



GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Date: Wednesday, 10 July 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

5 - 10

To confirm the minutes of the meeting held on the 12 June 2019.

4 APPLICATION 06-15-0441-O, FORMER PONTINS HOLIDAY CENTRE, BEACH ROAD, HEMSBY

11 - 94

Demolition of Existing buildings and Re-development of the site for up to 190 dwellings, Retail Development and Holiday Accommodation, together with associated open space, landscaping and infrastructure.

5 APPLICATION 06-19-0159-D, ROLLESBY ROAD (LAND AT) BROILER FARM, MARTHAM

95 - 114

Approval of reserved matters - appearance, landscaping, layout and scale of application 06/15/0673/O - including discharge of conditions 13,19, 21, 22 and 24.

6 APPLICATION 06-19-0120-F, LOWER MARINE ESPLANADE AND BEACH GORLESTON

**115 -
124**

Proposed 2 storage units for the storage of deck chairs or other

authorised leisure use, in the area surrounding the model yacht pond.

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| 7 | <u>APPLICATION 06-18-0563-F, FOLLY COURT COTTAGES,
COURT ROAD, ROLLESBY</u> | 125 -
150 |
|----------|--|----------------------|

Proposed self-build detached dwelling and garage.

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| 8 | <u>DELEGATED DECISION BETWEEN 1 AND 30 JUNE 2019</u> | 151 -
160 |
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Report attached.

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| 9 | <u>ANY OTHER BUSINESS</u> |
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To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

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| 10 | <u>EXCLUSION OF PUBLIC</u> |
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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, 12 June 2019 at 18:30

PRESENT:

Councillor Annison (in the Chair); Councillors Bird, Fairhead, Flaxman-Taylor, P Hammond, Lawn, Talbot, Wainwright, Williamson, A Wright & B Wright.

Councillor Candon attended as a substitute for Councillor Freeman.

Councillor Talbot attended as a substitute for Councillor Myers.

Mr A Nichols (Head of Planning & Growth), Ms C Whatling (Monitoring Officer), Mrs G Manthorpe (Senior Planning Officer), Mrs H Ayers (Technical Officer) & Mrs C Webb (Executive Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Freeman & Myers.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES

The minutes of the meeting held on 22 May 2019 were confirmed.

4 APPLICATION 06-18-0464-F - 50 CLAYDON GROVE (LAND R-O), GORLESTON

The Senior Planning Officer reported that following the submission of amended plans, application 06/18/0464/F would be deferred at tonight's Development Control Committee meeting to allow for consultations to be carried out and the revised plans to be assessed. The revised plans would shortly be available to view on the Council's website and consultation will be sent out to previously consulted parties and those who had previously commented on the application.

RESOLVED:

That application number 06/18/0464/F be deferred.

5 APPLICATION 06-18-0475-O - 14 BEACH ROAD (LAND ADJ) SCRATBY

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

The Senior Planning Officer reported that the application was an outline application with access, layout and scale forming part of the application and should the outline application be approved, the landscaping and appearance would be decided under a separate application for reserved matters.

The Senior Planning Officer reported that the application site was surrounded on two sides and partially on a third by residential development locating the site within an existing residential area. The application site required high quality planting to be carried out given the location of the development and the potential for landscape improvements.

The Senior Planning Officer reported that the Parish Council objected to the application. There had been three neighbour responses received, two objecting

and one requesting conditions. The neighbour responses were summarised as follows; no objection as long as privacy is maintained, access road is situated on a nasty bend, plot 8 will overlook existing properties, a lot of trees will be chopped down and owls and bats could be affected.

The Senior Planning Officer reported that Highways had not objected to the revised plans but the kink in the access road would need to be removed as part of any detailed design. Norfolk County Council Fire had no objection subject to condition requiring a hydrant to be installed. The Senior Planning Officer reported that the Local Planning Authority would accept no liability for public open space, children's recreation or drainage and this should be subject to a management company in perpetuity.

The Senior Planning Officer reported that the triggers for the management company or nominated body and all other matters not specifically listed in the agenda report would be determined through the s106 process. payment of £110 per dwelling under policy CS14 would be payable as required by the habitats & Mitigation Strategy.

The Senior Planning Officer reported that two trees would be removed on the application site, however, the trees do not have a long lifespan due to disease and ivy. The developer would have to comply with the law and licensing requirements if bats and owls were found to roost in the area. The development gave the opportunity for biodiversity enhancements which could come through at reserved matters stage.

The Senior Planning Manager reported that the Parish Council had requested a footpath for children to walk from the development to the recreation ground at Station Road. This had not been requested by NCC as offsite Highway improvement works. The Parish Council had also requested that a traffic survey is undertaken. However, Highways have not requested any additional information.

The Senior Planning Manager reported that the proposed two storey dwelling at plot 8 would result in overlooking. However, at this stage mitigation can be put into place to prevent adverse impacts on neighbours such as no windows on the northern elevation and that any rooms which would overlook were bathrooms with obscure glazed windows.

The Senior Planning Manager reported that it had been suggested that the submission of reserved matters for this application was 12 months of the decision being issued to bring the development forward. The applicant has agreed to this condition which demonstrates his intent to deliver the site.

The Senior Planning Officer reported that the developer of the adjacent site and for the current application were the same. However, the developments could not be treated as cumulative developments because the land owner and the applicant are not the same. The Senior Planning Officer reminded the Committee that we only had a 2.6 year housing land supply which affected the policies which applied to the application.

The Senior Planning Officer reported that there were no harms identified directly related to the current application. The application could be sufficiently conditioned to ensure that the site was deemed deliverable, and, in the absence of a reserved matters application, the permission would expire in 12 months, and any future application will be assessed on merit. The application was therefore recommended for approval subject to conditions to ensure an adequate form of development and a s106 agreement.

A Member asked for clarification as to why NCC had refused to provide a footpath from the development for children from the application site to Station Road which had been requested by the Parish Council. The senior Planning Manager reported that this could not be conditioned if the application was approved.

A Member asked for clarification on policy CS9, thermal comfort, which was an important issue in climate change matters. The Senior Planning Manager reported that the level of thermal comfort would be picked up by Building Control. The Member requested that it was essential that the planting scheme was of high quality and the details of the scheme should be reported to Committee.

Parish Councillor Freeman addressed the Committee and reported the concerns of the Parish Council and urged the Committee to refuse the application as it was back land development as it was outside of the village development limit and there were very high highway safety concerns for the villagers and visitors alike.

Following a vote, it was RESOLVED:-

That application number 06/18/0475/O be approved; subject to the conditions to ensure an adequate form of development including those requested by consultees and a s106 agreement securing Local Authority requirements of children's recreation, public open space, affordable housing and Natura 2000 payment. It was assessed that given the location of the application site, it was acceptable to require a contribution in lieu of children's play and public open space. The proposal complied with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

6 DELEGATED DECISION LIST

The Committee noted the planning applications cleared by delegated officer decision and by the Development Control Committee during May 2019.

7 OMBUDSMAN AND APPEAL DECISIONS

The Committee noted the appeal decision.

8 ANY OTHER BUSINESS

The Head of Planning and Growth reported that discussions had been undertaken with the Corporate Services Manager to find a solution to the clarity of images via the projectors during the Development Control Committee presentations in the Council Chamber.

The meeting ended at: 20:30

Reference: 06/15/0441/O

Parish: Hemsby

Officer: D.Minns

Expiry Date: time extension agreed

Applicant: Northern Trust Company Ltd

Proposal: Demolition of Existing buildings and Re-development of the site for up to 190 dwellings, Retail Development and Holiday Accommodation, together with associated open space, landscaping and infrastructure

Site: Former Pontins Holiday Centre, Beach Road, Hemsby

REPORT

1.0 Background

1.1 This planning application is re-presented to Members following a resolution to refuse the application by the Development Control Committee in March 2016 and further negotiation with the applicants which has resulted in a revised proposal being submitted.

1.2 The application as originally submitted was an outline planning application for the redevelopment of the site for up to 200 dwellings and community facilities/ commercial facilities together with open space and landscaping.

1.3 The Committee minutes states:- *"That application 06/15/0441/O be rejected on the grounds that the application is against TR4 of the Borough Wide Local Plan, unneighbourly and that there is other development land available"*. A copy of the minute is attached to this report.

1.4 During Committee deliberations at the March 2016 meeting, whilst resolving to refuse the application, the Committee expressed a view that they were keen to retain an element of tourism on the site to reflect local concern over the loss of a tourism use, along with revisiting the retail aspects of the proposal with a desire to retain a minimum two acres of tourism use on the site. The application as currently revised reflects that desire by having an area of two hectares (4.8 acres) to accommodate 50 caravans and the retail element revised to omit any development within use classes A4 (drinking establishments) and A5 (hot food takeaways) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

1.5 In April 2016 the Committee was advised that legal advice was being taken on the nature of the planning refusal to protect the Council's position, which Officers had advised would be difficult to defend on appeal and that discussions were being undertaken with the applicants to amend the application. The outcome of this was that the decision notice was not issued and neither did the applicant appeal to the Planning Inspectorate on the grounds of non-determination of the application.

1.6 The revised application has again been subject to full public and statutory body consultation and reports accompanying the revised application updated. This report updates the previous committee report to reflect the current proposals and consultation responses along with the changes to the National Planning Policy Framework and Planning Practice Guidance. Reference is also made to potential amendments to the adopted Great Yarmouth Core Strategy and emerging Local Plan Part 2 policies and site allocations for information only.

2.0 The Site Location and Context

2.1 The application site which is 8.85 hectares (approximately 22 acres) is located on the boundary between the tourist and residential areas of Hemsby, with the residential area wrapping around the application site to the north, west and south. Beach Road and Kings Way separate the application site from the adjacent residential areas to the north and south. The north western and southern boundaries of the site adjoin the rear gardens of residential properties on Kings Way, Beach Road, Homestead Gardens and Newport Road. To the east of the site, on the opposite side of Black Market Lane, are two holiday chalet parks, namely Bermuda Holiday Park and Florida Estate.

2.2 A large section of the western boundary of the site runs immediately adjacent to Kings Way, which is a single carriageway road providing one of the main accesses into Hemsby. There is no current direct access from this road, with the sole access being off Beach Road to the north. This road connects Kings Way to the beach and core tourist entertainment area to the east. Back Market Lane is a minor road which runs alongside the eastern boundary of the site and links Beach Road to the north with Newport Lane to the south.

2.3 The accommodation on the site – although in various states of disrepair following vandalism and fires – currently comprises an extensive range of flat roofed chalet blocks together with a large facilities building and with additional ancillary buildings. Overall the accommodation of the holiday park, at its peak, provided for a maximum capacity of around 2,440 people, according to information submitted with the application.

2.4 Pontins was first formed in 1946 and provided low cost family accommodation for self-catering and half board holidays across the UK and up until April 2008 the Pontins holiday centre in Hemsby was part of the wider Pontins company group. In 2008 the ownership of the site changed and the site was closed.

2.5 The application site has been vacant since the 2008 closure and whilst there has been 24 hr security, the site has suffered from a number of burglaries and fires over the years and is in a generally poor condition.

3.0 Relevant Planning History

3.1 There have been numerous planning applications over the past years on the site related to its holiday use. More recently, in 2011 an outline planning application was submitted for the redevelopment of the site for a 60 bed Care Home and up to 191 houses, together with associated open space and infrastructure. The application was subsequently withdrawn by the applicant prior to the application being considered by the Development Control Committee (Ref 06/11/0208/O) primarily on the basis that the Council could demonstrate a five-year housing supply.

4.0 The Original Proposal

4.1 Under the current reference number, the original application (06/15/0441/O) was submitted on 31st July 2015. The outline planning application proposed the principle of redevelopment of the site for up to 200 dwellings and community/commercial facilities together with associated public open space and landscaping with only the means to the application site to be considered as part of the application. All other matters e.g. appearance, landscaping, layout and scale were reserved for future approval.

4.2 The information submitted with the application stated that approximately 8.04 hectares of the site would comprise residential development. This included affordable housing, the amount of which – dependent on viability and subject to negotiation with the Local Authority was an indicative housing mix shown consisted predominantly of detached family housing with some semi-detached and terrace units; these would be mainly two storeys with an element of three-storey properties.

4.3 The community/ commercial facilities were proposed to be located on an area of 0.81 hectares (1.9 acres) along the western boundary fronting Kings Way with associated car parking. The supporting information stated that the units would consist of two detached single storey buildings with a combined floor space of a maximum of 900sqm (9805 sq. ft). These were shown (again indicatively) as likely to be in blocks/ wings not exceeding 15m in width and 45m in length with ridge heights not anticipated to exceed 8m. Pedestrian access was anticipated to be linked from in the general

development and off Kings Way which may be sub divided into smaller units. Flexibility was being sought in terms of the range of possible uses.

4.4 The applicants considered that the community facilities would assist in integrating the new development into the local community by providing opportunities for additional and improved local facilities to support existing and future residents of the local area. The application form did not include the floor area as described in the supporting information, except to say that the amount was unknown, as was the number of potential employment opportunities.

4.5 Overall, the indicative plan demonstrated how the site could be developed along with areas for housing, commercial/ community facilities and open space areas.

The plan included:-

- a) The location of the access points for the development and an access off Beach Road in the same approximate location as the existing access, together with two new accesses for the residential development off Kings Way.
- b) The location and site area for the community/ commercial facilities shown on the Kings Way frontage in two blocks, one accessed off the residential access and one access directly from Kings Way.
- c) Indications of housing mix and scale including details of open space; however, the level of detail is reflective of the fact the application was for outline permission with all matters reserved for future approval.
- d) The application included a zebra crossing of Kings Way between the retail and the footway into the Barleycroft estate, as well as two new bus stops with shelters and length of improvement/widening of the east side footway. A bus shelter to the bus stop on the south side of Beach Road was also to be provided.

4.6 In terms of the flexibility of uses referred to above, the plans stated that Use Classes A1, A2, A3, A5 and D1 were proposed. For clarification the following list gives an indication of the types of use which may fall within each use class:

A1 – Shops

A2 – Financial and professional services

A3 – Restaurants and cafés - For the sale of food and drink for consumption on the premises.

A4 – Drinking establishments - Public houses, wine bars or other drinking establishments (but not night clubs).

A5 – Hot food takeaways - For the sale of hot food for consumption off the premises

D1 – Non-residential institutions - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls,

5.0 The Current Revised Proposal

Residential Development

5.1 Outline planning permission is still being sought for a residential led mixed-use redevelopment of the application site as a whole and the application site remains unchanged. However, the description has changed and the scheme no longer proposes community facilities and now includes an element of holiday accommodation and the retail element has changed. Accordingly, the original application form has been amended and the new description of development is for the demolition of existing buildings and re-development of the site for up to 190 dwellings, retail development and holiday accommodation, together with associated open space, landscaping and infrastructure. As with the original 2015 submission, permission is sought for the principle of the development and the main access points, with matters relating to layout, scale appearance and landscaping reserved for future approval. In summary the different elements of the development are provided below.

5.2 Approximately 6.35 ha of the application site will comprise class C3 residential development (i.e. dwellings) together with associated open space and infrastructure. The masterplan indicates the site being developed in three parcels. Two of these are shown as residential areas (parcels A & B) with new vehicular access points directly off Kings Way. The location of these access points is shown on the indicative masterplan and the access details are unchanged from the original 2015 scheme. The third residential area (parcel C) would be accessed internally via residential parcel B.

5.3 Whilst permission is not sought for matters relating to layout and landscaping at this stage, the submitted masterplan shows areas of proposed open space, totalling 1.4ha, towards the south of the site around the main groups of existing trees. However, the planning statement submitted with the application states that additional areas of open space and landscaping could also be delivered elsewhere within development when the layout is designed at reserved matters stage. Whilst it is the applicant's intention to retain trees and hedgerows where possible, the planning statement states that there is a need to remove certain trees to enable access. The trees to be removed are shown on the masterplan; replacement tree and hedgerows will be planted elsewhere to mitigate for this loss. This aspect is discussed in later detail later in this report.

Retail Area

5.4 The retail floor space shown on the revised masterplan shows that permission is sought for 595 sqm of retail development within an area extending to approximately 0.5 ha along the western site boundary, adjacent to Kings Way. This is in

approximately the same location as the area originally proposed for retail and/or community facilities in the original 2015 scheme - a reduction of approximately 300 sqm.

5.5 The revised supporting information states that the proposed retail facilities are likely to comprise a single storey building which will be sub-divided into one larger primary unit of approximately 280 sqm retail floorspace and 167 sqm storage, together with two smaller units extending approximately 74 sqm each. In terms of the proposed uses, approval is sought for use classes A1, A2 and A3 (*see paragraph 4.6 for the breakdown of the A use classes*). This retail area will have its own vehicular access directly off Kings Way and this proposed new access remains unchanged from the 2015 scheme. The retail area will have designated car parking, whilst pedestrian connection points could also be provided from within the proposed residential development, although these are issues for the reserved matters stage.

Holiday Accommodation

5.6 The revised proposals now include an area of approximately two hectares to the north of the site, adjacent to Beach Road, for holiday accommodation, in the form of 50 static caravans. This area will be accessed directly off Beach Road. Whilst layout and landscaping are reserved for future approval, the submitted masterplan shows the holiday accommodation being physically separated from the remainder of the site by a proposed landscaped buffer.

5.7 Overall the existing site is well established with extensive planting and hedging, and the layout shown on the masterplan seeks to retain areas of established planting within open space provision on the site.

5.8 Accompanying both proposals are the following documents: -

- Planning Statement
- Design and Access Statement
- Transport Statement
- Framework Travel Plan
- Flood Risk Assessment
- Ecological Assessment
- Tree Survey and Constraints Summary Report
- Marketing Report and Appraisal

6.0 Consultations :-

6.1 **Parish Council** - Hemsby Parish Council originally objected to the application for the following reasons 1 to 5 below. In addition, the Parish Council engaged a

consultancy – Small Fish – to make further representation to support their objection to the revised application. A copy is attached to this report.

The conclusion of the representation by Small Fish/Hemsby Parish Council is as follows:

- a) The proposal is in direct conflict with adopted local plan policies CS6, CS8, HOU22, TR4 and TR11 and as a result the application should be refused on the basis that it proposes a non-conforming permanent change of use to the land that is safeguarded for tourism facilities and will therefore harm the local economy, and has not been justified by an independently scrutinised report on viability.
- b) The proposal is in conflict with the development plan by virtue of being outside of the adopted development boundary for Hemsby as shown on the Local Plan Policy Map (North), with its presumption against residential development boundary outside of the development boundary.
- c) It is also suggested that the application is refused on grounds of prematurity as it undermines the plan-making process by pre-determining applications decisions about the scale, location or phasing of new development that are central to an emerging plan.
- d) The Parish Council is supportive of housing in the village, but in the right locations. Hemsby, its people and parish council, have a demonstrable history of supporting new development. Indeed, a series of planning applications over the years have received strong support. The Parish Council is keen to work with the borough council to identify suitable locations for residential development, so that the borough council is working *with* the local community rather than against it.

1. The site is a PRIME Holiday area, which will also require change of use, but are concerned if approved will this set a precedent for other Prime holiday areas in Hemsby or the Borough to have this protection removed and re-developed.

2. The infrastructure is not adequate to cope with the increase of population or increase in traffic on the highways. Drainage is poor on the site and regularly flooded the area with increased demand.

3. Lack of educational facilities to cope with extra child places.

4. One medical centre in the village which is already struggling with high number of patients.

5. As a holiday resort the site employed many from the local area, where will new residents find work in an area which is mainly tourism.

6.2 Public representations received – the revised proposal has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.

6.3 Originally, approximately 49 responses were received, of which 48 are opposed to the proposal with one in favour of the development. Following re-consultation on the revised plans the number of objections is 109. In addition, representations have been made by the MP, a local Borough Councillor and Greater Yarmouth Tourism & Business Improvement Area Ltd. All representations are available to view on the planning file and the website, but in summary the representations cite the following issues: -

- Any new development will place further demands on local facilities
- The proposal is contrary to current policies in the Local Plan
- Loss of holiday accommodation
- This is a holiday resort area which should be substantially be maintained
- Impact on local facilities and infrastructure
- Hemsby both socially and physically cannot cope with the housing growth proposed
- There is Insufficient demand for further housing
- It would be great if it could be a caravan park for tourists with entertainment etc to keep Hemsby alive
- Schools, doctors and dentists cannot cope
- Having been flooded in June 2014, further housing in these sorts of numbers will cause even more devastating flooding. The surface water drainage is not fit for purpose now or it wouldn't have flooded last year
- Further housing will make matters worse (flooding)
- Our doctors surgery is only open 3 days per week with no parking available
- The village needs more holiday/leisure facilities to keep our small shops
- More housing not needed
- It's a holiday area and should be left as a leisure use
- Since Pontins has closed there has been a steady deterioration in the area with regards holiday facilities and this is noticeable year after year. If things deteriorate much more my family will look to holiday elsewhere.
- Tourism is major income to the community and more holiday facilities are required not housing
- Housing on this site will set a precedent for other holiday sites to go the same way
- Hemsby will no longer be a village but a town
- Current owners have refused to sell for holiday use
- Hemsby is a village with a strong sense of community and we want it to stay that way

- There are no jobs to warrant further housing in the area
- Do not need the additional traffic going through the village
- Golden opportunity to get a new health centre on this site
- Loss of potential employment generator

The letter of support

- Pontins became an appalling source of noise both day and night and we were profoundly affected and made ill by the it I am strongly in favour of the proposal

Some representative letters from respondents are attached to the report. All of the correspondence received can be seen on the planning file in the planning office and on the Council's website.

6.4 Statutory Consultations - External Norfolk County Council

6.5 Highways

6.6 The mitigation package proposed by the developer includes a push button controlled pedestrian crossing at Kings Way, adjacent to the footpath that connects to the Barleycroft estate.

6.7 The package also includes two bus stops with shelters, along with improvements to and widening of the east side footway. A bus shelter will also be provided at Beach Road along with improvements to the south footway. The development will have a Travel Plan secured by condition and will need a performance Bond secured by S106 Agreement.

6.8 In light of the above agreed mitigation package the Highway Authority recommends no objection subject to the suggested conditions and completion of the above mentioned S106 Agreement. (see attachment)

6.9 Historic Environment Service

6.10 An archaeological evaluation has previously been carried out at the proposed development site and the results submitted with the current application. The proposed development has been subject of an archaeological evaluation by trial trenching (albeit at a lower level than normal because of the number of buildings on the site) which revealed the presence of Neolithic activity at the site and there is potential that further heritage assets on the site that may be affected by the proposed development.

6.11 The site was also used as a military camp in the 2nd World War and a pill box is believed to survive beneath an earth mound on the (western) Kings Ways frontage. If the oil box is extant we request that it is retained within the proposed development.

Also because of its heritage a photographic record should be taken of the camp which plays a significant role within the history of the Norfolk coast. In accordance with National Planning Policy Framework it is recommended that a programme of archaeological work is carried out and conditions are imposed.

6.12 Norfolk Constabulary (Architectural Liaison Officer) -

Recommends appropriate boundary treatment encloses the site to provide adequate security protection, privacy and reduce unauthorised pedestrian permeability. Specific and general advice on design and layout to provide a secure development will be offered at the reserved matters stage.

6.13 Infrastructure -

6.14 '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. The comments attached are made "without prejudice" and are an officer-level response to your consultation. The requirements are based on 190 dwellings and reflect the pooling restrictions set out in Reg 123 of the Community Infrastructure Levy Regulations (2010 as amended).

6.15 It should be noted that the attached comments are only valid for six months from 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.

6.16 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. Potential County Council Infrastructure Requirements - Proposed Housing Development Address: Beach Road, Former Pontins Holiday Park, Hemsby (190 Dwellings) Application No. 06/15/0441/O. 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

Based on the above demographic and DfE cost multipliers, the following standard education charges arise per dwelling, if there is insufficient capacity at local schools:

Table 2 Cost per Dwelling

(Age Range)	Cost per dwelling (£)		
	House (Multi-bed)	Flat (Multi – bed)	1-Bed Unit
Nursery	1,118	559	0
Primary	3,039	1,520	0
High	3,035	1,518	0
Sixth Form	323	162	0
Total	7,515	3,759	0

- 1.4 In addition to the current situation at local schools, the following permissions need to be taken into account:

Table 3 Other Developments

Site Addressed (Application No.)	Number of Dwellings	Children 2-4	Children 4-11	Children 11-16
Martham Road, Hemsby (06/09/0593/D)	49	5	13	8
Yarmouth Road, Hemsby (16/0583)	93	9	24	16
Total	142	14	37	24
Pointers East, Ormesby (15/0309)	189	18	49	33
Total	331	18	49	57

- 1.5 **Table 4 The current situation at local schools is as follows:**

School	Capacity	Numbers on Roll (Sep 2018)	Spare capacity No. of places
Early Education (2-4)	107	99	+8

Hemsby Primary (4-11)	207	187	+20
Ormesby Village Infant	180	114	+66
Ormesby Junior	179	170	+9
Flegg High Ormiston Academy (11-16)	950	816	+134

- 1.6 The table below shows the number of houses (or family house equivalents) needed to generate a single child place based on the demographic multiplier above:

Table 5 Number of Dwellings Needed to Generate 1 Child Place

Sector	Nursery	Primary	High	Sixth Form
	12	4	7	36

1.7 Claim

Taking into account the permitted planning applications in Table 5, a total of 332 dwellings (including the Former Pontins Holiday Park, Hemsby site) would generate an additional 32 Early Education (2-4 year old) children, an additional 87 Primary school age (4-11) children, and an additional 57 High school age (11-16) children. There would not be sufficient capacity in the Primary sector and funding for additional school places in the Primary sector would be required. The Early Education sector would also be full and funding would be sought to accommodate the children generated from this proposed development should it be approved.

This number of dwellings (190) will put pressure on the local primary school and Hemsby Primary school cannot be expanded on its current site. The next nearest primary schools are Ormesby Village Infant and Ormesby Junior. Some children who live in the Hemsby catchment do choose to attend other schools such as Ormesby and this pattern may have to continue should there not be sufficient capacity for children from this development at Hemsby Primary School. However with the permitted planning applications in Table 3, Ormesby Village Infant and Ormesby Junior schools will have insufficient capacity.

Our information held on the Ormesby schools indicates that there is scope for expansion in order to accommodate children generated from this proposed

development. And Norfolk County Council will work with the local schools to ensure that there is enough capacity to provide places for all local children.

Therefore Norfolk County Council will seek Education contributions for this proposed development as set out in table 2.

The above contributions will be used to fund the following projects:

- Early Education - expansion of existing providers
- Ormesby Village Infant School -To contribute towards new class space to increase the permanent capacity of the school (Project A)
- Ormesby Village Junior School -To contribute towards new class space to increase the permanent capacity of the school (Project A)

Housing

With reference to the proposed development, taking into account the location and infrastructure already in place our minimum requirement based on 190 dwellings would be 1 fire hydrant per 50 dwellings (rounding up to the nearest 50), on a minimum 90mm main, at a cost of £466.99 each (Essex and Suffolk Water prices).

