier constructed along the northern boundary and partly along the eastern boundary of the site to reduce noise emissions from GYB Services. The minimum specification of the barrier is given in Appendix 4 of the submitted Acoustic Report.
 - The existing 1.8 metre high perimeter wall along Churchill Road and Estcourt Road shall be retained.
 - The gardens should be surrounded by standard 1.8m close-boarded fences.
 - Installed windows shall achieve a minimum sound reduction index of 30 dB Rw.
- 6.41** Conditions should also be used to require further investigation and mitigation of any contamination identified within this brownfield site, with a condition requiring a construction management plan to be agreed, regarding the protection of air quality, noise and dust during construction, as well as controlling hours of working.
- 6.42** Each plot is provided with suitably sized private external amenity space, and new tree planting and soft landscaping is proposed throughout the scheme to provide an attractive green neighbourhood environment.

- 6.43** The Environment Agency has specified conditions to protect the groundwater environment and aquifers which shall be required by conditions.

Ecology

- 6.44** The site is located in the Orange Habitat Impact Zone more than 400m but less than 2.5Km from an internationally protected wildlife site and for developments greater than 10 dwellings a bespoke Shadow Habitat Regulations Assessment (HRA) is required. If minded to approve the application, planning permission would be subject to the completion of a S106 Agreement including a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling, £3,300 total).
- 6.45** Evidence of protected species has been found within the site, but conditions shall be able to address these and provide suitable mitigation.
- 6.46** A condition will be attached to any permission for a Biodiversity Enhancement Plan securing provision of bird box enhancement. It is suggested a minimum of 30 bird boxes (including swift).

Planning obligations

- 6.47** To address the impact of this development, planning obligations are required for:
- £98,154 for local education to address the primary school impact of this scheme (7 spaces).
 - £2,250 for libraries.
 - £3,300 habitats mitigation and management strategy contribution for mitigation of impacts on internationally important sites designated for nature conservation (Natura 2000 sites).
 - Up to £1,800 per dwelling for public open space = £54,000 total, (dependent on local needs and supply at the time of the decision), or appropriate provision on site (with management thereof), though none is proposed.
 - A minimum of 20% up to 100% affordable housing as proposed.

However, it is noted that the scheme has challenging viability and may not be able to realise all these aspirations.

Viability Assessment

- 6.48** The planning application is accompanied with a site-specific viability assessment. The assessment compares the known costs and expenditures for the proposal (acquisition of the land and build costs compared with social housing grant, and affordable housing funds). There are the challenges to the site's viability because of the extensive costs for the design requirements associated with flood mitigation and remediation of contamination, and the reduced residual land value from an entirely affordable housing scheme. The assessment concludes that the proposals are only marginally viable as a

result of the provision of 100% affordable housing, but there is a surplus of approx. £57k which is available for financial contributions to community infrastructure.

- 6.49** Emerging Policy GSP8 recognises the challenging nature of previously developed land in terms of viability and allows for flexibility for providing planning obligations in specific circumstances as evidenced above. NCC planning obligations service have been appraised of the applicant's viability assessment. They advise the final decision regarding the above application rests with the Local Planning Authority, as well as how much weight to give the Viability Assessment in relation to the County Council's contribution request.
- 6.50** In accordance with the Habitats Regulations there is a legal requirement to make a £3,300 contribution for mitigation of impacts on internationally important sites designated for nature conservation (Natura 2000 sites).
- 6.51** In terms of other contributions, the applicant has requested the Local Planning Authority to indicate its priorities among what has been requested, up to the viable level (£53,700 indicative). Requests for community infrastructure payments from the County Council are described earlier in the report. Other contributions could include £54,000 for play and/or open space facilities.
- 6.52** The accompanying viability assessment demonstrates that it is a not an economically viable site and the applicant has not proposed to include market housing to improve the scheme's viability, instead preferring to offer public benefits (significant) in the form of a 100% affordable housing scheme.
- 6.53** There is a shortfall in the site's ability to satisfy all planning obligations that would ordinarily be required, to the amount of £157,704. Excluding the required £3,300 HMMS payment £53,700 is the figure offered. The applicant is content for the Local Planning Authority to determine the preferred allocation of the restricted funds towards local infrastructure, amounting to a projected £53,700.
- 6.54** As an affordable housing project it is considered a significant public benefit that the application offers 24 more dwellings as affordable housing than a market-led housing application would be required to provide, and so the principle of development should be supported despite not being able to address the full range of impacts that the section 106 would ordinarily be used for.
- 6.55** The allocation of limited section 106 funds must meet the tests for the use of planning obligation contributions, but aside from that it is a matter for the decision maker to determine where the greatest need and benefits lie. A development of 30 affordable dwellings will give rise to pressing needs on both the education services and the local recreation, play and public open space providers, and arguably to a lesser extent the library service.

- 6.56** Public open space and play areas have not been able to be provided on site as to do so would likely reduce site capacity to be fewer than 30 dwellings. Given the proximity to the Beaconsfield Road playing fields and other local areas of informal open space it is considered some of those impacts would be provided for within a relatively short walk, though not ideal for families of smaller children given the distance and roads that need crossing. It would be possible to apportion some of the funding to multiple justified projects, for example if there was a location that could host play facilities for young people closer to the site, but it is the Officer's recommendation that it is more appropriate to use the limited funds towards addressing some of the educational impacts of the development to reduce the shortfall in that respect.
- 6.57** In this case it is considered that the provision of affordable housing is the paramount objective and the amount of approximately £53,700 should be included in a Section 106 Agreement as a contribution towards the Primary Education Sector and monitoring payment(s).

7. Local Finance Considerations:

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

8. Shadow Habitats Regulation Assessment

- 8.1** The site lies within the Orange Habitat Impact Zone more than 400m but less than 2.5Km from an internationally protected wildlife site and for developments greater than 10 dwellings a bespoke Shadow Habitat Regulations Assessment (HRA) is required. The applicant will provide a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling). NETI have confirmed the Appropriate Assessment is fit for purpose and the section 106 agreement will secure the impact payment contribution.

9. Concluding Assessment

- 9.1** **The principle of development** is acceptable if the flood risk concerns are satisfied and the public benefits of redeveloping the brownfield site and providing 100% affordable housing demonstrate enough justification to allow development in the higher flood risk area.

- 9.2 Character and Appearance of the Locality** is improved by the development and it is considered to comply with Policies CS9, CS10, A1 and A2 despite not retaining the existing building on the site. Overall, on balance the provision of affordable housing is considered to outweigh the suggested aspirations to require the existing building's retention. The feature boundary wall will be retained and extended where missing on Estcourt Road at the SE corner of the site.
- 9.3 Amenity** – The site is able to accommodate 26 family dwellings and 4 flats with parking to standard and with private gardens, the buildings are oriented to protect the privacy and amenity of the houses to the east. The development will include measures to minimise noise from existing commercial uses adjoining the site.
- 9.4 Highway Safety** - as stated in the consultation response the County Highways Authority, raise no objection, the proposal has been designed to meet highway standards for access and parking.
- 9.5 Flood Risk** - The site is located Zone 2 and Zone 3a as such having a high probability of flooding. The dwellings have been designed to be flood resilient and will provide safe refuge at first floor level. It is considered that the sequential test and exceptions test are satisfied.
- 9.6 Viability** - The accompanying viability assessment demonstrates that it is a not an economically viable site but a projected £53,700 budget surplus is available to help address some of the contributions that would ordinarily be required.
- 9.7** In this case it is considered that the provision of affordable housing is the paramount objective and the £53,700 available should be used as a contribution towards some of the Primary Education Sector costs and monitoring payment rather than public open space and play enhancements or library contributions.

10. RECOMMENDATION: -

- 10.1 Approve** - The proposal complies with the aims of Policies CS2, CS3, CS4, CS9, CS13 and CS16 of the Great Yarmouth Local Plan Core Strategy, also Policies A1, A2, E1 and E5 of the Emerging Local Plan Part 2 and saved Policies HOU7, HOU9 and HOU16 of the Great Yarmouth Borough-wide Local Plan (2001).

10.2 Subject to:

- (i) the completion of a S106 Agreement to secure:
 - all 30 dwellings as affordable housing,
 - £53,200 financial contributions for school infrastructure
 - £3,300 habitats mitigation payment
 - £500 Norfolk County Council monitoring payment.

and,

- (ii) Conditions including but not limited to:
1. standard time limit;
 2. in accordance with revised plans, flood risk assessment and drainage strategy and protected species precautions;
 3. in accordance acoustic report appendix 4 specifically:
 - The provision of a 4 metre high acoustic barrier constructed along the northern boundary and partly along the eastern boundary of the site to reduce noise emissions from GYB Services.
 - Excepting the new access the existing 1.8 metre high perimeter wall along Churchhill Road and Estcourt Road shall be retained.
 - The gardens should be surrounded by standard 1.8 m close-boarded fences.
 - Installed windows shall achieve a minimum sound reduction index of 30 dB Rw.
 4. provision of biodiversity enhancement scheme (30 bird boxes),
 5. provision of landscape scheme,
 6. details of boundary treatments including of the wall to the SE corner of the site,
 7. provision of evacuation plan and emergency warning as specified;
 8. recording of the building prior to demolition and the provision of those records to the County for archiving
 9. specified Finished floor levels at ground floor will need to be 3.24m above datum (AOD), Safe refuge to be available within upper floor levels at a minimum of 5.64mAOD
 10. provision of Construction Environmental Management Plan
 11. further detail of contamination investigations and mitigation strategy
 12. further details of precautionary contamination measures.
 13. details of foundations to be agreed – preferably no piled or penetrative foundations.
 14. controlled hours of working during demolition and construction

Appendices:

1. Site location plan
2. Layout Plan
3. Example plans & elevations of 'House type DD'
4. Example plans & elevations of 'House type AAA'

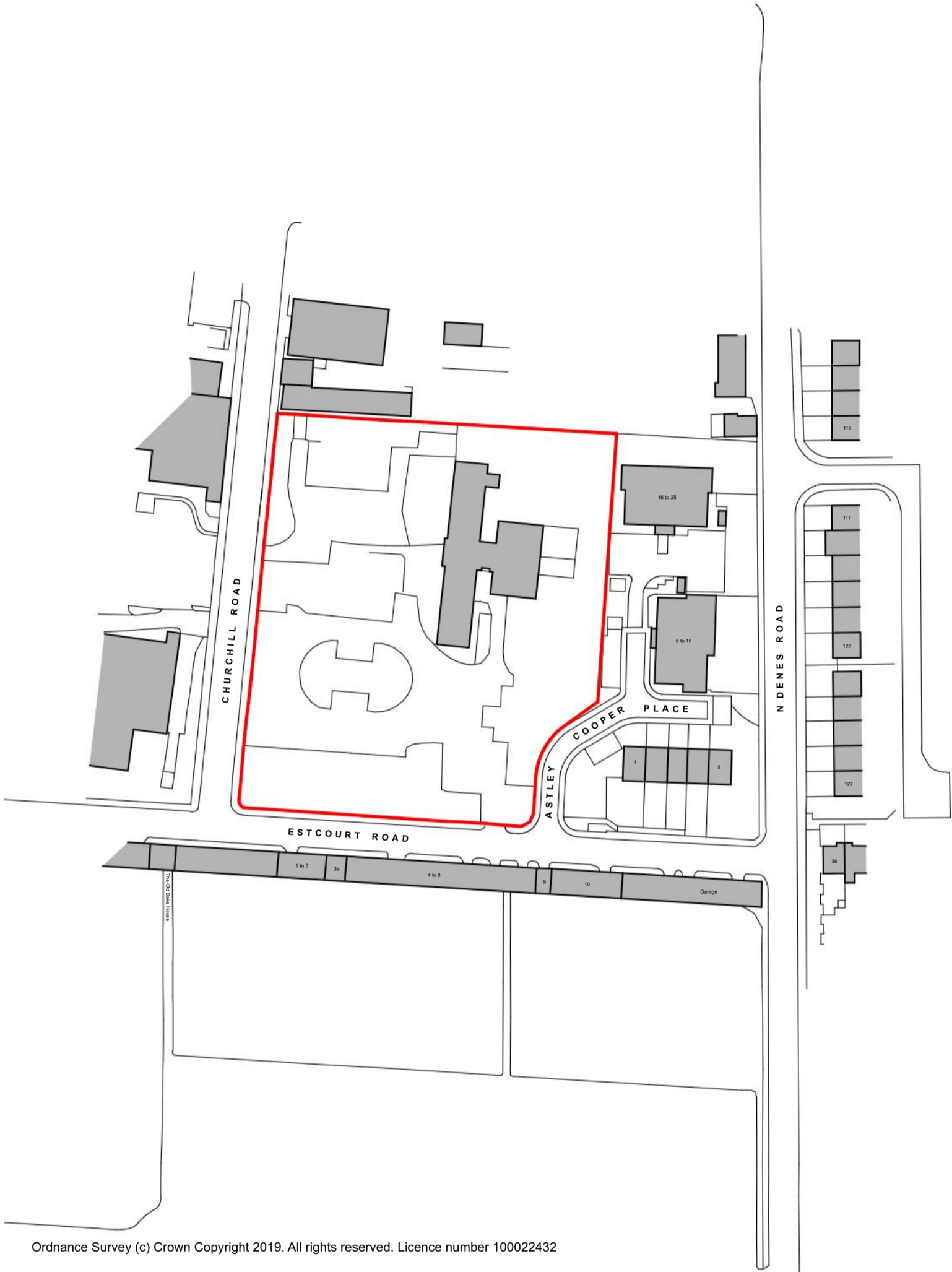
Site Location Plan

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Rev	Date	Drawn	Note
P02	02/10/2020	JKG	Drawing status updated to 'Planning'.



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Client
Minster Property Group

Project Title
Proposed residential development
Land at Churchill Road / Estcourt
Road,
Great Yarmouth

Drawing Title
Site Location Plan

Drawing Status
Planning

Scale(s)
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Drawn
JKG

Project Number
19049

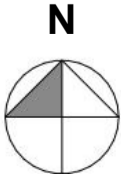
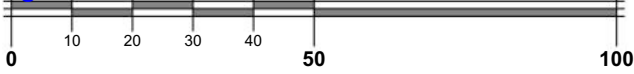
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Original Paper Size
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Date
17.09.20

Revision
P02

Scale (m)
Page 74 of 197



Proposed Site Layout

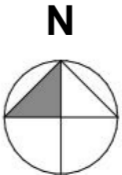
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Key

- Application site boundary
- Proposed Housing
- Existing Surrounding Buildings
- Private Rear Garden Area
- Public Open / Green Space
- Principal Highway / Road
- Private Drive
- Car Parking Spaces
- Pedestrian Footpaths
- Acoustic Boundary Feature
- Existing Brick Wall
Retained / infilled where necessary
- Existing Tree Planting
(approximate locations)
- Existing Trees Removed
- Proposed Tree Planting
(for illustrative purposes only -
subject to detailed design / planting
scheme by Landscape Architect)
- Proposed Hedge / Shrub Planting
(for illustrative purposes only - subject to detailed
design / planting scheme by Landscape Architect)
- Housetypes - Primary
Point of Access
- Primary Site Access



Scale (m)



schedule of accommodation

housetype	code	area	quantity
2B4P House	A	76m ²	14 no. units
3B6P House	B	97m ²	02 no. units
4B7P House	C	110m ²	02 no. units
3B5P House	D	88m ²	08 no. units
1B2P Maisonette	E	50m ²	04 no. units

Total Number of Units 30 no. units

approximate site area :	0.94Ha / 2.32 acres
density :	32 dwellings per hectare
parking provision :	200% / 100%

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19049 Model.pjn

Rev	Date	Drawn	Note
P02	21/09/2020	JKG	Plots 28-30 mirrored.
P03	02/10/2020	JKG	Footpath link to Estcourt Road added. Drawing status updated to 'Planning'.
P04	24/02/2021	JKG	Site access moved. Site updated to suit. Mix / units sizes changed and SoA updated.
P05	25/02/2021	JKG	Access amended.
P06	03/03/2021	JKG	Plots 01-07 updated. Plot 25 parking moved. Visitor parking added. Parking added to Plots 08-09 and 14-17. Rear access to Plot 19 amended.
P07	26/03/2021	JKG	SoA updated.
P08	27/04/2021	JKG	Plots 01-04 updated.
P09	27/05/2021	JKG	Plots 10-1 and 12-13 swapped. Access to Plots 01-09 and 26-27 amended.
P10	07/06/2021	JKG	Access to Plots 01-04 amended.
P11	01/07/2021	JKG	Access and red line amended.
P12	01/07/2021	JKG	Plots 01-04 boundary amended and boundary treatment shown.
P13	08/07/2021	JKG	Major scheme updates following input from Engineer. SoA updated.
P14	11/07/2021	JKG	Updated following feedback from Engineer.
P15	29/07/2021	JKG	Rear access updated, Plots 14-16 amended, visitor parking updated.
P16	10/09/2021	JKG	Updated following comments from Highways. Attenuation Basin updated.
P17	16/11/2021	JKG	Site access relocated and carriageway / attenuation moved.
P18	22/11/2021	JKG	Site access relocated to Churchill Road, and scheme amended.



Client
Minster Property Group

Project Title
Proposed residential development
Land at Churchill Road / Estcourt
Road,
Great Yarmouth
Proposed Site Layout

Drawing Status

Planning

Scale(s):

1:500

Drawn:

JKG

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Drawing Number:

0102

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17.09.20

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P 18

Original Paper Size:

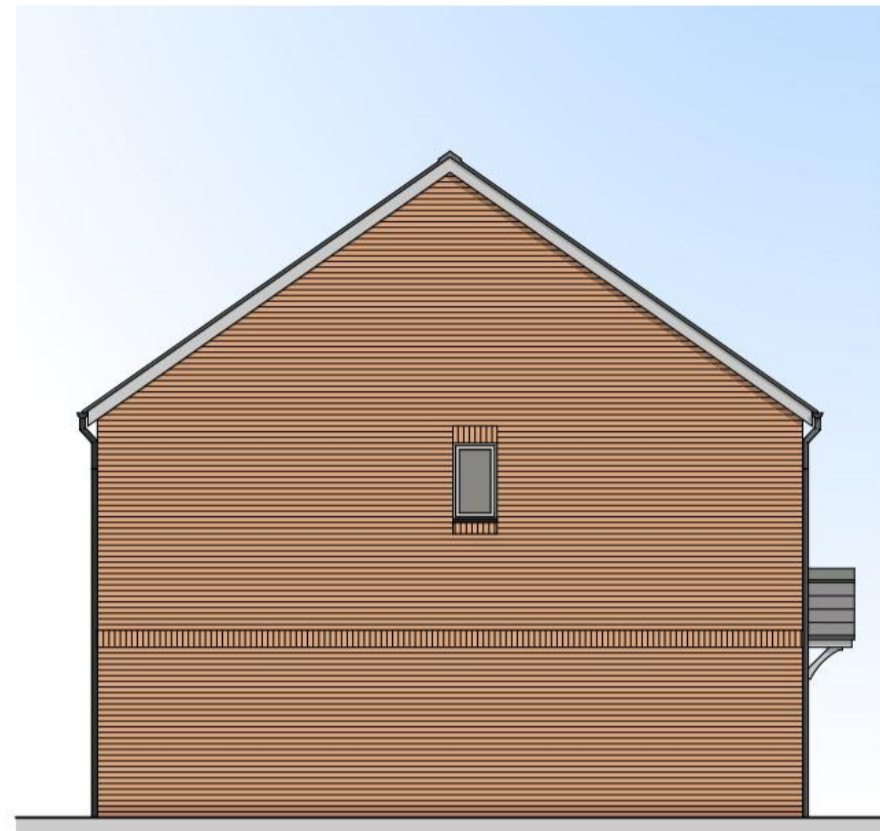
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This architectural elevation drawing shows a two-story building with a dark grey, horizontally-slatted roof. The facade is constructed of reddish-brown bricks. The upper story features six rectangular windows with grey frames and dark shutters. The lower story has two dark wooden doors, each topped with a white gabled awning supported by dark brackets. There are also two windows on the lower story, one on each side of the doors, with grey frames and dark shutters. The building is set against a light blue sky.

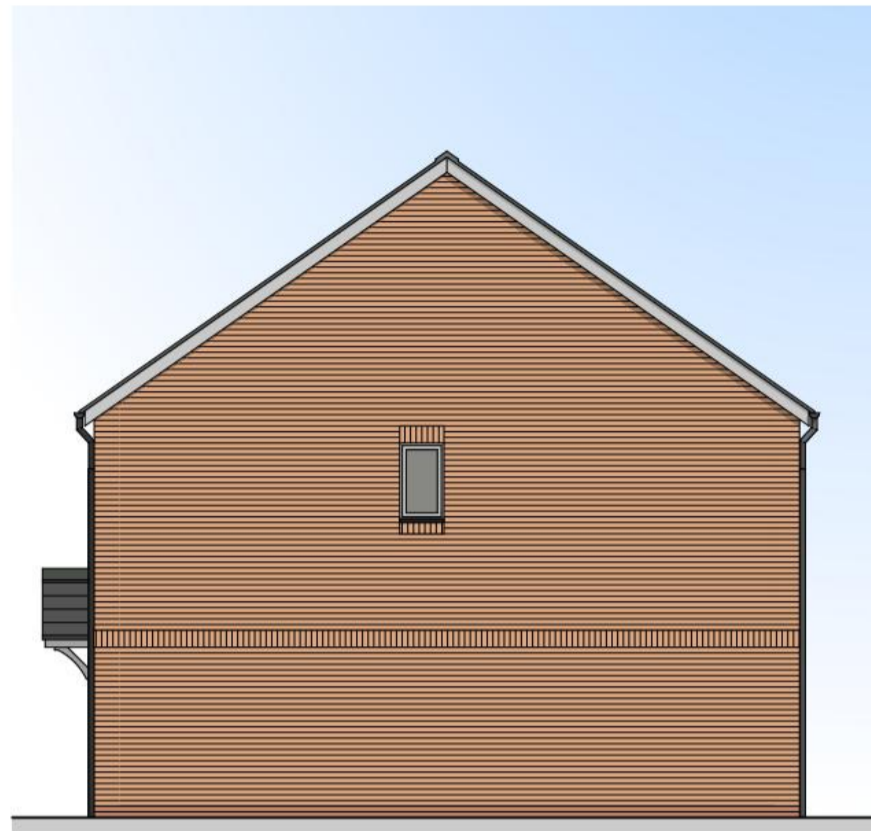
Front Elevation



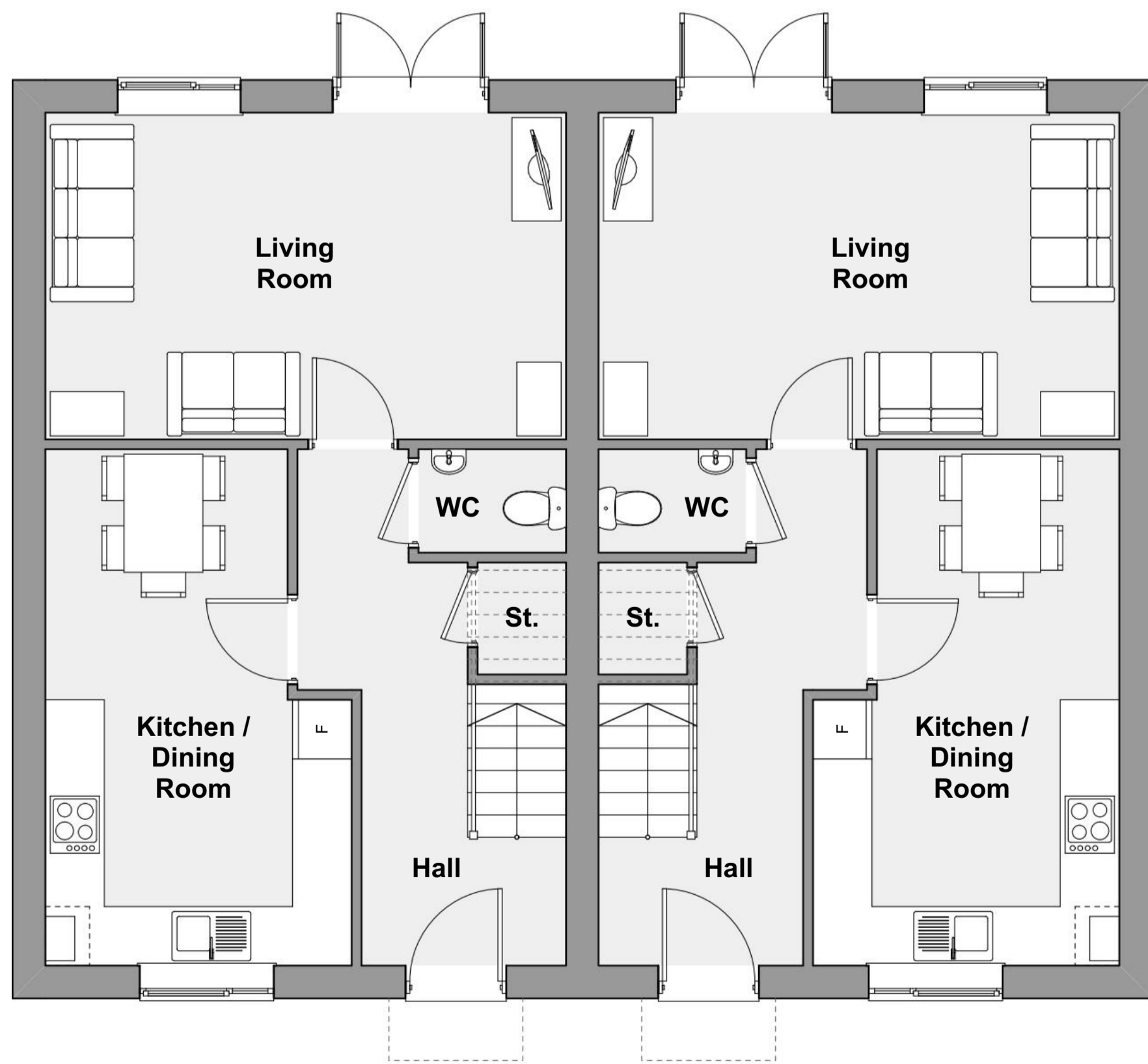
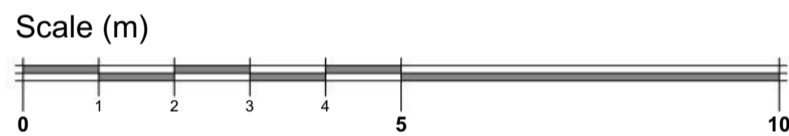
Side Elevation



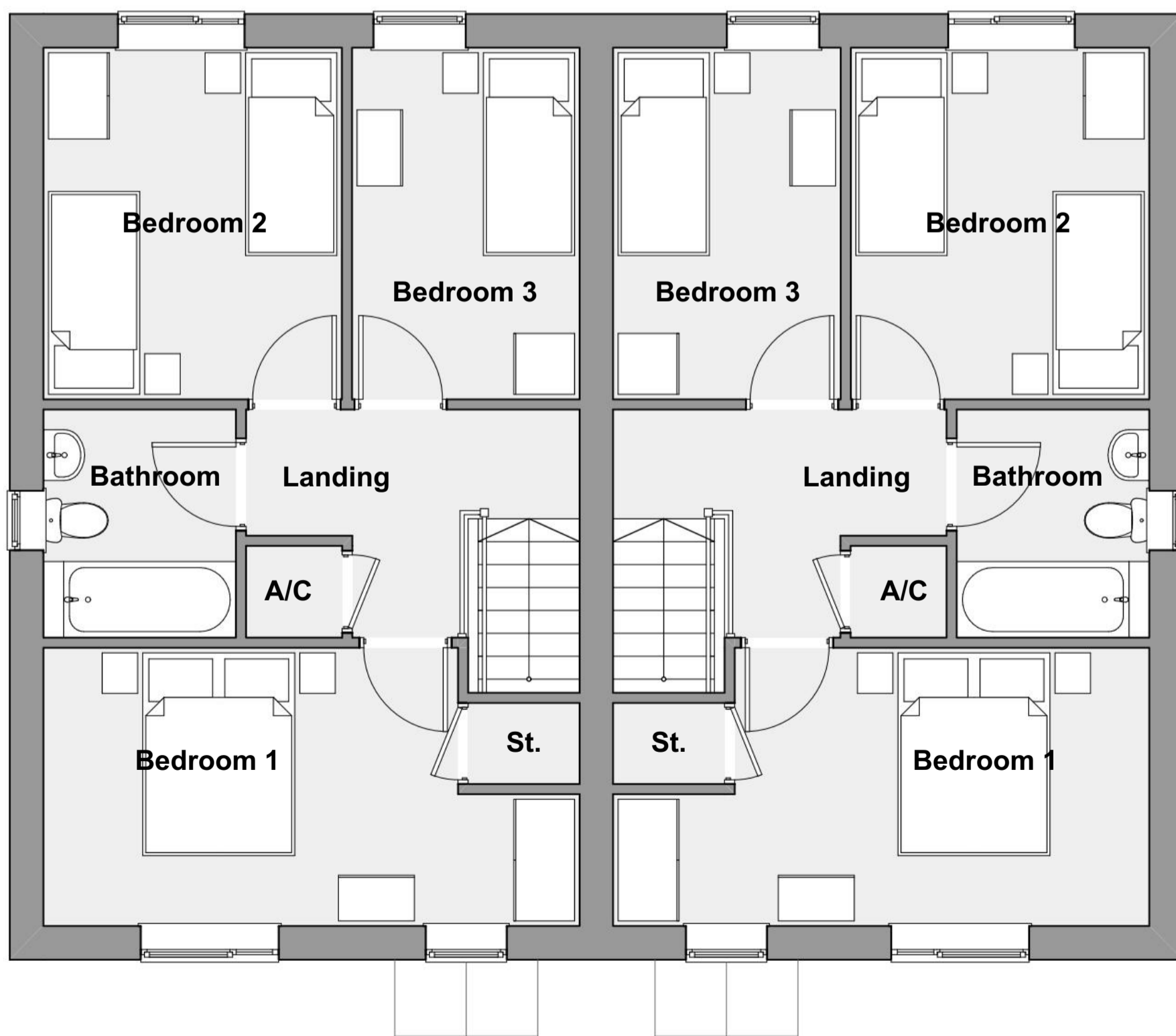
Rear Elevation



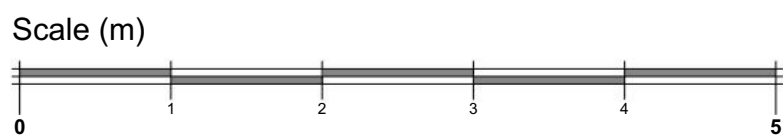
Side Elevation



Ground Floor



First Floor



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Source File:
19049 Model.pln



Client
Minster Property Group

Project Title
Proposed residential development
Land at Churchill Road / Estcourt
Road,
Great Yarmouth
Drawing Title
Housetype DD - Plans and
Elevations

Drawing Status

Planning

Scale(s):
1:50, 1:100

Drawn:
IKG

Project Number:

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A1

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Drawing Number: Revision:

0208 P01

Housetype AAA - Plans & Elevations

Scale: 1:50 & 1:100

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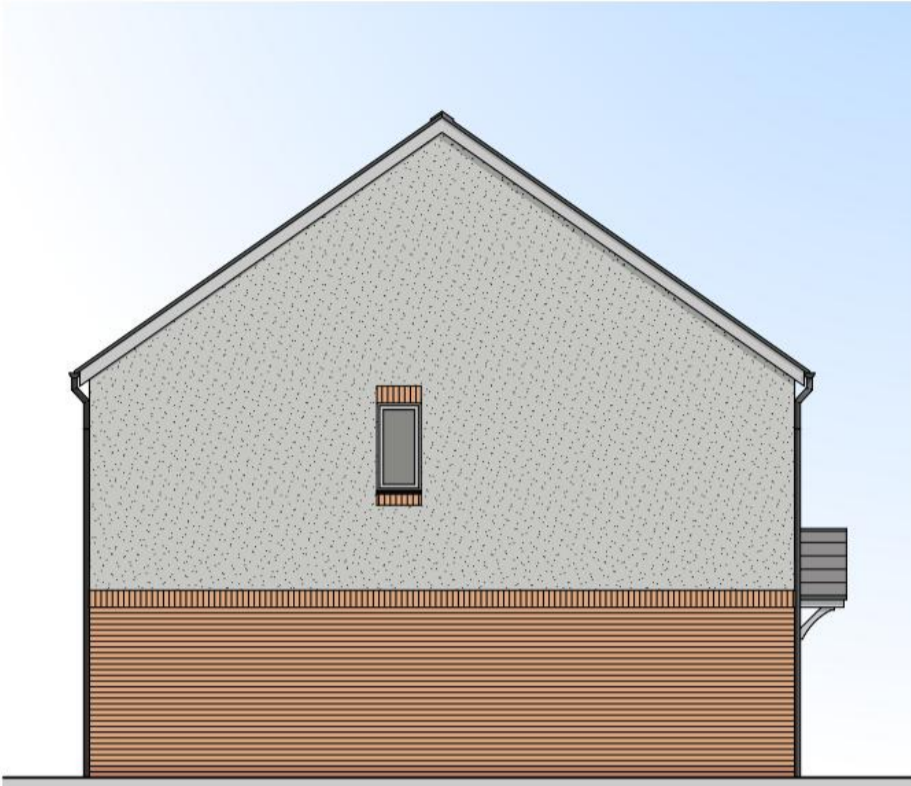
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Rev	Date	Drawn	Note
P02	02/10/2020	JKG	Drawing status updated to "Planning".

