

Reference: 06/18/0114/F

Parish: Burgh Castle

Officer: Mr G Clarke

Expiry Date: 22-06-2018

Applicant: Mr & Mrs Miller

Proposal: New residential dwelling and garage

Site: Strawlands
Mill Road
Burgh Castle

REPORT

1 Background / History :-

- 1.1 The application site is an area of land on the west side of Mill Road between Strawlands to the south and a bungalow called Sunnyside to the north, the land belongs to Strawlands and is currently part of the garden of that property. The land to the west of the site also belongs to Strawlands and is currently used as stabling and paddocks.
- 1.2 In 2004 outline planning permission was refused for a dwelling on the same plot due to the site being outside the village development limit, a dwelling having an adverse effect on the rural landscape and insufficient information being submitted to show that any new vehicular access can be constructed to the satisfaction of the Highway Authority.

2 Consultations :-

- 2.1 Highways – no objection subject to standard conditions regarding access and visibility splays.
- 2.2 Parish Council – no objections subject to neighbours.
- 2.3 Building Control – no comments.
- 2.4 Neighbours – the occupiers of Sunnyside have no objection to the dwelling but are concerned about the possibility of overlooking from the Velux windows to the north side of the roof.

3 Policy :-

GREAT YARMOUTH LOCAL PLAN: CORE STRATEGY

3.1 POLICY CS1 – Focusing on a sustainable future

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

To ensure the creation of sustainable communities, the Council will look favourably towards new development and investment that successfully contributes towards the delivery of:

- a) Sustainable growth, ensuring that new development is of a scale and in a location that complements the character and supports the function of individual settlements
- b) Mixed adaptable neighbourhoods, which provide choices and effectively meet the needs and aspirations of the local community
- c) Environmentally friendly neighbourhoods that are located and designed to help address and where possible mitigate the effects of climate change and minimise the risk of flooding
- d) A thriving local economy, flourishing local centres, sustainable tourism and an active port
- 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
- f) Distinctive places that embrace innovative, high quality urban design that reflects positive local characteristics and protects the borough's biodiversity, unique landscapes, built character and historic environment

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

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

3.2 POLICY CS2 – Achieving sustainable growth

Growth within the borough must be delivered in a sustainable manner in accordance with Policy CS1 by balancing the delivery of new homes with new jobs and service provision, creating resilient, self-contained communities and reducing the need to travel. To help achieve sustainable growth the Council will:

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

- Approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth
- Approximately 30% of new development will take place in the borough's Key Service Centres at Bradwell and Caister-on-Sea
- Approximately 30% of new development will take place in the Primary Villages of Belton, Hemsby, Hopton on Sea, Ormesby St Margaret, Martham and Winterton-on-Sea
- Approximately 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy
- In the countryside, development will be limited to conversions/replacement dwellings/buildings and schemes that help to meet rural needs

b) To ensure compliance with Policy CS11, the proportions of development set out in criterion a) may need to be further refined following additional work on the impact of visitor pressures on Natura 2000 sites

c) Ensure that new commercial development for employment, retail and tourism uses is distributed in accordance with Policies CS6, CS7, CS8 and CS16

d) Promote the development of two key strategic mixed-use development sites: the Great Yarmouth Waterfront area (Policy CS17) and the Beacon Park extension, south Bradwell (Policy CS18)

e) Encourage the reuse of previously developed land and existing buildings

To ensure that the Council delivers its housing target, the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in the Main Towns and Key Service Centres where appropriate and consistent with other policies in this plan. Any changes to the distribution will be clearly evidenced and monitored through the Annual Monitoring Report.

3.3 POLICY CS16 – Improving accessibility and transport

The Council and its partners will work together to make the best use of, and improve, existing transport infrastructure within and connecting to the Borough, having first considered solutions to transport problems that are based on better management and the provision and promotion of sustainable forms of travel. This will be achieved by:

a) Supporting improvements that reduce congestion, improve accessibility and improve road safety without an unacceptable impact on the local environment, in accordance with Policy CS11; and communities, in accordance with Policy CS9. High priority schemes that will assist in achieving this include:

- Working with our partners to mitigate congestion at pinch points and actively manage the road network
- Supporting any future proposals to dual the A47
- Supporting the development of a new link road to the south of Bradwell via the A12 through Beacon Park to the A143 Beccles Road, in accordance with Policy CS18
- Supporting proposals for a third river crossing over the River Yare which appropriately balances the needs of road and river traffic and continuing to protect the route alignment
- Working with our partners to reduce car dependency by improving both the quantity and quality of the public transport service on offer in the borough and the wider area, including the promotion of a quality bus corridor from Great Yarmouth to Lowestoft
- Upgrading Great Yarmouth Railway and Bus Stations to provide higher quality facilities that encourage greater use of public transport
- Improving accessibility to employment, education, health, recreation, leisure and shopping facilities by enhancing linkages between existing 'green travel' routes to create a coherent network of footpaths, cycleways and bridleways
- Supporting 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

b) Directing new development towards the most sustainable locations in accordance with Policy CS2, thereby reducing the need to travel and maximising the use of sustainable transport modes