Community Facilities

With reference to the proposed development, based on the location and infrastructure already in place and the type of buildings proposed, our minimum requirement is for an additional fire hydrant capable of delivering a minimum of 20 litres per second of water on no less than a 150mm main at a cost of £466.99.

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.

6.17 Drainage

Local Lead Flood Authority (Norfolk County Council)

6.18 The applicant has supplied the following information:

Create Consulting FRA, Revision A, Ref: GS/CS/P14-680/06 – Rev – A dated April 2018 New Application and Plan 7873-12-G.

6.19 There are now 190 dwellings, retail development, holiday accommodation open space & landscaping proposed at Beach Road. The revised FRA now proposes a drainage strategy including an infiltration basin as opposed to cellular soakaways. The FRA makes mention of exceedance flows and a Management & Maintenance plan. Revised calculations now reflect a climate change [allowance] of 40% and include the

new revised impermeable area. The applicant submitted Micro drainage modelling for the infiltration basin.

6.20 Please note that FSR data has been used for all critical storm events. The LLFA Guidance recommends the use of FEH rainfall data for critical events longer than 1 hour. 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. We have reviewed the further information as submitted and I can confirm we have nothing further to add to our previous comments dated 21 January 2016 (Our Ref FWP/15/6/2239).

6.21 We have no objection subject to revised 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:

a) Prior to commencement of development, in accordance with the submitted Flood Risk Assessment (Create Consulting, Revision A, Ref: GS/CS/P14-680/06 – Rev – A dated April 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 (or equivalent) along the length and proposed depth of the proposed infiltration basin

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; and
- ☐ 1% annual probability critical rainfall event 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 basin 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% annual probability rainfall event

IV. Plans 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 floor levels should be not less than 300mm above any sources of flooding and not less than 150mm above surrounding ground levels.

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.

6.22 Environment Agency – We have inspected the application and have no objections to the proposal. Please note that we would be likely to object to this application at the reserved matters stage should the proposed development not connect to the mains sewage.

6.23 Anglian Water - The foul drainage from this development is in the catchment of Caister Pump Lane Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal

6.24 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building

Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

6.25 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable as the planning application states that a connection to the public sewer is required, whereas the FRA states that the site will drain surface water flows via infiltration. As Anglian Water have no public surface water sewers in the area we would need to be satisfied that surface water flows are not being discharged to the public foul water network. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

6.26 We request a condition requiring a drainage strategy covering the issue(s) to be agreed. "No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority. The Reason: To prevent environmental and amenity problems arising from flooding."

6.27 **Essex and Suffolk Water** – We have no objection to the proposed development subject to compliance with our requirements. Consent will be given to this development on the condition that a metered water connection is made to our company network for each new dwelling/community and commercial unit for revenue purposes.

6.28 **Natural England** – 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:

- ☐ Winterton - Horsey Dunes Special Area of Conservation (SAC) ~700 m
- ☐ Winterton-Horsey Dunes Site of Special Scientific interest (SSSI) ~700 m
- ☐ Great Yarmouth North Denes Special Protection Area (SPA) ~800 m
- ☐ Winterton-Horsey Dunes Site of Special Scientific interest (SSSI) ~800 m
- ☐ Broadland SPA and Ramsar site1 ~1.3 km
- ☐ The Broads SAC ~1.3 km
- ☐ Hall Farm Fen, Hemsby SSSI ~1.3 km
- ☐ Trinity Broads SSSI ~1.7 km
- ☐ Upper Thurne Broads and Marshes SSSI ~4.1 km
- ☐ Breydon Water SPA and Ramsar site ~7.9 km

□ Breydon Water SSSI ~7.9 km

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

- implementation of open space provision or an equivalent financial contribution for the improvement or enhancement of public open space provision in the locality as stated in emerging Local Plan Policy H12-dp
- a financial contribution of £110 per dwelling as in line with emerging Local Plan Policy E4-dp

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Advice about mitigation requirements

6.29 To sufficiently mitigate the direct impacts of recreational disturbance to designated sites arising from this application, Natural England advises the implementation of open space provision, or an equivalent financial contribution, for the improvement and/or enhancement of public open space provision in the locality as in line with the draft Policy H12-dp. In addition, we advise that a financial contribution of £110 per dwelling should be made in accordance with the Great Yarmouth Local Plan Habitats Regulations Assessment the adopted Habitats Monitoring and Mitigation Strategy and the emerging draft policy E4-dp in order to mitigate the additional in-combination effects of recreational disturbance on the designated sites listed above.

6.30 As stated in our advice letter (ref: 06/15/0441/O, dated 11/02/2019) we are concerned that the on-site and off-site accessible open space and routes as currently proposed will be insufficient to absorb the routine and daily additional recreational disturbance impacts arising from this development, when considered in combination with other development proposals.

6.31 We recommend this development includes green space that is proportionate to its scale to minimise any predicted increase in recreational pressure to designated sites, by containing the majority of recreation within and around the developed site. Green infrastructure design should seek to achieve the Natural England Accessible Natural Greenspace Standards, detailed in Nature Nearby, including the minimum standard of 2ha informal open space within 300m of everyone's home. As a minimum, we advise that such provisions should include:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 km² within the site and/or with links to surrounding public rights of way (PRoW)

- Dedicated 'dogs-off-lead' areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins

6.32 If it is not possible to provide adequate green infrastructure onsite we advise the implementation of open space provision, or an equivalent financial contribution, for the improvement and/or enhancement of public open space. The council would need to feel confident that the public open space is sufficient both in design and size to offset recreational impacts to designated sites. We advise that any offsite provisions are in place before the development is inhabited.

Consultation – Internal GYBC

6.33 **Building Control** - Although outline only the need is highlighted to provide adequate Fire pump access and turning head in particular to the south of the site

6.34 **Environmental Health** – 'Environmental Services does not object to the grant of planning permission for the above referenced proposal. However, we do give the following advice, in formatives and recommended conditions for inclusion on any planning consent that may be granted. Matters such as: -

- a) hours of use and deliveries, plus submission of details of plant for the community and commercial facilities will be commented upon further for planning conditions should the proposed development reach a detailed submission stage
- b) LandContamination: If planning permission is granted conditions are recommend to address any potential contamination on site and means of mitigation if present both before and during construction
- c) Details of foul and surface water
- d) Conditions controlling provision of external lighting to minimise light pollution and impact upon neighbour amenity
- e) Control on hours of construction to reduce impact upon neighbour amenity
- f) Conditions regarding potential Contamination and removal of existing buildings and materials and Local Air Quality as a result of dust during construction/demolition.

7.0 Planning Policy

Relevant development plan policies

7.1 In the case of *Wavendon Properties Ltd v SoS for Housing, Communities & Local Government plus Another* (June 2019, reference [2019] EWHC 1524 (Admin)), Mr Justice Dove made an important judgement on the correct interpretation of paragraph 11(d) of the National Planning Policy Framework (February 2019). Paragraph 11 (d) states:

“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.”*

⁷ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.

7.2 Paragraph 11(d) of the NPPF therefore has effect when there is not a five-year supply of deliverable housing sites. The most recently-published figure for Great Yarmouth Borough is that at 1st April 2018, which is 2.55 years, so this clearly applies to relevant planning applications in the Borough.

7.3 The implication of the Wavendon judgement is that there must: firstly be an assessment as to which policies of the Development Plan are most important for determining this planning application; secondly, an assessment as to whether each of these policies are, or are not, “out of date”; and thirdly, a conclusion as to whether, taken as whole, these most important policies are to be regarded as “out-of-date”. If,

taken as whole, they are regarded as “out-of-date”, then the “tilted balance” of NPPF paragraph 11 applies (for a refusal to be justified, the harms must “significantly and demonstrably outweigh the benefits...”). If, taken as a whole, they are not regarded as out-of-date, then the tilted balance does not apply.

7.4 Great Yarmouth Local Plan: Core Strategy 2013-2030 (adopted December 2015)

7.6 Local Planning Authorities must, by law prepare a development plan for their area to coordinate land use and new development. Great Yarmouth Borough Council's Local Plan directs where new development will take place across the plan area, describes what changes will occur and identifies how places will be shaped in the future.

7.7 The Core Strategy, which was adopted by the Council in December 2015, is the main document of the Great Yarmouth Borough Council Local Plan. It establishes the spatial vision and objectives of how the Borough (outside of the Broads Executive Area) will develop and grow in the future. It also sets out the series of strategic policies and site allocations, called ‘Core Policies’ and ‘Key Sites’ which provide the strategic context for future Local Plan Documents, Supplementary Planning documents and Neighbourhood (Development) Plans. The main emerging Local Plan document is the Part 2 Local Plan: Development Management Policies, Site Allocations and Revised Housing Target. Consultation on the First Draft (Regulation 18) version of the document was subject to public consultation, ending on 30th September in 2018. Subsequent work on the document is continuing.

7.8 Part 2 of the Local Plan will eventually replace the remaining saved policies from the Great Yarmouth Borough Wide Local Plan (2001) to provide the aims and objectives that affect the use of land and buildings.

7.9 The Core Strategy forms part of the Development Plan for the area, the starting point for decisions on planning applications. Core Strategy policies of most relevance to this application are discussed below; those not specifically mentioned may still be of some materiality, but are concluded to not be of particular importance.

7.10 **Policy CS1** supports the NPPF's presumption in favour of sustainable development, ensuring that the Council will take a positive approach working positively with applicants and other partners. In addition, the policy encourages proposals that comply with Policy CS1 and other policies within the Local Plan to be approved without delay unless other material considerations indicate otherwise.

7.11 Policy CS1 is an overarching policy and is concluded to be one of the most important Local Plan policies. It is concluded to be in conformity with the NPPF and

there is no evidence that it is out of date – all the key provisions still apply. **CS1 is therefore concluded to be in-date.**

7.12 Policy CS2 states that approximately 30% of all new residential development should be located in the named Primary Villages, of which Hemsby is one. The remaining part of this policy state that the Main Towns should deliver 35%, the Key Service Centres 30% and the Secondary and Tertiary Villages 5%. The policy wording allows for some flexibility in the percentage split, and clearly the application of this policy depends to a significant extent on the allocations being made (and thence delivered) in the emerging Local Plan Part 2.

7.13 Policy CS2 is designed to try to ensure that growth is delivered most sustainably, with the highest tiers of settlements receiving the most growth (commensurate with their access to services and ability to reduce travelling). However, whilst accepting that the emerging Local Plan Part 2 is not yet adopted, at present – with only a 2.55-year supply of deliverable housing land – it is difficult to argue that this policy remains fully up to-date and should continue to attract full planning weight. **Policy CS2 is therefore concluded to be out-of-date.**

7.14 Policy CS3 sets out criteria for ensuring a suitable mix of new homes. This includes ensuring that designed layout and density of new housing reflects the site and surrounding area. Policy CS3 also encourages all dwellings including small dwellings, to be designed with accessibility in mind providing flexible accommodation. Particularly relevant extracts are shown below:

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

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

7.15 Policy CS3 covers a range of general matters in relation to providing the right number, type, tenure and size of dwellings. The contents are concluded to be in conformity with the most relevant policies of the NPPF and **therefore Policy CS3 is concluded to be in-date.**

7.16 Policy CS4 sets out the policy requirements for delivering affordable housing. Sites of 5 dwellings or more in Hemsby are required to provide 20% affordable housing. For a site up to 190 dwellings (as proposed) this equates to 38 affordable dwellings. In accordance with Policy CS4, affordable housing should be provided on-site, and off-site financial contributions should only be used in exceptional circumstances.

7.17 Chapter 5 (in particular) of the NPPF sets out various statements on the importance of delivering affordable housing, and how this should be set out in Local Plan policies. Policy CS4 follows this approach, and **therefore Policy CS4 is concluded to be in-date.**

7.18 Policy CS6 relates to the local economy of Great Yarmouth specifically and supports the local retail economy in a need to continue to strengthen the local economy and make it less seasonally dependent. Of particular relevance to this application, clause g) says that aims of the policy will be achieved by “supporting the local visitor and retail economies in accordance with Policies CS7 and CS8”. Table 10 (paragraph 4.6.7) of the Core Strategy lists 17 safeguarded employment areas in the borough, but the Pontin’s site is not amongst them (indeed, no current or former holiday parks are); leisure and tourism is covered by Policy CS8,

7.19 Policy CS6 broadly follows the requirements set out in Chapter 6 of the NPPF for what planning policies to support a “strong, competitive economy” should be. It is therefore concluded **that Policy CS6 is in-date.**

7.20 Policy CS7 sets out the retail hierarchy defining the Borough’s town, district and local centres. Supporting the growth of retailing and other town centre uses is important for maintaining and enhancing the vitality and viability of those centres. Criterion f) seeks to ensure that proposals over 200 sqm (net) will be required to submit a Retail Impact Assessment demonstrating that that there will be no significant adverse impact on existing designated centres.

7.21 Paragraph 88 of the NPPF says that the sequential approach (to locating retail development) should not be applied to small-scale rural offices. Criterion f) of Policy CS7 covers this matter and so it is concluded **that Policy CS7 is in-date.**

7.22 Policy CS8 sets out the criteria to manage the changing scenery of the borough's tourism, leisure and cultural industry. Criteria b) should be specifically considered to ensure that safeguarding the existing stock of visitor holiday accommodation – especially those within designated holiday accommodation areas – is met, unless it can be demonstrated that the current use is not viable.

7.23 Policy CS9 sets out the broad design criteria used by the Council to assess applications. Criteria a), c), f), and h) should be specifically considered to ensure that the proposed design reinforces local character, promotes positive relationships between existing and new buildings and fulfils the day to day needs of residents including the incorporation of appropriate parking facilities, cycle storage and storage.

7.24 Policy CS11 sets out the Council's approach to enhancing the natural environment. Consideration should still be given as to how the design of the scheme has sought to avoid or reduce negative impacts on biodiversity and appropriately contributes to the creation of biodiversity in accordance with points f) and g). In addition criterion c) states that 'The Natura 2000 Sites Monitoring and Mitigation Strategy will secure the measures identified in the Habitat Regulation Assessment which are necessary to prevent adverse effects on European wildlife sites vulnerable to impacts from visitors'.

7.25 Policy CS14 states that all developments should be assessed to establish whether or not any infrastructure improvements are required to mitigate the impacts of the development. This includes seeking contributions towards Natura 2000 sites monitoring and mitigation measures e).

7.26 Policies Saved from Great Yarmouth Borough-Wide Local Plan 2001

7.27 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.

7.28 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.

7.29 HOU7: The site is beyond the settlement boundaries (Policy HOU7) therefore residential contrary to the 2001 Local Plan.

7.30 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 the development

7.31 Policy TR4: states that proposals to change the use of tourist facilities, attractions or accommodations to non-tourist-related uses in Primary Holiday Accommodation and Primary Holiday Attraction areas will not be permitted

7.32 Policy TR11 The Council will permit development which improves the range of good quality holiday accommodation. However, within primary holiday accommodation areas, as shown on the proposals map, the loss of holiday accommodation will only be permitted where it can be demonstrated that an alternative use would be to the overall benefit of the tourist industry

(Objective: To satisfy visitor requirements and expectations.)

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

7.34 Paragraph 1: The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

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

7.36 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.

7.37 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.

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.

7.38 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-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

This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1

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

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

7. 40 Paragraph 55 : Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

7.41 Paragraph 59 :. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay

7.42 Paragraph 62: Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.

7.43 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.

7.44 Paragraph 67. Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of: a) specific, deliverable sites for years one to five of the plan period³²; and

Paragraph 73(partial) Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old

7.45 Paragraph 76. To help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start

7.46 Paragraph 86 : Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre

nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

7.47 Paragraph 87. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

7.48 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.49 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.

7.50 Paragraph 170. Planning policies and decisions should contribute to and enhance the natural and local environment by: (partial)

7.51 Paragraph 174. a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁵⁶; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁵⁷; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

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

7.53 Emerging policy – Local Plan Part 2

7.54 The Local Plan Part 2 (Development Management Policies, Site Allocations and Revised Housing Target) is in preparation. The Draft Plan (Regulation 18) consultation

ran from August to September 2018 and further work is continuing on this document. Given that the document is still in the preparation stage and it has not yet been submitted for examination, little planning weight can be given to the contents but “little” weight” does not mean “no” weight and so relevant extracts are included below.

7.55 Amendments to the Core Strategy Housing Target

Policy UCS3-dp

Reduction of Core Strategy Housing Target – Policy CS3(a) is amended to read:

“Strategic Policy: Make provision for at least 5139 new homes over the plan period...”

Policies For Places: Settlements and Site Allocations

Distribution of Housing Development

Meeting Overall Housing Needs

7.56 Core Strategy, Policy CS2 sets out the general distribution of housing growth across the plan area, seeking to concentrate the greatest proportion where it can benefit from and support facilities. The policy identifies a settlement hierarchy and intends the proportion of the total new residential growth is distributed between the tiers of the settlement hierarchy set out in the following table. Although this is by no means the sole criterion by which allocations were chosen, in fact those selected result in each tier of the hierarchy receiving an appropriate share, as set out in the table following.

7.57 Distribution of Housing Development

Settlement Hierarchy Tier	MAIN TOWNS	Approximately 35%	2,043	34.5%	KEY SERVICE CENTRES	Approximately 30%	1,774	29.9%	PRIMARY VILLAGES	Approximately 30%	1,784	30.1%	SECONDARY AND TERTIARY VILLAGES	Approximately 5%	328	5.5%	TOTAL	100%	5,929	100%
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7.58 Note that Core Strategy Policy C2 does not suggest that that housing growth should be split equally between each named settlement within the tiers of the hierarchy. The distribution provided by the Draft Plan instead reflects relative constraints and opportunities of the settlements in each tier, as shown in the relevant sections below

7.59 Hemsby Housing Allocations

7.50 Policy HY1-dp – Land at Former Pontins Holiday Camp Hemsby

Land at Former Pontins Holiday Camp, Hemsby Land at the former Pontins Holiday Camp, Hemsby (of around 8.9 hectares) as identified on the Policies Map is allocated for 190 dwellings together with elements of tourism uses and/or community facilities, subject to:

1. *Provision of safe and appropriate access to the satisfaction of the local highways authority, including:*
 - i. *Appropriate vehicular access to be taken off of Kings Way;*
 - ii. *Prohibiting vehicle access to Back Lane;*
 - iii. *Measures to integrate the site into the existing pedestrian footpath network*
2. *Provision a mix of housing types and sizes, including a minimum of 20% affordable dwellings to reflect the needs and character of the local residential area;*
3. *Retention of significant trees which contribute to the layout and character of the development;*
4. *Details of a surface water drainage scheme will need to be submitted and approved by the Local Lead Flood Authority. A suitable plan for the future maintenance and management of the SuDS should be included with the submission; and*
5. *Provision of details as to how the site will be decontaminated, specifically proposed treatment and disposal of asbestos material, to the satisfaction of the local environmental health service*

7.51 Norfolk County Council, as the Local Highway Authority, consider the access taken off of Kings Way to be acceptable for the estate scale type of development proposed. This would necessarily require improvements to the local highway network including the provision of a new roundabout, and strengthening the foot-way network. In addition, Norfolk County Council require Back Lane to be stopped up to normal traffic.

7.52 The demolition of the site is likely to lead to the release of asbestos, therefore the policy requires a decontamination strategy be submitted to, and approved by the Council's Environmental Health Department. The size of the site and the value created by the housing has the potential to provide a non-residential element to support the needs of local residents and particularly the tourism community eastwards of the site.

7.53 More generally there are a number of trees and mature planting on the site which are protected and should be retained within the overall landscaping and open space design of the site. Newport Road lies on the southern boundary of the site and has a history of surface water flooding, therefore the development of the site has the potential to significantly increase this risk. More generally, the surface water network in Hemsby has been identified as being at capacity, therefore the policy requires a sustainable drainage system (SuDS) to serve the new development to ensure that both the proposed development and neighbouring land uses are not significantly affected.

Camping and Touring Caravans

7.54 Policy L2-dp Proposals for new or extended touring and static caravan sites and camping sites will be permitted provided that:

- A. *It is within the designated Holiday Area;*

B. The proposal respects the scale, form, materials and design of any existing buildings and does not harm the character of the surrounding area including the setting of the Broads and Norfolk Coast Area of Outstanding Natural Beauty;

C. There is safe and convenient access to the highway and there are no significant adverse effect on the local highway network;

D. It would not have a significant adverse impact on the living conditions of adjoining occupiers;

E. Proposals are sited, designed and landscaped to minimise any adverse visual and landscape impact;

F: Extensions to existing sites will be favoured only where they also redress any significant environmental or visual deficiencies that are considered intrusive and must include environmental improvement to the existing site; and

G: Proposals which are granted planning permission will be conditioned to ensure they are used solely for holiday use and prohibit residential use.

7.55 Policy G1-dp Development limits

Development limits are defined on the Policies Map for the settlement, including some sites recently granted planning permission for residential development. Development proposals will generally be permitted within development limits where they are in accordance with policies of the Local Plan. Policy G1-dp (the second part of this policy in particular) addresses development proposals outside of development limits, where this lies within the Great Yarmouth plan area, which will be treated as the countryside or areas where new development will be more restricted, subject to the consideration of other relevant policies of the Local Plan.

7.56 Policy H12-dp,

“new residential developments will be expected to make provision for publicly accessible recreational open space to the following standards:

- 1.103 square metres per dwelling, comprising approximately:*
 - i.24% for outdoor sport;*
 - ii.18% for informal amenity green space;*
 - iii.6% for suitably equipped children's play space;*
 - iv.2% for allotments;*
 - v.10% for parks and gardens; and,*
 - vi.40% for accessible natural green space.*

7.57 - 7.2.2.1 Policy Justification

This site was in use as a large holiday camp until its closure in 2009. It has since remained vacant. The former holiday chalets and other buildings and structures remain on site, though in a derelict condition and subject to continuing vandalism. Despite endeavours to encourage the reuse of the site for tourism, there now seems little prospect of this being achievable for the whole site. The redevelopment of the site would significantly enhance the visual amenity of the village, and make a significant contribution to the area's housing need in a popular location. The site is located centrally, and would be well integrated to the existing services and facilities in Hemsby, accessible by walking and cycling

8.0 Local finance considerations: -

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

9.0 Habitat Regulations Assessment In consideration of the principle of the site for development considerable weight has to be given to the Conservation of Habitats and Species Regulations 2017.

The application site is in the vicinity of a number of Natura 2000 sites, including the Winterton and Horsey Dunes Special Area of Conservation (SAC) and North Denes Special Protection Area (SPA). "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 and the potential impact of new development as put forward here on those designated areas has to be assessed and an Appropriate Assessment undertaken by the competent authority which is the Council as the local planning authority.

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

assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

9.2 The applicant has on both this and the original applications undertaken a shadow Habitat Regulation Assessment detailing their assessment of impact and suggested potential measures to address such effects. Natural England albeit with some reservation has confirmed their belief that the Council - following additional information being submitted for both on and offsite mitigation - as Competent Authority, has adequate information to carry out the Appropriate Assessment. This is consistent with the application as originally submitted.

9.3 The Council have also taken independent advice from a suitable qualified person on the submission which in summary concludes:

“Any increase in recreational pressure on Natura2000 sites is only likely to arise at Winterton – Horsey Dunes SAC and Great Yarmouth North Denes SPA.

Any increase in recreational pressure at these sites arising from this proposed development is likely to be small, relative to existing pressures.

- The beach will be a major draw to individuals from the proposed development site. The financial contribution to the Borough-wide HRA Monitoring and Mitigation fund would be the most appropriate measure to address any impacts.*
- Whilst the response by Natural England is noted, it is considered that the on-site and off-site accessible open space and routes as proposed may have the potential to result in a small reduction in recreation pressure on the Natura2000 sites. But even substantial increase in GI provision above the proposed levels would be unlikely to significantly lessen the draw of the beach or contain recreation to within or around the development site. The use of SANGS to divert recreational use away from a beach Natura2000 sites is not generally appropriate and is unlikely to be effective in this case.*
- In combination, the financial contribution to the Borough-wide HRA Monitoring and Mitigation fund and the on-site and off-site accessible open space and routes, will provide sufficient mitigation for the low level of potential impacts to enable this development to proceed lawfully.*

I am confident that the HRA Monitoring and Mitigation fund is capable of mitigating impacts on the East Coast Natura2000 sites. I am therefore of the opinion that Great Yarmouth Borough Council as the competent authority can ‘adopt’ the Shadow HRA produced by the applicant. The applicant would need to deliver the on-site and off-site

accessible open space and routes as proposed and make a suitable contribution to the HRA Monitoring and Mitigation fund.”

9.4 It is therefore 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 put forward in the Shadow HRA report and as set out above is secured. To meet the mitigation requirements the appropriate contribution is required to be secured by a legal obligation (S.106 agreement) and conditions both on and off site

9.5 it is important in the context of this application to acknowledge therefore that the tilted balance in favour of development of the site as set out in Para 177 does apply to the development.

10.0 Planning Appraisal

10.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) requires that decisions on planning applications must be made in accordance with the policies and proposals in the Development Plan, unless material considerations indicate otherwise. For the purpose of determining this planning application, the Development Plan should be considered as a whole, with appropriate weight applied to each of the policy documents which make up the Development Plan.

10.2 Under Section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

10.3 Currently as set above the Development Plan for Great Yarmouth comprises the Great Yarmouth Core Strategy Adopted December 2015 (Part 1) and saved policies from the Great Yarmouth Local Plan.2001. The relevant policies from the documents are set out above. In addition the relevant policies from the Draft Local Plan Part 2 which contains the Council’s emerging development management policies, proposed site allocations- including residential allocations - and revised housing target are also referred to. The Part 2 document has been subject to public consultation following approval by the Council Policy and Resources Committee. Representations to the proposals are currently being assessed by the Council.

10.4 In accordance with the NPPF, the policies in the emerging Publication Draft may be given weight according to the stage of preparation, extent of unresolved objections, and degree of consistency with the NPPF. The Council has received a number of objections to the allocation of this site for residential development and at present no weight can be attributed to its proposed allocation.

Material Considerations

10.5 Certain material considerations may outweigh policies in the adopted Development Plan, particularly where Development Plan Policies are out of date or have been superseded by National Planning Policy. For the purpose of determining this planning application, the main material considerations are described below

National Planning Policy Framework (NPPF)

10.6 The NPPF was originally published by the Government on 27 March 2012 and has been revised on two occasions (most recently February 2019) and is a material consideration of significant weight in the determination of this planning application.

10.7 The NPPF sets out the Government's planning policies for England and how it expects them to be applied (paragraph 1). The document when first introduced replaced and consolidates previous Government planning policy statements and guidance and introduces new considerations that may not be reflected by development plan policies.

10.8 The Great Yarmouth Core Strategy as adopted in December 2015 generally complies with the NPPF and the saved policies referred to above from the Great Yarmouth Borough Wide Local Plan 2001. It should be noted that the saved policies from the 2001 Local Plan including development boundaries were formulated in the 1990's – in other words they are somewhat dated and this alone limits the weight that can be afforded to them.