MATERIAL COMBINATION 02



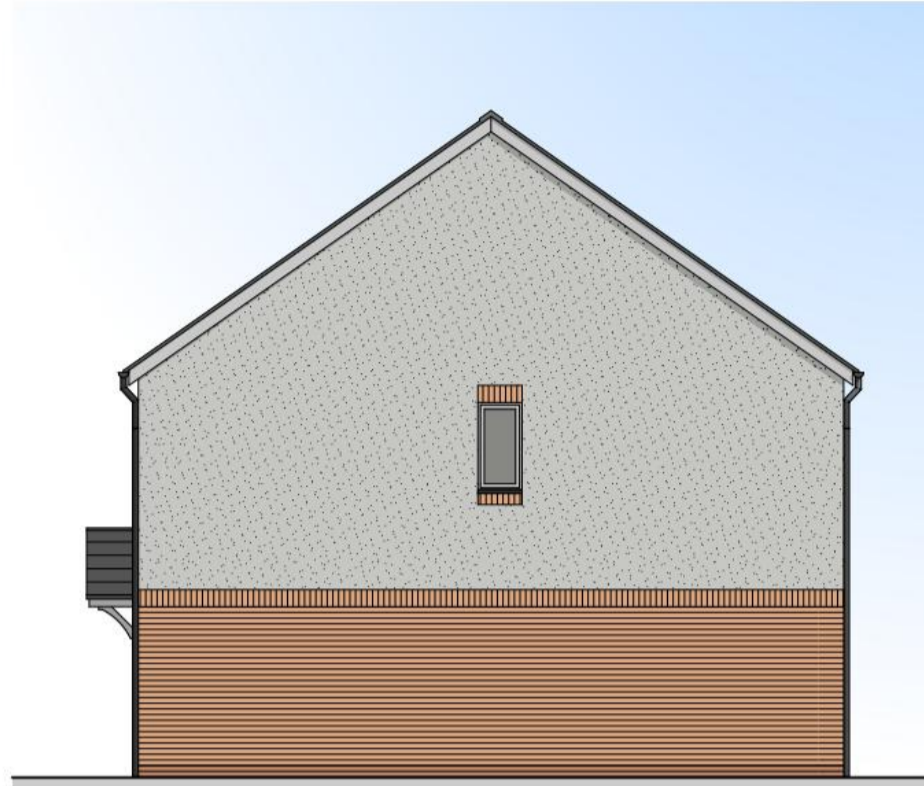
Front Elevation



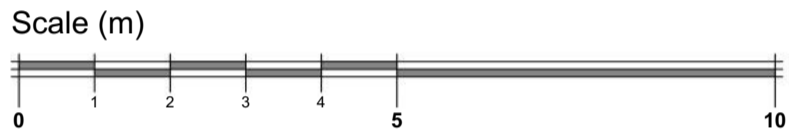
Side Elevation



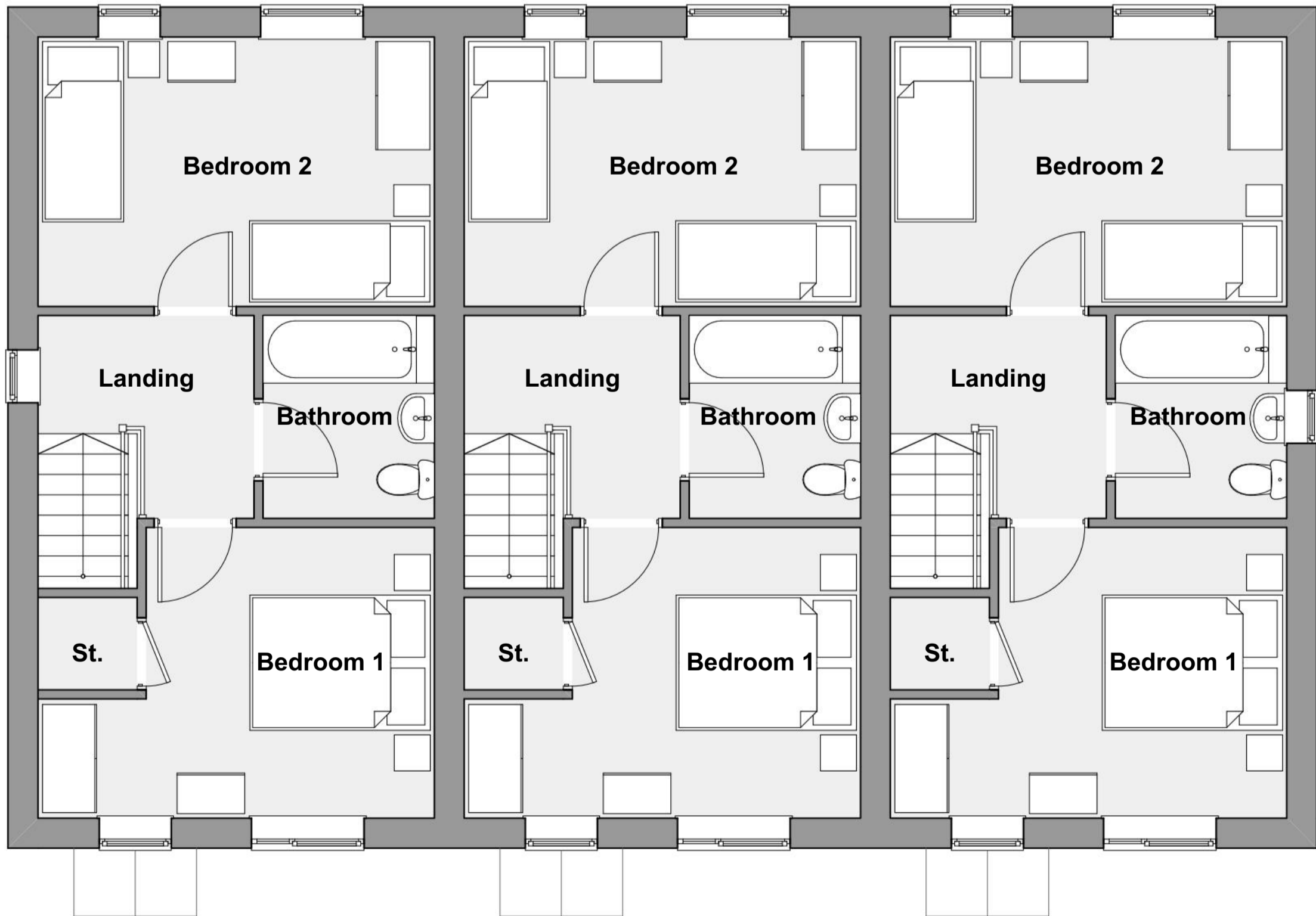
Rear Elevation



Side Elevation



Ground Floor



First Floor



Client
Minster Property Group

Project Title
Proposed residential development
Land at Churchill Road / Estcourt
Road,
Great Yarmouth

Drawing Title
Housetype AAA - Plans and
Elevations

Drawing Status
Planning

Scales:
1:50, 1:100

Drawn
JKG

Project Number
19049

Drawing Number
0201

Original Paper Size
A1

Date
21.09.20

Revision
P02

Reference: 06/21/0766/CU

Parish: Bradwell

Officer: Mr G Bolan

Expiry Date: 15/12/2021

Applicant: Mr K Barron

Proposal: Retrospective change of use and enclosure of part of unregistered vacant plot of land 8.5m x 9.45m to domestic curtilage for 'Copperfield'

Site: Land Adjacent to (Copperfield)
Blackbird Close
Bradwell
GREAT YARMOUTH
NR31 8HT

REPORT

1. Background / History: -

- 1.1. The application is for the retrospective change of use of land at the rear and adjacent to Copperfield, Mill Lane, Bradwell and to the west of 73 Blackbird Close. Copperfield is a single storey property which occupies a corner plot between Blackbird Close and Mill Lane. The area of Land concerned by the current application is located to the rear (east) of Copperfield. The site was land formerly used for siting an electricity pylon. Until recently, the site was enclosed only on the west, south and east by the 1.8m brick garden walls of Copperfield and 73 Blackbird Close.
- 1.2. The application is retrospective, and the applicant has already enclosed the area of land with a 1.8m high close boarded fence as an extension to the Copperfield garden. The area of land enclosed measures out to a length of 8.5m and a width of 9.5m (81sqm), but the proposal within this application does not enclose all the open land of the former pylon site, and there is a depth of 4.5m x 9.5m of land remaining open and not included in the inclusion of residential curtilage. This smaller 57sqm area adjoins the pavement of Blackbird Close, on which is a bus stop.
- 1.3. The area of land was originally used by Eastern Power Networks to place and maintain a pylon, the pylon has since been removed from the site, there has not been an exact date supplied or obtained regarding the removal of the pylon

however the records suggest that the pylon was removed between the period of the year 2000 to the year 2004.

1.4. The below table shows the relevant history for the site:

06/81/671/O	Land off Mill Lane	Residential Development	Refused – 27/08/1981 Allowed on appeal – 25/10/1982
06/84/431/F	Land off Mill Lane	Erection of 41 dwellings	Approved with conditions 10/07/1884
06/02/0848/F	Copperfield, Mill Lane	Extension to form “teenage accommodation”	Approved – 24/10/2002
06/03/0187/F	Copperfield, Mill Lane	Extension to garage; conservatory extension; raise boundary walls to 1800 mm in height	Approved – 02/04/2003
06/06/0838/F	Copperfield, Mill Lane	Extend garage roof to form car port	Approved – 07/11/2006

2. Consultations:-

- 2.1. Councillor Carl Smith – Objection
- 2.2. Councillor Graham Plant – Objection
- 2.3. Councillor Daniel Candon – Objection
- 2.4. Norfolk County Council Highways Authority – No Objection
- 2.5. Bradwell Parish Council – Objection
- 2.6. 1 Member of the public – Objection

3. Relevant Policies:

At the time of this DC Committee meeting the local development plan comprises the adopted Local Plan (2001) policies and the Core Strategy (2015). The emerging Local Plan Part 2 (LPP2) has received support from the Planning Inspectorate and is due to be considered for adoption on 09th December 2021, and those policies will replace the Local Plan 2001 and

modify some policies of the Core Strategy. The NPPF states at paragraph 48 that weight should be applied to emerging policies commensurate with the progress made towards adoption. As such it is considered that significant weight should be given to the policies within Local Plan Part 2 in the determination of this application.

Whilst the Council has an up-to-date development plan and 5-year-housing land supply the National Planning Policy Framework remains a material consideration but the development plan retains primacy.

3.1. The principal policies are:

Core Strategy (2015):

3.2. Policy CS9: - Encouraging well-designed, distinctive places –

In particular CS9 (a):- respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised; making efficient use of land and reinforcing the local identity. And; CS09 (f) - Seek to protect the amenity of existing and future residents, or people working in, or nearby, a proposed development, from factors such as noise, light and air pollution and ensure that new development does not unduly impact upon public safety

3.3. Policy CS15: - Providing and protecting community assets and green infrastructure.

CS15 a) Resist the loss of important community facilities and/or green assets unless appropriate alternative provision of equivalent or better-quality facilities is made in a location accessible to current and potential users or a detailed assessment clearly demonstrates there is no longer a need for the provision of the facility in the area.

3.4. Other material considerations:

The following emerging policies from the Final Draft of the Local Plan Part 2 are also relevant and can be given a significant level of weight in the determination of the application because they are considered to be in accordance with the NPPF and no objections have been raised during the examination of the Local Plan Part 2, and they have not been required to be subject to significant modifications by the Planning Inspectorate in their pre-adoption letter.

Local Plan Part 2 (final draft 2021):

3.5. Policy A1: - Amenity

Planning permission will be granted only where development would not lead to an excessive or unreasonable impact on the amenities of the occupiers of existing and anticipated development in the locality, in terms including:

- a. overlooking and loss of privacy.
- b. loss of light and overshadowing and flickering shadow.
- c. building and structures which are overbearing.
- d. nuisance, disturbance and loss of tranquillity from:
 - waste and clutter
 - intrusive lighting
 - visual movement
 - noise
 - poor air quality (including odours and dust); and
 - vibration.

4. Ward Councillors, Parish Council and Public Comments received:

- 4.1. At the time of writing, there have been 5 objections received to the application 3 of which are from the local ward councillors, 1 objection from Bradwell Parish Council and 1 objection from a member of the public, the issues raised are summarised as below:

Material planning considerations:

- loss of informal public open space.
- loss of public amenity including loss of space needed for a bus stop – the Parish Council states *“[we] recommend rejection until such time as legal ownership of this land is resolved, after which time it is the intention of Bradwell Parish Council to install a bus shelter on a portion of this piece of land.”*
- a precedent being set elsewhere such as in large open-plan post-war housing estates.
- height and appearance of the fence – a neighbour states the fence does not look right and is out of keeping with the property.
- making sure the application form declares they have attempted to notify the landowners.

Non-material reasons:

- To grant retrospective planning permission would reward bad behaviour.
- The Borough Council or its contractors have maintained the site and people think it was council owned land.
- The applicant should be required to move the fence back to his boundary line, making good the area he took, at his own expense.

5. Assessment: -

The Proposal

- 5.1. The application is for the change of use of a portion of land adjacent to Copperfield, Mill Lane, Bradwell to residential curtilage. The application is

retrospective, and a close boarded fence has been erected at height of 1.8m on its north boundary, enclosing the land to become a part of the existing residential curtilage to the rear of the property.

- 5.2. The total depth of the land adjoining Copperfield is 13m with a width of 9.5m, the proposal will allow the change of use of 8.5m of land and will leave 4.5m of land to the front portion of the site.

Ownership

- 5.3. Many of the objections raised to the application refer to the applicant not owning the land which has been enclosed. As a part of the application process the applicant has signed certificate D, and certificate D states that it should be used when: *Certificate A can not be issued for this application – All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land to which the application relates, but I have/the applicant has been unable to do so.*
- 5.4. The applicant published a notice in the Great Yarmouth Mercury on the 29th October this year as required under certificate D, and the Borough Council is not aware of any potential owners coming forward, it is therefore considered that the applicant has satisfied the criteria for validation of the planning application and the application has been considered on Planning merits only. Members will be aware that land ownership and/or property values cannot form a material planning consideration in the determination of planning applications.
- 5.5. However, the ownership situation of the site now appears to have been very recently progressed, because on 29th November the applicant contacted the LPA to say that they have found and contacted the landowner, a Mr Tubby, and completed the purchase of the land from them. According to the applicant their ownership of the land includes both the planning application site enclosed by the fence, and the area between fence and footpath. This has not yet been verified by the Land Registry because on 29/11/21 the sale registration documents had not yet been completed, but the applicant has provided documentation relating to a Bill of Sale concerning land title NK348966. The land sale title plan and updated site plan showing applicant interests are included within the Appendix.
- 5.6. Notwithstanding the above, a change of use permission is still required, and the application is assessed below on its planning merits.

Character of the area

- 5.7 The land the application relates to has remained open since the removal of a pylon tower formally maintained by (Eastern Power Networks), this was approximately removed between 2000 and 2004 according to information held by the Borough Council, since the removal the area of land remained open

and a grassed area until 23rd June 2018 when the applicant enclosed the northern boundary with a 1.8m close board fence.

- 5.8. Throughout the housing estate there are some small pockets of grassed area with the two closest areas being immediately west of the site (the Elamein Way play area) and 150m to the south (on the corner of Elamein Way and Mill Lane). These are both publically-accessible open space, either informal or with facilities. Some open greenspace land is also available to the north on Burgh Road adjacent Morrisons.
- 5.9. However it is not considered there are a substantial amount of open space areas in the area and therefore it is not considered that pockets of open space are a feature of the housing estate, so the partial enclosure of the land in this application is not considered out of character with the area. The proposal does not include the front portion of the land at the back of the pavement, which is the same depth as the adjoining front gardens to the east so if the retrospective application is approved this adjoining area will remain open and grassed giving the visualisation of the existing open space and being consistent with the open frontages found along Blackbird Close at the junction with Mill Lane.
- 5.10. The close boarded fence enclosing the site is consistent with what is expected within a residential estate environment and is consistent throughout this estate and is considered to not harm or impact the character of the area. In any case, the fence is permitted development (PD) being less than 2m tall and set well away from the highway.
- 5.11. It is proposed that a condition should be attached to any permission given that removes PD rights for outbuildings on the area outlined in red on the Block Plan provided, this is necessary to help retain control over the character of the area and in the interests of the visual amenity of the site to allow the site to still have a level of openness above the fence line where other structures are all low and shallow pitch roofs, this will allow the area to retain a visualisation of openness with a remaining area of land to the front remaining open..

Amenity

- 5.12. The amenities of the occupiers, nearby residential properties and members of the public have been considered throughout the process of the application. The applicant has claimed prior to the erection of the fence the rear portion of the land was used for littering, it is therefore considered the application has reduced the impact on the occupier of the property and the adjoining neighbouring properties and allowed the land to be less desirable for such actions to take place.
- 5.13. As stated earlier within the report the restriction upon outbuildings being located on the area applied for will be conditioned as part of any approval, this will ensure the impacts of any new structures or outbuildings on neighbouring amenity can also be considered.

Loss of playing area

- 5.14. There are concerns that this site causes the loss of unofficial but valued play space. That may be the case but the land was never intended to serve a recreation function and there is no policy-based designation protecting it as such. Instead, there are considered to be suitable open space and play facilities elsewhere which are better serve the community and which have less impact on adjoining neighbours (i.e. the El Alamein park).

Other material considerations

- 5.15. Some concerns have been raised around this setting a precedent. Because of the limited number and sporadic nature of the open spaces in the estate it is not considered that a precedent would be set for the loss of open space in this or any other estates. The development does not affect the area at the back of the pavement which remains open, and specific planning permission would be needed to bring that into residential curtilage use in the future. Other open spaces in larger housing estates are usually intentional strategic spaces serving a design or recreation purpose and are often protected by section 106 agreement or condition to remain as open space, and usually planning permissions are needed for their residential use, and assessments would be made at that time against the impact of any losses to character or public recreation. Given the unique former use of this land it is a very unusual circumstance which needn't be the start of any onward trend.
- 5.16. Some concern is raised that the land would better suited to house a bus shelter given there is a bus stop there. Whilst this idea has merit, there still remains adequate space at the back of the pavement to house a bus shelter which would be unaffected by this application.

Conclusion

- 5.17. The small section of land is not formalised play space or open space and does not contribute significantly to play or leisure opportunities for residents. The land is of poor-quality landscaping and does not positively contribute to the character of the area. The change to garden space (subject to conditions retaining control of further development through restricting permitted development rights) would have at worst a neutral effect and positively contribute to the area.

6. RECOMMENDATION :-

- 6.1. It is recommended to **Approve** the application, as it satisfies the criteria of core policies CS09 and CS15 of the adopted Core Strategy and is consistent with the aims set out in emerging policy A1 of the Local Plan Part 2.
- 6.2. Approval is recommended subject to the conditions suggested below.

Proposed Conditions:

- 1) The use hereby permitted shall only be for residential purposes associated with the dwellinghouse at Copperfield, Mill Lane, Bradwell, NR31 8HT and permission shall apply only to the land shown within approved plans drawing references:
 - Site Location Plan – TQRM21239120131464
 - Proposed Block Plan - TQRM21239115302642

received by the Local Planning Authority on the 30th August 2021.

- 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order) no outbuildings or other structures shall be erected within the application site hereby approved without the express written permission of the Local Planning Authority.

And any other conditions considered appropriate by the Development Manager.

Appendices.

- 1) Site Location Plan
- 2) Proposed Block Plan
- 3) Photograph
- 4) Aerial Photography
- 5) Sales purchase plan - Title NK348966 (29/11/21)
- 6) Updated application site plan showing adjoining land ownership (29/11/21)

Location Plan



0 50
Metres



Plan Produced for: **Mr K Barron**

Date Produced: 27 Aug 2021

Plan Reference Number: TQRQM21239120131464

Scale: 1:1250 @ A4

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Site Plan Blackbird Close ,Bradwell



Plan Produced for: Mr K Barron

Date Produced: 27 Aug 2021

Plan Reference Number: TORQM21239115302642

Scale: 1:500 @ A4

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Blackbird Cl





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Ordnance Survey 100018547



Site Plan Blackbird Close ,Bradwell



Plan Produced for: Mr K Barron

Date Produced: 27 Aug 2021

Plan Reference Number: TQRQM21239115302642

Scale: 1:500 @ A4

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Site Plan Blackbird Close ,Bradwell



Plan Produced for: Mr K Barron

Date Produced: 27 Aug 2021

Plan Reference Number: TQRQM21239115302642

Scale: 1:500 @ A4

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Reference: 06/21/0536/F

Ward: Gorleston

Officer: Mr R Tate

Expiry Date: 15th December 2021

Applicant: Mr A Pembroke

Proposal: Demolition of existing dwelling and erection of no.2 three storey detached dwellings with extension of existing garage to rear

Site: 60 Marine Parade, Gorleston, GREAT YARMOUTH, Norfolk, NR31 6EX

1. Background / History :-

- 1.1 The site comprises 1250sqm and is located to the western side of Marine Parade, Gorleston. There is currently a two-storey, flat roof dwelling dating from the mid-twentieth century located on the site; it is a distinctive building, comprising a part stone-clad ground floor and mint-green rendered first floor. The application site is located within the settlement limits of Gorleston.
- 1.2 The site is irregular in shape and the frontage of the plot follows the curve of the road linking Marine Parade with Arnott Avenue. Notably larger in size than neighbouring plots, the site is bounded on three sides by roads – Marine Parade to the east, Arnott Avenue to the north, and Buxton Avenue to the west. This means the site does not follow the existing pattern of development along Marine Parade where there is a consistent building line.
- 1.3 The site lies adjacent to the No 17 Gorleston Conservation Area Extension and therefore has the potential to affect the setting of the designated heritage asset.
- 1.4 The application site is located outside of Flood Zones 2 and 3 and is not identified as being at risk to surface water flooding.
- 1.5 There is no relevant planning history on the site.
- 1.6 The application was submitted and advertised with reference made to these being “executive” dwellings, but that has since been removed as it has no bearing on the assessment and recommendation made.

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

- 2.1 The original application was submitted in June 2021, and revised plans 1612/1/Rev B and 1612/2/Rev C were received in October 2021. All neighbours were notified of revised plans and consultation was for 14 days from October 7th 2021.
- 2.2 Neighbours: - At the time of writing, there have been 14 objections received as part of the public consultation process. The following issues were raised during consultation on the original plans are summarised below:
- Concerns about 2 metre high boundary wall
 - Blank side elevation onto Arnott Avenue
 - Should preserve existing dwelling
 - Frontage not in a straight line
 - Access to plot 1 could affect junction with Arnott Avenue
 - Impact on Highway Safety

The following issues summarised below were raised either both in both the initial consultation and consultation on the revised plans or following consultation on the revised plans:

- 3 storeys are too tall
 - Out of character
 - Harmful in the street scene
 - Loss of privacy (overlooking)
 - Harmful to the environment
 - Concerns regarding design – utilitarian / ugly / too modern
 - Increase in traffic
 - No reason to demolish the existing dwelling
 - Over-development of the site
 - Developers will make a profit
 - Too many dwellings along Maine Parade have been replaced already
 - Marine Parade should be made a Conservation Area to prevent the demolition of existing properties.
- 2.3 Local Highway Authority (Norfolk County Council) – no objection subject to conditions.
- 2.4 Conservation Section – general comments

The building to be demolished is a modest two-storey flat-roof structure dating from the second half of the 20th century. It is located outside the boundaries of the Conservation area and further back from the front line of Gorleston's Marine Parade. Conservation advice would be to ensure the proposal contributes positively to the existing street scene. It would be helpful to see the scale of the proposal, compare it to the height of the demolished building and surrounding built environment.

No comments have been received on the revised proposals.

2.5 Arboricultural Officer – no objection

There are a number of valuable trees upon the site; they are not worthy of being protected by Tree Preservation Order; however, they are worthy of retention. There is a yew tree hedge upon the Arnott Avenue northern boundary, a stand alone Yew tree and also a holly tree. If these can be retained/protected during the development process they would continue to contribute to the area. The tree species involved have a long retention span. According to the submitted plans the trees should not be affected by the building works anyway (possibly with the exception of the holly tree near to the garage).

3 Relevant Planning Policy –

- 3.1 At the time of this DC Committee meeting the local development plan comprises the adopted Local Plan (2001) policies and the Core Strategy (2015), but the emerging Local Plan Part 2 (LPP2) is due to be considered for adoption on 09th December 2021.
- 3.2 The NPPF states at paragraph 48 that weight should be applied to emerging policies commensurate with the progress made towards adoption. As such it is considered that significant weight should be given to the policies within Local Plan Part 2 in the determination of this application.

Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):

- 3.3 Paragraph 219 of the National Planning Policy Framework (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.
- 3.4 The Saved Policies listed below 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 and are relevant to the determination of this application.
- HOU07 - New residential development
 - HOU17 - Housing density and sub-division

Core Strategy – Adopted 21st December 2015

- 3.5 **Policy CS1:** Focusing on a sustainable future. This policy lays out a framework to achieve an environmentally friendly, socially inclusive and economically

vibrant Borough not just for those who currently live, work and visit the borough, but for future generations to come.

- 3.6 **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. Gorleston is classified within CS02 as one of the Borough's main towns and is therefore, along with Great Yarmouth, expected to accommodate 35% of growth.
- 3.7 **Policy CS9:** Encouraging well designed and distinctive places. This policy applies to all new development.
- 3.8 **Policy CS10:** 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
- 3.9 **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.

Local Plan Part 2 (final draft 2021)

- 3.10 The Local Planning Authority has progressed the 'Local Plan Part 2' (LPP2) through the policy examination stage. The LPP2 has received support from the Planning Inspectorate, subject to undergoing some minor modifications. Those modifications have been the subject of additional public consultation, and the LPA received the Planning Inspectorate's letter and report in November confirming the LPP2 can be adopted as part of the local development plan.
- 3.11 The LPP2 policies will replace the Local Plan 2001 and modify some policies of the Core Strategy, and they will complement the Core Strategy by adding detail to the existing more strategic policies.
- 3.12 As such, in accordance with paragraph 48 of the National Planning Policy Framework, the following draft policies are considered by Officers to be relevant and should attract significant weight in the determination of this application, as listed below:

Policy GSP1: Development Limits

Development Limits are defined on the Policies Map. Development will be supported in principle within the Development Limits.

Policy A1: Amenity

Development proposals will be supported where they protect or promote a high standard of amenity to ensure a suitable living environment in the locality.

Planning permission will be granted only where development would not lead to an excessive or unacceptable impact on the amenities of the occupiers of existing and anticipated development in the locality, in terms including:

- a. overlooking and loss of privacy;
- b. loss of light and overshadowing and flickering shadow;
- c. building and structures that will be overbearing;
- d. nuisance and disturbance from:
 - waste and clutter
 - intrusive lighting
 - visual movement
 - noise
 - poor air quality (including odours and dust); and
 - vibration.

Where adverse impacts on amenity are an inevitable consequence of an otherwise desirable use and configuration, measures to mitigate unacceptable impacts will be expected to be incorporated in the development.

On large scale and other developments where construction operations are likely to have a significant and long-term impact on local amenity, consideration will be given to conditions to mitigate this thorough a construction management plan covering such issues as hours of working, points of access and methods of construction.

Policy A2: Housing design principles

Proposals for new housing development will be expected to demonstrate high quality design which reflects local distinctiveness and creates attractive and functional environments.

Planning applications will be refused for housing development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account the criteria and the National Design Guide and any future local design guide/code.

Policy E4: Trees and landscape

Development will be supported where it:

- a. retains trees, hedgerows, including ancient trees and hedgerows, and landscape features which contribute significant value to the character, amenity or ecology to the locality; and

- b. takes opportunities to enhance those features and qualities, commensurate with the scale and nature of the development.

Where development may impact upon trees, planning applications should be supported by an arboricultural assessment (to BS 5837 or an equivalent standard).

Developments should include landscaping schemes as appropriate to the size and nature of the development in order to mitigate impacts on and where possible enhance the local landscape character.

Development which is either:

- c. within the Norfolk Coast Area of Outstanding Natural Beauty; or
- d. inter-visible with, or otherwise affecting the landscape or setting, of either the Area of Outstanding Natural Beauty or the designated Broads area,
- e. will be carefully controlled to avoid adverse impacts on their landscapes and natural beauty, and the enjoyment of their special qualities, including views out from those areas and the value of dark skies as part of their landscape.

Policy E5: Historic environment and heritage

In accordance with national planning policy and Policy CS10 of the Core Strategy, proposals for development should seek to conserve and enhance the significance of heritage assets, including any contribution made by their setting, by positively contributing to the character and local distinctiveness of the area.

Development proposals within conservation areas, or in a location that forms part of its setting, should take into account the special and distinctive character of the area which contributes to its significance and have regard to the relevant Conservation Area Appraisal and Management Plan.

Non-listed buildings or structures which either make a positive contribution to the significance of a conservation area or are a non-designated heritage asset will be protected from demolition.

Proposals which involve the loss of non-listed buildings/structures which either make a positive contribution to the significance of a conservation area or are non-designated heritage assets will only be permitted where:

- a. the building/structure is structurally unsound and beyond feasible and viable repair for reasons other than deliberate damage or neglect; or
- b. all measures to sustain the existing use or find an alternative use/user have been exhausted and the building risks falling into dereliction.

In all cases replacement buildings, or any new use of the site, should preserve or enhance the character of the area and the significance of heritage assets.

Development proposals which have the potential to impact on Heritage Assets or their settings should be supported by a Heritage Impact Assessment prepared by an individual with relevant expertise. An archaeological assessment must be included with any planning application affecting areas of known or suspected archaeological value to ensure that the preservation and/or recording of archaeological remains can be secured.

Other material considerations:

National Planning Policy Framework (NPPF), updated July 2021

NPPF 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 well-designed, beautiful and safe places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

NPPF Chapter 5 - Delivering a sufficient supply of homes. In particular NPPF Paragraph 62 - Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers²⁵, people who rent their homes and people wishing to commission or build their own homes).

NPPF Paragraph 111 - 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.

NPPF Paragraph 130 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

4 Local finance considerations:-

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

5 Shadow Habitats Regulation Assessment

- 5.1 The site sits within the Blue Over 5km Zone and therefore, as per the Threshold table, no contribution is required and there is no requirement to provide a HRA as part of this application.

6 **Assessment**

Proposal

- 6.1 The application seeks the demolition of the existing two-storey flat roofed dwelling at 60 Marine Parade, and then proposes to subdivide the site and erect two, three-storey properties to replace it.
- 6.2 Both dwellings are proposed to be the same size – 8.2 metres in height (this compares to the existing dwelling which is 6.5m in height) with footprints of 18.8 metres by 8.4 metres. The dwellings would be 4 / 5 bedroomed properties respectively.
- 6.3 The proposed dwellings use a more contemporary material palette than the existing dwelling, making use of white silicone rendered panels, Camtech Bromo grey bricks and black aluminium casement windows.
- 6.4 Plot 1 will retain the existing vehicular access off Buxton Avenue with a pedestrian access to Marine Parade. Plot 2 has its vehicular access to the front, with a pedestrian access to Alder Avenue.
- 6.5 The dwellings are stepped to reflect the curve of the road.
- 6.6 The main issues in the assessment of this application are:
- Principle of development
 - Design
 - Heritage impacts
 - Amenity
 - Highways, access and parking
 - Landscape and ecology

Principle of Development

- 6.7 The application site is located within the development limits for Gorleston and seeks the erection of 1 net new dwelling. Within Gorleston (which along with Great Yarmouth is expected to account for 35% of new development as per policy CS2) the principle of new residential development is considered acceptable.
- 6.8 Being located within Gorleston, the site is located within walking distance to a range of shops, services, amenities, and employment. There also a bus stop

35 metres distance away from the site. Therefore, there would not be a total reliance on the private motor vehicle and the development would be located in a sustainable location, meeting the aims of paragraph 8 of the NPPF and Core Policies CS01 and CS02.

- 6.9 The proposal seeks to sub-divide the site, increasing the density of development. Saved Policy HOU17 resists sub-division of plots where it would be likely to lead to development out of character and scale with the surroundings. In this instance, the sub-division of the plot would replicate the density of the two dwellings to the north of the plot – 23 Buxton Avenue and 59 Marine Parade.
- 6.10 The principle of subdividing the site and providing 1 net additional dwelling is therefore acceptable subject to being able to demonstrate compliance with other policies within the development plan.

Design

- 6.11 Marine Parade has a prestigious sea front position with the properties overlooking the cliff edge and the dwellings in this part of Gorleston are comparatively larger in scale and reflect a mix of architectural styles. A number of recent proposals have been approved for more contemporary designs – for example at nos. 45 and 50. Policy CS09 seeks a high standard of design and emerging LPP2 Policy A2 states that contemporary architecture should not be prohibited but should be related to the local identity.
- 6.12 These are consistent with NPPF paragraph 130 which expects proposals to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). The importance of achieving good design that respects and acknowledges local character, and innovates where appropriate, is reiterated in the NPPF paragraph 134, which states that “significant weight should be given to proposal which help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”... and furthermore, supports refusal of applications which fail to do so: “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.”
- 6.13 Marine Parade is predominantly characterised of detached dwellings consisting of two/two and a half stories with pitched roofs, although it should be noted that Marine Parade does not exclusively consist of these types of dwellings and

there are examples of flat roofed properties on Marine Parade – including the current dwelling on the site. When considering the appropriateness of flat roofs on new dwellings in this area, careful consideration has to be given to the integration of the proposal into the area and the impact of the bulk and scale on the setting of the Conservation Area. A well-integrated proposal could contribute to the local distinctiveness of the area.

- 6.14 The existing dwelling is unique, being a two-storey flat roof dwelling. It is set back further than the main building line of Marine Parade and is noticeably lower in height. The dwelling does have its own character and contributes to the setting of the Conservation Area by way of its unique appearance. However, the rear appearance - from Buxton Avenue – is poor and lacks visual connection with the surrounding area. This is mostly because of the unattractive fenestration, amount of horizontal mass and lack of active façade to the rear. The proposal therefore provides an opportunity to provide an improvement in this respect.
- 6.15 Negotiations have taken place to overcome concerns with the initial scheme. Effort has been made to ensure that the dwellings can be successfully integrated into the street scene and be in keeping with the character of Marine Parade. Of the revisions made since first submission, the most notable are the revised positioning on the plot (creating the incremental stepping effect), changes to side elevations to ensure more of an active frontage to Arnott Avenue, and revised a revised material palette to secure more differentiation between the proposed dwellings.
- 6.16 The proposal as revised now includes active facades to both Marine Parade and Arnott Avenue. This ensures that the dwellings comply with CS09 C which seeks to ensure that developments “Promote positive relationships between existing and proposed buildings, streets and well-lit spaces, thus creating safe, attractive, functional places with active frontages that limit the opportunities for crime”. It also accords with emerging policy A2 from the Local Plan Part 2 which states “Houses should effectively turn corners at street junctions to avoid blank walls and nonactive frontages.” The inclusion of a side entrance / door facing Arnott Avenue as well as the inclusion of windows on the northern elevation helps to prevent non-active frontages.
- 6.17 The proposal is also considered to represent an improvement to the Buxton Avenue street scene (west / rear elevation), by using the mix of materials, forms and modelling, resulting in an enhancement compared to the bland existing rear elevation. It is also considered important that vehicular access to Plot 1 continues from Buxton Avenue, to provide the sense of activity and natural surveillance, even if the temptation is to orientate the interior eastwards towards the sea.

- 6.18 The proposed dwellings will have an additional storey and will be 1.7 metres taller than the existing dwelling. The additional height will be noticeable because the existing dwelling is only two storeys, but the principle of a three storey, flat roofed dwelling is considered acceptable in this location because the majority of dwellings are two-storeys with pitched roofs, some with gables and almost-vertical rooflines such as those of greater mass opposite, on the north side of Arnott avenue / Marine Parade, so it is considered the additional height will not appear incongruous.
- 6.19 The site is somewhat unusual due to it being bounded on three sides by roads and the existing dwelling sits halfway between the building line of the dwellings on Marine Parade and Buxton Avenue. The proposal seeks to make this step back more incremental, with Plot 1 stepping back from no.61 Marine Parade, and Plot 2 stepping back further following the curve of the road, lessening the impact of the additional dwelling on the site and making integration of the two dwellings more sympathetic to the relationship of dwellings to the public realm. In this respect the proposal is beneficial in replacing the existing dwelling.
- 6.20 The proposal utilises a more contemporary material palette than the existing property, which appears dated and of its time. The improvement in terms of materials, including their mix and implementation, would be considered to provide an improvement to the setting of the Conservation Area.
- 6.21 Core Policy CS09 A requires that developments respect the forms, materials and massing of the surrounding built environment, but given the existing dwelling design this should be viewed as a principle rather than any requirement to copy existing forms. The proposal should then be viewed with more emphasis on innovation within the parameters of the surrounding environment; the proposal has provided a similar scale, height, building width and set back from the road / building line as is the case at neighbouring dwellings, and is therefore considered to be in keeping with the surrounding built context, whilst being of an innovative appearance which is reflective of recent developments along Marine Parade.
- 6.22 The plans show a boundary wall of 1.5 metres in height with indicative planting behind. Given the surrounding boundary treatments this is considered acceptable. It is recommended to condition a scheme of hard and soft landscaping on the grant of any approval given the prominent location of the plot.
- 6.23 The proposal is a modern design, and the revised plans provides a more successful integration into the area which could contribute to the distinctiveness of Marine Parade. The proposed materials and modelling should mitigate the

increase in height. The proposal is therefore considered to comply with CS09 and Emerging Policy A2 with respect to design.

Impact on heritage assets

- 6.24 The site lies 40 m to the west of the No 17 Gorleston Conservation Area Extensions (the boundary of which runs along the eastern boundary of Marine Parade), which is a defined heritage asset. There are no intervening buildings between this site and the conservation area. The decision maker has a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure there is special attention paid to the desirability of preserving or enhancing the character or appearance of that area.
- 6.25 Furthermore, the NPPF requires any harm to the setting and character and appearance of the designated heritage asset to be quantified, and for any permission to be granted where there is harm it should be outweighed by public benefits.
- 6.26 In this instance, the existing dwelling is considered a quirky and characterful presence along Marine Parade but is not considered to contribute positively to the setting of the Conservation Area, and as such the demolition is considered to have a neutral effect on the setting. Notwithstanding the increased height, the proposed dwellings provide a favourable alignment to Marine Parade, and the innovation of the new design suggests that the Conservation Area will be enhanced by contemporary architecture in its setting. Overall, it is considered by Officers that the impacts on the Conservation Area will be at worst neutral or even positive by virtue of the new design, and in that case it would be unnecessary to quantify 'public benefit'.
- 6.27 However, noting that design and aesthetic assets can be viewed from different perspectives, Officers suggest that if Members were minded to take an opposing view, in that either the existing building was of unrecognised heritage value and/or the new design was in fact detrimental to the setting of the Conservation Area, then there would be a degree of 'less than substantial' harm caused to the setting of the Conservation Area. In that case, Officers advise that the degree of harm is very low on the scale of 'less than substantial harm' and the public benefits needed to outweigh the harm would need to be correspondingly low. In this case, there are benefits from the short term jobs created during construction, from a level of investment being made in the local area from the income that another household brings, and from the small contribution towards providing new housing and maintaining housing land supply. These benefits are considered modest but sufficient to outweigh any harm that might be identified to the designated heritage assets.

- 6.28 Core Strategy policy CS10 and emerging LPP2 policy E5 both require the Conservation Area to be conserved and enhanced. Policy E5 will preclude demolition of non-listed buildings which make a positive contribution to the significance of a conservation area, but the policy is primarily focussed on developments within conservation areas and in any case the existing dwelling is not considered to make a positive contribution in its current form, nor is it a 'non-designated' heritage asset.
- 6.29 As described above, it is considered that the ambitions of policies CS10 and E5 are met through the improved or neutral impact on the setting of the conservation area, and by making a positive contribution to the local distinctiveness of the area.

Amenity

- 6.30 As the new properties are to the north of existing dwellings on Marine Parade and Buxton Avenue, there are no concerns with respect to loss of daylight / overshadowing. The similar plot footprints and the separation distances and intervening garage to the south prevents a sense of overbearing development or overdominance, notwithstanding the increased height. Being positioned to the side, of the closest properties there remains adequate outlook for all the closest neighbours.
- 6.31 Concerns have been raised during the public consultation process with regards to overlooking of neighbouring properties as a result of the increase to three stories. It is recognised that the increased elevation would alter the viewing angle, but given the distance and relationship with neighbouring properties, and taking into account the existing level of overlooking given the density of the area, the proposal is not considered to represent a significant increase in overlooking from active windows compared to the existing situation.
- 6.32 However, Plot 1 introduces a tall 3-bay-wide full height south-facing 2nd floor window, which would overlook neighbouring gardens and appear very intrusive if a normal glazed window were used, but this is designed to serve the stairwell and landing only. The same technique is used on the north elevation of Plot 2 facing properties on Arnott Avenue, where the gardens are mostly between the two dwellings. As a design feature these windows add interest to the elevation and reduce the sense of horizontal mass, albeit possibly at the expense of increasing the sense of verticality, but their role is primarily functional. It is considered reasonable and necessary, and architecturally feasible to expect these to be obscure glazed without compromising the design, to be secured by condition.