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

d) Seeking developer contributions towards transport infrastructure improvements, including those made to sustainable transport modes, in accordance with Policy CS14

e) Minimising the impact of new development on the existing transport infrastructure by encouraging applicants to:

- Produce and implement Transport Assessments and Travel Plans, as appropriate
- Improve accessibility to sustainable transport modes
- Ensure that adequate access routes are available for emergency services, waste collection and delivery vehicles
- Ensure that necessary transport improvements are addressed prior to development, where possible

f) Working with operators to ensure the continued need for, and appropriate maintenance and upgrading (as appropriate) of the heliport, coach, bus, rail and heavy goods vehicle facilities

g) Ensuring that development proposals contribute to the implementation of the Norfolk Local Transport Plan to deliver improved accessibility through integrated and sustainable transport modes

SAVED POLICY FROM THE GREAT YARMOUTH BOROUGH-WIDE LOCAL PLAN

3.4 POLICY HOU10

PERMISSION FOR NEW DWELLINGS IN THE COUNTRYSIDE WILL ONLY BE GIVEN IF REQUIRED IN CONNECTION WITH AGRICULTURE, FORESTRY, ORGANISED RECREATION, OR THE EXPANSION OF EXISTING INSTITUTIONS.

THE COUNCIL WILL NEED TO BE SATISFIED IN RELATION TO EACH OF THE FOLLOWING CRITERIA:

- (i) THE DWELLING MUST BE REQUIRED FOR THE PURPOSE STATED
- (ii) IT WILL NEED TO BE DEMONSTRATED THAT IT IS ESSENTIAL IN THE INTERESTS OF GOOD AGRICULTURE OR MANAGEMENT THAT AN EMPLOYEE SHOULD LIVE ON THE HOLDING OR SITE RATHER THAN IN A TOWN OR VILLAGE NEARBY
- (iii) THERE IS NO APPROPRIATE ALTERNATIVE ACCOMMODATION EXISTING OR WITH PLANNING PERMISSION AVAILABLE EITHER ON THE HOLDING OR SITE OR IN THE NEAR VICINITY
- (iv) THE NEED FOR THE DWELLING HAS RECEIVED THE UNEQUIVOCAL SUPPORT OF A SUITABLY QUALIFIED INDEPENDENT APPRAISOR
- (v) THE HOLDING OR OPERATION IS REASONABLY LIKELY TO MATERIALISE AND IS CAPABLE OF BEING SUSTAINED FOR A REASONABLE PERIOD OF TIME. (IN APPROPRIATE CASES

EVIDENCE MAY BE REQUIRED THAT THE UNDERTAKING HAS A SOUND FINANCIAL BASIS)

- (vi) THE DWELLING SHOULD NORMALLY BE NO LARGER THAN 120 SQUARE METRES IN SIZE AND SITED IN CLOSE PROXIMITY TO EXISTING GROUPS OF BUILDINGS ON THE HOLDING OR SITE
- (vii) A CONDITION WILL BE IMPOSED ON ALL DWELLINGS PERMITTED ON THE BASIS OF A JUSTIFIED NEED TO ENSURE THAT THE OCCUPATION OF THE DWELLINGS SHALL BE LIMITED TO PERSONS SOLELY OR MAINLY WORKING OR LAST EMPLOYED IN AGRICULTURE, FORESTRY, ORGANISED RECREATION OR AN EXISTING INSTITUTION IN THE LOCALITY INCLUDING ANY DEPENDANTS OF SUCH A PERSON RESIDING WITH THEM, OR A WIDOW OR WIDOWER OR SUCH A PERSON
- (viii) WHERE THERE ARE EXISTING DWELLINGS ON THE HOLDING OR SITE THAT ARE NOT SUBJECT TO AN OCCUPANCY CONDITION AND THE INDEPENDENT APPRAISOR HAS INDICATED THAT A FURTHER DWELLING IS ESSENTIAL, AN OCCUPANCY CONDITION WILL BE IMPOSED ON THE EXISTING DWELLING ON THE HOLDING OR SITE
- (ix) APPLICANTS SEEKING THE REMOVAL OF ANY OCCUPANCY CONDITION WILL BE REQUIRED TO PROVIDE EVIDENCE THAT THE DWELLING HAS BEEN ACTIVELY AND WIDELY ADVERTISED FOR A PERIOD OF NOT LESS THAN TWELVE MONTHS AT A PRICE WHICH REFLECTS THE OCCUPANCY CONDITIONS*