Five Year Housing Land Supply

10.9 Paragraph 73 of the NPPF requires local authorities to identify and annually update a supply of specific deliverable sites to provide a minimum of five years' worth of housing. An important factor when determining applications is therefore 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".

10.10 In the face of a failure to identify a supply of deliverable housing sites to meet short-term housing needs, paragraph 11(d) of the NPPF is unequivocal that policies which are most important for determining the application for the supply of housing should not be considered up to date. In such circumstances, paragraph 11 (d) (ii) advises that planning permission should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

10.11 At present the only a housing land supply of only 2.55 years can be demonstrated by the Council.

Principle of Development

10.12 This is an outline planning application which seeks to establish the principle of a residential led mixed use development on a brownfield site. It is evident from the consultation responses from statutory bodies that subject to conditions and planning obligations that the site can accommodate the principle of the development proposed without adversely impacting upon the infrastructure of the area, local amenity or natural ecological habitats. In this respect little has changed since the application was a considered by committee in February 2016.

10.13 The emerging Local Plan Part 2 has identified the site as appropriate for the development proposed giving an indication of the Council consideration of the site in terms of future development potential .The type and form of development proposed in this application echoes the proposed site allocation with the policy reasoning set out in the Draft Local Plan document and which is in part reproduced above. However, because this is still an emerging policy and there are outstanding objections to it, relatively little weight can be afforded to it as a material consideration.

10.14 In terms of the adopted development plan, the site is identified on the adopted Local Plan policies map as Prime Holiday accommodation.

10.15 The proposal is therefore contrary to saved Local Plan policies TR4 and TR11 (both reproduced above). Both are clear in terms of the loss of holiday accommodation.

10.16 Core Strategy Policy CS8 reiterates Policy TR4 with the proviso ‘unless it can be demonstrated that the current use is not viable’. The Core Strategy was adopted by the Council in December 2015 (well after 2001) and therefore any conflict between the two policies must be resolved in favour of Policy CS8 (paragraph 8.2 above) providing that criterion (b) is met, as set out in Section 38(5) of the Planning and Compulsory Purchase Act 2004.

10.17 The preamble to Policy CS8 states (in part) that in order to ensure the tourism sector remains strong, the Council and its partners will at criterion b) –

“Safeguard the existing stock of visitor holiday accommodation, especially those within designated holiday accommodation areas, **unless it can be demonstrated that the current use is not viable** or that the or that the loss of bed spaces will improve the standard of existing accommodation”.

10.18 The applicants have sought to demonstrate that the site is not viable for tourism use its current form, and nor has there been any viable interest (since they acquired the land) in the site for tourism use.

10.19 The site has been closed for (tourism) business since 2008. The applicants originally submitted a report and appraisal on the marketing of the site for tourism development in 2015. The conclusions of the report was that the site had been actively marketed and “that there does not appear to be a purchaser in the market who is able to put forward a credible bid to deliver a leisure-based use of whole or part of the site”.

10.20 One of the biggest criticisms from local residents and business and voiced at local public meetings was the lack of an advertised purchase price for the site. In many ways, however, this is appropriate as it may have acted as a disincentive to particular bidders if a specific price was being sought. This is not an unusual situation for a unique site – after all, there are no comparable “sold” prices for a former holiday camp of similar size in Hemsby (or, indeed, anywhere close by) so a clear market value is very difficult to judge. Not quoting publicly a specific guide price for a site can also assist in weeding out some “chancers” or timewasters, who have no serious intention or funds to acquire a site.

10.21 It is also not uncommon for the sale of large derelict commercial or tourism sites to be highly conditional (for example, dependent on whether a fresh planning permission is granted for a different use, and/or perhaps with an “overage” clause so that the selling owner could profit from any later uplift in value). In other words, a straight cash purchase would be unusual (but clearly not out of the question) and so a specific guide price could in any case be somewhat misleading.

10.22 The Planning Statement submitted with the current revised proposal states that since the application was submitted in 2015 the landowner has also continued to explore other expressions of interest in the site but has been unable to dispose of the site and that evidence indicates that there is no realistic potential for the site being brought forward for a tourism use.

10.23 Over the past three years Council planning officers have had a number of discussions with various parties potentially interested on taking the site and have sought to promote the site for tourism use but the interest has mainly come from those seeking to re-develop the site for mainly residential use.

10.24 One party was close to a purchase being interested in developing the site for a combination of holiday uses and residential uses. Northern Trust therefore suspended pursuing the current application because it seemed the site would be sold. This interest, however, came to nothing, with the interested party unable to obtain the necessary funding.

10.25 Local concern is also raised by the fact that the site has been put forward as a residential allocation in the emerging Local Plan Part 2 and is a proposed allocation in the Draft Plan (Regulation 18) consultation in 2018. It is a fact that Borough needs sites to deliver residential dwellings to accommodate the future housing need of the Borough. Hemsby, as outlined above, is one of six Primary Villages in the Borough identified as capable of accommodating 30% of the new residential dwellings up to 2030 (albeit that the emerging Draft Local Plan Part 2 proposes to amend the figure required from approximately 7,140 to 5,139 dwellings over the plan period).

10.26 The site is adjacent to the current village development limit in Hemsby and adjoins existing built development on some sides. As part of the “Call for Sites” of the Part 2 Local Plan, this site was put forward as a site for development by the applicants and was previously identified as a potential site for development in the Strategic Housing Land Availability Assessment in 2014 (published by the Council). The site then – as now – remains in single ownership and considered to be potentially suitable as development of a brownfield site and capable of accommodating up to 266 dwellings at a density of 30 dwellings per hectare.

10.27 In terms of site coverage the present residential proposal for 190 dwellings on the area shown would also potentially yield 30 dwellings per hectare.

10.28 The changes to the scheme since the 2015 submission and resolution of refusal (albeit one that was never officially confirmed) have been outlined above. Northern Trust has confirmed that there is interest in the part development of the site for tourism use and this has also been confirmed by other independent parties. This basically supports the previous view of the Committee that there was/is potential interest in static holiday caravans on the site and that part of the site should be retained for such a purpose. It is also of note that substantial investment in the Richardson’s holiday park site in Hemsby has taken place recently (and continues to take place) to enhance the tourism offer in the area.

10.29 It should also be noted that the NPPF encourages the effective use of land and sets out that decision making should:

‘give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs’, ‘promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively’, and ‘take a positive approach to applications for alternative uses’ – each of these is relevant to this site proposal for residential development, and should be given ‘substantial weight’. These factors should be taken into consideration.

Surface and Foul Water

10.30 Norfolk County Council as the Lead Flood Authority on Surface Water drainage have undertaken a comprehensive assessment of the applicants drainage strategy have no objection to the proposal subject to conditions

10.31 The site lies within the Hemsby Critical Drainage Catchment as identified in the Great Yarmouth Surface Water Management Plan and lies very close to an area that has previously flooded from surface water. A flood investigation was undertaken by Norfolk County Council as Lead Local Flood Authority in June 15 following a number of flood incidents to properties in 2014 To the immediate south of the site, 8 properties were internally flooded on Newport Road, with other householders experiencing significant external flooding. The reported flooding came from Blackmarket Lane and Newport Road as well as the application site.

10.32 According to the Environment Agency's updated Flood Map for Surface Water there are isolated areas within the that are at high to medium risk of surface water flooding (1 in 30 and 1 in 100 years flood event) associated with ponding behind the existing leisure building in the centre of the site. There are no surface water overland flow paths passing through the site. The remainder of the site is at low to very low risk of surface water flooding (less than 1 in 100 years).

10.33 There are no watercourses in the vicinity of the site that are formally identified in the Environment Agency's Detailed River Network. 6.24 Anglian Water records identify that there are no surface water sewers present in the vicinity of the site.

Trees

10.34 An Arboricultural Impact Assessment has been undertaken and submitted with the documents supporting the application

10.35 A tree survey was undertaken in July 2009 in connection with the 2011 planning application. Since then the trees have grown, succumbed and the British Standard on trees revised. In the meantime, the Council has served a Tree Preservation Order on a number of trees on the site.

10.36 The Tree Preservation Order (TPO) No. 6/2017 is applicable to a number of trees both individual trees and part of a group within the site. There is also an older TPO No.2/1984 on trees in the adjacent ownership standing the back gardens of properties in Homestead gardens which border the north east part of the site. The protected trees are mainly to the north and south of the site.

10.37 Within the site the tree population is diverse in age and species, reflecting its function as formal ornamental landscaping for the holiday centre and concentrated in the communal areas between residential blocks, interspersed with larger stature groups often on the perimeter, offering architectural structure and maturity to the

landscape setting of any proposed development and an element of mature screening along Kingsway.

10.38 Throughout the site are a number of mature hybrid black poplar, many of which have been subject to severe crown reduction in the past. These trees are now in poor condition, having suffered decay at the former pruning points and a number exhibit basal decay. Many are also host to Hornet Clearwing moth (*Sesia Apiformis*) evidenced by the numerous exit holes identified and research suggests that this moth will preferentially exploit already dysfunctional trees

10.39. Many of these have suffered from storm damage and require remedial surgery to ensure it remains safe to work in their immediate vicinity. A large number of trees would benefit from improved tree care, either through formative pruning, reducing competition or cleaning out dead, damaged or diseased branches. These are considered attractive landscape features, and most have been included in the TPO schedule for long term retention

10.40 There are a number of Category “A” and Category “B” trees, some of which are now protected by the TPO These trees are concentrated at either end of the site. The report recommends the retention of these trees which should be incorporated into the design of the proposed development where possible.

10.41 For clarification the British Standard (BS) on trees as referred to above is a means of assessing the quality of trees against a standardised criteria

10.42 Under the British Standard the main categories to which trees will be assigned are defined in the British Standard as:

10.43 Category A = Trees of high quality and value capable of making a significant contribution to the area for 40 or more years.

10.44 Category B = Trees of moderate quality or value capable of making a significant contribution to the area for 20 or more years.

10. 45 Category C = Trees of low quality, adequate for retention for a minimum of 10 years expecting new planting to take place; or young trees that are less than 15 cms in diameter which should be considered for re-planting where they impinge significantly on the proposed development.

10.46 Category U = Deemed to be of no value within 10 years of the assessment and should be removed. (Category U trees can have existing or potential conservation value which it might be desirable to preserve) ;

10.47 Also, trees in categories A, B, and C will be assigned at least one sub-category relating to distinct values:

1. Arboricultural values;
2. Landscape values;
3. Cultural values, including conservation.

A tree may be considered worthy of one, two or all three of these sub-categories.

10.48 The BS recommends that except for trees deemed to fall into category R, for removal, it should be assumed that a tree will fall into the high category and be deserving of the greatest protection and of retention unless there are reasons for the tree to be assigned to a lower category.

10.49 Some trees will be lost given that the surface water filtration basin must be located in the area where the trees are most dense, including some trees protected by the TPO. The trees to be removed are not considered to merit a category A grade, having minor irremediable defects which may reduce their future contribution or being of poor form such as to reduce their landscape contribution.

10.50 More widely spread throughout the site are a large number of lower quality category C trees, which do not merit a higher grading due to their smaller stature or irremediable defects compromising their longevity. These lower grade Category C trees should not constrain development.

10.51 It is recommended that those trees with a limited future useful life expectancy, and imminent hazard liability, are removed at an early stage of the re-development and replacement landscaping provided which can be designed to be more in harmony with the development.

10.52 There is a much demolition work required, both for the removal of the existing buildings and structures but also the wide diversity of surfacing and materials. It is considered to be wholly impractical to retain trees in very close proximity to structures being removed.

10.53 Many trees on the site have suffered damage in high winds with many having broken limbs and several being partially uprooted. If continued to be left untended, this storm damage will reduce the future contribution of the trees allowing decay to become established. In mitigation of any tree losses, a full programme of tree care and management is proposed to rectify storm damage and remove hazards. A detailed tree care plan will have the potential to secure the long term future of the retained trees. In parallel a programme of replacement planting will be included in the detailed landscaping proposals. This will help to further diversify the age structure of the tree

population and enable further resilience to be built into the tree population so that it may be more resistant to the changing environment.

10.54 Below is a summary of the trees on the site as assessed in accordance with the British Standard Quality Assessment and the trees identified to be removed in the report and on site

Table 1 –Quality assessment of trees recorded in survey in accordance with BS5837:2012

	Trees	Groups	Hedges	TOTALS	To be removed
Category U	16	2	0	18	18
Category A	1	7	0	8	0
Category B	27	6	0	33	6
Category C	49	20	0	69	5
TOTALS	93	35	0	128	29

10.55 The report informs both the developers and the Council on the arboriculture constraints on the site whereby a suitable design for development of the site can be proposed. The report anticipates that a detailed Arboricultural Method Statement will be required by the Council once a final layout has been adopted. For clarification this would be at the detailed or reserved matters stage following the grant of an outline planning permission on the site.

10.56 Recommended root protection areas are mapped in the report which states that wherever possible construction activities should be avoided within root protection areas (RPA), except as indicated in the detailed method statement. Based on the proposed site plan and subject to suitable tree protection measures, the authors of the report consider that the development can be accommodated whilst minimising the impacts on the arboricultural interest of the site.

10.57 The adviser to the Council on trees confirms agreement with the findings of the report and confirms that the new access arrangements to the site involves the removal that are not subject to the Tree Protection Order and of poor quality. Conditions as suggested in the report are recommended along with a requirement for full landscaping details as identified in the indicative master plan submitted with the application.

Ecology

10.58 An ecological assessment of the site, including bat and breeding bird surveys, was originally carried out in 2009 by The Ecology Partnership when the site was first closed. An additional Phase 1 scoping survey was completed by Norfolk Wildlife Services on 2 September 2014 with further reptile and nocturnal bat surveys between September and October 2014. A re-survey was completed by Norfolk Wildlife Services on 20 September 2016 to determine any significant changes since the 2014 survey. The site remained substantially unchanged.

10.59 In summary the report concludes that the site had become more overgrown at the time of the with extensive areas for foraging, basking and hibernating for many common reptile species. It is considered that reptiles could have moved into the site since surveys were completed in 2014. Reptiles, if present, could be killed/injured during site clearance works. The trees, scrub and hedgerows provide good nesting habitat for birds, and a lot of bird activity was noted during the 2018 survey. Birds may be harmed, or active nests destroyed if the site is cleared within the bird breeding season.

10.60 The site is assessed as having good foraging potential for bats, with some roosting opportunities for common bat species within trees and some of the buildings. Bats, if present, could be killed/injured or roosts destroyed during re-development works.

10.61 It is recommended that the site is cleared outside the breeding bird season, else the site should be checked for evidence of nesting birds before work commences. It is recommended that further reptile surveys are undertaken on the site. Any mitigation for reptiles will be determined following further survey.

10.62 It is recommended that bat transects carried out in 2014 are repeated. Any trees identified as having moderate bat potential and to be felled will require either an aerial inspection of potential roost features or have two nocturnal surveys. Any mitigation including licensing requirements for bats will be identified following further survey.

10.63 Should any trees identified as having low bat potential require removal, these should be soft felled with cut timber left for 24 hours. Root protection zones of any retained trees or hedgerows should be protected from accidental damage during re-development

10.64 The site could be enhanced for wildlife by the provision of bat and bird boxes, the creation of hedgerows, pond and other accessible natural green spaces.

Enhancement

10.65 The Natural Environment and Rural Communities Act 2006 (NERC) came into force on 1 October 2006. Under Section 40 of the Act, all public bodies (including planning authorities) now have a legal duty to consider biodiversity in their work. As such, in order to increase the likely success of any planning application, consideration should be given to enhancing the biodiversity value of the site following redevelopment.

10.66 Within the site plans there may be potential to enhance the area by:

- ☐ creating accessible natural green spaces within the development, including creating wildflower areas and potentially wetland areas within any infiltration drainage basins;
- ☐ creating a network of wide double planted mixed native hedgerows around the perimeter of the site with no external lighting;
- ☐ using native plants, trees and shrubs within specifications for any soft landscaping of the site;
- ☐ placing 30 bird boxes and cavities of varying designs within the building designs;
- ☐ providing 10 roosting sites for bats within eaves of buildings, and creating dark corridors for them within the masterplan.

Conservation of Habitats and Species Regulations 2017

10.67 The applicant has on both this and the original applications undertaken a shadow Habitat Regulation Assessment detailing their assessment of impact and suggested potential measures to address such effects. Natural England albeit with some reservation has confirmed their belief that the Council - following additional information being submitted for both on and offsite mitigation - as Competent Authority, has adequate information to carry out the Appropriate Assessment. This is consistent with the application as originally submitted.

Highways

10.68 Norfolk County Council as the highway authority have no objection to the proposals subject to the conditions referred to above.

Education

10.69 Norfolk County Council expects 190 dwellings to generate 18 Early Education age children (2-4) and 50 primary age children (4-11) (apologies, the schedule didn't state the number of children expected from the proposed development and the number of school places required). The response from the County Council also confirms that their response takes into account the permitted planning applications in area.

10.70 A total of 332 dwellings (including this site) would generate an additional 32 Early Education (2-4 year old) children, an additional 87 Primary school age (4-11) children, and an additional 57 High school age (11-16) children there would not be sufficient capacity in the Primary sector and funding for additional school places in the Primary sector would be required.

10.71 The Early Education sector would also be full and funding would be sought to accommodate the children generated from this proposed development should it be approved.

10.72 It is considered that the 190 dwellings will put pressure on the local primary school and Hemsby Primary school cannot be expanded on its current site. The next nearest primary schools are Ormesby Village Infant and Ormesby Junior. Some children who live in the Hemsby catchment do choose to attend other schools such as Ormesby and this pattern may have to continue should there not be sufficient capacity for children from this development at Hemsby Primary School.

10.73 The infant and junior figures for per place and per dwelling which would amount to:

a) Cost per place: = Infant ($190 \times 0.122 = 23$ places) $\pounds 11,644 \times 23$ places = $\pounds 267,812$

b) Junior ($190 \times 0.139 = 26$ places) $\pounds 11,644 \times 26$ places = $\pounds 302,744$

Total = $\pounds 570,556 + \pounds 209,592$ for Early Education places = $\pounds 780,148$

b) Cost per dwelling: Infant = $190 \times \pounds 1,420 = \pounds 269,800$

Junior = $190 \times \pounds 1,619 = \pounds 307,610$

Total = $\pounds 577,410 + \pounds 212,420$ for Early Education = $\pounds 789,830$

Retail

10.74 In support of the proposal the applicants have submitted a Retail Impact Assessment in accordance with the requirements of Policy CS7 of the Core Strategy relates specifically to retail development in the Borough.

10.75 The retail element of the proposal has been modified since the original submission. and is accompanied by a Retail Impact Assessment as required by Policy CS7 of the Core Strategy The application seeks a flexible consent for a range of uses consisting of A1 to A3 uses and the applicants consider that this proposal will provide proportionate new shopping facilities in Hemsby,

10.76 CS7 sets out the retail hierarchy for the borough. The borough's town and local centres have been arranged into a hierarchy to signal their importance and role they play in the borough.

10.77 In a justification of the hierarchy, Core Strategy policy CS7 identifies larger centres such as Great Yarmouth, Gorleston-on-Sea and Caister-on-Sea as being more accessible, having a wider catchment and are appropriate locations for large developments that will attract a lot more people.

10.78 Paragraph 4.7.10 of policy CS7 identifies that Local Centres will be defined or allocated in the Development Policies and Allocations DPD. Presently there is no Local Centre's identified or designated in the Local Plan.

10.79 The net retail floorspace of the proposal is in excess of the 200 sqm threshold set out in Policy CS7. The council's main concern in applying this threshold relates to the protection of Great Yarmouth Town Centre in respect of large food stores and the out migration of town centre occupiers to out of centre locations.

10.80 Policy CS7 highlights the council's focus on strengthening and improving the existing shopping offer within local centres, highlighting the potential to accommodate additional retail facilities. It also identifies a requirement for additional retail floorspace in the Borough of up to 13,000sqm net up to 2031

10.81 The Retail Impact Assessment has been undertaken on the basis of NPPF and guidance outlined in National Planning Policy Guidance(NNPG). Guidance in NPPG identifies that the Impact Assessment should be undertaken in a proportionate and locally appropriate way drawing on existing information wherever possible

10.82 The impact of the proposal can only be considered against existing designated centres, as those are the centres which are protected under policy set out in the NPPF. As such any impact considered can only relate to Caister-on-Sea, Gorleston-on-Sea or Great Yarmouth

10.83 The assessment which is based mainly on the council on data concludes that the maximum impact from the proposed convenience store on the three designated centres combined would amount to less than 2 percent and this would be on the basis of 100 percent of the proposed store's turnover being drawn entirely from the three designated centres.

10.84 It is also of note that the emerging draft policy in the Local Plan Part 2 Policy R!- on the Location of Retail development does not define or allocate retail areas in areas such as Hemsby but does refer to retail proposals being within approximately 300m of existing retail sites which this proposal is. Within the Core Strategy CS7 there is recognition of the role that local shopping plays in providing for the day to day needs of local communities.

10.85 In assessing the impact of the development it is considered that this proposal will provide proportionate new shopping facilities in Hemsby, contributing towards the Council's overall retail requirement in accordance with Policy CS7 and the overall sustainability of the village.

Holiday use

10.86 The application includes two hectares (4.8 acres) of land for holiday accommodation for the form of approximately 50 static caravans. This accords with the Committees ambition to retain a tourism related use on the on the site and in accordance with the local plan proposals maps subject to the final layout and landscaping of the site

11.0 Planning Balance

11.1 As there is no five-year housing land supply, the tests of paragraph 11 of the NPPF need to be considered. As detailed above in the report, as the case officer I have undertaken a careful analysis of all the Development Plan policies, assessing firstly, as a matter of my planning judgement, which are the most important policies for the determining the application.

11.2 As a reasonably large proposal on a brownfield site within Hemsby, and close to an internationally designated nature conservation site, many different Development Plan policies are (to a greater or lesser degree) relevant to the determination, and these are discussed above. However, as a proposal for a housing-dominated re-development of a site formerly in use as a holiday camp (and which lies within a designated Holiday Area in the current Development Plan), my judgement is that the policies most important to the determination of this planning application are: i) those relating to the principle, location and scale of new housing; and ii) those relating to the principle of the re-development of the site (for non-tourism use).

11.3 It is very important to note that my judgement on which are the most important policies and whether they are (or are not) out-of-date is specific to this particular application. Planning judgements must be made for each different planning applications, as each planning application must be determined on its individual merits.

11.4 I have concluded, as a matter of my planning judgement, that Policy CS2 (*Achieving Sustainable Growth*) is out-of-date. Notwithstanding that the Local Plan Part 2, which will allocate non-strategic housing sites to try to meet the overall housing need using the settlement hierarchy apportionment, is not yet adopted, with a 2.55-year housing land supply (a very significant shortfall) I do not believe that this policy can be concluded to be up-to-date.

11.5 Similarly, I have concluded that 'saved' Policy HOU7 (which says that new residential development will be permitted within settlement boundaries, and by extension that such development will not be permitted outside boundaries) is out-of-date because there is only a 2.55-year housing land supply. The age of this policy (dating from 2001) also militates against this policy being in-date, but the lack of housing land supply alone is sufficient to justify this, in my judgement.

11.6 I have concluded, as a matter of my planning judgement, that 'saved' Local Plan Policy TR4 (*Tourist facilities, attractions and accommodations*) is out-of-date. The area of land in Hemsby covered in the Prime Holiday Accommodation Area (as shown on the Policies Map (North)) is considerable, encompassing many different holiday parks and caravan areas (including the application site). It is important to note however, as detailed above, that Core Strategy Policy CS8 has caveated parts of Policy TR4. In particular, the introduction of a Part b) of the CS8 allows the re-development of visitor holiday accommodation areas "unless it can be demonstrated that the current use is not viable".

11.7 I have concluded, as a matter of my planning judgement, that 'saved' Local Plan Policy TR11 (*Loss and improvement of holiday accommodation*) is out-of-date. This is largely because of the same reasons as Policy TR4, (in particular the implications of part b) of CS8) given above.

11.8 In my overall professional judgement, the most important policies for the determination of this planning application overall are all out-of-date and therefore the "tilted balance" applies – for a refusal to be justified, the harms of the development must significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

11.9 It is evident from the consultation responses from the statutory bodies that, subject the various conditions requested by the various parties, there is little planning reason to recommend refusal of the current proposal on any technical grounds. In this regard little has changed since the application was originally considered by the Committee.

11.10 In terms of the Council's need to demonstrate a five-year housing supply as required by the NPPF, the latest figures show that the Council can only demonstrate a 2.55 year supply. Whilst this is an outline planning application only i.e. seeking the

establish the principle of development and means of access the applicants submit that the site can be delivered.

11.11 In consideration of the planning policies and guidance set out above Policies TR4 and CS8 seek to safeguard existing tourism sites as shown on the Local Plan Proposals Map with CS8 having the caveat in criterion b)" unless it can be demonstrated that the current use is not viable"

11.12 Under Section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published.

11.13 In this instance the greater weight should therefore be given to Policy CS8 adopted in December 2015 in comparison with saved policy TR4, which was adopted as part of the 2001 Local Plan. The applicants have shown that the site has been marketed for a tourism related use. Where interest has been shown the prospective purchasers have been unable to fund the purchase. The applicants are considered to have demonstrated in compliance with criterion b) that the current use is not viable as whole.

11.14 In terms Conservation of Habitats and Species Regulations 2017, the assessment of the Local Planning Authority, as Competent Authority, is that the application, if approved, will not adversely affect the integrity of Natura 2000 sites provided that the mitigation put forward in the Shadow HRA report and as set out above is secured. To meet the mitigation requirements the appropriate contribution is required to be secured by a legal obligation (S.106 agreement) and conditions for both on- and off-site improvements.

11.15 It is important in the context of this application to acknowledge and reiterate that the tilted balance in favour of development of the site as set out in Para 177 therefore does apply to the development.

11.16 The site is considered to be located in a sustainable location adjacent to residential properties and subject to the reserved matters being submitted as part of a further application it is considered that the site can be developed without adversely impacting about the character and visual amenity of the area.

11.17 Local concern has also been raised regarding the potential loss of employment opportunities associated with the existing use of the site and reduction in the tourism offer. The proposals here do offer potential employment opportunities however it is acknowledged the number of jobs to be created are not known at present.

11.18 In weighing the material considerations in this application considerable weight must be given to Paragraph 11 (d) of the National Planning Policy Framework (the Framework) states that where the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. Footnote 7 states that “this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”

11.19 In reviewing the revised proposals overall in planning terms the applicants have addressed a number of the previous concerns identified by the Committee. The proposal would be of social benefit in terms of the provision of market and 20% affordable housing. This would contribute towards the housing supply shortfall and provide for needed affordable homes for the reasons set out above.