- 6.33 In the interests of protecting amenity, all ensuite and bathroom windows will be required to be obscure glazed too.
- 6.34 The Juliet style balconies shown to be used on the second floor on the rear (west) elevations should not result in additional overlooking compared to a regular window.
- 6.35 However, at first floor level both rear (west) bedrooms show full height windows; however, given the distance to the bungalows on Buxton Avenue, the level of overlooking is not considered to result in significant adverse harm to neighbouring amenity.
- 6.36 The existing property has a large balcony on the front elevation above the projecting front extension, positioned immediately adjacent the boundary with no.61. Due to the location of this, this offers views both into the rear garden of no.61 but also into the rear of properties fronting both Marine Parade and Buxton Avenue. The proposal in this application also includes balconies, on the east elevation at both first and second floor levels. However, given the revised position of Plot 1 further forward on the plot, combined with the position of the larger balcony being on the furthest half of the elevation, and the use of 1.8m tall screens on the southern side of both balconies (to be opaque by condition), this should result in a reduction in overlooking compared to the existing situation.
- 6.37 The dwellings would provide an amount of internal living space which would exceed the minimum requirements outlined in national guidance for a dwelling of this size. Moreover, each plot has a sizable private garden area(s) of suitable size and comparable with neighbouring plots. As such the proposed dwellings should provide high levels of amenity for future residents – in line with emerging policy A1 and core policy CS09.

Highways Impacts

- 6.38 Neighbours raised concern that the proposal could give rise to highway safety concerns, particularly with concerns about the access to Plot 2 and its relationship with the junction with Arnott Avenue. Plot 2 provides an integral garage with two spaces in front accessed off Arnott Avenue.
- 6.39 Parking to plot 1 will utilise the access off Buxton Avenue. The existing double garage will be extended slightly and the kerb dropped to provide space for 3 cars off the highway.

- 6.40 Both properties have sufficient parking and visibility around the accesses. The Local Highways Authority (Norfolk County Council) have been consulted on the application and raised no objection subject to suitable conditions.

Biodiversity Measures

- 6.41 The site is located within the Blue 5km+ Indicative Habitat Impact Zone, and although the application proposes the net introduction of 1 new dwelling, a shadow template HRA and HMMS contribution are not required.
- 6.42 Each dwelling will have two swift terrace boxes affixed to their walls. These will provide nesting opportunities which are not present on the site. These nesting opportunities are considered suitable and sufficient enough for the application to comply with CS11 when taken alongside the possibilities for improved planting.
- 6.43 As discussed earlier, it is recommended to condition a landscaping plan for the site. This will ensure that the dwellings provide suitable planting to suit the street-scene but will also provide biodiversity opportunities.
- 6.44 A tree protection plan shall be required to set out measures for preserving notable trees and hedges within the site during both demolition and construction.
- 6.45 The County Ecologist was consulted on the application, but no response has been received. However, the measures which have proposed and can be secured by way of condition will ensure that the application complies with CS11.

7 The Planning Balance:-

- 7.1 The proposal offers a net increase in dwellings with suitable access, infrastructure and generous amenity provision for both, in a manner consistent with the density and siting found in the local area; the principle is therefore acceptable.
- 7.2 Although the existing dwelling has interest from its unusual form and period construction, the site offers no value to the setting of the nearby conservation area and the loss of the dwelling is not detrimental. The replacement dwellings offer an innovative and contemporary design which responds to the site constraints and the revised plans provides a more successful integration into the area which could contribute to the distinctiveness of Marine Parade. Concerns about the layout and materials mix of the proposal have been sufficiently overcome and the proposal would contribute to the character of Marine Parade and positively enhance the setting of the conservation area.

- 7.3 No significant impacts on neighbouring amenity have been identified, and in some respects the designs reduce the impact on neighbours, whilst considerate precautions will be taken through conditions to ensure protection of neighbour amenity where concerns may remain.
- 7.4 Overall, therefore, the proposal is considered to be acceptable and where any harm to designated heritage assets is identified, this is considered minimal and the small range of public benefits are considered to outweigh those harms.

8 Conclusion and Recommendation

- 8.1 The application is considered to comply with saved policies HOU07 and HOU17 from the Borough-Wide Local Plan, Core Policies CS02, CS09 and CS11 from the adopted Core Strategy and emerging policies A1, A2, E4 and E5 from the Local Plan Part Two (Final Draft).
- 8.2 Therefore it is recommended to **Approve** the application subject to the conditions raised in the report.
- 3-year time condition
 - In accordance with plans
 - Construction management plan
 - All demolition materials removed prior to commencement of new dwelling
 - All materials and samples thereof to be agreed (at DPC level)
 - Construction of new access (TRAD 3)
 - Restriction of access to only those approved
 - Widening of existing access
 - Access / parking levelled, surfaced and drained
 - Removal of PD rights for extensions, further windows, and outbuildings
 - Removal of PD rights to convert the roof of the rear elevation family room to a useable balcony
 - Bathroom & Ensuite windows to be obscure glazed
 - Full height 2nd floor stairwell windows to be obscure glazed
 - No use of the southern elevation balconies without the 1.8m tall opaque screens being installed first
 - Bird boxes to be installed prior to occupation
 - Landscaping plan to be submitted

And any other conditions considered appropriate by the Development Manager.

Appendices:

1. Plans – Location plan and composite plans

PROPOSED DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 2 EXECUTIVE DWELLINGS.

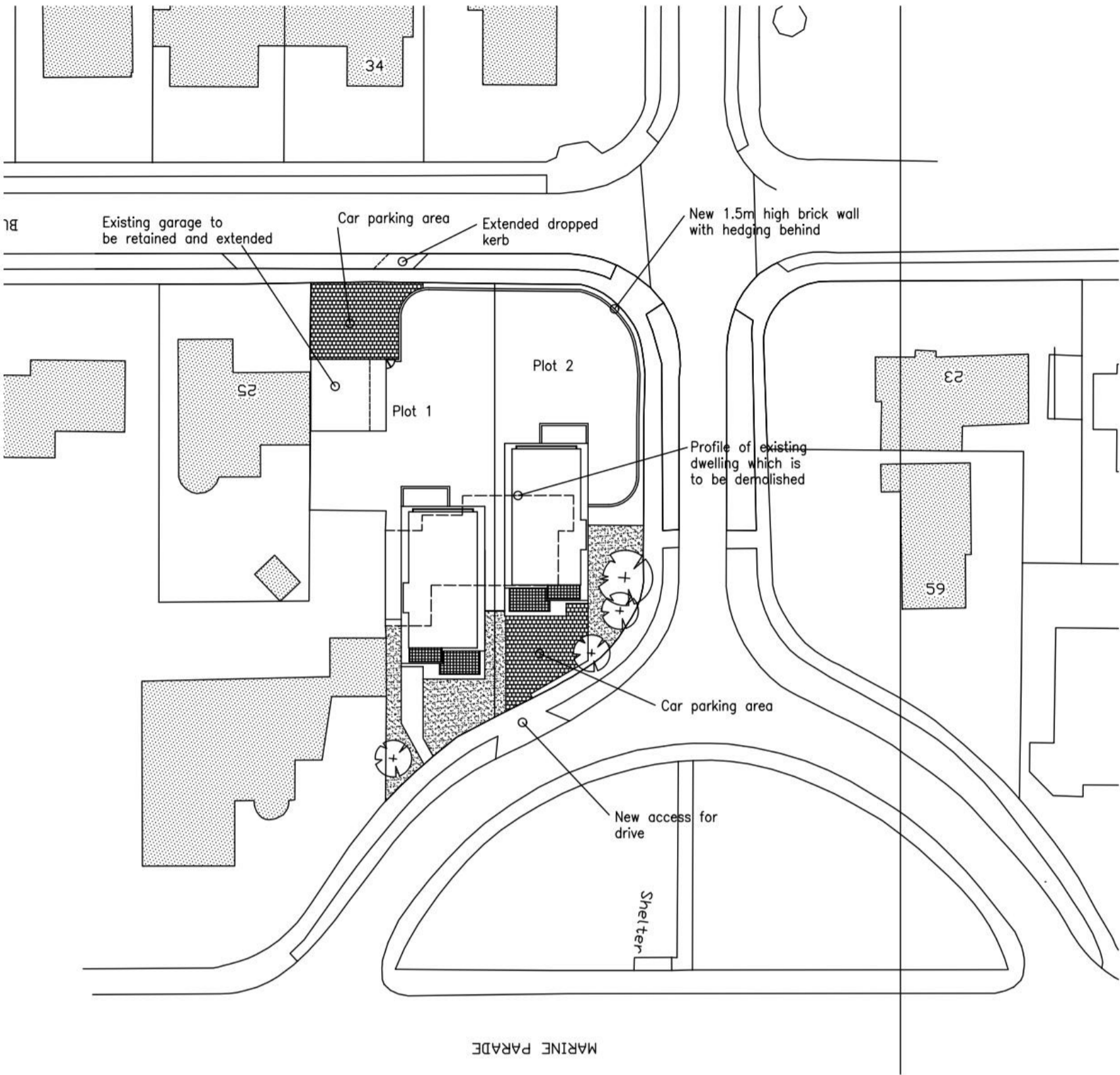
60, Marine Parade, Gorleston-on-Sea, Gtreat Yarmouth, NORFOLK.
Planning Drawing.



FRONT ELEVATION - Plot 1
1:50

FRONT ELEVATION - Plot 2
1:50

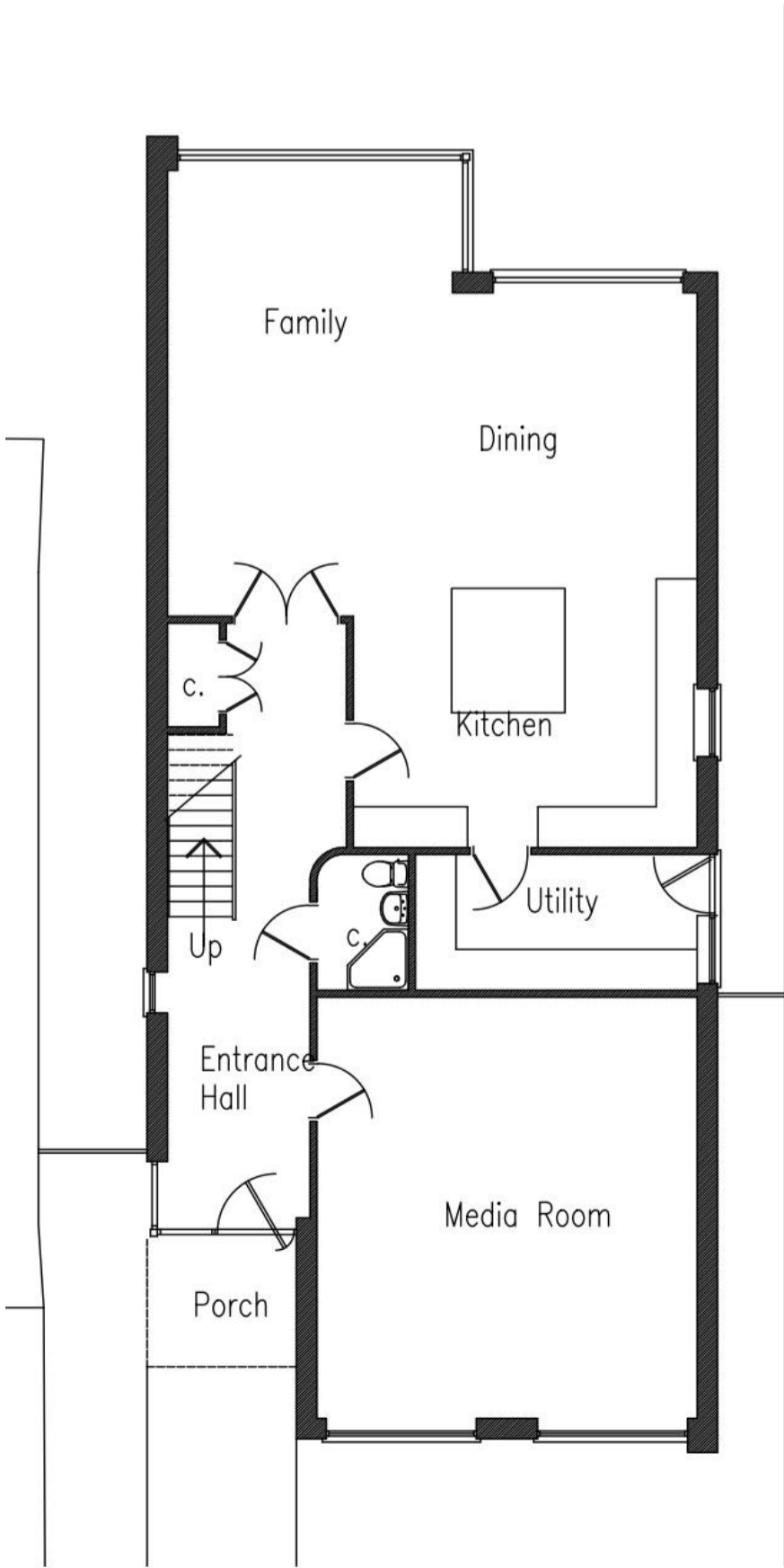
MATERIAL SCHEDULE
Rendered panels will be white silicone textured render;
All face brickwork where shown will be Camtech Bromo grey brickwork;
All casements to be black aluminium casements with black glass.
Garage doors to be black roller shutter type;
Balcony will be polished aluminium handles with bride colour glass;
Garden wall will be Camtech Bromo grey brickwork 1.5m high , capped with blue engineering bricks, backed by a privet or similar hedge;
Driveways to be resin permeable construction.
All dpc's will be set 150mm above ground level.



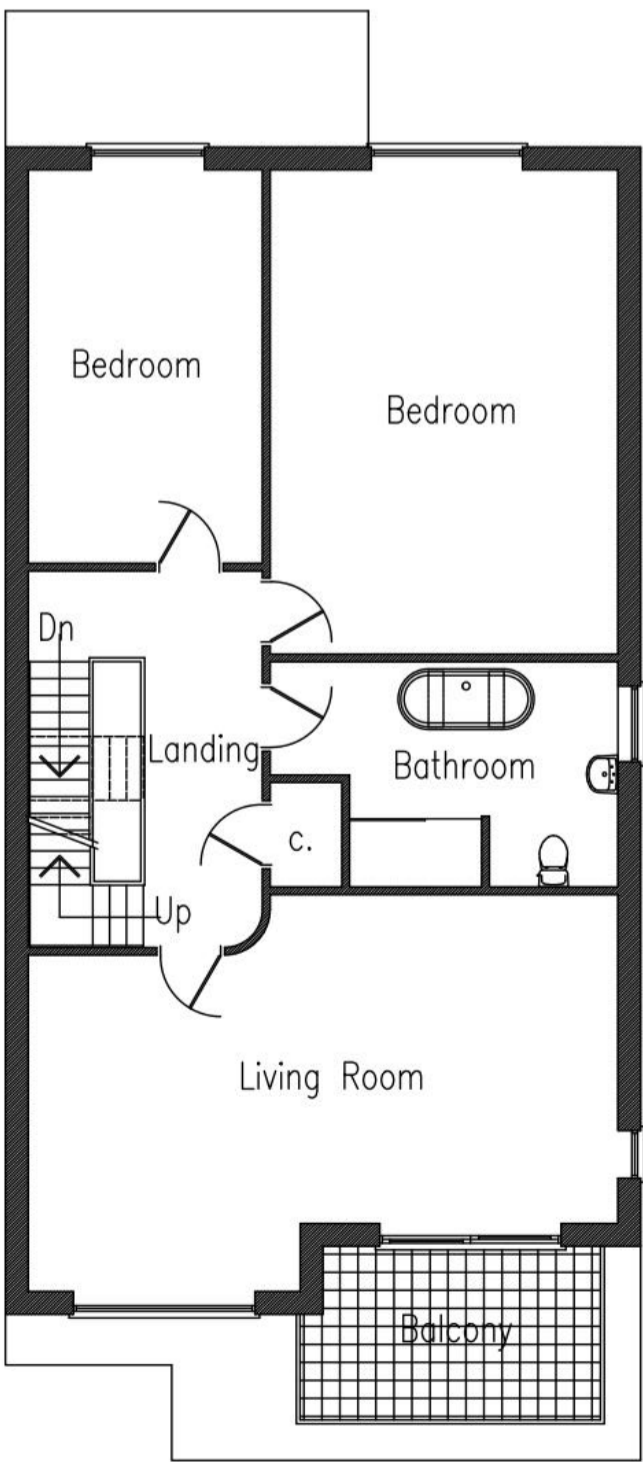
Block Plan
1:500

DWELLING PLOT 1

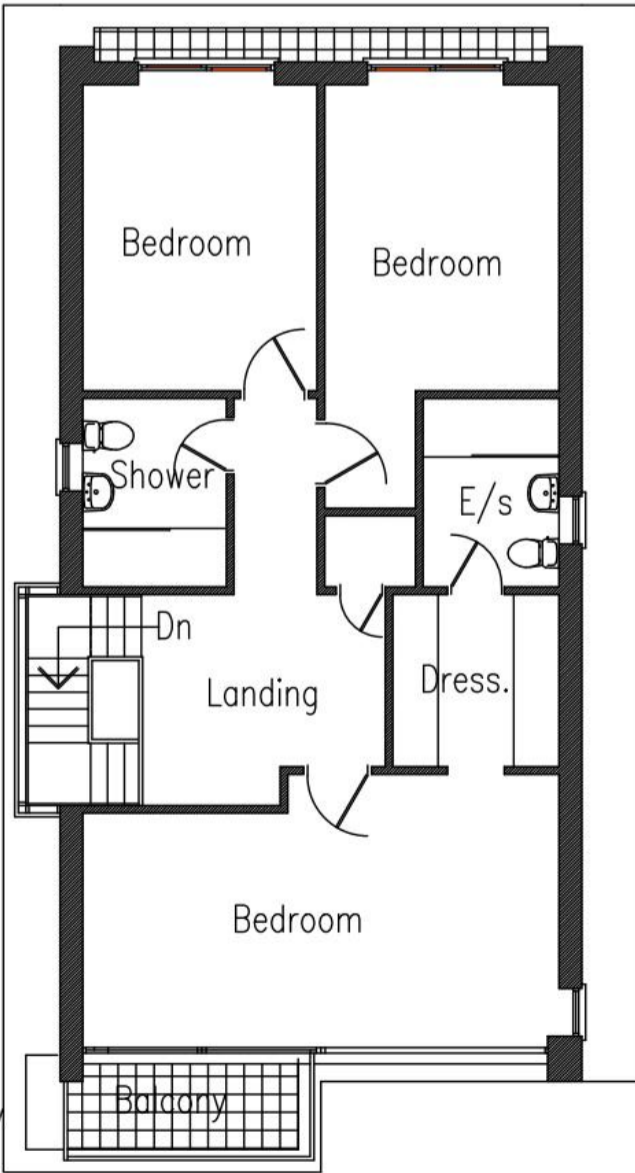
DWELLING PLOT 2



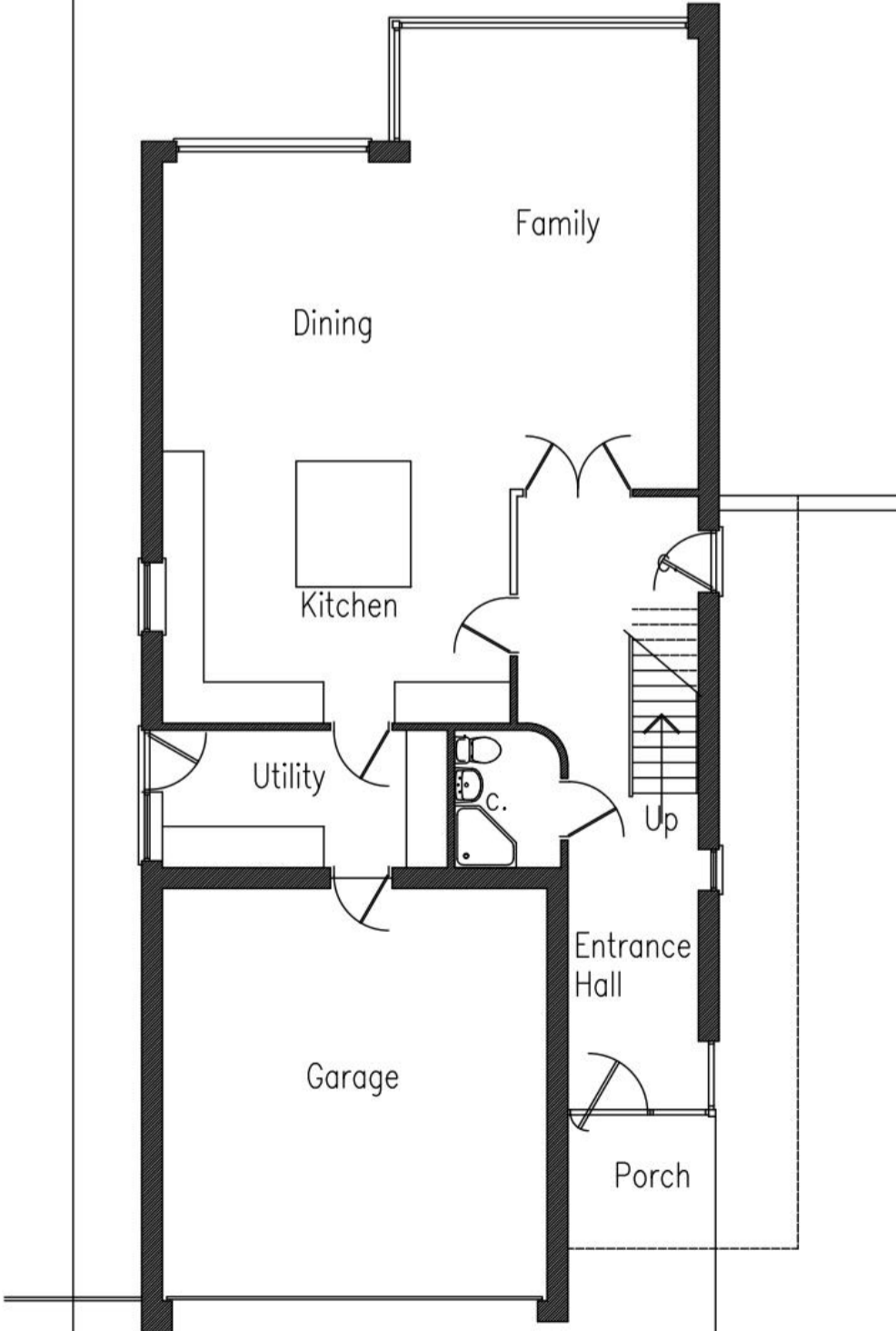
Ground Floor Plan
1:100



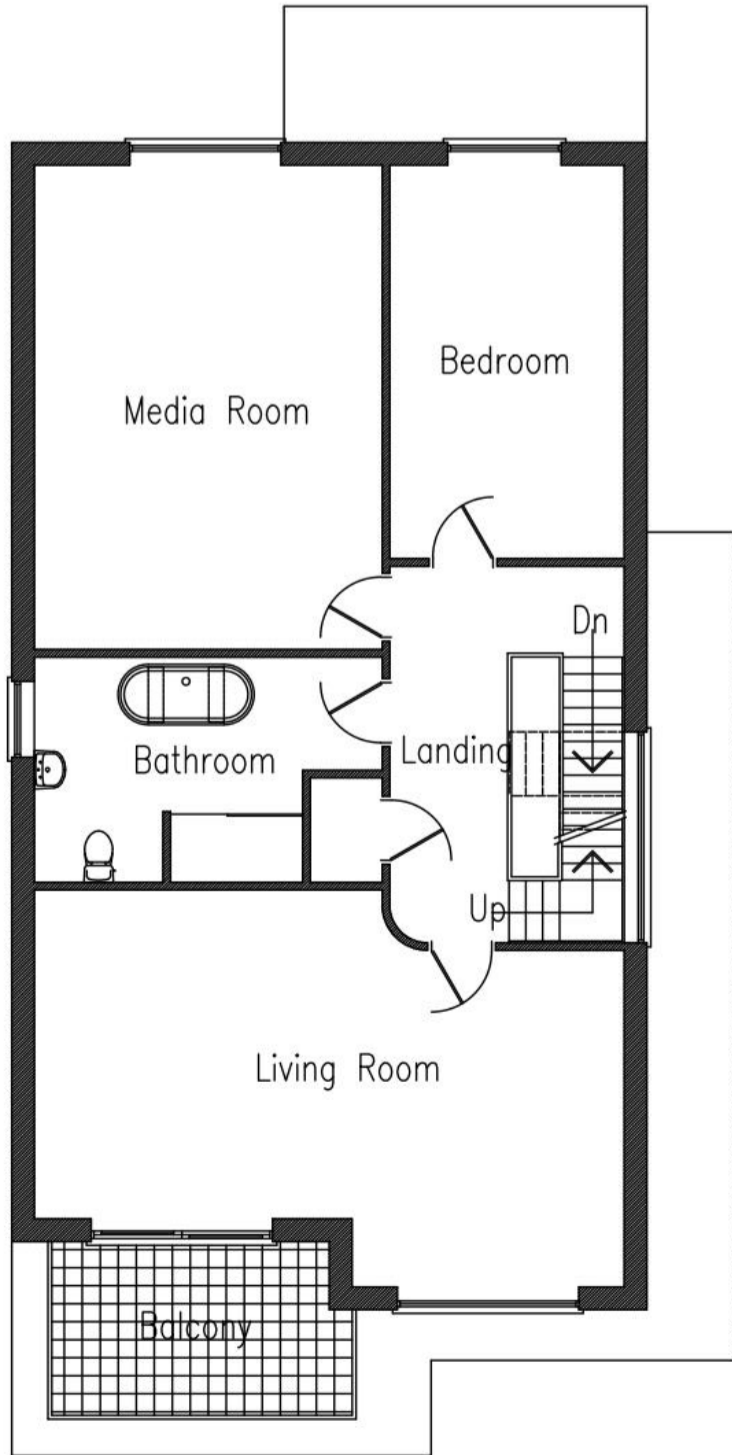
First Floor Plan
1:100



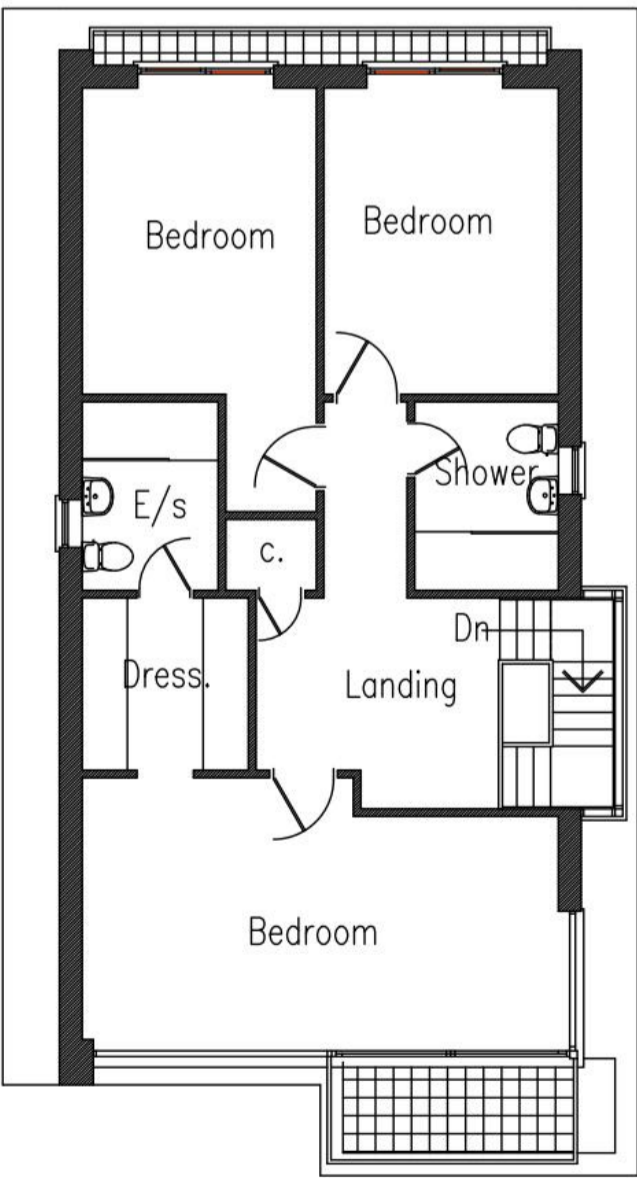
Second Floor Plan
1:100



Ground Floor Plan
1:100



First Floor Plan
1:100



Second Floor Plan
1:100

GENERAL NOTE
This drawing has been prepared for the purposes of obtaining Planning Permission and Building Regulation approvals and is intended as a guide only for construction on site.
All works are to be carried out by competent trade operatives following good building practices. All materials are to be used as per the manufacturers specifications and recommendations and should comply with the appropriate British Standards.
All dimensions are to be checked on site and should not be scaled from this drawing. Any discrepancies on site are to be reported to the Designer.

Andrew Middleton
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Project
Demolition of existing dwelling and construction of 2 detached executive dwellings.
60, Marine Parade, Gorleston-on-Sea, NORFOLK. Planning Drawing

Client
OAKVILLE HOMES LTD.

Scale
1:50 1:100 Date
June 2021

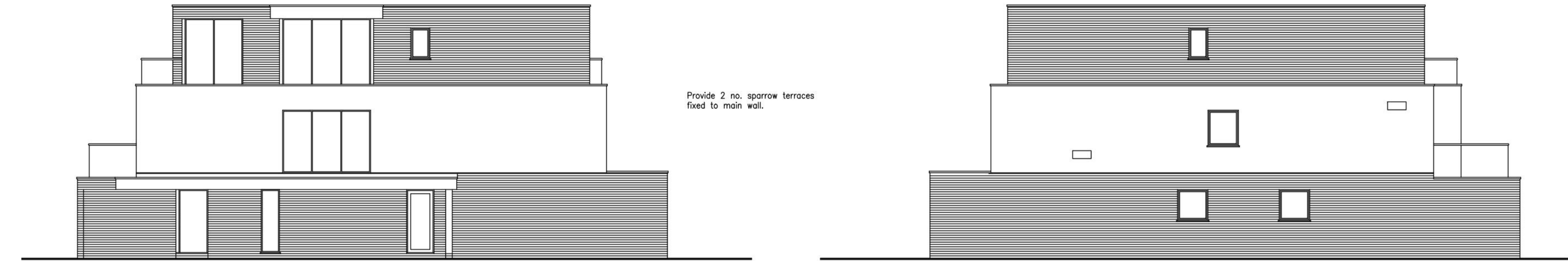
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Dwg.no.
1616/1

Revision
Rev.A(July21)1/Side window from master bedroom removed (Plot 1).
Rev.B(Oct.21)1/Revisions to elevations and site plan

PROPOSED DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 2 EXECUTIVE DWELLINGS.
60, Marine Parade, Gorleston-on-Sea, Gtreat Yarmouth, NORFOLK.
Planning Drawing.

