



GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Date: Wednesday, 06 February 2019

Time: 18:30

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

7 - 10

To confirm the minutes of the meeting held on the 9 January 2019.

4 PLANNING APPLICATIONS

5 APPLICATION 06-18-0582-F, NORTHGATE HOSPITAL (SITE ADJACENT)

11 - 40

Erection of 76 no. residential units with associated parking, site works and drainage.

6 APPLICATION 06-18-0247-F, CHERRY TREE HOLIDAY PARK, MILL ROAD, BURGH CASTLE

41 - 60

Change of use of arable land for expansion to existing holiday ark,

107 caravan bases.

7 APPLICATION 06-18-0683-F GREAT YARMOUTH CHARTER ACADEMY **61 - 102**

A new two storey science block building, resurfacing and extension of tennis courts to be used as a car parking area, formation of a hard standing area, creation of MUGAs and removal of a temporary classroom. External alterations to provide for a new window, a new door and a new staircase.

8 APPLICATION 06-18-0327-F, 21 CRAB LANE, BRADWELL **103 - 130**

Two detached houses and two detached bungalows.

9 APPLICATION 06-18-0648-F, 24 ROWAN ROAD, MARTHAM **131 - 136**

Two storey rear extension.

10 PLANNING APPLICATIONS CLEARED BETWEEN 01 JANUARY 2019 AND 30 JANUARY 2019 **137 - 144**

Report attached.

11 OMBUDSMAN & APPEAL DECISIONS

The Planning Manager will give a verbal update at the meeting.

12 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.

13 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."

Development Control Committee

Minutes

Wednesday, 09 January 2019 at 18:30

PRESENT:

Councillor Hanton (in the Chair); Councillors Drewitt, Fairhead, Galer, Hammond, Wainwright, Williamson, A Wright & B Wright.

Councillor Hacon attended as a substitute for Councillor Annison.

Mr A Nicholls (Head of Planning & Growth), Mr D Minns (Planning Manager), Mrs G Manthorpe (Senior Planning Officer), Ms C Whatling (Monitoring Officer), Mr J Clements (Principal Strategic Planner), Miss J Smith (Technical Officer), Ms H Ayers (Planning Technician) & Mrs C Webb (Senior Member Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Annison, Bird, G Carpenter & Flaxman-Taylor.

2 DECLARATIONS OF INTEREST

Councillor Drewitt declared a personal interest in item number 4, as he had

received a letter concerning the application, but in accordance with the Council's Constitution, was both allowed to speak and vote on the matter.

3 MINUTES

The minutes of the meeting held on 14 November 2018 were confirmed.

4 06-18-0340-F 4 BARN CLOSE HOPTON ON SEA GREAT YARMOUTH

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

The Senior Planning Officer reported that the application, as originally submitted, was for a chalet bungalow which measured 6.9 m in height and was deemed to be out of character with the surrounding area and would have a significant adverse impact on the character. Following discussions, the application was revised to provide a single storey dwelling at a height of 4.2 m which was more in keeping with the character of the area and sat more appropriately on the site.

The Senior Planning Officer reported that the Parish Council had objected on a number of grounds. However, Highways had not objected to the access to the site and therefore there were no grounds for refusal on highway grounds. The Parish Council had noted that there was no mention of a visibility splay or maintenance of the adjoining hedge. However, Highways had recommended that a condition of a visibility splay be provided prior to occupation and thereafter maintained free of obstruction over 0.6 m.

The Senior Planning Officer reported that the Parish Council were concerned regarding the access crossing the public footpath and land which was in unknown ownership and were objecting on these grounds. The access over unknown land was noted, however, the grant of planning permission did not extinguish private rights. The Parish Council were also objecting on the issue of flooding, however, the application site was within Flood Zone 1 and as such no flood risk assessment was required nor should the application be refused on flooding grounds.

The Senior Planning Officer reported that further conditions requested by Highways had been inadvertently omitted from the agenda report; any public apparatus/utilities in the application site area would have to be moved at the expense of the applicant and the access and visibility splay to be provided prior to occupation of the dwelling.

The Senior Planning Officer reported that the site was within the built-up area of Hopton but soakaways were shown on the application as a means of sustainable drainage. There were concerns that if planning permission was

granted that a precedent would be set for accesses off of Warren Road, however, this could have no bearing on this application.

The Senior Planning Officer reported that Strategic Planning had noted that the site was not considered as having the potential for having an impact on a Natura 2000 site, and as such, there was no need to progress to the appropriate assessment stage. This also means that the applicant was not required to pay the Natura 2000 contribution for the proposed development.

The Senior Planning Officer reported that the application site was in a sustainable location within Hopton. The sub-division of the garden provided adequate amenity space for the proposed dwelling and the donor dwelling. There were no impacts by virtue of the proposed development that significantly nor demonstrably outweighed the presumption in favour of sustainable development and the application was recommended for approval subject to conditions requested by Highways, to be no more than a single storey development and any other conditions to ensure a satisfactory form of development.

Mr Thomas, Hopton Parish Council, reported the salient points of the Parish Council's objections to the Committee and requested that the Committee refuse the application.

Councillor Wainwright reported that he appreciated that Warren Road was busy during the holiday season but this was true across a number of locations in the Borough and did not constitute a reason for refusal so he proposed that the application be approved.

Councillor Hammond asked for clarification regarding the hedge to the side of the proposed visibility splay. Mr Penfold, the applicant, who was present at the meeting but had elected not to speak informed the Committee that the hedge was in his ownership and would be removed as part of the development. Councillor Hammond duly seconded the application for approval.

Following a vote, it was RESOLVED:

That application number 06/18/0340/F be approved, subject to conditions as requested by Highways, to be no more than a single storey development and any other conditions to ensure a satisfactory form of development.

5 PLANNING UPDATE

The Head of Planning & Growth and the Principal Strategic Planner gave a presentation to the meeting on the following topics:-

- (i)) Local Plan update
- (ii) Habitat Regulations Assessment
- (iii) Recent/Current National Planning Policy Framework changes
- (iv) Current/Recent consultations on High Street charges & extension to

permitted development rights, developer contribution charges, biodiversity gain, street trees & woods and changes to National Parks, Areas of Outstanding Natural Beauty & The Broads.

The Chairman thanked the officers for their informative presentation.

6 PLANNING APPLICATION CLEARED BETWEEN 1 NOVEMBER - 31 DECEMBER 2018

The Committee received and noted the planning applications made by Development Control Committee and by delegated officer decision for the period 1 November to 31 December 2018.

7 OMBUDSMAN AND APPEALS DECISIONS

The Committee received and noted the two appeal decisions.

8 ANY OTHER BUSINESS

The Chairman reported that there was no other business of being of sufficient urgency to warrant consideration.

9 EXCLUSION OF PUBLIC

The meeting ended at: 19:45

Reference: 06/18/0582/F

Ward: Great Yarmouth
Officer: Mrs G Manthorpe
Expiry Date: 07/01/19

Applicant: G & C Homes Ltd, Mr M Coe

Proposal: Erection of 76 no. residential units with associated parking, site works and drainage.

Site: Northgate Hospital (Site adjacent)

REPORT

1. Background / History :-

- 1.1 The site comprises 1.6 hectares of cleared site which was previously part of the Northgate Hospital complex. The land has been cleared and enclosed and is classed as brownfield land which is land that has previously been developed. The application site has a boundary at Northgate Street, Beaconsfield Road car park and Churchill Road with the remaining hospital complex to the south.
- 1.2 The application is a full application with the description stating 76 dwellings to be erected. Following comments from the Environment Agency the plans have been amended to remove the ground floor flats reducing the number of dwellings by 7 to give 69 dwellings comprising 14 no. two bedroom flats and 55 houses. The plans also show a further terrace of 8 houses which are indicative only, shown predominately outside of the red line and do not form part of this application.
- 1.3 The application has also been amended to revise the access to the site. Originally the application proposed to have the vehicular access to the site through the car park access off Beaconsfield Road and create a small roundabout at Beaconsfield Road to manage the traffic. There was an objection from Great Yarmouth Borough Council Property Services department to this access as it crossed Great Yarmouth Borough Council land. There were numerous objections from members of the public to this access and the increased traffic at Beaconsfield Road.

1.4 Following the objections from local residents and Property Services the applicant amended the plans to the current layout with an access off Churchill Road. Following the receipt of the amended plans a full re-consultation was carried out. Off-site highway improvements are required by highways at the junction to Estcourt Road to utilise this access are shown on the submitted details.

1.5 The application history for the site comprises the following relevant applications:

06/02/0358/F - Dem part Block 18, erect 2- storey link bet Blocks 16 and 18, erect single storey tug store bdg & minor alterations* - Approved 10-06-02.

06/12/0423/M - Demolition of Victoria Block Day Centre, Compass House, Works Store, Boiler House, Breydon Centre, The Matthews Project, Mortuary, Coastlands, ambulance station, GAC Home Start & NHMC Family Unit – Details not required 24-09-12.

06/13/0472/O - Demolition of two existing buildings (Cranbrook Centre and Tug Store) and residential development of up to 79 units, including conversion of the Silverwood Centre, associated highway works – Recommended for approval and resolution to approve 23-12-13 - Decision not issued.

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

2.1 Neighbours – There were 11 objections to the application, 10 objections were received to the original plans and 1 received following the consultation on the revised plans. There was also 1 neighbour response requesting conditions are placed upon the development. A petition was submitted to the original plans opposing the development on the following grounds:

- Entrance for construction in the wrong place.
- Parking for residents will be reduced.
- The proposed mini roundabout will compromise safety.
- The entrance to Beaconsfield Road will be dangerous by increasing traffic.
- The three storey flats and houses will cause overlooking.
- The schools are full and the doctors surgery is full, the area is already too populated.
- Why are there different contamination reports?

A summary of the objections are below, these are separated to show those received before and after the revised plans have been submitted:

Summary of resident objections to the application as originally submitted:

- Overlooking
- The access will reduce parking.
- There is insufficient capacity at the local schools.
- There is insufficient capacity at the local doctors.
- A better entrance would be off Churchill Road.
- Trees should be retained.
- Only two storey houses should face Beaconsfield Road.
- Will this cause more parking on Northgate Street?

Summary of objection received following amended plans:

- Overlooking by three storey houses to Northgate street property.
- Devaluing of property owing to overlooking.

2.2 Strategic Planning HRA consultation - The site is in close proximity to North Denes SPA (0.7km). The submitted assessment seems comprehensive – has identified LSE, undertaken Appropriate Assessment, and in assessing nearby alternative available open spaces recommends that a contribution for in-combination effects will provide sufficient mitigation. – The case is put forward well and seems appropriate and proportionate to the development.

2.3 Natural England – No objection subject to appropriate mitigate being secured. Full comments attached to this report.

2.4 Highways – No objection subject to conditions:

SHC 00 No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act (1980) or a Private Management and Maintenance Company has been established.

SHC 01 No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.

SHC 03A Before any dwelling is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.

SHC 12 Means of access to and egress from the development hereby permitted shall be derived from and to Churchill Road only. There shall be no direct vehicular from or onto Beaconsfield Road.

SHC 16 Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 33 metres (with Churchill Road) and 2.4 metres x 43 metres (with Estcourt Road) shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

SHC 20 Prior to the first occupation of the flats (plots 59 – 76) hereby permitted the proposed on-site car and cycle parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

SHC 22 Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

SHC 32A 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 as indicated on Drawing GC/300/09 has been submitted to and approved in writing by the Local Planning Authority.

SHC 32B Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

2.5 NHS – No objection.

2.6 Building Control – No objection, notes the need for sprinklers in the flats. The issue of fire safety shall be dealt with under building regulations.

2.7 Environmental Health – No objection to the application, conditions requested and the following received through re-consultation after submission of additional information:

Further to my memo dated 17 December 2018. I have now considered the information contained in the additional document submitted – Site Investigation including Quantitative Risk Assessment (GCHL0001) December 2018 prepared by Norfolk Partnership Laboratory. I have also discussed the investigation findings and recommendations made with Ian Brown of Norfolk Partnership Laboratory.

If the processes and approach detailed in section 11 of the document is followed with some amendment then it covers the principle concern made in my previous response. The amendment is (as discussed with NPL) to remove the top 0.5 metre of soil around WS10 and WS1, and suitably dispose of it, before backfilling with Type 1 material and artificial grass. That should ensure the site is effectively cleared of known asbestos and lead contamination rather than just sealing it in.

The conditions related to Hours of work; Local Air Quality and Contaminated land found during construction are still applicable.

2.8 Strategic Planning – The proposal is to erect 76 no residential dwellings with associated parking and necessary site works, drainage etc.

The site is within the settlement of Great Yarmouth, outside of the ‘saved’ 2001 Borough-Wide Development Limits, but within the emerging Development Limits identified in the Draft Local Plan Part 2.

The site contained a number of buildings which formed part of the Northgate Hospital, having since been cleared leaving a major vacant brownfield site available in the urban area. As such the site has the potential to significantly contribute to housing provision with a Main Town (compliant with Core Strategy Policy CS2a, CS2e), boosting housing supply in the short term.

The site provides 20% affordable housing provision and is compliant with Core Strategy Policy CS4.

In strategic planning terms, the site is sustainably located with good proximity to services on foot and via public transport, helps to boost housing supply in the short term and makes efficient use of brownfield land through a scheme that is broadly consistent with the neighbouring settlement pattern. The proposal is therefore supported in principle at this location.

No doubt you may well have other site specific matters to weigh in reaching a decision. Should you have any queries, please do not hesitate to contact me.

- 2.9 Lead Local Flood Authority – Following the submission of additional information there is no objection to the application subject to a pre commencement condition being placed upon any grant of planning permission.
- 2.9 Environment Agency – Objection received – no comments received on the current revision removing the flats at ground floor level. If further comments are received prior to Development Control Committee these shall be verbally reported.
- 2.11 Police and Architectural Liaison Officer - No objection to the application.
- 2.12 Norfolk Fire service - Norfolk Fire Services have no objections subject to the compliance with building regulations.

With reference to the proposed development, taking into account the location and infrastructure already in place, our minimum requirement based on 76 no. dwellings would be 2 fire hydrants on no less than a 90mm main at a cost of £577.23 per hydrant.

Please note that the onus will be on the developer to install the hydrants during construction to the satisfaction of Norfolk Fire Service and at no cost. Given that the works involved will be on-site, it is felt that the hydrants could be delivered through a planning condition.

- 2.13 Library Contribution - A development of 76 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of Great Yarmouth library. It has been calculated that a development of this scale would require a total contribution of £5,700 (i.e. £75 per dwelling). This contribution will be spent on IT infrastructure and equipment.
- 2.14 Norfolk County Council Education Contributions:

The County Council expects the following number of children to arise from any single new dwelling:

- Early Education Age (2-4) – 0.096 children;
- Primary School Age (4-11) – 0.261 children;
- High School Age (11 – 16) – 0.173 children; and
- Sixth Form School Age (16-18) – 0.017 children.

These figures are used as demographic multipliers to calculate the education contribution arising from a development.

The County Council does not seek education contributions on 1-bed units and only seeks 50% contributions in relation to multiple bedroom flats. Therefore, two multi-bed flats would attract the same contributions as one family house equivalent.

<i>School</i>	<i>Capacity</i>	<i>Numbers on Roll (May 2018)</i>	<i>Spare Capacity</i>
Early Education (2-4)	417	402	+15
Northgate Primary School (4-11)	420	356	+64
Great Yarmouth Charter Academy (11-16)	971	672	+299

Claim:

There is spare capacity at early education, primary and high school levels and Norfolk County Council will therefore not seek Education contributions for this proposed development on this occasion on the 16th November 2018.

- 2.15 Historic Environment Service – The pre-determination Heritage Statement and archaeological desk-based assessment has highlighted a high potential for post-medieval and modern archaeological remain on the proposed development site consisting of the remains of former workhouse buildings and other material culture connecting with the workhouse and its inmates, and for World War Two period features, such as trench networks. Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework paragraphs 188 and 199. We suggest that the following conditions are imposed:-

A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and

recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).

and,

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this instance the programme of archaeological mitigatory work will comprise the monitoring of groundworks for the development under archaeological supervision and control.

In addition we would like to point out that the workhouse perimeter wall survives in places along the boundary of the development area. If this has not been earmarked for preservation yet, we would like to suggest it is.

2.16 Anglian Water – No objection and no conditions requested.

2.17 Local Planning Authority – Local Authority 106 requirements – In order to be policy compliant, 40 square metres of usable public open space is to be provided per dwelling or, at the discretion of the Local Planning Authority payment in lieu can be accepted. The application states that no public open space is to be provided on site and this is deemed acceptable given the availability of space and walking routes, as set out on the shadow habitat assessment. Natural England have commented on the accessibility of the site to walking routes and note that these included protected areas. Given the proximity to protected areas they have requested additional mitigation measures which can be conditioned in addition

Payment in lieu of public open space to be calculated at £12 per square metre shortfall (equates to £480 per dwelling where none provided). There are areas of green space identified on the submitted plans however these do not comply with the Core Strategy for useable open space and while they are required to make an appropriate living environment they cannot offset the open space requirement.

Payment in lieu of children's recreation equipment is £920 per dwelling for the provision, maintenance and improvement of children's play or recreation off site.

The Local Planning Authority will not accept liability for open space, recreation equipment (children or otherwise), drainage, roads (this does not preclude highway adoption by agreement) or private drives and as such should the resolution be made to approve this development the requirement will be on the developer to secure future maintenance by management agreement and agreed nominated body. This shall be included within the s106 agreement.

The application site is located within affordable housing sub market area three and the applicant has begun discussions with the Enabling and Empty Homes Officer for Great Yarmouth Borough Council for the type and tenure of affordable housing to be secured as part of the s106 to comply with Local and National Planning Policy (paragraph 64 of the National Planning Policy Framework).

In order to comply with policy CS14, the draft Natura 2000 Monitoring and Mitigation Strategy, the comments from Natural England and the findings of the HRA submitted in support of the application £110 per dwelling is sought to go towards the monitoring or implementation of mitigation measure for designated sites and information leaflets provided for future occupants. The design and wording of the leaflets is to be agreed and secured by condition.

2.18 GY and Dis. Archaeological Society – No comments received.

2.19 GY Services – No comments received.

3 Local Policy :-

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

3.2 Paragraph 213 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.

- 3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.
- 3.4 HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will all detailed applications for more than 10 dwellings. These should include measures to retain and safeguard significant existing landscape features and give details of, existing and proposed site levels planting and aftercare arrangements.
- 3.6 HOU9 A developer contribution will be sought as a planning obligation under the Town and Country Planning Act 1990 to finance the early provision of facilities required as a direct consequence of new development.
- 4 Core strategy – Adopted 21st December 2015
- 4.1 Policy CS2: Achieving sustainable growth. This policy identifies the broad areas for growth, sets out the sustainable settlement hierarchy for the borough and two key allocations. Martham is identified as a Primary Village and is expected to receive modest housing growth over the plan period due to its range of village facilities and access to key services.
- 4.2 Policy CS3: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:
- a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (extract only):
- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
 - Ensuring the efficient use of land/sites including higher densities in appropriate locations
- d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites
- 4.3 Policy CS4: Delivering affordable housing. This policy sets out the thresholds for the provision of affordable housing. The application site is located within Affordable Housing Sub Market 3.

- 4.4 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.
- 4.5 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.
- 4.6 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (a to f)
- e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures.

5 **National Policy:- National Planning Policy Framework (NPPF)**

- 5.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 5.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴.
- 5.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

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

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

For decision-taking this means:

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

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

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

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

- 5.5 Paragraph 38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

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

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 5.7 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing

conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

- 5.8 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 5.9 Paragraph 64. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:
- a) provides solely for Build to Rent homes;
 - b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
 - c) is proposed to be developed by people who wish to build or commission their own homes; or
 - d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- 5.10 Paragraph 76. To help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start.
- 5.11 Paragraph 103. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

- 5.12 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.13 Paragraph 117. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 5.14 Paragraph 177. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

6 Habitat Regulations Assessment considerations:

- 6.1 "European" or "Natura 2000" sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017, and constitute the most important wildlife and habitat sites within the European Union but also domestically in the NPPF. The application site is in the vicinity of a number of Natura 2000 sites, including the North Denes Special Protection Area (SPA) approx. 0.7km, and others as detailed in Natural England's response. The Council has an adopted policy, the "Natura 2000 policy", prepared alongside the Part 1 Local Plan (and updated at Policy & Resources Committee on the 24th July 2018) which requires a financial contribution to be made (currently £110 per dwelling) for each house or equivalent unit of tourist accommodation. This money goes towards both monitoring Natura 2000 sites for potential harm, and funding measures to mitigate harm. The key research underpinning the need for this contribution is set out in the Habitats Regulations Assessment (HRA) for the Core Strategy which includes that the in-combination effects on the various Natura 2000 sites, principally disturbance of birds by humans and/or dogs, cannot be ruled out as potentially significant.
- 6.2 A recent 2018 decision by the European Court (*People Over Wind and Sweetman v Coillte Teorantac* (C-323/17)) has changed the position relating to mitigation; as such, mitigation measures cannot any longer be considered at the 'screening stage' of a HRA. Therefore, just on the basis of the in-combination effects, the effect of this application on Natura 2000 sites is assessed as potentially significant. In accordance with the regulations, upon finding that it is likely that there will be a significant effect, an Appropriate Assessment is required to be undertaken, as part of the HRA process, by the Competent Authority (which is the Council). The assessment also requires the consideration of potentially

significant direct effects. The applicant has prepared a 'shadow' HRA, which has been considered by the Council.

6.3 Paragraph 177 of the National Planning Policy Framework (NPPF) states that where an Appropriate Assessment is required, the presumption in favour of sustainable development (the "tilted balance") does not apply (paragraph 11 NPPF). The application of paragraph 177 therefore means that even though it is accepted that there is not a five-year supply of deliverable housing land in the borough, the tilted balance does not apply.