11.20 The development would also be of economic benefit to the area in terms of employment during construction and the expenditure of future residents. In addition, there would also be other public benefits in terms of new footway and crossing, bus stop improvements and public open space provision within the site

11.21 As is evident from the representation from Hemsby Parish Council, local residents, local Councillors and Member of Parliament there remains considerable opposition to this proposal and the potential loss the site for tourism both to Hemsby and the area. One ground of objection made by the Parish Council is that it would be premature, in plan-making terms, to grant the application. However, paragraph 50 of the NPPF says that “*Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination...*” and paragraph 49 says: “*However in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:*

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

11.22 It is my judgement that the current proposal is not particularly substantial, and it would not undermine the plan-making process, and the emerging Part 2 Local Plan

cannot be argued to be at an advanced stage either, as it has not been submitted for examination. Therefore very little weight can be afforded to this factor.

11.23 However, in applying the “tilted balance” (the presumption in favour of sustainable development), very few harms have been identified against the policies in the NPPF taken as a whole (see above in the report). There is general conformity with those policies covering (for example);

- transport/traffic;
- housing need, including affordable housing;
- ecology generally, including impact on internationally designated nature conservation sites;
- impact on trees;
- effective use of brownfield land;
- drainage and flood issues

11.25 Any harms identified against the NPPF as a whole therefore do not significantly and demonstrably outweigh the benefits of the proposal and so weigh heavily in favour of the proposal.

11.26 Even if it was concluded that the “tilted balance” was not to apply (i.e. the most important policies for determining the planning application, overall, were concluded not to be out-of-date), in planning terms my judgement, when considering the overall planning balance, is that the weight is firmly in favour of the proposed development, for the reasons set out in this report

11.27 In summary, the proposal would enable a site which has been derelict for nearly 10 years (and is getting in an ever-worse state as time goes by), with seemingly very little prospect of being viably re-occupied or re-developed for largely tourism use, to be re-developed to provide much-needed housing (market and affordable), along with some space for tourism caravans. No significant harms have been identified, and where harms exist, it is concluded that they can be satisfactorily controlled through planning conditions or the S106 legal agreement.

12.0 Section 106 of the Town and Country Planning Act 1990

Planning Obligation proposed Heads of Terms to mitigate the impacts of the development, the following Heads of Terms have been proposed

- Affordable Housing;
- Education Contribution
- Library Facilities; contribution
- Fire Service;
- Affordable Housing
- Open space provision/contribution

- Habitats Mitigation payment per dwelling
- Management plan for surface water drainage and open space i
- On and offsite green infrastructure

13.0 Conclusion

13.1 The proposal is considered to comply with policy HOU9 of the Great Yarmouth Borough-Wide Local Plan 2001 and policies CS1, CS3, CS4, CS6 CS7 and CS8 of the Core Strategy and the National Planning Policy Framework material considerations that are considered to - in this instance - outweigh conflict with Policy TR4 and TR11 of the Great Yarmouth Borough Wide Local Plan 2001.

14.0 Recommendation

14.1 APPROVE subject to conditions required to provide a satisfactory form of development as outlined and referred to above and the completion of a Section 106 Agreement for the provision of affordable housing, library books, green infrastructure provision, Natura 2000 mitigation including financial as outline in the report, play space and maintenance provision and highway requirements.

Gemma Manthorpe
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: 06/15/0441/O
Date: 16 October 2018

My Ref: 9/6/15/0441
Tel No.: 01603 223272
Email: david.wilson@norfolk.gov.uk

Dear Gemma,

Re-development of the site for up to 200 dwellings and community/commercial facilities, together with associated public open space and landscaping. Beach Road (Former Pontins Holiday Centre), Hemsby, GREAT YARMOUTH. NR29 4HL.

Thank you for consulting the Highway Authority concerning the above outline application with all matters reserved except access. All supporting information has been considered.

The mitigation package proposed by the developer includes a push button controlled pedestrian crossing at Kings Way, adjacent to the footpath that connects to the Barleycroft estate. The package also includes two bus stops with shelters, along with improvements to and widening of the east side footway. A bus shelter will also be provided at Beach Road along with improvements to the south footway. The development will have a Travel Plan secured by condition and will need a performance Bond secured by S106 Agreement.

In light of the above agreed mitigation package the Highway Authority recommends no objection subject to the following suggested conditions and completion of the above mentioned S106 Agreement.

SHC 01: No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, street lighting, 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.

Reason: This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.

SHC 02: Prior to the construction/occupation of the final dwelling all works shall be carried out on roads/footways/cycleways/street lighting/foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.

Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.

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

Reason: To ensure satisfactory development of the site.

SHC 03B: All footway(s) and cycleway(s) shall be fully surfaced in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority.

Reason: To ensure satisfactory development of the site.

SHC 08: Vehicular/pedestrian/cyclist access to and egress from the adjoining highway shall be limited to the access(s) shown on the Masterplan, Drawing No. 7873-12 Rev G only. Any other access or egress shall be permanently closed, and the footway/highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority concurrently with the bringing into use of the new access.

Reason: In the interests of highway safety.

SHC 16: Prior to the first occupation/use of the development hereby permitted, visibility splays measuring 2.4 metres x 43 metres shall be provided to each side of the access where it meets the highway at Beach Road and visibility splays measuring 4.5 metres x 120 metres shall be provided to each side of the accesses where they meet the highway at Kings Way. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with the principles of the NPPF.

SHC 20: Prior to the first occupation 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 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 21: Prior to first occupation/use of the development hereby permitted a scheme for the parking of cycles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

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 32A (as amended): 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 in the form of push button pedestrian crossing, bus stops with shelters and footway improvements, as indicated on Drawing No.(s) 680-03/101, 680-03/102 and 680-03/103A have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

SHC 32B: Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

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

Agreements under the Town and Country Planning Act 1990 or Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

Commutated Sum for Travel Plans

The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority also requires a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge are secured by a Section 106 Legal Agreement. This is in addition to the sum payable for Planning Obligations covering infrastructure, services and amenities requirements. For residential development, Norfolk County Council offers a fully inclusive package covering the writing, implementation, on-going management and annual monitoring of a Travel Plan for 5 years post completion of the development. Developers are expected to enter into a Section 106 Agreement to secure the necessary funding before planning permission is granted.

Inf. 7: Street lighting is a concurrent power of the County, District and Parish Councils. However, it is the County Council after consultation with the Local Lighting Authority (District or Parish Council) who decides whether street lighting is required on proposed public highways. Norfolk County Council will challenge any automatic assumption that street lighting needs to be provided on part or all of the new development.

Inf 9: The applicant is advised that to discharge condition SHC 00 that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

General

The off-site works will be delivered by a Section 278 Agreement and the precise delivery mechanism will be determined as the works are brought forward. The applicant should be aware that there may be additional costs relating to the off-site works which will include a commuted maintenance amount as well as various fees including administration and supervision. The completed works will be subject to a Safety Audit and additional works may be required.

Further information on the delivery of highway works can be found under Highways and Transport: Post-planning processes at the following link:

<https://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/highway-guidance-for-development/publications>

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.

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



**Greater Yarmouth Tourism and Business
Improvement Area Ltd.**

c/o Maritime House,
25 Marine Parade,
Great Yarmouth,
NR30 2EN

Tel 01493 846492 – 24 hour voicemail
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Planning Services, Development Control
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
NR30 2QF

2nd July 2018

Dear Sir/Madam

PLANNING APPLICATION No 06/15/0441/O

**Demolition of existing buildings & redevelop site up to 190 dwellings,
retail development, holiday accommodation, open space & landscaping
at former Pontins Holiday Centre, Beach Road, Hemsby, Great Yarmouth**

Thank you for giving the Greater Yarmouth Tourism & Business Improvement Area (GYTABIA) an opportunity to comment on the above planning application.

The GYTABIAA works with its 1200 levy payers to enhance the local economy through a series of interventions ie events, marketing campaign, landscape improvements.

Hemsby contains a significant number of visitor beds which remain important not only to Hemsby but also to tourism businesses throughout the Borough of Great Yarmouth and indeed Norfolk and parts of northern Suffolk.

The GYTABIA Board of Directors has grave concerns about any erosion of policies that protect the tourism industry and its visitor accommodation stock.

Whilst the current state of the former Pontins site adds nothing to the appeal of Hemsby, the conversion to residential dwellings will merely seek to confirm the eroding of the nature and ambience of this key tourist area and the move away from the core values of a holiday resort.

The tourism industry generates over half a billion pounds a year to the economy of Greater Yarmouth and the self-catering sector generates a significant proportion of this wealth.

TOURISM



Hemsby continue to attract investment, most recently Richardson's Group, the family-run business, has further boosted local tourism with a £20m announcement of plans for a 260 room hotel on the current Seacroft site and the replacement of existing chalets at Hemsby Beach Holiday Park with 252 new static caravans and 15 lodges. A true testament of the confidence in Hemsby as a visitor destination.

In May 2010, in their report on Great Yarmouth Employment Study, Bones Wells Urbecon (Economics and Planning Consultants) noted that:
"Caravans and chalets provide the great majority of tourism accommodation in Great Yarmouth and, accordingly, constitute the mainstay of the Borough's tourism sector, by volume and value. Most of the capacity is located along the coast north of the Yarmouth in villages like Hemsby and Caister, with some located south and inland." (Section 4.3, Page 49)

They also noted that:
"The stock has been affected by recent closures e.g. 3,000 beds at Pontins with a loss of 55 jobs" (page 49)

Bone Wells Urbecon went on to comment that:
"Large scale closures such as Pontins are grounds for concern about the long term health of Yarmouth's core tourism market, despite the recent positive trend in visitor numbers by a number of operators" (page 50)

Finally Bone Wells Urbecon concluded with the following two scenarios – depicting an optimistic and a pessimistic outlook.

Optimistic scenario

Continuation of "staycation" trend fuelled by low pound, low growth in disposable income, rising cost of air fares and hassle of air travel, and a series of good summers in England leads to growing demand for the seaside holiday park/village and caravan rental product, plus success in extending the season by attracting short breaks and special events. Operators continue to invest and raise standards, with modest additions to bed capacity. Employment growth by 25% over 5 years (c. 500) is possible.

Pessimistic scenario

Pound strengthens, flights remain competitive, recovery in income growth, and a series of bad summers in England put paid to the "staycation" trend. Tax changes damage viability and operators are discouraged from investing, some capacity is lost with sell off of caravans and chalets to private owners and possibly some sites closing or redeveloped for housing. Employment could decline by 25% (c. 500) over 5 yrs.

Clearly these two scenarios will be significantly influenced by the outcome of the planning application to convert the former Pontins site into private dwellings.

The impact of the loss of this strategically important site would create a precarious situation which could result in the speedy decline of Hemsby as a visitor destination. Furthermore the repercussions would be felt throughout the Borough of Great Yarmouth and throughout Norfolk.

The GYTABIA objects in the strongest terms to this proposal which could set a dangerous precedent prompt further loss of visitor accommodation.

Yours faithfully,



Karen Youngs
Project Manager
Greater Yarmouth Tourism & Business Improvement Area.



Rt Hon. Brandon Lewis MP
Member of Parliament for Great Yarmouth

Office of Rt Hon. Brandon Lewis MP
20 Church Plain
Great Yarmouth
Norfolk
NR30 1NE

Application Reference: 06/15/0441/O

3rd July 2018

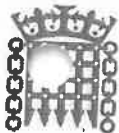
Dear Mr Minns,

I am writing to comment on the above application in my capacity as the elected Member of Parliament for Great Yarmouth, which includes the village of Hemsby.

Before commenting on the application in detail, I will set out a number of general observations in relation to the former Pontins site and the application. Hemsby is a vibrant village, with a strong community atmosphere, and, largely within the Beach Road and Newport area, retains a strong and proactive tourist industry. However, one of the most pertinent issues raised by local residents is the need to find a solution to the ever-decaying former Pontins site. There is considerable will amongst the local people, to find a long term solution to the site, however that does not necessarily mean that this application is the correct one.

It is clear to me that the majority of the local community wish for the site to be retained for tourist use. This has been evidenced by the strength of local opposition to previous applications, and also more recently when I conducted a community survey in the village. This resulted in an absolute majority backing the retention of tourism use on the site. As such, whilst I agree with the applicant's assertion that the village wants to see a positive future for the former Pontins site, it is clear that the villagers and applicants do not share the same definition of 'positive' in this case.

The former Pontins site remains the last large scale site between the large residential area of the village and the Beach Road/Newport Road holiday facilities, and as such is the most logical and viable area for any growth in the tourist offer of Hemsby. Significant sums have recently been invested in Hemsby by local businessmen. This, when combined with a number of other recent positive developments within the borough's tourism industry, suggests to me that the viability of possible tourism uses is currently increasing, and the land could still be used for an employment related purpose.



I should also make it clear that I am not opposed to development or housing construction. I fully appreciate the need for more good quality homes to be built within our borough, and also agree that there are many locations within our rural communities, where housing developments are appropriate and needed. However, that does not extend to blanket approval for all sites without consideration of the wider context of the borough's local plan and potential impact on other tourism location within Hemsby and the borough.

Turning to the application itself, in its current form, I am unable to support it. The application would reduce the amount of land potentially available to tourism by over 75%, which is simply unsatisfactory to the local community. As I understand it the application area is still designated for tourism use and I strongly feel that the potential precedent set by this application could have negative longer term consequences for the borough.

This application is contrary to several aspects of Section 8 of the Core Strategy (promoting tourism, leisure and culture). In addition, I don't believe its development as a housing site is necessary to fulfil the council's housing supply requirements. The Core Strategy Section 2 (sustainable growth), clearly states that development in the first instance should be focused on the Main Towns and Key Service Centres, rather than Primary Villages such as Hemsby. Of the proportion of housing projected for the Primary Villages, I feel that this should be evenly, where possible, distributed amongst the villages and the inclusion of this application could place disproportionate and frontloaded development within Hemsby.

In summary, this application, if approved, would result in a significant reduction in the potential bed capacity of the Hemsby Tourism Industry, act as a hindrance to future development of the Beach Road/Newport Road tourism hub, and place disproportionate development in a single Primary Village. As such I hope that the Committee is minded to stand up for local residents and reject this application.

Yours sincerely,

Rt Hon Brandon Lewis MP

Member of Parliament for Great Yarmouth

A/C 29/615
COTTAGE.

ACK 22/6/18

Great Yarmouth Borough Council

22 JUN 2018

Customer Services

HEMSBY
Norfolk NR29 4EZ

WITHOUT PREJUDICE

20th JUNE 2018

GT YARMOUTH BOROUGH COUNCIL

TOWN HALL

GT YARMOUTH NR30 2QF

Great Yarmouth
Borough Council

22 JUN 2018

Planning
Department

Dear Sirs,

RE: Planning Application on Former Pontins Site 06/15/0441/0

I am writing in response to your recent correspondence regarding the above planning application.

My views are as follows; whilst the application does include some holiday accommodation, the vast majority is for residential building which will not generate revenue for the seasonal businesses who rely totally on holiday trade to remain viable. This would appear to be at odds with the Council's own "core strategy policy - CS8" for the promotion of tourism, if only, as suggested, a small proportion of the former Pontins site retains holiday status. Why would the Council formulate a policy specifically to

Protect tourism in the area, which generates revenue not only in business taxes, but also creates local employment - if it is not willing to protect holiday land which already exists?

The overview that the former Pontins site cannot solely sustain holiday accommodation would seem to be in contradiction with the site owned by Richardsons, who have just this last year spent millions of pounds on a complete overall and re-vamp of their site, on Beach Road, just a few hundred yards from the former Pontins site. Surely if Richardsons are prepared to invest so heavily into their site, then the former Pontins one has equal potential as a viable holiday business and should therefore remain 100% a holiday site only.

Since the closure of the former Pontins site, my understanding is that there have been enquiries made by various interested parties, who were seriously considering re-developing the site solely as a holiday destination. It was impossible however to secure a negotiated price for the land, as the vendors seemed unwilling to proceed further with this line of enquiry. If the vendors were

contd.....

serious about selling the site, auctioning the land would surely have been a viable option for them; and one that, in my opinion, could have and should now be pursued, prior to any planning consent being obtained for domestic housing on this site.

Hensby has a long and distinguished reputation as a family holiday destination with many families returning year upon year. My view is therefore that any long term loss of potential holiday accommodation will have a detrimental effect not only on the village and its businesses, but on the wider community as a whole.

I would ask you to consider all the points I have raised thoroughly before making any decision on the above planning application

Yours truly

ACK
3/7/18

Hemsby
Gt. Yarmouth
NR29 4HQ

27th June 2018

Planning Dept GYBC
Town Hall
Hall Plain
NR30 2QF

Dear Sir/Madam

re: 06/15/0441/0

Great Yarmouth
Borough Council

02 JUL 2018

Planning
Department

I am writing to formally object to the above
numbered Planning Application relating to
Beach Road (former Pontins Holiday Centre)
Hemsby NR29 4HL.

Pontins site is dedicated as Tourism land
therefore building housing there is not in keeping
with Policy CS8.

GYBC Policy TR4 requires it to be used as:
Tourist facilities, attractions and accommodation and
thereby should not be permitted to any change of
use.

Yours faithfully

Great Yarmouth Borough Council
-2 JUL 2018
Customer Services

Internet Consultees

Application Reference 06/15/0441/O

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐Name
Address

Martham

Great Yarmouth

Post Code NR29 4TW

Telephone Email Address For or Against OBJ ObjectSpeak at Committee

The infrastructure in Hemsby (and surrounding villages) is struggling to cope with the current growth of the village. The GP surgery and dentist are overbooked without adding an additional 190 households to contend with. The primary school is likely to have to expand its catchment to cover Winterton following the proposed closure as the end of this year. The essential services within Hemsby will not continue to cope with the rapid growth of the village without growing themselves, something which funding does not currently allow for.

Date Entered 26-06-2018

Internet Reference OWPC1780

Internet Consultees

Application Reference 06/15/0441/0

Attachments

Valid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name
Address

AC12 29/6/18

Hemsby

Post Code NR29 4NA

Telephone
Email Address

For or Against ☐ OBJ Object

Speak at Committee

An estate of 190 houses would increase pressure on the already stretched doctors/dentists. The sewer system struggles to cope now and there are already several sites approved for more housing around the village. The increased traffic on Kingsway will cause congestion and will be dangerous. The site should remain as leisure use. The popularity of Hemsby as a holiday destination proves there is a need for more holiday accommodation and a retail development is definitely not required.

Date Entered 27-06-2018

Internet Reference OWPC1785

28 JUN 2018

Customer Services

27.6.18

APPLICATION 06/15/0441/0

Dear Sirs

I am writing to register my opposition to the above planning application and have listed below several reasons for my opinion

The site is to be used only for Holiday/Tourism purposes, R.E.

Gr Yarmouth class 1. Holiday use only

Foul water and sewage drains were put in many years ago for what was then a small village, there has been many instances of overflow into streets and properties and although tanks have been placed in the system one must remember that a chain is only as strong as its weakest link.

There is insufficient school, dentist and medical provision to service the above along with all the other applications in the area

Yours faithfully

Great Yarmouth
Borough Council

28 JUN 2018

Planning
Department

Shop
Two Seasons
Treasure Island
Beach Road, Hemsby
Great Yarmouth, NR29 4HS

From:
Sent:
To:
Subject:

John Rundle <j.rundle49@talktalk.net>

28 June 2018 09:55

plan

06/15/0441/O PONTINS HOLIDAY CENTRE -HEMSBY

Further to the Application for Planning received from Northern Trust. This is the same application which was submitted last time. Retail development – shops – we do not need any more shops in OUR village – we have already adequate shops who give us a good service and variety. More shops would put pressure on the existing ones and as you well know businesses/shops are closing all over the country making people unemployed.

The holiday accommodation which they mention to – caravans on one corner of the site can be removed 6 months / one year down the line and more houses put in their place. The site was closed ten years ago by Northern Trust in the April and it was booked up until the September with holiday visitors. They let it go derelict and stripped everything out they did not want it to be sold as a holiday site. They would not tell possible leisure businesses a price as they are so greedy and know that if they could sell it for building they will get **much, much more money**.

We know that if they get planning permission they do not have to do the building themselves, they will sell on the site to another builder who does not have to abide by the planning application and can build more houses under new phases.

The Winterton Primary School is now closing – they have not been able to get a head teacher and the attendance has dropped, therefore the children will be relocated in Hemsby and Martham schools. Hemsby has only got 35 places at the moment and there are 55 children at Winterton. Therefore there will be no places available for the children in OUR village especially as we have more houses being build in the future without Pontins site. We have already had the quota built\being built that the Government has told us we should have !!!!

Let us have a leisure site built something like Centre Parks or Eden Project that will bring holiday makers here - with a swimming pool, and facilities such as tenpin bowling, grass bowls (which has now closed in the village) a gym for the teenagers to give them something to interest them, along with badminton and table tennis etc., so the residents can use the facilities as well.

WHY HAS NORTHERN TRUST BEEN ABLE TO GET AWAY WITH NOT PAYING RATES ALL THESE YEARS – if myself or anyone else in the village didn't pay our rates you would be upon us like a 'ton of bricks' threatening bailiffs/court cases etc. By letting them get away with this for 10 years – they were in no hurry to sell ! thus making them ignore any offers from the holiday industry.

I have heard that the GYBC will benefit from having houses build - £5,000 per house build plus rates from homeowners - this should not be a consideration in the decision whether this Application is passed or not.

Yours faithfully

[REDACTED]
Hemsby
Great Yarmouth
Norfolk
NR29 4EU
[REDACTED]

Flegg Chalet Services

6 School Road, Martham, Great Yarmouth, Norfolk NR29 4PX. Tel/Fax: Great Yarmouth (01493) 740674
e-mail: enquiries@seadell.co.uk
website: www.seadell.co.uk

28 June 2018

Great Yarmouth Borough Council
Planning Services
Development Control
Town Hall, Hall Plain
GREAT YARMOUTH NR30 2G

Great Yarmouth
Borough Council

29 JUN 2018

Planning
Department

Re: Planning Application: 06/15/0441/O. Your letter dated 11/06/2018.

I wish to object to this application as follows:

1. The presentation regarding the leisure park being "unviable" is flawed:
 - i. On closure of the park internal fixtures/Fittings were removed from a large number of the properties to make them unavailable to let & to avoid paying Non-Domestic Rates.
 - ii. The Inland Revenue/Valuation office were compliant with this move.
 - iii. This can only be described as "Industrial Rape" & if the applicants were individuals without doubt there would have been a further Celebrity court case.
 - iv. With this situation it is understandable that no prospective purchasers were found either by Northern Trust or by appointed agents. In addition despite numerous requests Northern Trust never disclosed a "asking price", always responding by asking what the prospective purchaser would do with land.
 - v. In recent years investment in the leisure industry in Hemsby has increased. e.g Richardsons & others. A visit will show that the leisure industry in Hemsby is looking to the future.
2. Infrastructure such as Doctors/Dentist Surgery, local School in Hemsby are inadequate to accept such an increase. This is exacerbated by the intended closure of Winterton Primary School.
3. Previously local [full time & part time] jobs were lost. This development offers no such prospect for local people.

In conclusion the application as described in the local press states "The above development is a major development and does not accord with the provision set out within the saved policies of the Great Yarmouth Borough-Wide Plan[2001]". To agree to this application would go against this policy and would lead to other Leisure areas requesting the same. Currently Hemsby has other developments already agreed to satisfy Borough Council's housing requirements. It would be naïve to think that should this application be approved, a revised application for additional housing would not be received. Since the closure applications have been made, public meetings have been held within the village and local residents and businesses have made their views clear and communicated this directly to Northern Trust. Over this time it has become apparent that Northern Trust are very good at being "economical with the truth" and often threatened to use "bully boy" tactics. There is only one language that "bully boys" understand. You have to stand up to them. This application should be refused, Northern Trust notified and if they wish to appeal It should be argued with all previous and up-to-date information.



PRINTED ON RE-CYCLED PAPER

Great Yarmouth Borough Council

26 JUN 2018

Customer Services

NR29 4NR

Planning Services
Development Control
Town Hall, Hall Plain,
Gt Yarmouth
Norfolk, NR30 2QF

Great Yarmouth
Borough Council

26 JUN 2018

Planning
Department

Re: Planning Application 06/15/0441/0

I am pleased to see we have another opportunity to have the former Pontins eyesore built on. I, unlike many of the anti group live directly opposite it and am and was directly effected by it, many of the anti people who live further from it and want it re opened out of some "hi dee hi" romantic notion of when they stayed there.

This is a great opportunity to escape the short working season and trade all year round and keep people in work for a full year rather than 3 months.

This is also an opportunity to concentrate the holiday trade into a more up market venue. With the beach being eroded away rapidly this may well be what is needed for it to survive rather than any nail in its coffin as many of the anti block would have us believe.

The anti block would have us believe that keeping the camp as holiday use would bring business for them, 'dropping it in their laps' as it did, but, "Hi Dee Hi" has been and gone and I believe it would need to be all inclusive to survive in todays market with all the entertainment on site and it could do the opposite and attract custom away from the beach which is frankly an eyesore with rusty steel, jagged concrete, debris from collapsing homes, dangerous cliff overhangs and times when the sea covers it.

I find it staggering that Mr. Lewis our "conservative" MP is in favour of keeping it for holiday use. It is simply not viable any more and no wonder no one wants it for that purpose as it will result in a repeat of the hideous last 10 years it was open, times that people like me had to tolerate with no help from environmental health, the police or the parish council.

Please vote for the building development to go ahead. This is a great opportunity for the village to move forward.

Thank You
Yours Sincerely

23/6/18

[REDACTED]
[REDACTED]
Sent: 28 June 2018 09:54
[REDACTED]

Subject: 06/15/0441/O PONTINS HOLIDAY CENTRE -HEMSBY

Further to the Application for Planning received from Northern Trust. This is the same application which was submitted last time. Retail development – shops – we do not need any more shops in OUR village – we have already adequate shops who give us a good service and variety. More shops would put pressure on the existing ones and as you well know businesses/shops are closing all over the country making people unemployed.

The holiday accommodation which they mention to – caravans on one corner of the site can be removed 6 months / one year down the line and more houses put in their place. The site was closed ten years ago by Northern Trust in the April and it was booked up until the September with holiday visitors. They let it go derelict and stripped everything out they did not want it to be sold as a holiday site. They would not tell possible leisure businesses a price as they are so greedy and know that if they could sell it for building they will get **much, much more money**.

We know that if they get planning permission they do not have to do the building themselves, they will sell on the site to another builder who does not have to abide by the planning application and can build more houses under new phases.

The Winterton Primary School is now closing – they have not been able to get a head teacher and the attendance has dropped, therefore the children will be relocated in Hemsby and Martham schools. Hemsby has only got 35 places at the moment and there are 55 children at Winterton. Therefore there will be no places available for the children in OUR village especially as we have more houses being build in the future without Pontins site. We have already had the quota built\being built that the Government has told us we should have !!!!