DWELLING PLOT 2



North Elevation
1:100

South Elevation
1:100

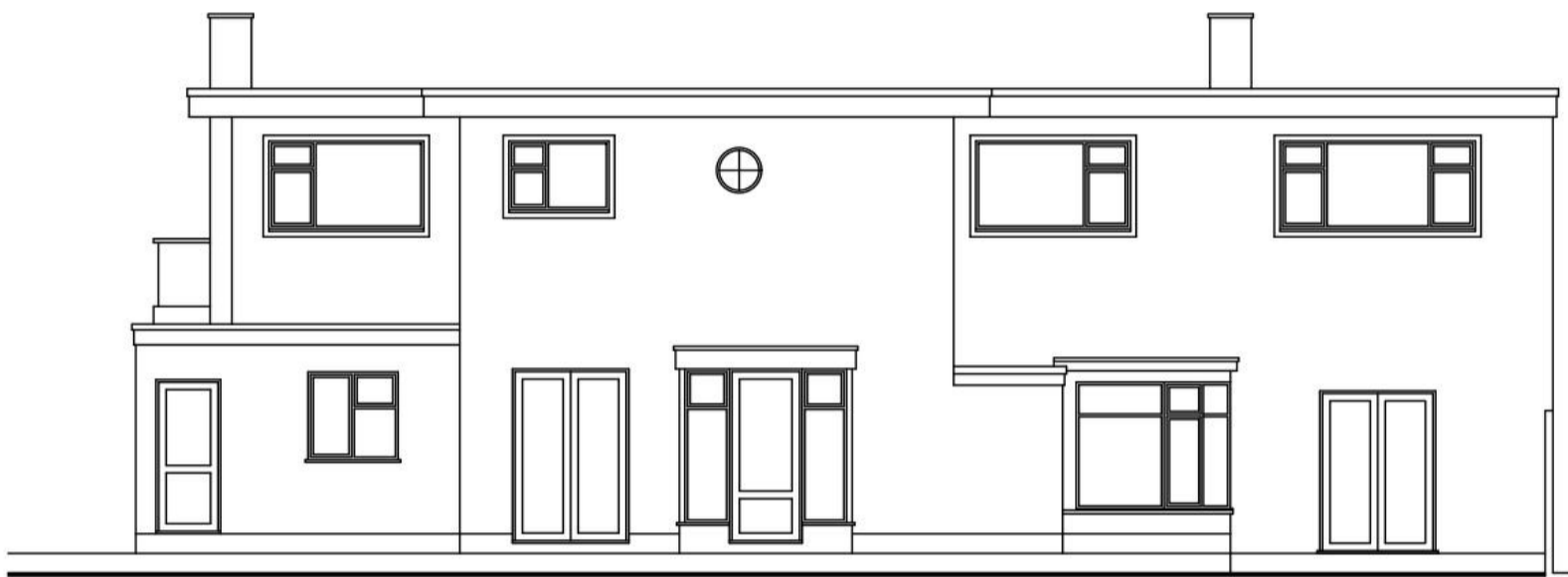


Proposed Street Elevation
1:200

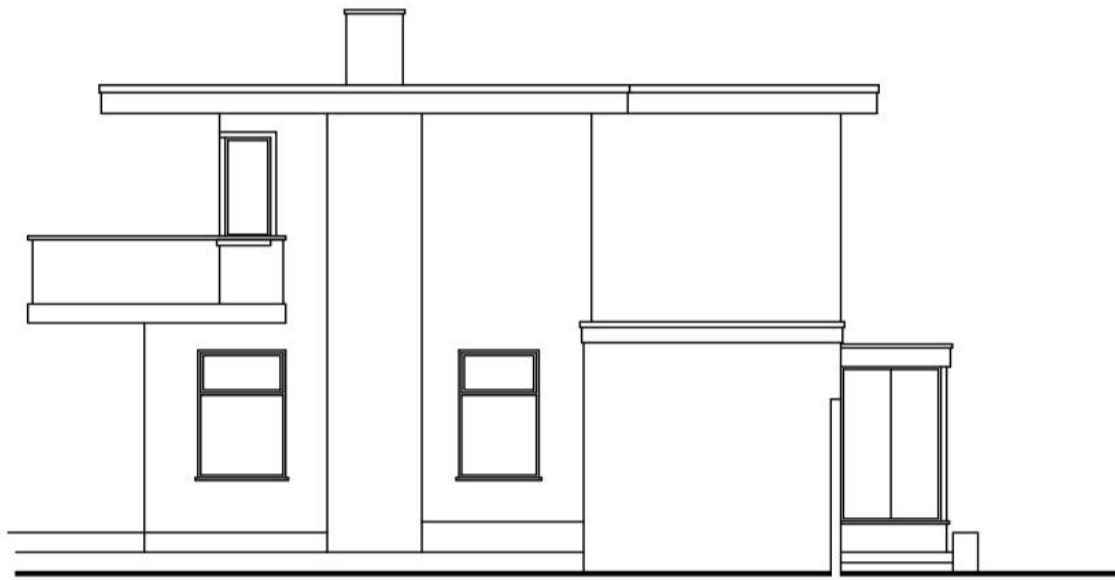
Existing Street Elevation
1:200



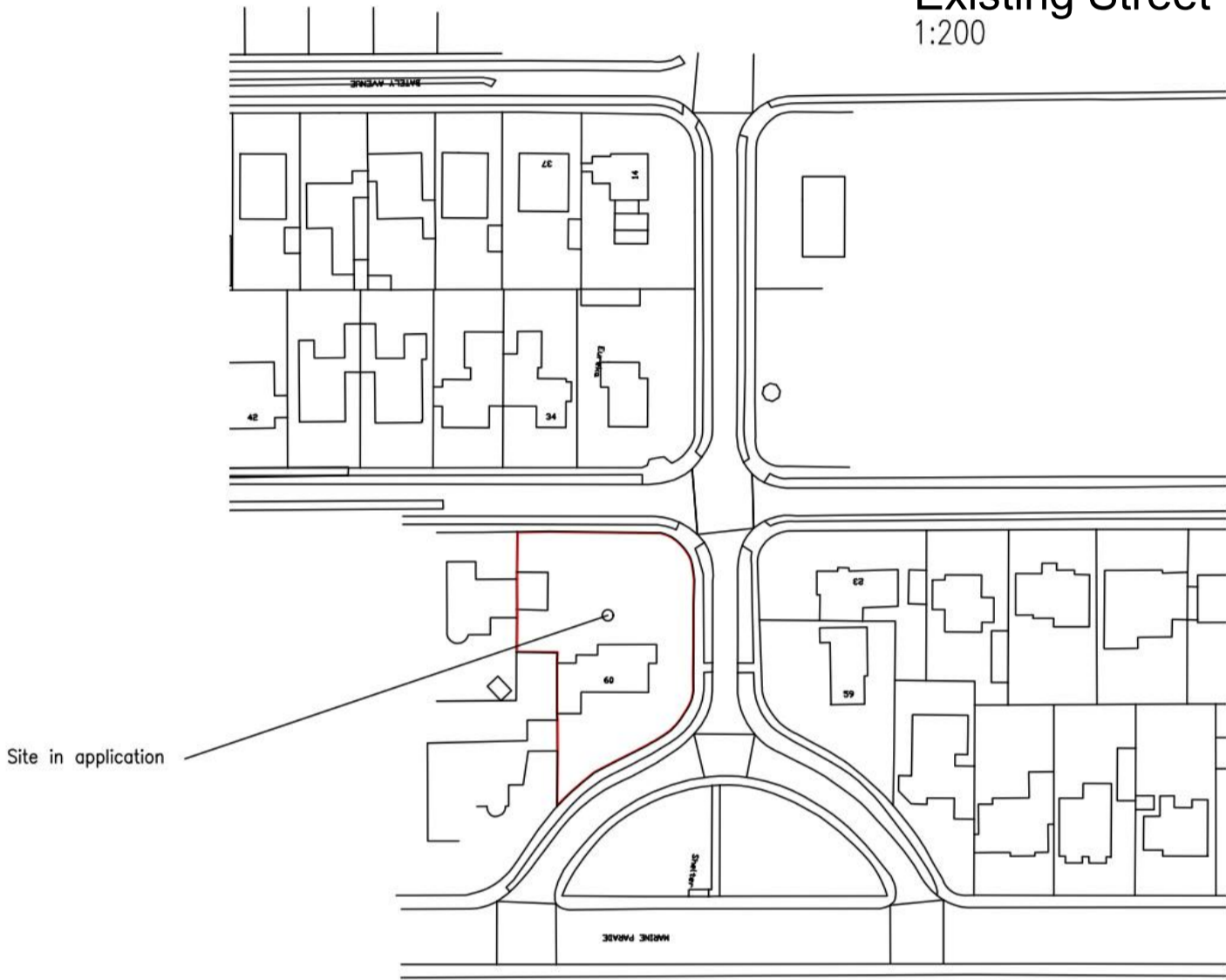
West Elevation
1:100



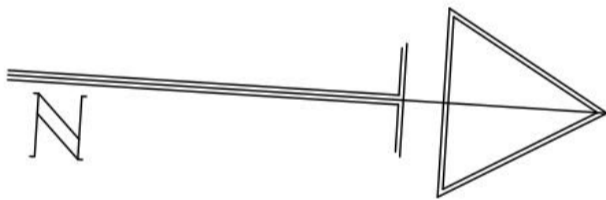
Existing West Elevation
1:100



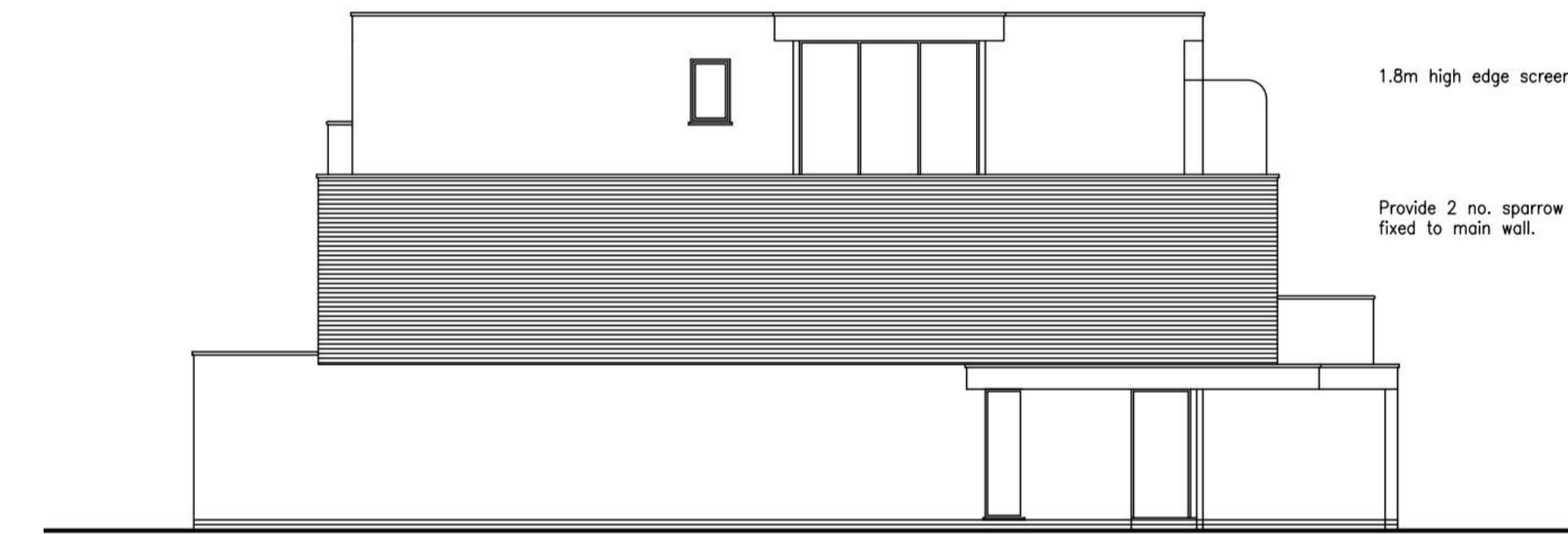
Existing North Elevation
1:100



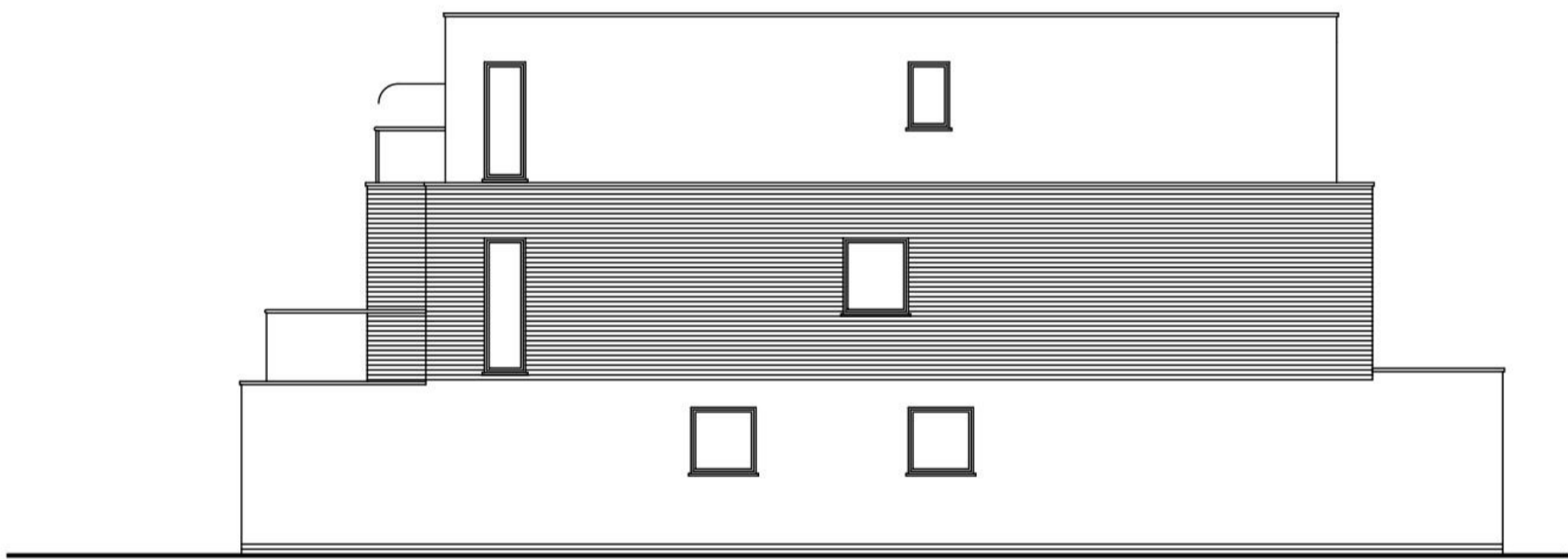
Site Location Plan
1:1250



DWELLING PLOT 1

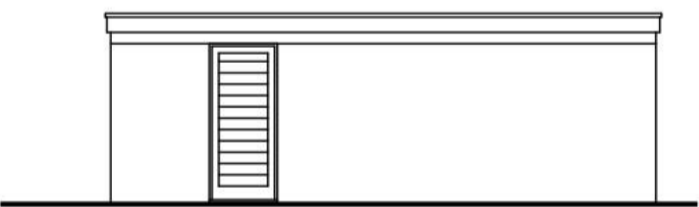


South Elevation
1:100

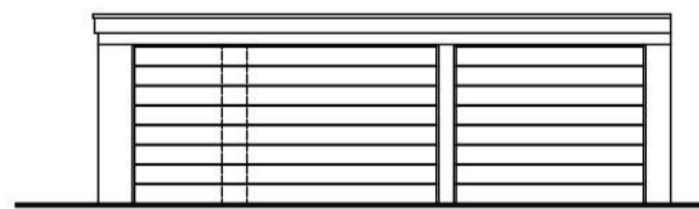


North Elevation
1:100

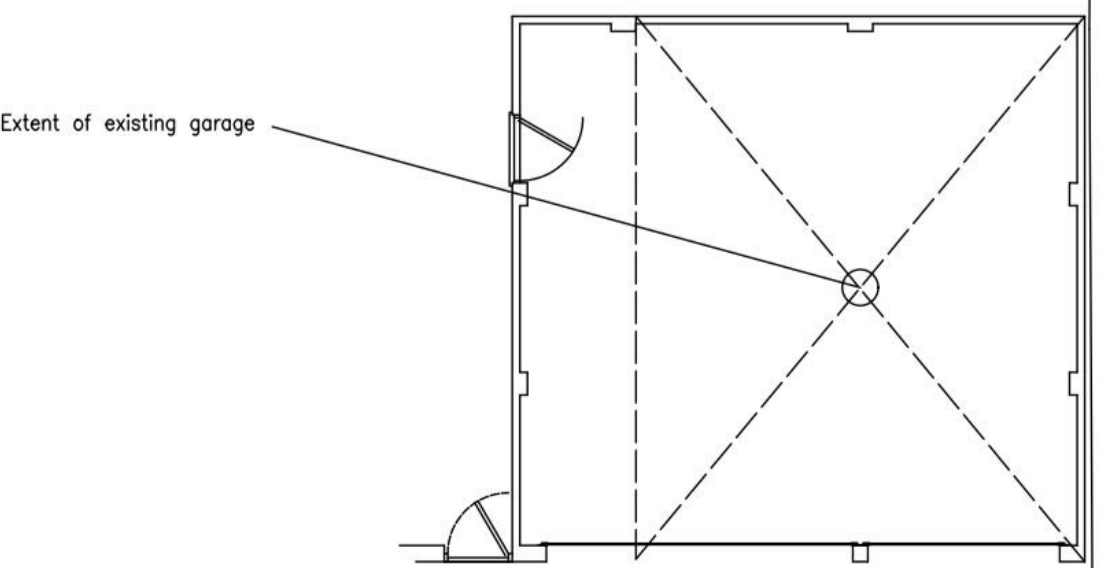
Garage Plot 1



Proposed Side Elevation
1:100



Proposed Front Elevation
1:100



Proposed Plan
1:100

Boundary

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Scale
1:50 1:100 Date
June 2021

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Dwg.no.
1616/2

Revision
Rev.A(July'21)1/Elevation labelling corrected.
Rev.B(July'21)1/Edge screen to 2nd floor balcony
Rev.C(Oct.'21)1/Revisions to elevations and site plan

Reference: 06/21/0771/F

Parish: Great Yarmouth

Officer: Chris Green

Expiry Date: 10-11-21

Applicant: Mr and Mrs Wintle

Proposal: Erection of a timber single storey granny annex for ancillary use to the main dwelling

**Site: 20 Conifer Close
Ormesby St Margaret**

REPORT

This application is brought before the Development Control Committee as one of the applicants is an employee / serving officer of the Borough Council.

This application was reported to the Monitoring Officer on 01 December as an application submitted by an officer in a personal capacity and on land in their ownership. The Monitoring Officer has checked and made a record on the file that she is satisfied that it has been processed normally and the officer has taken no part in the Council's processing of the application.

1. Location

The site is within the physical limits for Ormesby.

2. Site and Context

2.1 The dwelling is a detached bungalow amongst detached bungalows on larger corner plot. There is a larger bungalow on a smaller plot to the north east against the boundary where the annex is proposed.

2.2 The site while having large areas of highway facing gardens has private garden space created by the use of tall evergreen hedging planted up to the footway along both Conifer Close and Pine Close, and running all around the site and over 3m high in most part.

3. Proposal

- 3.1 The proposal is for a single-storey flat roofed recycled composite timber/plastic clad annex with two bedrooms. The proposal would be light touch in terms of its site impact with foundations by short screwed (non-impact) piles.
- 3.2 A statement of personal need has been provided. A submitted design and access statement also clarifies acceptance of a planning condition limiting usage to ancillary functions. There is also reference made to appeal and court case history supportive of special consideration of personal need.
- 3.3 The annex would be at the north end of the site set substantially in front of the building line on Pine Close (the road to the west of the site), but partly concealed by the boundary planting against the road. There is some screening on the north boundary within the neighbour's garden at 13 Pine Close but this is much more modest than the beech hedges found on the applicant's site.
- 3.4 The original submitted plans show the annex is proposed to be sited 1m from the northern boundary with 13 Pine Close, though revisions have been requested to consider whether further space is needed from the boundary due to screening / visibility concerns and for protection of the trees and hedges on the north boundary. If amended plans are received Members will be updated verbally at the Committee meeting.
- 3.5 Accompanying the proposal are the following documents:
- Planning Application Forms and Certificates of Ownership;
 - Application drawings as detailed on the Drawing Register;
 - Design and Access statement
 - Flood Risk Assessment and mitigation and evacuation proposals
 - A letter assessing lack of sequentially preferable site availability
 - Habitat Regulations Assessment

4. **Relevant Planning History**

06/19/0307/F approved 16.07.19: Single storey front, rear and side extensions. Not implemented but still extant (it can be implemented in time to 16.7.22).

5. **Consultations:-**

All consultation responses received are available online or at the Town Hall during opening hours

5.1 **Norfolk County Council – Local Highways Authority – No Objection.**

5.2 **Arborist:** The arborist advises that a 2m gap to the north between the boundary and the annex is required to ensure hedge survival and any replanting being able to prosper.

- 5.3 No comments appear to have been received from the Parish Council.
- 5.4 No comments have been received from neighbours / general public.

6. Assessment of Planning Considerations:

- 6.1 Section 38(8) of the Town and Country Planning Act 1990 (as amended) and paragraph 47 of the National Planning Policy Framework set out in planning law that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2 At the time of this DC Committee meeting the local development plan comprises the adopted Local Plan (2001) policies and the Core Strategy (2015). The emerging Local Plan Part 2 (LPP2) has received support from the Planning Inspectorate and is due to be considered for adoption on 09th December 2021, and those policies will replace the Local Plan 2001 and modify some policies of the Core Strategy. The NPPF states at paragraph 48 that weight should be applied to emerging policies commensurate with the progress made towards adoption. As such it is considered that significant weight should be given to the policies within Local Plan Part 2 in the determination of this application.
- 6.3 Whilst the Council has an up-to-date development plan and 5-year-housing land supply the National Planning Policy Framework remains a material consideration but the development plan retains primacy.

Relevant Policies:

- 6.4 Emergent Policy H10: "Residential annexes", is supportive where compliant with house extension (emergent) policy H9 and sets out tests as to whether a building can be properly considered as an annex: The annex must be ancillary, and subordinate in scale, to the principal dwelling, in the same ownership as, and occupied in conjunction with, the principal dwelling; and must share the existing access, curtilage, garden and parking of the principal dwelling without differentiation.

All the foregoing considerations are deemed to be met. The policy would also expect conditions or other mechanisms to be used to ensure the annex remains in the same ownership and is occupied in conjunction with the principal dwelling.

- 6.5 LPP2 policy H10 also states: *"the annexe [must be] capable of practical incorporation with the principal dwelling once there is no longer a need associated with it."* Because this is detached from the dwelling however the clause requiring practical incorporation with the principal dwelling once there is no longer a need for the annex, is perhaps a little less clearly established. It is accepted that the largely prefabricated nature would not adapt well to being attached to the existing conventionally constructed dwelling and the position of the existing garage would make such attachment difficult to arrange.

- 6.6 Design and amenity policies under retained Local Plan policy HOU18, BNV18 and Core Strategy policy CS9 are discussed at 6.14.

Principle of development – annex status

- 6.7 A two-bedroom annex might be capable of becoming a separate dwelling in the location of this proposal. Separate access and physical separation would allow the possibility of drive access off the side road. It should be noted that the road is unclassified and planning permission would not be needed to create a separate access if space existed. A two-bed annex is not considered unreasonable however as the second bedroom in such cases often serves the needs of a live-in carer.
- 6.8 The agent has explicitly stated their acceptance of a condition requiring the use to remain ancillary with the dwelling-house, this written acceptance, submitted with the application makes a successful appeal against such a condition highly unlikely and so the use of a condition is deemed to suffice in regard to tying the two buildings together in perpetuity.
- 6.9 It is necessary as a condition because if separated, the resulting two plots would be atypically small for the context and neither property would have the facilities necessary to serve an independent dwelling at either plot. This is more so because there is the still valid unimplemented extensions permission at the host dwelling (ref 06/19/0307/F).
- 6.10 In further consideration of the earlier extant permission, it is considered that the cumulative effect of both that scheme if implemented and the annex here proposed on the amount of external private amenity space remaining would not be disproportionate so long as the annex remains ancillary in its use to the main dwelling; in that way there remains sufficient garden available for both parties (host dwelling and annex residents). If the curtilages were in future proposed as divided, this would not be the case, and similarly if the hedge were to be removed the balance of private amenity space would also be harmed. As such the condition is necessary to ensure the proposal does not cause over-development if the extant permission and this application and separation into separate dwelling plots were all to proceed
- 6.11 Because of the relatively lightweight form of construction employed, a condition requiring removal once the necessity for it ends was suggested. The building, primarily (prefabricated) off-site construction, is a high value item, and so this suggestion was been rejected by the applicant. That said because it is to a greater extent, capable of transporting away from site its removal is not technically unfeasible.
- 6.12 This reluctance to remove the building when no longer required is not regarded as fatal to the proposal, providing the future of the hedges and screening to all sides is secured. The hedge provides an important contribution to the street scene, creating a verdant character on a prominent corner location and its loss would be regrettable in itself, and detrimental if it exposed views of the proposed annex. A condition that would require removal of the annex should the hedge

not be maintained and retained is considered necessary and given the ease of removal and potential reuse value, not unreasonable.

- 6.13** The applicant has noted the comments by judge Scarman that consideration of personal need can form a part of the planning process. The design and access statement describes this as a "strong material consideration", albeit the judgement from 1985 is somewhat dated. Officers suggest this matter is a material consideration, but so too should the enduring nature of the impact on context of planning decisions be an important material consideration.

Design and amenity

- 6.14** Retained policy HOU18 and BNV18 deal with extensions to dwelling-houses, which would include detached curtilage ancillary buildings including an annex proposal: these policies require proposals to be in keeping with the area and the design of the existing dwelling, and that respect surrounding neighbour amenity and do not lead to site over-development. Adopted 2015 Core Strategy policy CS9 also considers matters of amenity both for existing and future residents.
- 6.15** The position of the annex on the site is such that if the tall hedges along the road were to be removed or lowered below the height of the annex building, then the street scene impact would be quite noticeable. For this reason, a condition for the retaining of the hedges, or replacing any dying sections, to maintain screening is proposed.
- 6.16** Equally there is somewhat less screening available to the northern boundary which would expose some of the building to views along Pine Close and have more potential to be overbearing to the neighbouring dwelling. Revised plans and a suitable screening solution should overcome these concerns and will be reported to the Committee meeting by verbal update; it is not considered necessary to consult the current neighbours on the proposed mitigation strategy which will improve the relationship between the two sites.
- 6.17** If suitable screening can be found (to be confirmed) the proposal would have little material impact on the nearest neighbour to the north, because the screening solution to be agreed will make it less dominant, and any revised siting to increase the distance to the boundary will further improve matters, so that light, outlook and privacy will be largely unaltered, providing the screening solution (to be agreed) remains in place.
- 6.18** While the design and access statement mentions the sustainability of the materials proposed in this system built building, there are no details of exact materials to be employed. Normally a condition might be applied for these to be submitted, however given the screening techniques required and the hedges along the road it is considered this is unnecessary in this unusual case.
- 6.19** By moving the proposed annex's second bedroom window onto the west elevation, amenity for the occupant of that bedroom would be improved; these are amendments requested along with possibly the re-siting of the building and

securing adequate screening, to be provided in revised plans before the Committee meeting.

Highways and access

- 6.20** As no changes to access are involved with the proposals, the County have not objected. There remains ample parking on site for 3 cars for the host dwelling and a car for a carer to attend the annex.

Ecology and landscaping

- 6.21** It may be necessary to reposition the annex away from the north boundary to ensure that the trees and hedge along the shared boundary are not constrained and to ensure any replanting can prosper. Updated tree officer comments and revised plans can secure this before the Committee meeting.

Other material considerations

- 6.22** NPPF (2021) paragraph 62. provides some role for the planning system in providing housing for particular groups such as older people, and people with disabilities. The policy is written in terms of provision of land for independent housing but could be deemed to include bespoke solutions such as annex dwellings for family members.

Local Finance Considerations:

- 6.23** Under Section 70(2) of the Town and Country Planning Act 1990 the Council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus, or the Community Infrastructure Levy (which is not applicable to the Borough of Great Yarmouth). Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority, for example.

7. The Planning Balance

- 7.1** It is considered that the site is appropriate for an annex, in this position forward of the prevailing building line, only by virtue of existing screen planting and opportunity to provide additional screening and reduce visibility to the north.
- 7.2** The applicant has cited weight to be accorded to personal circumstances, however the principle of ancillary buildings of the scale and height proposed here are considered acceptable subject to the hedge and screening to be provided remaining, so the personal circumstances need not be accorded weight in justification as the proposal is acceptable and its impacts can be mitigated by conditions.

8. Conclusion

- 8.1** The proposal is acceptable with the hedge screening in situ, and if suitable separation distance and screening from the north boundary can be secured, both of which will need to remain in place in order for the impact of this modest building not to be felt.

9. RECOMMENDATION: -

Subject to receipt of revised plans which show:

- (i) Appropriate screening provision to the northern boundary; and,**
- (ii) Amended siting of the building as necessary to protect existing planting and allow any new planting to thrive on the north boundary; and,**
- (iii) Amended floorplan and elevation showing repositioned window,**

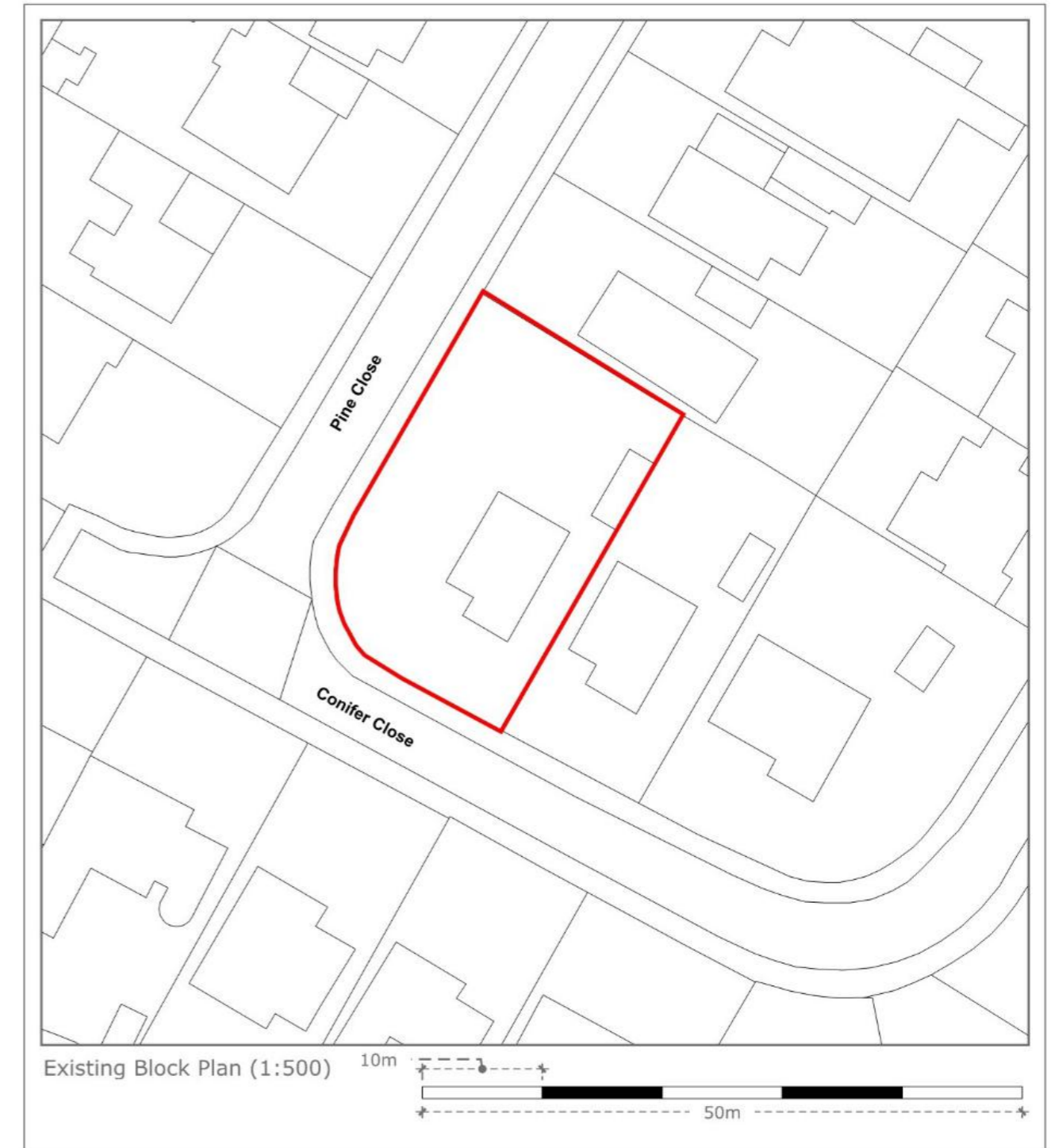
To: Approve, subject to the conditions including:

1. Time limit
2. Drawings
3. Use as an annex only – and only to be ancillary to host dwelling.
4. The annex building shall remain in the same ownership as the host dwelling.
5. Hedges alongside the road to be maintained at a level no lower than the highest point of the new building being constructed.
6. Screening solutions to the north boundary to be agreed and provided prior to erection of the annex building and to be retained thereafter.
7. Hedges alongside the road and new boundary screening along the north boundary are to be retained for the lifetime of the annex development - and in the event that any part of the hedge / screening fails, those failed sections to be replaced with hedge/replacement screening of equal stature (or details to be agreed), in the next growing season.
8. The annex building is to be removed within 3 months of the hedge ever being removed.

And any other conditions considered appropriate by the Development Manager.

Appendices:

- Appendix 1 Site and Location plan existing
- Appendix 2 Site plan proposed
- Appendix 3 Elevation proposed
- Appendix 4 Floor plans proposed
- Appendix 5 Aerial View



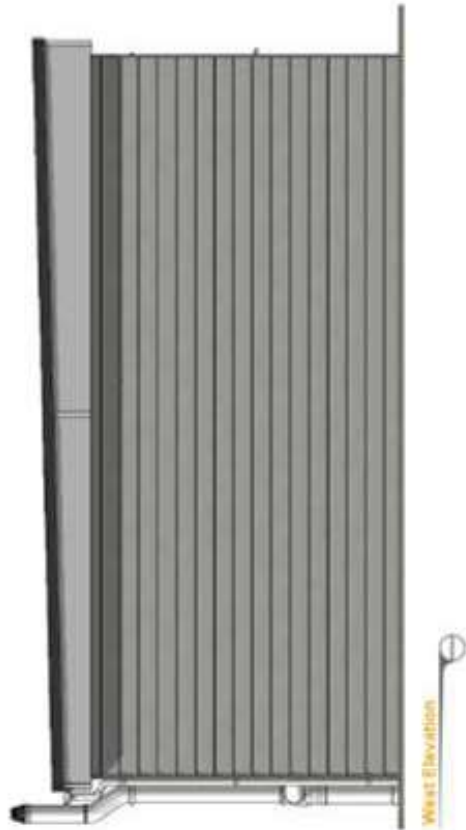
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South Elevation



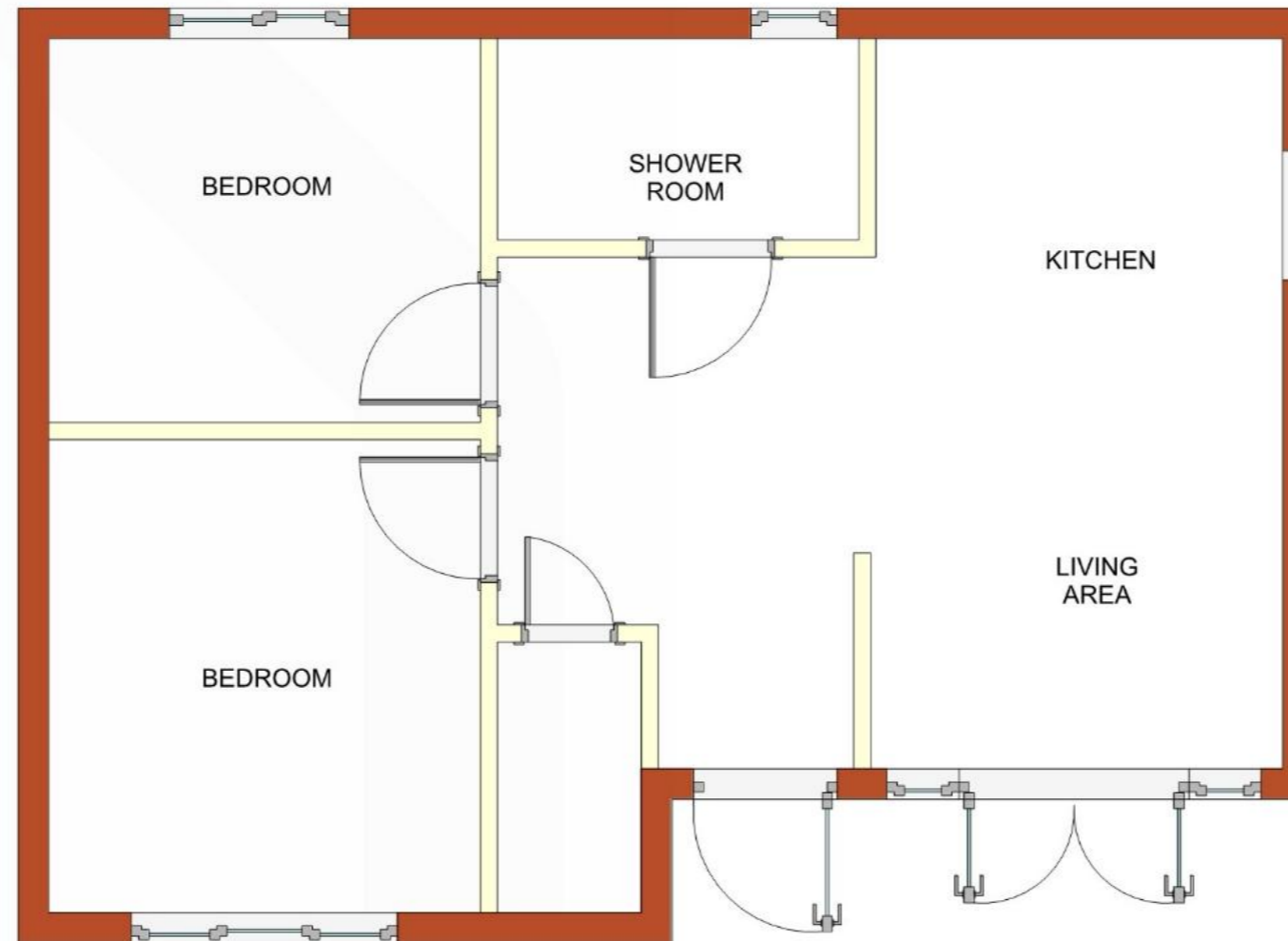
West Elevation



East Elevation



North Elevation





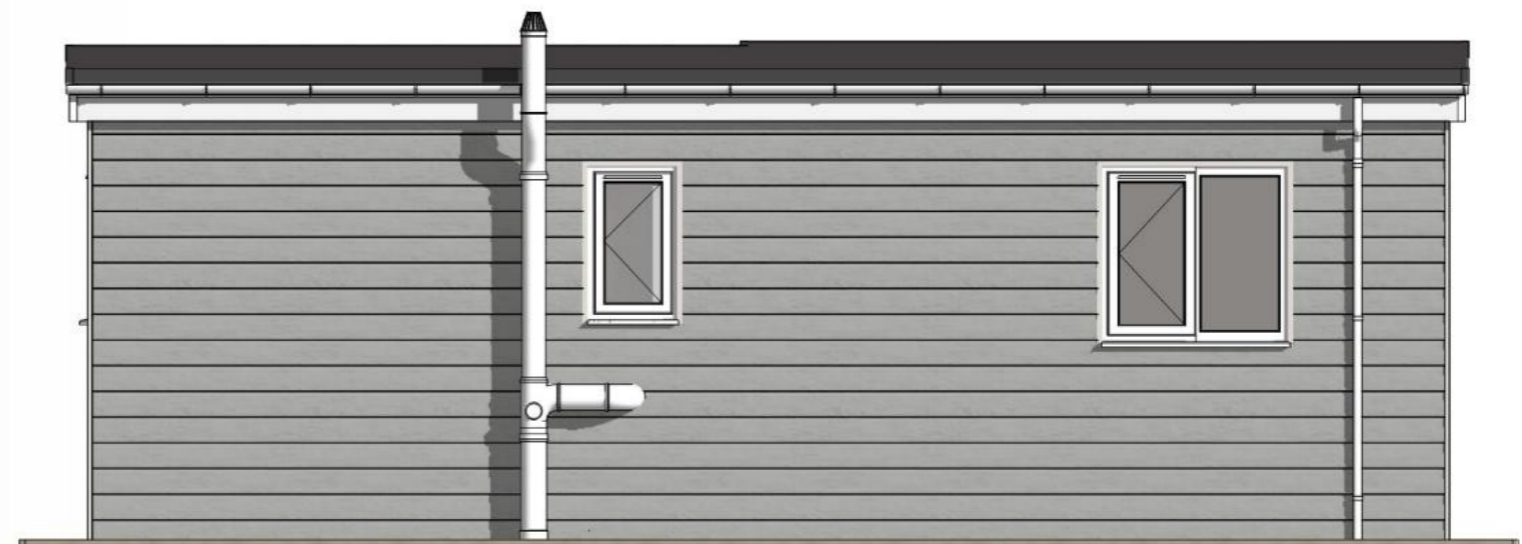
South Elevation



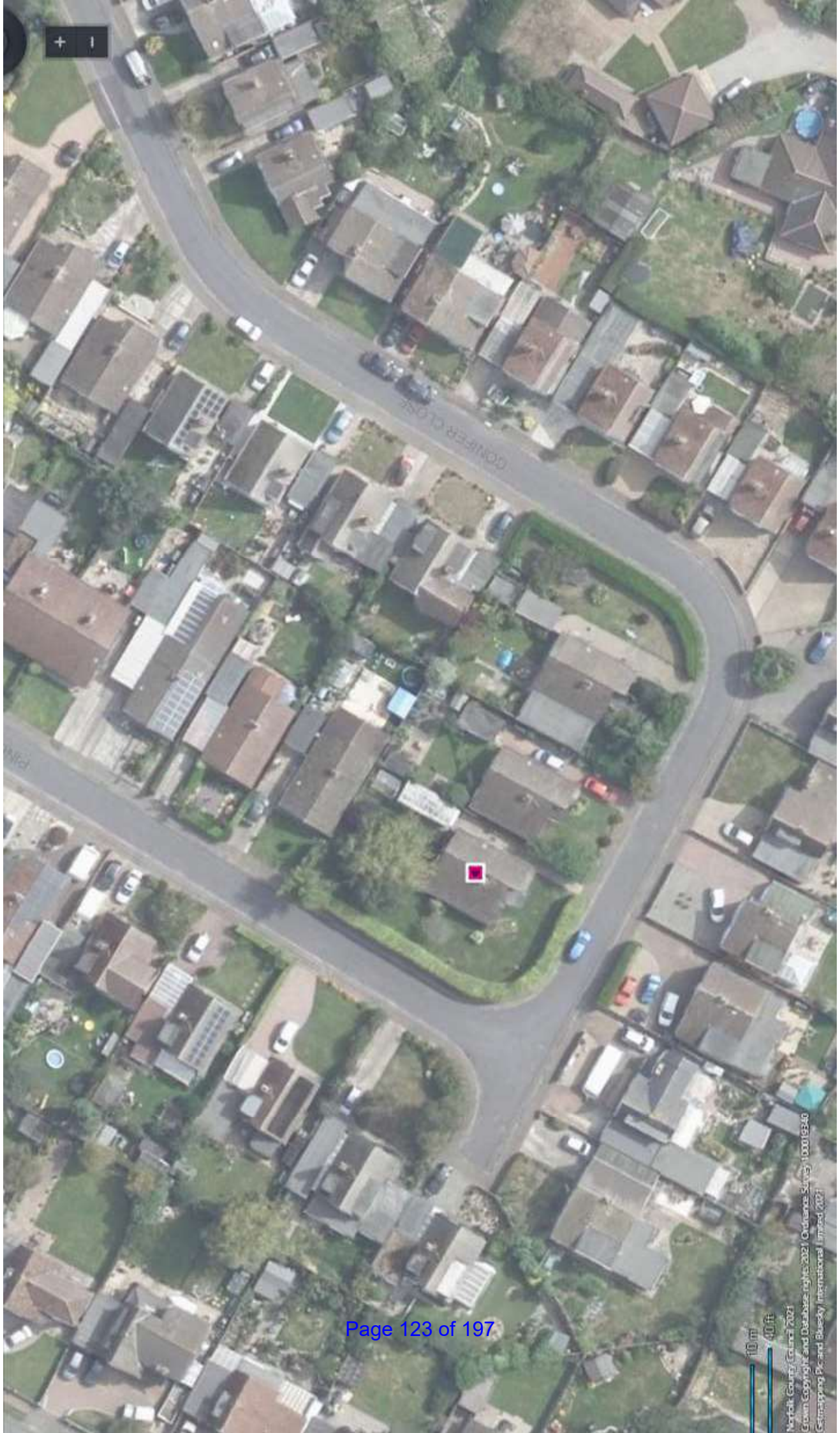
West Elevation



East Elevation



North Elevation



Reference: 06/21/0415/F

Parish: Great Yarmouth

Officer: Mr R Parkinson

Expiry Date: 06/09/2021

Applicant: Ms J Beck, Great Yarmouth Borough Council

Proposal: Redevelopment of land adjacent to Great Yarmouth Port to provide vehicular access, parking and service infrastructure for an Operations and Maintenance Facility to support offshore renewable energy projects, comprising: upgrades to quay wall to provide new sheet piling and a new rear anchor wall, and provision of a new docking berth for Service Operation Vessels; installing pontoon linkspans for use by Crew Transfer Vehicles; new electricity substation kiosk; new and extended roads, new vehicle access and turning head; construction of parking area; provision of land for use as storage areas, including for shipping containers; and, associated infrastructure works

Site: Land at south of South Denes Road and South Beach Parade
Great Yarmouth
NR30 3QF

This application is brought before the Development Control Committee as the Borough Council is the applicant and principle landowner. As such this application was reported to the Monitoring Officer on 01 December.