6.4 It is noted that there has been a national consultation on proposed changes to the NPPD which ran until the 7th December 2018. One of the proposed areas of change (paras 39-43) is to reflect the implications of the *People over Wind* judgment; it is proposed that paragraph 177 of the NPPF be changed to say:

"The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that there will be no adverse effect from the plan or project on the integrity of the habitats site."

6.5 In simple terms, the proposed change will (if implemented as proposed) largely restore the widely understood English position on mitigation to that which existed prior to the *People over Wind* case. This is that if any necessary proposed mitigation measures (as assessed through Appropriate Assessment) would lead to a conclusion by the Competent Authority that there would be no adverse effects on the designated habitats site, then the presumption in favour of sustainable development (paragraph 11 of the NPPF) would apply (in the event of there not being a five-year supply of deliverable housing sites). Only if the proposed mitigation would not ensure no adverse effects on the designated Natura 2000 site(s) would the presumption in favour of sustainable development not apply.

6.8 Some planning "weight" can be given to this proposed change to para 177 of the NPPF. As a current consultation proposal, it is of course possible when the final amendments are made either that it will not be changed at all, or that it will not be changed in the way currently proposed, so the planning "weight" afforded cannot be significant. For the purposes of this application, only limited weight is afforded to the proposed change, with very significant weight given to the current NPPF para 177 wording.

6.9 Therefore the application has been assessed by the Competent Authority as likely to have significant effects on one or more Natura 2000 sites. As such, permission may only be granted if an Appropriate Assessment demonstrates that,

taking into account relevant mitigation measures, the application will not adversely affect the integrity of any Natura 2000 site(s)

- 6.10 It is the assessment of the Local Planning Authority, as Competent Authority, that the application, if approved, will not adversely affect the integrity of Natura 2000 sites provided that the mitigation sought by Natural England is secured. In order to mitigate **direct** effects, Natural England suggest leaflets and alternative walking route information (i.e. walking routes which do not pass through any Natura 2000 sites) be provided to future occupiers. The details of this information can be conditioned; the condition would require the submission of the details to be agreed with the Local Planning Authority in consultation with Natural England prior to occupation *(to ensure that the information is available in perpetuity an informative can be placed upon the planning permission noting the proximity to sensitive sites). The additional information required is to mitigate against the direct effect of the development. Mitigation for **indirect** or **in-combination** effects through the £110 per-dwelling contribution to more general monitoring and mitigation is also required.
- 6.11 Overall, the assessment of the Council, as Competent Authority, is that taking into account the information in the 'shadow' HRA and proposed mitigation measures, both the direct and in-combination effects of the development proposal will satisfactorily address the recreational pressures on the Natura 2000 sites which are in relative close proximity to the application site.

7 Assessment :-

- 7.1 The application is a full application for 76 dwellings revised to 69 dwellings at a brownfield site within the urban area of Great Yarmouth. The revised proposed vehicular access will be off Churchill Road and there will be pedestrian access off Northgate Street. The planning history within this report notes a previous application for a residential development that was given a resolution to approve but has not been determined, application reference 06/13/0472/O. The site has been subsequently sold to the current applicants without planning permission having been secured. One of the constraints previously identified under the undetermined application was access. The current application looks to have dealt with this aspect by the reconfiguration of part of the development to accommodate an access for vehicular traffic off Churchill Road thus not requiring the provision of an access off land under the ownership of Great Yarmouth Borough Council. The reasons that the development previously applied for have therefore been adequately investigated and answered in accordance with paragraph 76 of the NPPF.

- 7.2 The primary objection to the application was with reference the access over the parking area and the creation of a roundabout at Beaconsfield Road. It is accepted that these objections have been met by the amendments to the application and the access. The amendments have also rotated the block of flats proposed at the north east corner to reduce any potential overlooking to the properties at Beaconsfield Road. Highways have no objection to the application and have requested conditions be placed upon any grant of planning permission.
- 7.3 The site is located, according to the Environment Agency maps, within flood zone 3. The application is therefore required to pass the sequential and exemption tests as laid out within the NPPF, paragraphs 158 to 160. The application has had a site specific flood risk assessment submitted in support however there is, to the previous plans showing 76 dwellings, an objection from the Environment Agency (EA). The EA have not responded on the revised plans and therefore the development before you is recommended on the basis that there are no further objections received from the EA prior to the committee meeting.
- 7.4 The objection from the EA stated that the objection could be overcome by raising floor levels or by providing adequate safe refuge. The applicants have in the alternative removed 7 residential units at the ground floor of the flats and this is the development that is being determined. Should the EA still object and revised plans not be submitted to secure a removal of the objection the application will be brought back before the committee. The recommendation for approval of the application is made on the caveat that there are no new/further objections from the Environment Agency.
- 7.5 The applicant can seek to overcome the EA objection by amending the plans again and, should this be the preferred option this will be brought back to Development Control for a resolution on the amendment. While it is accepted that members may wish that the development were heard in its final form the application is being presented at this stage in an effort to offer the developer some certainty with which to timetable the development. The contentious section is the flats and as such it is hoped that the developer will gain confidence in the site being acceptable with reference the housing section and can plan accordingly. It is well publicised that there is a housing shortage and that Local Planning Authorities should be positive and creative in their assistance to developers according to the NPPF paragraph 38, looking for solutions rather than problems. It is therefore the case that although the application may be being heard prematurely it is in the interest of the application site being built out that this is being carried out.
- 7.6 The aim of the sequential test is, as stated within the NPPF, to steer development towards areas with the lowest risk of flooding. The Flood Risk Assessment (FRA) submitted in support of the application notes the Strategic Flood Risk

Assessment that is available to view at Great Yarmouth Borough Council's website puts the site in a different flood zone. The Local Planning Authority uses the EA's maps to assess flood risk so the application site is located within flood zone 3. It is assessed that there are no other available sites within a reasonable distance that could accommodate a development of this size and therefore the sequential test is passed. This is stated taking into account the site to the east which is currently being marketed. The reason that this site is set aside is the designation as previously developed land, the live application which is not in place at the site to the east and the size difference with the application site being twice the size of the site to the east.

- 7.7 The exemption test requires the site to be safe for its lifetime and that the sustainability benefits outweigh the need for development to be in lower risk areas. The application site is a sustainable location and is proposed on previously development land. The sustainability tests are met. The EA have not objected to the development as a whole, only to part and therefore the two or three storey dwellings, with safe refuge within the buildings, are assessed as safe for the lifetime of the development. It is noted that the recommendations within the submitted FRA should be adopted to include a water entry strategy, warning and evacuation strategy to be given to future occupiers with the recommendation that they sign up for the EA flood alerts.
- 7.8 The development has been designed to provide an urban density development comprising 14 flats at 61 square meters each and a mix of two and three bedroom dwellings. The dwellings that are proposed to front Northgate Street are three storey and there has been an objection from the residents of 136 Northgate Street stating that they will be over looked. There will be a degree of overlooking; however, Northgate Street is, including the pavement 15 metres wide (measured from mapping system). The houses are then set back a further 10-13 metres from the boundary of the site. This gives a minimum distance of 25 metres. It is therefore assessed that the overlooking is not so significant so as to recommend changes to the application as submitted.
- 7.9 Objections were raised regarding the increased overlooking to Beaconsfield Road to the original plans. The reorientation of the flats has mitigated the potential overlooking. The houses closest to the boundary with Beaconsfield Road are not facing the road. The houses that are facing the road are set back and the overlooking is not considered to be significantly detrimental to the amenities of the occupiers of the Beaconsfield Road properties. This assessment is made taking into account the urban density and the expectation of a degree of overlooking in an urban area.

- 7.10 The application is a full application and as such details such as materials have been provided. The details for the development and the boundary treatments are below:

Materials:

Flats 56-76

External Walls - Dorchester Multi Red facing bricks with feature cream render where indicated on the elevation drawings. Reconstituted stone quoins, window sills & heads

Roof - Black concrete double pantiles

Terraces 9-15 20-25 30-32 33-36 51-55

External Walls - Dorchester Multi Red facing bricks with reconstituted stone window sills & heads to front elevations.

Roof - Black concrete double pantiles

Terraces 1-8 16-19 26-29 37-43 44-50

External Walls - Ventura Multi Buff facing bricks with reconstituted stone window sills & heads to front elevations.

Roof - Black concrete double pantiles

Boundary Treatment and Fencing

Northern boundary to Beaconsfield Road - Existing high wall.

Western boundary to Northgate Street - Existing brick wall.

Eastern boundary to Churchill Road - Wrought iron railings.

Southern boundary - Existing fencing.

Rear gardens enclosure to dwellings - 1.800 high close boarded timber fencing.

These materials are considered to provide an adequate mix and in compliance with policy provide a well thought out and attractive form of development.

- 7.11 The layout as proposed gives an adequate form of development with a variety of dwellings provided. It is noted that there are no larger dwellings provided, the maximum no. of bedrooms is three. This is acceptable in an urban location, the plans put forward give a mix of houses and flats which, in an urban location close to amenities provides an attractive development layout. The parking is in compliance with Norfolk County Highways requirements and there is no objection to the scheme from them as a consulted party. Norfolk County Highways have noted that the internal parking arrangements could be reconfigured slightly; this can be done as a minor amendment if agreed with the applicant.

- 7.12 There is an arboriculture assessment submitted in support of the application. Although there are no comments received in relation to trees the best specimens appear to be at the boundaries and not within the application site. The development would be conditioned to be carried out in accordance with the report to ensure that the recommended protection measures are undertaken. The ecological assessment notes that bat flight lines could be interrupted should significant lighting be proposed at the northern boundary. This shall be conditioned to seek to ensure that any lighting proposed can be controlled so there is no adverse impact on a protected species.
- 7.13 The ecological assessment makes precautionary recommendations that can be conditioned. These include the cutting of long vegetation two weeks prior to commencement to a height of 10cm. Given that the site has been cleared it is assumed that this has been carried out to seek to comply with the September to October recommendation. Any relevant recommendations can be conditioned and the applicant is aware as the report is in support of the application. There are enhancements that are recommended which can be incorporated into the development. The additional planting can form an attractive part of the development and will enhance the offering to wildlife. See page 13 of the ecology report for specific details of enhancement details to coincide with the following:
- 5 built in starling boxes
 - 5 house sparrow boxes
 - 5 built in swift boxes
 - 5 built in bat boxes
- 7.14 Norfolk County Council have noted the importance of the existing wall and said that the Local Planning Authority may wish to look at preservation of this feature. The changes to the access result in an opening of the being created through the wall. While the feature is important and has been considered as part of the application the access in this location is the preferred option and as such there is a need to lose a section of the wall.
- 7.15 Should the application be approved there will be financial gains for the Local Planning Authority through the additional income received through Council Tax, contributions secured under obligation and potentially new homes bonus. In the interest of transparency these are noted however and appropriate weight applied. Given material considerations which demonstrate that the application is accepted in planning terms the financial benefits are not considered to be a major influential factor in the determination of the application.
- 7.16 And important factor when determining applications is whether a Local Authority has the ability to demonstrate a 5 year housing land supply. 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". There is currently a housing land supply of 2.6 years as at the end of 2017/18, a significant shortfall.

- 7.17 Although the need to carry out the Appropriate Assessment, in accordance with para 177 of the NPPF, removes the presumption in favour of sustainable development, the application is still required to be assessed on merit. The application site is well located in terms of the urban area and will provide needed housing, taking into account the lack of five - year housing land supply. The location of the site is considered to be a sustainable one.

8 RECOMMENDATION :-

- 8.1 The development as proposed would be a significant boost to housing supply in accordance with Paragraph 59 of the NPPF and the report above identifies conformity with a range of relevant Local Plan policies. Provided that the EA objection can be adequately dealt with no other significant harms are identified that are judged to outweigh the benefits arising from the need for housing, given that the Appropriate Assessment has confirmed that there will be no significant adverse impact on Natura 2000 sites (subject to mitigation). It is acknowledged that the application will be brought back to Development Control Committee if there are any material changes prior to the issuing of a planning permission such as amendments to numbers or types of dwellings proposed in excess of 69.
- 8.2 The recommendation is therefore to approve the application with conditions and obligations in accordance with local and national planning policy. Should the Committee be minded to approve the application, the recommendation is such that the permission would not be issued prior to the signing of an agreement under section 106 for provision for infrastructure, County Council requirements, mitigation, affordable housing, open space, children's play equipment/space or payment in lieu at the discretion of the Local Authority and management agreement noting that the Local Planning Authority will not take responsibility for any open space, recreation or drainage. All obligations secured will be in accordance with Regulation 123 of the Community Infrastructure Levy Regulations 2010.

Date: 09 January 2019
Our ref: 267261
Your ref: 06/18/0582/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 Mrs Manthorpe

Planning consultation: erection of 76 residential units with associated parking site works and drainage

Location: Northgate Hospital, Great Yarmouth

Thank you for your consultation on the above dated 10 December 2018 which was received by Natural England on 13 December 2018.

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.

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

It is Natural England's understanding, based on the documents submitted that the proposed development consists of 74 residential dwellings with a potential maximum capacity of 374 residents. The proposal will provide 0.22ha of public open space within the development footprint.

Designated Sites

The application site is within or in close proximity to European designated sites (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations'). The application site is in close proximity to:

- Great Yarmouth and North Denes Special Protection Area (approx. 0.7km)
- Breydon Water Special Protection Area (approx. 0.83km)
- Breydon Water Ramsar (approx. 0.83km)
- Broadland Special Protection Area (approx. 6.2km)
- Broadland Ramsar (approx. 6.2km)
- The Broads Special Area of Conservation (approx. 6.2km)
- Winterton- Horsey Dunes Special Area of Conservation (approx. 9.5km)

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have¹. The Conservation objectives for each European site

¹ Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process.

explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Habitats Regulations Assessment

The HRA (section 3.6.1) explains that the proposal does not fulfil the policies for Public Open Space standards but does comply with Accessible Natural Green Space criteria. We acknowledge that there is an existing network of footpaths and public open space that will provide sufficient recreational areas outside of the development. However, a number of these sites are designated, specifically Breydon Water, Great Yarmouth and North Denes and Winterton to Horsey. To manage increased recreational pressure to these sites we advise a financial contribution of £110 per dwelling to the Great Yarmouth Borough Council's adopted habitats monitoring and mitigation strategy as recommended in the HRA.

In addition, we suggest the provision of leaflets and/or information packs to new residents to highlight sensitive sites and features. This information should also include alternative walks and recreational space to alleviate disturbance pressures to interest features of designated sites.

Sites of Special Scientific Interest

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

Should the proposal change, please consult us again.

Yours sincerely

Victoria Wight
Norfolk and Suffolk Team

Natural England offers the following additional advice:

Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites*, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice](#)² 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.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the [Magic](#) website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)³. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could

² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

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

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

Your Ref: 06/18/0582/F
Date: 23rd January 2019

My Ref: FWP/19/6/7639
Tel No.: 0344 800 8020
Email: llfa@norfolk.gov.uk

Dear Mrs Manthorpe,

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

Erection of 76 No. residential units with associated parking, site works and drainage at Northgate Hospital (Site adj) GREAT YARMOUTH NR31 1BU.

Thank you for your consultation on the above site, received on 17th January 2019. We have reviewed the application as submitted and wish to make the following comments.

We previously objected to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) / Drainage Strategy / supporting information relating to:

- Insufficient data provided on the clearance between the base of the proposed infiltration features and the seasonally high groundwater levels at the site.

The applicant has now provided further site investigation information (NCC, Site Investigation Including Quantitative Risk Assessment, Land Adjacent to Northgate Hospital, Northgate Street, Great Yarmouth, Norfolk, GCHL0001, December 2018) in response to our objection.

Evidence of geotechnical investigation has been supplied to show that the seasonally high ground water level is between 1.8m and 2.5m below ground level across the site at suitable locations. Previous GI data showed this to be a minimum of 1.53m. This indicates that there is sufficient clearance between the invert of the proposed infiltration features and the ground water level.

Continued.../

We have **no objection subject to conditions being attached to any consent** if this application is approved and the Applicant is in agreement with pre-commencement conditions. If not, we would request the following information prior to your determination. We recognise that the Local Planning Authority is the determining authority, however to assist, we suggest the following wording:

Condition:

Prior to commencement of development, in accordance with the submitted Flood Risk Assessment and Surface Water Drainage Strategy (Proposed Redevelopment Adjacent to the Northgate Hospital, Northgate Street, Great Yarmouth, Norfolk, (Evans Rivers and Coastal, August 2018) and Surface Water Flood Risk and Drainage Strategy, (Barter Hill, October 2018), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- I. The surface water drainage for the proposed site will be carried out in accordance with the submitted FRA / Drainage Strategy.
- II. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 3.33% annual probability critical rainfall event to show no above ground flooding on any part of the site.
 - 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
- III. The design of the infiltration features and any drainage structures must include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.
- IV. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary. The ground levels should fall away from all building thresholds.
- V. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

- VI. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason:

To prevent flooding in accordance with National Planning Policy Framework paragraph 163, 165 and 170 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

If you, the Local Planning Authority review and wish to determine this application against our advice you should notify us, the Lead Local Flood Authority, by email at llfa@norfolk.gov.uk so that appropriate conditions can be placed on the development. Alternatively, if further information is submitted, we request we are re-consulted and we will aim to provide bespoke comments within 21 days of the formal consultation date.

Yours sincerely,

Dean

Dean Shelton
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.

Great Yarmouth
Borough Council

20 DEC 2018

Planning

REF: PLANNING APPLICATION

No. (06/18/0582/F)

MR & MRS GRINDWAKEFIELD

136, NORTHGATE STREET

GREAT YARMOUTH

NORFOLK NR30 1BP

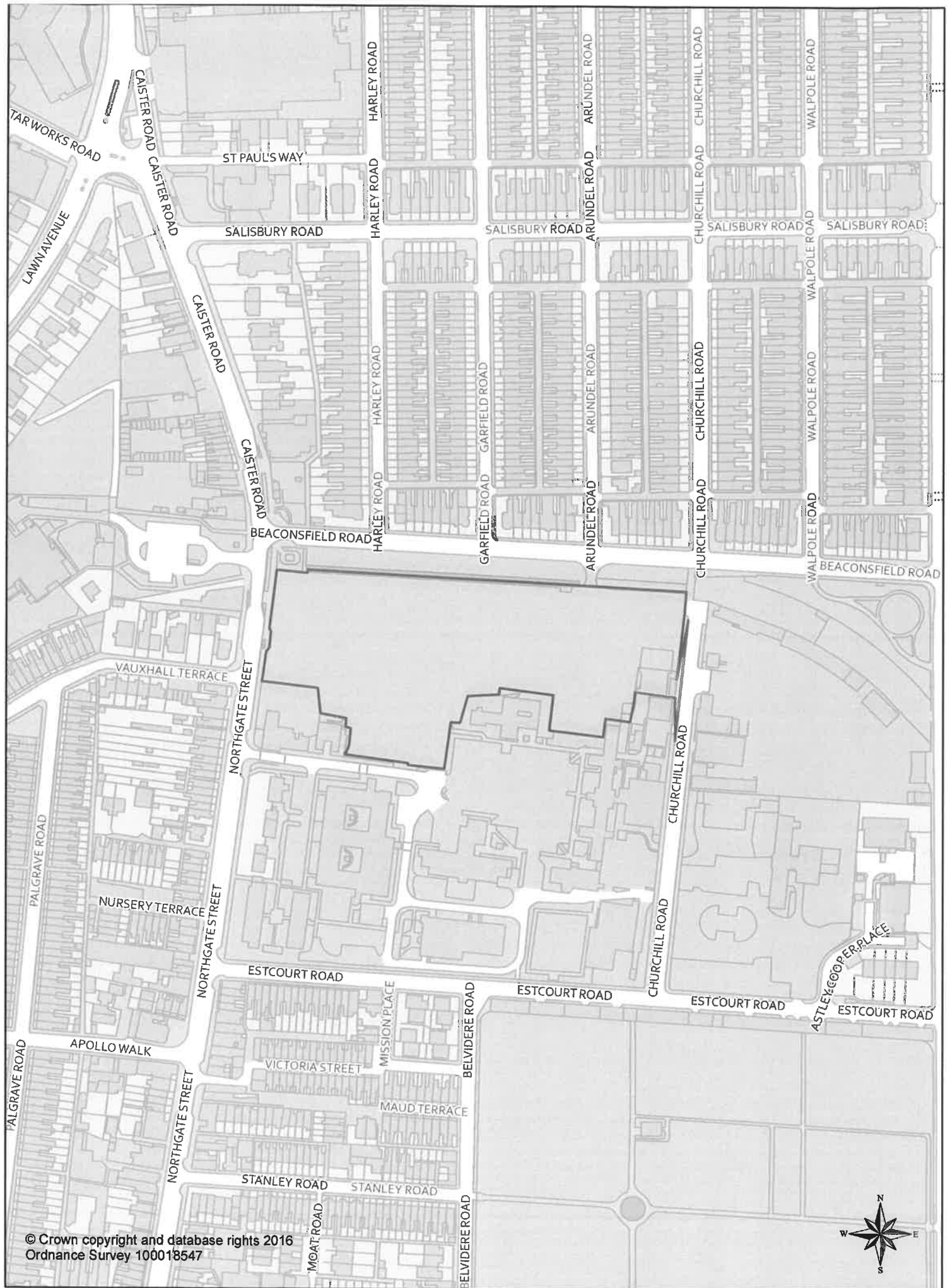
Dear MR MINNS,

I have today seen the amended plans and note that the 3 storey units will overlook our property and also may devalue my house, maybe you could imagine being in our position would you live here knowing there will soon be houses (3 storey) overlooking your home.

My husband & I are both retired and do not wish to move again, but if those buildings go up we may have to. Please reconsider this.