IN ASSESSING THE MERITS OF AGRICULTURAL OR FORESTRY RELATED APPLICATIONS, THE FOLLOWING ADDITIONAL SAFEGUARD MAY BE APPLIED:-

- (x) WHERE THE NEED FOR A DWELLING RELATES TO A NEWLY ESTABLISHED OR PROPOSED AGRICULTURAL ENTERPRISE, PERMISSION IS LIKELY TO BE GRANTED INITIALLY ONLY FOR TEMPORARY ACCOMMODATION FOR TWO OR THREE YEARS IN ORDER TO ENABLE THE APPLICANT TO FULLY ESTABLISH THE SUSTAINABILITY OF AND HIS COMMITMENT TO THE AGRICULTURAL ENTERPRISE
- (xi) WHERE THE AGRICULTURAL NEED FOR A NEW DWELLING ARISES FROM AN INTENSIVE TYPE OF AGRICULTURE ON A SMALL ACREAGE OF LAND, OR WHERE FARM LAND AND A FARM DWELLING (WHICH FORMERLY SERVED THE LAND) HAVE RECENTLY BEEN SOLD OFF SEPARATELY FROM EACH OTHER, A SECTION 106 AGREEMENT WILL BE SOUGHT TO TIE THE NEW DWELLING AND THE LAND ON WHICH THE AGRICULTURAL NEED ARISES TO EACH OTHER.

NOTE: - THIS WOULD NORMALLY BE AT LEAST 30% BELOW THE OPEN MARKET VALUE OF THE PROPERTY.

4 Assessment :-

- 4.1 The Strategic Planning Officer has made the following comments – The site is located outside of the current development limits of Belton, laid down by ‘saved’ policy HOU7 and HOU10 in the 2001 Borough-Wide Local Plan. However, Burgh Castle is identified as a settlement for growth in the new Local Plan Core Strategy (Policy CS2), and as such the present development limits, cannot, in my view, accommodate the scale and location of growth planned by the Core Strategy and should therefore be treated as out of date and with considerable caution.

The site is close to the Mill Road/Market Road junction which is a main route into the village. In accordance with Core Strategy Policy CS16, development should not have an adverse impact on the safety and efficiency of the local road network.

The broader context in which the application should be judged includes –

- its potential contribution to overall housing delivery set out in the Core Strategy and the Council’s five housing land supply; and
- national planning policy ‘to boost significantly’ the supply of housing; and
- Housing White Paper’s (Feb 2017) central aim to increase the supply of housing.

Subject to the satisfactory impact on the road network, the Strategic Planning team raises no objection in principle to the proposal, but no doubt you may well have other matters to weigh in reaching a decision.

- 4.2 The proposal is for the erection of a chalet bungalow in a gap between existing bungalows on the west side of the road, the dwelling will have a large bedroom with a dressing room and en-suite in the roof space and balconies to the front and rear. The balcony at the rear will be set back in the roof space in order to prevent overlooking of the neighbour to the north (Sunnyside). The drawing shows four roof windows in the north elevation facing Sunnyside and the occupiers of that dwelling are concerned that if these are set low in the roof there will be the potential to overlook their property. The height of the windows above floor level is not clear from the drawing but if the application is to be approved it can be subject to these windows being a minimum height of 1.7 metres above floor level to prevent any overlooking of the neighbour or being obscure glazed and non-opening.
- 4.3 The main matter to be considered is the principle of development on this site which is outside the Village Development Limit as shown on the Local Plan Policies Map. Burgh Castle has three separate areas that form the Development Limits with the nearest being along High Road approximately 100 metres to the north of the site.

- 4.4 As of April 1st 2017 the Borough has a 4.13 year supply of housing land and this is a significant material consideration in the determination of this application. If a local planning authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be out of date and therefore paragraph 14 of the NPPF is engaged which states that “any adverse impacts of the development must significantly and demonstrably outweigh the benefits” in order to justify refusal. Taking this into account reduced weight would apply to existing adopted Local Plan policies and as an authority we are significantly less able to resist all but the most inappropriate housing development in the area without the risk that the decision would be overturned at appeal under the presumption in favour of sustainable development.
- 4.5 The site is in a gap between two dwellings and there is a further dwelling to the north between Sunnyside and the Village Development Limit so it is not considered that the erection of a dwelling will have a significant adverse impact on the landscape or the character of the area. The dwelling will not have an adverse effect on the neighbour subject to the conditions suggested in paragraph 4.2 of this report.
- 4.6 Taking into account the current lack of a five year housing supply it is considered, on balance, that the NPPF presumption in favour of development outweighs the fact that the site is outside the Village Development Limit in this instance.