REPORT

1. The Site / Background / History:-

- 1.1 The application site lies at the southern end of the Great Yarmouth port, representing the southernmost area of land on the north side of the River Yare and within port operational land. Vehicular and pedestrian access along the west of the headland is only currently possible from South Denes Road (a classified C-road) as far as a turning head at the southernmost tip of the road where security gates and kiosk prevent further access. Public vehicle access from South Beach Parade (also a classified C-road) along the east side of the headland ends at a security gate and kiosk just south of Hartmann Road on the north side of the Outer Harbour. Beyond both sets of security gates entry is limited to personnel and servicing within the port operational land.
- 1.2 The site area amounts to 6.9ha and is seen in Appendix 1 to this report. The site's existing layout is shown at Appendix 2 and its uses include general

industry and storage linked to the activities of the former Yare Facility (what?) but a large proportion is simply scrubland. Existing uses are:

- In the north-west area of this site – the site of former warehouse buildings (since demolished) and external storage between South Denes Road and the River Yare; the sheet piling in the river in this section is in poor condition which precludes mooring here.
- In the south-west – an office building (formerly of the Halliburton Energy Services and Peel Ports companies) with some trees to the front, and associated hardstanding / car parking either side. These are located adjacent the small beach found on the River Yare to the west of the site.
- In the south and south-east – the land here is scrubland, marram grass and dunes around the harbour.
- South Denes Road and its transition into South Beach Parade has no footpaths.

- 1.3 Part of the application site is owned by the Great Yarmouth Port Authority (GYPA) within the proposed temporary works area; the applicant has served notice to the GYPA under Article 14 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, though they also remain a statutory consultee to the application.

The proposal

- 1.4 In its most basic form, the application seeks to:
- (i) build an extension to South Denes Road, as an access to future buildings and parking areas;
 - (ii) provide new quay headings and quay wall for more vessel docking areas at a berth alongside a new quay wall to the west of the site;
 - (iii) create a new pontoon area for new berthing with linkspan bridges to connect to the shore; and,
 - (iv) provide parking and storage areas on land ahead of future permanent development.
- 1.5 The application does not include specific buildings. There is limited proposed use of land on a permanent basis, and that is limited to uses for external storage and for parking. The overall intention is to provide 'enabling works' to facilitate future development at the site which has been a longstanding ambition through the Enterprise Zone, the South Denes Local Development Order (a vehicle for allowing certain employment and industry-based permitted developments around the harbour and port area) and local strategic policy.
- 1.6 Initially, the application included proposals for a new electrical substation / kiosk to be situated towards the western quay wall of the site, at the proposed marine base. This has since been removed from the plans as the applicant is instead able to use an existing facility close by within Halliburton Building and does not need to rely on a new kiosk. This revision is reflected in revised layout plan ref. 003 P04 (see Appendix 3). As the amendment caused no material impact on other parties and the original substation kiosk was not raised in any

representations to the application, this has not been considered to require further public consultation.

Site constraints

- 1.7 The proposed site is within flood zones 1, 2 and 3 and contains identified contaminated land and the west of the headland is a hazardous development area due to the presence of utility lines and activities taking place. The site is within the Coastal Change Boundary; much of the south-eastern parts of the site fall on the seaward side of the Coastal Change Boundary but the Shoreline Management Plan confirms Yarmouth will be protected (as is the case with the Outer Harbour, for example).
- 1.8 The site is adjacent to protected wildlife areas of national and international importance, including the Special Protection Area of the Outer Thames Estuary (including the coast and River Yare), and the Southern North Sea Special Area of Conservation which adjoins the south eastern boundary of the site.
- 1.9 As the site is visible from the southern side of the river it has a possible impact on the visual setting of the No. 17 Gorleston Conservation Area Extension (designated in 2009) and the Cliff Hill Conservation Area.
- 1.10 Much of the site is part of the designated port operational land. It is both a safeguarded employment area and in addition to planning designations the eastern half of the site falls within the South Denes area of the Great Yarmouth and Lowestoft Enterprise Zone.

Marine Licence

- 1.11 The planning application submitted to GYBC as Local Planning Authority concerns only those elements which are located above 'mean high water springs' level. Other aspects of the project, such as the use and siting of pontoons in the estuary or the deepening of the navigational channel are subject to a separate application(s) for a Marine Licence which has been made to the Marine Management Organisation (MMO). The MMO has also been consulted as part of this planning application but no comments have been received to date.
- 1.12 The area of works subject to the Marine Licence application extends 30m – 75m from the quay wall into the River Yare. Some of that area includes works needed to be determined by GYBC as local planning authority. The proposals include:
 - A proposed new berth for Crew Transfer Vessels and Operational Vessels, to be based at the replacement quay wall on the River Yare. The sea wall construction and use of the berth are to be determined by GYBC as the local planning authority;
 - An area of new pontoons for smaller Crew Transfer Vessels to the south of the larger berth area and within the existing area of the spending beach within the course of the River Yare. This includes two 'linkspan' (pier-like) connections from the shore to the floating pontoons. Fixing the linkspans

to the shore falls within the planning application, but siting them falls to be considered by the MMO.

- Necessary works to the navigation channel and river bed, such as dredging to enable construction of the sea wall and allow berthing there. These are responsibility of the MMO.

1.13 The application includes:

- Location and layout plans
- Environmental Statement covering: Air quality; Cultural heritage; Biodiversity; Geology and soils; Water environment; Noise and vibration; Major accidents and disasters; and, Cumulative effects
- Planning and regeneration statement
- Pre-application consultation report
- Shadow Habitats Regulations Assessment
- Surface water drainage strategy
- Transport statement

Environmental Statement

1.14 The application is an Environmental Impact Assessment application and is accompanied by an Environmental Statement (ES) which addresses the impacts relating to development of the road, external storage areas, parking, construction of the sea wall / quay heading and creation of the berthing facilities. Pre-application discussions were held with the LPA planning service regarding the scope of the ES and the various supporting documents required.

1.15 The application Environmental Statement has addressed in detail all the issues identified within the LPA's pre-submission EIA Scoping Opinion. An overview of these issues is discussed in more detail in this report. For the purposes of EIA, it was not considered that landscape and visual impacts, climate impacts, materials or population and health would be likely to raise 'significant environmental effects', but these still form material planning considerations in determining the application.

1.16 As an EIA application there are obligations to demonstrate appropriate assessment of alternative strategies for the development and propose suitable monitoring regimes and mitigation proposals.

The Local Development Order

1.17 The land included in this application is also covered by the South Denes Local Development Order (LDO) which was introduced in 2012 and lasts to 2022. Further information on the two LDOs in Great Yarmouth is available at: <https://www.great-yarmouth.gov.uk/article/2492/Local-Development-Orders-LDOs>. The South Denes LDO is currently being reviewed to consider whether and how it should be extended beyond 2022.

1.18 The LDO was introduced to enable some future development in the area to be possible as permitted development, so long as it is "Port and Energy Industry" development. Certain requirements need to be met for development to qualify

as permitted development within the LDO process, including demonstrating compliance with the LDO Design Code, the creation of which took into account general impacts on landscape and conservation areas for example. The range of developments that are possible through the LDO process are listed at Section 6 of the South Denes LDO, and those developments have their own conditions to adhere to.

1.19 However, certain developments cannot take place through the LDO process, such as:

- proposals which are EIA development;
- proposals which present a high risk to the water environment; or,
- proposals where use of the land first needs to fulfil pre-commencement conditions or where activities are restricted by conditions.

A series of Limitations is in place in Section 7 of the LDO which sets out when development is excluded from the LDO process.

1.20 LDO Limitation 7 [page 13] states:

“The permission granted by the order shall not apply if: (7) The development would be contrary to any condition imposed by any planning permission granted or deemed to be granted under Part III of the Town and Country Planning Act 1990, otherwise than by the Town and Country Planning (General Permitted Development) Order 1995 (as amended).”

1.21 Effectively, this requires that any project that intends to come forward through the LDO process can only do so if the project is first compliant with any conditions attached to any formal planning permissions on that land.

1.22 Because the land for the wider O&M Campus site is in the applicant’s ownership and application site red line area, and is being opened-up by this access road development, it can be subject to conditions which require matters to be addressed and approved before that LDO development commences. As an example, if an archaeology condition(s) is imposed on the temporary works area land in this application site, a developer aiming to benefit from the LDO permitted development right would have to undertake works required by the archaeology conditions to shape the scheme into a suitable form for archaeology purposes, before their proposal becomes eligible to qualify as Permitted Development through the LDO.

1.23 This means the decision maker on this application can impose conditions through this permission which shape how developments should take place in the wider O&M Facility site, despite the presence of the LDO. This is particularly relevant in the case of highways, drainage and archaeology concerns raised and discussed below, but any material considerations can be addressed in this way, so long as they meet the tests for planning conditions set out in the NPPF (i.e. being necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects). Where conditions are necessary to be pre-commencement there should be clear justification for doing so.

- 1.24 Sections 6 and 7 of the South Denes LDO can be examined in further detail at: https://www.great-yarmouth.gov.uk/media/1223/LDO-for-South-Denes/pdf/LDO_for_South_Denes.pdf

2. Consultations :-

Norfolk County Council Highways – No objection subject to condition.

- 2.1 The existing length of public highway will need to be stopped-up before the existing turning head is removed and the private road extended, but the local highway authority would not wish to adopt the new road as it will only serve private purposes in the long term.
- 2.2 The scheme should seek to improve the opportunities for non-car access, such as bike and pedestrian access, but also through more sustainable options. However the area is poorly served for non-car users and there are no firm proposals included in this application for pedestrian or cycle access into and around the site. It is recognised that requesting a new 1km-long x 3.0m wide cyclepath to bridge the existing gap between the application site and the existing footpath network to the north is not feasible. However, a suitable route within the site should be provided along the newly-extended South Denes Road, for safe cycle and pedestrian movement. This could then be extended in time along South Denes Road to the north of the application site.
- 2.3 The Transport Statement submitted is adequate to show there is not likely to be an issue with highway network capacity linked to this development.
- 2.4 However, the nature of vehicles using the area, and a continued 30mph limit, and the prevailing driving environment, would combine to make the area unsuitable for pedestrians or cyclists without dedicated safe facilities. This should be provided by a 3.0m wide shared use cycleway / footpath for the full length of the application site, if not further north as well. There may be opportunities to link with the facilities offered by the Third River Crossing.
- 2.5 Conditions are requested to secure the 3.0m footpath / cycleway along one side of the new road. The full comments of the Highway Authority are provided at Initial comments are provided at **Appendix 7** to this report.

Great Yarmouth Port Authority – Concerns raised and details sought.

- 2.6 As Statutory Harbour Authority, the GYPA seeks to ensure the development is in the best interests of the Port and in particular that safe navigation within the port will not be adversely affected.
- 2.7 Whilst the GYPA acknowledges the benefits that the proposal could bring (e.g. providing good access to the north sea wind turbine operations and land-side facilities), it seeks further information and assurance from the applicant that the works will be discussed in respect of navigation and disturbance of the river bed, as the GYPA has responsibilities towards safety of vessels using the Port.

- 2.8 The specific material planning concerns raised are:
- 2.9 The proposal to reconstruct the quay wall in front of the existing wall will narrow the river channel and in turn increase the speed of river flows. The GYPA has for many years resisted building out from the existing quay walls and ideally new walls should be built along or within the existing quay wall line. Proposals forward of the line should be demonstrated to not be detrimental and should be justified with appropriate hydraulic modelling.
- 2.10 The proposed access bridge and pontoons would need the GYPA's approval and should not be detrimental to navigation nor affect the hydraulic regime within the area of the Spending Beach or beyond. The Spending Beach performs an essential function and works should not have a detrimental impact on that function.
- 2.11 Pontoons or other facilities within the river should be lit and marked with navigation aids.
- 2.12 Lighting for construction works or operations must not affect navigation.
- 2.13 During construction and operation, a safety system needs to be agreed.

Peel Ports / Great Yarmouth Port Company (GYPC) – Supports.

- 2.14 Responding as operators of the Port on behalf of the Great Yarmouth Port Authority, the GYPC support is provided for the following reasons:
- The River Yare will provide a crucial complementary Operations and Maintenance role to the activities of the Outer Harbour.
 - The O & M Facility will be compatible with the established role of the Port in the off-shore wind farm sector.
 - The proposal is compliant with the local plan and local development order.
 - The Third River Crossing will enhance access links to the O & M Facility.
- 2.15 Conditions should not be used if they are likely to hinder operations of the facility by an eventual operator, noting the 24/7 business activity of the port.

Norfolk Historic Environment Service (Archaeology) – No objection

- 2.16 Recommendations for archaeological assessment were issued as part of the EIA scoping process for the wider project of delivering the operations and maintenance facility as a campus for investment and economic growth.
- 2.17 There are several historic environment assets, including the buried remains of the 17th Century Harbour Fort. These potential remains should all be investigated using ground penetrating radar surveys and trial trenching before any proposals are advanced, as they would inform the extent of building footprints, site coverage etc.

2.18 These comments remain relevant to the immediate application and the future development of the O & M facility site as a whole.

2.19 **Cadent Gas** – No objection.

There is no objection in principle but there is an intermediate pressure gas pipeline that is in close proximity to the development. No buildings are permitted to be sited within 3m of the pipeline (inc. footings and building overhangs) and the developer should contact Cadent Gas to ensure the scheme will conform, and trial holes will be required to confirm the location of the actual pipeline. This is a matter for separate legislation and for the future development at the O&M campus site, but can be raised by Advisory Note.

2.20 **Environmental Health** – No comments received at time of writing.

2.21 **Natural Environment Team** – No comments received at time of writing.

It is hoped that either initial or full comments will be provided in time for the Committee meeting which will be reported verbally.

2.22 **Natural England** – Objection.

Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that **it is not possible** to ascertain that the proposal will not result in adverse effects on the integrity of the sites in question. the assessment does not currently provide enough information and/or certainty to justify a favourable recommendation and the authority should not grant a permission at this stage. The concerns raised are:

1. The Habitat Regulations Assessment has not been passed as yet.
2. Foraging birds in the Outer Thames Estuary SPA might be affected by the increased noise caused by this development, including construction and the movements of sea vessels associated with this development; these will in turn affect the breeding and use of the neighbouring SPA sites eg at North Denes and Breydon Water as the application site is within foraging range of these various nesting areas.
 - a. Insufficient survey data has been provided to be able to suggest there will be no likely impact.
 - b. The construction noise and operations noise may have been underestimated.
 - c. Furthermore, the movement of vessels from this development equates to a 20% increase in sea vessel traffic from the port, which will cause significant disturbance to the most sensitive species and could lead to their displacement during the lifetime of the project. No models of shipping traffic routes have been provided so these effects cannot be determined.
 - d. These factors combine to mean there is a likely significant effect from the proposals alone and in-combination which should be considered in the Appropriate Assessment process.

3. Vibro-piling should be used to mitigate sub-sea noise impacts, and qualified personnel are needed to oversee the works within the shoreline – re marine mammals.
4. Air quality has not been addressed adequately and the proposals make no mitigation for construction traffic pollutants from emissions nor construction site dust. The additional emissions could cause an increased effect by extra critical load on the sensitive habitats. Construction mitigation method statements can control but one of these sources of pollutants, and further screening is required prior to determination.
5. Water quality impacts are likely without adequate mitigations in excess of safe construction-stage preventative methods.
6. Biosecurity (waterborne diseases and invasive species) needs to be addressed more than just through ballast management plans.
7. Sediment shifts and shoreline materials management need addressing.
8. This development at the Yarmouth Port should consider the various possible impacts of the in-combination effects at two off-shore windfarms, 3 marine cable lines, and the works underway at Lowestoft Port as well.
9. Breeding birds should be protected by time-limited site clearance and surveys.
 - a. A buffer zone is needed for protecting nesting areas during development.
 - b. Grassland should be protected and that which is lost or disturbed during construction should be restored or replaced because of the importance of the site for nesting habitat of UK Priority Species.
 - c. Habitat improvement opportunities should be included and implemented.
10. Protected species, priority species and other habitats need assessing locally.
11. Biodiversity net gain and ecological enhancement should be secured in the scheme as a matter of course.

Initial comments are provided at **Appendix 8** to this report. It is hoped that further comments will be provided in time for the Committee meeting which will be reported verbally.

2.23 **Environment Agency** – Holding Objection subject to review of documents.

At the time of writing, the Environment Agency had not finished reviewing the application's Flood Risk Assessment. The Agency was concerned that the site was in Tidal Flood Risk Zone 3a with a high probability of flooding, and would need assurance that the vulnerability of end uses would not be incompatible with that level of flood risk.

The Environment Agency also raise concern in respect of:

- Groundwater protection and contaminated land;
- Ecology, and the need to assess impacts on protected species for the duration of the whole O&M Campus development; and,
- The proposed works to the sea wall / quay heading and any works within 16m of the river will also require the Agency's approval through the Environmental Permitting Regulations regime.

Initial comments are provided at **Appendix 5** to this report. It is hoped that further and full comments will be provided in time for the Committee meeting which will be reported verbally.

2.24 Lead Local Flood Authority – Holding objection.

At the time of writing, the Lead Local Flood Authority (LLFA) had not finished reviewing the application's Flood Risk Assessment and Surface Water Drainage Strategy. The LLFA agree that the development could discharge into the River Yare as a means of achieving the best possible 'tier' in the drainage hierarchy, but they have initial concerns that the strategy has ruled out infiltration solutions too readily, and consider the flood event storage capacity is likely to be too limited, and request further detailed designs of the proposed system, and revisions thereto.

The LLFA retains concerns that the water quality assessment is needed, and will need further examination of the pollutant control measures required and proposed. Presently there has been no risk assessment of the impacts from the drainage scheme being overloaded / surcharged, nor any management proposals.

The LLFA is very concerned that the submitted Drainage Strategy is very preliminary in nature and contains insufficient information for an application for full planning permission, and details should be supplied before a decision to approve.

Initial comments are provided at **Appendix 6** to this report. It is hoped that further and full comments will be provided in time for the Committee meeting which will be reported verbally.

2.25 Anglian Water – No comments received at time of writing.

2.26 Marine Management Organisation – No comments received as yet.

2.27 Notwithstanding that there were no comments lodged against the formal planning application it is noted the MMO undertook their own review of the applicant's EIA Scoping Report and LPA's Scoping Opinion and required more details to be included than had been considered necessary by the LPA. Those matters were of greatest relevant to the EIA process for the Marine Licence and were unnecessary to require specific inclusion within the Environmental Statement for the planning application. The LPA is satisfied that the Environmental Statement addresses the likely significant effects on the marine environment relevant to the planning regime.

2.28 Water Management Alliance / Internal Drainage Board) – No objection.

As the proposal will discharge surface water to the estuary there are no impacts on the Broads internal drainage district, so no comments are offered.

2.29 GYBC Resilience Officer – No objection.

I have no issues/comments regarding the application.

2.30 Highways England – No objection.

Responding as a statutory consultee to the EIA process, in relation to potential impacts on the national Strategic Road Network (SRN) - The transport movements associated with the development are not likely to have a material impact on the A47 which is part of the SRN, but Highways England would like to remain a part of the consultation process on future developments at the port area to ensure there are no severe operational effects on the SRN as a result.

Neighbour / Public comments:

2.31 Only 1 general comment has been received, summarised as:

2.32 It is claimed that the Outer Harbour's construction removed a popular viewing spot from the southern end of South Beach Parade, and in mitigation a public viewing area was at one point discussed but has not been delivered. The respondent suggests a replacement public viewing area could be provided in this application to afford a view of the Outer Harbour, with space for perhaps 15-20 cars.

The comment made is provided at Appendix 4 alongside this report.

2.15 Any consultees' comments received between the publishing of this report and the Committee meeting will be presented verbally to the meeting.

2.14 The issues raised are addressed in the report below.

ASSESSMENT OF PLANNING CONSIDERATIONS

3. Relevant Policies:

- 3.1** Planning law at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reiterated at and paragraphs 2 and 47 of the National Planning policy Framework (NPPF).
- 3.2** At the time of this DC Committee meeting the local development plan comprises the adopted Local Plan (2001) policies and the Core Strategy (2015). The emerging Local Plan Part 2 (LPP2) has received support from the Planning Inspectorate and is due to be considered for adoption on 09th December 2021, and those policies will replace the Local Plan 2001 and modify some policies of the Core Strategy. The NPPF states at paragraph 48 that weight should be

applied to emerging policies commensurate with the progress made towards adoption. As such it is considered that significant weight should be given to the policies within Local Plan Part 2 in the determination of this application.

- 3.3 Whilst the Council has an up-to-date development plan and 5-year-housing land supply the National Planning Policy Framework remains a material consideration but the development plan retains primacy.

The following policies are relevant to the consideration of this application:

Core Strategy 2013 – 2030:

Policy CS1: Focuses on a sustainable future, finding solutions so that proposals that improve the economic, social and environmental conditions of the borough can be approved wherever possible.

Developments should create: (e) Safe, accessible places that promote healthy lifestyles and provide easy access for everyone to jobs, shops and community facilities by walking, cycling and public transport

Policy CS2: Ensures that growth within the borough must be delivered in a sustainable manner in accordance with Policy CS1 by ... reducing the need to travel.

Policy CS6: – Supporting the local 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:

- a) Encouraging the redevelopment and intensification of existing employment sites, particularly those sites with good access by a variety of transport modes.
- e) Supporting port-related development proposals relating to the Outer Harbour and existing river port, in particular encouraging cargo handling and other port-reliant activities.
- f) Encouraging a greater presence of higher value technology and energy-based industries, including offshore renewable energy companies, in the borough.
- h) Encouraging the development of small scale business units.

Policy CS9: – Encouraging well-designed, distinctive places – Development must:
(d) Provide safe access and convenient routes for pedestrians, cyclists, public transport users and disabled people, maintaining high levels of permeability and legibility.

(e) Provide vehicular access and parking suitable for the use and location of the development, reflecting the Council's adopted parking standards.

(f) Seek to protect the amenity of existing and future residents, or people working in, or nearby, a proposed development, from factors such as noise, light and air pollution and ensure that new development does not unduly impact upon public safety.

(g) Conserve and enhance biodiversity, landscape features and townscape quality.

Policy CS10: Safeguarding local heritage assets - The Council will ... promote the conservation, enhancement and enjoyment of this historic environment by:

a) 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.

Policy CS11: sets out the Council's approach to enhancing the natural environment. Consideration should still be given as to how the design of the scheme has sought to avoid or reduce negative impacts on biodiversity and appropriately contributes to the creation of biodiversity, habitat and landscape in accordance with points f), g) and h).

Policy CS12: Utilising natural resources – The Council will...

(d) support proposals that strengthen the development of the borough as a centre for renewable energy and green industries.

(e) ensure that new developments' waste water/sewerage treatment avoids adverse effects on the integrity of designated nature conservation sites.

Policy CS13: Protecting areas at risk of flooding / coastal change: Proposals must:

(b) ensure new developments on sites adjacent to defences provide adequate access for repairs, maintenance and upgrades and that the development will not affect the integrity of the defence.

(c) seek use of sustainable drainage systems in all new developments.

Policy CS16: Improving accessibility and transport – The Council will...

(a) (vii) Improve accessibility to employment by enhancing linkages between existing 'green travel' routes to create a coherent network of footpaths, cycleways and bridleways.

(a) (viii) Support the port and its future development as a passenger and freight intermodal interchange, with facilities to achieve efficient staging, loading and unloading and to realise the potential of the port to function as a sustainable transport corridor.

(c) Ensure that new development does not have an adverse impact on the safety and efficiency of the local road network for all users.

Saved Borough Wide Local Plan Policies (2001):

EMP23: Industry etc. on port operational land

Proposals for industry, warehousing and open storage on port operational land will be permitted only when the applicant can demonstrate that the proposed development is related to port operations.

EMP24: Offices etc. on port operational land

Proposals for offices, car parking or other uses on port operational land will be permitted only when the applicant can demonstrate that the proposed development is related to quayside activities.

EMP25: Creation / rationalisation of roads within the port operational area

The Borough Council will encourage proposals which may lead to the creation of new roads and/or the rationalisation of the highway network within the port area which, in

turn, will allow expansion of quayside sites and a more efficient use of land within port-related areas.

EMP30: Development on port operational land

Development on port operational land which involves a change of use from a use related to port activity to a use unrelated to port activity (or vice versa) will be permitted provided the applicant can demonstrate:

- (a) the proposal would not be significantly detrimental to the amenity of nearby dwellings or the well-being of their residents;
- (b) the site can be serviced and both access and parking arrangements meet the standards operated.

TCM10: Road closures & diversions within the port area

Road closures within the port area or diversions may be permitted where they would enable adjoining sites to be consolidated into development schemes and provided there is no significant adverse impact on the remaining highway network, access or amenity of surrounding uses.

INF18: Hazards and contamination

In considering proposals involving hazardous development, in the vicinity of hazardous installations, or the development of contaminated sites, as shown on the proposals map, account will be taken of the amount, type and location of hazardous substances present, and the need for special precautions or restrictions to protect future users of the site and any other protected land.

INF19: Hazardous materials and substances

Planning permission will be granted for development, including a change of use, involving the handling, storage or distribution of any explosive, highly flammable, toxic, corrosive, chemical, radioactive or other harmful materials or substances (including the recycling of chemical and clinical waste materials) only if it does not constitute a hazard to health or if there is no significant risk of escape of any such material or substance.

National Planning Policy Framework (NPPF)

[extracts of particular relevance]

NPPF 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 well-designed, beautiful

- and safe places, 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 protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

NPPF Paragraphs 111-112 - 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.

Within this context, applications for development should:

- (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- (d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

NPPF Paragraph 130 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.

Local Plan Part 2 (final draft, 2021)

The following emerging policies should also be given significant weight in the decision-making process because the draft policies have been subject to formal examination and have reached pre-adoption modifications stage, with formal adoption proposed to take place on 09th December 2021:

Policy A1: Amenity –

“Development proposals will be supported where they contribute positively to the general amenities and qualities of the locality. Particular consideration will be given to the form of development and its impact on the local setting in terms of scale,

character and appearance. Planning permission will be granted only where development would not lead to an excessive or unreasonable impact on the amenities of the occupiers of existing and anticipated development in the locality, in terms including:

- a. overlooking and loss of privacy.
- b. loss of light and overshadowing and flickering shadow.
- c. building and structures which are overbearing.
- d. nuisance, disturbance and loss of tranquillity from: • waste and clutter • intrusive lighting • visual movement • noise • poor air quality (including odours and dust); and • vibration.

Where adverse impacts are an inevitable consequence of an otherwise desirable use and configuration, measures to mitigate such impact will be expected to be incorporated in the development. On large scale and other developments where construction operations are likely to have a significant and ongoing impact on local amenity, consideration will be given to conditions to mitigate this through a construction management plan covering such issues as hours of working, access routes and methods of construction.”

Policy E1: Flood risk

[Extract] “Planning applications within areas of flood risk (as defined above) will need to be supported by a Flood Warning and Evacuation Plan which covers flood warnings, escape routes and procedures, and awareness of the risks involved. The Flood Warning and Evacuation Plan will be secured by a planning condition.”

Policy E5: Historic environment and heritage

[Extract] “In accordance with national planning policy and Policy CS10 of the Core Strategy, proposals for development should seek to conserve and enhance the significance of heritage assets, including any contribution made by their setting, by positively contributing to the character and local distinctiveness of the area. Development proposals within conservation areas, or in a location that forms part of its setting, should take into account the special and distinctive character of the area which contributes to its significance and have regard to the relevant Conservation Area Appraisal and Management Plan. ...

Development proposals which have the potential to impact on Heritage Assets or their settings should be supported by a Heritage Impact Assessment prepared by an individual with relevant expertise. An archaeological assessment must be included with any planning application affecting areas of known or suspected archaeological value to ensure that the preservation and/or recording of archaeological remains can be secured.”

Policy E6: Pollution and hazards in development

“Development proposals will be supported where the potential for the creation of, or susceptibility to, hazards and pollution (including air and light pollution) has been suitably avoided or suitably mitigated.

Applicants will need to demonstrate their proposals are safe from, and do not give rise to, unacceptable hazards and/or pollution as a result of the following matters:

- a. the proposed development and the activities and substances involved;
- b. the site itself, and any potential existing contamination or land instability; and/or
- c. the proximity of the proposal to any existing hazards;

d. the cumulative effect of development with respect to pollution and hazards on health, living conditions and the natural environment in combination with nearby development or developed uses.

Any development within the specified distance from the sites identified as notifiable installations, or the development of new notifiable installations, must take account of any risks involved and the need for appropriate separation between hazardous installations and incompatible uses.

Where proposals are within a close proximity (500m) to watercourses, there may be the potential for a hydrological link. Development proposals should take into account the potential for pollutants and demonstrate a strategy for preventing this reaching the watercourses untreated.

Where proposals are in close proximity to nature conservation sites the potential for increased pollution must be suitably mitigated for development to be supported.”

Policy I1: Vehicle parking for developments

[Extract] “Development should be designed to enable charging of plug-in and other ultra low emission vehicles in safe, accessible and convenient locations.”

Policy I3: Foul Drainage

“In line with Policy CS11 and CS12 of the Core Strategy, all new development proposals will be expected to demonstrate the following:

- a. that adequate foul water treatment and disposal infrastructure already exists; or that the necessary infrastructure can be provided in time to serve the proposed development;
- b. that no surface water connections should be made to the foul system and connections to the combined or surface water system should only be made in limited circumstances where there are no feasible alternatives; and
- c. that suitable access is safeguarded for the maintenance of water resources and drainage infrastructure. ...”

4. Assessment: -

The main considerations for this application concern:

- Principle of development
- Highways and access
- Fluvial and tidal flood risk
- Surface water drainage
- Impact on ecology / biodiversity inc. designated sites
- Residential and commercial amenity
- Construction impacts
- Other material considerations:
 - Contaminated land
 - Design, heritage and archaeology
 - Navigation and vessel safety
 - Economic considerations
 - Public site access
 - Environmental Statement
 - Links to future applications

The Proposal

Sea wall and berthing

- 4.1 The new sea wall along the northwest river channel edge would be installed in front of the existing failing seawall. It would likely comprise a new sheet pile wall 1m in front of the existing quay wall, supported by another sheet pile rear anchor wall behind that. The quay wall will provide a berth area for larger craft known as Service Operation Vessels (SOVs) which might have a gross tonnage of 6,000 tonnes each.
- 4.2 No precise details have yet been submitted but the positions are known and the precise construction details can be required by conditions prior to commencement. The concerns of the Port Authority are noted, but the incursion into the river channel is only 1m as permanent development with some temporary construction barriers and pontoons etc likely to be needed. The hydrological impacts on the behaviour of the river are mitigated by the new quay wall being positioned in front of the existing so there will be very minimal effect on river flows and the function of the spending beach. As such there are not considered to be any lasting impacts on the use of the river or the operations of the Port. The Marine Management Organisation will assess developments and operations on the riverbed. The Environment Agency will also give careful consideration to the seawall and other structures that affect flood defences as part of the Environmental Permitting consents process.
- 4.3 Temporary impacts from construction activities being present in the channel is likely to be similar to the area needed on a permanent basis for berthing the large SOV vehicles. The application has assessed this impact, and the LPA can use conditions to restrict use of the berthing to SOVs related to the energy sector in order to ensure the impacts on shipping activities in the estuary are addressed and remain within expected tolerances. With this in place, the Port should not experience detriment.

Storage and parking areas

- 4.4 The various storage areas to be created around the site amount to approximately 5.5ha, comprising 2no. permanent external storage use areas and 3no. large areas of temporary works areas use.
- 4.5 No firm proposals for layouts nor uses have been presented but in general terms the main or principal storage and parking area for the whole O&M campus site will likely be positioned adjacent to the SOV berthing area, and will include loading with mobile harbour cranes, for example. Car parking here will number 64 spaces off South Denes Road.
- 4.6 This north-west SOV storage area is an area of c. 1.38ha, which includes an area of short-term temporary works use (c.0.28ha) (general areas '4' and '5' respectively as labelled in the proposed site layout plan at Appendix 3). This is already hardstanding and car parking. The external storage area is anticipated to be used for storing shipping containers associated with the operation of the O&M facility, and car parking, on a permanent basis.

- 4.7 No details are provided for the intended use of the southern area of proposed permanent external storage, which measures approximately 0.35ha. This is the 'island' between South Denes Road and the site's northern neighbour (an existing storage yard) and is currently scrubland / marram grass.
- 4.8 The application proposes to hard-surface this area to allow storage on solid ground, but no details are proposed yet in this regard, for example appearance and materials.

Temporary Works Areas

- 4.9 The areas outside the land needed for the small extension to the existing roads and the areas proposed for permanent use of external storage areas amount to approximately 4ha in total and are described as being 'Temporary Works Areas' for construction of the whole O&M Campus facility.
- 4.10 The types of activity earmarked for the temporary works areas are described as installation of utilities for highways, provision of construction compounds, haul roads and temporary storage laydown areas. Therefore, such development associated with gradual construction of the O&M facility should be restricted to such a use.
- 4.11 It was considered whether using these areas should be subject to either / both of a temporary period of use, or a Phasing Plan to establish which areas are used when individual parts of the site are realised. However, it is considered on balance to be more appropriate to leave those concerns to be addressed by site management when allowing gradual phased development of the site, especially as there are no particularly sensitive immediate neighbours to this development area.
- 4.12 Other conditions can be imposed as relevant to the O&M facility more generally as described above.
- 4.13 Any intention to provide hardstanding to the temporary works areas has not been demonstrated by providing details of hardstanding or surfacing. These will require express permission if there is an intention to carry out operational development that requires permission, rather than lay down any temporary road material for example.

Pontoon Linkspans

- 4.14 Berthing for smaller Crew Transfer Vessels is proposed at a floating pontoon within the spending beach bay in the River Yare, which is to be accessed from land via two linkspan bridges, for use by small vehicles and cranes and personnel. The linkspans attach to land at the SOV berthing area and on the spending beach quay area behind the former Halliburton Energy Services office building. The actual pontoon is a matter for the MMO Marine Licence, but the linkspans fall within the planning application.
- 4.15 The Port Authority have expressed concerns for the function of the spending beach but the linkspans are affixed beyond the beach and the rest of the structure will float. Navigational issues and methods of anchoring linkspans will fall to the MMO to assess.

Extension and alterations to South Denes Road

- 4.16 The proposal seeks to change the alignment of South Denes Road at its junction with South Beach Parade, and extend it eastwards to provide a new spur and turning head. This would open-up more land for development and make access for service vehicles more convenient. The road design is not yet in fully detailed form but the broad proposals show a footpath / cycleway route along the south and east sides of the road. The road design would maintain the existing 30mph limit.

Principle of Development

- 4.17 The 6.9ha application site forms the area intended to become the Operations and Maintenance Campus facility (O&M) for Yarmouth, and is a small part of the 118ha South Denes area (including Outer Harbour and South Quay) designated in the development plan as a safeguarded local employment area. As the Core Strategy recognises: *“South Denes is a priority area for industrial and warehousing development, attracting businesses operating in, or providing essential support services to the energy, offshore engineering and ports & logistics sectors.”*
- 4.18 The O&M Campus will complement the role of the Outer Harbour and help deliver regeneration through jobs creation and employment innovation, as well as helping the Great Yarmouth Port on the River Yare and increasing the Outer Harbour’s operating capacity. The O&M facility will provide support for investment in the offshore wind farm maintenance sector in particular, which is increasingly relevant as national Government is currently considering the expansion of existing windfarms and creation of new wind farms in the southern North Sea in particular.
- 4.19 The expansion of employment facilities is supported by Core Strategy policies CS1, CS2, CS6 and CS12 so long as it can provide transport by means other than the private car.
- 4.20 However, this area should not be allowed to evolve into a general-use employment area as the Borough has various specific designated general employment sites arguably more accessible to the wider Borough than this area. Adopted and saved Local Plan policies set out clear expectations that the only type of employment-generating uses to be allowed in this location should be those related to port-operational land. This will make sure there remains land available for expansion of port business activity and will minimise conflict of uses and traffic movements for example.
- 4.21 Local Plan policies EMP23 and EMP24 make clear that industry, warehousing, open storage, offices and car parking in this location should only be permitted where they are demonstrated to be related to port operations or quayside activities. The Environmental Statement has considered the impacts of the development on that basis, and the Local Development Order exerts controls to focus development in that respect, so there is clear need to maintain these protections. Planning conditions will therefore be used to restrict uses on the land adjoining this development (in the applicant’s control) to those serving port-operational and energy sector activities only.