Thank you

[Redacted signature]



Reference: 06/18/0247/F

Parish: Burgh Castle

Officer: Mrs G Manthorpe

Expiry Date: 08-08-18

Applicant: Parkdean Resorts Ltd

Proposal: Change of use of arable land for expansion to existing holiday ark, 107 caravan bases.

Site: Cherry Tree Holiday Park Mill Road Burgh Castle

REPORT

1. Background / History :-

1.1 The application site is located within Burgh Castle and is adjacent an established holiday park, Cherry Tree. The existing site has 466 caravan bases divided into:

- 335 existing owners
- 1 empty pitch
- 123 fleet caravans
- 7 staff caravans

The site is licensed for 513 caravans giving a difference of 47 pitches. The application seeks to increase the size of the site by a further 107 caravan bases.

1.2 The site area comprises 4.4 hectares of arable farm land. The land is classified as grade 3 agricultural land. The site is located within close proximity to the Braydon Water Special Protection area (SPA).

2. Consultations :-

2.1 Parish Council – The Parish Council objects to the application as there are major concerns regarding the increased volume of traffic the development would generate. Not only with the cars used by holiday makers accessing the site but also with the additional transportation of the caravan and works lorries. The roads in the village already struggle with the existing volume of traffic, and also vehicles that travel at speed.

2.2 Neighbour Consultations – Three objections have been received, they are attached to this report and are summarised below:

- 224 additional cars on the roads.
- Increased health risks through air pollution (additional cars).
- Waste collection and heavy vehicle use will increase.

- The roads are dangerous.
- Increased noise and light pollution.
- Overlooking.
- Loss of wildlife.
- Too many holiday parks as it is.
- Existing users trespass.
- 70% of speeding offences are committed by people living outside of the area and therefore more holiday makers will increase speeding.

2.3 Highways – No objection, no conditions requested.

2.4 Highways England - No objection.

2.5 Lead Local Flood Authority – No comment.

2.6 Natural England – The application site is within close proximity to protected sites with special designations. Full comments are attached to this report,

2.7 Norfolk Fire and Rescue Service – No objection provided compliance with Building Regulations.

2.8 Building Control – No adverse comments.

2.9 Environmental Health – No objections and conditions requested.

2.10 Anglian Water – No comments received.

2.11 Police Architectural and liaison officer – No objections or comments.

2.12 Economic Development Officer – Sounds positive.

2.13 Historic Environment Officer - The proposed development is located in an area where cropmarks of multiple phases of linear features have been mapped from aerial photographs. These features may represent agricultural and other activities of later prehistoric and roman date. Coins and other artefacts of prehistoric, Roman, medieval and post-medieval date have previously been recovered from within the proposed development site and its environs. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework paragraph 141.

In this case the programme of archaeological mitigatory work will commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction). A brief for the archaeological

work can be obtained from Norfolk County Council Environment Service historic environment strategy and advice team.

We suggest that the following conditions are imposed:-

A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation. and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A). and,

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

2.14 Strategic Planning – The surrounding village and roads are of a rural nature Policy CS16 improving accessibility and transport ensures all new development does not have an adverse impact on the safety and efficiency of the local road network which must be weighed up in the proposal of the scale of development for this site.

The Strategic Planning team has reservations over the scale and potential impacts of the proposal on the existing settlement. If these impacts can be mitigated then the Strategic Planning will have no objection, but no doubt you may well have other matters to weigh in reaching a decision.

3. Policy – Great Yarmouth Core Strategy:-

3.1 POLICY CS2 – 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: (partial)

- 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

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

- g) Supporting the local visitor and retail economies in accordance with Policies CS7 and CS8

- j) Minimising the potential loss of the best and most versatile agricultural land by ensuring that development on such land is only permitted if it can be demonstrated that there is an overriding sustainability benefit from the development and there are no realistic opportunities for accommodating the development elsewhere

3.3 Policy CS8 - As one of the top coastal tourist destinations in the UK, the successfulness of tourism in the Borough of Great Yarmouth benefits not only the local economy but also the wider sub-regional economy as well. To ensure the tourism sector remains strong, the Council and its partners will: (partial)

- a) Encourage and support the upgrading, expansion and enhancement of existing visitor accommodation and attractions to meet changes in consumer demands and encourage year-round tourism

- e) Support the development of new, high quality tourist, leisure and cultural facilities, attractions and accommodation that are designed to a high standard, easily accessed and have good connectivity with existing attractions

- j) Ensure that all proposals are sensitive to the character of the surrounding area and are designed to maximise the benefits for the communities affected in terms of job opportunities and support for local services

- l) Protect rural locations from visitor pressure by ensuring that proposals for new tourist, leisure and cultural facilities are of a suitable scale when considering relevant infrastructure requirements and the settlement's position in the settlement hierarchy, in accordance with Policy CS2.

- m) Protect environmentally sensitive locations, such as Winterton-Horsey Dunes Special Area of Conservation (SAC), from additional recreational pressure by seeking to provide facilities to mitigate the impact of tourism. In addition, the Council and its partners will seek to develop a series of 'early warning'

monitoring measures which will be set out in the Natura 2000 Sites Monitoring and Mitigation Strategy along with the identified mitigation measures

- 3.4 Policy CS11 - The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species. This will be achieved by: (partial)

a) Conserving and enhancing designated nature conservation sites, including Sites of Special Scientific Interest (SSSIs), Special Protected Areas (SPAs), Marine SPAs, Special Areas of Conservation (SAC), RAMSAR sites, National Nature Reserves, Local Nature Reserves Norfolk County Wildlife Sites and Norfolk County Geodiversity Sites

b) Working in partnership with relevant nature conservation organisations to ensure that protected species, such as Little Terns, are adequately protected from any adverse effects of new development. This includes the preparation of the Natura 2000 Sites Monitoring and Mitigation Strategy and ensuring assessment of development proposals in the vicinity of the colonies

c) Relevant development will be required to deliver the mitigation measures identified in the Natura 2000 Sites Monitoring and Mitigation Strategy. This document is being prepared and will secure the measures identified in the Habitat Regulations Assessment which are necessary to prevent adverse effects on European wildlife sites vulnerable to impacts from visitors

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

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

- 3.6 Policy CS16 - 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: (partial)

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

4 Saved policies from the Borough Wide Local Plan:

- 4.1 Policy TR16 - Any planning permission given for new holiday accommodation will be subject to conditions preventing the accommodation being used for permanent residential purposes.

5 National Planning Policy:

- 5.1 Paragraph 83. Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- 5.2 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.
- 5.3 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6 Appraisal :-

- 6.1 Burgh Castle is designated as a secondary village in Policy CS2 in the settlement hierarchy. Policy CS8 which promotes tourism, leisure and culture is in favour of ensuring that all proposals for new tourist facilities are of a suitable scale to the settlement hierarchy. The scale of the proposal is significant and will have to be carefully considered against the scale of the existing settlement (including existing tourism uses) and its potential impacts. Burgh Castle is however, a village that already provides a significant contribution to the local tourist industry. Park layout, landscaping and infrastructure will be required to be visually unobtrusive and not impact negatively on the built and natural environment.
- 6.2 Policy CS6 supporting the local economy looks to enhance local visitor economies and development that can sustain rural workforces, which the expansion of the holiday park could offer. It is recognised that holiday parks are an important part of the Borough's tourism economy; however this must be considered with the wider impacts of the proposal.
- 6.3 The site is within close proximity to Breydon Water Special Protection Area (SPA), and in accordance with Policy CS8m) and CS11c), and emerging Policy E4-dp 'Habitats and species impact avoidance and mitigation'*; the Council will seek planning contributions to monitoring of the site, to address potential adverse impacts from increased recreational/visitor pressures on the SPA. A non-negotiable contribution per caravan/pitch will be required, ensuring compliance with the EU Habitats Directive.

- 6.4 The surrounding village and roads are of a rural nature Policy CS16 improving accessibility and transport ensures all new development does not have an adverse impact on the safety and efficiency of the local road network which must be weighed up in the proposal of the scale of development for this site.

7. Assessment

- 7.1 The extension of the caravan park is situated to the north west of the existing caravan park. The location does not provide a road frontage village and shall utilise the existing access which is off Mill Road. There have been objections to the increase in traffic movements and the speed that road users travel around the village. Highways England and the Highway Authority have been consulted on the application and neither have an objection to the application. The Highway Authority have not expanded on their no objection and have not requested any conditions be placed upon the development if approved it is noted that the most consistent objection is against the increase in vehicle usage however the absence of any objection from the Highway Authority confirms that, in Highway term specifically, the application is acceptable and there are no highway grounds for refusal.

- 7.2 The application site is set back from the existing caravan park which minimises the impact on the overall character of the village. The limited visibility of the site is beneficial in the preservation of the character of the area as Burgh Castle, although covering a reasonable amount of land, is not a large village and is designated as a secondary village within the Core Strategy. The application sites location is, in accordance with the comments received from Strategic Planning, a visually unobtrusive development site which, with conditioned landscaping, will not have a significantly negative impact on the natural environment.

- 7.3 Policy CS8 of the adopted Core Strategy supports the expansion of existing visitor accommodation and encourages year round tourism. The holiday units would add to the visitor offering within the Borough which, the applicant states is required. The need for the additional units is given within the accompanying information which states that there is only one vacant pitch on the site which has 466 bases. The investment in the holiday industry is supported by policies CS6 and CS8 of the adopted Core strategy and the development can be adequately conditioned to ensure that it is holiday accommodation. The occupation periods shall be conditioned to match those of the existing park to ensure conformity. The existing occupancy conditions read as follows:

- 1) The caravans and site facilities shall only be used during the period from 1st February in any year to the 14th January the following year.

The reason for the condition is:-

To enable the Local Planning Authority to retain control over the use of the caravans for holiday accommodation in an area where permanent residential accommodation would not normally be permitted.

2) All caravans on the site shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.

The reason for the condition is:-

To enable the Local Planning Authority to retain control over the use of the caravans for holiday accommodation in an area where permanent residential accommodation would not normally be permitted.

3) The owners/operators of the holiday park shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

The reason for the condition is:-

To enable the Local Planning Authority to retain control over the use of the caravans for holiday accommodation in an area where permanent residential accommodation would not normally be permitted.

- 7.4 Following the submission of the application a public meeting was held with members of the public and the Parish Council which was attended by the agent for the application. Following the meeting amended plans were submitted which correctly represented the layout of the existing holiday park and the agent provided details of the proposed boundary treatments. The boundaries to the east, west and south will be secured with a 1.8m high green plastic coated chain-link fence. This fence is still included at the northern boundary as per the application as submitted prior to the additional information. In addition to the boundary treatments proposed additional planting will be conditioned to mitigate the visual appearance of the development and provide ecological enhancements.
- 7.5 The application has been assessed by the Competent Authority as likely to have significant effects on one or more Natura 2000 sites. As such, permission may only be granted if an Appropriate Assessment demonstrates that, taking into account relevant mitigation measures, the application will not adversely affect the integrity of any Natura 2000 site(s).
- 7.6 The applicant has submitted a shadow habitats regulation assessment (HRA) in support of the application, following the review of the assessment by the Local Planning Authority a revised version was submitted to accurately reflect the opening times of the holiday park. Natural England had no objection to the previous HRA and have not responded to the amended version. Strategic planning have responded to the amended version and do not have objections to the application provided that mitigation, as sought by Natural England and identified by the HRA is secured by condition. The mitigation sought is, for the in-combination and direct effects, a payment of £110 per six bed spaces created which, when looking at the current park accommodation mix, looks to average out between 4, 6 and 8 bed spaces giving a contribution of $£110 \times 107 = £11770$.

- 7.7 The nature pack, to mitigate against the direct and in-combination effects, shall be conditioned to ensure that the details are submitted to the Local Planning Authority for approval prior to the occupation of any of the units hereby approved and shall be available to all visitors of the park. This is in accordance with the mitigation as stated within paragraph 6.4 of the shadow HRA.
- 7.8 It is the assessment of the Local Planning Authority, as Competent Authority, that the application, if approved, will not adversely affect the integrity of Natura 2000 sites provided that the mitigation sought by Natural England is secured. It is assessed that the mitigation as required can be adequately secured. This assessment is made in the absence of Natural England comments and is assessed as appropriate to do so given the previous positive responses and that the changes to the HRA were requested by the Local Planning Authority and not Natural England.
- 7.9 There are financial gains to the Borough from the development by increased business rates and expenditure by additional visitors to the area. The Economic Development Officer has noted in their consultation response that the application is positive in economic value for the Borough. These gains are relevant however does not need to be explored in depth in regards this application as the application is policy compliant. The fact that financial gain is not a determining factor does not nullify the weight applied and the application has been assessed allocating appropriate weight to all material considerations.
- 7.10 The increase in noise and light pollution are considered although given the size of the existing tourism offering the increase is not considered to be so detrimental to warrant a resolution for refusal. There will be an increase in emissions through increased visitors to the site however in the absence to an objection from Environmental Health the increase is deemed acceptable, this is also applicable to the increase in noise. Environmental Health did not comment on the application and as such it is accepted that the lighting details as submitted are acceptable as detailed at page 5 of the design and access statement.
- 7.11 The application is for a sustainable form of development, expanding an existing tourism offering in the rural area in accordance with paragraph 83 of the National Planning Policy Framework. There are no demonstrable reasons that outweigh the benefits of the application and, following the submission of sufficient information detailing the effect of the application on designated sites there are no reasons not to recommend a positive decision.

8 RECOMMENDATION :-

- 8.1 Approve – the proposal complies with Policies CS2, CS6, CS8 and CS16 of the adopted Core Strategy. A grant of planning permission should not be issued until the monies required to comply with policy CS14 of the adopted Core Strategy have been secured.

(S)

Date: 08 June 2018
Our ref: 247537
Your ref: 06/18/0247/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 Mrs Manthorpe

Planning consultation: development of 107 caravan plots
Location: Cherry Tree Holiday Park, Mill Road, Burgh Castle, Great Yarmouth

Thank you for your consultation on the above dated 21 May 2018 which was received by Natural England on the same date.

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 OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would have an adverse effect on the integrity of:

- Broadland Ramsar
- Breydon Water Ramsar
- The Broadland Special Protection Area
- Breydon Water Special Protection Area
- The Broads Special Area of Conservation
- Halvergate Marshes Site of Special Scientific Interest
- Breydon Water Site of Special Scientific Interest
- The Broads National Park

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- A financial contribution to the Great Yarmouth Natura 2000 Sites Mitigation and Monitoring Strategy

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Natural England's advice on other natural environment issues is set out below.

Internationally and nationally designated sites

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations').

The application site is in close proximity to

- The Broadland Special Protection Area
- Breydon Water Special Protection Area
- The Broads Special Area of Conservation

which are European sites.

- Broadland Ramsar
- Breydon Water Ramsar

which are international sites; and

- Halvergate Marshes Site of Special Scientific Interest
- Breydon Water Site of Special Scientific Interest
-

which are national sites.

Further Advice

Natural England are concerned that the proposed extension of 107 static caravans will increase the number of visitors to sensitive sites which may impact designated features via vegetation trampling and dog walking (if dog are permitted onsite).

The proposed development sits within 1.3km of the aforementioned designated sites and within 1km of the Broads National Park. The development foot print is within approximately 0.7km of a public right of way that leads to Breydon water SPA and Ramsar, and within a 2.2km drive of car a park that joins a public footpath (0.28km) and connects to the same sites. The Broads are known for recreational enjoyment and it is likely that a proportion of holiday makers will travel to visit these areas for recreation.

In section 2 of the Great Yarmouth Natura 2000 Sites Mitigation and Monitoring Strategy it states that *"major tourism development will also be required to contribute towards this strategy which will be negotiated on a case by case basis"*. We advise a financial contribution to the strategy to mitigation potential impacts of recreational disturbance.

Protected Species

Natural England has produced standing advice¹ 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.

Landscape advice

The proposed development is for a site close to a nationally designated landscape namely The Broads National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply the requirements of the NPPF. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in Natural England's [Technical Information Note 049](#).

Agricultural Land Classification information is available on the [Magic website](#) on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites*, and we recommend its use in the design and construction of development, including any planning conditions. *Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.*

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 02082257617.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me on 02082257617.

Should the proposal change, please consult us again.

Yours sincerely

Victoria Wight
Norfolk and Suffolk

Natural England offers the following additional advice:

Landscape

Paragraph 109 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply the requirements of the NPPF. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in Natural England's [Technical Information Note 049](#).

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Protected Species

Natural England has produced [standing advice](#)² 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.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 113 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the [Magic](#) website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)³. Natural England does not routinely hold species data, such data should be collected when impacts on

² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland and veteran trees

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 118 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 9, 109 and 152 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 118 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraph 75 of the NPPF highlights the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information

including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).



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

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

Gemma Manthorpe
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Your Ref: 06/18/0247/F
Date: 27 June 2018

My Ref: 9/6/18/0247
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Gemma

**Burgh Castle: Change of use of arable land for expansion to existing holiday park,
107 caravan bases
Cherry Tree Holiday Park Mill Road Burgh Castle Great Yarmouth NR31 9QR**

I refer to your recent consultation on revised plans submitted for this application.

Having reviewed the revisions, they do not have any affect on highway matters and therefore I have nothing further to add to my previous response to this application (dated 30/5/2018), which remains applicable.

Yours sincerely

Stuart French

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

www.norfolk.gov.uk



S

Jill K. Smith

From: Kate Palmer <burghcastleclerk@gmail.com>
Sent: 13 July 2018 09:54
To: plan
Subject: burgh castle pc

Good Morning,

Please can the following objection be noted from Burgh Castle Parish Council concerning the planning application below.

06/18/0247/F Cherry Tree Holiday Park, Mill Road, Burgh Castle

Expansion to existing park, 107 caravan bases

The Parish Council objects to the application as there are major concerns regarding the increased volume of traffic the development would generate. Not only with cars used by holiday makers accessing the site but also with the additional transportation of the caravans and works lorries. The roads in the village already struggle with the existing volume of traffic, and also vehicles that travel at speed.

Internet Consultees

Application Reference 06/18/0247/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Vicky Collier

Address Fairfield, Mill Road

Burgh Castle

Great Yarmouth

Norfolk

Post Code NR319QS

Telephone [REDACTED]

Email Address [REDACTED]

For or Against OBJ Object

Speak at Committee ☐

I strongly object to this application. Burgh Castle already has plentiful caravan sites and nearby Wild Duck in Belton is also expanding in the near future. As an active member of the Burgh Castle Community Speedwatch team I know based on factual data that well in excess of 70% of the speeding offences we observe in our area are committed by people who actually live outside of the local area. Therefore to bring yet more holiday makers to the locality will only increase the issue of speeding motorists on our local roads.

Date Entered 17-05-2018

Internet Reference OWPC1705



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Ordnance Survey 100018547

Reference: 06/18/0683/F

Parish: Great Yarmouth

Officer: Mr J Beck

Expiry Date: 28-02-2019

Applicant: Department of Education

Proposal: A new two storey science block building, resurfacing and extension of tennis courts to be used as a car parking area, formation of a hard standing area, creation of MUGAs and removal of a temporary classroom. External alterations to provide for a new window, a new door and a new staircase

Site: Great Yarmouth Charter Academy
Salisbury Road
Great Yarmouth

REPORT

1. Background / History :-

1.1 The site is Great Yarmouth Charter Academy situated south of Salisbury Road, Great Yarmouth and to the north of Beaconsfield Road. To the west and east are residential properties. The academy is situated in the north of Great Yarmouth set back from the beach in an area characterised by residential properties. The School itself is a large structure which has been modified several times. It is formed of both single storey and two storey elements with detached outbuildings. The rear of the site is utilised as a sport and amenity area. The site area also includes a playing field to the south of the academy on Beaconsfield Road and an additional playing field to the north of Barnard Crescent.

1.2 The application is multi-faceted; the largest element is the creation of a new two storey science block to the rear south west corner of the site on the existing amenity space. To facilitate the expansion of the school new car and cycle parking has been provided and Multi-Use Games Areas (MUGA). The proposal also involves alterations to the existing school with the creation of new entrances and windows.

1.3 Planning History:

The site has experienced a number of planning applications. A full case history can be found on the case file. Below are the applications since 2010:

06/11/0030/F – Replacement modular building for use as changing room toilets and storage area. Approved with conditions. 23-03-2011

06/12/0175/F – Floodlights on Barnard Bridge Playing Field. Approved with conditions. 15-08-2012

06/14/0319/SU – Part demo of Chapman Centre, current school store to dcp/slab level rebuilding of centre to same footprint. Approved by Norfolk County Council. 28-07-2014.

06/14/0694/SU – Extension to Chapman Centre. Approved by Norfolk County Council. 18-11-2014.

06/16/0288/F – Modular building for use as changing rooms toilets and storage area. Approved with conditions. 16-08-2016

2. Consultations :-

All Consultations are available to view on the website.

2.1 Property Services – No comments received.

2.2 Highways – No objections subject to conditions. Highways have sought to clarify the number of staff and after obtaining clarification have stated that the proposed spaces are sufficient for the expected parking requirements. They have requested conditions (the full list is available on the consultee responses) that ensure that any gates are a sufficient distance from the access and that the access is suitably widened. A condition ensuring that the parking and access is completed prior to use and details of a construction management plan and details of construction parking is provided. In addition Traffic Regulation Order for the provision of “School Keep Clear” Markings is promoted by the Highway Authority and the traffic management plan is carried out.

2.3 Environmental Health – Initially stated that sufficient information was not provided, namely regarding noise receptors and plant machinery. Following submission of further details Environmental Health believed that potential for noise was limited.

2.4 Fire Service – No objection subject to condition. Requested a further access is opened off Beaconsfield Road to give full coverage from the emergency services. In addition they noted that fire evacuation lifts are required.

2.5 Norfolk Constabulary – Recommended that New Schools 2014 guidance is used to prevent crime and open landscaping is used around the MUGA to reduce hiding places.