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WHY HAS NORTHERN TRUST BEEN ABLE TO GET AWAY WITH NOT PAYING RATES ALL THESE YEARS – if myself or anyone else in the village didn't pay our rates you would be upon us like a 'ton of bricks' threatening bailiffs/court cases etc. By letting them get away with this for 10 years – they were in no hurry to sell ! thus making them ignore any offers from the holiday industry.

I have heard that the GYBC will benefit from having houses build - £5,000 per house build plus rates from homeowners - this should not be a consideration in the decision whether this Application is passed or not.

Yours faithfully

[REDACTED]

Development Control Committee

Minutes

Tuesday, 08 March 2016 at 18:30

PRESENT :

Councillor Reynolds (in the Chair); Councillors Andrews, Annison, Collins, Jermany, Grant, Lawn, Linden, Sutton and Wright.

Councillor Fairhead attended as a substitute for Councillor T Wainwright.

Councillor Jeal attended as a substitute for Councillor Blyth.

Mr D Minns (Planning Group Manager), Miss G Manthorpe (Senior Planning Officer), Mrs J Smith (Technical Assistant) and Mrs S Wintle (Member Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Blyth and T Wainwright.

2 DECLARATIONS OF INTEREST

It was noted that the Chairman and Councillor Jermany declared Non Pecuniary interests in item 4 and in accordance with the Constitution were allowed to both speak and vote on the matter.

Councillor Jeal declared a Non Pecuniary interest in item 7 and in accordance with the Constitution was allowed to both speak and vote on the matter.

3 MINUTES

The minutes of the meeting held on 9 February 2016 were confirmed.

4 APPLICATION 06/15/0441/O FORMER PONTINS HOLIDAY CENTRE, BEACH ROAD, HEMSBY

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

The outline planning permission sought the re-development of the site for up to 200 dwellings and community/commercial facilities, together with associated public open space and landscaping. Members were advised that the means of access to the application site was also to be considered as part of the application.

It was reported that a previous application was submitted in 2011 although had been withdrawn prior to being considered by the Development Control Committee

Members were advised that the Design and Access Statement submitted with the application stated that approximately 8.04 hectares would comprise residential development, including affordable housing. The housing mix would comprise predominantly detached family housing with some semi-detached and terrace units.

The Planning Group Manager reported that 48 letters of objection had been received from neighbouring owners, the main concerns were summarised to Members. Members were advised that 1 letter of support had been received.

It was reported that the Parish Council objected to the application for the following reasons :-

1. The site is a PRIME Holiday area, which will also require change of use, but are concerned if approved will this set a precedent for other Prime holiday areas in Hemsby or the Borough to have this protection removed and re-developed.
2. The infra-structure is not adequate to cope with the increase of population or increase in traffic on the highways. Drainage is poor on the site and regularly flooded the area with increased demand.
3. Lack of educational facilities to cope with extra child places.
4. One medical centre in the village which is already struggling with high number of patients.
5. As a holiday resort the site employed many from the local area, where will new residents find work in an area which is mainly tourism.

It was reported that Norfolk County Council would not sought contributions for Nursery, Primary or High School.

There had been no operational objections received from the Norfolk Fire Service, although the requirement for 4 fire hydrants on no less than 90mm main and 1 no less than 150mm be noted.

It was reported that the Highways had no objections further to an agreed mitigation package which would include a zebra crossing as well as two new bus stops with shelters an length of improvement/widening of the east side footway and subject to an s106 being completed.

Norfolk County Council flood Authority had no objection subject to a detailed design of a surface water drainage scheme.

It was noted that Essex and Suffolk water had no objection subject to the compliance of requirements and that Anglian Water confirmed the foul drainage and sewerage system had adequate capacity for the flows.

Environmental Health had no objections to the outlined planning application.

The Planning Group Manager reported that the site is designated as a prime holiday site in the Borough Wide Local Plan 2001, policy TR4 stated the following :-

'Proposals to change the use of tourist facilities, attractions or accommodation to purposes which are not tourist related will not be permitted where the site or premises are within primary holiday accommodation and primary attraction areas as shown on the proposals map.'

Members were advised that policy TR4 remained a saved policy.

The Planning Group Manager reported that the application had been recommended for approval subject to the conditions required.

A Member asked how many public meeting had been held in relation to the application, and was advised that several meetings had been held.

Mr De Pol - agent presented a report on behalf of Northern Trust Company Limited.

The Chairman made reference to a previous meeting that he and the Planning Group Manager had attended with Northern Leisure Trust and advised that a suggestion had been made that a small scale Tourism and Leisure be maintained with in the application site, the Chairman asked why this had not been considered. Mr De Pol advised that the suggestion had been considered through various different active marketing options.

A Member expressed concern that no monetary value had been available when the site was marketed, Mr De Pol advised that this was a more flexible approach to marketing the application site.

Concern was raised in regard to the advertising of the application site.

Mrs Simone Calnon - Objector presented a report of her main objections to the Committee.

The Group Planning Manager clarified to Members the outline applications retail unit sizes.

A Member asked Mrs Calnon if her objections were just based on retail concerns or both retail and housing, Mrs Calnon advised that she felt the whole site should be maintained for tourism.

The Chairman asked in relation to the application and whether a condition could be made to remove the retail units from the application, the Planning Group Manger advised that should the Committee be minded to approve the application subject to the condition above that this would be a decision for the applicant. Mr De Pols advised that he could not make this decision.

Mr Tony Reeves - Objector presented a report of his main objections to the Committee.

The Chairman advised that should the Committee be minded to refuse the application the application could be sent to appeal therefore the loss to the Borough could be of great cost.

It was clarified to the Committee that the application sought for up to 200 dwellings and that any increases to the number of dwellings would be subject to further planning applications.

A Member asked in relation to the land owners of the application site, and was advised that Northern Trust had owned the land for numerous years.

Marie Ellis - Objector presented a report of her main objections to the Committee.

Keith Kyriacou - Objector presented a reported on behalf of Hemsby Parish Council.

A Member raised awareness in relation to the Government guidelines for housing supply.

Councillor Weymouth - Borough Councillor for Hemsby summarised main objections to the Committee.

Councillor Jermany - Borough Councillor summarised main objections to the Committee.

The Chairman asked in relation to the Localism act, he was advised that this was in the process of being addressed by the Parish Council although a timescale for completion was unknown.

The Members of the Committee entered into a general debate regarding the points raised by the applicant and objectors the main concern being :-

- Viability for tourist site
- History of site
- Cost to the Council

A motion was moved and seconded that application 06/15/0441/O be approved in line with the recommendation of the Planning Group Manager.

Following a vote, the motion was lost.

A second motion was moved and seconded that application 06/15/0441/O be rejected on the grounds that the application was against TR4 of the Borough Wide Local Plan, unneighbourly and that there was other development land available.

RESOLVED :

That application 06/15/0441/O be rejected on the grounds that the application was contrary to TR4 of the Borough Wide Local Plan and CS8 of the Core Strategy, was unneighbourly and that there is other development land available.

5 APPLICATION 06/14/0817/O HEMSBY ROAD, MARTHAM

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

The application sought a residential development, access, public open space,

Development Control Committee

Minutes

Tuesday, 05 April 2016 at 18:30

PRESENT:

Councillor Reynolds (in the Chair); Councillors Andrews, Annison, Collins, Grant, Jermany, Lawn, Linden, Sutton, T Wainwright & Wright.

Councillor Fairhead attended as a substitute for Councillor Blyth.

Mr D Minns (Planning Group Manager), Miss G Manthorpe (Senior Planning Officer), Mrs E Helsdon (Technical Assistant) and Mrs C Webb (Senior Member Services Officer)

1 DECLARATIONS OF INTEREST

The Committee noted the following declaration of interest:-

Councillor Annison declared a non-pecuniary interest in item 4 and in accordance with the constitution was allowed to both speak and vote on the matter.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Blyth.

3 MINUTES

The minutes of the meeting held on 8 March 2016 were confirmed with the following proviso:-

(i) That with regard to minute 4, application 06/15/0441/O, Former Pontins Holiday Centre, Beach Road, Hemsby, the Planning Group Manager reported that he had not issued the notice of refusal as had sought advice from a Barrister regarding the Committee's reasons for refusing the application, to ascertain whether the reasons for refusal under Policy TR4 and CS8 criteria (b) of the Core Strategy would stand up robustly at appeal.

4 06/15/0486/F - 10 WHITE STREET MARTHAM

The Committee received and considered the comprehensive report from the Planning Group Manager as detailed in the agenda.

The Senior Planning Officer reported that the application was for the redevelopment of a previously developed site including the demolition of a dwelling house to accommodate the access and the erection of 100 residential dwellings with associated infrastructure and public open space. There would be a mix of properties ranging from 2 to 4 bedrooms. Conservation Area consent had been approved for the demolition of 10 White Street, Martham.

The Senior Planning Officer reported the outcomes of the statutory consultations which had been undertaken and that thirteen objections had been received from local residents which cited concerns regarding the closure of Back Lane, inadequate sewerage and rain water removal provision and local infrastructure concerns. One comment had been received in support of closing Back Lane providing adequate turning could be provided had also been received.

Martham Parish Council raised concerns that there was a discrepancy regarding comments received from Anglian Water, clarification was required for the ownership and ongoing responsibility of the open space, the traffic solution of blocking off Back Lane, increased pressure on the struggling Doctor's practice and low mains water pressure in the village.

The Senior Planning Officer reported that in terms of highways and access, Norfolk County Council had commented on the SHLAA in terms of highways and access are were now satisfied that a singular access off White Street with off-site highway improvements to form a cul-de-sac to include two turning heads and a zebra crossing were acceptable for the development. This conclusion had been decided following extensive negotiations between the developer and NCC and will prevent the road becoming a rat run and protect the amenities of the residents.

The Senior Planning Officer reported that resident's fears of over-looking had been reduced by conditioning that the three storey properties were designed so that the second floor was velux windows to be 1.7m from the floor level to reduce overlooking.

The Senior Planning Officer reported that Policy CS4 of the Core Strategy outlined the provision of affordable housing for the Borough which would equate to 20 dwellings in this development. The applicant had stated that this would make the site not viable. This is being assessed by the District Valuation Officer and negotiations will continue if permission is granted. Negotiation are still ongoing with regard to s106 agreements to mitigate the effect on the Natura 2000 sites, open space an play area. The open space will be managed through s106 agreement by a management company in perpetuity.

A Member raised concerns of the distance between the properties which flanked the pumping station. The Senior Planning officer reported that these properties would be sited 15 metres away and only a partial amount of the garden of these plots would be affected.

The Senior Planning officer reported that the application was recommended for

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I	10.12.18	Amendments following Client comments JY	
H	06.12.18	Links between green spaces shown	JY
G	25.04.18	Amendment to annotation	NG
F	24.04.18	Amendment to Surface Water Infiltration Basin and Landscaping	NG
E	24.04.18	Amendment to Surface Water Infiltration Basin and Landscaping	NG
D	23.04.18	Surface Water Infiltration Basin added	NG
C	26.03.18	Amendment to Key	NG
B	22.03.18	Annotation to buffer zone added	NG
A	22.03.18	Existing trees to be retained where possible, added to plan	NG
rev:	date:	description:	by:



Paul Robinson
PARTNERSHIP
ARCHITECTURE + SURVEYING

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Hospital Road, Little Plumstead,
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web: www.paulrobinsonpartnership.co.uk

client:
Northern Trust

location:
**Kings Way, Hemsby
Former Pontins Site**

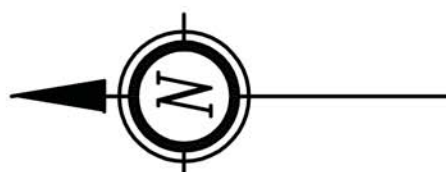
title:
Masterplan

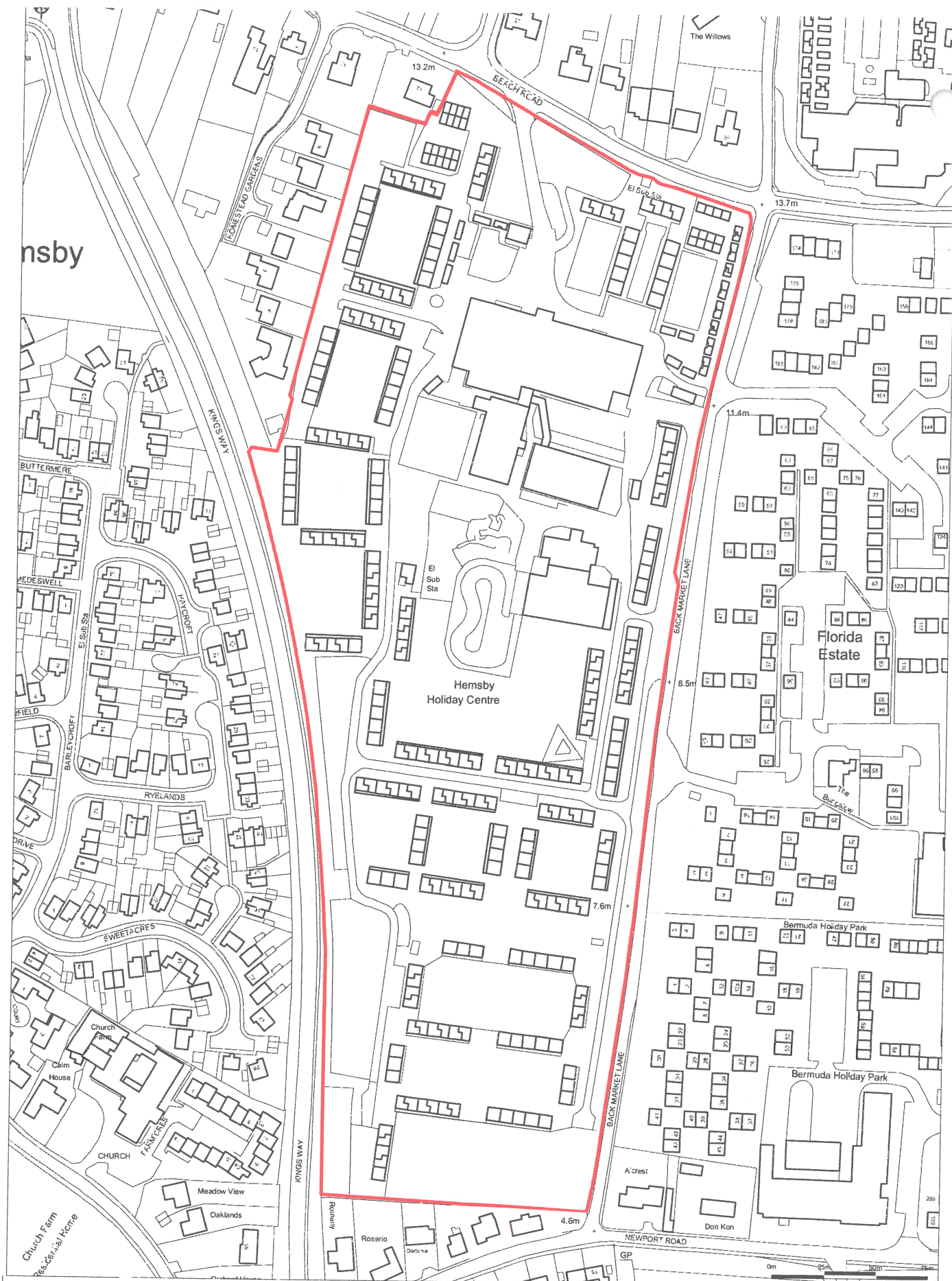
scale @ A1:
1:1000
date:
21.03.18
project no:
7873

drawn by:
NG
approved:
BH
dwg no:
12

revision:
I

Feasibility





Applicant : Northern Trust Company Ltd

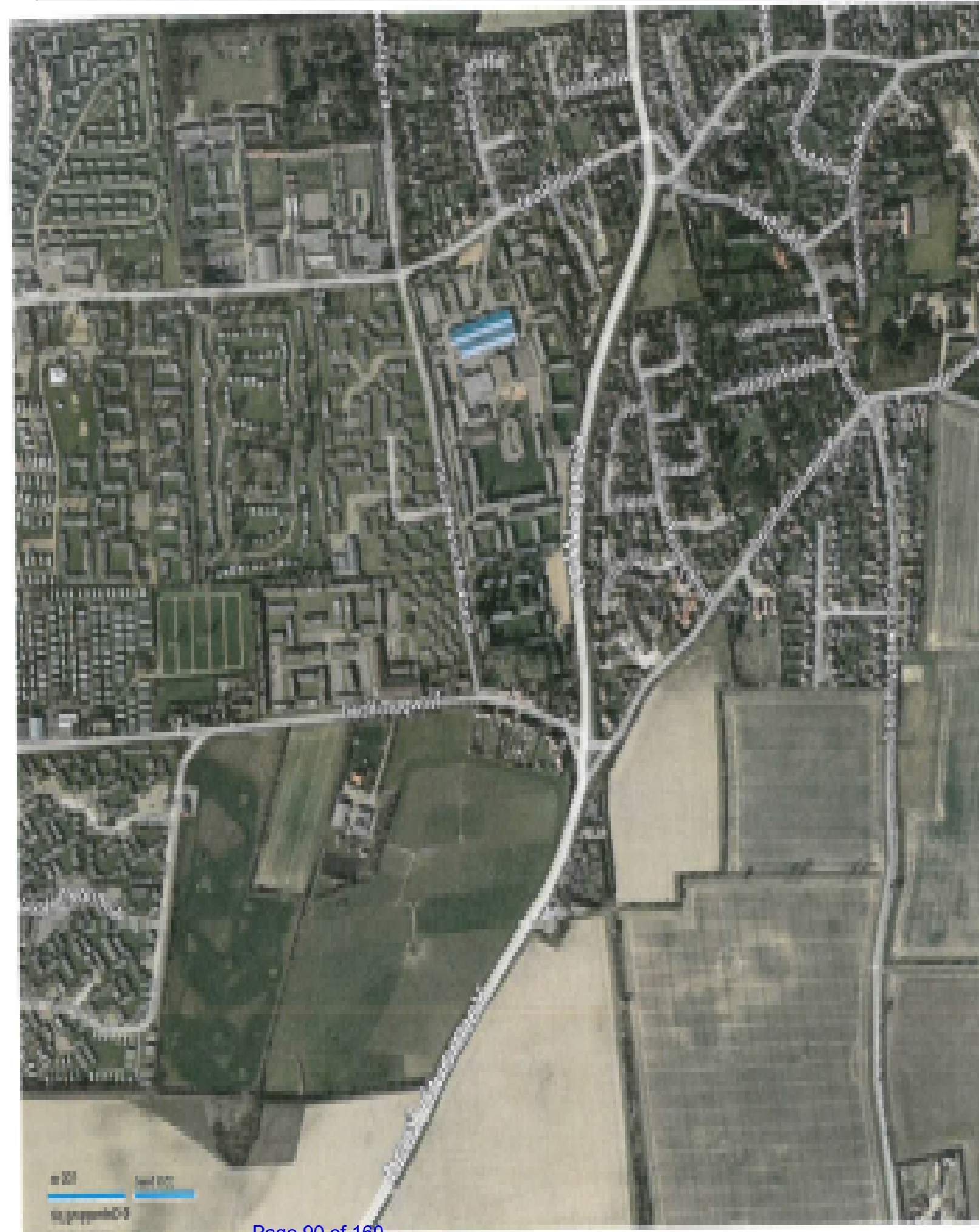
Project : Outline Planning Application
Former Pontin's Holiday Centre, Beach Road, Hemsby

Drawing : Site Location Plan

Date
Feb 11

Drg. No.
929.10a

Scale
1:2,500






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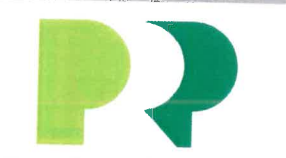
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Key

-  Existing Trees
-  Proposed Trees
-  Proposed Landscaping

D	11/03/15	Convenience store omitted Minor amendments	JY
C	23/01/15	Various adjustments following public consultation	JY
B	22/12/14	New access added Existing trees adjusted	HH
A	11/12/14	Various adjustments including addition of pub/restaurant, substation positions and sewer line shown and revised layout	JY
rev:	date:	description:	by:



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client:
Northern Trust

location:
Former Pontins Site, Kings Way
Hemsby, Great Yarmouth

title:
Former Pontins Site Masterplan
for Residential Development

scale @ A1:
1:1000

date:
December 2014

project no:
7406

drawn by:
JY

approved:
BH

dwg no:
01

revision:
D

MASTERPLAN

[illegible]

PROJECT FORMER PONTINS HOLIDAY SITE, HEMSBY	DATE 20.11.15	DRAWING STATES			
	SCALES	DESIGNED	DRAWN	CHECKED	APPROVED
DRAWING TITLE PROPOSED SOAKAWAY LOCATION PLAN	1:1000	GS	AF	GS	JPC
JOB No		880			
CLIENT NORTHERN TRUST	DRAWING No	REVISION			
	02/001	-			

www.createconsultingengineers.co.uk

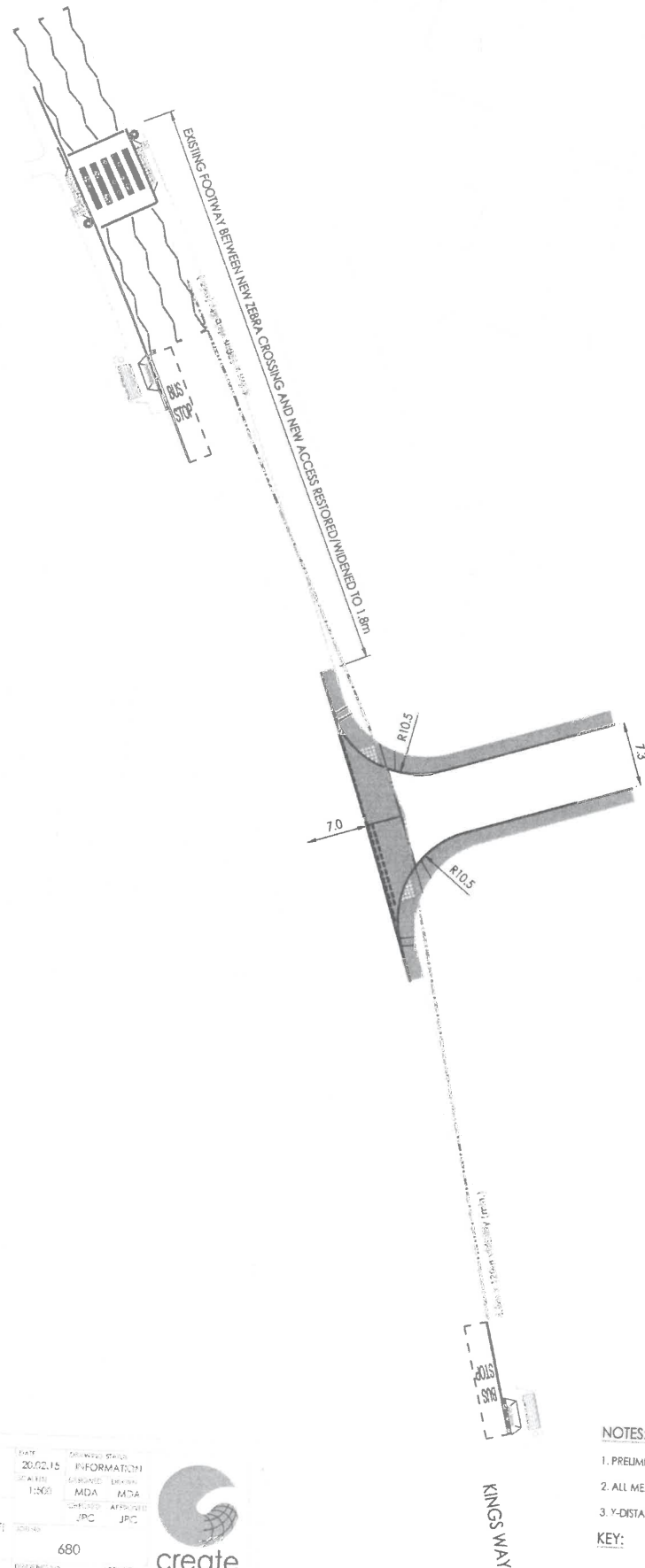
NOTE:

1. THIS DRAWING IS BASED ON PAUL ROBINSON PARTNERSHIP DRAWING REFERENCE 740601-D DATED 11 MARCH 2015.
2. THE LOCATIONS OF PROPOSED PRIVATE SOAKAWAY FEATURES IN THE SOUTHERN PART OF THE SITE ARE NOT SHOWN DUE TO THE OUTLINE NATURE OF THE DEVELOPMENT PROPOSALS SHOWING INDICATIVE DWELLING LOCATIONS ONLY.
3. TREES WITHIN AREA SHOWN FOR THE PROPOSED SOAKAWAY TO BE REMOVED.

Create Consulting Engineers accept no responsibility for any unauthorised amendments to this drawing. Only figured dimensions are to be worked to.

CONVEYANCE OF INFORMATION

06/15/0441/0



NOTES:

1. PRELIMINARY DESIGN DRAWING IS BASED ON ORDNANCE SURVEY MAPPING
2. ALL MEASUREMENTS ARE IN METRES UNLESS OTHERWISE STATED
3. Y-DISTANCES SHOWN TO ROAD TANGENT POINTS

KEY:

120m x 4.5m x 120m VISIBILITY SPLAYS (MINIMUM)

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ORDNANCE SURVEY MAP - A1 Printed

DO NOT SCALE

PROJECT:
FORMER PONTIS
HMSBY

DATE:
20.02.15

ORIGINATOR:
INFORMATION

DESIGNED:
MDA

MDA

LOCAL STORE ACCESS
WITH ZEBRA CROSSING (BARLEYCROFT)
PRELIMINARY DESIGN

680

THE NORTHERN TRUST COMPANY LTD.

03/003

C



www.createconsultingengineers.co.uk

Reference: 06/19/0159/D

Parish: Martham

Officer: Mrs G Manthorpe

Expiry Date: 18/06/19

Applicant: Ms A Rei c/o Pegasus Group

Proposal: Approval of reserved matters - appearance, landscaping, layout and scale of application 06/15/0673/O - including discharge of conditions 13, 19, 21, 22 and 24

Site: Rollesby Road (land at) Broiler Farm Martham

1. Background / History :-

- 1.1 The site comprises 2.36 hectares of broiler farm and adjoining agricultural land which has been granted outline planning approval for the development of up to 55 dwellings and associated open space and infrastructure reference 06/15/0673/O. The resolution to grant permission was made at Development Control Committee on the 25th May 2016.
- 1.2 The application site is triangular in shape and generally flat. The broiler farm buildings and associated infrastructure are located towards the southern edge of the site with undeveloped land to the north and east.
- 1.3 The access was approved under the outline planning application and the matters that are subject to reserved matters are appearance, landscaping, layout and scale. The application is also to discharge the conditions 13, 19, 21, 22 and 24 of 06/15/0673/O. The conditions relate to:
 - Single storey dwellings adjacent the Acacia Avenue boundary.
 - Slab levels.
 - Materials.
 - Landscaping.
 - Boundary treatments between the dwellings and highway or private drive.
- 1.4 There have been additional previous applications on the site since 1990 as detailed below:
 - 06/91/0327/F – Retention of poultry houses - Approved

- 06/11/0808/EU – Application for certificate of lawfulness for dwelling house (bungalow) on existing poultry unit - Certificate granted

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

2.1 Parish Council – The Parish Council object to the application, their full response is attached to this report and is summarised below:

The development falls short of MPC biodiversity policy in a number of areas and corridors should be provided for passage of animals. Swift bricks should be utilised within buildings and all species of tree and shrubs should be bird and insect attractant.