- 4.22 With appropriate use of controls on the types of uses able to take place within the site, this proposal finds support in policies EMP23 and EMP24.
- 4.23 This development will enable construction of buildings and facilities which are likely to be presented for 'prior approval' through the Local Development Order process; once such buildings address any pre-commencement conditions they would be otherwise approved by virtue of being permitted development through the LDO, unless they are EIA developments in themselves.
- 4.24 There are now far more 'permitted development' changes of use available for buildings in employment or industrial use than was the case when the Local Plan was adopted in 2001. Even then, saved Policy EMP30 sought to control the activities that might take place if buildings changed their use away from port-related activity in the interests of maintaining residential amenity and access and highways standards. Today, these concerns remain relevant but the opportunity to lose port-related uses has increased as the range of permitted development changes has increased.
- 4.25 It is therefore proposed to be necessary to imposing conditions on the use of the O&M Campus land which remove permitted development rights for the use of new buildings and land to be used initially for port and energy sector uses but then change to other uses. This would ensure the uses in this scheme remain compatible with policy expectations, and remain acceptable to the ports general operations, continue to provide jobs for the port and energy sector, bolster viability of other employment areas, and ensure the development proposed in this application remains suited to the activities of the campus and able to address amenity and highways impacts.

Highways and access

Highways impacts

- 4.26 The current uses include 36 parking spaces on site at present, and the proposal for new parking increases this to 64 proposed spaces (an increase of 28 new spaces), to be located at the north-west corner of the site adjacent to the SOV berthing area. This is considered an appropriate location.
- 4.27 Other short-term parking may be required for construction activities and temporary uses of the land adjoining the road. The longer-term developments enabled by this permission will include their own parking requirements and any applications required for those future uses would be required to evidence highways capacity. The Local Highway Authority finds no cause for concern relating to the traffic generated by this scheme which has been assessed by Transport Statement, but the impact needs to be limited to that which has been assessed for EIA purposes so should be restricted by condition to be a maximum 64 spaces permanent parking.

Access road construction

- 4.28 The new road is supporting in principle by saved Local Plan policies EMP25 and TCM10 where it allows expansion of quayside sites and more efficient use of land in port-related areas.

- 4.29 The Local Highway Authority has expressed doubts that the new road would be publically adopted but that is not an impediment to the application being received favourably, and future road designs should still achieve adoptable standard.
- 4.30 The applicant has clarified that they intend to construct the road extension and new turning head at its eastern end to an adoptable standard, to enable public adoption in the future. Doing so would make it easier, but not compulsory, to introduce public transport connections to the area for example. Final designs and ability to adopt would need to be assessed before construction of the extended parts of the road begin, but the majority of the road is already in situ and only needs minor alignment so to agree details in advance of development commencing should be possible.
- 4.31 In the short term, the existing gates that stop-up the highway at the southern end of South Denes Road will likely remain in place to separate the highway from the adjacent operational port area and associated land. It is said that the current turning head arrangement at the gates will remain in place as the terminus for non-O&M Facility vehicles.
- 4.32 The existing turning head is not shown as being retained on the proposed site layout plans and that area is shown only to be used for car parking and temporary works area activities.
- 4.33 As the full O&M Campus development progresses this existing turning head may become redundant to requirements, so conditions will be used to ensure it cannot be removed until such time as an adoptable standard replacement is available and connected-to elsewhere in the site.

Footpath and cycleway access

- 4.34 It is reasonable to expect the campus to be served with at least one 'spine road' footpath and cycleway facility for safe movement between the various parts of the future O & M campus.
- 4.35 At present, the applicant only proposes to 'reserve' land for a 3.0m wide path corridor, rather than actually build one from the outset. The applicant sees this path as being the route for utility and service connections, so providing a final facility from the outset might only be abortive if paths are disrupted for utilities as the campus is constructed.
- 4.36 The applicant's position is understandable but safety of users should not be compromised whilst the site takes a while to be developed incrementally. Conditions will be used to ensure details are agreed and a temporary footpath made available during the course of the development, but before any parts of the site are brought into beneficial use the necessary 3.0m wide footpath will be needed to connect that site up to the closest adopted highway footpath at the time of construction. Conditions will also ensure the site is able to connect to a footpath to be provided to the north of the site along South Denes Road at some stage in the future, and similarly show that public transport will be able to serve the site interior.

Flood risk

- 4.37 The site includes tidal Flood Risk Zone 3a. The Sequential Test need not be applied when developments are proposed on sites which have been allocated in development plans for that use, so long as the plans passed through the Sequential Test at that time, which the Core Strategy did.
- 4.38 Within Flood Risk Zone 3a developments should only be allowed if they are a type which national guidance considers to be “Water Compatible” or “Less Vulnerable”, without further justification being necessary. Development types which are “More Vulnerable” or “Essential Infrastructure” must only be considered favourably if they are able to pass the Exceptions Test and display public benefits to outweigh the in-principle national policy objection. Developments classed as “Highly Vulnerable” should not be permitted regardless of public benefit / exceptions test.
- 4.39 Ordinarily, developments / uses which require hazardous substances consent are considered ‘Highly Vulnerable’, but the Government’s advice is that a demonstrable need to locate such installations for bulk storage of materials with port or other similar facilities, or such installations with energy infrastructure or carbon capture and storage installations, which require coastal or water-side locations, or which for some other reasons need to be located in other high flood risk areas, should instead be classified as ‘Essential Infrastructure’, and therefore can be permissible if they pass the Exceptions Test.
- 4.40 The developments within this application and within the intention of the O&M Campus more generally, are all proposed to be within the Essential Infrastructure, Less Vulnerable or Water Compatible categories. As such only the utility infrastructure, substation, and any water treatment works that might be needed for the drainage scheme and which might need to remain operational in times of flood, would need to pass the Exceptions Test. It is considered highly likely to do so given the public benefits which the developments unlock.
- 4.41 There are two stages to the Exceptions Test: Firstly, the scheme needs to show wider public benefits, and as the site is part of a regeneration strategy and economic enabler, it will provide the wider sustainability benefits needed to pass this stage.
- 4.42 The second part of the Exceptions Test needs to be passed by the development being proven to be safe in the event of floods and not increase flood risk elsewhere. In this case, the O&M Facility site is not constrained by design-led constraints which would restrict the form of development nor by restricted space availability so there should be scope to provide designs which tolerate and offer refuge and evacuation in times of flood. The Environment Agency will need to advise in this respect but the final form of the scheme can be agreed by pre-commencement conditions on the land within the wider site.
- 4.43 A Flood Warning and Evacuation Strategy will also be required, which will also include the changes of use in the storage areas and the parking. These will be required prior to those uses commencing.

- 4.44 It would be possible to use conditions to prevent any 'more vulnerable' uses coming forward in the O&M Campus site under the LDO but the LDO would not allow the types of 'Less Vulnerable' uses currently defined by Government guidance anyway.

Surface Water Drainage

- 4.45 Finding a suitable surface water drainage solution for the site is interwoven with its ecological sensitivities and physical site constraints, as well as the restricted options available due to the end uses proposed.
- 4.46 The application's surface water drainage strategy has proposed a scheme for the roads, external storage and parking areas. However, it is of some concern because whilst it has attempted to address the drainage hierarchy it does not do so adequately and the system proposed will be likely to cause harm to the ecological assets around the site.
- 4.47 The Lead Local Flood Authority (LLFA) is rightly keen to ensure the development addresses the drainage hierarchy, meaning the scheme needs to fully explore options for infiltration, and if not suitable or feasible then consider discharge to watercourse (ie the River Yare), and if that's not suitable then consider discharge to public sewer treatments.
- 4.48 Accordingly, the application investigates the potential for below-ground infiltration as the preferred means for surface water discharge, but ground conditions are said to be unsuitable for this approach due to the site being made ground and having a high water table at risk of elevated contamination levels. As a point of principle the Lead Local Flood Authority (LLFA) does not accept that the whole site is unable to infiltrate (especially so because the LLFA believes there is already a detention area within the site), but these are understandable site constraints that the applicant must take into account.
- 4.49 Furthermore, the types of activity within the site will create risks of site contamination which will only exacerbate groundwater contamination if it were allowed to stay within the site and drain into the ground. Confusingly, despite only applying for permission to install the road and create hard standing areas, the application proposes to separate roof water on buildings from surface water on the ground, given the relative cleanliness of roof water and the need to treat surface water run-off.
- 4.50 If infiltration is to be discounted, the next tier in the drainage hierarchy is to discharge runoff to a surface water body, and in this case the applicant has proposed to create a direct outfall to the River Yare estuary; the complication is that the River Yare and the adjoining estuary which it flows into are both internationally protected designated SAC and SPA sites. Whilst the special characteristics of these in this location are primarily important for birdlife, there are interrelationships from the base of the foodchain that contamination of the water environment would impact upon.
- 4.51 The strategy currently proposed intends to (in summary):
- Separate roof and surface water run-off in distinct systems.
 - Send the cleaner roof water out to the River Yare by direct discharge.

- Pipe the surface water through a Vortex Separator system for some initial screening of the debris and chemicals that might be contained.
- Then discharge that screened water out into the River Yare by direct discharge.

4.52 The applicant considers this acceptable largely because some small portions of the wider site already discharge into the River Yare. Their position is not supported by the LLFA who believe the scheme is not sufficiently detailed for the full planning permission, but this needs to be considered by the decision maker.

4.53 The surface water scheme proposed intends to contain and treat all the water in the drainage pipes and appears to have modelled the flood capacity of the drainage system to a 1 in 30 year rainfall event, when it should have been based on a '1 in 100year + 40% climate change' rainfall event, and have regard to the 1 in 1000yr flood risk events too. As such the capacity of the system proposed is too small for the flood risk requirements the system will flood during even the more common heavier rainfalls let alone extreme rainfall, which will cause surcharge. The LLFA therefore object to the scheme as proposed on the basis that it will not be able to cope with surface water flooding events and will not prevent increased risks of flooding occurring elsewhere.

4.54 One consequence of having inadequate flood risk water storage capacity at this site, and for these uses proposed at the O&M campus is that water being surcharged backwards through the system and onto the surface will likely contain excessive quantities of chemicals and contaminants. These will then be collected by floodwaters and drain directly into the river / estuary bypassing the chemical treatment system, especially so when heavy rainfall events are often accompanied by high tidal and coastal flood risks.

4.55 The scheme intends that contamination could be 'caught' by including the vortex separators or other devices such as oil interceptors but these are proprietary systems that the LLFA considers to be pre-treatment and pre-SUDS. Regardless of whether these are adequately sized, there remains a risk of these failing, requiring maintenance, being overloaded in heavy rains, or generally not being the optimum means of pollution control in the first place; for example it is understood that some pollutants can't be filtered out of the pollution control systems proposed as 'in-line' systems as in this application. None of these have been shown to be possible in practice as the precise types of contamination cannot be fixed and the systems available do not treat every type of contaminant found at heavy industrial, light industrial or storage areas. Any system that allowed the possibility of discharging contaminants into the river estuary would be detrimental to the health of the protected ecological sites and should be avoided unless proven impossible otherwise.

4.56 The decision maker therefore has a duty to ensure there is no likely significant risk of detrimental impact on the protected sites at the River Yare and the estuary. In this respect, every effort should still be made to achieve sustainable drainage as high up the drainage hierarchy as practical and feasible, and ensure that flooding does not occur. However, there are in-principle risks with this approach, because of the nature of the proposed uses and the permanent external storage of materials, and the use of temporary works areas intended, and the stated intention to adopt the same

approach for drainage of the whole O&M campus site. As it does not appear practical or desirable to use infiltration or discharge to watercourses due to contamination risks, then the drainage schemes must look to solutions at lower tiers in the drainage hierarchy.

- 4.57 The applicant has assumed a requirement to provide direct discharge to the river to be an acceptable strategy but has not considered discharge of surface water into the public sewer where it could be treated appropriately, as is more common with industrial sites. Officers consider this to be a necessity in this case at this site.
- 4.58 In the absence of comments from Anglian Water it is not confirmed that there is capacity within the public sewer for treating the O&M campus site surface water, but it should be investigated before being ruled-out.
- 4.59 It would be surprising if a connection to the site did not already exist or if capacity was not available, given the former uses on part of the site and the long-established intentions to redevelop the area for industrial uses which are set out in development plans (which inform the 5 year period Asset Management Plans drawn up by Anglian Water in partnership with the Environment Agency).
- 4.60 It must be noted the surface water requirements in this application are concerned with the road, car parking, turning/access areas, temporary works areas, and permanent external storage areas only. However, the strategy proposes to implement direct watercourse discharge for the whole site beyond this application, and the intensity of use and the nature of use of the road will change as a result of this application, as will the nature of storage areas and the extent of storage areas proposed in this application, so there is not a justifiable precedent or fallback position to compare against. As such, aside from the relatively modest extent of development proposed in this application, it would also not be appropriate to assume that surface water drainage for the wider O&M Facility site would be acceptable.
- 4.61 The decision maker must then ask whether planning conditions can be imposed to be sufficient to alleviate concerns about flood risk and have a reasonable likelihood of being able to be implemented whilst achieving the contamination avoidance or mitigation required. In this case the following questions arise, notwithstanding the concerns of the Lead Local Flood Authority that a final solution should be detailed now:
- Can a revised surface water drainage scheme be designed which avoids the risk of contamination? In response, the public sewer is reasonably likely to be available. If it proves not to be available, a bespoke on-site treatment facility could be designed and built and operated independently of the public system and there is plenty of space within the wider site and in the applicants control to do so.
 - Could a revised scheme lessen the load on the public sewer and include some higher tiers in the drainage hierarchy? The answer would be to separate roof water for discharge to infiltration where possible, or direct to watercourse where not, and then send surface water run-off to the public sewer.
 - Is there enough land available on the site to increase the surface water flood storage capacity if the public sewer network cannot accommodate this

development? The whole of the rest of the O&M campus site is available, and future phases would have to design around any flood water storage requirements.

- 4.62 Officers are reluctant to take an opposing view to that of the LLFA but in this exceptional instance do consider that the site can address the surface water drainage requirements by careful use of planning conditions. However, this will have implications for the O&M campus site delivery, as conditions must be pre-commencement and 'Grampian' in nature, as at this stage using these conditions involves a degree of uncertainty which offers no firm guarantee of being resolvable without further investigation.
- 4.63 The conditions needed for the road and external storage areas will require the following steps before any commencement of development:
- Demonstrate feasibility of treating contaminated waters via the public sewer network.
 - Include suitable allowance for containing contaminated flood waters on site before discharge, with capacity for at least 1 in 100year + 40% cc rainfalls and with discharge flows at greenfield rates.
 - If not possible to treat contaminated waters within the public sewer, propose a system to treat water within the site or off-site as necessary before discharge.
 - Investigate ground conditions across the site, to identify any areas that would be suitable for infiltration of 'clean' water.
 - Justify why infiltration shouldn't be used for 'clean' water if that isn't proposed.
 - Include suitable on-site flood storage capacity for 'clean' water within the infiltration or direct discharge systems as relevant, with capacity for at least 1 in 100year + 40% cc rainfalls and with discharge flows at greenfield rates.
- 4.64 Furthermore, any permission granted here will need to impose conditions on the use of the rest of the site in the applicant's control, such that any future phases of development will need to provide either a whole-site drainage strategy into which they will connect, or provide individual development-specific drainage schemes. Doing either will need to follow the same ecology-led principles balanced against the drainage hierarchy ambitions, so will need to provide a fully detailed appraisal of drainage options including a feasibility assessment for drainage to the public surface water sewer system. The conditions on subsequent developments around the site will also need to be pre-commencement and will therefore also prevent the future phases from being proposed under the current LDO process.

Foul Drainage

- 4.65 Given the ecological sensitivities of the site and the flood risks inherent, it is essential that a foul drainage scheme can be confirmed within the public foul sewer system. Conditions will need to agree the final strategy for the subsequent developments as the O&M Campus progresses.

Landscaping and Trees

- 4.66 No assessment of the potential impacts on trees has been made, although none are proposed for removal in this application. Conditions for future developments under

the LDO could be used to require tree impact assessments and to secure landscape scheme proposals for subsequent developments.

Ecological impacts and Habitats Regulation Assessment

4.67 Natural England raise significant concerns in respect of both the evidential basis to justify the modest works proposed in this application, and in respect of the operations of the development once constructed.

Certain mitigations can be addressed through conditions:

- i. Details of the seawall works can include piling and marine mammal disturbance mitigation.
- ii. An Ecological Clerk of Works can be required to oversee the works to sea wall and shoreline activities, to carry out marine mammal observations 30 minutes prior to any percussive piling being undertaken to ensure that there are no marine mammals within 500m of the proposed works.
- iii. Construction management plans and air quality protection plans can be agreed.
- iv. Water quality protection management plans during construction can be agreed, noting also regard to the surface water treatment to be agreed re the surface water drainage scheme conditions.
- v. Breeding birds should be protected by requiring pre-site clearance surveys and protection measures where appropriate.
- vi. Where development is not proposed, adjoining areas e.g. at the eastern sand spit, should be protected by development exclusion zone.
- vii. Buffer zones should be provided around known nesting areas until such time as temporary uses are required in those areas or until permanent development proposals are advanced and mitigation can be provided then.
- viii. A plan for the whole O&M Campus site should be informed by surveys and propose a grassland management plan to safeguard areas for ground nesting and mitigate areas where disturbance is unavoidable.
- ix. Ground nesting areas should be allocated for restoration / creation.
- x. A general biodiversity enhancement plan is required across the site

4.68 The Shadow Habitats Regulations Assessment (HRA) report provided by the applicant has been viewed with concern by Natural England. They raise a number of reasons why in their opinion the LPA as Competent Authority for the purposes of the Habitat Regulations should not approve the development just yet because it is not possible to confirm that the proposal will not result in adverse effects on the integrity of the internationally designated sites in the vicinity. The LPA relies on the advice of Norfolk County Council's Natural Environment Team for ecological advice and to receive recommendations on the HRA process. The HRA should not be passed if there is any likelihood that the integrity of internationally protected sites will be adversely affected by the development. No advice has been received yet but it is fair to assume the HRA stage will not be passed and therefore mitigations are likely to be needed and an Appropriate Assessment should most likely be undertaken.

4.69 In respect of passing the requirement of the Appropriate Assessment pursuant to the Habitats Regulations: It is recommended that any decision to view the application favourably should first require the following factors to be understood before a final decision is made, so that the decision on the Appropriate Assessment can be made favourably, and if necessary plans for mitigation through proposals can then be agreed before the development is finally permitted (because these issues are unable to be addressed by conditions):

1. The overall development will need to provide further survey data in respect of vulnerable marine bird species which rely on the area for feeding and breeding.
2. The overall development will need to quantify the severity and duration of noise from its operations and construction and propose a noise mitigation plan if this is not within acceptable tolerances.
3. Air quality impacts should be better understood and an emissions management plan agreed for use during the overall site construction.

4.70 However, Officers do view with concern Natural England's suggestion that this development should try to manage the following:

- Shipping routes and quantum of shipping vessel traffic arising from the development, given that these should have been addressed from the Development Consent Order and EIA and HRA processes of the windfarms that this site's vessels will serve.
- Biosecurity through monitoring ballast and waterborne diseases and invasive species, given that enforcement of planning conditions in this respect will prove very challenging and these are functions perhaps better suited to one of the bodies responsible for licencing the seagoing vessels.
- Maintenance or defence of sand/sediment should not be necessary given the seawall is being reinforced and the spending beach is unaffected but in any case the impacts on sediment processes are better understood and able to be regulated by the MMO consenting process.
- The suggestion that further work is needed to assess and potentially mitigate in-combination effects at two off-shore windfarms, 3 marine cable lines, and the works underway at Lowestoft Port appear disproportionate to the nature of works proposed within this development, and in all likelihood these would have undertaken such assessment already through their own Development Consent Order and EIA and AA processes.

4.71 It is recommended that the severity and relevance of Natural England's concerns to this development should be discussed further before the HRA process is undertaken. This process has begun but a recommendation to approve this application must come with the caveat that any permission cannot be issued until the HRA and in all likelihood Appropriate Assessment is completed by the LPA as competent authority, and then reviewed and approved by Natural England.

4.72 Resolving to issue a permission without first fulfilling the HRA requirements to Natural England's satisfaction would be open to legal challenge and may need prior referral to Government under the EIA procedure.

Amenity

- 4.73 Notwithstanding the absence of comments from Environmental Health Officers, the construction activities, and operations that the application will enable, have the potential to create an impact on nearby populations and businesses.
- 4.74 Dust, noise, construction impacts and air quality can be addressed by conditions with regard to proposals set out in the ES documents. For example, an adequate supply of water shall be available for suppressing dust, mechanical cutting equipment with integral dust suppression should be used, and there shall be no burning of any materials on site. Similarly, types of materials to be stored in the site will be controlled and contained by conditions.
- 4.75 Due to the close proximity of residential areas, the hours of construction should be restricted to:- 0730 hours to 1800 hours Monday to Friday; 0800 hours to 1300 hours Saturdays; No work on Sundays or Bank Holidays.

Contamination

- 4.76 Further to the concerns for mobilising contaminants by surface water flooding, contamination will need to be investigated prior to commencement, remediated, and verified. Standard precautions will be required during construction. These will be conditioned.

Design, heritage and archaeology

- 4.77 As the proposals the subject of this application principally concern the permanent construction of a road, and the temporary use of land, the development will have few lasting impacts on townscape or the Borough's heritage setting. The wider development will include new warehouse, office and industrial buildings which will consolidate existing activities and reinforce the sense of a busy, active port driving the region's economic development, as well as provide a visual link to the offshore industry.
- 4.78 New buildings will be able to 'round-off' or screen some of the existing activities so in that respect the setting of- and backdrop to- the Gorleston Conservation Area Extension and Cliff Hill Conservation Areas will be marginally improved, as will the impression of the town and Borough to those vessels accessing the town from the sea, whether directly via the River Yare or via the Outer Harbour when new development is realised along South Beach Parade.
- 4.79 Within the site, the revised layout which has relocated the electricity substation away from the river wall / quay heading at the 'Marine Base' site and into the centre of the site to co-locate with an existing substation at the Halliburton Office on South Denes Road. The new location actually utilises an existing brick-built walled compound so will have little visual impact from the presence of utility infrastructure on the approach into the site along South Denes Road. The precise details can be required by condition, to ensure appropriate screening is secured, but is likely to be acceptable. Being able to remove the need for a substation altogether is a notable benefit in reducing the sense of visual clutter around the site, especially along the river's setting and quay wall.

- 4.80 There are two proposed permanent external storage areas; at the north-west corner at the proposed SOV berthing station, and in the area north of the South Denes Road extension in the south of the site. Open storage here could conflict with the duty to try and preserve and enhance the setting of the two conservation areas in Gorleston, because these would likely be used for 'loose' materials, parts or machinery, and assorted shipping containers and the like. The southern area could in time be mitigated by development on the south side of the extended South Denes Road. The northern area will be more obvious in views especially if the SOVs are not in situ and may only be screened in views from the south if the temporary works area in that location is redeveloped on a permanent basis, leaving views from the west unscreened. To encourage redevelopment, the Temporary Works Areas will be limited to use for operations concerned with building the wider development only.
- 4.81 Overall, it is considered the impact on the setting of the two Gorleston conservation areas would be negative, but some of this (the southern area) would be a short-to-medium- term impact. Whilst the northern area would be a permanent and long term impact it would be more localised and would be seen as a continuation of the existing storage and depot activity already in place to the north of the application site. Both impacts are experienced within the context that the conservation areas already lie opposite general industry and working port activity. These aspects of the proposal therefore represent a low degree of 'less than substantial harm' as per the National Planning Policy Framework's definition at paragraphs 199-202 and will need weighing-up in the overall planning balance.
- 4.82 Whilst archaeological assets are significant at this site (the 17th Century Harbour Fort in particular) these are unlikely to be affected by the limited scope of excavation works proposed in this application. Precise details of the road construction depths can be secured by conditions, with watching briefs for archaeological surveys and any on-site investigations to be provided linked to the outcome of those details.
- 4.83 The development will be enabling much more significant construction of buildings in the future, which will be on land in the application site and in the applicant's control. It is recommended that conditions are imposed to ensure that any future development in these areas are subject to archaeological geo-physical survey and trial trenching as requested by the Historic Environment Service.
- 4.84 Any permission can require archaeological surveys relating to the whole site if conditioned in two parts: initially in respect of the road and external storage areas, and secondly the remainder of the site as future phases come forward.

Economic considerations

- 4.85 The application provides a detailed analysis of the economic benefits of the proposal and explains its role as a vehicle for regeneration and investment in the offshore sector within the submitted Planning and Regeneration Statement. To summarise, the Great Yarmouth Port is one of six nationally-recognised Centres for Offshore Renewable Engineering, but currently lacks the infrastructure to support current and future needs of the offshore energy sector and the development would help realise

the Port's potential which comes with its position as the closest base to wind farm arrays in the Southern North Sea.

- 4.86 Various strategies and mechanisms are in place to secure investment in the town, port and harbour, such as the South Denes Enterprise Zone designation. The O&M facility project is also included in a suite of energy-related investment priorities in the Great Yarmouth Borough Council Economic Strategy 2020 – 2025. Whilst hard to estimate numbers of jobs that might be created by the proposal, the indirect or knock-on economic benefits would be very significant.
- 4.87 Within the scheme, the new berth to be created from the new quay wall along the west edge of the site will allow Service Operation Vessels (SOVs) to benefit from a specific docking station. The SOVs are said to be around 6,000 tonnes so are not insignificant and are paramount to the offshore wind farm developments. There are concerns about the impacts on navigation and narrowing of the channel, but it is important to note providing a berthing station in that location would not be possible without a replacement sea wall, and it is considered that a fixed berth would be an attraction to the sector and promote investment therein.
- 4.88 A public representation has been received requesting that the development of the O&M Campus site includes a publically-accessible lookout / viewpoint area, which ought to be larger than the one which was existed prior to the Outer Harbour's construction.
- 4.89 Public access into the site would be a matter for the site operator to consider and balance against operational management liabilities; there would be notable public benefits for doing so including both tourism and recreation, but there are no planning policies to require it and the scheme is considered to offer adequate public benefits without it sufficient to justify the conflicts with policy identified herein. If the decision maker saw fit, this could nonetheless be required by condition.

Local Finance Considerations

- 4.90 Under Section 70(2) of the Town and Country Planning Act 1990 the Council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus, or the Community Infrastructure Levy (which is not applicable to the Borough of Great Yarmouth). Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority, for example.

Navigation and vessel safety

- 4.91 It is acknowledged there may be concerns about the replacement sea / quay wall in the north-west corner of the site for a new berthing station (due to possible impacts on river turbidity and navigation – see comments from Great Yarmouth Port Authority) but the new wall would not extend into the river channel to any significant extent beyond the existing quay wall; initial proposals suggest the new sheet pile wall would

be 1m in front of the existing, supported by another sheet pile rear anchor wall behind that.

- 4.92 In terms of operations, the applicant estimates that SOV use by a single operator on the whole berthing area would amount to 3 SOV trips made every two weeks, or 78 trips per annum. Whilst there is no information available about current river or port traffic loads, nor of the capability of the GYPA or its operators Peel Ports as GYPC to manage additional trips, this is considered to be a small additional load on river traffic and the location in the estuary is unlikely to hinder traffic further upstream.
- 4.93 Planning conditions would be used to agree precise details of the quay heading and sea wall construction; if these were to be significantly different to the proposals outlined these could be discussed with GYPA.
- 4.94 The GYPA also raise questions about the use of navigation aids and illumination in the river environment; whilst these details are able to be required by condition their relevance to the planning regime is limited as the Marine Licence and port permitting systems would cover these better.
- 4.95 In terms of safety within the site, the proposed use of land at the north of the application site for the main parking and storage and loading areas off South Denes Road will reduce the potential conflict between movements within the O&M campus.

Conclusion and planning balance

- 4.96 It is acknowledged there is a minor and low-level impact on the setting of designated heritage assets but these less than substantial in their degree and short- medium term in their nature and are outweighed by the wider public benefits of the development.
- 4.97 In the interests of economic investment and with acknowledgement that this is the first stage of longer-term regeneration at the site, it is not proposed to impose onerous limits on the style, design, height or activity of the permanent external storage areas, though it is considered necessary to require specific measures to contain certain goods or materials stored there.
- 4.98 Approval of the application in its current form involves a degree of uncertainty as to the final details of the infrastructure being provided to serve the wider O&M Campus Facility. However, there are sufficient reasons and grounds to reassure the decision maker that the development proposed, and that which will be enabled by this development, can be designed, constructed, and operated in a manner which satisfies the concerns of development plan policy, statutory stakeholders and consultees. Those mitigation measures lie in part with the local planning authority and in part with the role played by other regulatory regimes, but in as far as they are required for the purposes of making the planning application acceptable these can be secured by any permission being subject to carefully considered conditions, and agreement of further details prior to the commencement of developments on this application and in the adjoining site.

- 4.99 The delivery of the wider employment site and regeneration benefits will be expedited by ensuring a degree of progress can be maintained in a timely fashion through approval of this application. To do so will begin a process of development that will create significant public benefits through economic investment and jobs creation for both the Borough and the region, as well as enabling expansion of the renewable energy sector to make a modest but valued contribution to the national decarbonisation and climate change agenda.
- 4.100 The application as it stands has gone a long way towards addressing the impacts of this development as identified through the Environmental Statement but requires the HRA and Appropriate Assessment process to be completed so that the necessary mitigation measures required pursuant to those can be contained in the development. Thereafter a monitoring programme can be instigated to ensure compliance, so that in combination the mitigation and monitoring built into the development process will prevent likely significant effects on the environment and avoid significant detrimental effects on internationally designated sites.

5. RECOMMENDATION:-

(i) To first complete the Habitats Regulations Assessment process and include any Appropriate Assessment mitigations into the scheme as necessary, followed by review and approval by Natural England.

(ii) Then Approve –

Subject to the use of conditions as set out below, the proposal will comply with the aims of policies CS1, CS2, CS3, CS9 and CS11 of the Great Yarmouth Local Plan: Core Strategy, Paragraphs 8, 62, 111 and 130 of the NPPF, and is consistent with the aims set out in emerging policies of the final draft Local Plan Part 2.

Proposed Conditions:

The final form of conditions will be confirmed in liaison with the applicant but the following general summarised terms are required.

- 1) The development must be begun not later than three years beginning with the date of this permission.
- 2) The development shall be carried out in accordance with the application form and approved plans received by the local Planning Authority on 19th March 2021 drawing reference:
 - Site Plan

and in accordance with the revised plans received by the Local Planning Authority on 6th September 2021 drawing reference:

- 2022-044 – Proposed and Existing Elevations
- 2022-005 – Proposed Floor Plans
- 2022-006 – Proposed Floor and Sectional Plans

- 3) Developments and uses on the land adjoining this development shall be restricted to those serving port-operational and energy sector activities only.
- 4) Notwithstanding the LDO, remove permitted development rights for the use of new buildings and land to be used initially for port and energy sector uses but then change to other uses.
- 5) Surface water drainage scheme to be agreed for the road, car parking, turning/access areas, substation, and permanent external storage areas – pre-commencement.
- 6) No surfacing or hardstanding to be installed in the temporary works areas without express permission being granted, and that application shall provide details of surface water drainage to follow principles at condition 3 above.
- 7) The permanent car parking area within this permission shall be limited to no more than 64 spaces as applied for.
- 8) Flood warning and evacuation strategy for this application (pre-use).
- 9) Flood mitigation & protection designs and tidal flood water storage scheme to be agreed for the wider O&M Campus site – pre-commencement in O&M.
- 10) Flood warning & evacuation strategy for later phases on O&M site (pre-use).
- 11) Foul drainage scheme to be agreed for the later O&M campus development.
- 12) Sea wall / quay works – details to be agreed to inc piling (vibro-piling as preference, with soft-start piling if not).
- 13) Ecological Clerk of Works is needed to oversee the works to sea wall and shoreline activities, to carry out marine mammal observations 30 minutes prior to any percussive piling being undertaken to ensure that there are no marine mammals within 500m of the proposed works.
- 14) Ecology protections set out at report paragraph 4.67 points i – x.
- 15) Ecological enhancement plan to be agreed.
- 16) Landscape scheme principles to be proposed for the whole site for use in subsequent phases of development.
- 17) Hours of construction should be restricted.
- 18) Construction traffic and management plan to be agreed.
- 19) Dust control.
- 20) Contamination investigations and remediation.
- 21) Further contamination precautions during development.
- 22) No removal of the existing turning head on South Denes Road without (i) first beginning the process of a TRO to stop up the highway, and (ii) confirming the intended extent of adoptable highway, and (iii) providing construction details of the extended roads to adoptable standard, and (iv) ensuring there are suitable designs agreed for a new turning head at the end of the newly-extended adopted highway area. The area of highway shall remain open until an adopted turning area is provided to standard.
- 23) No development of the roads shall commence until:
 - a. construction details of the road with a permanent continuous 3.0m wide footpath / cycleway along one side of the new road have been agreed; and,
 - b. details of temporary safe pedestrian route along the road for use until such time as the path is provided, are agreed; and,
 - c. details of phasing plan for footpath provision to be agreed; and,
 - d. details to show how provision will be made to enable future footpath links along South Denes Road; and,

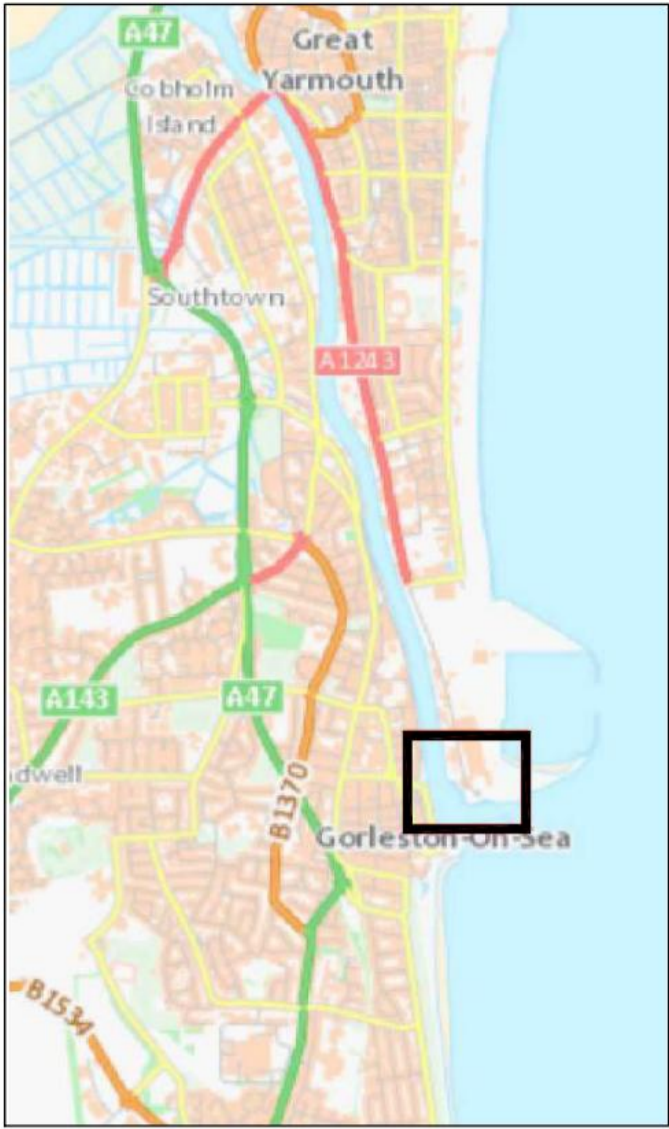
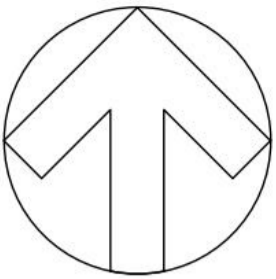
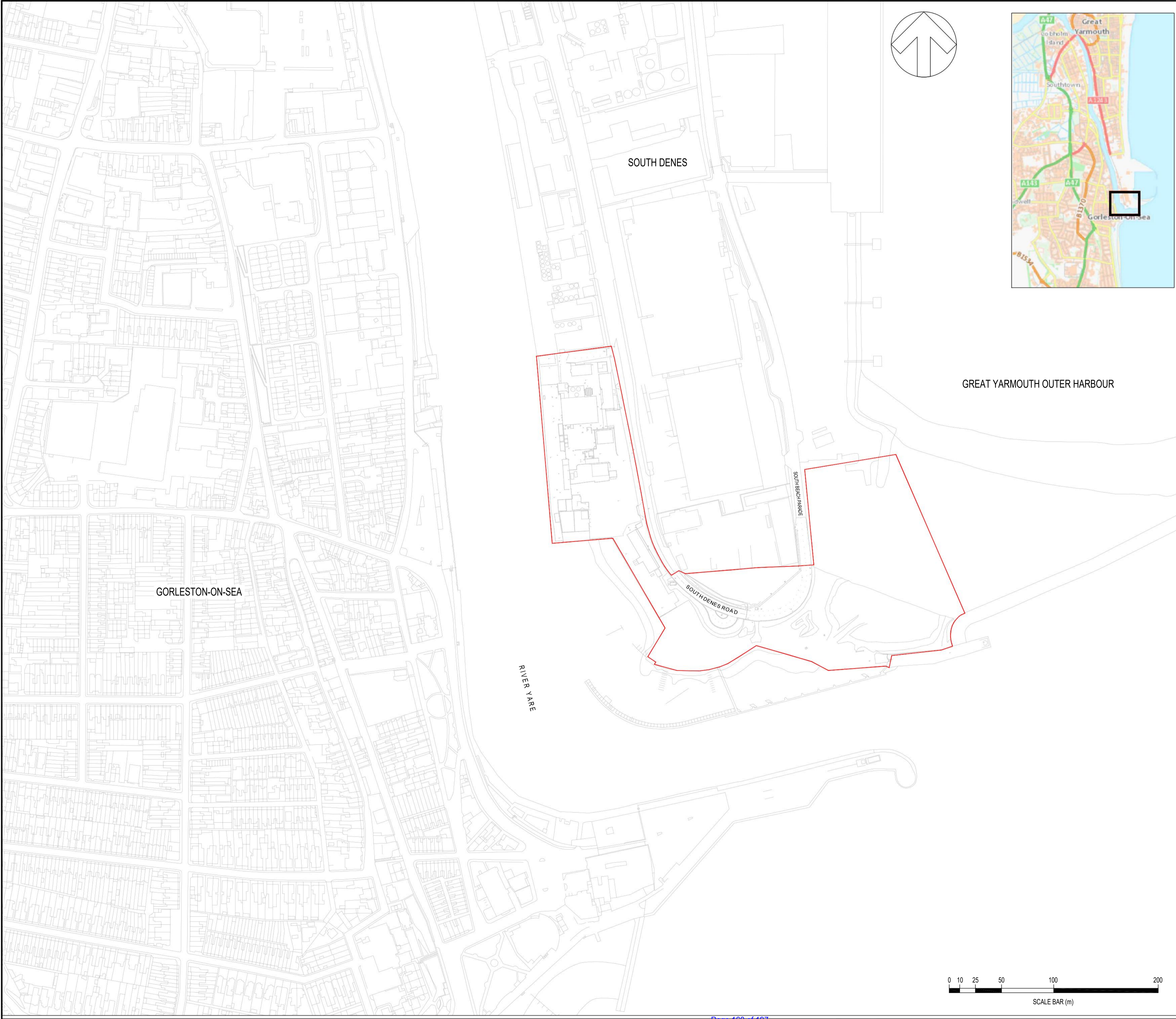
- e. details to show how provision will be made to enable future public transport connections into the site.
- 24) With the exception of temporary construction works, no use of land or the external storage areas until the adoptable-standard 3.0m footpath has connected that site up to the closest public highway footpath.
- 25) Precise details of the new substation, to ensure adequate area exists and/or to provide wall enclosure and screening thereof.
- 26) Precise details of the sea wall / quay heading construction to be agreed.
- 27) Limits on uses to be allowed on the adjoining temporary works area lands, to restrict activities to those involved in constructing the O&M Campus only.
- 28) Restrict uses allowed in the permanent external storage areas and removal of PD rights to change uses.
- 29) Restrictions on heights of materials or structures to be stored in the permanent external storage areas.
- 30) Any 'loose' materials to be stored need to be within enclosing structures.
- 31) Sea wall and quay heading construction details to be agreed.
- 32) Restrict permanent storage areas to the 2no. areas shown in the layout plan.
- 33) Provide monitoring regime for the impacts of the development.