2.6 Historic Environment – No objection

2.7 Environment Agency – No objection, below their threshold to comment

2.8 Anglian Water – No comment received

2.9 UK Power Networks – No comment received

2.10 Essex and Suffolk Water – No comment received.

2.11 Natural England – No objection

2.12 GYB Services – No objection.

2.13 Department of Planning and Transport - Requested infrastructure obligations by way of a legal agreement for a fire hydrant.

2.14 Water Management Alliance – No comment received

2.15 Sports England – No objection subject to condition. Originally they stated that the proposal did not accord with their policies and could restrict provision of football due to the MUGA at Barnard Drive (Avenue). They have subsequently removed their objection subject to a condition requiring the technical details of the MUGA's.

2.16 EDF Energy Networks – No comment received

2.17 Cadent Gas – No objection subject to condition. Noted gas pipes in the vicinity and set out obligations and requirements.

2.18 Lead Local Flood Authority – No objection subject to conditions. A condition for full details of a drainage strategy required.

2.19 Public Consultation – No comments received.

2.20 Great Yarmouth Grammar School Foundation – Support subject to condition. The foundation supports the new Science block but recognises that the loss of the green space will create a need to use off-site green spaces.

3. Policy and Assessment:-

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

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

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

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

3.4 Adopted Core Strategy:

3.5 CS1 - Focusing on a sustainable future

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

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

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

3.6 Policy CS9 Encouraging Well Designed Distinctive Places

High quality, distinctive places are an essential part in attracting and retaining residents, businesses, visitors and developers. As such, the Council will ensure that all new developments within the borough:

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

b) Consider incorporating key features, such as landmark buildings, green infrastructure and public art, which relate to the historical, ecological or geological interest of a site and further enhance local character

3.7 Policy CS15 – Providing and protecting community assets and green infrastructure

Everyone should have access to services and opportunities that allow them to fulfil their potential and enjoy healthier, happier lives. The effective planning and delivery of community and green infrastructure is central to achieving this aim. As such, the Council will:

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

b) Ensure that all new development is supported by, and has good access to, a range of community facilities. In some circumstances developers will be required to provide and/or make a contribution towards the provision of community facilities. The process for securing planning obligations is set out in Policy CS14

c) Take a positive approach to the development of new and enhanced community facilities, including the promotion of mixed community uses in the same building, especially where this improves choice and reduces the need to travel

e) Promote healthy lifestyles by addressing any existing and future deficiencies in the provision and quality of sports facilities, including access to these facilities, playing pitches, play spaces and open spaces throughout the borough

3.8 National Planning Policy Framework:

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

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

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

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

3.10 Paragraph 92 - To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

3.11 Paragraph 94 - It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

3.12 Paragraph 97. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

3.13 Strategic Planning Comments

No objections. They noted that the strategic aims are to provide improved education and that the cycle storage meets the aims of policy CS16(e). They state that the loss of green space is offset by the MUGA.

3.14 Emerging Local Plan Part 2

3.15 Policy C2-dp - Educational facilities

New, extended or remodelled educational facilities will be permitted within Development Limits identified on the Policies Map, subject to the other policies of this plan.

Outside of Development Limits, such developments will be permitted where it is demonstrated that the development will provide benefits to the local community and cannot be satisfactorily accommodated within Development Limits, again subject to other policies of this plan.

4. Appraisal:

4.1 Great Yarmouth Charter Academy is an education facility positioned in the north of Great Yarmouth of Salisbury Road. The application site also includes an additional parcel of land south off Beaconsfield Road and a recreational park north of Barnard Avenue. Initially the total site area was given as 5.8 hectares including all detached sites. The Charter Academy is a large structure made of single and two storey elements and with a mix of flat and pitches roofs. The site has been heavily modified throughout its history.

4.2 The proposed works include a new two storey Science Block positioned in the south west corner containing 12 laboratories and 4 general classrooms. The proposal results in a floor area of over 2000 square metres and its form is flat roofed, rectangular and externally faced with red brick. The Science Block is detached from the main school building and is positioned over an existing grass area used for sports provision and will also result in the loss of a mobile classroom.

4.3 To offset the loss of the sports and amenity space the applicant has proposed MUGAs (Multi-Use Games Area). The initial plans showed a MUGA in the recreational ground off Barnard Avenue with another within the schools ground and a forth off the land to the south of Beaconsfield Road. The MUGA pitches off Barnard

Avenue were subsequently withdrawn and the recreational ground removed from the application site.

4.4 The proposal will also involve alterations to the main school building with the creation of new entrances, formation of a new hard standing area and the formation of new car and cycle parking. The proposal is to provide 88 new parking spaces.

4.5 The number of pupils attending the school is increasing and the Design and Access Statement states that the school will grow from approximately 750 pupils to 1500. Although some of the expansion will be through the efficient use of existing buildings. The proposal states that the staff numbers will rise to 150, although it should be noted clarification with the Highway Department lowered the staff provision to 88 Full time staff.

5.0 Assessment

5.1 The Academy is a large educational provider within a sustainable location. The site is situated in the main town with good access to nearby facilities and public transport. Current local policy is generally supportive under policy CS15 (c) for new and improved facilities and it is considered that the proposal will represent an enhancement of the existing educational provision. In addition the emerging plan also supports improvement to education facilities. The Strategic Planning Team has raised no objection and state that the proposal complies with existing policies.

5.2 The Building is a two storey structure, long and rectangular in its shape with a floor space over 2000 metre squared. The structure is externally formed of red brick (with decorative stack bond brickwork) and large, uniform regular windows and a flat roof. Although the building is of a modern form it is considered broadly in character with the existing school which contains a mix of styles. The building is located to the rear of the site and it will be visible from North Denes Road and Beaconsfield Road. The area around the school is largely defined by residential properties along North Denes Road and open space. However its impact to the broader character of the area is not considered significantly adverse. The profile plans provided shows the science block will be lower in height than the existing structures. Excluding extraction and plant equipment the height of the proposed science block is 9 metres. A material condition could be considered to ascertain the exact type of brick used.

5.3 Whilst the improving of an existing school is broadly supported this must be balanced against the loss of the existing green space used for sports provision. Local and National Policy aims to retain and improve sports facilities. To offset the

loss the applicant has proposed MUGAs which are multi use sports areas. They have proposed a MUGA and hard standing area within the school itself as well as a MUGA to the green space to the south of Beaconsfield Road which belongs to school. They had also proposed MUGA facilities on the recreational ground at Barnard Avenue, but this was subsequently removed from the scheme following Sports England comments.

5.4 Sport England had been consulted and they originally raised an objection. Whilst the loss of the sports ground within the school had not been deemed significant they have raised concern that a MUGA pitch at Barnard Avenue would remove grass playing fields utilised by Local Clubs. They then stated that should this MUGA be removed they will reassess the application. The applicant provided an amended plan removing the MUGA from the northern playing field. Sport England Responded and advised they did not object subject to a condition providing the technical spec of the MUGA. Whilst loss of sports provision is resisted under policy it can be offset by better or equivalent sites or the loss can be justified against a wider benefit. It is considered with Strategic Planning and Sport England not objecting and with the provision of alternative MUGA pitches the loss of the playing field to the rear of the Charter Academy is not significantly adverse.

5.5 The proposal will result in an increase of both staff and pupil numbers although it is noted that some of this increase will be result from other changes within the existing building. This increased numbers would result in an increase of travelling both to and from the site. To offset this increase the proposal shows an increase to the car parking facilities and provision of cycle storage. The applicant (in accordance with paragraph 108 and 109 of the National Planning Policy Framework) has submitted a travel plan and transport assessment. The travel plan provides mitigation techniques to encourage sustainable transport. The Transport Assessment in conjunction with the travel plan states there will not be a significant impact upon the Local Road Network.

5.6 The Highway Authority was consulted and they have not objected to the proposal. The Highway response states that the proposal creates 88 car parking spaces which would meet the requirements created by additional staff. They have requested conditions (the full list is available on the consultee responses) that ensure that any gates are a sufficient distance from the access and that the access is suitably widened. That the parking and access is completed prior to use and details of a construction management plan and details of construction parking is provided. In addition Traffic Regulation Order for the provision of School Keep Clear

Markings is promoted by the Highway Authority and the traffic management plan is carried out.

In accordance with the Highway response the impact to the surrounding highways is deemed to be acceptable. It should be noted that whilst the application form states the proposal will result in 150 full time staff the highway department has qualified with the application that the resultant full time staff will be 88.

5.7 The site is not within flood zone 2 or 3 according to Environmental Agency data but there are areas of critical drainage within the site and the local Strategic Flood Risk Assessment states it is within flood zone 2, in addition the proposal is a major application and proposes an increase in hard surfaces. A Flood Risk Assessment and surface water information has been submitted and the Lead Local Flood Authority had been consulted. The Flood Risk Assessment (FRA) states that the probability of flooding is low in all eventualities and the impact is also low in all eventualities except from tidal and fluvial where it is medium. The FRA further states that the new science block will have a floor level higher than the existing school and will be safe from flooding. The FRA recommends a surface water plan. The applicant has also provided additional surface water data in the form of a proposed drainage plans and calculations.

5.8 The Lead Local Flood Authority had been consulted and they have not objected to the proposal. They have welcomed the Sustainable Drainage Scheme and have not objected subject to a condition. A separate condition for a Flood Response Plan can also be considered.

5.9 Building Control and the Fire Service have recommended alterations to comply with their legislation. In the interests of providing safe escape for pupils with limited mobility they require a second lift. The applicant has responded to this and disagrees with the need for a second evacuation lift and provided a fire strategy report detailing their fire mitigation techniques. Building Control have been re-consulted and have reaffirmed that the proposal should contain a second evacuation lift. Based on the responses of both Building Control and the Fire Service the internal layout of proposed science block does not meet their required standards.

5.10 In addition the fire service requests an additional gate in the Beaconsfield Road fence to allow fire crews access to the rear of the Science Block, this could be provided by way of a condition. By way of an obligation a new fire hydrant has also been requested. The form this obligation is obtained is requested by the statutory

consultee as a section 106, but it may be possible in the interests of time and cost to utilise a section 111 agreement by way of condition.

5.11 A Noise Impact Assessment has been provided. It is noted that the reports front cover states Trafalgar College, but the report itself refers to both Trafalgar College and the Charter Academy. Environmental Health were consulted on the contents of the report and the wider noise impact of the college. Initially Environmental Health raised concerns that insufficient information had been provided in regards to any potential new plant equipment and the nearest noise receptors. The applicant has provided the required information and presented with this detail the environmental Health Officer was content that the possibility of noise disturbance was low.

5.12 The application will result in the removal of 3 trees in the south west corner of the site along the boundary. The proposal will also remove a set of small trees in the car park. The Arboricultural Report states the trees to be removed are of low quality and the Root Protection Areas should provide adequate protection to the retaining trees. They have noted 1 tree (T48) could be adversely affected due to development within its RPA and its poor health already. The proposal will compensate the losses with a planting plan notably concentrated along the western boundary. The proposed planting used some native species which was a request of the ecological report as an enhancement. The Tree and Landscaping officer has not object to the proposal, and the impact to landscaping is considered relatively minor.

5.13 The Ecological Appraisal notes there are sites of important European Interest and an SSSI nearby with the North Denes SPA approximately 100 metres from the school grounds, but the impact of the proposal is considered by the report to be neutral. The Council, as Competent Authority, is satisfied that, as a school, there will not be any significant increase in disturbance to any nearby Natura 2000 sites.

5.14 The direct onsite impact is considered negligible to most species and the impact would again be neutral. With enhancements the report states the proposal could offer a small gain. It is noted that the report states a comprehensive bat survey is required and bird boxes could be used as an enhancement measure.

5.15 No neighbour objections were received and the overall proposal is not considered to significantly and adversely impact upon neighbours.

5.16 The proposal also includes other alterations across the site. These include the formation of a window into an existing office, a hall door into the canteen and

removal of a conservatory. These alterations are not considered significantly adverse and do not significantly affect the neighbouring properties.

6. RECOMMENDATION :- Recommended for approval, subject to all conditions ensuring a suitable development. The full conditions recommended by the Highway Department, the Lead Local Flood Authority and Sports England.

Details of materials, a flood response plan and adequate ecology mitigation.

The proposal should be carried out in accordance with the submitted reports and should be subject to an obligation for a fire hydrant.

Jason Beck
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: 06/18/0683/F
Date: 25 January 2019

My Ref: 9/6/18/0683
Tel No.: 01603 223273
Email: jonathan.hanner@norfolk.gov.uk

Dear Jason

A new two storey science block building, resurfacing and extension of tennis courts to be used as a car parking area, formation of a hard standing area, creation of MUGA's and removal of a temporary classroom. External alterations to provide for a new window, a new door and a new staircase. Great Yarmouth Charter Academy Salisbury Road GREAT YARMOUTH Norfolk NR30 4LS

Thank you for consulting the Highway Authority with regard to the above planning application.

In terms of the surrounding highway network, the school lies within an existing 20 mph zone (with associated traffic calming), and benefits from school keep clear markings and appropriate warning signs. Given its urban location and comprehensive footway links the school is well positioned and benefits from good links by sustainable modes of transport.

As you will be aware from our recent phone conversations, I have been in contact with the applicant in order to clarify a number of issues (namely the existing & proposed staff (FTE) and on site parking levels) as there were a number of discrepancies with regard to the information submitted.

For clarity, the applicant has confirmed that at present there are 64 (FTE) staff members on site with 48 no. formal parking spaces available. It is evident from visiting the site that in reality cars also park on the grass verge area on the northern boundary (with Salisbury Road) which provides a further 12 informal spaces.

They have also confirmed that if approved the application (which is for 12 no. science labs & 4 general classrooms) would provide an additional 28 car parking spaces (which would increase the overall provision to 88) which would meet the additional parking demand generated by the additional staff (FTE) required for the new science block.

In addition, the applicant is providing additional staff & pupil cycle parking in line with adopted parking standards.

Summary

I acknowledge that the application will result in further activity, and parking, within the immediate vicinity of the school however this is an amenity issue for the consideration of the planning authority. Based upon my observations of the existing school activities, and parking patterns, I do not believe that this will generate a significant highway safety concern.

Based upon the information provided above, should you be minded to approve the above application I would be grateful if you would also include the following conditions and informative notes on any consent notice issued:

SHC 07

Any access gates/bollard/chain/other means of obstruction (to the main access onto Salisbury Road) shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.

Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.

SHC 09 A

Prior to the commencement of the use hereby permitted the existing vehicular access (onto Salisbury Road) indicated for improvement on Drawing No. 1854/LL/101 Rev PL01 shall be widened to a minimum width of 6 metres to NCC specification in accordance with the details to be agreed in writing by the Local Planning Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.

SHC 09 B

Prior to the commencement of the use hereby permitted the existing vehicular access (onto Beaconsfield Road) to be used for fire tender access indicated for improvement on Drawing No. 18161-LSI-GYA-ZZ-DR-A-171 Rev P02 shall be improved to NCC specification in accordance with the details to be agreed in writing by the Local Planning Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.

SHC 20

Prior to the first use of the development hereby permitted the proposed access/on-site car and cycle parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan(s) (Drawing No. 1854/LL/101 Rev PL01 & Drawing No. 18161-LSI-GYA-ZZ-DR-A-171 Rev P02) and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

SHC 22

Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.

SHC 23A

Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

Reason: In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.

SHC 23B

For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.

Reason: In the interests of maintaining highway efficiency and safety.

SHC 34C (variation)

Within 12 months of the first occupation of the development hereby permitted a School Travel Plan using the approved on-line Modeshift STARS system (www.modeshiftstars.org) shall be submitted to and be approved in writing by the Local

Planning Authority in consultation with the Highway Authority. The school travel plan shall be implemented in accordance with the evidence and targets contained therein and shall continue to be implemented subject to any modifications agreed by the County Planning Authority in writing in consultation with the Highway Authority as part of an annual review to achieve a Gold standard accreditation within five years of the school opening. The travel plan reviews shall monitor pupil and staff numbers and provide accordingly for the phased development of the additional staff and pupil cycle parking and sustainable travel facilities (as agreed with the Highway Authority)

Informative

For further information on school travel plans please contact Ian Dinmore on 01603 224248 or email <mailto:travelplans@norfolk.gov.uk> Schools that are required to generate or update plans should use the following link <http://www.modeshiftstars.org/> so that they can use this National on line system to generate and update travel plans.
<mailto:travelplans@norfolk.gov.uk>

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

SHC 40

Prior to the commencement of the use hereby permitted a Traffic Regulation Order for the provision of School Keep Clear Markings (at both existing accesses onto Salisbury Road & Beaconsfield Road) shall be promoted by the Highway Authority.

Reason: In the interests of highway safety.

Yours sincerely

Jon Hanner

Engineer - Highways Development Management
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.

Helen Ayers

From: Jeremy Knowles
Sent: 25 January 2019 08:32
To: plan
Cc: Jason Beck
Subject: planning comments 06/18/0683/F Great Yarmouth Charter Academy

To:

Date:

Our ref:

Please ask for: Group Manager - Planning
Attention: Mr J Beck

17 December 2018

Jeremy Knowles

Dear Mr Beck,

I sent a consultation response to you on the 17 December 2018 regarding the above proposal – see below

New 2 storey science block, resurface / extend tennis courts for use a car park etc, Great Yarmouth Charter Academy, Salisbury Road, Great Yarmouth.

I have looked at the above planning application and have the following comments to make. The Section 7 Noise Impact Assessment in the Acoustic Report makes reference to plant and static machinery. I was not able to clarify (from the documents) the following:

- What static plant is going to be installed in the new science blocks which might create noise i.e. air conditioning,
- What is the manufacturer's data re: noise, produced by this plant,
- Where is will be located in the building / site,

Page 78 of 144

- How close the nearest noise receptors are.

I have received answers to those questions. The plant being installed includes WC extraction fans and fume cupboard extraction fan, the nearest receptors being 20 meters away. By looking at the noise data presented for each system I think complaints of noise are unlikely as daytime noise levels will be acceptable at the façade of the nearest receptor and the science block / WCs are not likely to be in use beyond weekday evenings (although I cannot see any hours of operation restrictions on the application). As such I have no further comments to make.

Regards

Jeremy Knowles

Environmental Health Officer

Great Yarmouth Borough Council

Telephone: 01493 846617

E-mail: Jeremy.knowles@great-yarmouth.gov.uk

Website: www.great-yarmouth.gov.uk

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

Great Yarmouth Borough Council - Customer Focused, Performance Driven

It takes 24 trees to produce 1 ton of office paper! Think... is it really necessary to print this email?

Website: www.norfolkfireservice.gov.uk

Mr J Beck
Great Yarmouth Borough Council
Planning Services
Development Control
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Please ask for: Peter Harris
Direct Dial: 0300 123 1379
Email: peter.harris@fire.norfolk.gov.uk
My Ref: 00015836
Your Ref:

20 December 2018

Dear Sir

Planning Application No: 06/18/0683/F
Development at: Great Yarmouth Charter Academy, Salisbury Road, Gt Yarmouth
For: New 2 Storey Science block

Thank you for your consultation letter dated 13th December 2018.

I acknowledge receipt of the above application and I do not propose to raise any objections providing the proposal meets the necessary requirements of the current Building Regulations 2000 – Approved Document B (volume 2 - 2006 edition amended 2007, 2010, 2013) as administered by the Building Control Authority.

It is considered that an additional entrance providing a minimum opening width of 3.8m is made available at the opposite end of the site on Beaconsfield Road to provide sufficient access to the proposed building.

Should you require any further assistance please do not hesitate to contact me on the number shown above.

Yours faithfully



Peter Harris
Fire Safety Officer
for Chief Officer

Website: www.norfolkfireservice.gov.uk

Mr J Beck
Great Yarmouth Borough Council
Planning Services
Development Control
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Please ask for: Peter Harris
Direct Dial: 0300 123 1379
Email: peter.harris@fire.norfolk.gov.uk
My Ref: 00015836
Your Ref:

28 January 2019

Dear Sir

Planning Application No: 06/18/0683/F
Development at: Great Yarmouth Charter Academy, Salisbury Road, Gt Yarmouth
For: New 2 Storey Science block

Further to my letter dated 20th December 2019 and following consultation with my colleagues, I wish to add that it is the policy of Norfolk Fire and Rescue Service that two evacuation lifts should be installed in new school buildings.

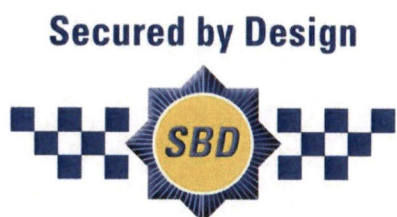
The rationale behind this requirement was that these schools need to be evacuated quickly and safely in the event of an emergency and we could not perceive of a situation where this could be achieved with only one non-evacuation lift in the middle of the building. BB100 states that 'As schools have become more inclusive, the need for lifts to assist those pupils with limited mobility is increasing widespread. It may be beneficial to design all lifts to be used as evacuation lifts, which will assist the safe escape of anyone with a mobility problem.'

Should you require any further assistance please do not hesitate to contact me on the number shown above.

Yours faithfully



Peter Harris
Fire Safety Officer
for Chief Officer



FAO
Mr J BECK
GT Yarmouth Borough Council
Planning Services
Development Control
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Ref: **06/18/0683/F**

Date: 03/01/19



NORFOLK
CONSTABULARY

Our Priority is You

Norfolk Constabulary

Community Safety Department
GT Yarmouth Police Station
Howard St North
GT Yarmouth
Norfolk
NR30 1PH

Tel: 01493 333349

Mobile: 07920 878216

Email: wolseyr2@norfolk.pnn.police.uk

www.norfolk.police.uk

Non-Emergency Tel: 101

Planning Application

New 2 storey science block, resurface & extend tennis courts for use as car park & other associated works at Great Yarmouth Charter Academy, Salisbury Road, GREAT YARMOUTH, Norfolk

Dear Mr Beck,

Thank you for inviting me to comment on the above Planning Application. I make the following comments:

Designing out the external threat of criminality during major works and beyond requires a layered approach where a number of security processes act together to deter and deny criminal access. This can include both natural and formal surveillance protection. However, it is crucial to factor in protective security measures and practices across the development at the outset. The applicant is advised to consider advice found in the BSIA Construction Site Security Guide www.bsia.co.uk to help protect the site and associated works activity.