Martham is set for considerable development and loss of biodiversity is now well publicised and challenges must be made to current convention adopted by many builders.

2.2 Neighbours – There have been 9 objections to the development from neighbours, the main objections are summarised as follows:

- Acacia Avenue is too narrow to accommodate an increase in traffic.
- With parked cars how can emergency services access the site?
- Can the original approval be justified?
- The title is misleading.
- The farm track should be the access.
- Why didn't this or the previous application show up when I bought my property?
- The track should not be used for construction traffic as it is not suitable.
- The track is not lit and is not safe for pedestrians.
- The track should be lit as this would affect existing residents.
- Unless something is done to address thoughtless parking on Acacia Avenue there will be accidents.
- The footpath would be used more causing disturbance.
- Increased use of footpaths and green space will cause problems.
- The trees at the back of Acacia Avenue will be compromised.
- An effort should be made to retain as many mature trees as possible.
- Any attempts to fill the dyke will result in flooding.
- There has been a huge amount of development in Martham already.
- New dwellings should be single storey.
- Applications should be looked at cumulatively.

- 2.3 Highways – The access to the site was determined at outline stage and has therefore already been approved. No comments had been received at the time of writing and should these be received prior to the Development Control Committee meeting they shall be verbally reported.
- 2.4 Assistant Grounds Manager and Arboricultural Officer – No comments received.
- 2.5 Building Control – No comments received.
- 2.6 Environmental Health – No comments, comments attached to the outline permission as previously requested remain in effect.
- 2.7 Lead Local Flood Authority – No objection to the application, notes that drainage has not been submitted and is subject to a condition on the outline approval. Informative on updated guidance given.

The LLFA response states that they have serious concerns about the site being developed but go on to state that the plans as submitted appear to demonstrate that SuDS can be accommodated within the development. The LLFA state that their no objection is subject to consultation on any further application (read as discharge of condition 14 re drainage). They provide additional information to assist the applicant in the application to discharge condition 14 of permission 06/15/0673/O.

- 2.8 NHS – No objection.
- 2.9 Anglian Water – No response received.
- 2.10 Norfolk County Council Fire – No objection subject to compliance with Building Regulations.
- 2.11 Historic Environment – Response stating no comment.
- 2.12 Water Management Alliance – If the applicant intends to discharge surface water to a watercourse the proposed development will require land drainage consent in line with the Boards byelaws. Any consent will likely be conditional, pending the payment of a surface water development contribution fee.
- 2.13 Local Authority Requirements – The site is subject to a s106 agreement securing policy compliant contributions.

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.
- 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 with 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.

4 Core Strategy – Adopted 21st December 2015

- 4.1 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.
- 4.2 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.
- 4.3 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.

5 Draft Local Plan Part 2

- 5.1 Table 7.4.1T Site Selection Summaries (Martham). of the draft Local Plan Part 2 gives a summary of reason(s) for the site not being selected:

Site 337: Planning permission for 55 units (ref. 06/15/0673/O).

The Local Plan Part 2 (Draft) simply notes that the site has the benefit of planning permission.

6 National Policy:- National Planning Policy Framework (NPPF), July 2018

6.1 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.

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

6.3 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.

- 6.4 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-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.

- 6.5 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 6.6 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.
- 6.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 6.8 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.

6.9 Paragraph 170 (partial). Planning policies and decisions should contribute to and enhance the natural and local environment by:

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

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

7 Local finance considerations:-

7.1 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. The application has been approved in principle and financial considerations do not affect the reserved matters decision making process.

8 Shadow Habitats Regulation Assessment

8.1 The Borough Council as competent authority considered this application at outline stage.

9 Assessment

9.1 The application is a reserved matters and discharge of condition application only, the principle of development has been established as appropriate and in accordance with the principles of sustainable development. The site is noted in the draft Local Plan Part 2 as having been granted outline planning permission. The reserved matters subject to the application are scale, appearance and landscaping with access having been previously determined.

- 9.2 The majority of the objections to the application from local residents are in reference the principle of development and the access. Both the principle of development and access have been decided at outline stage and are not being reconsidered. The access approved for the development is shown off Acacia Avenue which is accessed via Willow Way off Rollesby Road. Highways comments on the outline permission included traffic calming measures and the introduction of a 20mph zone to seek to mitigate the potential harm that is caused by the increase in traffic, this has been conditioned.
- 9.3 The application shows the types, styles and layout of the development taking into account the site constraints such as the existing Anglian Water sewer with 8 metre easement and existing watercourse / culvert route with 6 metre easements. There is an area of open space located to the north of the site totalling an area of 480 square metres. The area contributes towards the overall appearance of the development although is not sufficient to meet the requirements for public open space. It is acceptable to allow a deficiency of public open space on the site given its location, layout and provision of a central open area amounting to 1420 square metres. The existing s106 agreement allows for a shortfall on site provided that payment in lieu of £12 per square metre is made. The applicant shall therefore be required to meet the shortfall by this payment.
- 9.4 There is no children's recreation proposed on site with the open space being grassed with trees planted within. The nearest children's play area to the site is 335 metres and as such it is acceptable that a contribution to pay towards the improvement, maintenance or provision of children's recreation equipment is paid at a cost of £920 per dwelling totalling £50,600 in lieu of provision on site. The existing s106 signed as part of the outline application accommodates this. The applicant has noted this and other contributions within the supporting statement to demonstrate that these, as well as 20% affordable housing, Natura 2000 contribution and library contribution are to be paid.
- 9.5 The Parish Council has objected that the development does not meet biodiversity improvement standards and that developments of this size have the opportunity for biodiversity enhancements. It is becoming common practise to condition that fences should have gaps or holes provided to allow for the free movement of hedgehog (and other similar sized animals) to mitigate the loss of open habitat and this can be conditioned as part of the current application. Ecological enhancements are important to be considered at the reserved matters stage of the development and the applicant has submitted a scheme of landscaping.
- 9.6 The landscaping scheme includes the planting of shrubs, hedges and trees as well as root protection areas for the existing trees that are to be retained on site. The hedges to be planted are detailed in percentages with 50% of the proposed hedging

being hawthorn, 20% blackthorn, 10% holly. 10% field maple and 10% wild rose. The stem sizes are specified at 60—90cm cell grown transplants. The species are acceptable in planning terms and offer a variety of planting which will also provide ecological enhancement to the area.

- 9.7 The landscaping proposes the planting of 16 species of shrubs with a total of 1869 shrubs to be planted around the site. The sizes of the shrubs vary and this is shown by the planting container litre specification on the landscaping drawing. The front gardens are to be grassed with locally sourced sports turf and the rear gardens are to be raked topsoil with the future occupiers being asked what their preference of finish is.
- 9.8 There are trees to be removed from the site to accommodate the development, concerns have been raised that the development will remove boundary trees at existing rear gardens. The site has limited boundaries with residential dwellings and as such other boundaries shall not be affected by the development. At the Acacia Avenue boundary there is planting proposed, two trees at the boundary of plot one and three at the boundary of plot 55 with additional hedge planting. The trees to the eastern boundary are to be retained and the applicant notes their importance as highlighted during the pre-application discussions that took place.
- 9.9 The application proposes the planting of 131 trees on site which (Latin names given within the application translated for the report) are Swedish Birch, Winter/Autumn Cherry Blossom, Common Alder/Black Alder and Larch. The trees proposed offer a species mix which have different growth rates, heights and lifespans. The Larch has the potential to grow to 45 metres tall and is quick growing with a life expectancy of 250 years, the longest life expectancy of those proposed. The long life expectancy will provide ecological enhancements and habitats for the future species. However it would be recommended that further enhancements were incorporated to include bird and bat boxes to provide accommodation while the trees were maturing.
- 9.10 The material mix put forward by the applicant is acceptable and will provide a quality development comprising a mix of grey and red roofs and the bricks proposed are multi bricks in red and dark red. Front doors and garage doors are black and the affordable houses and market houses are to be constructed of the same materials and door colours. The hard landscaping mix is acceptable.
- 9.11 The house types are acceptable designs and comprise a mix of sizes and types. The dwellings proposed at plot 55 and plot 1 are bungalows as required within the outline permission. They shall be required to remain as such. Some objectors have stated that the development should be single storey only. There is no evidenced need or policy consideration to require that the development be restricted in such a way and as such to request this would be deemed unreasonable.

- 9.12 The development provides a mix of houses from 2 bedroom to 4 bedroom and has identified the affordable units to be provided. The variety of types of houses and the layout works well on the site and provides a mix of dwellings with adequate garden sizes for the dwelling to which they are associated with.
- 9.13 The application shows a footpath at the access track to the corner of the south west corner of the development site. This will encourage circular walking and is a benefit to the development as a whole by increasing the permeability of the site. By adding an additional footpath the development becomes more integrated with the village forming a cohesive development. Circular walks are also encouraged to reduce the impact of the future occupiers of the site on protected sites.
- 9.14 The application site is adjacent the boundary to a listed building. The application has been assessed against the Planning (Listed Building and Conservation Areas) Act 1990 s66 which requires the Local Planning Authority to consider the effect of the development on the setting of listed buildings. The development is sufficiently far enough away to not have an adverse effect on the listed building or its setting as there is no erosion of the curtilage.
- 9.15 The applicant has provided a comprehensive reserved matters application which is also seeking to discharge some of the conditions attached to the outline planning permission. The slab levels indicate that the site is, as per the assessment previously, mainly flat and that the levels are marginally higher than the adjacent land to the west and the levels are acceptable as proposed.

10 RECOMMENDATION:-

- 10.1 Approve – The applicant has submitted sufficient details to have the reserved matters approved and relevant conditions discharged.



Martham Parish Council

Community Centre, Playingfield Lane, Martham, Norfolk, NR29 4SP

Telephone: 01493 749938

Chairman: Paul Hooper. chair@martham.gov.uk

Clerk: Stacey Kent. clerk@martham.gov.uk

<http://marthampc.org.uk>

Dear Great Yarmouth Planning Department
Great Yarmouth Town Hall
Hall Plain
Great Yarmouth

20 May 2019

Response to reserved matters application 06/19/0159/D

This site as a former poultry farm is classified as agricultural use

The site details submitted fall short of MPC biodiversity policy in a number of areas.

The extensive use of close boarded fencing does not allow for the movement of mammals and does not link to hedgerows. Preference should be given to using native hedgerow as a site perimeter and with additional planting as garden boundaries.

Provision of corridors and underpasses for mammals to access open space and hedgerows should be made. Provision of swift bricks in up to 30% of properties should be made. All trees of suitable size should be enhanced with bird nesting boxes. All species of tree and shrub planted should be bird and insect attractant.

In general the site design should encourage movement of native wildlife to access surrounding fields and dykes.

General comment

Martham is set for considerable development all of which is on green field sites and equates roughly to an area of 20% of existing village. The loss of biodiversity is now well publicised and challenges must be made to current convention adopted by many builders. Housing development is eating up rural space and better mitigation measures are necessary to retain much of our native wildlife.

Biodiversity principle is that development should not lead to loss of biodiversity and ideally should enhance it. Any adverse effects should be avoided, minimised and/or compensated.

The role of the planning system. The loss of biodiversity and the subsequent negative environment impact runs contrary to the aims and objectives of sustainable development.

Martham Parish Council

Great Yarmouth
Borough Council

20 MAY 2019

Planning
Department

5, Acacia Avenue

Martham,

Norfolk,

NR29 4SQ.

Re: Planning Application 06/19/159/D
Rollesby Road Broiler Farm, Martham

NR29 4SQ.

Dear Sir,

As a resident of Acacia Avenue I have ^{three} ~~two~~ major objections to the above proposed plans.

The first is that the proposed access via Acacia Avenue simply will not be adequate for the volume of traffic this proposal will create.

On any bank holiday or holiday weekend you can hardly move for cars as it is, with visitors cars parked in the road.

Similar chaos ensues whenever the bin men or large delivery trucks try to gain access.

There are a great many elderly people living in Acacia Avenue and Maple Close (which also backs on to Acacia Avenue) and indeed on the Willow Way Estate. It is a quiet and peaceful place at the moment and the quality of life for those residents is likely to deteriorate because of the volumes of traffic.

Secondly, I am concerned that the tree belt which backs on to the field at the back of Acacia Avenue, which provides valuable habitat for wildlife, will be compromised.

I hope every effort will be made to retain as many mature trees, particularly poplars and oaks, as possible.

P.T.O.

Martham has previous few structures and the modern ones exist make it a pleasant place to be.

Finally, there is a large drainage dyke, which is often full of water in winter, to the rear of Aescia Avenue, which extends through the proposed building site.

This provides a natural and useful separation from our gardens and the farmland.

Any attempts to fill in the dyke will result in flooding to farmland and gardens.

This also provides habitat for wildlife.

There has been a huge amount of development in Martham already turning it into an overspill town rather than a country village whose infrastructure is barely able to cope with demand as it is.

Yours sincerely

~~XXXXXXXXXXXX~~

(5)

Application 06/19/0159/D
Name Mrs K Apps
Address 12 Rowan Road
Martham Great Yarmouth Norfolk
NR29 4RY
Telephone 01493 415554
Email k.apps@btinternet.com
Response OBJ Object
Speak No
Comments

I would like to object to this planning application.

Objection 1
The main reason for my objection to this application is on common sense grounds.
Acacia Ave is a totally inappropriate primary access point for 55 new homes. Acacia

Change Type

OWPC4242

Transfer

**Delete or
Invalidate**

Delete/ Invalidate

12 Row

Find Consultee

Show All Consultees

Select

The Owner and/or the
Occupier

12 Rowan Road Martham GREAT
YARMOUTH

I would like to object to this planning application.

Objection 1

The main reason for my objection to this application is on common sense grounds.

Acacia Ave is a totally inappropriate primary access point for 55 new homes. Acacia Ave is far too narrow to accommodate a regular flow of new residential traffic. Residents of Acacia Ave, will be quite within their rights to continue to park their cars on the road itself which would make access to the new development problematic, not just for residents vehicles, but also for large vans, lorries and more importantly, emergency vehicles for which access to the new development could not be guaranteed.

Objection 2

I believe the planning application title and location is mis-leading! It states the location is Rollesby Rd. With the primary access to the development being Acacia Ave, surely the location should correctly be shown as "Acacia Ave (land at) Broiler Farm, Martham, NR29 4SQ". With the development location being described as Rollesby Rd, many residents may not understand and be aware of the impact increased traffic would have on their local area.

Objection 3

All the other access points to Acacia Ave, (Rowan Rd, Willow Way) are inappropriate for handling extra traffic. I note from the previous planning application which was passed prior to my move to the area, speed limits of 20 mph were proposed (on Rowan Rd and Willow Way) which reinforces my argument that the road infrastructure in the vicinity of the development is not sufficient to handle the increased flow of traffic caused by 55 new houses.

The obvious alternative for vehicular access to the new development is by using and upgrading the farm track (in Rollesby Rd) which I believe is the proposed access point for construction traffic. Again it seems common sense that if Acacia Ave is not a suitable enough access point for construction vehicles and deemed too disruptive to the local area, why then is it deemed acceptable enough for the increased numbers of residential vehicles, delivery lorries, vans and emergency vehicles that will result. The farm track should be upgraded and utilised as the primary access road to the new development.

Objection 4

I was somewhat perturbed to see on page one of the revised planning application 06/19/0159/D (email from David Onions of the Pegasus Group) that Pegasus Group were asking if there had been many neighbour objections as the Great Yarmouth planning website "did not show much info". Surely, if a company who deal constantly with council planning websites can't get the necessary information from yours, what chance has "the person on the street" of getting all the info they need to make an informed decision on this (and other) planning applications.

Objection 5

When I obtained local authority searches during the purchase of 12 Rowan Road, NR29 4RY (in 2018) why didn't this particular application (06/19/0159/D and/or 06/15/0673/O) show up in the searches carried out by my solicitor. It seems this application has been ongoing since 2015 and mention of new roads associated with the development should have shown up in searches in 2018.

To sum up. I OBJECT to the planning application. Acacia Ave is not wide enough to handle the increased traffic that will need access to the completed new development. There is also the dangerous 90 degree bend on Willow Way (leading to the Rollesby Rd junction which will be a hazard for the increasing number of vehicles using it. Acacia Ave, Willow Way and Rowan Rd should be used for pedestrian access ONLY. The existing farm track off Rollesby Rd should be upgraded and used as primary access to the proposed development or another new access road created off of Rollesby Rd.

Yours Sincerely,

K Apps

Helen Ayers

From: Gay Brotchie [REDACTED]
Sent: 14 June 2019 07:59
To: plan
Subject: Re: Application No 06/19/0159/D

I don't have one yet.

My address is 9 Maple Close, Martham, Great Yarmouth, NR29 4SE

On Wed, 29 May 2019 at 09:20, plan <plan@great-yarmouth.gov.uk> wrote:

Please provide your address so that your comments can be registered.

From: Gay Brotchie [REDACTED]
Sent: 28 May 2019 21:48
To: plan <plan@great-yarmouth.gov.uk>
Subject: Application No 06/19/0159/D

Having been invited to examine the plans of the above mentioned application, I went along to the town hall today to look at what is being proposed.

I was astonished by what I saw. Tiny, no, miniscule houses - too small for more than two people to live in, being proposed to be shoe-horned into a patch of farmland adjacent to Acacia Avenue, Martham.

All of the surrounding buildings are bungalows. What is proposed are two storey houses. I noted, from the plans that a small area of soft landscaping is proposed. The houses proposed to surround that area look like executive houses but the rest of the proposed estate are tiny shoe boxes of houses that history will prove - will become the slums of tomorrow.

A similar development - The Marlborough Green Crescent estate proves that mixing the style of housing turned out to be a mistake. One part of the estate are three bedroom houses and bungalows well sized to raise families. However the other part is made up of town houses three storey neglected eyesores and small terraced houses. Parking is problematic, not only because not all the small houses have parking provision, those houses that do have this provision continue to park vehicles on the road. Negotiating those roads can be tricky. What should be turning circles are often used as car parks.

Has anyone in the planning department considered that this proposed estate is not the only development in Martham. Persimmon Homes are building an estate off White Street, Martham. A large tract of land, facing onto the Repps Road has a 'sold' sign on it. I daresay whoever bought that land has plans to build even more houses on

it. Was is certain is that land is no longer being farmed. It is already running to weeds. Even a primary school at the top of White Street that served the village was replaced by housing in recent times.

So much for increasing food production. Fat chance of that happening if green field sites, adjacent to roads and villages keep being sold by farmers to developers.

Another thing is Martham, which has always been considered a large village, is becoming statistically anyway - a town. Except it does not offer the resources of a town. There are just a few shops and hostelryes. There is no railway station. No banks. There is no direct bus links to the major conurbation that is Norwich. In fact, the only nearby town is Great Yarmouth and that is dying on its feet.

Martham *will* become another Gt. Yarmouth. Full of pokey little houses owned by those who can afford to buy them but rented to those who cannot afford to buy. There is no guarantee that local people who have lived in the area all their lives, will be able to afford them. History bears witness to those rented houses. Because of cutbacks there is no infrastructure to maintain those habitats and the people living in them don't look after them. The slums of tomorrow.

I presume that the reasons for all these houses being built or proposed is because Martham has two schools. Well those schools are oversubscribed. There is a group practice but one has to wait up to two weeks if they want to see a particular doctor.

If houses have to be built, build them on brownfield sites - not on green field site where food for the population needs to be produced.

A would speculate that a lot of money is being exchanged between a handful of people - and all because this Nation's population is exploding. Well, most of the population would prefer to stay in the area they were born and raised. Stating the obvious, the reason property is cheap in Martham is because the employment situation is woeful. Why on earth are more houses being built in this part of the country!?

I despair

Gay Brotchie.

Gay Brotchie

LAND OFF ROLLESBY ROAD
MARTHAM



NOTES:
Do not scale from this drawing as liable to distort.

KEY	
	Site Boundary.
	1800mm high brickwork screen wall.
	1800mm high timber closeboarded fencing.
	Plot Divide.
	1800mm high timber closeboarded fencing.
	1200mm high timber closeboarded fence with 600mm trellis above.
	600mm high timber knee rail.
	1800mm high timber gate.
	Indicates concrete flag paved path/ patio area.
	Indicates shared private driveway.
	Service strip.
	Indicative ground modelling.
	Front / rear door position.
	Patio / trench door position.
	Denotes AS/ OPOSITE hand to working drawings.
	Existing planting to be retained.
	Existing trees to be removed.
	Indicative proposed tree and shrub planting.
	Indicative proposed hedge planting.
	Indicative proposed turf planting.
	Denotes affordable housing provision.
	Existing trees and root protection areas to be retained.

Housing Accommodation Schedule					
v16					
Date: 08.04.2019					
Project: Rollesby Road, Martham					
CODE	FLOOR AREA (SQ.FT.)	UNIT NAME	BEDS	GARAGE (SQ.FT.)	TOTAL FLOOR AREA (SQ.FT.)
BARONIAL COLLECTION					
AUD	675	AUDLEY (TSD)	2	N/A	6,750
DOL	754	DOLTON	2	N/A	7,540
DRA	850	DRAYCOTT SPECIAL	3	N/A	8,500
REGENCY COLLECTION					
RP	913	RIPLEY (TDS)	3	DET-SOL	9,130
AVI	923	AVEMORE	3	DET-SOL	9,230
FAI	923	FAIRFORD	3	DET-SOL	9,230
FEN	975	FENWICK (TDS-1)	3	DET-SOL	9,750
BUN	1298	BUNBURY	4	DET-SOL	12,980
OKM	1355	OKHAM	4	DET-SOL	13,550
SOVEREIGN COLLECTION					
BOR	1497	BORDELEY	4	DET-SOL	14,970
TOTALS				55	52,463
SITE AREA (ACRES)					5.62
NET DEVELOPABLE AREA (ACRES)					5.15
POS AREA (SQ.M.)					1900.00
HOUSING AREA / SITE AREA (SQ.FT. / ACRE)					10,183.96

Rev	Date	Amendment	By
G	28.06.2019	NATIVE HEDGE ADDED TO SOUTHERN BOUNDARY.	TA
F	21.05.2019	AMENDED AFFORDABLE UNIT PROVISION.	TA
E	15.05.2019	DRAYCOTT CORRECTED AS 3BED IN SCHEDULE.	TA
D	03.05.2019	UPDATED AFFORDABLE UNIT PROVISION.	TA
C	18.04.2019	UPDATED TO PLANNING LAYOUT	TA
B	05.03.2019	REDESIGNED TO ACCOMMODATE SERVICE ROUTES AND CLIENT COMMENTS.	TA
A	28.02.2019	AMENDED TO SUIT COMMENTS.	TA
		ISSUED FOR COMMENT	



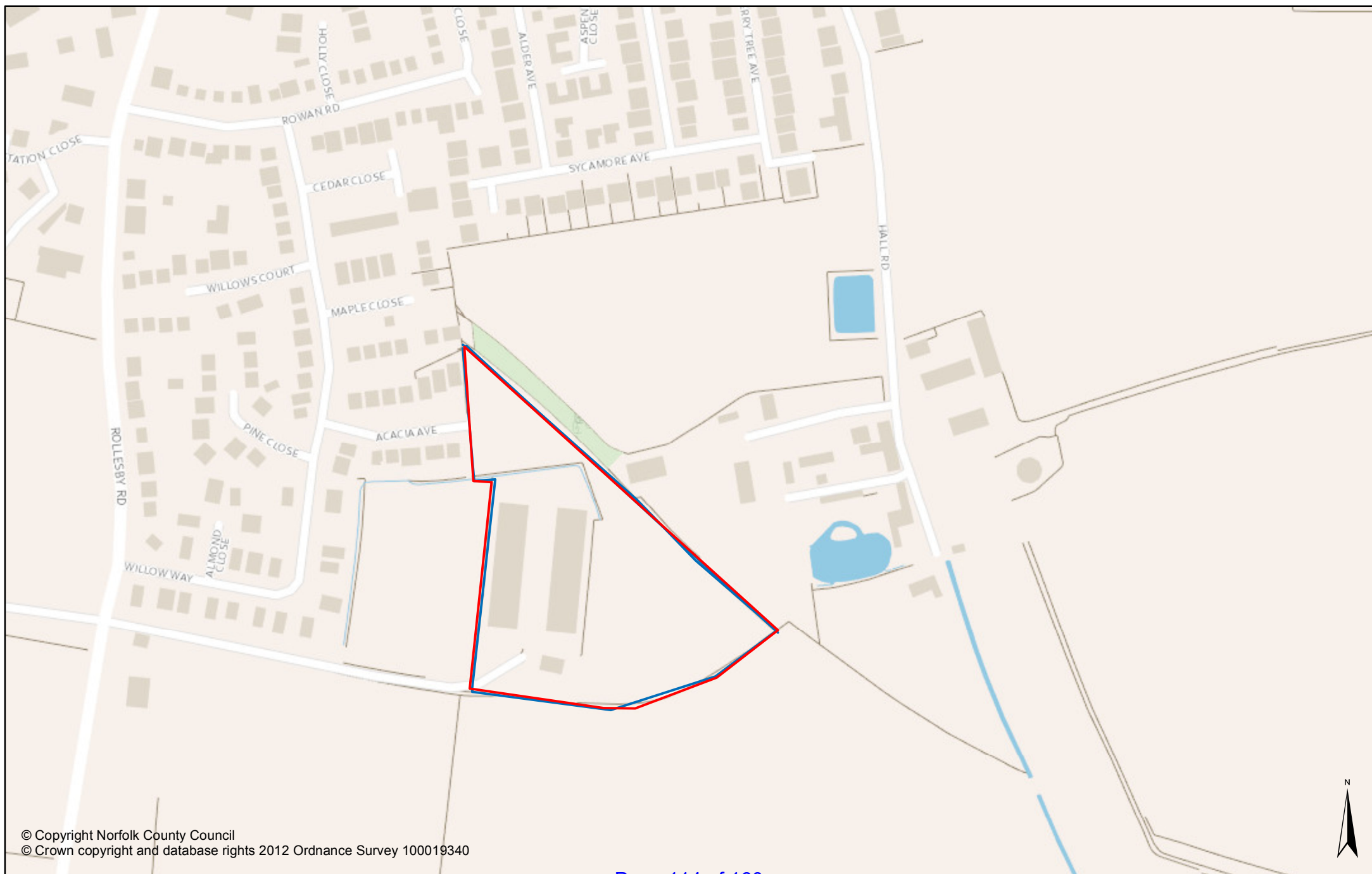
Oak House, Lloyd Drive, Cheshire Oaks Business Park
Ellesmere Port, Cheshire, CH65 9HQ
Tel: 0845 481 8801 Fax: 0845 481 8802 Web: www.elan-homes.co.uk

DEVELOPMENT:
LAND OFF ROLLESBY ROAD,
MARTHAM,
GREAT YARMOUTH

TITLE:
PLANNING LAYOUT

DATE: 28.02.2019 SCALE: 1:500 @ A1 DRAWN: TA

DRAWING NO: ROL-PL-001 REV: G



Reference: 06/19/0120/F

Parish: Gorleston

Expiry Date: 17-05-2019

Applicant: Great Yarmouth Borough Council

Proposal: Proposed 2 storage units for the storage of deck chairs or other authorised leisure use, in the area surrounding the model yacht pond

Site: Lower Marine Esplanade and beach
Gorleston

REPORT

1. Background / History :-

- 1.1 The application is to erect 2 storage units around the yachting pond positioned on the Lower Espanade before Gorleston Beach. The 2 units measuring 3m by 3m in footprint will be positioned near each of the accesses to the yachting pond from the Esplanade.
- 1.2 The application was originally for the 2 storage units and 3 A5 (hot food takeaway) concessions. The hot food takeaways were removed from the application in March.
- 1.3 This part of the seafront is included in the extended Gorleston Conservation Area No. 17.