5 RECOMMENDATION :-

- 5.1 Approve – the proposal is in accordance with Policies CS1, CS2 and CS16 of the Great Yarmouth Local Plan: Core Strategy.
- 5.2 Approval should be subject to the conditions requested by the Highways Officer and conditions regarding the roof windows to the north elevation.

Application Reference 06/18/0114/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

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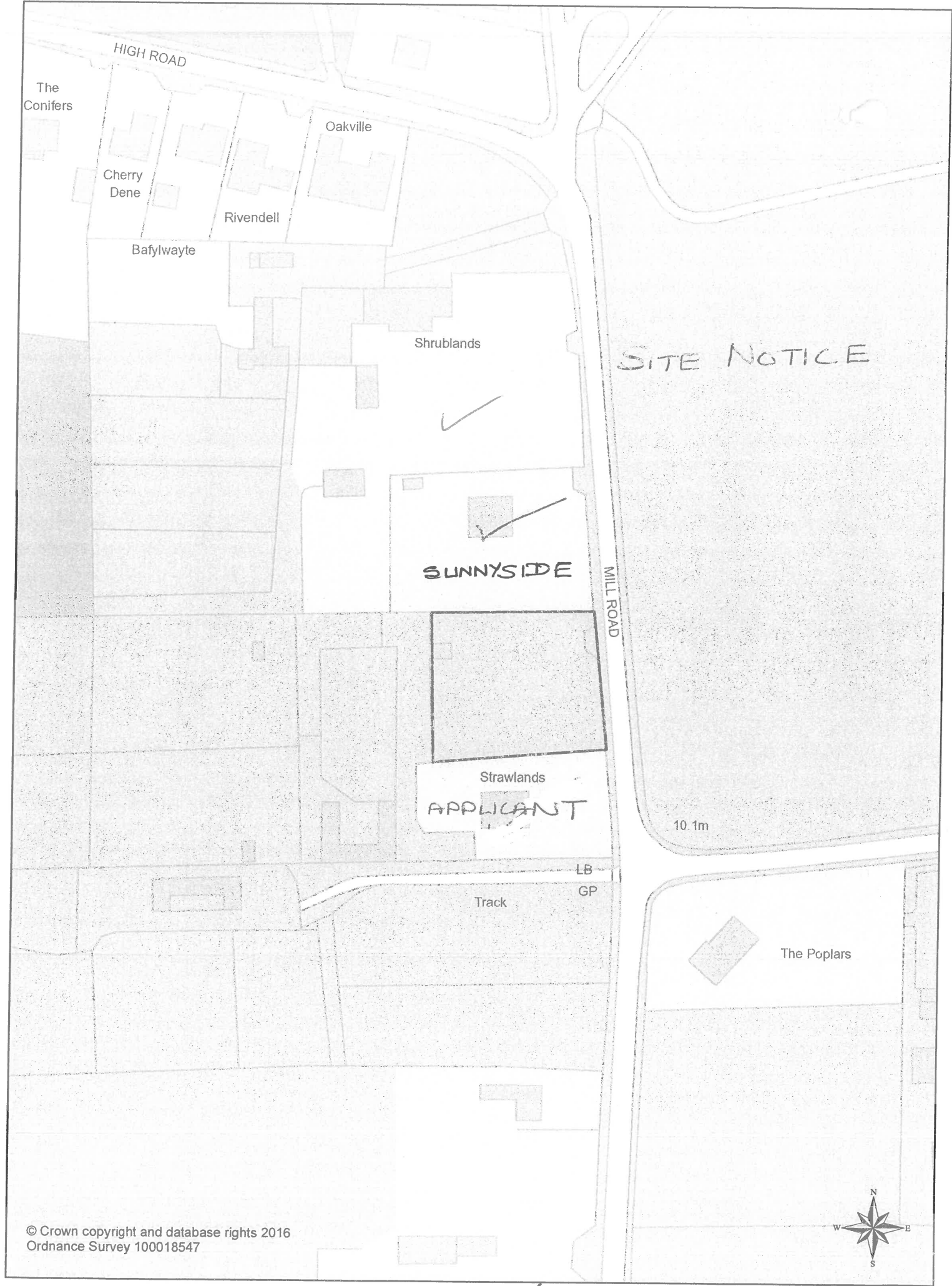
For or Against NOS Subject to Condition

Speak at Committee ☐

Having viewed the plans we have a concern regarding the position of the Velux windows on the North side elevation. With there being a second floor incorporated into the plan as a Master bedroom our concern would be the height at which the Velux roof line windows are set at as they could potentially over look our property. The plan we viewed did not give any indication of the height the Velux windows were set at so it was difficult to establish if these would over look us or not. If these are going to be set above normal eye line / head height we will not have any objections to the current plans, however if this is not the case we would raise an objection as we do not wish to be overlooked, we would seek clarification on this point.

Date Entered 26-02-2018

Internet Reference OWPC1447



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Ordnance Survey 100018547