In terms of the proposed science block I would recommend the applicant fully embraces the principles and specifications contained within Secured by Design, [New Schools 2014](#) guidance.

With regard to the provision of MUGA facilities I would recommend visual open landscaping around the facility to prevent hiding places for criminals and deter those wishing to engage in anti-social behaviour.

We will answer letters within 10 working days, where information is available.
Where this is not possible, an explanation will be given for any delay.



Awarded for excellence



INVESTOR IN PEOPLE

Criminals or other unauthorised persons like to use the darkness to commit crime or trespass and without providing adequate light cover, such occurrences and behaviour can occur. Security lighting cover will protect users and other visitors during the hours of darkness, reduce the fear of crime and deter criminality or other unacceptable behaviour. The new science block and car park areas should be equipped with vandal resistant 'dusk to dawn' sensed security lighting to remove dark voids and cover elevations that would otherwise be in darkness outside operating hours. This means the facilities will be safer and criminal activity deterred or identified early. It is recommended that due regard should be given to preventing nuisance and minimising light pollution.

If the applicant wishes to discuss these comments or requires any further assistance, please do not hesitate to contact me.

Yours sincerely

Mr Dick Wolsey
Architectural Liaison Officer
C/o GT Yarmouth Police Station
www.securedbydesign.co.uk



Norfolk County Council

Environment, Transport, Development
County Hall
Martineau Lane
Norwich
NR1 2SG

Via email

Mr J Beck
Great Yarmouth
Borough Council

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

cc J Blackwell – Children's Services
cc Ian McCann – Cultural Services
cc P Bond – Norfolk Fire Service
cc M Tracey – ETD
cc D White – Green Infrastructure

Please ask for: Naomi Chamberlain
Date: 2nd January 2019

My Ref: P.DEV.1.06.100
Tel No: 01603 638422
Email: naomi.chamberlain@norfolk.gov.uk

Dear Mr Beck

**Infrastructure Requirements: Proposed Residential Development:
Great Yarmouth Charter Academy, Salisbury Road, Great Yarmouth
Application Number: 06/18/0683/F**

Thank you for consulting the County Council on the potential infrastructure, service and amenity requirements arising from the above proposal as they relate to matters covered in the County Council's agreed Planning Obligations Standards. It is assumed that you have consulted the County Council separately as Highway Authority and as Lead Local Flood Authority.

The comments attached are made "without prejudice" and are an officer-level response to your consultation. The requirements are based on a 2 storey science block and reflect the pooling restrictions set out in Reg 123 of the Community Infrastructure Levy Regulations (2010 as amended).

It should be noted that the attached comments are only valid for six months from the above letter date and therefore the County Council would expect to be re-consulted if the proposal is not determined in this period. The figures are given on the basis that they will be index linked from the time the application is determined by committee in order to maintain their value in real terms.

The County Council would have concerns if funding for the attached list of infrastructure requirements could not adequately be addressed/delivered through S106 and/or condition.

Please could you inform the planning obligations team when the application has a resolution to approve, either by committee or through delegated officer powers, so we can then instruct our solicitors as soon as possible in order to avoid any delay in the S106 process.

Continued.../

Continuation Sheet To : Mr J Beck

Dated : 2nd January 2019 -2-

Should you have any queries with the above comments please call me on (01603) 638422 or Stephen Faulkner (Principal Planner) on (01603) 222752.

Yours sincerely

Naomi Chamberlain
Trainee Planner

Encl



Norfolk County Council

Potential County Council Infrastructure Requirements - Proposed Housing Development

Address: Great Yarmouth Charter Academy, Salisbury Road, Great Yarmouth

Application No. 06/18/0683/F

Date: 2nd January 2019

Preface

The requirements below would need to be addressed in order to make the development acceptable in sustainable terms through the delivery of necessary infrastructure. The funding of this infrastructure would be through Planning obligations / condition.

1. Fire Service

- 1.1 With reference to the proposed development, taking into account the location and infrastructure already in place, our minimum requirement would be one fire hydrants on no less than a 90 mm main at a cost of £818.50 each.
- 1.2 Please note that the onus will be on the developer to install the hydrants during construction to the satisfaction of Norfolk Fire Service and at no cost. Given that the works involved will be on-site, it is felt that the hydrants could be delivered through a planning condition.
- 1.3 Should you have any queries please call the Norfolk Fire Service on 0300 123 1165 or email Water.officer@fire.norfolk.gov.uk.

Jill K. Smith

From: Philip Raiswell <[REDACTED]>
Sent: 10 January 2019 16:41
To: plan
Subject: FW: App Ref: 06/18/0683/F - Great Yarmouth Charter Academy NR30 4LS

From: Philip Raiswell
Sent: 10 January 2019 16:34
To: 'jb@great-yarmouth.gov.uk' <jb@great-yarmouth.gov.uk>
Cc: [REDACTED]
Subject: App Ref: 06/18/0683/F - Great Yarmouth Charter Academy NR30 4LS

Sport England Ref: PA/18/E/GY/50963

FAO J Beck

Thank you for consulting Sport England on the above application.

Sport England – Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document': www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Assessment against Sport England Policy/NPPF

The proposal relates primarily to the construction of a detached educational block on the integral playing field to the main site of this secondary school. This playing field measures approximately 0.45 hectares and is used informally for 5-a-side football. The application also includes a new 595m² MUGA (multi-use games area) and new hard play area. The school also has two detached playing fields, one to the south of Beaconsfield Road which measures approx. 0.65 hectares and has football goalposts for a pitch of approx. size 75m x 50m, plus other summer sports facilities and training grids. The school also has a larger detached playing field on Barnard Avenue which measures approximately 2.7 hectares and is used primarily for football with the field usually marked out for 4/5 pitches of various sizes for mini and junior football.

It is proposed to mitigate against the loss of the integral playing field by siting new MUGA's on each of these detached playing fields, with siting and technical details to be agreed at a later date.

I have consulted the Football Foundation/Norfolk FA on these proposals and they comment as follows:

"As it currently stands to my knowledge there is no community football activity taking place at Charter Academy, however Barnard Bridge is a key site for grassroots football (6 pitches various sizes), with the facility being utilised by Great Yarmouth Town's youth teams. Furthermore The Beaconsfield is a key site for grassroots football, in particular the adult game with the site utilised for Saturday and Sunday league provision (4 x 11v11 pitches).

Consideration also needs to be given to the development of any new MUGA facilities in this area of the town, especially given the Local Authority's strategic plans to redevelop The Wellesley Stadium by building a new 9v9 3G pitch.

To summarise my thoughts are:

- The loss of 4 small 5v5 pitches at Charter Academy is not a significant issue given they are not currently used (based on the intelligence I have)*
- Any MUGA provision build at either Charter Academy, The Beaconsfield and Barnard Bridge could not be utilised for affiliated football (under the assumption these MUGA's are of a concrete surface – further clarification is needed)*
- Developing MUGA's in this part of Great Yarmouth could migrate activity away from a future 3G project at The Wellesley, especially recreational football / formats*
- I do not want to see grass pitches lost at The Beaconsfield and Barnard Bridge sites for the sake of using land to build MUGA's"*

The community football site at Beaconsfield does not appear to be affected by these proposals, although it is adjacent to the proposed MUGA on the detached school playing field. However, the proposed MUGA at Barnard Bridge could affect grass pitch provision on this site, with the pitches being used by the school and local community football clubs, specifically youth teams of Great Yarmouth Town FC.

The view from Sport England/Norfolk FA is that the proposed MUGA on this site should be deleted from the scheme as it would reduce the site's potential for use for football. We would not object to the proposed MUGA on the detached Beaconsfield Road playing field as this does not appear to impact on school/community football pitches, and would offer opportunities for additional sport opportunities for the school, and potentially the local community.

In order for an application to meet exception E5 of the above policy, the new sports facilities should not have an adverse impact on existing grass pitch provision, particularly where the site is a strategically important site for the delivery of sport in the local area, as Barnard Bridge is, for local mini/junior football.

Conclusion

In light of the above, Sport England **objects** to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF, as the proposal will have an adverse impact on an established site for the delivery of football. However, if the proposed MUGA on the detached playing field on Barnard Drive is excluded from the scheme, Sport England will re-assess the application against our playing fields policy.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

If you would like any further information or advice please contact me at the address below

Yours sincerely,

Philip Raiswell
Planning Manager



The information contained in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000. Additionally, this email and any attachment are confidential and intended solely for the use of the individual to whom they are addressed. If you are not the intended recipient, be advised that you have received this email and any attachment in error, and that any use, dissemination, forwarding, printing, or copying, is strictly prohibited. If you voluntarily provide personal data by email, Sport England will handle the data in accordance with its Privacy Statement. Sport England's Privacy Statement may be found here <https://www.sportengland.org/privacy-statement/> If you have any queries about Sport England's handling of personal data you can contact Sport England's Data Protection Officer directly by emailing gail.laughlan@sportengland.org

From: [Philip Raiswell](#)
To: [Ian Reilly](#)
Cc: [REDACTED]; [Jason Beck](#)
Subject: Re: App Ref: 06/18/0683/F - Great Yarmouth Charter Academy NR30 4LS
Date: 30 January 2019 07:20:07

Ian/Jason,

Further to the above planning application, Sport England are prepared to withdraw our objection to this application, provided the proposed MUGA at Barnards Bridge is removed from the scheme, which will ensure no impact on the grass pitches on this important site for football in Great Yarmouth.

We would judge that the provision of new MUGAs on the main school site and the smaller detached playing field would meet our exception E5, constituting new facilities for the development of sport that outweigh the loss of playing field.

We would require a planning condition which requires full technical specifications for the new MUGAs to be submitted to, and approved, by the LPA (in consultation with Sport England).

I hope this clarifies this matter.

Kind Regards,

Philip Raiswell
Sport England.

Sent from my iPad

On 29 Jan 2019, at 21:49, Ian Reilly <ianr@lanproservices.co.uk> wrote:

Philip

Sorry I wouldn't usually chase like this but I am keen to understand if our amendment addresses your issues. I am trying to get the application on committee on 06/02, which means the report needs to be published by tomorrow.

If I miss the February deadline I am informed by DfE that the project is at risk of not being delivered during the Summer.

I have requested that the Council form the report subject to your objection being resolved, but they haven't confirmed if they are prepared to do this.

Regards

Ian

Ian Reilly MRTPI
Regional Director

Mr J Beck
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

National Gas Emergency Number:
0800 111 999*

National Grid Electricity Emergency Number:
0800 40 40 90*

* Available 24 hours, 7 days/week.
Calls may be recorded and monitored.

www.cadentgas.com

Date: 18/12/2018

Our Ref: EA_TE_Z4_3NWP_014970

Your Ref: 06/18/0683/F (cjb)

**RE: Formal Planning Application, NR30 4LS, Great Yarmouth Charter Academy Salisbury Road
GREAT YARMOUTH Norfolk**

Thank you for your enquiry which was received on 17/12/2018.
Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.
For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

Are My Works Affected?

**Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.
Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.**

If the application is refused for any other reason than the presence of apparatus, we will not take any further action.

Please let us know whether Plant Protection can provide you with technical or other information that may be of assistance to you in the determination of the application.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) and apparatus. This assessment does **NOT** include:

- Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.
- Gas service pipes and related apparatus
- Recently installed apparatus
- Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is **YOUR** responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on either the [National Grid](#) or [Cadent](#) website.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Limited, NGGT and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Plant Protection team via e-mail ([click here](#)) or via the contact details at the top of this response.

Yours faithfully

Plant Protection Team

ASSESSMENT

Affected Apparatus

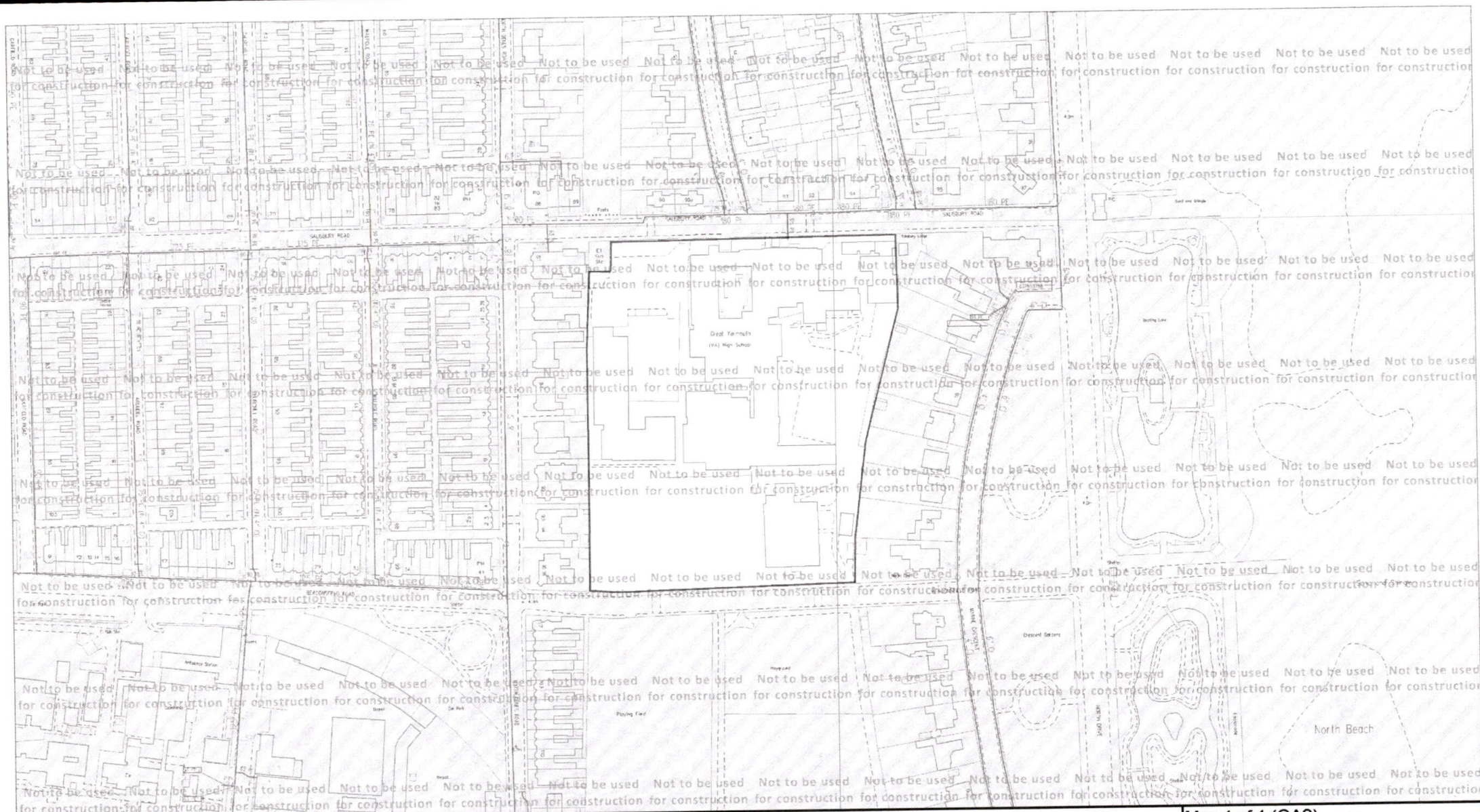
The apparatus that has been identified as being in the vicinity of your proposed works is:



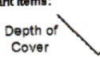




- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)

Requirements

BEFORE carrying out any work you must:

- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
- Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
- In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.



ID: EA_TE_Z4_3NWP_014970		View extent: 723m, 393m		Do not proceed without further consultation		Map 1 of 1 (GAS)						
USER: Carly Bower		LP MAINS		<p>This plan shows those pipes owned by Cadent Gas Limited in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.</p>				MAPS Plot Server Version 1.11.0				
DATE: 18/12/2018		MP MAINS						 Cadent Your Gas Network				
DATA DATE: 17/12/2018		IP MAINS										
REF: 06/18/0683/F (cjb)		LHP MAINS										
MAP REF: TG5208		NHP MAINS										
CENTRE: 652955, 308906		<div>0m50m</div> <p>Approximate scale 1:2500 on A4 Colour Landscape</p>		Requested by: Great Yarmouth Borough Council								
Some examples of Plant Items:				This plan is reproduced from or based on the OS map by Cadent Gas Limited, with the sanction of the controller of HM Stationery Office. Crown Copyright Reserved. Ordnance Survey Licence number 100024886								
Valve		Depth of Cover		Syphon		Diameter Change		Material Change		Out of Standard Service		

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via e-mail
Gemma Manthorpe
Great Yarmouth Borough Council
Norfolk,
NR30 2QF

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

Your Ref: 06/18/0683/F

Date: 29 October 2018

My Ref: FWP/19/6/7623
Tel No.: 0344 800 8020
Email: llfa@norfolk.gov.uk

Dear Sir,

REC'D 24/10/19

Town and County Planning (Development Management Procedure) (England) Order 2015 - New two storey science block, resurface and extend tennis courts for use as car park & other associated works. Great Yarmouth Charter Academy Salisbury Road GREAT YARMOUTH Norfolk NR30 4LS

Thank you for your consultation on the above site, received on 10 January 2019. We have reviewed the application as submitted and wish to make the following comments.

The applicant has provided an FRA (Cundall Ref 11019998_RPT-CL-001 dated 22 November 2018). This has been further supported by a supplementary Ground investigation Report (Richard Jackson Ref: 49375 dated November 2018) and Microdrainage calculations. We welcome that Sustainable Drainage Systems (SuDS) have been proposed in the development.

We have **no objection subject to conditions** being attached to any consent if this application is approved and the Applicant is in agreement with pre-commencement conditions. If not, we would request the following information prior to your determination. We recognise that the Local Planning Authority is the determining authority, however to assist, we suggest the following wording:

Condition:

Prior to commencement of development, in accordance with the submitted FRA (Cundall Ref 11019998_RPT-CL-001 dated 22 November 2018), Drainage Strategy (plan ref:GYC-CUN-XX-DR-D-001 dated 13/12/2018) detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- I. Detailed infiltration testing in accordance with BRE Digest 365 at the depths and locations of the proposed infiltration features.
- II. Provision of surface water storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event. A minimum storage volume of 28.5m³ will be provided in line with drawing GYC-CUN-XX-DR-D-001 dated 13/12/2018.
- III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
 - 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
- IV. The design of the infiltration tank will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.
- V. Finished ground floor levels of properties are to be a minimum of 300mm above expected flood levels of all sources of flooding (including SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
- VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason

To prevent flooding in accordance with National Planning Policy Framework paragraph 163 and 165 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the surface water drainage system operates as designed for the lifetime of the development.

Please note that FSR (Flood Studies Report) rainfall data should be used for storm durations less than 1 hour and FEH (Flood Estimation Handbook) rainfall data should be used for storm durations greater than 1 hour when identifying the critical storm duration. The applicant submitted Microdrainage modelling for the drainage network and FSR data has been used for all critical storm events. The LLFA guidance will soon be updated, it is

envisaged that the advice to use FSR rainfall information if the critical storm duration is less than 1 hour be removed. Only up to date FEH data will be requested in the future.

Further detailed comments can be found in the attached Annex.

Further guidance on the information required by the LLFA from applicants can be found at <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-water-management/information-for-developers>.

If you, the Local Planning Authority review and wish to determine this application against our advice you should notify us, the Lead Local Flood Authority, by email at llfa@norfolk.gov.uk so that appropriate conditions can be placed on the development.

Alternatively, if further information is submitted, we request we are re-consulted and we will aim to provide bespoke comments within 21 days of the formal consultation date.
Yours faithfully,

Lucy

Lucy Perry
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.



The Great Yarmouth Grammar School Foundation

Office: c/o The Great Yarmouth Charter Academy, Salisbury Road, Great Yarmouth, Norfolk. NR30 4LS
Clerk: email: wintertonjo@gmail.com telephone: 01493 394932 mobile: 07484844364
Charity Number: 325136



Treasurer: Brian Philpot

Chairman: Michael Boon

Clerk: Joanne Smithson

Please reply to:

Joanne Smithson
at the office address
above.

Mr D. Minns
Group Manager (Planning)
Great Yarmouth Borough Council
Town Hall
Great Yarmouth
Norfolk
NR30 2QF

29th January 2019

Dear Mr. Minns

Major Development at the site of the Great Yarmouth Charter Academy, Salisbury Road

Planning Application Number: 06/18/0683/F

A new two-storey science block building, resurfacing and extension of tennis courts to be used as a car parking area, formation of a hardstanding area, creation of a marker and the removal of temporary classroom together with external alterations to provide a new window, a new door and a new staircase.

The Great Yarmouth Grammar School Foundation is the freehold site owner of the Great Yarmouth Charter Academy at Salisbury Road and has been in discussion with the Department of Education, the promoters of the new build scheme for a major detached educational block described above and also with the Inspiration Trust who are the Academy chain operating its Foundation School.

The Foundation, together with the Inspiration Trust with whom it is cooperating in this project both support the construction of the new building and facilities for the Great Yarmouth Charter Academy, which is the town's secondary school, to accommodate a need for Great Yarmouth pupils over the next few years. The development, when completed and added to the existing Academy premises at Salisbury Road will be able to accommodate up to 1500 pupils.

The construction of the current building will eliminate the last area of green school playing field on the Salisbury Road site. Members of the Trust Board who were formerly students at the Great Yarmouth Grammar School, the predecessor school on the site, remember a green space playing field large enough to accommodate a cricket pitch and other sports. The school was of course smaller then in its number of students.