2. Consultations :-

- 2.1 Highways – No objection.
- 2.2 Environmental Health – No comment.
- 2.3 Public – The public consultation to the original scheme received 730 objections and 6 other comments. The main reasons for objection were;
 - Lack of detail on the concessions
 - Insufficient consultation
 - Damage to local business
 - Adversely affect Gorleston seafront
 - Access to promenade
 - Access for existing users
 - Insufficient toilets

- Environmental concerns

Most of the matters raised related to the A5 concessions and the potential for units on the Lower Esplanade. The plans were subsequently amended leaving the storage units only.

Given the number of objections received only an example has been included at the end of this report.

3. Policy :-

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 POLICY TR24

THE COUNCIL WILL PRESERVE THE EXISTING TRANQUIL CHARACTER OF GORLESTON BY ONLY PERMITTING DEVELOPMENT THAT CONTRIBUTES TO THE ESSENTIAL CHARACTER AND APPEARANCE OF THE SETTLEMENT.

(Objective: To retain the existing character of the area and encourage the upgrading of beach facilities.)

3.5 POLICY SHP15:

PROPOSALS FOR THE ESTABLISHMENT OF HOT FOOD TAKE-AWAYS NOT FALLING TO BE CONSIDERED UNDER THE PROVISIONS OF POLICY SHP4 WILL BE PERMITTED SUBJECT TO THE FOLLOWING CRITERIA:

- (A) THE PROPOSAL WOULD NOT CREATE AN OVER-CONCENTRATION OR PREPONDERANCE OF CLASS A3 USES WHICH WOULD SIGNIFICANTLY DETRACT FROM THE VITALITY AND VIABILITY OF A SHOPPING FRONTAGE;
- (B) THE PROPOSAL WOULD NOT SIGNIFICANTLY ADVERSELY AFFECT ADJOINING OR NEIGHBOURING OCCUPIERS AND USERS OF LAND OR PREMISES BY VIRTUE OF NOISE, DISTURBANCE, SMELL OR FUMES;
- (C) THE PROPOSAL WOULD NOT BE LIKELY TO RESULT IN A SIGNIFICANT HAZARD TO ROAD SAFETY OR SIGNIFICANTLY IMPEDE THE FREE FLOW OF TRAFFIC;
- (D) COMPLIANCE WITH THE COUNCIL'S PARKING AND SERVICING STANDARDS AS SET OUT AT APPENDIX (A) TO CHAPTER 3 IN THE CASE OF ALL NEW OPERATIONAL DEVELOPMENT, AND WHERE POSSIBLE OR NECESSARY IN THE CASE OF A CHANGE OF USE; AND,
- (E) THE PROPOSAL WOULD NOT SIGNIFICANTLY ADVERSELY AFFECT THE CHARACTER OF THE AREA OR THE LOCAL ENVIRONMENT.

(Objective: To allow the provision of hot food outlets outside shopping areas whilst safeguarding the amenities and character of the area.)

3.6 POLICY SHP16

ANY PROPOSALS TO ESTABLISH NEW RETAIL FOOD OUTLETS IN THE FORM OF KIOSKS OR STALLS WILL BE TREATED ON THEIR MERITS. HOWEVER, ANY PROPOSAL LIKELY TO OBSTRUCT THE FOOTWAY WILL BE STRONGLY RESISTED. THE BOROUGH COUNCIL WILL NOT PERMIT PROPOSALS TO ESTABLISH NEW REFRESHMENT OR FOOD OUTLET KIOSKS/ CONCESSIONS ON THE SEAFRONT TO THE EAST OF MARINE PARADE, GREAT YARMOUTH, OR ON THE ESPLANADE AT GORLESTON. ALTERATIONS AND EXTENSIONS TO SEAFRONT REFRESHMENT OR FOOD OUTLET CONCESSIONS/KIOSKS EAST OF MARINE PARADE, GREAT YARMOUTH WILL BE PERMITTED PROVIDED THE APPLICANT CAN DEMONSTRATE THAT:-

- (a) THERE IS NO LOSS OF DESIGNATED OPEN SPACE;
- (b) THE PROMENADE/FOOTWAYS WILL NOT BE OBSTRUCTED;
- (c) THE RECONSTRUCTED KIOSK WILL BE DESIGNED TO INCORPORATE MATERIALS APPROPRIATE TO ITS LOCATION AND SETTING AND IS COMPLIANT WITH THE DESIGN GUIDE; AND
- (d) THE RESULTANT BUILDING/STRUCTURE IS NOT IN AN AREA WHICH COULD BE LIABLE TO COASTAL EROSION OR SEA

INUNDATION OVER THE ANTICIPATED LIFETIME OF THE DEVELOPMENT.

CONDITIONS WILL BE IMPOSED ON ANY PLANNING APPROVAL TO ENSURE THAT CRITERIA (a) TO (c) OF THE POLICY ARE COMPLIED WITH. CONDITIONS MAY ALSO BE IMPOSED RESTRICTING THE AMOUNT OF EXTERNAL SEATING AND TABLES ASSOCIATED WITH THE KIOSK.

(Objective: To ensure that the character of the seafront is maintained, to ensure the free flow of pedestrians and to maintain and improve the character and appearance of the seafront east of Marine Parade.)

Note: Applicants will be expected to provide evidence that the requirements of the Chief Building Control Officer and the Environmental Health Officer can be met.

3.6 Adopted Core Strategy

3.7 Policy CS8 Promoting tourism leisure and culture

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

d) Maximise the potential of existing coastal holiday centres by ensuring that there are adequate facilities for residents and visitors, and enhancing the public realm, where appropriate

3.8 Policy CS9 Encouraging well designed, distinctive places

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

c) Promote positive relationships between existing and proposed buildings, streets and well-lit spaces, thus creating safe, attractive, functional places with active frontages that limit the opportunities for crime

4. Assessment

- 4.1 The application is to erect 2 timber structures for storage purposes related to leisure uses. The proposed structures are situated adjacent the model yachting pond off the Lower Esplanade in Gorleston with the beach to the east. They are positioned on the northwest and southwest of the yachting pond adjacent the access steps down from the Esplanade into the area around the pond. The wider area includes the beach and the Gorleston Cliff face with the wide and open Esplanade running across the top of the cliffs and at the bottom. A number of uses associated with tourism and the use of the

back are close by, particularly northwards where there is a row of commercial units. To the south is the relatively new children's splash pool.

- 4.2 The application is for 2 modest structures which will be aimed at supporting tourism uses such as the storage of deck chairs. The proposed uses are considered broadly in compliance with the aims of policy CS8 in providing supporting facilities that could potentially enhance the tourism offer.
- 4.3 Use of the units as storage will provide safe places in which leisure and tourism items such as deck chairs could be stored. This is considered to limit the opportunity for crime in accordance with policy CS9 of the adopted Core Strategy.
- 4.4 The original scheme included 3 A5 (hot food takeaway concessions). These were removed following a public consultation whereby 700 objections were received. Most of the issues raised through the public consultation related to the A5 concessions, notably issues regarding environmental concerns such as rubbish produced, damage to local business and insufficient toilets. In addition, the two storage sheds are positioned adjacent the yachting pond and are not considered to significantly impact access through the promenade.
- 4.5 The application now for the storage units only, the A5 concessions were removed and the alterations to the beach concession did not require planning permission. The storage units are not considered to significantly and adversely affect the viability of the wider seafront. It is recognised that the elevations of the storage sheds have not been provided so it could be conditioned against the dimensions.

5 RECOMMENDATION :-

- 5.1 **Approve** as the application complies with policies CS8 and CS9 of the adopted Core Strategy subject to a condition providing clarity of the units size and a condition restricting the sheds to appropriate use.



GREAT YARMOUTH
BOROUGH COUNCIL

Property & Asset Management

Town Hall, Hall Plain

Great Yarmouth

NR30 2QF

Email: property@great-yarmouth.gov.uk

DX: 41121 Great Yarmouth 1

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

Head of Service: Jane Beck

Please ask for: Stuart Dawson

Direct Line: (01493) 846401

Email: Stuart.Dawson@great-yarmouth.gov.uk

Our ref: MH

21st March 2019

Dear Sirs

Planning Application 06/19/0120/F

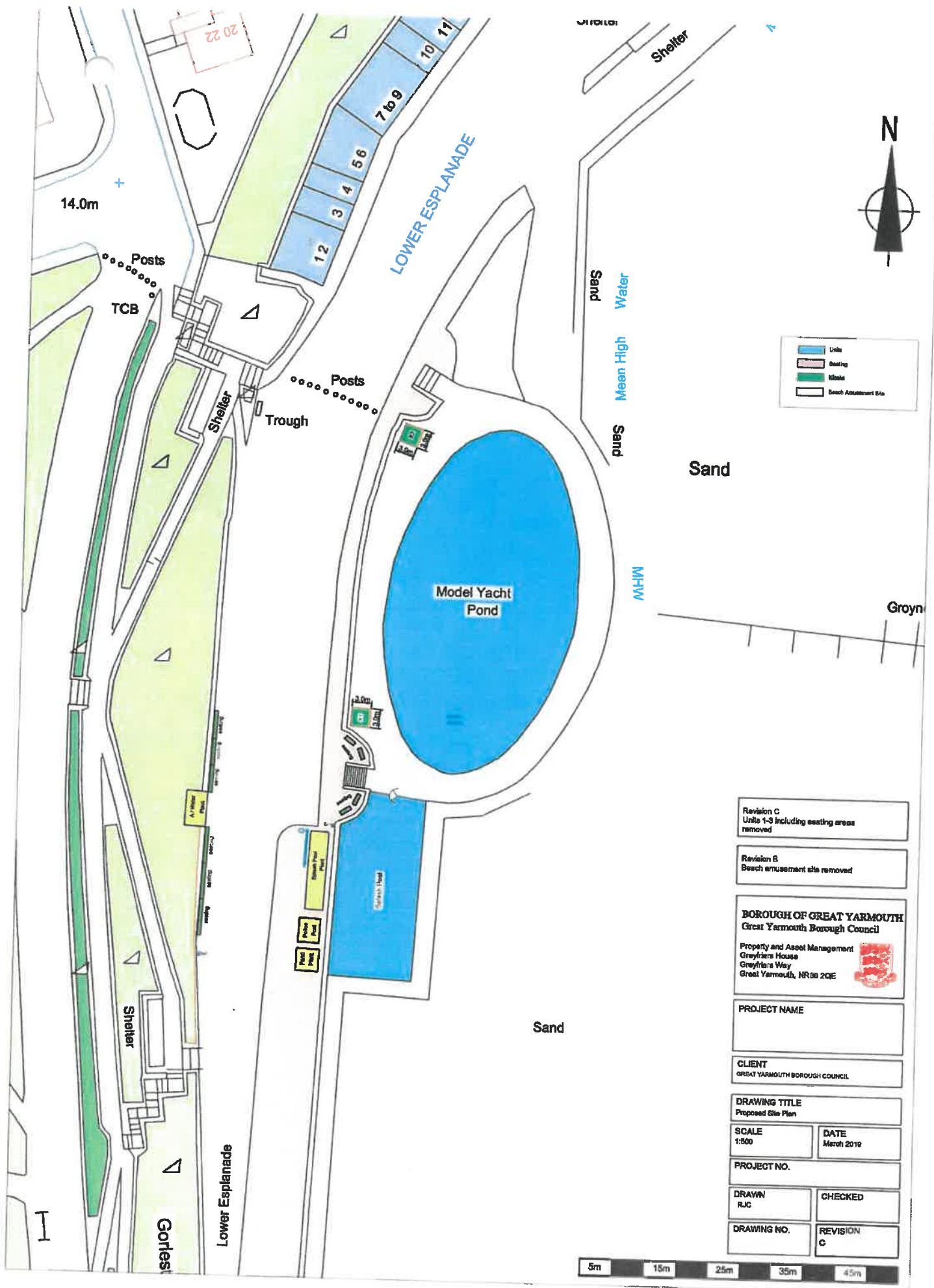
I write in connection to the above application and confirm that we are amending the submission as follows:-

- 1, The 3 no a5 units that were proposed on the promenade are withdrawn from this application.
- 2, We understand that the beach site has established use and therefore no longer requires planning permission
- 3, For clarification units K1 & K2 are for the storage of deck chairs or other authorised leisure use in the area surrounding the model yacht pond.

Yours sincerely

Stuart Dawson
Property Asset Manager
Property & Asset Management

Enc. Revised Plan



Name:

Address:

Phone:

Email:

Objection to Planning Application Reference 06/19/0120/F

Proposal: Proposed 3 no. A5 concessions with outside seating. Change of use on Beach concession from inflatables to other beach amusement uses including hiring of deck chairs and associated items

Location: Lower Marine Parade Lower Esplanade & Beach Gorleston GREAT YARMOUTH NR31 6BT

I/we would like to object to the above planning application on the following grounds (Please tick all points you agree with)

- ☒ I object to the 3 concessions and seating
- ☒ I object to the change of use to beach concession

I am concerned that:

- ☒ there is inadequate explanation of what the concessions will be selling
- ☒ there has been insufficient local consultation
- ☒ I believe this will be damaging to local business income which could cause winter closures and job loss
- ☒ it will adversely affect the nature of Gorleston Seafront
- ☒ the access for use of promenade for deliveries will lead to health and safety problems
- ☒ there are insufficient toilets on promenade
- ☒ it will block access for existing users
- ☒ there are environmental concerns, additional rubbish and insufficient council cleaning staff

Other:

(Please tick)

Local resident. ☒

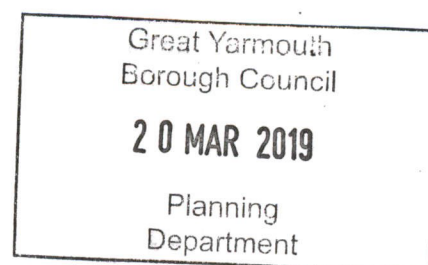
Visitor.

Business.

(Name)

Yours sincerely

Signature



Graham Clarke
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: 06/19/0120/F
Date: 14 March 2019

My Ref: 9/6/19/0120
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Graham

**Great Yarmouth: Proposed 3 no. A5 concessions with outside seating. Change of use on Beach concession from inflatables to other beach amusement uses including hiring of deck chairs and associated items
Lower Marine Parade Lower Esplanade & Beach Gorleston GREAT YARMOUTH
NR31 6BT**

Thank you for your recent consultation with respect to the above and clearly the proposals are located off the public highway.

It would appear from the information supplied that proposals will primarily be seasonal and cater to visitors to the area and local residents; I am of the opinion they are unlikely to be of a nature or scale that they would be specific attractions/traffic generators in their own right.

There is available designated car parking in the area and whilst it is accepted that local roads do suffer the effects of visitor parking, this is a matter of fact and given the above I do not consider that the proposals, if approved, will have any significant highway impact and certainly would not give rise to a severe residual cumulative impacts on the road network.

Accordingly the I raise no objection to this application in highway terms.

Yours sincerely

Stuart French

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

George Bolan

From: Sarah A. Flatman
Sent: 11 March 2019 15:31
To: George Bolan
Subject: planning application

Dear George,
Environmental Services have no comments to make in respect of the following planning applications:

06/19/120/F

Kind regards

Sarah Flatman

Corporate Health and Safety Advisor
Environmental Services
Great Yarmouth Borough Council
(Please note my hours of work are Monday-Thursday)

Email: sarah.flatman@great-yarmouth.gov.uk

Website: www.great-yarmouth.gov.uk

Telephone: 01493 846408



GREAT YARMOUTH
BOROUGH COUNCIL



Highly Commended Finalist in Driving Growth Category of LGC Awards 2019

To read our email disclaimer visit here: www.great-yarmouth.gov.uk/email-disclaimer

Reference: 06/18/0563/F

Parish: Rollesby
Officer: Mrs G Manthorpe
Expiry Date: 05-07-19

Applicant: Mr J Doyle

Proposal: Proposed self-build detached dwelling and garage

Site: Folly Court Cottages, Court Road, Rollesby

REPORT

1. Background / History:-

- 1.1 The site comprises 2025 square metres of land which fronts Court Road. The land is described within the application form as vacant land.
- 1.2 There has been a previous application on the site in recent years which was refused and subject to a dismissed appeal, the reference and description is as follows:
 - 06/11/0271/F - Change of use for temporary storage of personal touring caravan & retention of shed, erection of brick electricity unit to house existing electric supply to former building.

The reasons for refusal were as follows:

Policy NNV2 of the adopted Great Yarmouth Borough-Wide Local Plan states that in areas identified on the Proposal Map as 'Landscape Important to the Broadland Scene' the Council will only permit development that would not have a significant adverse impact on the landscape character and traditional built form of the area, or destroy or damage features of landscape importance which contribute to the character of the area.

The proposed use of the site for storage of a touring caravan with the associated hardstanding, storage shed and the brick building to house an electricity supply is considered to be domestication of an area of agricultural land, which is out of

keeping with the character of the surrounding area and further compounds the unauthorised development that has already occurred at the site.

The proposal, adjacent to residential property and outside any village development limit, represents the spread of structures and uses usually associated with domestic curtilage, into open countryside. For these reasons the proposal is considered to be contrary to Policy NNV2.

1.3 Since the above application and appeal have been dismissed policy NNV2 is no longer part of the adopted Local Plan having been superseded by the Core Strategy policies. Policy CS2 – Achieving sustainable growth, Policy CS9 – Encouraging well designed distinctive places, Policy CS11 – Enhancing the natural environment.

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

2.1 Parish Council – The Parish Council objects and comments on the application as follows:

The proposed site is still designated as agricultural land. Previous building on the land had a retrospective application refused and the structure was removed. The site is outside of the development limit for Rollesby. The road is very narrow and not suitable for further development.

29th June 2019:

- The access road is a single track, particularly towards Ormesby, and the Council feels it cannot support further traffic movements.
- Concerns were expressed that visibility along the road would be restricted due to the trees at the entrance and that the splay was not wide enough.
- The site is outside the development limit to the village.
- The emerging Neighbourhood Plan, currently at draft stage, does not identify this site as where development is required or desirable.

2.2 Neighbours – There have been four objections to the application, they are summarised as follows:

- It is an agricultural area outside of the village development limits.
- Services are very limited.
- There is no mains drainage and the road is subject to flooding.
- Previous development has been refused and enforcement action taken.
- Development such as this is more appropriate nearer the centre of the village.

- Inappropriate use of agricultural land.
- There are traffic problems on the road.
- A previous appeal was dismissed.
- This would be an isolated development.
- The land used to be grazed up to a few years ago.
- The information submitted outlining the impact on the SPAs within the ecology report fails to mention the onsite impact sufficiently.
- Highways reached their conclusion without local observation or consultation with local residents.
- The hardstanding that is on site should have been removed as part of previous enforcement action.
- The revised drawings haven't changed anything.

2.3 Highways – No objection to the application subject to conditions, full response and conditions attached to this report. It is confirmed that highways have not requested that the trees are removed and as such the visibility space can be provided with the trees remaining.

2.4 Broads Authority - No comments to make on the application.

2.5 Building Control – Note the need for requirement for a compliant means of escape and stair space.

2.6 Strategic Planning – No objection to the application.

2.7 Assistant Grounds Manager and Arboricultural Officer – Two oaks to the frontage of the site worthy of a TPO.

2.8 Natural England – Natural England have noted that the development has triggered one or more impact risk zones and have provided standing advice.

2.9 Norfolk County Council Ecology – response requested and not received at time of writing, will verbally report if received.

3 Policy consideration:

3.1 In the case of *Wavendon Properties Ltd v SoS for Housing, Communities & Local Government plus Another* (June 2019, reference [2019] EWHC 1524 (Admin)), Mr Justice Dove made an important judgement on the correct interpretation of paragraph 11(d) of the National Planning Policy Framework (February 2019). Paragraph 11 (d) states:

“Plans and decisions should apply a presumption in favour of sustainable development...

For decision-taking this means:

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

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

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

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

- 3.1 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.
- 3.3 Paragraph 11(d) of the NPPF therefore has effect when there is not a five-year supply of deliverable housing sites. The most recently-published figure for Great Yarmouth Borough is that at 1st April 2018, which is 2.55 years, so this clearly applies to relevant planning applications in the Borough.
- 3.4 The implication of the Wavendon judgement is that there must: firstly be an assessment as to which policies of the Development Plan are most important for determining this planning application; secondly, an assessment as to whether each of these policies are, or are not, “out of date”; and thirdly, a conclusion as to whether, taken as whole, these most important policies are to be regarded as “out-of-date”. If, taken as whole, they are regarded as “out-of-date”, then the “tilted balance” of NPPF paragraph 11 applies (for a refusal to be justified, the harms must “significantly and demonstrably outweigh the benefits...”). If, taken as a whole, they are not regarded as out-of-date, then the tilted balance does not apply.

4 Core Strategy

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.

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 (extract only):

- Approximately 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy

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 (*extract only*):

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

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

4.4 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.

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

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

5 Saved policies from the Borough wide Local Plan :-

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

5.2 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.

- 5.3 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.
- 5.4 HOU10: Permission for new dwellings in the countryside will only be given in connection with agriculture, forestry, organised recreation, or the expansion of settlements.
- 5.5 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.

6 Emerging policy – Local Plan Part 2:-

- 6.1 Rollesby is a relatively well serviced secondary village comprising two separate but socially linked hamlets by footpath. The north-western hamlet has the most historic character centred around the village church, school and a collection of historic farmsteads. To the south-east, the other hamlet consists of a handful of dwellings strung along Low Road. Rollesby services and facilities include a primary/nursery school, restaurant/takeaway, rural business park, a hair salon, and a village hall. The settlement also benefits from bus services along the main road providing connections to larger settlements including Great Yarmouth.

To the east of Rollesby lies the Broads Authority area which is recognised both nationally and internationally as being a critically important site to wildlife, designated as the Broads Special Area of Conservation. In association with these wetland areas, there are some areas at higher risk of flooding (Flood Zones 2 and 3) in the south and east areas of the settlement.

Development limits are defined on the Policies Map for the settlement, including some sites recently granted planning permission for residential development. Development proposals will generally be permitted within development limits where they are in accordance with policies of the Local Plan. Policy G1-dp (the second part of this policy in particular) addresses development proposals outside of development limits, where this lies within the Great Yarmouth plan area, which will be treated as the countryside or areas where new development will be more restricted, subject to the consideration of other relevant policies of the Local Plan.

6.2 Policy G1-dp Development limits

Development will be permitted within the development limits of settlements shown on the Policies Map, provided it is in accordance with the other policies in the Local Plan. The areas outside development limits (excepting specific allocations for development) will be treated as countryside or other areas where new development will be more restricted, and development will be limited to that identified as suitable in such areas by other policies of the Local Plan, including:

- domestic extensions and outbuildings within existing residential curtilages,
- under Policy H8-dp;
- replacement dwellings, under Policy H4-dp;
- small scale employment, under Policy B1-dp;
- community facilities, under Policy C1-dp;
- farm diversification, under Policies R4-dp, L3-dp & L4-dp;
- rural workers' housing, under Policy H1-dp; and
- development relocated from a Coastal Change Management Area, under Policy E2-dp.

7 National Policy:- National Planning Policy Framework (NPPF)

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

7.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴.

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

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

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

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

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

For decision-taking this means:

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

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-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.

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

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

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

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

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

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

- 7.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 7.8 Paragraph 76. To help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start.
- 7.9 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.10 Paragraph 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
- 7.11 Paragraph 179. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 7.12 Paragraph 180. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
 - b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

8 Habitat Regulations Assessment considerations:

- 8.1 “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. The Council has an adopted policy approach, the Habitats Monitoring and Mitigation Strategy, prepared alongside the Part 1 Local Plan (and most recently updated at the Policy & Resources Committee meeting on 5th February 2019).
- 8.2 Guidance for applicants is available on Great Yarmouth Borough Council’s website identifying when bespoke shadow Habitat Regulation Assessments (HRA) are required to be prepared by the applicant and submitted to the Council. In this case, in accordance with the guidance issued, a bespoke shadow HRA has been required and submitted. The bespoke shadow HRA found that the in-combination effects of the development cannot rule out an effect on protected sites.
- 8.3 The application, informed by a bespoke HRA has been assessed by the Competent Authority as likely to have significant indirect effects on one or more Natura 2000 sites (but no significant direct effects). 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). Mitigation for in-combination effects through the £110 per-dwelling contribution to more general monitoring and mitigation is therefore required. It is therefore the assessment of the Council, as Competent Authority, that the application, if approved, would not adversely affect the integrity of Natura 2000 sites, provided that the mitigation sought is secured.
- 8.4 Further information has been provided on the foul sewerage system supported by a statement from the applicant’s agent confirming that there will be no discharge to the Broads. The confirmation of acceptability is sought however the consultation response in house has confirmed that this method should be acceptable. A condition would be placed on the grant of any permission requiring that no discharge occurred in perpetuity.

9 Local finance considerations:-

- 9.1 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. The proposed development is for a single dwelling and as such the financial considerations are not assessed as so great as to consider a decisive factor.