And any other conditions considered appropriate by the Development Manager.

Appendices.

- 1) Site Location Plan
- 2) Existing Site Layout plan ref 002 P03
- 3) Proposed Site Layout Plan ref 003 P04
- 4) Public representation - general comments
- 5) Environment Agency holding objection
- 6) Lead Local Flood Authority holding objection
- 7) Local Highways Authority comments
- 8) Natural England objection

File name: \\UK\WSPGROUP\COMMON\DATA\PROJECTS\7073\XXX\7073881 - GREAT YARMOUTH O&M DETAILED DESIGN\03 WIP\02 MARTIME\03 DRAWINGS\PLANNING DRAWINGS\FIGURE 1.DWG, printed on 30 April 2021 12:49:58, by Appleby, Sue



DO NOT SCALE

KEY

PLANNING APPLICATION BOUNDARY

P02	30/04/2021	SA	SECOND ISSUE	ZF	
P01	20/04/2021	SA	FIRST ISSUE	ZF	XXX
REV	DATE	BY	DESCRIPTION	CHK	APP

DRAWING STATUS: S2 - FOR INFORMATION



62-64 Hills Road, Cambridge, CB2 1LA, UK
T+ 44 (0) 1223 558 050, F+ 44 (0) 1223 558 051
wsp.com

CLIENT: GREAT YARMOUTH BOROUGH COUNCIL

ARCHITECT:

PROJECT: GREAT YARMOUTH OPERATIONS AND MAINTENANCE FACILITY

TITLE: SITE LOCATION PLAN

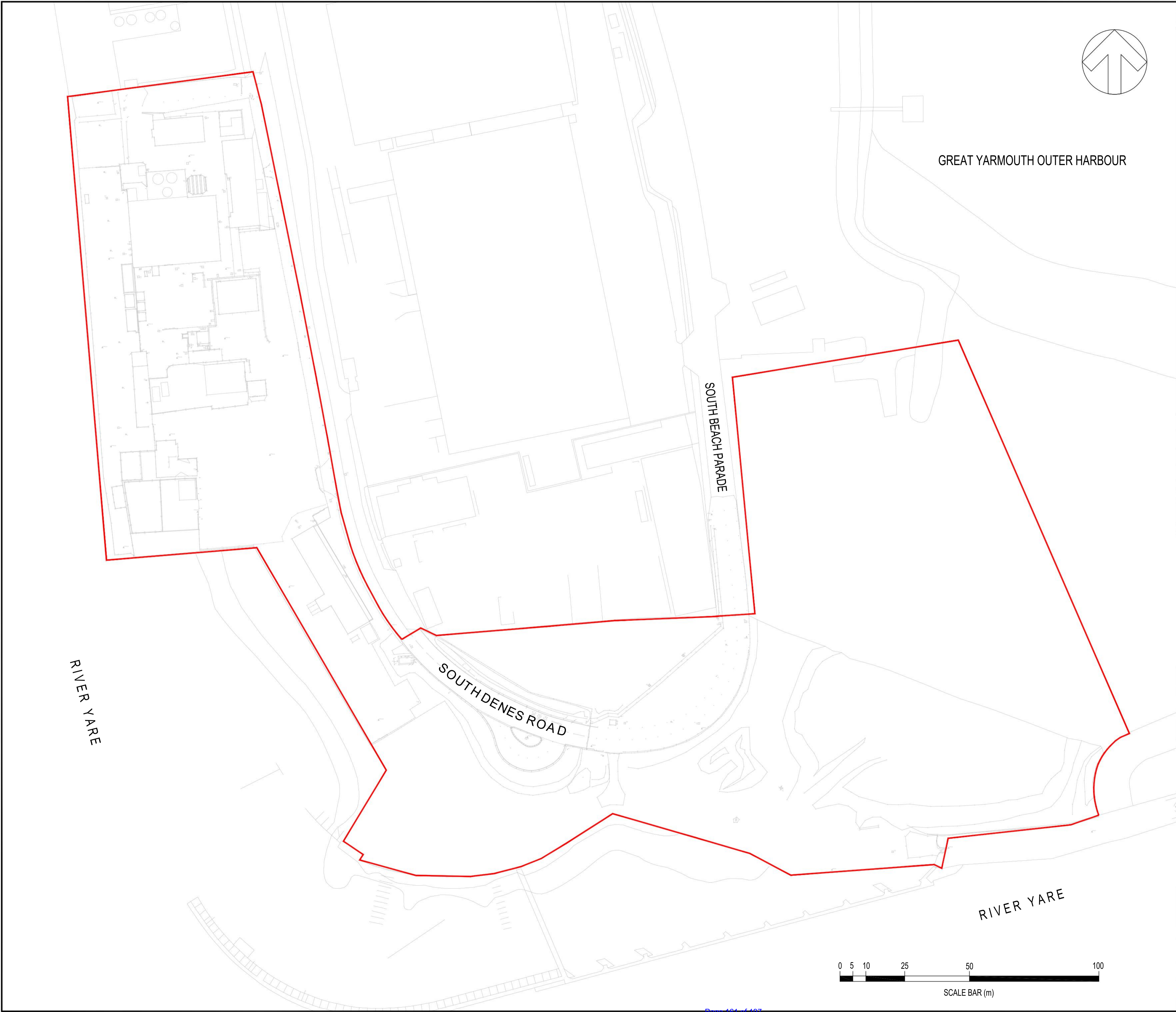
SCALE @ A2: 1:2500	CHECKED: ZF	APPROVED:
PROJECT No: 70079505	DESIGNED: ZF	DRAWN: SA
		DATE: April 21

DRAWING No: 001	REV: P02
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DO NOT SCALE

KEY

PLANNING APPLICATION BOUNDARY

P02	07/05/2021	SA	THIRD ISSUE	ZF	
P02	30/04/2021	SA	SECOND ISSUE	ZF	
P01	20/04/2021	SA	FIRST ISSUE	ZF	XXX
REV	DATE	BY	DESCRIPTION	CHK	APP

DRAWING STATUS: S2 - FOR INFORMATION



62-64 Hills Road, Cambridge, CB2 1LA, UK
T+ 44 (0) 1223 558 050, F+ 44 (0) 1223 558 051
wsp.com

CLIENT: GREAT YARMOUTH BOROUGH COUNCIL

ARCHITECT:

PROJECT: GREAT YARMOUTH OPERATIONS AND MAINTENANCE FACILITY

TITLE: EXISTING SITE LAYOUT

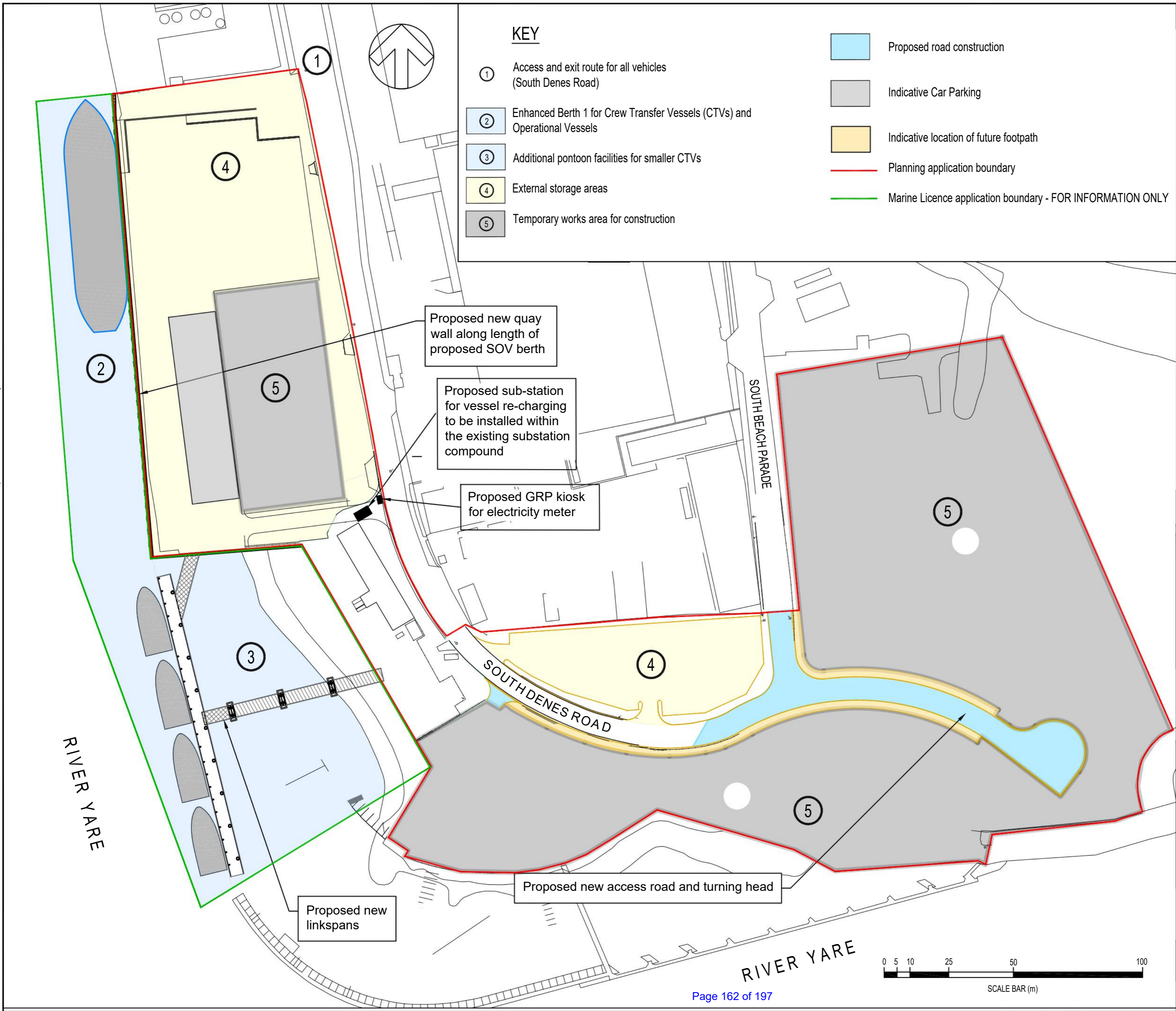
SCALE @ A2: 1:1000	CHECKED: ZF	APPROVED:
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PROJECT No: 70079505	DESIGNED: ZF	DRAWN: SA	DATE: May 21
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DRAWING No: 002	REV: P03
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File name \\UK\WSPGROUP\COMMON\DATA\PROJECTS\70079505\70079505 - GREAT YARMOUTH O&M DETAILED DESIGN\03 WIP\02 MARITIME\03 DRAWINGS\FIGURE 3.DWG, printed on 20 October 2021 16:08:49, by Felina, Zuzanna



DO NOT SCALE

P04	20/10/2021	ZF	FOURTH ISSUE	ZF	ZF
P03	07/05/2021	SA	THIRD ISSUE	ZF	
P02	30/04/2021	SA	SECOND ISSUE	ZF	
P01	20/04/2021	HWP	FIRST ISSUE	ZF	XXX
REV	DATE	BY	DESCRIPTION	CHK	APP

DRAWING STATUS: S2 - FOR INFORMATION



62-64 Hills Road, Cambridge, CB2 1LA, UK
T+ 44 (0) 1223 558 050, F+ 44 (0) 1223 558 051
wsp.com

CLIENT: GREAT YARMOUTH BOROUGH COUNCIL

ARCHITECT:

PROJECT: GREAT YARMOUTH OPERATIONS AND MAINTENANCE FACILITY

TITLE: PROPOSED SITE LAYOUT

SCALE @ A2: 1:1000	CHECKED: ZF	APPROVED:
PROJECT No: 70079505	DESIGNED: ZF	DRAWN: SA
		DATE: October 21

DRAWING No: 003	REV: P04
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Comments

[illegible]

Change Type

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OWPC14313

Transfer

Delete or Invalidate

Page 10 of 10

Delete/Invalidate

When the outer harbour was originally constructed the local community lost a popular viewing spot at the bottom of South Beach Parade, where hundreds of people would visit each weekend. To mitigate this the local people were promised a public viewing area with the outer harbour construction, which has failed to be delivered. Maybe give something back to the local community in the form of a small public viewing area (say 15 - 20 parking spaces) to the north east of the area of South Beach Parade and the new proposed turning head on proposed layout 3, with a view into the outer harbour This would give back something which has been lost and I'm sure would be even more popular that what the community had before.

Great Yarmouth Borough Council
Planning Department
Town Hall
Great Yarmouth
Norfolk
NR30 2QF

Our ref: AE/2021/126269/01-L01
Your ref: 06/21/0415/F
Date: 17 August 2021

Dear Sir/Madam

REDEVELOPMENT OF LAND ADJACENT TO GREAT YARMOUTH PORT TO PROVIDE VEHICULAR ACCESS, PARKING AND SERVICE INFRASTRUCTURE FOR AN OPERATIONS AND MAINTENANCE FACILITY TO SUPPORT OFFSHORE RENEWABLE ENERGY PROJECTS, COMPRISING: UPGRADES TO QUAY WALL TO PROVIDE NEW SHEET PILING AND A NEW REAR ANCHOR WALL, AND PROVISION OF A NEW DOCKING BERTH FOR SERVICE OPERATION VESSELS; INSTALLING PONTOON LINK SPANS FOR USE BY CREW TRANSFER VEHICLES; NEW ELECTRICITY SUBSTATION KIOSK; NEW AND EXTENDED ROADS, NEW VEHICLE ACCESS AND TURNING HEAD; CONSTRUCTION OF PARKING AREA; PROVISION OF LAND FOR USE AS STORAGE AREAS, INCLUDING FOR SHIPPING CONTAINERS; AND, ASSOCIATED INFRASTRUCTURE WORKS

LAND AT SOUTH OF SOUTH DENES ROAD AND SOUTH BEACH PARADE, GREAT YARMOUTH, NORFOLK, NR30 3QF

Thank you for your consultation and apologies for the delay in providing our response due to an administrative error. We have reviewed the application as submitted we have reviewed the application as submitted and are raising a holding objection on Flood Risk Grounds as no details of flood risk of flood management proposed. Further details can be found within the Flood Risk section below. We are also requesting further information on Contaminated Land along with comments on Ecology and Environmental Permitting.

Flood Risk

Our maps show the site lies within tidal Flood Zone 3a, defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for the redevelopment of land adjacent to Great Yarmouth Port to provide vehicular access, parking and service infrastructure for an operations and maintenance facility to support offshore renewable energy projects. It is not clear what the vulnerability classification of the development is within the application, and this should be confirmed with any future submission.

Appendix 10.1 should include a Flood Risk Assessment to support this application.

Whilst this appendix provides a groundsure assessment which discusses that parts of the fall within flood zone 3a, it does not provide any site specific detail of the this risk. We therefore consider it does not comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change, Reference ID: 7-030-20140306. It does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to:

1. Use the correct flood levels from us
2. Consider the impacts of climate change to the development over its lifetime. It should be noted that the 2018 Coastal Flood Levels were calculated prior to the release of the UKCP18 update, and adjustment should therefore be added to modelled flood levels to account for the latest climate change advice.
3. Correctly calculate the expected flood depths on site.
4. Assess breach risk for the proposed development.
5. Consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event.
6. No topographic survey has been submitted
7. It is proposed to construct a small sub-station/electrical kiosk adjacent to the proposed pontoon to enable vessel recharging. The vulnerability class, according to Table 2 of the Guidance document 'Flood Risk and Coastal Change' is not defined, but the footnotes to Table 3 confirm that any essential infrastructure, that has to be located within flood zone 3a, that has passed the exception test should be 'designed and constructed to remain operational and safe for users in times of flood. Insufficient details have been provided to demonstrate that this facility has been designed to remain operational during a flood.

Overcoming our Objection

1. Flood levels can be requested from our Customers and Engagement team. Please see the Advice to applicant section.
2. Please refer to the climate change section of the 'advice to applicant'
3. The applicant needs to compare the flood levels with the site levels and building levels to determine the potential flood depths.
4. The applicant should refer to the Strategic Flood Risk Assessment (SFRA) for the relevant breach information, bearing in mind that climate change allowances have been revised since it was produced, and making additional allowances accordingly)see 'Climate Change Allowances' section for more detail.
5. The applicant should include a Flood Emergency Plan detailing the actions to take before, during and after a flood. The FRA should provide details of the flood characteristics across the site, should a breach of overtopping of existing defences occur, considering the rate of onset of flooding, the duration of flooding and the depths and velocities of flooding. The Flood Plan should the details the actions site users should take in the event of a flood, including details of refuge areas within existing buildings at the site.
6. Submit a GPS verified topographic survey.
7. Provide details showing the mitigation measures proposed to enable the substation to remain operational flor the design, 0.5% annual probability flood, inclusive of climate change, as a minimum, and how this can be adapted to protect the facility from the extreme 0.1% flood, inclusive of climate change, also.

The applicant can overcome our objection by submitting an FRA that covers the deficiencies highlighted above and demonstrates that the development will be safe will

not increase risk elsewhere. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the FRA. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate FRA has been submitted.

We have included a factsheet with our response, which sets out the minimum requirements and further guidance on completing an FRA is available on our [website](#).

If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us in line with the [Town and Country Planning \(Consultation\) \(England\) Direction 2009](#).

Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

Further advice can be found within the Food Risk appendix at the end of this letter.

Groundwater and Contaminated Land

We have looked at the supplied document list on the planning portal and whilst there is an Environmental Desk Study Appendix 9.1 on, the list indicates there is a Interpretative Ground Investigation report Appendix 9.2. However, when we open the file, it is the Desk Study again.

Please can we request that you supply the Ground Investigation report for our review?

Ecology

In relation to section 8.2 we would back up Natural England comments made in the Biodiversity and Geology section regarding the need for the ES to assess the impact of all phases of the proposal on protected species, the requirement for surveys to be carried out at the right time of year by and appropriately qualified ecologist.

Environmental Permitting

A flood risk activity permit may be required because the proposed works, e.g. sheet piling in a main river meets one or more of the following flood risk activity definitions as taken from Schedule 25, paragraph 3(1) of The Environmental Permitting (England and Wales) Regulations 2016 which we have outlined below.

Meaning of “flood risk activity”

3.—(1) Subject to sub-paragraph (2), a “flood risk activity” means—

(a) erecting any structure (whether temporary or permanent) in, over or under a main river;

(b) the carrying out of any work of alteration or repair on any structure (whether temporary or permanent) in, over or under a main river if the work is likely to affect the

flow of water in the main river or to affect any drainage work;

(c) erecting or altering any structure (whether temporary or permanent) designed to contain or divert the floodwaters of any part of a main river;

(d) any dredging, raising or taking of any sand, silt, ballast, clay, gravel or other materials from or off the bed or banks of a main river (or causing such materials to be dredged, raised or taken), including hydrodynamic dredging and desilting;

(e) any activity which is likely to divert the direction of the flow of water into or out of a main river or alter the level of water in a main river;

(f) any activity within 8 metres of a non-tidal main river (or within 8 metres of any flood defence structure or culvert on that river) or any activity within 16 metres of a tidal main river (or within 16 metres of any flood defence structure or culvert on that river) which is likely to—

- (i) cause damage to or endanger the stability of the banks of that river or of any culvert,
- (ii) cause damage to any river control works,
- (iii) alter, reconstruct, discontinue or remove any river control works,
- (iv) divert or obstruct flood waters or affect the drainage of that river, or
- (v) interfere with the regulator's access to or along that river;

(g) any activity (other than an allowed activity) on a flood plain that is—

(i) more than 8 metres from a non-tidal main river or more than 16 metres from a tidal main river, or

(ii) more than 8 metres from any flood defence structure or culvert on a non-tidal main river or more than 16 metres from any flood defence structure or culvert on a tidal main river,

which is likely to divert or obstruct floodwaters, to damage any river control works or to affect drainage;

(h) any activity within 16 metres of the base of a sea defence which is likely to—

(i) endanger the stability of, cause damage to or reduce the effectiveness of that sea defence, or

(ii) interfere with the regulator's access to or along that sea defence;

(i) any activity within 8 metres of the base of a remote defence which is likely to—

(i) endanger the stability of, cause damage to or reduce the effectiveness of that defence, or

(ii) interfere with the regulator's access to or along that defence;

(j) any quarrying or excavation within 16 metres of the base of a remote defence which is likely to cause damage to or endanger the stability of that defence;

(k) any quarrying or excavation within 16 metres of a main river or any flood defence structure or culvert on that river which is likely to cause damage to or endanger the stability of the banks of that river.

A full copy of Schedule 25 can be provided upon request.

General information on flood risk activity permitting using the following link:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

For site specific flood risk activity permitting advice the operator should contact our flood risk activity permitting mailbox at FDCCoastal@environment-agency.gov.uk for further advice

We trust this advice is useful.

Yours faithfully

A handwritten signature in black ink that reads "L. Robson". The signature is written in a cursive, slightly informal style.

Mr Liam Robson
Sustainable Places - Planning Advisor

Direct dial 020 8474 8923

Direct e-mail Liam.Robson@environment-agency.gov.uk

Flood Risk Appendix

Advice for Applicant

Data Available

Our Customers and Engagement team can provide any relevant flooding information that we have available. Please be aware that there may be a charge for this information. Please contact: Enquiries_EastAnglia@environment-agency.gov.uk. For further information on our flood map products please visit our website at: www.environment-agency.gov.uk/research/planning/93498.aspx

Climate Change Allowances

Our current flood model data does not account for the latest UKCP18 climate change advice, and the FRA will therefore need to consider any uplift required to flood levels to ensure that the latest climate at change advice is followed. The amount of climate change required depends on the development type/classification, which has not been defined within a FRA at this stage. The following information should allow for climate change allowances to be appropriately incorporated in to the development design:

- For development classed as **essential Infrastructure**, [highly vulnerable](#) development and [more vulnerable](#) development our minimum benchmark for flood risk mitigation is for it to be designed to the '**upper end**' climate change allowance for the development lifetime, including decommissioning. The **upper end** allowance for 2120 is 0.31m higher than our current 2018 coastal modelling climate change flood levels, so as an approximation we recommend that 0.3m is added on to the on-site climate change flood levels received in the Product 4.
- For [water compatible](#) or [less vulnerable](#) development (e.g. commercial), the '**higher central**' climate change allowance for the lifetime of the development is our minimum benchmark for flood risk mitigation. In sensitive locations it may be necessary to use the **upper end** allowance to inform built in resilience. The **higher central** allowance for 2120 is approximately the same as our existing climate change flood levels from our 2018 coastal model, so you can use these climate change flood levels obtained in the Product 4.

Flood Resilient/Resistant Construction

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. To minimise the disruption and cost implications of a flood event we encourage development to incorporate flood resilience/resistance measures up to the extreme 1 in 1000 year climate change flood level. Both flood resilience and resistance measures can be used for flood proofing. Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. Information on preparing property for flooding can be found in the documents 'Improving the flood performance of new buildings' and 'Prepare your property for flooding' (<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings> and <http://www.environment-agency.gov.uk/homeandleisure/floods/31644.aspx>) that the buildings will be constructed

to withstand these water pressures.

Safe Access

During a flood, the journey to safe, dry areas completely outside the 0.5% (1 in 200) annual probability event with climate change floodplain would involve crossing areas of potentially fast flowing water. Those venturing out on foot in areas where flooding exceeds 100 millimetres or so would be at risk from a wide range of hazards, including for example unmarked drops, or access chambers where the cover has been swept away.

Safe access and egress routes should be assessed in accordance with the guidance document [Defra/EA Technical Report FD2320: Flood Risk Assessment Guidance for New Development.](#)

Where safe access cannot be achieved an emergency flood plan that deals with matters of evacuation and refuge should demonstrate that people will not be exposed to flood hazards. The emergency flood plan should be submitted as part of the FRA and will need to be agreed with yourselves.

Emergency Flood Plan

Where safe access cannot be achieved, or if the development would be at residual risk of flooding in a breach, an emergency flood plan that deals with matters of evacuation and refuge should demonstrate that people will not be exposed to flood hazards. The emergency flood plan should be submitted as part of the FRA and will need to be agreed with the Local Council.

Strategic Flood Risk Assessments

Strategic Flood Risk Assessments (SFRA) are undertaken by local planning authorities as part of the planning process. The SFRA may contain information to assist in preparing site-specific FRAs. Applicants should consult the SFRA while preparing planning applications. Please contact your local authority for further information.

via e-mail

Rob Parkinson
Planning and Growth
Development Management
Town Hall, Hall Plain
Great Yarmouth
Norfolk, NR30 2QF

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

Your Ref: 06/21/0415/F
Date: 30 June 2021
NCC Member: Cllr. Mike Smith-Clare

My Ref: FW2021_0499
Tel No.: 0344 800 8020
Email: llfa@norfolk.gov.uk

Dear Mr R Parkinson

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

Redevelopment of land adjacent to Great Yarmouth Port to provide vehicular access, parking and service infrastructure for an operations and maintenance facility to support offshore renewable energy projects, comprising: upgrades to quay wall to provide new sheet piling and a new rear anchor wall, and provision of a new docking berth for Service Operation Vessels; installing pontoon linkspans for use by Crew Transfer Vehicles; new electricity substation kiosk; new and extended roads, new vehicle access and turning head; construction of parking area; provision of land for use as storage areas, including for shipping containers; and, associated infrastructure works

Land at south of South Denes Road and South Beach Parade, Great Yarmouth, Norfolk, NR30 3QF

Thank you for your consultation on the above site, received on 14 June 2021. We have reviewed the application as submitted and wish to make the following comments on matters relating to the disposal of surface water and all other surface water drainage implications.

As this is a full planning application, the LLFA require a minimum level of information to be submitted as evidence of the development complying with national planning legislation (NPPF/PPG), national standards (i.e. BS8582, Non-Statutory Technical Standards for SuDS and Ciria C753) and local policy (NCC SuDS Guidance).

It appears the applicant has submitted an FRA and Surface Water Drainage Strategy as part of EIA documents, but upon reviewing the submitted appendices for the Environmental Statement, it appears the FRA (Appendix 10.1) has been submitted or uploaded incorrectly. Alas, LLFA have been unable to review this.

Secondly, upon review of the surface water drainage strategy (ref:- 70078981 Rev 1 by WSP and dated 13th May 2021) , it is missing several key bits of supporting information and we advise that current standard of submission is not suitable for a full planning application.

Although in principle the LLFA agree with the philosophy of the surface water drainage strategy, which is to discharge each plot of the proposed OM facility to sea/estuary at uncontrolled rates. There is no supporting evidence on how this will be achieved or if the proposals conform to the design criteria set out in Section 1.4.2 for all storm scenarios regardless of no restrictions on flow rates. A few critical elements that are missing include:-

- 1) Section 1.4.2 is missing that there should be no risk to people or property in the 100yr+40% CC event from rainfall and that any flooding should be dealt with by safe and practical exceedance routes.
- 2) Overview of field tests to support the decision why infiltration has been discarded i.e. groundwater levels and the made ground. No GI has been appended in support of this in the report.
- 3) No hydraulic calculations.
- 4) No drainage design drawings, including scaled drawings of the proposed surface water system, no impermeable area drawings, no site level plan etc etc.
- 5) No water quality assessment (although LLFA will seek clarification from the EA on this matter).
- 6) As per the pre-app discussion appended to the strategy document, the LLFA required an assessment of how future high tide scenarios/surges will affect the proposed surface water system/flood risk to each of the plots and the access road. Particularly for the no above ground flooding criteria during a 30yr storm event.

Overall, there has been no reference to this in the report. Although we agree that discharge to sea is favourable, there must still be an assessment of risk from surcharged outfalls during high tide/surge scenarios. This will demonstrate what residual risk the site could face, if any, during coincidence with a severe rainfall event. Evidence should be provided for free-flowing outfall and surcharged outfall conditions over a suitable duration (LLFA suggest one tidal cycle) when trying to meet the criteria set out in Section 1.4.2 of the strategy. A 50yr 12hr tidal event seems appropriate as the tide locking factor, as during events greater than this, the entire site will flood from the sea anyway (although people and property again should be out of harm's way).

(*Please make sure all tide data is converted from Chart Datum to Ordnance Datum)

- 7) Will the outfalls have tide flaps? If yes who will maintain them?
- 8) No details of the maintenance or management schedule for each element of the drainage infrastructure

We advise that the submitted Drainage Strategy is very preliminary in nature and contains insufficient information for an application for full planning permission.

We strongly advise that our 'Guidance on Norfolk County Councils Lead Local Flood Authority role as Statutory Consultee to Planning Document (March 2019) is reviewed to understand what is expected by the LLFA. This document can be requested [here](#). We

would expect any submission to pay due diligence in the design process and minimum submission guidelines in order to demonstrate a methodical approach to the drainage design and provide appropriate explanation/evidence as to why options have been taken or disregarded.

Once we, the LLFA, are satisfied we have been provided with an appropriate FRA and Drainage Strategy, we will provide a full annexed review of the submission.

Therefore, **we object** to this planning application in the absence of a Flood Risk Assessment (FRA) and satisfactory Drainage Strategy and would advise the Local Planning Authority to request the following:

- A Flood Risk Assessment (FRA) and Drainage Strategy that is representative of a full planning application. This must be produced in accordance with, but not limited to, the following:
 - National Planning Policy Framework (NPPF)
 - LLFA Statutory Consultee for Planning Guidance (March 2019)
 - The SuDS Manual (CIRIA C753)
 - BS8582:2013

Further guidance on the information required by the LLFA from applicants can be found [here](#).

If this information is provided, please re-consult and we will aim to provide comments within 21 days of the formal consultation date.

Yours sincerely,

Steve Halls
Senior 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.



Robert Parkinson
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

NCC contact number: 0344 800 8020
Text Relay - 18001 0344 800 8020

Your Ref: 06/21/0415/F
Date: 12 August 2021

My Ref: 9/6/21/0415
Tel No.: 01603 638009
Email: liz.poole@norfolk.gov.uk

Dear Robert,

Redevelopment of land adjacent to Great Yarmouth Port to provide vehicular access, parking and service infrastructure for an operations and maintenance facility to support offshore renewable energy projects, comprising: upgrades to quay wall to provide new sheet piling and a new rear anchor wall, and provision of a new docking berth for Service Operation Vessels; installing pontoon linkspans for use by Crew Transfer Vehicles; new electricity substation kiosk; new and extended roads, new vehicle access and turning head; construction of parking area; provision of land for use as storage areas, including for shipping containers; and, associated infrastructure works. Land at south of South Denes Road and South Beach Parade, Great Yarmouth, Norfolk. NR30 3QF.

Further to my letter dated 28 July, the highway authority has now considered the submitted information and have the following comments:

Layout

The proposed road layout removes the existing turning area at the limit of the highway, which will need to be formally stopped up following the granting of planning permission, if the adopted highway is to be extended. If the Planning Act is used for this purpose, it must be undertaken in advance of the existing highway being removed. However the highway authority would not wish to adopt an extension of a road into an area that currently doesn't serve anything or even once it serves some form of port / industrial use.

Another comment relates to pedestrian/cycle movements around this area and from further afield. The highway authority accepts that the nearest footway is over 1Km to the north and it cannot reasonably expect this development to construct a 3.0m wide cyclepath that far. However, I remain of the view that we should not lose the opportunity to provide a cyclepath along the entire length of South Denes Road within this application boundary, which would be necessary for pedestrian / cyclists to safely move around the

development area and would enable future connections to the north, if / when the opportunity arises.

This application would appear to be providing the infrastructure for significant growth in the future, which should not be limited to just extending a road which the highway authority hasn't asked for. Whilst port activities clearly need to be located in this area, presumably the purpose of the redevelopment is to enhance economic activity and produce new job opportunities. To be a sustainable development, the transport statement needs to include more options for employees, etc instead of just using the car.

Transport Statement (TS)

The TS includes a capacity assessment of South Denes Road and argues that vehicle flows associated with the development would be low and does not give any specific info on timing of the trips which would be down to operational needs and therefore cannot be defined. The TS however does not highlight an issue.

The highway authority does not consider that there will be a network capacity issue arising from this development.

Whilst overall traffic flows are likely to be low, they will probably be peaky in nature due to the nature of the area and may have high proportions of commercial vehicles. The mix of traffic combined with volumes at peak times and the 30mph speed limit does not suggest a safe environment for pedestrians and cyclists using the carriageway.

Section 3.2.6 of the TS states '*part of the Proposed Scheme, could accommodate a 3m wide combined footway/cycleway*' The proposed layout includes an indicative footway at the southern end of South Denes Road.

In the opinion of the highway authority, the scheme should as a minimum include a 3.0m wide cycleway at one side of the carriageway for the full extent of the site, extending further northwards towards the town if possible. Perhaps a good approach if possible might be to tie in with any new facility 3RC will bring forward.

Given the drive towards net zero and the very essence of this site being to support sustainable energy generation, it should be an exemplar in supporting and encouraging active and sustainable travel.

Provided that a 3m footway/cycleway is delivered on one side along the site frontage, the highway authority recommends no objection subject to the following conditions:

SHC 33A: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works which shall include a 3m footway/cyclepath along the site frontage have been submitted to and approved in writing by the Local Planning 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 33B : Prior to the first use 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.

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


Informatives:

Inf.1: 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. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

Public Utility apparatus may be affected by this proposal. 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 Applicants own expense.

If you have any queries regarding the above, please do not hesitate to contact me.

Yours sincerely



Major and Estate Development Team Manager
for Executive Director for Community and Environmental Services

Please be aware it is the applicants 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.

Date: 26 July 2021
Our ref: 356756
Your ref: 06/21/0415/F



plan@great-yarmouth.gov.uk

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Mr Parkinson

Planning consultation: redevelopment of land adjacent to Great Yarmouth Port to provide an operations & maintenance facility to support offshore energy projects

Location: land at south of South Denes Rd & South Beach Parade Great Yarmouth Norfolk NR30 3QF

Thank you for your consultation on the above dated 15 June 2021 which was received by Natural England on the same date. This advice letter is provided in addition to Natural England's EIA screening consultation dated 7 January 2021 (our ref: 33660).

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Summary

In providing our advice we have considered the potential impacts from the construction and operation of an Operations and Maintenance Facility to support offshore renewable energy projects, including upgrades to the existing quay wall, installation of linkspans, a kiosk for mains electrical supply, the extension and realignment of South Denes Road, creation of parking and storage areas and associated utilities and drainage works, on land adjacent to Peel Ports, Great Yarmouth.

Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that **it is not possible** to ascertain that the proposal will not result in adverse effects on the integrity of the sites in question.

Natural England advises that the assessment does not currently provide enough information and/or certainty to justify the assessment conclusion and that your authority should not grant a licence at this stage.

Further assessment and consideration of mitigation options is required, and Natural England provides the following advice on the additional assessment work required.

1. Chris B. Thaxter, Ben Lascelles, Kate Sugar, Aonghais S.C.P. Cook, Staffan Roos, Mark Bolton, Rowena H.W. Langston, Niall H.K. Burton (2012) Seabird foraging ranges as a preliminary tool for identifying candidate Marine Protected Areas, Biological Conservation, Volume 156, 53-61, <https://doi.org/10.1016/j.biocon.2011.12.009>.

2. Perrow, M.R., Skeate, E.R., Lines, P., Brown, D. & Tomlinson, M.L. (2006). Radio telemetry as a tool for impact assessment of wind farms: the case of Little Terns *Sterna albifrons* at Scroby Sands, Norfolk, UK. Ibis, 148 (Supp.1), 57-75.

Detailed Comments

1. Designated sites

The proposal is situated within and in close proximity to a multitude of nationally and internationally designated sites. It has the potential to significantly affect the interest features of the:

- Outer Thames Estuary Special Protection Area (SPA)
- Southern North Sea Special Area of Conservation (SAC)
- Breydon Water Ramsar
- Breydon Water Special Protection Area (SPA)
- Broadland Ramsar
- Broadland Special Protection Area (SPA)
- Great Yarmouth North Denes Special Protection Area (SPA)
- Greater Wash Special Protection Area (SPA)
- The Wash and North Norfolk Coast Special Area of Conservation (SAC)
- Humber Estuary Special Area of Conservation (SAC)
- Great Yarmouth and North Denes Site of Special Scientific Interest (SSSI)
- Halvergate Marshes Site of Special Scientific Interest (SSSI)
- Breydon Water Site of Special Scientific Interest (SSSI)

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As the competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

2. Outer Thames Estuary SPA

i) Impacts to foraging birds during the breeding season

The proposal is situated within the Outer Thames Estuary SPA which is classified for the protection of the largest aggregation of wintering red-throated diver, and foraging areas for common and little tern during the breeding season.

The foraging areas designated for little and common tern enhance the protection afforded to their feeding and nesting areas in the adjacent SPA's, such as Breydon Water and Great Yarmouth and North Denes. Both species breed on the dynamic Scroby Sands intertidal sandbank, located 6km offshore from Great Yarmouth and within the Outer Thames Estuary. Research into the foraging range for breeding seabirds recorded the mean maximum foraging range of 15.2 km and 6.3km for common and little tern respectively, and the maximum foraging range as 30km and 11km¹. Surveys undertaken for the Scroby Sands Offshore Windfarm show that terns nesting on the Scroby Sands sandbank and nearby Great Yarmouth and North Denes SPA, also forage within the adjacent Greater Wash SPA². This suggests there is a degree of connectivity between sites and that the development footprint is within foraging range.

Whilst we recognise that the development is adjacent to a working port and should be considered within context, the introduction of noise disturbance above that of background levels can displace qualifying features. The Environmental Statement concludes no LSE to common and little tern and red throated diver due to the duration of the construction period (9months), context of the proposal (extension of a working port with existing background noise) and based on vantage point survey data for the Great Yarmouth third river crossing.

1. Chris B. Thaxter, Ben Lascelles, Kate Sugar, Aonghais S.C.P. Cook, Staffan Roos, Mark Bolton, Rowena H.W. Langston, Niall H.K. Burton (2012) Seabird foraging ranges as a preliminary tool for identifying candidate Marine Protected Areas, Biological Conservation, Volume 156, 53-61, <https://doi.org/10.1016/j.biocon.2011.12.009>.

2. Perrow, M.R., Skeate, E.R., Lines, P., Brown, D. & Tomlinson, M.L. (2006). Radio telemetry as a tool for impact assessment of wind farms: the case of Little Terns *Sterna albifrons* at Scroby Sands, Norfolk, UK. Ibis, 148 (Supp.1), 57-75.

Vantage point surveys for the third river crossing were undertaken in May/June of 2018 and the study area comprised of both banks of the River Yare extending from Boundary Road to the north and Queen Anne's Road to the south, which is approximately >2km away from the proposed development. It is Natural England's understanding that no vantage point surveys have been completed to support the application at this stage. We recommend that surveys are undertaken to inform the HRA. We also suggest consulting the RSPB who collected data on foraging terns during the Great Yarmouth air show.

We suggest that the Planning Authority considers any additional noise disturbance generated by construction and operation. [TIDE toolbox - TIDE tools \(tide-toolbox.eu\)](https://tide-toolbox.eu) is a useful general tool in determining the level of disturbance to waterbirds, but please note that site specific conditions may apply.

ii) Disturbance/displacement of RTD

Natural England notes that there will be an estimated increase of vessel traffic of 2,268 trips annually and a baseline of 10,000 vessel movements from the port. This is approximately a 20% (22.68%) increase in vessel traffic and we reiterate that we do not consider this a "relatively small increase in vessel traffic". We reiterate that such an increase in vessel traffic could cause constant disturbance to the highly sensitive red-throated diver, which could result in the species displacement throughout the lifetime of the project, resulting in an Adverse Effect on Integrity. Natural England note there is no inclusion of a figure to display the routes that vessels will take. This is important so that we can determine any impacts on both the Outer Thames SPA and Greater Wash SPA bird species, especially if new shipping routes are being proposed.

In addition, Natural England is increasingly becoming concerned in relation to disturbance and/or displacement of red-throated divers from the more persistent presence of OWF-related vessels and could make a meaningful contribution to in-combination effects on the SPAs. As a result of this we advise that there is a likely significant effect from the proposals alone and in-combination which should be considered in the AA.

3. Marine mammals

Natural England reiterates our preference for vibro-piling as a mitigation measures to reduce subsea noise impacts to an acceptable level. However, we do welcome that where that is not possible, mitigation has been proposed to be adopted for soft-start piling; ECoW to carry out marine mammal observations 30 minutes prior to any percussive piling being undertaken to ensure that there are no marine mammals within 500m of the proposed works.

4. Air quality

As stated in Natural England's EIA screening consultation (dated 7th Jan 2021), we recommend that construction works within 200m of a designated site is scoped into air quality assessment so the potential impacts of dust and particulate matter to sensitive features are fully considered. This distance criteria should apply to transport activity both during construction and operation. Traffic emits various pollutants including nitric oxide, nitrogen dioxide, ammonia, nitrous acid, carbon monoxide, carbon dioxide, volatile organic compounds, polycyclic aromatic hydrocarbons, particulates and metals, which can pose an impact to the interest features of designated sites. The APIS websites advises that habitats associated with the Outer Thames SPA are sensitive to emissions. The Local Authority may wish to consider if sensitive habitats are present within 200m of the proposal and if so, will additional emissions result in exceedance of critical load.

We advise that an initial screening for these impacts prior to determination of this application.

1. Chris B. Thaxter, Ben Lascelles, Kate Sugar, Aonghais S.C.P. Cook, Staffan Roos, Mark Bolton, Rowena H.W. Langston, Niall H.K. Burton (2012) Seabird foraging ranges as a preliminary tool for identifying candidate Marine Protected Areas, Biological Conservation, Volume 156, 53-61, <https://doi.org/10.1016/j.biocon.2011.12.009>.

2. Perrow, M.R., Skeate, E.R., Lines, P., Brown, D. & Tomlinson, M.L. (2006). Radio telemetry as a tool for impact assessment of wind farms: the case of Little Terns *Sterna albifrons* at Scroby Sands, Norfolk, UK. Ibis, 148 (Supp. 1), 57-75.

Simple screening tools are available via the internet. The results of this screening should inform the need for any further, more detailed assessment which may be required to fully assess the impacts of the proposal. Where screening results indicate a more detailed assessment is necessary this should be carried out and completed prior to determination.

We agree with the undertaking of a method statement to identify and prevent any construction materials or works impacting designated sites. The method statement should detail appropriate mitigation measures to prevent any change in air quality due to fugitive dust, by active suppression of dust, erection of barriers or sheeting around construction works, installation of wheel washing facilities, reduction of speeds on haul roads. .

5. Water quality

Water quality Impacts on the environment arising from pollution is likely unless appropriate avoidance or mitigation measures are in place. Measures will need to be put in place to ensure that no pollution enters any surface water of the River Yare or the North Sea. We support the undertaking of a method statement to identify and prevent any construction materials or works impacting designated sites. The method statement should detail how materials will be controlled and stored onsite to prevent the risk of pollution to the North Sea and River Yare.

6. Biosecurity

When working on, or near, water it is important that equipment is drained after use and, as far as possible, dried, to prevent the transfer of water-borne disease, invasive non native species and pests. Clothing should also be dried after use. Depending on the level of risk (and where thorough drying is not practical) it may be necessary to disinfect equipment and clothing before it is used on another site, or where there is a risk of transfer within the site.

We support with the completion and implementation of a ballast management plan to reduce the spread of INNS.

7. Coastal and sediment process

We understand from the documentation provided that the proposal will be built on areas of sand and/or sediment. Should the proposal be approved, the Local Planning Authority will need to consider if works will be required to maintain or defend the development in future. Consideration should also be given to the potential impacts to sediment processes both within this specific context and the context of the wider project.

8. Cumulative and In-Combination Effects

Natural England previously advised that the potential in combination impacts of East Anglia 1 North (EA1N) and East Anglia 2 (EA2) offshore windfarms are considered at the operational phase. However, we note that the Applicant has stated *“East Anglia 1 North and East Anglia 2 are to be considered on the assumption that construction and operation activities will be operating out of Great Yarmouth Port (well within 2km of the Proposed Scheme). It is the effects at these locations that will be considered, rather than the windfarm site itself.”* Natural England advises that the effects of EA1N and EA2 be considered further that just that at Great Yarmouth Port; the increase in vessel traffic through OTE SPA, displacement effects of the presence of the windfarm itself etc. should also be considered.

We previously advised “The construction of Nautilus and Icen/ Mercator cable lines should also be scoped in for completeness”. However, we note that the Nautilus, Icen, and Mercator cable lines and Lowestoft Port development are not included in the assessment as they are outside of the ZOI of any assessment in chapter 6-12. Natural England advises that based on the time lines there is a high likelihood that there will be overlap between the installation of Icen, and Mercator cables, Lowestoft port development and G. Yarmouth port development and whilst not in the ZOI set by the

1. Chris B. Thaxter, Ben Lascelles, Kate Sugar, Aonghais S.C.P. Cook, Staffan Roos, Mark Bolton, Rowena H.W. Langston, Niall H.K. Burton (2012) Seabird foraging ranges as a preliminary tool for identifying candidate Marine Protected Areas, Biological Conservation, Volume 156, 53-61, <https://doi.org/10.1016/j.biocon.2011.12.009>.

2. Perrow, M.R., Skeate, E.R., Lines, P., Brown, D. & Tomlinson, M.L. (2006). Radio telemetry as a tool for impact assessment of wind farms: the case of Little Terns *Sterna albifrons* at Scroby Sands, Norfolk, UK. Ibis, 148 (Supp.1), 57-75.

project mobile species from the same designated site are likely to be impacted and therefore considered in-combination. However, we note that there is unlikely to be overlap with the installation of the Nautilus interconnector.

9. Breeding birds

Clearance works should be undertaken outside of the breeding season to ensure that active nests are not damaged or destroyed as in line with the Wildlife and Countryside Act (as amended). If works commence during the breeding season, the Environmental Statement recommends clearance works are preceded by nesting bird surveys, and If active nests are present appropriate construction/demolition buffers will be adhered to. We advise that buffer size is species specific and informed by evidence, this work should be undertaken by a suitably qualified ecologist.

Any areas of grassland disturbed during construction will need to be reinstated following construction to compensate for the loss of skylark nesting habitat and foraging habitat for skylark, starling and black redstart, as recommended in the Environmental Statement. We suggest opportunities for habitat improvement are explored and implemented where possible as required under the port authorities statutory undertaker duties.

10. Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

11. Priority species and habitats

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. This development proposal may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an EIA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [Ancient woodland, ancient trees and veteran trees: protecting them from development - GOV.UK \(www.gov.uk\)](#). We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, landscape, geodiversity and biodiversity receptors that may be affected by the proposed development before determining whether an EIA is necessary.

Should you determine that an EIA is not required in this case, you should ensure that the application is supported by sufficient biodiversity, landscape information and other environmental information in order for you to assess the weight to give these material considerations when determining the planning application

12. Net gain

Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing as well as creating attractive and sustainable places to live and work in. We draw your attention to Para 170, point d and Para 175, point d of the National Planning Policy Framework which states that:

Para 170: "Planning policies and decisions should contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity, including by establishing

1. Chris B. Thaxter, Ben Lascelles, Kate Sugar, Aonghais S.C.P. Cook, Staffan Roos, Mark Bolton, Rowena H.W. Langston, Niall H.K. Burton (2012) Seabird foraging ranges as a preliminary tool for identifying candidate Marine Protected Areas, Biological Conservation, Volume 156, 53-61, <https://doi.org/10.1016/j.biocon.2011.12.009>.

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coherent ecological networks that are more resilient to current and future pressures”.

Para 175: “When determining planning applications, local planning authorities should apply the following principles:

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”.

Natural England considers that all development, even small scale proposals, can make a contribution to biodiversity. Your authority may wish to refer to [Biodiversity Net Gain: Good Practice Principles for Development. A Practical Guide. | CIEEM](#) which provide useful advice on how to incorporate biodiversity net gain into developments.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above, has been provided.

Yours sincerely

Victoria Wight
Norfolk and Suffolk Team

1. Chris B. Thaxter, Ben Lascelles, Kate Sugar, Aonghais S.C.P. Cook, Staffan Roos, Mark Bolton, Rowena H.W. Langston, Niall H.K. Burton (2012) Seabird foraging ranges as a preliminary tool for identifying candidate Marine Protected Areas, Biological Conservation, Volume 156, 53-61, <https://doi.org/10.1016/j.biocon.2011.12.009>.

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PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/21/0739/TRE
PARISH	Belton & Browston 10
PROPOSAL	G1 Beech - Reduce height by removing lumber and branches
SITE	Ashmar House Farman Close Belton GREAT YARMOUTH
APPLICANT	Mr M Steward
DECISION	APPROVE

REFERENCE	06/21/0811/PDE
PARISH	Belton & Browston 10
PROPOSAL	Prior approval - Notification of larger home extension - single storey rear extension 4.6m x 7.1m
SITE	12 Waveney Drive Belton GREAT YARMOUTH Norfolk
APPLICANT	Mr R Ripkey
DECISION	REFUSED

REFERENCE	06/21/0822/F
PARISH	Belton & Browston 10
PROPOSAL	Construction of new dwelling, fencing and materials
SITE	The Nurseries Station Road South Belton GREAT YARMOUTH
APPLICANT	Mr L Sutch
DECISION	APPROVE

REFERENCE	06/21/0824/F
PARISH	Belton & Browston 10
PROPOSAL	Raise eves to part of existing bungalow to form accommodation within roof space
SITE	Pinecott Sandy Lane Belton GREAT YARMOUTH
APPLICANT	Mr J Mills
DECISION	APPROVE

REFERENCE	06/21/0825/F
PARISH	Belton & Browston 10
PROPOSAL	Proposed single and two storey extensions
SITE	7 Beccles Road Belton GREAT YARMOUTH Norfolk
APPLICANT	Mr P Carr
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/21/0862/TRE
PARISH	Belton & Browston 10
PROPOSAL	T17 - Oak lower 2 limbs touching house and in danger of causing damage to outbuildings. Overhanging
SITE	14 Station Road South Belton Old Hall
APPLICANT	Belton GREAT YARMOUTH
DECISION	Dr A Sheldon APPROVE

REFERENCE	06/21/0459/TRE
PARISH	Bradwell N 1
PROPOSAL	T1 - Ash Tree - fell due to tree appearing to be dead
SITE	10 Cob Close Bradwell
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mr N Vincent APPROVE

REFERENCE	06/21/0469/F
PARISH	Bradwell N 1
PROPOSAL	Proposed new pitched roof over utility room to north elevation and new pitched roof to store on east
SITE	1 Hickory Gardens Bradwell
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mr N Greenard APPROVE

REFERENCE	06/21/0553/F
PARISH	Bradwell N 1
PROPOSAL	Proposed 3no, dormers to front elevation
SITE	Alwyn House Burgh Road
APPLICANT	Bradwell GREAT YARMOUTH
DECISION	Mr & Mrs M Spreadborough APPROVE

REFERENCE	06/21/0736/TRE
PARISH	Bradwell N 1
PROPOSAL	T1 Oak - Branches require copping
SITE	15 Cotman Drive Bradwell
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mr Mark Walters REFUSED

REFERENCE	06/21/0754/F
PARISH	Bradwell N 1
PROPOSAL	Proposed extension and alterations
SITE	23 Larch Drive Bradwell
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Miss D Casey APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/21/0779/F
PARISH	Bradwell N 1
PROPOSAL	Proposed building consisting of a steel framed structure
SITE	Yarmouth Steel Services Ltd Edison Way Gapton Hall Industrial Estate GREAT YARMOUTH
APPLICANT	Yarmouth Steel Services Ltd
DECISION	APPROVE

REFERENCE	06/21/0886/PDE
PARISH	Bradwell N 1
PROPOSAL	Single storey rear extension.
SITE	11 Fulmar Close Bradwell GREAT YARMOUTH Norfolk
APPLICANT	Mr M Jermany
DECISION	PERMITTED DEV.

REFERENCE	06/21/0821/F
PARISH	Bradwell S 2
PROPOSAL	Proposed two storey side extension to form carport with bedroom over
SITE	13 Foxglove Drive Bradwell GREAT YARMOUTH Norfolk
APPLICANT	Mr M Green
DECISION	APPROVE

REFERENCE	06/21/0752/F
PARISH	Burgh Castle 10
PROPOSAL	Proposed conversion of loft space to residential accommodation to include provision of windows within
SITE	Foxglove Back Lane Burgh Castle Great Yarmouth
APPLICANT	Mr D Mattison
DECISION	APPROVE

REFERENCE	06/21/0753/F
PARISH	Burgh Castle 10
PROPOSAL	Proposed residential dwelling with garage
SITE	The Nursery (Adj Oak View) Mill Road Burgh Castle GREAT YARMOUTH
APPLICANT	Mr M Underdown
DECISION	REFUSED

REFERENCE	06/21/0622/F
PARISH	Caister On Sea 3
PROPOSAL	Proposed side extension and detached outbuilding
SITE	2 Shannon Drive Caister-On-Sea GREAT YARMOUTH Norfolk
APPLICANT	Mr & Mrs Ford
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/21/0186/F
PARISH	Caister On Sea 4
PROPOSAL	Renewal of pp 06/14/0813/F for COU of summer house and one room in house to board small pets (not cats or dogs)
SITE	67 Yarmouth Road Caister
APPLICANT	GREAT YARMOUTH
DECISION	Mrs A Overill APPROVE
<hr/>	
REFERENCE	06/21/0723/F
PARISH	Caister On Sea 4
PROPOSAL	Erection of two storey dwelling, garage and all associated works.
SITE	9 Ambrose Road (Land adj) Caister
APPLICANT	GREAT YARMOUTH
DECISION	Ms S Bilyard REFUSED
<hr/>	
REFERENCE	06/21/0783/F
PARISH	Caister On Sea 4
PROPOSAL	Retrospective renewal of pp. 06/13/0511/f â€¦ retention of stable block
SITE	Stable Block 2 The Paddocks Back Road
APPLICANT	West Caister GREAT YARMOUTH
DECISION	Ms M Richardson APPROVE
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REFERENCE	06/21/0784/F
PARISH	Caister On Sea 4
PROPOSAL	Retrospective renewal of pp. 06/11/0383/F â€¦ Retention of stable block
SITE	Stable Block 2 The Paddocks Back Road
APPLICANT	West Caister GREAT YARMOUTH
DECISION	Ms M Richardson APPROVE
<hr/>	
REFERENCE	06/21/0820/F
PARISH	Caister On Sea 4
PROPOSAL	Demolish conservatory and replace with sustainable extension
SITE	8 Nelson Road Caister on sea
APPLICANT	Great Yarmouth
DECISION	Mr & Mrs Haley APPROVE
<hr/>	
REFERENCE	06/21/0829/F
PARISH	Caister On Sea 4
PROPOSAL	Erection of two new houses with garages
SITE	7 Green Lane (Land west of) Caister-on-sea
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Architectural Consultant REFUSED
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**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/21/0834/O
PARISH	Caister On Sea 4
PROPOSAL	Outline planning for a 4 bedroomed dorma bungalow
SITE	Four Acres (Land adj) Back Road West End, West Caister GREAT YARMOUTH
APPLICANT	Mr & Mrs Benjafield
DECISION	REFUSED

REFERENCE	06/21/0839/F
PARISH	Caister On Sea 4
PROPOSAL	Single storey side extension
SITE	21 Hampton Close Caister-on-sea GREAT YARMOUTH Norfolk
APPLICANT	Mr & Mrs Alexander
DECISION	APPROVE

REFERENCE	06/21/0816/PDE
PARISH	Filby 6
PROPOSAL	Proposed single storey rear extension
SITE	White Gates Thrigby Road Filby GREAT YARMOUTH
APPLICANT	Mr M Thornton
DECISION	PERMITTED DEV.

REFERENCE	06/21/0676/TRE
PARISH	Fleggburgh 6
PROPOSAL	T1 - Sycamore Tree - Fell due to being dead
SITE	30 The Village Main Road A1064 Fleggburgh GREAT YARMOUTH
APPLICANT	Mr P Hughes
DECISION	APPROVE

REFERENCE	06/21/0787/F
PARISH	Fleggburgh 6
PROPOSAL	Remove existing conservatory and construct new single storey rear extension. Painted render to existing
SITE	Willow Tree Farm Tretts Lane Fleggburgh GREAT YARMOUTH
APPLICANT	Mr D Dockerty
DECISION	APPROVE

REFERENCE	06/21/0797/TRE
PARISH	Fleggburgh 6
PROPOSAL	G1 - Birches - Raise crown to 2m for mower access and reduce crown by 1m - Ht 5m - Wth 3m
SITE	7 Bygone Close Fleggburgh GREAT YARMOUTH Norfolk
APPLICANT	Mr P Cheau
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/21/0740/TRE
PARISH	Fritton/St Olaves 10
PROPOSAL	General tree management for safety and removal of dead, dying or dangerous trees
SITE	The White House Priory Road St Olaves Fritton GREAT YARMOUTH
APPLICANT	Mr M Shreeve
DECISION	APPROVE

REFERENCE	06/21/0734/F
PARISH	Great Yarmouth 5
PROPOSAL	Proposed addition of side extension to form bedroom and kitchen to create a one bedroom bungalow to the side
SITE	1 St Hildas Crescent Gorleston GREAT YARMOUTH Norfolk
APPLICANT	Mr R Jarvis
DECISION	APPROVE

REFERENCE	06/21/0717/F
PARISH	Great Yarmouth 7
PROPOSAL	Proposed single storey rear extension
SITE	26 Victoria Road Gorleston GREAT YARMOUTH Norfolk
APPLICANT	Mr R Hindley
DECISION	APPROVE

REFERENCE	06/21/0812/TRE
PARISH	Great Yarmouth 7
PROPOSAL	Holme Oak - (T491) - Pollard tree to a height of 5-6m at a suitable point as the tree is in decline.
SITE	Land south to Koolunga House High Street Gorleston GREAT YARMOUTH
APPLICANT	Mr P Carter
DECISION	APPROVE

REFERENCE	06/21/0873/F
PARISH	Great Yarmouth 7
PROPOSAL	Single Storey Rear-Side Extension and Alterations to Kitchen and Dining
SITE	53 Avondale Road Gorleston GREAT YARMOUTH Norfolk
APPLICANT	Ms G Huggins
DECISION	APPROVE

REFERENCE	06/21/0665/PU
PARISH	Great Yarmouth 9
PROPOSAL	See Application Form
SITE	Purley Court, Unit C2 Gapton Hall Road GREAT YARMOUTH Norfolk
APPLICANT	Cancer Research UK
DECISION	EST/LAW USE CER.

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/21/0795/CD
PARISH	Great Yarmouth 9
PROPOSAL	Kitchen/diner rear extension
SITE	1-18 Horatio Court Southtown Road GREAT YARMOUTH Norfolk
APPLICANT	Mr P Munnings
DECISION	APPROVE

REFERENCE	06/21/0770/F
PARISH	Great Yarmouth 11
PROPOSAL	Proposed single storey rear extension
SITE	91 Middleton Road Gorleston GREAT YARMOUTH Norfolk
APPLICANT	Mr and Mrs Higgins
DECISION	APPROVE

REFERENCE	06/21/0793/F
PARISH	Great Yarmouth 11
PROPOSAL	Proposed single storey front extensions to lounge and to create new shed area
SITE	9 Wadham Road Gorleston GREAT YARMOUTH Norfolk
APPLICANT	Miss A Holt
DECISION	APPROVE

REFERENCE	06/21/0813/F
PARISH	Great Yarmouth 11
PROPOSAL	Removal of condition relating to pp. 06/18/0348/F
SITE	254 Lowestoft Road Gorleston GREAT YARMOUTH Norfolk
APPLICANT	Mr and Mrs Gooch
DECISION	APPROVE

REFERENCE	06/21/0818/F
PARISH	Great Yarmouth 11
PROPOSAL	Single storey rear extension
SITE	35 Connaught Avenue Gorleston GREAT YARMOUTH Norfolk
APPLICANT	Ms E Stone
DECISION	APPROVE

REFERENCE	06/21/0655/F
PARISH	Great Yarmouth 14
PROPOSAL	Conversion of existing building to create 4 self contained flats
SITE	The Ascot 41 Nelson Road South GREAT YARMOUTH Norfolk
APPLICANT	Mr Chowdhury
DECISION	APPROVE

PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/21/0656/LB
PARISH	Great Yarmouth 14
PROPOSAL	Conversion of existing building to create 4 self contained flats
SITE	The Ascot 41 Nelson Road South GREAT YARMOUTH NR30 3JA
APPLICANT	Mr Chowdhury
DECISION	LIST.BLD.APP

REFERENCE	06/21/0758/CD
PARISH	Great Yarmouth 14
PROPOSAL	Discharge of condition 14 relating to pp.06/19/0471/F
SITE	Marina Leisure Centre Marine Parade GREAT YARMOUTH Norfolk
APPLICANT	Great Yarmouth Borough Council
DECISION	APPROVE (CONDITIONS)

REFERENCE	06/21/0759/CD
PARISH	Great Yarmouth 14
PROPOSAL	Discharge of condition 19 relating to pp. 06/19/0471/F
SITE	Marina Leisure Centre Marine Parade GREAT YARMOUTH Norfolk
APPLICANT	Great Yarmouth Borough Council
DECISION	APPROVE (CONDITIONS)

REFERENCE	06/21/0801/F
PARISH	Great Yarmouth 14
PROPOSAL	Extension and remodel including: two-storey rear extension replacing kitchen and utlity room, with
SITE	Hereford House Main Road Ormesby St Michael GREAT YARMOUTH
APPLICANT	Mr & Mrs Rackham
DECISION	APPROVE

REFERENCE	06/21/0807/F
PARISH	Great Yarmouth 14
PROPOSAL	Replacement of existing tiles and replacement windows, revised submission
SITE	18 Deneside GREAT YARMOUTH Norfolk
APPLICANT	Mr S Wood
DECISION	APPROVE

REFERENCE	06/21/0890/DM
PARISH	Great Yarmouth 14
PROPOSAL	Demolition of warehouse
SITE	Neptune Warehouse South Denes Road GREAT YARMOUTH Norfolk
APPLICANT	Perenco UK Ltd
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/21/0162/CU**
 PARISH Great Yarmouth 15
 PROPOSAL Change of use from retail shop to cafe

 SITE 11 Broad Row GREAT YARMOUTH
 (ground floor)
 APPLICANT Mr M Mohabeer
 DECISION **APPROVE**

REFERENCE **06/21/0500/F**
 PARISH Great Yarmouth 15
 PROPOSAL Proposed external seating area, with 13 number picnic
 benches enclosed within semi-permanent glazed
 SITE 7-9 Regent Road Troll Cart
 GREAT YARMOUTH
 APPLICANT Wetherspoon
 DECISION **APPROVE**

REFERENCE **06/21/0788/F**
 PARISH Great Yarmouth 15
 PROPOSAL Retrospective application to approve details for 2no
 dwellings previously approved under pp. 06/19/0421/F, not
 SITE 2A Manby Road GREAT YARMOUTH
 Norfolk
 APPLICANT Optimum Rent Ltd
 DECISION **APPROVE**

REFERENCE **06/21/0551/F**
 PARISH Great Yarmouth 19
 PROPOSAL Proposed new shop front

 SITE 138A High Street Gorleston
 GREAT YARMOUTH Norfolk
 APPLICANT Mr I Howkins
 DECISION **APPROVE**

REFERENCE **06/21/0558/F**
 PARISH Great Yarmouth 19
 PROPOSAL Proposed flat roofed single storey rear extension with
 lantern window
 SITE 39 John Road Gorleston
 GREAT YARMOUTH Norfolk
 APPLICANT Mr Grinnell
 DECISION **APPROVE**

REFERENCE **06/21/0835/F**
 PARISH Great Yarmouth 19
 PROPOSAL Proposed extension to rear of bungalow

 SITE 33 Colomb Road Gorleston
 GREAT YARMOUTH Norfolk
 APPLICANT Mr B Smith
 DECISION **APPROVE**

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/21/0841/F
PARISH	Great Yarmouth 19
PROPOSAL	Part ground floor + first floor extension to create additional teaching space
SITE	East Norfolk Sixth Form College Church Lane Gorleston GREAT YARMOUTH
APPLICANT	East Norfolk Sixth Form College
DECISION	APPROVE

REFERENCE	06/21/0371/F
PARISH	Hemsby 8
PROPOSAL	Retrospective application for single storey side extension including garage conversion
SITE	13 Springfield North Hemsby GREAT YARMOUTH
APPLICANT	Mr J Cook
DECISION	APPROVE

REFERENCE	06/21/0757/F
PARISH	Hemsby 8
PROPOSAL	Extension of 06/20/0363/F
SITE	Holly Lodge 29A Beach Road Hemsby GREAT YARMOUTH
APPLICANT	Mr A & Mrs LShiers
DECISION	APPROVE

REFERENCE	06/21/0778/F
PARISH	Hemsby 8
PROPOSAL	Proposed new garage and granny annexe (two storey)
SITE	10 The Paddock Hemsby GREAT YARMOUTH Norfolk
APPLICANT	Mr M Smith
DECISION	REFUSED

REFERENCE	06/21/0810/F
PARISH	Hemsby 8
PROPOSAL	Removal of existing utility room, Build new kitchen extension single storey to rear of property
SITE	1 Chapel Terrace Yarmouth Road Hemsby GREAT YARMOUTH
APPLICANT	Mr M Crafter
DECISION	APPROVE

REFERENCE	06/21/0767/TRE
PARISH	Hopton On Sea 2
PROPOSAL	G1 - 1x Sycamore - Fell to ground level
SITE	7 Manor Gardens Hopton GREAT YARMOUTH Norfolk
APPLICANT	Mr D Riddles
DECISION	REFUSED

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/21/0826/F
PARISH	Hopton On Sea 2
PROPOSAL	Proposed rear extension to extend amusement arcade. Change of use of existing clubhouse to storage in
SITE	Stardust Amusement Arcade Warren Road Hopton GREAT YARMOUTH
APPLICANT	Mr S Manning
DECISION	APPROVE

REFERENCE	06/20/0667/CD
PARISH	Martham 13
PROPOSAL	Discharge of conditions 8 & 9 of pp. 06/18/0149/O - Site investigation
SITE	Repps Road Martham GREAT YARMOUTH Norfolk
APPLICANT	Mr J Reeve
DECISION	APPROVE (CONDITIONS)

REFERENCE	06/21/0768/TCA
PARISH	Martham 13
PROPOSAL	Removal of two trees that are damaging boundary fences and blocking light from both the house and rear garden
SITE	38 The Green Martham GREAT YARMOUTH Norfolk
APPLICANT	Mr M Davis
DECISION	APPROVE

REFERENCE	06/21/0791/F
PARISH	Martham 13
PROPOSAL	Proposed extension to outbuilding
SITE	Gibbett Hill Farm Hemsby Road Martham GREAT YARMOUTH
APPLICANT	C Hall
DECISION	APPROVE

REFERENCE	06/21/0279/TRE
PARISH	Ormesby St.Marg 16
PROPOSAL	Reduce height of a group of trees to reduce shading and to make trees more stable
SITE	5 Primrose Close Ormesby GREAT YARMOUTH Norfolk
APPLICANT	Mr A Wright
DECISION	APPROVE

REFERENCE	06/21/0569/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Detached garage and detached games room
SITE	8 North Road Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr S Carter
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/21/0817/TRE
PARISH	Ormesby St.Marg 16
PROPOSAL	TPO No.2 1981 for size control
SITE	14 Symonds Avenue Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr G Townsend
DECISION	APPROVE

REFERENCE	06/21/0819/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Change of position of the detached double garage (pp. 06/20/0291/F)
SITE	27 Station Road (land north of) Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr L Mardens
DECISION	APPROVE

REFERENCE	06/21/0802/F
PARISH	Repps 13
PROPOSAL	Addition and ladies and gentleman's toilet
SITE	Repps Bowls Club Repps with Bastwick Village Hall Mill Lane Repps with Bastwick GREAT YARMOUTH
APPLICANT	Repps Bowls Club Mr P Goode
DECISION	APPROVE

REFERENCE	06/21/0838/F
PARISH	Repps 13
PROPOSAL	Proposed rear extension
SITE	12 Grove Road Repps with Bastwick GREAT YARMOUTH Norfolk
APPLICANT	Mr L Cossey
DECISION	APPROVE

REFERENCE	06/21/0580/F
PARISH	Rollesby 13
PROPOSAL	Erection of single dwelling and associated outbuildings (revision of 06/20/0433/F)
SITE	Folly Lodge Court Road Rollesby GREAT YARMOUTH
APPLICANT	Mr and Mrs Desorgher
DECISION	APPROVE

REFERENCE	06/21/0845/TRE
PARISH	Stokesby 6
PROPOSAL	T1, T4, T5, T6 to high winds
SITE	St Andrews Church Runham Road Stokesby GREAT YARMOUTH
APPLICANT	Mrs P Sullivan
DECISION	APPROVE

PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/21/0641/F
PARISH	West Caister 4
PROPOSAL	Three bay oak-framed cart shed for parking with enclosed bay for storage
SITE	Home Farm West Road West End West Caister GREAT YARMOUTH
APPLICANT	Mr W Daniels
DECISION	APPROVE
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REFERENCE	06/21/0410/F
PARISH	Winterton 8
PROPOSAL	Demolition of garage/car sales building and construction of two four-bedroomed detached dwellings with garages
SITE	Caters Service Station Black Street Winterton GREAT YARMOUTH
APPLICANT	Mr J Colclough
DECISION	APPROVE
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* * * * End of Report * * * *

PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-21 AND 30-NOV-21 FOLLOWING DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE

REFERENCE	06/21/0522/CU
PARISH	Great Yarmouth 14
PROPOSAL	Proposed conversion of former guest house to 2no. two bedroomed houses
SITE	11 Bath Hill Terrace GREAT YARMOUTH Norfolk
APPLICANT	Great Yarmouth Borough Council
DECISION	APPROVE
REFERENCE	06/21/0526/F
PARISH	Great Yarmouth 14
PROPOSAL	Proposed installation of no.9 six metre galvanised steel columns to support illuminated 'selfie' letters
SITE	Pleasure Beach Gardens South Beach Parade GREAT YARMOUTH Norfolk
APPLICANT	Mr M Stephenson
DECISION	APPROVE
REFERENCE	06/21/0524/F
PARISH	Hemsby 8
PROPOSAL	Instal six 6m tall steel columns supporting six mesh-lighting letters; associated ground work; support platform
SITE	Oasis Amusements (adj) Beach Road Hemsby GREAT YARMOUTH
APPLICANT	Mr M Stephenson
DECISION	APPROVE
REFERENCE	06/19/0071/F
PARISH	Martham 13
PROPOSAL	Construct 47 energy efficient dwellings, including ass.open space, drainage infrastructure veh.access & ass.highway imp
SITE	Staithe Road (Land North of) Martham GREAT YARMOUTH Norfolk
APPLICANT	EPC Buildings Ltd
DECISION	APPROVE
REFERENCE	06/19/0606/F
PARISH	Martham 13
PROPOSAL	Formation of new highway junction between Staithe Road and Somerton Road
SITE	Staithe Road & Somerton Road (Junction between) Martham GREAT YARMOUTH Norfolk
APPLICANT	EPC Buildings Ltd
DECISION	APPROVE

* * * * End of Report * * * *

APPLICATION APPEALS DETERMINED BETWEEN 01-NOV-21 AND 30-NOV-21

Reference : **06/20/0468/F**

Unique No.

1157

Appellant : Mr L Rouse

Site :

Farewell Hales formally Fourwind
Stepshort
Belton
GREAT YARMOUTH

Proposal :

Construction of 2 bedroom bungalow.

Decision : DIS

Reference : **06/21/0188/O**

Unique No.

1175

Appellant : Ms S McCreadie

Site :

Land at High House
Lound Road
Browston, Belton
Great Yarmouth

Proposal :

The erection of 1 no. dwelling (Outline with all matters reserved except for access)

Decision : WD

***** END OF REPORT *****