During the course of the consultation the comments of Sport England have been seen with regard to this application. While fully supporting the application for the detached two-storey science block building and associated facilities the Foundation would make a reference to the Academy's need to be able to use a green playing field within the vicinity of the school as set out in Sport England's Playing Fields Policy. The Foundation feels sure that this aspect of the Charter Academy's need would be the subject of separate ongoing discussions.

If you have any further queries with regard to The Foundation's support for the Scheme, please will you contact me, and I would be most grateful for your confirmation of the safe receipt of its response to the planning application.

Yours sincerely

A handwritten signature in cursive script, reading "Joanne Smithson".

Joanne Smithson

Clerk to The Grammar School Foundation

Application Ref	06/18/0683/F		
Proposal	New 2 storey science block, resurface & extend tennis courts for use as car park & other associated works		
Location	Great Yarmouth Charter Academy, Salisbury Road, Great Yarmouth		
Case Officer	J Beck	Policy Officer	Toby Matthews
Date Received	13 th December 2018	Date Completed	14.12.2018

Strategic Planning Comments

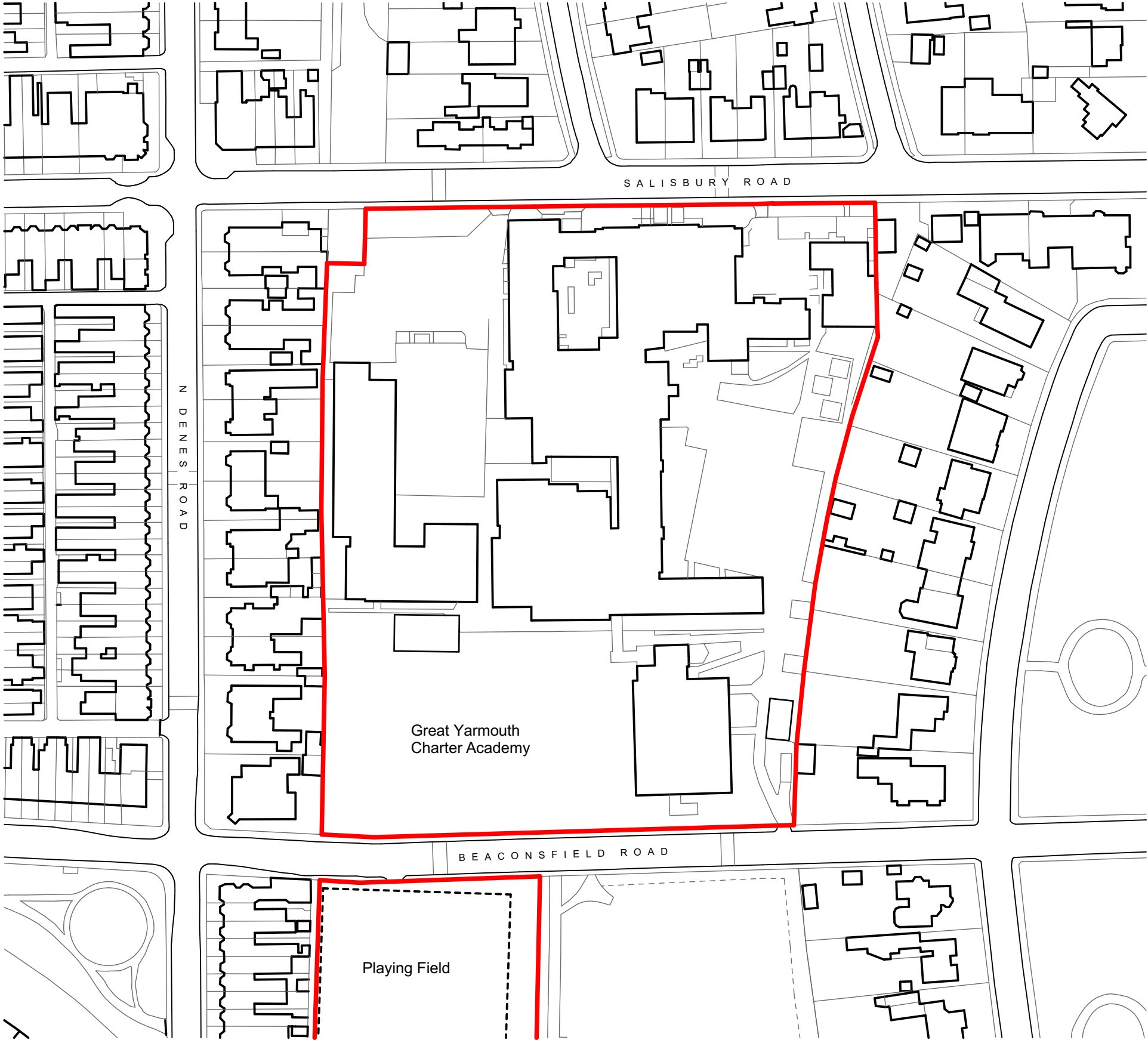
The proposal is for a new two storey science block, to resurface & extend the car park (over existing tennis courts) & other associated works, including new hard surface playing area and MUGA (multi use games area) and additional cycling bays.

The strategic objectives as outlined in the Core Strategy detail the need to address social exclusion and inequalities in healthcare, education, skills and training by ensuring good quality health, education and community support and cultural facilities are accessible to the borough's residents of all ages.

The additional cycle storage is in line with CS16e, improving accessibility to sustainable transport modes. Improved access routes available for emergency services, waste collection and delivery vehicles are also provided for in the plans.

The loss of a playing field and tennis courts, which would be resisted under CS15, has been offset by the proposal of a new hard surface playing area and MUGA, which are considered to adequately compensate in overall facilities (when also taking into account the educational requirements for the science block and consequential loss of space for recreation).

In strategic planning terms, I have no objection to the proposed development. No doubt you may well have other site specific matters to weigh in reaching a decision. Should you have any queries, please do not hesitate to contact me.



Site Location Plan
Scale 1:1250



Wider Context
Not to Scale

LSI Ref | 18161-LSI-AAA-ZZ-M3-A-0001-Great Yarmouth Charter
18161 | Academy_Site Model.pln
The copyright of the design remains with LSI Architects (Design)
Ltd and may not be reproduced without their prior written consent
All dimensions are to be checked on site and the Contract
Administrator notified of any discrepancies.
Drawing to be read in conjunction with the project specification
Do not scale from this drawing for Constructional purposes

- Application Boundary
(Land held under tenancy agreement)
- Provisional locations of Multi-Use Games Areas (MUGA)

P02	DO	25.01.19	Red line removed from North Playing Field	
Rev	Init	Date	Revision	
<div><div>0m10203040</div><div>Scale 1:1250</div></div>				

lsi

ARCHITECTS

NORWICH

The Old Drill Hall
23a Cattle Market Street
Norwich NR1 3DY
+44(0)1603 650711

LONDON

Floor 2
50-54 Clerkenwell Road
London EC1M 5PS
+44(0)20 7276 1739
www.lsiarchitects.co.uk

Client		Morgan Sindall	
Project		Great Yarmouth Charter Academy	
Title		Planning - Site Site Location Plan	

Scale @ A3 1:1250	Date 03/10/18	Drawn MR
Purpose of issue For Planning		
Drawing Code 18161-LSI-GYA-ZZ-DR-A-160	Suit. Rev. D2 P02	

Reference: 06/18/0327/F

Parish: Bradwell

Officer: Mr G Clarke

Expiry Date: 08/03/19

Applicant: Mr D James

Proposal: Two detached houses and two detached bungalows

Site: 21 Crab Lane
Bradwell

REPORT

1 Background / History :-

- 1.1 The application site consists of a chalet bungalow located towards the Crab Lane frontage of the plot with a large rear garden, at some time the garden appears to have been extended to the west through the addition of part of No.19 Crab Lane's rear garden.
- 1.2 The plot measures 87m long and is 24m wide at the front and rear sections, and 35m at the wider central area. The rear of the application site adjoins the side boundaries of houses on Parkland Drive, the eastern boundary of the application site adjoins the rear boundaries of semi-detached houses on Headington Close and the side boundary of No. 23 Crab Lane. The western boundary of the site runs to the side and behind the boundary of No. 19 Crab Lane, and alongside the rear section of the side boundary of No. 17 Crab Lane.
- 1.3 There are three trees in the rear garden that are subject to a Tree Preservation Order, a Scots pine and an oak to the rear of the dwelling and a Monterey cypress close to the rear boundary of 6 Headington Close. A fourth tree was felled without consent, and following enforcement action subsequently replaced however this replacement pine has since failed.
- 1.4 In 2017 outline planning permission was refused for the erection of two detached, three-storey, four bedroom houses at the front of the site, a

four bedroom chalet bungalow on the land at the rear of 19 Crab Lane and a pair of three bedroom houses linked by garages at the rear (06/17/0199/O). This application was refused on the grounds that it would be an over-development of the site, loss of protected trees, harm the amenity of neighbouring residents and out character with the existing settlement form and street scene. A subsequent appeal was dismissed with the inspector agreeing that the proposal would be an over-development and that three dwellings at the rear of the site with a hardstanding and turning area would introduce noise and disturbance to the occupiers of the dwellings on Headington Close from the comings and goings of people and vehicles. She also considered that the house on plot 1 would cause overlooking and loss of privacy and that the loss of the TPO trees would be harmful to the character and appearance of the area. A copy of the decision is attached.

- 1.5 In 2007 planning permission was refused for the demolition of the existing dwelling and the erection of one house at the front of the site and three bungalows at the rear (06/07/0151/O) and in 2006 permission was refused for the demolition of the existing dwelling and the erection of two houses at the front of the site with four bungalows at the rear (06/06/0515/O).
- 1.6 The current proposal is to build two, two-storey houses at the front of the site which be sited roughly in line with the existing houses to either side with a new vehicular access in the centre of the Crab Lane frontage leading to a parking/turning area and two detached bungalows at the rear of the site. The three trees that are subject to the TPO will all be retained.

2 Consultations :-

- 2.1 Highways – no objections subject to conditions regarding access, visibility splays and parking.
- 2.2 Parish Council – the Council strongly objects to any planning application involving the removal of trees that are subject to Tree Preservation Orders and, until reassurance is given that original Orders will remain and no tree will be felled in the course of housing development, it will only support those applications which retain original Tree Preservation Orders.
- 2.3 Strategic Planning - The proposal seeks to demolish an existing dwelling and erect two bungalows and two detached houses, a net gain of 3 dwellings. The site is located in Bradwell which is identified as a Key

service centre in the Core Strategy. The site is located within the saved village development limits. The site is therefore well located among current dwellings and the additional dwellings will contribute to the overall housing land supply within the Borough.

However, it is noted from the planning history of this site a previous application for 5 dwellings was refused in 2017. One of the reasons for this was the protection of 3 trees with TPO's (Tree Preservation Orders) upon them. The new layout proposed would involve the removal of the Monterey Cypress on the eastern boundary of the site. This would have an impact upon the surrounding area as these trees make a moderate to substantial contribution to visual amenity and consequently have a positive effect on the character and appearance of the area. In terms of policy, removal of this tree would be contrary to Policy CS9 of the core strategy – developments should conserve and enhance landscape features and townscape features.

Although Strategic planning holds no objection to the principle of a small residential development at this site, the current layout results in the removal of a tree subject to a TPO and the Strategic Planning Team therefore objects to this application in its current form. However no doubt you may well have other matters to weigh in reaching a decision.

- 2.4 Neighbours – 3 objections have been received and one comment seeking further information copies of which are attached. The main reasons for objection are a) overshadowing, b) loss of privacy, c) extra traffic, d) drainage e) loss of trees, f) disturbance caused by vehicular traffic to the bungalows at the rear of the site and g) loss of the existing dwelling.

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 CS3 – Addressing the Borough’s housing need

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

- a) Make provision for at least 7,140 new homes over the plan period.
This will be achieved by:
 - Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
 - Allocating two strategic Key Sites; at the Great Yarmouth Waterfront Area (Policy CS17) for approximately 1,000 additional new homes (a minimum of 350 of which will be delivered within the plan period) and at the Beacon Park Extension, South Bradwell (Policy CS18) for approximately 1,000 additional new homes (all of which will be delivered within the plan period)
 - Allocating sufficient sites through the Development Policies and Site Allocations Local Plan Document and/or Neighbourhood Development Plans, where relevant
 - Ensuring the efficient use of land/sites including higher densities in appropriate locations
 - Using a ‘plan, monitor and manage’ approach, which uses a split housing target to ensure that the plan is deliverable over the plan period (as shown in the Housing Trajectory: Appendix 3), to ensure the continuous maintenance of a five-year rolling supply of deliverable housing sites
- b) Encourage the effective use of the existing housing stock in line with the Council’s Empty Homes Strategy
- c) Encourage the development of self-build housing schemes and support the reuse and conversion of redundant buildings into housing where appropriate and in accordance with other policies in the Local Plan
- d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes

to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites

- e) Support the provision of housing for vulnerable people and specialist housing provision, including nursing homes, residential and extra care facilities in appropriate locations and where there is an identified need
- f) Encourage all dwellings, including small dwellings, to be designed with accessibility in mind, providing flexible accommodation that is accessible to all and capable of adaptation to accommodate lifestyle changes, including the needs of the older generation and people with disabilities
- g) Promote design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas and make efficient use of land, in accordance with Policy CS9 and Policy CS12

3.4 Policy CS11 – Enhancing the natural environment

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. This will be achieved by:

- a) Conserving and enhancing designated nature conservation sites, including Sites of Special Scientific Interest (SSSIs), Special Protected Areas (SPAs), Marine SPAs, Special Areas of Conservation (SAC), RAMSAR sites, National Nature Reserves, Local Nature Reserves Norfolk County Wildlife Sites and Norfolk County Geodiversity Sites
- b) Working in partnership with relevant nature conservation organisations to ensure that protected species, such as Little Terns, are adequately protected from any adverse effects of new development. This includes the preparation of the Natura 2000 Sites Monitoring and Mitigation Strategy and ensuring assessment of development proposals in the vicinity of the colonies
- c) Relevant development will be required to deliver the mitigation measures identified in the Natura 2000 Sites Monitoring and Mitigation

Strategy. This document is being prepared and will secure the measures identified in the Habitat Regulations Assessment which are necessary to prevent adverse effects on European wildlife sites vulnerable to impacts from visitors

- d) Ensuring that the Norfolk Coast Area of Outstanding Natural Beauty (AONB), the Broads and their settings are protected and enhanced
- e) Safeguarding and where possible enhancing the borough's wider landscape character, in accordance with the findings of the borough's and the Broads Authority's Landscape Character Assessment
- f) Improving the borough's ecological network and protecting habitats from fragmentation by working with our partners to:
 - create coastal habitats, including those along developed stretches
 - enhance and protect the quality of the habitats, including buffering from adverse impacts
- g) Ensuring that all new development takes measures to avoid or reduce adverse impacts on existing biodiversity and geodiversity assets. Where adverse impacts are unavoidable, suitable measures will be required to mitigate any adverse impacts. Where mitigation is not possible, the Council will require that full compensatory provision be made
- h) Ensuring that all new development appropriately contributes to the creation of biodiversity and/or geodiversity features through the use of landscaping, building and construction features, sustainable drainage systems and geological exposures
- i) Further developing public understanding of biodiversity and geodiversity and where appropriate, enabling greater public access to any notable biodiversity and/or geodiversity assets
- j) Protecting and where possible enhancing the quality of the borough's resources, including inland and coastal water resources and high quality agricultural land, in accordance with Policy CS12
- k) Working with developers and landowners to ensure land management practices protect and enhance landscapes and to restore landscapes where valued features and habitats have been degraded or lost

- l) Identifying and where appropriate reassessing the locations of strategic gaps to help retain the separate identity and character of settlements in close proximity to each other
- m) Identifying and where appropriate reassessing the locations of local green spaces to help protect open spaces that are demonstrably special to a local community and hold a particular local significance.

3.5 Saved Great Yarmouth Borough-Wide Local Plan Policies

The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007 and assessed again in January 2016. An assessment of policies was made during the adoption of the Core Strategy in December 2015 and these policies remain saved following the assessment and adoption. The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.

3.6 POLICY HOU7

NEW RESIDENTIAL DEVELOPMENT MAY BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE PARISHES OF BRADWELL, CAISTER, HEMSBY, ORMESBY ST MARGARET, AND MARTHAM AS WELL AS IN THE URBAN AREAS OF GREAT YARMOUTH AND GORLESTON. NEW SMALLER SCALE RESIDENTIAL DEVELOPMENTS* MAY ALSO BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE VILLAGES OF BELTON, FILBY, FLEGGBURGH, HOPTON-ON-SEA, AND WINTERTON. IN ALL CASES THE FOLLOWING CRITERIA SHOULD BE MET:

- (A) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE FORM, CHARACTER AND SETTING OF THE SETTLEMENT;
- (B) ALL PUBLIC UTILITIES ARE AVAILABLE INCLUDING FOUL OR SURFACE WATER DISPOSAL AND THERE ARE NO EXISTING CAPACITY CONSTRAINTS WHICH COULD PRECLUDE DEVELOPMENT OR IN THE CASE OF SURFACE WATER DRAINAGE, DISPOSAL CAN BE ACCEPTABLY

ACHIEVED TO A WATERCOURSE OR BY MEANS OF SOAKAWAYS;

- (C) SUITABLE ACCESS ARRANGEMENTS CAN BE MADE;
- (D) AN ADEQUATE RANGE OF PUBLIC TRANSPORT, COMMUNITY, EDUCATION, OPEN SPACE/PLAY SPACE AND SOCIAL FACILITIES ARE AVAILABLE IN THE SETTLEMENT, OR WHERE SUCH FACILITIES ARE LACKING OR INADEQUATE, BUT ARE NECESSARILY REQUIRED TO BE PROVIDED OR IMPROVED AS A DIRECT CONSEQUENCE OF THE DEVELOPMENT, PROVISION OR IMPROVEMENT WILL BE AT A LEVEL DIRECTLY RELATED TO THE PROPOSAL AT THE DEVELOPER'S EXPENSE; AND,
- (E) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE RESIDENTIAL AMENITIES OF ADJOINING OCCUPIERS OR USERS OF LAND.

(Objective: To ensure an adequate supply of appropriately located housing land whilst safeguarding the character and form of settlements.)

* ie. developments generally comprising not more than 10 dwellings.

3.7 POLICY HOU17

IN ASSESSING PROPOSALS FOR DEVELOPMENT THE BOROUGH COUNCIL WILL HAVE REGARD TO THE DENSITY OF THE SURROUNDING AREA. SUB-DIVISION OF PLOTS WILL BE RESISTED WHERE IT WOULD BE LIKELY TO LEAD TO DEVELOPMENT OUT OF CHARACTER AND SCALE WITH THE SURROUNDINGS.

(Objective: To safeguard the character of existing settlements.)

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 they are 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. In this case local finance considerations are not considered to make the development more acceptable.

5 Assessment :-

- 5.1 The application has been on hold awaiting the submission of a Shadow Habitats Regulations Assessment (SHRA) to determine whether the application will be likely to have significant effects on one or more Natura 2000 sites. Permission may only be granted if it is determined that the application will not adversely affect the integrity of any Natura 2000 site. A SHRA has now been submitted and it is the assessment of the Local Planning Authority, as Competent Authority, that any adverse effects of the development on Natura 2000 sites can be adequately mitigated for by a contribution to the Habitats Monitoring and Mitigation Strategy and the applicant has paid a contribution of £110 per dwelling towards the Council's Monitoring and Mitigation Programme. This assessment is made having taken into account both the direct and cumulative effects that the site may have in terms of recreational pressures on any Natura 2000 sites.
- 5.2 The previous application included the erection of two houses at the front of the site with a chalet bungalow and two houses at the rear. Although this was an outline application the drawings showed two large, three storey houses at the front which would have had an adverse effect on light and outlook to the adjoining dwellings facing Crab Lane. The houses, as now proposed, are smaller and are more in keeping with the scale and design of the adjoining dwellings on the road frontage. In particular the house on plot 2 is further from the boundary with no. 23, with the main two-storey part of the house being roughly in line with that property. The houses will have first floor windows at the rear that will overlook adjoining gardens but there is already an element of overlooking from existing first floor windows so the proposal will not introduce overlooking where it does not already occur.
- 5.3 No. 21 Crab Lane has a garage close to the boundary with the application site with the house itself being approximately 5 metres from the boundary. The two-storey part of the new house next to no. 21 will not extend beyond the rear elevation of that property and, as the rear gardens face south, it will not cause any significant overshadowing or loss of light to the neighbour. The access road runs down the middle of the site and the garden to plot 1 and a landscaped area will be next to no. 21 so the road will not adjoin the boundary of that property.
- 5.4 The two earlier applications in 2006 and 2007 showed four dwellings at the rear and three dwellings respectively and the recent application that was dismissed on appeal showed two houses and a chalet bungalow at

the rear of the site. The chalet bungalow was to be sited to the west of the turning area opposite the rear gardens of 4, 6 & 8 Headington Close. The current proposal has two detached bungalows at the rear which is a lesser number of dwellings in the rear garden than the previous applications. The proposed layout shows two parking spaces for plot 2 at the rear of 4 Headington Close and the parking spaces for plot 1 on the opposite side of the turning area to the west. The parking for the bungalows will be located between the two dwellings. In dismissing the appeal the inspector considered that the three dwellings at the rear would introduce noise and disturbance from the comings and goings of people and vehicles. The reduced number of dwellings now proposed would have less of an adverse effect with the wider landscaped area at the rear of Headington Close also providing more screening to the access road and turning area. All of the previous applications included dwellings in the centre of the site; the current proposal locates the dwellings at the front and the rear of the land in line with the existing built development on Crab Lane and Parkland Drive. This layout will reduce activity in the middle of the site and should result in less noise and disturbance to the surrounding dwellings than the previous proposals. If the Committee considers that there may still be a problem with noise from cars using the road and parking areas it may be possible to relocate the parking for the houses on plots 1 and 2 to the front of the site which would further reduce traffic movements at the rear of the site.

- 5.5 The other main reason for dismissing the appeal was the loss of the trees that are covered by a TPO, the applicant has now addressed this concern by submitting a revised drawing showing the retention of the TPO trees and replacement tree planting.
- 5.6 The reduced number of dwellings that are now proposed and the amended layout with two bungalows at the rear of the site and two houses at the front is a more spacious form of development and would have less of an adverse effect on the character of the area.
- 5.7 The site is located in a suburban settlement which is within the Council's Core Strategy development boundary and therefore the site is considered to be a sustainable location for residential development. The reduced number of dwellings and the retention of the TPO trees result in a more acceptable form of development and it is considered that it would now be difficult to justify refusing permission and the recommendation is therefore to approve.

6 RECOMMENDATION :-

- 6.1 Approve – the proposal conforms with the aims of Policies CS1, CS2, CS3 and CS11 of the Great Yarmouth Local Plan: Core Strategy and saved Policies HOU7 and HOU17 of the Great Yarmouth Borough-Wide Local Plan.

- 6.2 Approval should be subject to the conditions requested by Highways, details of measures to protect the TPO trees during construction and surface water drainage.



Appeal Decision

Site visit made on 17 October 2017

by **Amanda Blicq BSc (Hons) MA CMLI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th November 2107

Appeal Ref: APP/U2615/W/17/3177754
21 Crab Lane, Bradwell NR31 8DJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr David James, of Barco East Ltd against the decision of Great Yarmouth Borough Council.
- The application Ref 06/17/0199/O, dated 26 March 2017, was refused by notice dated 24 May 2017.
- The development proposed is 2 detached two and a half storey dwellings with integral garages, 2 linked dwellings linked by garages, 1 chalet bungalow and detached garage.

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr David James, of Barco East Ltd against Great Yarmouth Borough Council. This application is the subject of a separate Decision.

Procedural matters

3. For clarity I have used the description of development given on the decision notice in the heading above.
4. The evidence before me indicates that although this is an outline application with all matters reserved, the agent agreed during the course of the application that landscaping, layout and scale could be determined as part of the application. This is confirmed in the appellant's statement and consequently I have based my reasoning on the evidence submitted in relation to those matters.
5. Whilst this appeal is not an application to remove trees under The Town and Country Planning (Tree Preservation) (England) Regulations 2012, the evidence before me indicates that some of the site's trees are protected by a Tree Preservation Order (TPO) and the layout shows the removal of some protected trees. Although I do not have all the TPO documentation, the fact that particular trees are protected by a TPO¹ does not appear to be disputed by the parties. As such, I have based my reasoning on the presumption that they are protected. The granting of planning permission would over-ride the TPO, and

¹ Tree Works Register – TPO No 5, 2006, confirmed 5 December 2006

consequently I have considered the appeal with regard to the future health and longevity of these protected trees.

6. Although the reasons for refusal identify harm to the amenity of neighbouring residents, this is not amplified in the Council's appeal statement. However, on the basis of evidence submitted by interested parties I have concluded that the potential harm to living conditions of existing occupiers would be in respect of light, overlooking, and noise and disturbance. This is included as a main issue.

Main Issues

7. The main issues are the effect of the development on:
 - The character and appearance of the area;
 - The future health and longevity of protected trees; and,
 - The living conditions of occupiers of neighbouring dwellings with particular regard to light, overlooking, and noise and disturbance.

Reasons

Character and appearance

8. The appeal site contains a detached dwelling fronting Crab Lane with a very generous rear garden. The development would comprise five dwellings following demolition of the existing dwelling.
9. There would be a spread of development across the site, with two dwellings aligned along the Crab Lane frontage and two at the rear of the site in line with a short terrace on Parkland Drive. These dwellings would be two-storey and with regard to location, Plots 1, 2, 3 and 4 would generally be in keeping with the underlying building pattern.
10. However, the dwellings on Plots 1 and 2 would appear disproportionately deep and bulky compared to nearby dwellings and would have notably less articulation of form than other dwellings in the vicinity.
11. Furthermore, Plot 5 would be located between the building lines of Parkland Drive and Crab Lane and would be unrelated to the underlying building pattern of neighbouring plots. The access road to Plots 3, 4 and 5 would introduce frontage activity into an area of contiguous rear gardens behind the Crab Lane, Headington Close and Parkland Drive frontages. This would also be out of keeping with the underlying development pattern.
12. Consequently, I conclude that the spread and scale of the development would be unreflective of the established development pattern and would also appear cramped within the site. This would represent over-development which would be detrimental to the character and appearance of the area. As such, the development would be contrary to Saved Policy HOU17 of the Local Plan² (LP) which states that the sub-division of plots will be resisted where it would be likely to lead to development out of character and scale with the surroundings, and LP Policy HOU7 which states that new residential development should not

² Great Yarmouth Borough Council, Saved Great Yarmouth Borough-wide Local Plan Policies (2001)

be significantly detrimental to the form, character and setting of the settlement.

Protected trees

13. There are three protected mature trees on the site, and one outstanding replacement for a fourth which was felled without permission. A Scots Pine (pine) and an imposing Monterey Cypress (cypress) are located close to the site boundaries, and there is an oak situated towards the centre of the site. Both the oak and the cypress have naturally shaped canopies, and at heights of 13 and 17 metres respectively, are imposing specimens. Although it has an asymmetric and damaged crown, the pine is of a similar height to the oak. All three trees are prominent in views across gardens behind the Crab Lane and Headington Close frontages. They are also seen glimpsed between and above dwellings from Crab Lane and appear to be the tallest trees in the immediate area. As such, I conclude that the trees make a moderate to substantial contribution to visual amenity, and consequently have a positive effect on the character and appearance of the area.
14. Where reasonably healthy trees are protected, there is a strong presumption against their removal unless there is evidence of essential need. The tree survey states all three are in good physiological and moderate structural condition. The survey also notes that the pine requires only the removal of dead wood. No works are recommended for the oak or cypress.
15. Nonetheless, the layout and the tree survey indicate that the pine would be removed to allow the development of Plot 5. The cypress would also be removed as it is considered unsuitable for retention in a more tightly developed residential context where it could obstruct light and suffer wind damage.
16. The appellant argues that the pine should be removed because of its damaged state. However, the contribution trees make to visual amenity is not predicated on symmetry or lack of damage. Furthermore, the tree survey does not indicate that the pine's structural integrity is compromised by that damage. As such, I am not satisfied that this argument demonstrates that there is an essential need to remove the pine other than to accommodate the development.
17. The layout demonstrates that the oak could be retained with adjustments to site access and appropriate protection measures. However, due to its proximity to the south of Plot 2, it is likely that there would be pressure for its removal from future occupiers to mitigate overshadowing of the limited amenity area³.
18. Furthermore, although a scheme for replacement planting has been proposed, most of the replacements would be located in a line along a limited distance of the site's eastern boundary. Their future growth would be likely to be constrained by the proximity of other replacement trees, hardstanding areas and the rear amenity areas of adjacent plots. As such, I give limited weight to the likelihood of these replacements reaching a size and maturity sufficient to replace the trees removed. In any case, a line of trees along one site boundary would not necessarily compensate for the existing spread of trees across the site. Moreover, although I acknowledge that landscape works could be agreed

³ Shade cast is shown at midday in mid-summer and as such is the minimum shadow over the course of a year.

under reserved matters, I am satisfied that the constraints of amenity space, vehicular hardstanding and dwellings of the appeal before me would preclude significant tree planting in other parts of the site.

19. Finally, the concentration of replacement tree planting in one area of the site reinforces my conclusion outlined above, that the proposals would represent overdevelopment of the site.
 20. Although there is an alternative site layout in the AIA⁴, there is nothing before me to indicate that this layout reflects the proposed scale or form of development. In any case, this layout also shows the removal of the pine and cypress. I conclude that there is no evidence before me to support the appellant's argument that the development could proceed with all protected trees retained.
 21. The appellant also argues that the Council's tree officer was of the opinion that the pine and cypress should be removed and replaced. However, the evidence before me indicates that with regard to the cypress, it is the future proximity of foot and vehicular traffic that is the tree officer's main concern. There does not appear to be any evidence that the tree officer agreed to the removal of the pine. In any case, on the basis of the evidence before me, I have reached a different conclusion.
 22. In the light of the above, I conclude that the pine and cypress would be removed, together with the removal and significant pruning of non-protected specimens and groups of trees, solely to accommodate the scale and spread of development. No essential need to fell the protected trees has been demonstrated, and I am not satisfied that the proposed replacement planting would reach a size and maturity commensurate with the existing protected trees. Consequently, the development would have an adverse effect on the character and appearance of the area. This would be to the detriment of the visual amenity of the locality.
 23. As such, the development would be contrary to Policy CS9 of the Core Strategy⁵ (CS) which requires development to conserve and enhance landscape features and townscape quality.
- Living conditions*
24. The scale and positioning of the dwelling on Plot 1 would result in significant overshadowing of the rear elevation and rear garden area of 23 Crab Lane (No 23), which has very modest amenity space at the rear. This would have an adverse effect on the living conditions of occupiers of No 23 with regard to light.
 25. There would also be vehicular hardstanding and turning for three dwellings within a few metres of the rear plot boundaries of dwellings fronting Headington Close. This would introduce noise and disturbance from the comings and goings of both people and vehicles. Although the rear gardens of dwellings on Headington Close are of reasonable length, they are narrow and the underlying development pattern is tight. Occupiers should have a reasonable expectation that their rear amenity areas will be areas of reduced activity and disturbance. I conclude that there would be increased noise and

⁴ April 2017

⁵ Great Yarmouth Borough Council, Local Plan Core Strategy, adopted December 2015

<https://www.gov.uk/planning-inspectorate>

disturbance for occupiers of some dwellings on Headington Close, to the detriment of their living conditions.

26. Plot 1 would have habitable rooms at first floor level and in the roof accommodation and windows would overlook the rear gardens of Headington Close. I concur with interested parties that there would be a loss of privacy from overlooking for occupiers of some neighbouring dwellings, which would also have an adverse effect on their living conditions. Although a reconfiguration or internal space and use of obscure glazing could address these issues in the absence of other concerns, this harm reinforces my view that these proposals represent overdevelopment.
27. I conclude that the development would be contrary to CS Policy CS9 which requires development to protect the amenity of existing residents, and LP Policy HOU7 which does not permit development which would be significantly detrimental to the residential amenities of adjoining occupiers.

Other matters

28. I appreciate that the development was recommended for approval by officers. However, some of the Members came to a different conclusion, as have I. The appellant also argues that no reasons for refusal were given at the committee meeting. Nonetheless, the reasons given on the decision notice have identified the main issues in my reasoning.
29. The appellant has referred to a previous appeal at Crab Lane, but I have no further information to enable me to conclude whether that appeal was comparable to this. In any case, every appeal is determined on its merits.
30. I appreciate that urban locations can generally accommodate higher densities. However, it does not necessarily follow that all sites can be developed to the same extent and in this instance I disagree with the appellant that the site can clearly accommodate the development proposed.
31. The appellant also advances the argument that a neighbour has supported the removal of the cypress due its intrusiveness, risk to health and safety and its impact on amenity areas. This however reinforces my conclusion that proposed replacement planting along this site boundary would be unlikely to reach full maturity, as the trees would significantly overhang adjacent amenity areas of dwellings on Headington Close.
32. I appreciate that this is an outline application. Although I have found it appropriate to consider the appeal in the context of the layout proposed, I am satisfied that even with a different layout, proposals of the form and scale before me would represent overdevelopment of the site.

Planning balance

33. There is no evidence that the Council can demonstrate a five year housing land supply. In such situations, Paragraph 49 of the National Planning Policy Framework (the Framework) states that relevant policies for the supply of housing are to be considered out of date and Paragraph 14 of the Framework is engaged. However, case law⁶ has indicated that the weight to be given to conflict with the development plan remains a matter of planning judgement.

⁶ Crane v Secretary of State DCLG (2015) EWHC 425 (Admin)

34. In this instance, there is nothing in the evidence before me to indicate that the Council has an objection to the principle of development. However, although the development would make a very modest contribution to housing supply in the area, the harm I have identified above would not significantly and demonstrably outweigh the benefits when assessed against policies in the Framework taken as a whole, as required by Paragraph 14 of the Framework.

Conclusion

35. For the reasons given above and taking all matters into account, I conclude that the development would be contrary to the relevant policies of the Council's Local Plan and that therefore the appeal should be dismissed.

Amanda Blincq

INSPECTOR

ACK 8/8/18

Mark Ogden
19 Crab Lane
Bradwell
Great Yarmouth
Norfolk, NR31 8DJ



Planning service development control
Town Hall, Hall Plain
Great Yarmouth Norfolk

Dear Mrs E Helsdon

Ref: 06/18/0327/F
Two dwellings, two bungalows. 21 Crab Lane.

I wish to object to this application, my bullet points are as follows but not limited to.

The current property is within the keeping of the area and is an old style Victorian building which in my opinion should be left standing as it does not detract from the other buildings in the area.

There are several trees with preservation orders on, some of which the owner has already cut down and was ordered to replace but has failed to do so.

The current occupier has been at the said tree recently with a chainsaw, I did not think this was allowed under the preservation order.

Why has he not been chased up on this matter?

These trees where/are used by much local wildlife including but not limited to bats, crows and other Great British wildlife

The buildings of high height will create overshadowing and loss of light in my south facing back garden, I will not be able to enjoy my garden to its full potential, not to mention a complete loss of privacy for me and my family.

The addition of extra dwellings will create an increase in noise and traffic; we will have the noise from 5 dwelling instead of one

The road on the plans runs right through where one of the trees stands, this road also runs along the border of my property I do not wish to hear traffic running up and down the side of my property all day long. I purchased this property because of the peace and quiet in the rear garden which will be ruined by this development.

I don't believe the drainage system could cope with even more houses being built. The drain outside my property struggles enough during rain fall as it is causing light flooding in the local vicinity and the increase in water run off and drainage that these dwellings would create a far worse area of flooding.

Two houses were built opposite and now the Archers development, I think Crab Lane is developed enough without the addition of these extra five dwellings.

The extra traffic will cause a hazard to the local residence wishing to exit or enter their properties. Crab lane has become an increasingly busier road in the past few years without the need to add more with this development.

The council has turned down plans for this site several times now and I hope they continue to see common sense and turn it down again.

Yours faithfully

Mark Ogden

ACK 8/8/18

6 Headington Close
Bradwell
Great Yarmouth
Norfolk
NR31 8DN

3 August 2018

Mr J Ibbotson
Great Yarmouth Borough Council
Planning Services
Development Control
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Dear Sir

Application: Planning Application 06/18/0327/F

Proposal: Two Detached dwellings. Two bungalows.

Location: 21 Crab Lane Bradwell Great Yarmouth Norfolk NR31 8DJ

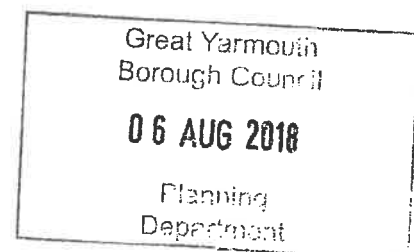
We are in receipt of your letter dated 16 July 2018 advising us of the above application.

We presume the proposal is for the demolition of the existing chalet bungalow and the construction of two detached three bedroom houses and two detached three bedroom bungalows as shown on the plans. Although on the planning application documents, page 5 states houses two - two bedroom and two - four plus bedroom?

This application has been submitted since an appeal was unsuccessfully made on the previous application ref: 06/17/0199/O.

We would like to reiterate the following:-

In previous years there have been several planning applications made for development at the above property. The applications consisted, apart from one, of single storey dwellings which were all refused with the reasons given that the development would be very cramped and the impact it would have upon the character of the area and upon privacy, outlook and amenity of adjacent householders.



This new application, despite the refusal of the previous applications, including the most recent, ref: 06/17/0199/O with the reasons stated that the proposal was considered to be over development of the site resulting in a cramped development, loss of trees, particularly protected species, harm the amenity of neighbouring residents and would be out of character with the existing settlement form and street scene, is still being submitted. We refer you to the appeal decision document ref: APP/U2615/W/17/3177754.

The plan shows the proposed positioning of the houses and bungalows but despite advising in the Arboricultural report that the trees with Tree preservation orders would remain these are not shown on the said plan, which has been submitted as a detailed planning permission application.

Policy HOU17 under Schedule of current status (January 2016) of policies from the Great Yarmouth Borough-Wide local Plan states: "In assessing proposals for development the borough council will have regard to the density of the surrounding area. Sub-division of plots will be resisted where it would be likely to lead to development out of character and scale with the surroundings". Both Crab Lane and Headington Close properties have generous sized gardens and the building of two houses and two bungalows on the site in question would not be adhering to the said policy.

1. If the proposal is passed, this would mean having both a road to the front and rear of our property, which is not a usual occurrence and would mean increased noise, especially with the proposed properties being of family dwellings with the proposal of eight vehicle parking spaces which would be both intrusive and a disturbing factor in, what is presently a relatively quiet and peaceful back garden area and location generally. This fact is confirmed in the appeal decision under the **Character and Appearance** heading, point 11. This states "**The access road to plots 3 and 4 would introduce frontage activity into an area of contiguous rear gardens behind Crab Lane, Headington Close and Parkland Drive frontages. This would also be out of keeping with the underlying development pattern**"
2. In July 2006 a tree preservation order was put on four trees in the rear garden at said property. Since the preservation order was given, tree T6 on the plan was illegally removed but upon the council being advised, a replacement sapling was planted which has since died.
3. The destruction of mature trees, providing benefits to our atmosphere, helping to combat the harm of, for example, carbon monoxide pollution which would certainly increase by the erecting of four family sized properties.
4. The development would mean more loss of valuable green space, which in spite of being somewhat spoiled from its former country style area, which previously contained at least a further five trees, is still a habitat for birds and wildlife and the remaining trees, which make for a pleasant outlook in the middle of a residential area.

5. There would be further increase in traffic on an already busy main through road (Crab Lane) to Gorleston. This is especially significant as three bungalows have been built to the rear of 16 and 18 Crab Lane, to which more properties are to be added. The building of five properties being built on the Arches public house site has also begun. The close proximity of possibly five road junctions as well as entrance and exit to the Bradwell butchery within a short distance endangers the safety of pedestrians (including school children).
6. By allowing four new dwellings to be built on the site would be a further strain on the resources of water, gas, drainage, sewerage and electricity. Problems on going in other areas of Bradwell.
7. Considering there is already a strain on public services such as schools, doctors and dentists four more properties would certainly not help the situation.
8. With a roadway directly leading to the development it would affect the security of our property giving access to the rear garden via the west boundary.
9. The demolition of "West Oak" 21 Crab Lane would mean the destruction of the oldest dwelling on Crab Lane.

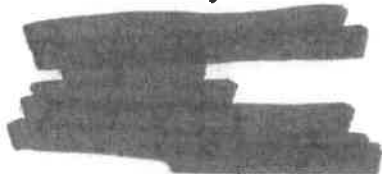
We still feel that this development is totally out of character for the locality, destroying a little bit of green open space left within a residential area. It would be detrimental to many of the neighbours' privacy, security and outlook and would lessen our quality of life.

We trust you will take all these points into consideration, realising that the position remains the same as when the previous applications were refused.

We look forward to receiving confirmation of receipt of this letter.

Thanking you in anticipation.

Yours faithfully

A large, dark, rectangular redacted area covering the signature of the sender.

Mr M G & Mrs L M Woodcock

aine Helsdon

ACK 6/8/18

From: Rachel Warner [redacted]
Sent: 03 August 2018 16:56
To: plan
Subject: Re: Planning Application 06/18/0327/F

Hi, my address is 22 Crab lane, Bradwell. NR31 8DJ

On Fri, 3 Aug 2018, 3:14 pm plan, <plan@great-yarmouth.gov.uk> wrote:

Could you please supply your address.

From: Rachel Warner [mailto:[redacted]]
Sent: 03 August 2018 15:13
To: plan
Subject: Planning Application 06/18/0327/F

I am writing to oppose the development of 21 Crab Lane. There are enough dwellings that are being and have been built in such a small area. Some of the protected trees have already been chopped down without permission and with the proposal for these new builds we will loose even more trees and I have been told bats are living in the trees what are left. Do not let this area be a concrete jungle!

Best regards

R. Warner

Application Reference 06/18/0327/F

Internet Consuites

Attachments

Invalid Consuites Comment?

Name Angela Hogg

Address 23 Crab Lane
Bradwell

Post Code NR31 8D

Telephone

Email Address

For or Against

NOS

Subject to Condition

Speak at Committee

Copy to existing Consuites?

Good Morning, Please note that the plans are not very clear. I would like to know further information and will contact Jack Ibbotson. 1. Where the properties will be located, how close is the property to me. Privacy Factors, overlooking. Trees to be kept. Time scale if won, when is the meeting to be held in order that I can voice my opinions. Many thanks Angela and Martin Hogg

Date Entered 06-08-2018

Internet Reference OWPC1839

Shelter

14.6m

The Archer

CRAB LANE

14.6m

14.6m

HEADINGTON CLOSE

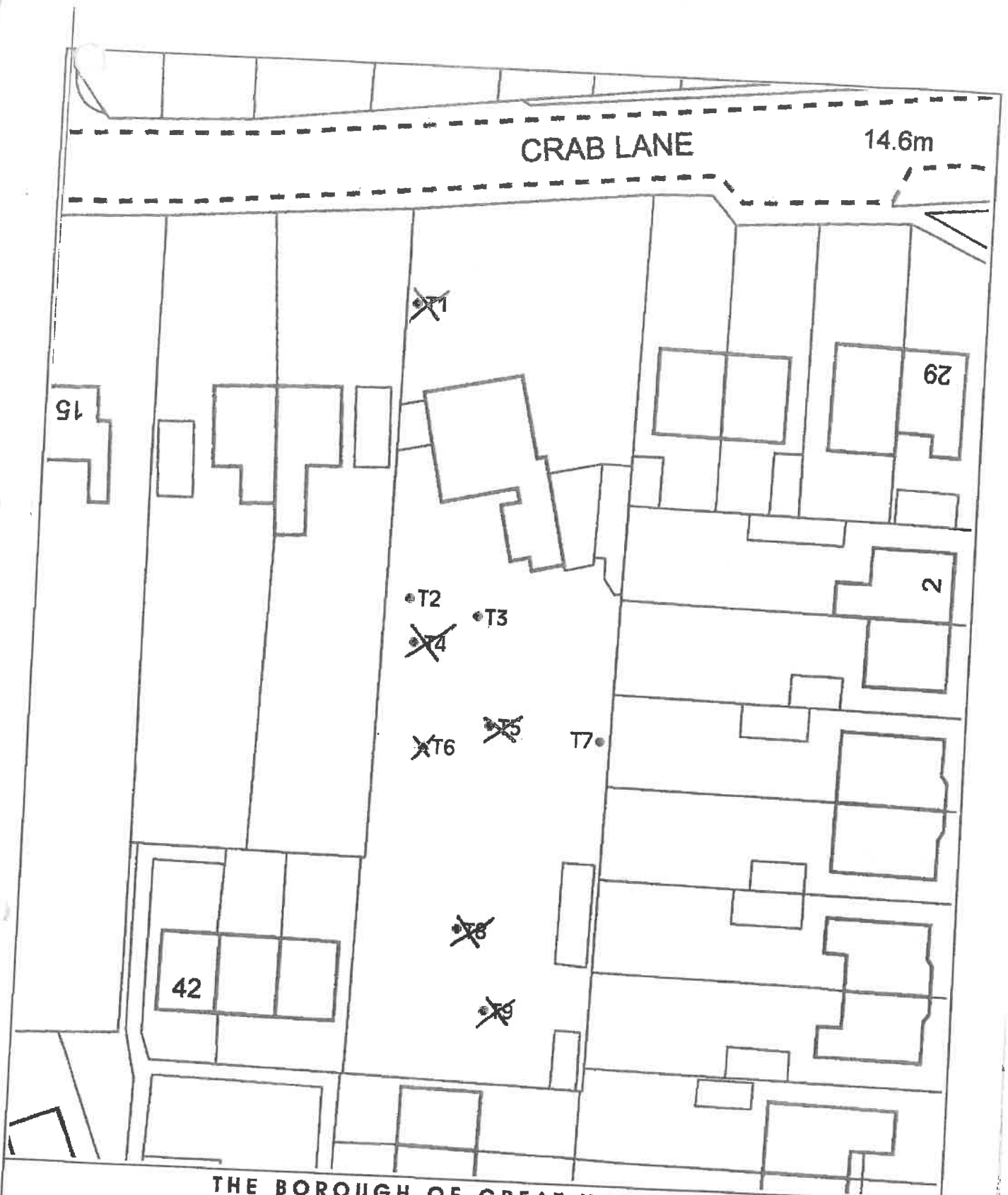
El Sub Sta

Ward Bdy Und

Shelter

21 Crab Lane, Bradwell - 06/18/0327/8

1-1,250



THE BOROUGH OF GREAT YARMOUTH

Tree Preservation Order No.5

2006

Plan Number: TG 5104

Scale: 1:500

TREES SPECIFIED INDIVIDUALLY

TREES SPECIFIED BY REFERENCE TO AN AREA

TREES SPECIFIED BY REFERENCE TO WOODLAND

GROUPS OF TREES

T.

A

W

G

T1 Ash	654347 - 304298
T2 Pine	651318 - 304269
T3 Oak	651326 - 304268
T4 Pine	651340 - 304265
T5 Cypress	651327 - 304257
T6 Pine	651320 - 304255
T7 Monterey Cypress	651337 - 304256
T8 Willow	651325 - 304238
T9 Silver Birch	651327 - 304229



Reference: 06/18/0648/F

Parish: Martham
Officer: Mrs G Manthorpe
Expiry Date: 07/01/19

Applicant: Mr and Mrs D Wlodarczyk

Proposal: Two storey rear extension

Site: 24 Rowan Road Martham

REPORT

1. Background / History :-

- 1.1 The application site is a detached two storey dwelling located on the southern side of Rowan Road Martham.
- 1.2 The previous planning history on the site comprises permission for a kitchen/bedroom extension, deemed permitted development in 1975 and the construction of a bay window to the front of the dwelling in 1998.

2 Consultations :-

- 2.1 Neighbour Consultations – There is an objection to the application which is attached to this report. A summary of the objection is below:
 - The size is disproportionate to the original dwelling.
 - There are no other extensions on that part of Rowan Road.
 - This extension would bring forward the southern window causing overlooking.
- 2.2 Highways – No objection the application.
- 2.3 Parish Council – no comment.
- 2.4 Building Control Officer – No objection.

3 Local Planning Policy :-

- 3.1 Policy CS9 High quality, distinctive places are an essential part in attracting and retaining residents, businesses, visitors and developers. As such, the Council will ensure that all new developments within the borough.

3.2 Saved Policy HOU18 of the Borough Wide Local Plan.

Extensions and alterations to dwellings will be permitted where the proposal:

- (a) is in keeping with the design of the existing dwelling and the character of the area;
- (b) would not significantly affect the amenities of any neighbouring dwelling; and,
- (c) would not result in over-development of the site.

4. National Planning Policy Framework:-

4.1 Paragraph 7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

4.2 Paragraph 11 (partial) For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5 Local finance considerations:-

5.1 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. In this case local finance considerations are not considered to be material to the case as the development is an application for an extension to an existing dwelling.

6 Assessment:-

6.1 The application is for the erection of a two storey rear extension which will also connect to the existing garage. The garage will remain single storey. The materials proposed are to match the existing dwelling in compliance with saved policy HOU18 of the Borough Wide Local Plan. The garden is of sufficient size to accommodate the development and will not constitute an over development of the site.

6.2 There has been an objection from a rear neighbour to the proposed development. When assessing applications the fall-back position is required to be assessed, in this instance the General Permitted Development Order reads as follows (partial):

Class A – enlargement, improvement or other alteration of a dwellinghouse

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

6.3 The objection states that there are no similar extensions approved within the immediate vicinity; the appearance of the extension is in keeping with the character of the area and the existing dwelling. The increase in size is not, given the size of the dwelling and curtilage disproportionate to the existing dwelling and this does not warrant a reason for refusal.

6.4 There will be a degree of increase in overlooking however given the location of the existing window the increase will not be so significant to warrant a recommendation of refusal of the application. The objection also states that the sunsets will be lost from view; this objection is noted however on balance it is not deemed reasonable to justify refusal of the application as the loss of a view is not a material consideration in planning terms.

7 RECOMMENDATION :-

7.1 Approve - subject to a condition to ensure that the development is built in accordance with the approved plans.

MR & MRS P. STINCHCOMBE,
16, STEAMOLE AVENUE,
MALTHAM,
NORFOLK
NR 29 4PW

8.12.18.

Great Yarmouth Borough Council

11 DEC 2018

Customer Services

Great Yarmouth
Borough Council

11 DEC 2018

Planning
Department

DEAR Sir,

06/18/0648/F

APPLICATION NO: 06/18/0648/F

DEVELOPMENT: TWO STOREY REAR EXTENSION.

LOCATION: 24, ROWAN ROAD, MALTHAM, GT. YARMOUTH NR29 4RY

I HAVE RECENTLY RECEIVED A LETTER FROM YOU CONCERNING
PLANNING PERMISSION FOR THE ABOVE APPLICATION.

I WISH TO MAKE THE FOLLOWING COMMENTS ON THE PROPOSAL:-

- 1) THE SIZE OF THE EXTENSION LOOKS DISPROPORTIONATE TO
THE ORIGINAL PROPERTY, THEREFORE CAUSING IT TO BE
OBTRUSIVE.
- 2) THERE ARE NO EXTENSIONS OF THIS SIZE AND NATURE
ON ANY OTHER HOUSES IN THAT PART OF ROWAN ROAD.
THIS EXTENSION WOULD AFFECT THE LOOK OF CONTINUITY
AND WOULD BE VERY IMPOSING.
- 3) THIS EXTENSION WOULD BRING FORWARD THE SOUTHERN
FACING SIDE OF THE REAR OF THE PROPERTY, BEING
IT NEXT TO OUR PROPERTY, CAUSING US TO BE OVERLOOKED
MORE THAN WE ARE AT PRESENT, ALSO, AESTHETICALLY IT
WILL OBSCURE THE BEAUTIFUL SUNDAYS WE SO ENJOY.

YOURS FAITHFULLY



P.P. PH + DR STINCHCOMBE



PLANNING APPLICATIONS CLEARED BETWEEN 01-JAN-19 AND 30-JAN-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/18/0635/F
PARISH	Belton & Browston 10
PROPOSAL	Existing steel door removed and replaced with louvre panels
SITE	8 Bell Lane - Tesco Belton
APPLICANT	GREAT YARMOUTH
DECISION	Mr Rogers APPROVE

REFERENCE	06/18/0661/PAD
PARISH	Belton & Browston 10
PROPOSAL	Prior approval of agricultural building to a single residential dwelling
SITE	Greenfields Nursery Cherry Lane
APPLICANT	Browston GREAT YARMOUTH
DECISION	Mr A Darling DETAILS NOT REQ'D

REFERENCE	06/18/0685/F
PARISH	Belton & Browston 10
PROPOSAL	Proposed roof extension with rooms in the roofspace
SITE	12 St Georges Road Belton
APPLICANT	GREAT YARMOUTH
DECISION	Mr S Davidson APPROVE

REFERENCE	06/18/0712/F
PARISH	Belton & Browston 10
PROPOSAL	Variation of condition 2 of PP: 06/17/0788/F - To enable design amendments to layout plan and elevations
SITE	Hall Farm Barn 1 Beccles Road
APPLICANT	Belton GREAT YARMOUTH
DECISION	Rattler Properties Ltd APPROVE

REFERENCE	06/18/0242/CD
PARISH	Bradwell N 1
PROPOSAL	Construct 3 new detached dwellings to rear of 158 Burgh Road - DoC 3,4,5 & 7 re: PP 06/16/0555/F
SITE	158 Burgh Road (land r/o) Bradwell
APPLICANT	GREAT YARMOUTH NR31 8AX
DECISION	Mr A Panteli APPROVE (CONDITIONS)

DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/18/0543/F
PARISH	Bradwell N 1
PROPOSAL	Grnd flr ext to enlarge kitchen & dining facilities, grnd flr toilet. 1st flr ext to enlarge beds, create dormers
SITE	144 El Alamein Way Bradwell
APPLICANT	GREAT YARMOUTH
DECISION	Mrs S Lewis APPROVE

REFERENCE	06/18/0622/F
PARISH	Bradwell N 1
PROPOSAL	Proposed rear extension
SITE	79 El Alamein Way Bradwell
APPLICANT	GREAT YARMOUTH
DECISION	Mr M Osbourne APPROVE

REFERENCE	06/18/0658/F
PARISH	Bradwell N 1
PROPOSAL	Proposed single storey rear extension with steel flue from woodburner
SITE	37 Whimbrel Drive Bradwell
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mr and Mrs Beck APPROVE

REFERENCE	06/18/0681/F
PARISH	Bradwell S 2
PROPOSAL	Single storey side extension
SITE	23 White Clover Road Bradwell
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mr M and Mrs J Cornwell APPROVE

REFERENCE	06/18/0684/F
PARISH	Bradwell S 2
PROPOSAL	Proposed garage and workshop
SITE	9 Church Walk Bradwell
APPLICANT	GREAT YARMOUTH
DECISION	Mr and Mrs Radcliffe APPROVE

REFERENCE	06/18/0705/F
PARISH	Bradwell S 2
PROPOSAL	Proposed front extension
SITE	47 Beccles Road Bradwell
APPLICANT	GREAT YARMOUTH
DECISION	Mr A Maw APPROVE

PLANNING APPLICATIONS CLEARED BETWEEN 01-JAN-19 AND 30-JAN-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE **06/18/0702/F**
 PARISH Burgh Castle 10
 PROPOSAL Variation of condition 3 of PP: 06/17/0480/F - To extend car boot sales from 28 days to 32 days in any calendar year
 SITE Crows Farm High Road
 Burgh Castle GREAT YARMOUTH
 APPLICANT Mrs J Church-Greiner
 DECISION **APPROVE**

REFERENCE **06/18/0645/F**
 PARISH Caister On Sea 3
 PROPOSAL Loft conversion over garage
 SITE 8 Faeroes Drive Caister
 GREAT YARMOUTH Norfolk
 APPLICANT Mr D and Ms J Burrows
 DECISION **APPROVE**

REFERENCE **06/18/0688/F**
 PARISH Caister On Sea 3
 PROPOSAL Proposed extension and alterations
 SITE 5 Dover Court Caister
 GREAT YARMOUTH
 APPLICANT Mr M Slatter
 DECISION **APPROVE**

REFERENCE **06/18/0502/O**
 PARISH Filby 6
 PROPOSAL Proposed new dwelling
 SITE The Orangery Main Road
 Filby GREAT YARMOUTH
 APPLICANT Dr M Rumble
 DECISION **REFUSED**

REFERENCE **06/18/0630/F**
 PARISH Filby 6
 PROPOSAL Proposed siting of caravan in rear garden for family member to live in
 SITE 6 Ormesby Lane Filby
 GREAT YARMOUTH
 APPLICANT Mr P Sharp
 DECISION **APPROVE**

REFERENCE **06/18/0634/F**
 PARISH Great Yarmouth 5
 PROPOSAL New bedroom/shower room extension over existing garage
 SITE 25 Back Chapel Lane Bella Vita
 Gorleston GREAT YARMOUTH
 APPLICANT Mrs A Skeet
 DECISION **APPROVE**

DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/18/0615/CU
PARISH	Great Yarmouth 7
PROPOSAL	C.O.U from daycare childrens nursery to res.home for hols/ respite/rehabilitation for ind & families with additional nds
SITE	36 Nelson Road Willow Tree Nelson
APPLICANT	Gorleston GREAT YARMOUTH
DECISION	Dr C Winter APPROVE

REFERENCE	06/18/0662/F
PARISH	Great Yarmouth 7
PROPOSAL	Proposed 2 storey bay to front elevation
SITE	39 Victoria Road Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Mr L Jennings APPROVE

REFERENCE	06/18/0671/F
PARISH	Great Yarmouth 7
PROPOSAL	Single storey rear extensions and internal alterations
SITE	121 Church Road Gorleston
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mr and Mrs D Spanton APPROVE

REFERENCE	06/18/0625/F
PARISH	Great Yarmouth 9
PROPOSAL	Proposed location of 2 modular mobile units
SITE	4 Munnings Court Harfreys Ind Est
APPLICANT	GREAT YARMOUTH
DECISION	J W Munnings Ltd APPROVE

REFERENCE	06/18/0652/F
PARISH	Great Yarmouth 9
PROPOSAL	Retention of an existing portacabin
SITE	Gapton Hall Retail Park Gapton Hall Road
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mezen Investment Holdings Ltd APPROVE

REFERENCE	06/18/0644/F
PARISH	Great Yarmouth 14
PROPOSAL	Proposed single storey front extension
SITE	12 Seafeld Close GREAT YARMOUTH
APPLICANT	Norfolk
DECISION	Mr and Mrs Doran APPROVE

PLANNING APPLICATIONS CLEARED BETWEEN 01-JAN-19 AND 30-JAN-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE **06/18/0012/F**
 PARISH Great Yarmouth 15
 PROPOSAL VoC no 2 of PP 06/16/0765/F - Change of use of ground floor A1, A3 & A5 use & create 9 self contained flats
 SITE 19 Hall Quay GREAT YARMOUTH
 Norfolk NR30 1HP
 APPLICANT Mr A Estamakzai
 DECISION **APPROVE**

REFERENCE **06/18/0125/LB**
 PARISH Great Yarmouth 15
 PROPOSAL VoC no 2 of PP 06/16/0765/F - Change of use of ground floor A1, A3 & A5 use & create 9 self contained flats
 SITE 19 Hall Quay GREAT YARMOUTH
 Norfolk NR30 1HP
 APPLICANT Mr A Estamakzai
 DECISION **LIST.BLD.APP**

REFERENCE **06/18/0649/F**
 PARISH Great Yarmouth 15
 PROPOSAL Proposed single storey rear extension
 SITE 127 Lawn Avenue GREAT YARMOUTH
 Norfolk
 APPLICANT Mr and Mrs Turner
 DECISION **APPROVE**

REFERENCE **06/18/0673/F**
 PARISH Great Yarmouth 15
 PROPOSAL Extension to existing warehouse
 SITE AW Plant Services Eurocentre
 North River Road GREAT YARMOUTH
 APPLICANT AW Plant Services Ltd
 DECISION **APPROVE**

REFERENCE **06/18/0629/F**
 PARISH Great Yarmouth 19
 PROPOSAL Convert 2 flats back to single residential dwelling
 SITE 9 Lowestoft Road Gorleston
 GREAT YARMOUTH NR31 6SQ
 APPLICANT Mr J Ward
 DECISION **APPROVE**

REFERENCE **06/18/0633/CD**
 PARISH Great Yarmouth 19
 PROPOSAL Discharge of conditions 3, 4, 5 and 6 of Planning Permission 06/18/0363/F
 SITE Dock Tavern Lane (Controlled Repair Ltd)
 Gorleston GREAT YARMOUTH
 APPLICANT Herringfleet Developments Ltd
 DECISION **APPROVE (CONDITIONS)**

REFERENCE PARISH PROPOSAL	06/18/0638/F Great Yarmouth 19 Variation of condition 4 of PP: 06/17/0225/F - Change point 2 of condition 4 to match Flood Risk Assessment
SITE	Dock Tavern Lane (land off) Gorleston GREAT YARMOUTH
APPLICANT DECISION	R & G Cooper (Projects) Ltd APPROVE
REFERENCE PARISH PROPOSAL	06/18/0674/F Great Yarmouth 21 Demolition of existing conservatory and outbuilding; erection of new single storey extension with patio area
SITE	31 Shakespeare Road GREAT YARMOUTH Norfolk
APPLICANT DECISION	Mr M Black REFUSED
REFERENCE PARISH PROPOSAL	06/18/0651/F Hemsby 8 Single storey rear extension and entrance porch
SITE	Holly Lodge Yarmouth Road Hemsby GREAT YARMOUTH
APPLICANT DECISION	Mr S Roberts APPROVE
REFERENCE PARISH PROPOSAL	06/18/0639/F Hopton On Sea 2 Demolition of existing conservatory and replace with rear and side garden room extn, with external chimney
SITE	1 Orde Way Hopton-On-Sea GREAT YARMOUTH Norfolk
APPLICANT DECISION	Mr D Smith APPROVE
REFERENCE PARISH PROPOSAL	06/18/0457/F Martham 13 Retro app for decking area, wooden shed, wood outbuilding at end of garden & wooden awning attached to house
SITE	154 Repps Road Martham GREAT YARMOUTH
APPLICANT DECISION	Mr R Porter APPROVE
REFERENCE PARISH PROPOSAL	06/18/0641/CD Martham 13 Discharge of condition 3 of Planning Permission 06/17/0582/LB and 06/17/0611/F
SITE	27 The Green Brooklyn House Martham GREAT YARMOUTH
APPLICANT DECISION	Mr P Meyer APPROVE (CONDITIONS)

**PLANNING APPLICATIONS CLEARED BETWEEN 01-JAN-19 AND 30-JAN-19 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/18/0677/F**
 PARISH Martham 13
 PROPOSAL Proposed rear and side flat roof single storey extension

SITE 4 Marlborough Green Crescent Martham
 GREAT YARMOUTH Norfolk

APPLICANT Mr A Coles
 DECISION **APPROVE**

REFERENCE **06/18/0650/F**
 PARISH Ormesby St.Michael16
 PROPOSAL Partial conversion of existing detached garage to form
 annexed living accommodation

SITE Church Barn Main Road Ormesby St Michael
 GREAT YARMOUTH Norfolk

APPLICANT Mr G Hughes
 DECISION **APPROVE**

REFERENCE **06/18/0666/F**
 PARISH Ormesby St.Michael16
 PROPOSAL Construction of 2 detached cottages with attached garages

SITE Stone Cottage (land adj) Main Road
 Ormesby St Michael GREAT YARMOUTH

APPLICANT Mr J Coulclough
 DECISION **APPROVE**

REFERENCE **06/18/0516/F**
 PARISH Winterton 8
 PROPOSAL Proposed single storey rear extension

SITE Friendly Cottage King Street Winterton
 GREAT YARMOUTH NR29 4AT

APPLICANT Mrs S Garrod
 DECISION **APPROVE**

REFERENCE **06/18/0643/F**
 PARISH Winterton 8
 PROPOSAL Remodelling/extension of existing bungalow and detached
 double garage

SITE Sea Gem The Holway Winterton
 GREAT YARMOUTH

APPLICANT Mr & Mrs MacSweeny
 DECISION **APPROVE**

* * * * End of Report * * * *

**PLANNING APPLICATIONS CLEARED BETWEEN 01-JAN-19 AND 30-JAN-19 FOLLOWING
DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE**

REFERENCE	06/18/0340/F
PARISH	Hopton On Sea 2
PROPOSAL	Sub-division of site - New 2 bedroom bungalow and vehicular access
SITE	4 Barn Close (Rear of) Hopton GREAT YARMOUTH
APPLICANT	Mr P Penfold
DECISION	APPROVE

* * * * End of Report * * * *