10 Assessment

- 10.1 The proposal seeks approval for one 'chalet' style detached dwelling and garage. Through discussions with the applicants' agent the application has been amended to bring the proposed dwelling forward within the site towards Court Road. The Broads Authority area is contiguous to the southern boundary of the plot, however by locating the proposed dwelling and garage towards the northern end of the plot, adjacent to the Court Road and broadly parallel with the existing building line established by the adjoining ribbon development the applicant is seeking to mitigate the adverse impact on the character of the Broads. The southern boundary also comprises mature planting and trees helping to screen views of the Broads as well as those obtained within.
- 10.2 There are two mature oak trees located at the frontage of the site, these are being assessed for Tree Preservation Orders at the time of writing although no confirmation of the decision has been made. The application does not seek to remove any of the existing trees on site and the removal of the oaks would have a detrimental impact on the street scene and adverse impact on the character of the area.
- 10.3 When assessing the current application account must be taken of the previous planning decision and appeal decision. Since the previous appeal planning policy has changed and the application is now assessed against current Local and National policy. The National Planning Policy Framework (NPPF) was introduced in 2012 and has been revised in 2018 and amended in 2019. The NPPF was not in place at the time of the previous decision and the application was not for a permanent residential dwelling which is currently being applied for. The differences in the type of application and the change in planning policy require a fresh assessment of the merits to be made taking into account and applying appropriate weight to the existing material considerations.
- 10.4 Although there are no comments currently received from the Broads Authority, as noted above the dwelling has been sited at a position to reduce the impact on the setting of the Broads and will continue an existing ribbon development. The development as proposed will not, in policy terms, create an isolated dwelling in the countryside but will instead add an existing dwelling to the cluster that are in existence.

- 10.5 Concern may be raised that development such as this may create precedent however all applications must be decided on merit according to material considerations. A material consideration is local policy however if a Local Planning Authority cannot show that they have a five-year housing land supply, 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 (2018/19),
- 10.6 The assessment of this application against current policy is taken noting that Great Yarmouth Borough Council cannot demonstrate a 5 year housing land supply, while this does not mean housing at any cost and acknowledging that this development will only provide a very minor contribution being a single dwelling the development, by virtue of being located within an existing ribbon, can be assessed as a sustainable location and therefore the tilted balance in favour of development should be applied.
- 10.7 The emerging Local Plan Part 2 is referenced above and is a material consideration, taking into account 9.6 above. The application, according to the details submitted, is for a self-build property which can have different policy considerations applied. The applicant's agent has stated that they are willing to enter into a s106 agreement to ensure that the property is a self-build development. In order to secure the development as a self-build it would have to meet the criteria for planning obligations within the NPPF although as willingness has been asserted without request this can be undertaken as a s106 obligation following discussion with the applicant as to their understanding of the legislation. The agent states that great weight should be applied to this offer of a s106 agreement and while some weight can be applied it needs to be weighed as to whether it is necessary to approve the development. If it is not assessed as necessary it should not be required although can be secured if offered willingly.
- 10.8 The design of the dwelling is for a chalet style dwelling which is not exciting in appearance although will not cause a significant detriment to the character of the area or the street scene. The foot print of the dwelling is larger than those immediately adjacent although the character of the area is signified by individual dwellings with groupings of those in a similar appearance before reaching the more built up sections of Rollesby which have more unity and groupings of design. The dwelling has been designed to minimise overlooking with consideration given to the first floor windows and as such this is not deemed significantly adverse to the occupiers of the adjoining dwellings. The design of the dwelling is assessed as acceptable in this location.
- 10.9 In order to prevent urbanisation of the curtilage to the detriment of the Broads it is recommended that the permitted development rights are removed from the curtilage of the dwelling which is outlined in red (the application site). It is noted

that the applicant owns further land outlined in blue however this will not benefit from planning permission as it is excluded from the application.

10.10 The Parish Council, within their objection and comments on the application, note the width of the Court Road. There are no objections received from the Highway Authority to the application and, in accordance with the NPPF at paragraph 109 there are no reasons for the application to be refused on highway grounds.

10.11 When assessed on balance the application in the revised form can be supported with appropriate conditions restricting permitted development rights and those required by the Highways Authority. Should it be the case that the trees at the frontage of the property are not protected at the time of an approval, if granted, a condition for their retention for a period to allow the protection to be in place should be placed upon any grant of planning permission. The development should also offer ecological gains in the form of bat and bird boxes and the mitigation as outlined within the ecology report should be conditioned with specific reference to lighting and the time of year that works can be carried out.

11 RECOMMENDATION: -

11.1 Approve – subject to the conditions requested by Highways, and those required to ensure a satisfactory form of development. The £110 Habitat Monitoring and Mitigation Strategy contribution has been paid.

11.2 The proposal complies with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Local Plan and the National Planning Policy Framework.



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: 06/18/0563/F
Date: 14 June 2019

My Ref: 9/6/18/0563
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Gemma

**Rollesby: Proposed self build detached dwelling and garage
Folly Court Cottages Court Road Rollesby GREAT YARMOUTH NR29 5HQ**

Thank you for your recent consultation with respect to the above.

Whilst the site has a vehicle access, it would appear that any traffic movements are ancillary to the present use and it has not been demonstrated that any such traffic movements associated with the site would be akin to that of a residential unit. Clearly in terms of transport sustainability the site has limited access to public transport provision and it is unlikely that other sustainable mode of transport are unlikely to be primary considerations. Accordingly the development will be highly reliant on the private motor vehicle and based on TRICS data is likely to generate around six vehicle movements per day.

Clearly there are other residential properties adjacent and in terms of both transport sustainability and the development's impact on the highway networks, it is unlikely I could sustain an objection on these grounds for a development of this scale.

However, notwithstanding the statement with respect to access within the Design and Access Statement, whilst accepting the residual impact of the development in transport terms, if approved, will not be severe, the NPPF clearly states that in assessing sites development, it should be ensured that safe and suitable access to the site can be achieved for all users.

The Design and Access Statement also refers to Manual for Streets in terms of visibility, however, whilst acknowledging the wider applications of Manual for Streets, clearly the environment is not akin to a street and given the rural location Manual for Streets is not the accepted design guidance in this case.

Continued/...

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Clearly visibility is restricted at a 2.4m set back primarily by trees either side of the access and by overgrowth of road side hedges, the latter being outside the control of the applicant. However, I am minded that whilst the road alignment is relatively straight, its width and the speed reducing feature of the bend in Court Road to the West of the site access are likely to restrict vehicle speeds. I am also minded that traffic flows are relatively low on this section of road, but that can also influence vehicle speeds.

However from 2.0m set back, the accepted absolute minimum, with regular maintenance of the road side hedges, I am of the opinion that given the constraints of the network and taking into account the duty of care of driver, in this case, an acceptable level of visibility can be achieved for the scale of the development, and that it would be difficult to sustain and objection.

However, whilst having no objection in highway terms this is subject to the following conditions and informative note being appended to any grant of permission your Authority is minded to make.

SHC 07 Any access gates/bollard/chain/other means of obstruction 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. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.

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

SHC 09V Prior to the commencement of the use hereby permitted the vehicular access shall be upgraded in accordance with the Norfolk County Council residential access construction specification (TRAD 5 attached) for the first 5m metres as measured back from the near channel edge of the adjacent carriageway. 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 16 Prior to the first occupation of the development hereby permitted a 2.0 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with the principles of the NPPF.

Continued/...

SHC 20 Prior to the first occupation/use of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan 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.

Inf. 2 This development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing.

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Advice on this matter can be obtained from the County Council's Highway Design & Development Management Group. Please contact 0344 800 8020.

If required, street furniture will need to be repositioned at the Applicant's own expense.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

Yours sincerely

Stuart French

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

Planning Services
Development Control
Town Hall, Hall Plain
Great Yarmouth
Norfolk, NR30 2QF

Great Yarmouth Borough Council

21 JUN 2019

Customer Services

1 Folly Cottage
Court Road
Rollesby
Great Yarmouth
Norfolk, NR29 5HQ
Tel. [REDACTED]

19th July 2019

Attn : Dean Minns, Planning Manager
Sub : Planning Application 06/18/0563/F, Court Road, Rollesby

21 JUN 2019

Planning
Department

Dear Sir,

I understand the 2018 application proposing to build on the land has now been resubmitted after changes. However, I would like to formally notify you of our objection again to the proposal, not because the planned dwelling is now closer to my property but for the same reasons that I laid out on previous occasions, as in my opinion, nothing has changed. Additionally, I have read the revised application and supporting documents and there are a number of statements that are inaccurate and need to be challenged.

The land is sited outside Rollesby's clearly specified and unchanged planning limits. Although there has been a recent increase in local building programmes, this has all occurred on appropriate land, of which there is plenty nearby, set aside as part of the NPPF 5 year plan for development of multiple houses with good access to amenities and roads, not houses in isolation. The previously unauthorised development on the land was partially removed after council enforcement of the planning regulations. (Note. The original hard standing, over which the new dwelling is proposed, should have been removed as part of that enforcement). Those restrictions have not changed, despite recent local authority and government drives for sourcing suitable rural land for development. However, despite much effort in the revised application to argue the point, involving reference to a case in Essex, this would still be an isolated development not enhancing the rural community and as such, I do not feel the application should be supported.

I have lived here for almost 30 years and the land in question was originally utilised for agricultural purposes. The site is not, as the application states, 'a useless piece of land' but rather a rural asset that used to be grazed, and still was a few years ago, despite this not being noted in the revised application. It must be said however that misuse some years ago led to some potentially hazardous materials being buried on the site, which I reported to the Broads Authority. Although a number of trees and hedges lie adjacent to the land, (not mentioned in Application) I note that Natural England have no specific reservation, despite no site visit from them. I also take issue with the Ecology Report which although commissioned to determine potential development impacts on local SPA's, etc, has not sufficiently demonstrated the impact on the immediate site itself, playing down effects. The survey visit, carried out in the winter, has missed the breeding season, and the site periphery has become a haven for wildlife (3 breeding Warbler species and good numbers of butterflies this year). I have carried out such surveys myself and although it pains me to say it, I still believe the site should be returned however to its original state as best as possible.

I note the submission from Norfolk County Council and the application stating traffic at the site entrance is slow and infrequent. This is a conclusion drawn without local observation and consultation with local residents. The road is frequently used as a speedy cut through to and from the main roads (I have witnessed at least two accidents) and any construction traffic attempting to enter or depart would inevitably prove a hazard. The access via Court Road is very restricted due to the narrowness of the lane and the proximity of the large oak trees.

In conclusion, I believe the application should not be granted due to the site unsuitability.

Yours sincerely

[REDACTED]
David Parsons

Internet Consultees

Application Reference 06/18/0863/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name David Parsons

Address 1 Folly Cottage

Court Road

Rollesby

Norfolk

Post Code NR29 5HQ

Telephone

Email Address

For or Against OBJ Object

Speak at Committee

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Date Entered 19-06-2019

Internet Reference OWPC4647

Internet Consultees

Application Reference 06/18/0563/F

Attachments

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Speak at Committee

pains me to say it, I still believe the site should be returned however to its original state as best as possible.

I note the submission from Norfolk County Council and the application stating traffic at the site entrance is slow and infrequent. This is a conclusion drawn without local observation and consultation with local residents. The road is frequently used as a speedy cut through to and from the main roads (I have witnessed at least two accidents) and any construction traffic attempting to enter or depart would inevitably prove a hazard. The access via Court Road is very restricted due to the narrowness of the lane and the proximity of the large oak trees.

Date Entered 19-06-2019

Internet Reference OWPC4647

Internet Consultees

Application Reference 06/12/0563/F

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name David Parsons

Address 1 Folly Cottage

Court Road

Rollsby

Norfolk

Post Code NR29 5HQ

Telephone

Email Address

For or Against OBJ Object

Speak at Committee

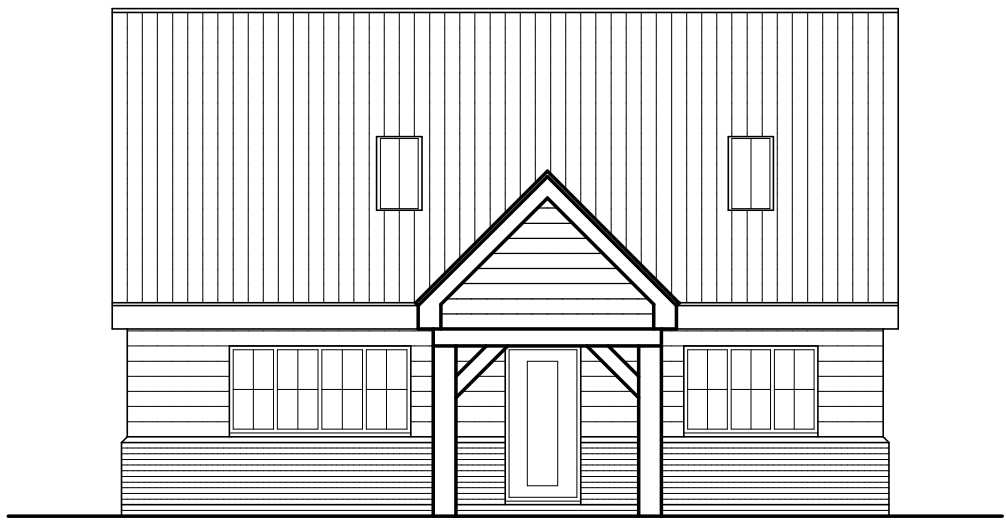
In conclusion, I believe the application should not be granted due to the site unsuitability.

Yours sincerely

David Parsons

Date Entered 19-06-2019

Internet Reference 0WPC4647



NORTH ELEVATION 1:100



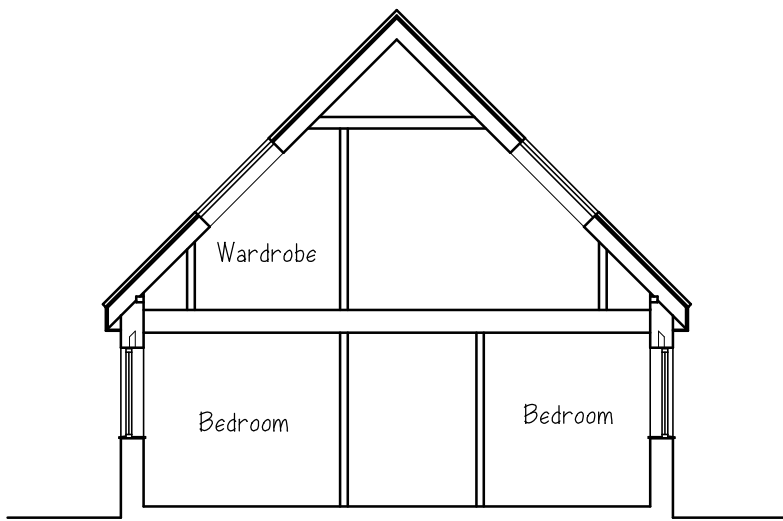
EAST ELEVATION 1:100



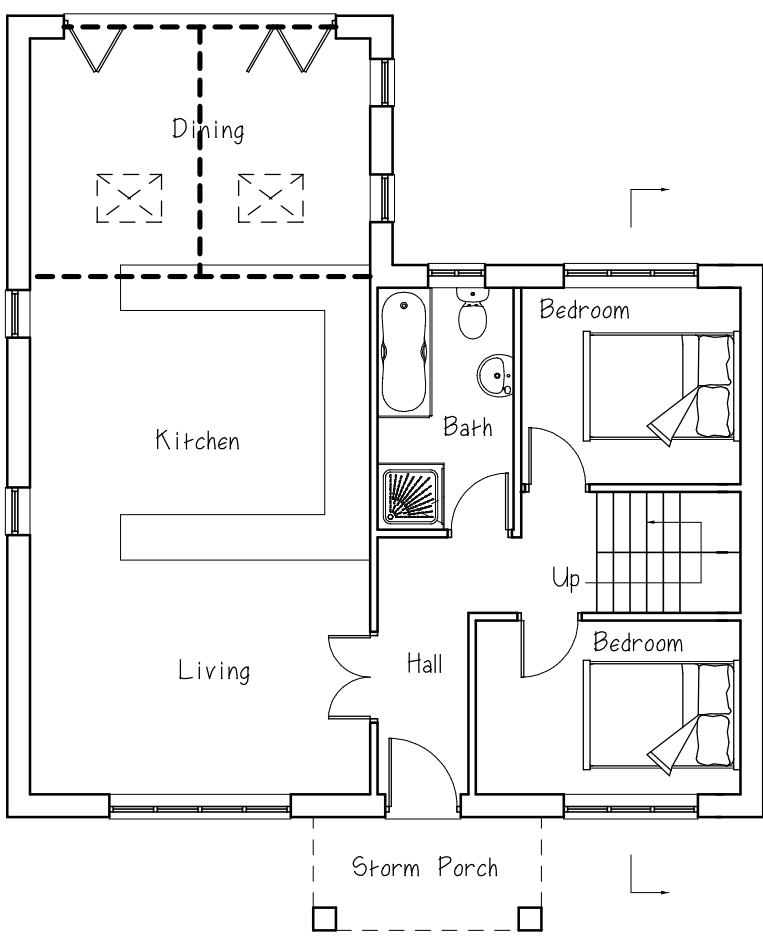
SOUTH ELEVATION 1:100



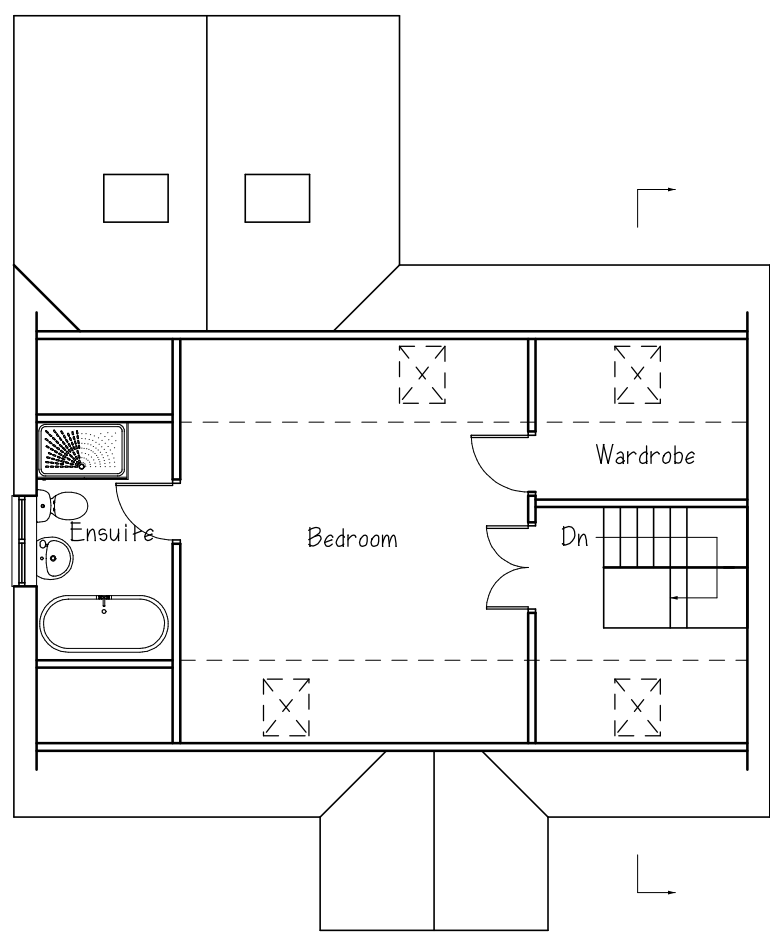
WEST ELEVATION 1:100



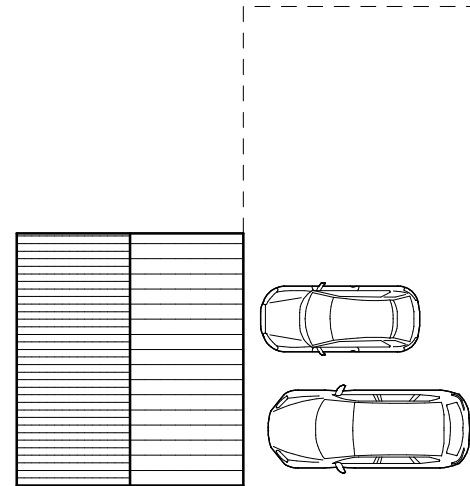
SECTION 1:100



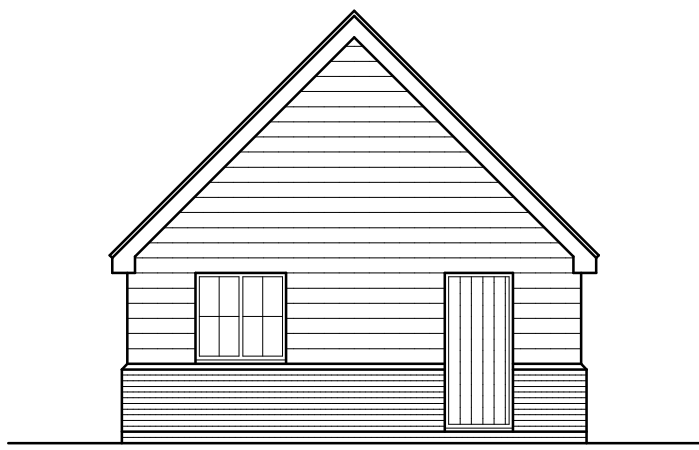
GROUND FLOOR
LAYOUT 1:100



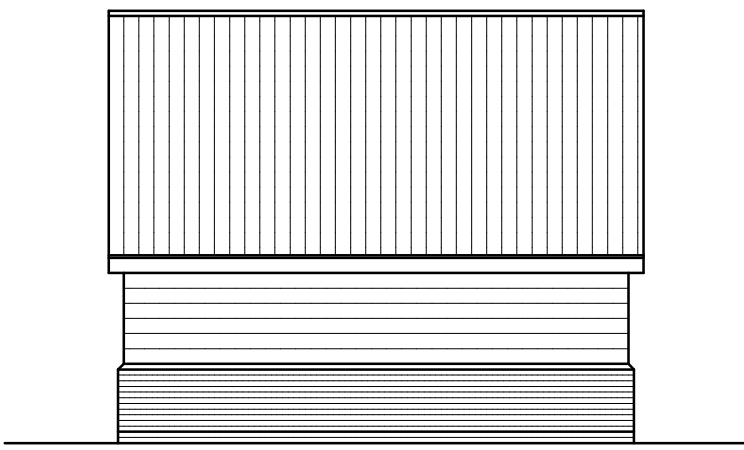
FIRST FLOOR
LAYOUT 1:100



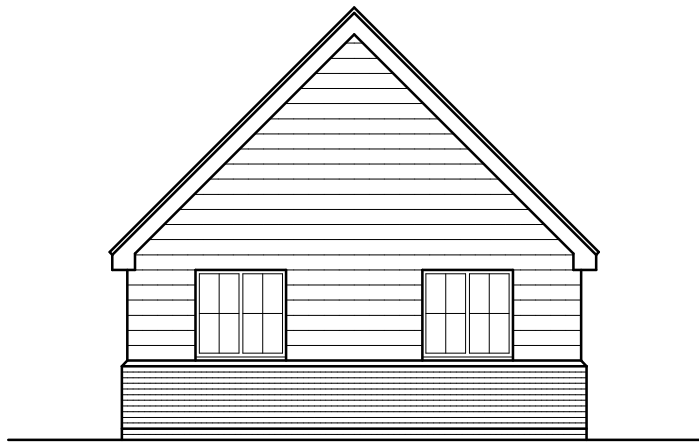
SITE PLAN 1:200



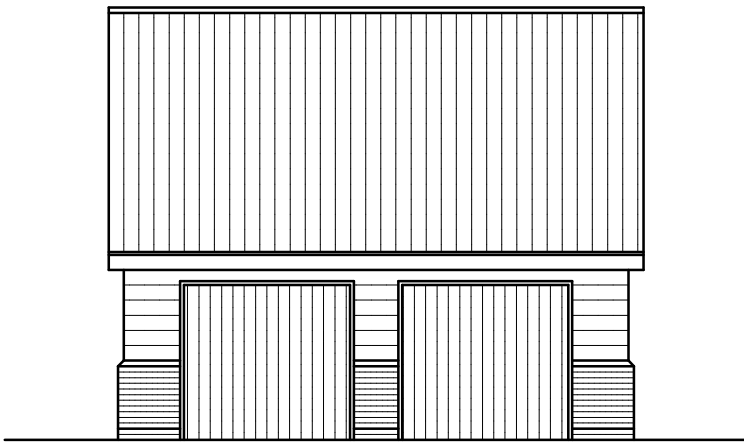
NORTH ELEVATION 1:100



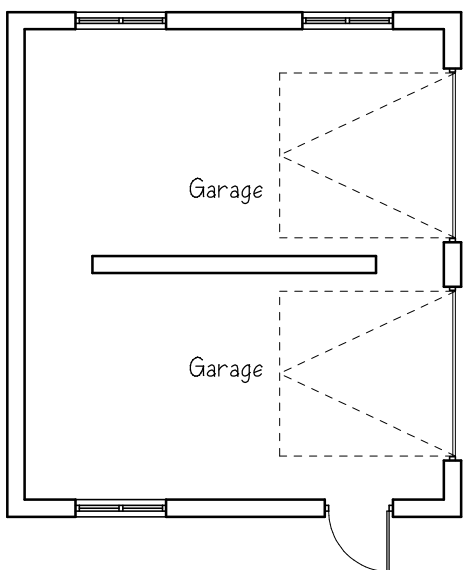
EAST ELEVATION 1:100



SOUTH ELEVATION 1:100



WEST ELEVATION 1:100



FLOOR LAYOUT 1:100

C	28/4/18	Site Boundary Corrected, Dwelling moved North.
B	12/12/18	Dwelling and Garage position altered.
A	16/10/18	Site Area Reduced out of Flood Zone
Rev	Date	Details

Client	
Mr & Mrs Doyle	
Contract	
Proposed Dwelling and Garage, at Court Road Rollesby NR29 5HQ	
Drawing Title	
Proposed Details	
GP Architectural Services.	
18 Clarence Road, Gorleston-on-Sea Tel M 07920 820432 Great Yarmouth, Norfolk. NR31 6DT E-Mail glenn.parrott@yahoo.co.uk	
Scale	
1:100/1:200 (at A1)	
Date	
September 2018	
Drawing Number	C
1851-001	

Drawing Status	
Planning	
Scale Bar	
1:100	0 10 20 30
1:1000	0 10 20 30 40 50 60 70
1:1000	0 10 20 30 40 50 60 70

DWELLING

SITE

GARAGE

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

REFERENCE	06/19/0195/O
PARISH	Belton & Browston 10
PROPOSAL	Sub division of plot and construction of 1 bedroom bungalow with parking /turning space and new access
SITE	Holly Tree Cottage Sandy Lane Belton
APPLICANT	GREAT YARMOUTH
DECISION	Mr & Mrs Holmes APPROVE

REFERENCE	06/19/0223/D
PARISH	Belton & Browston 10
PROPOSAL	Demolition of existing bungalow and replace with 2 no. chalet style dwellings
SITE	Brentwood St Johns Road Belton GREAT YARMOUTH
APPLICANT	Mr Leighton
DECISION	APP. DETAILS

REFERENCE	06/19/0231/F
PARISH	Belton & Browston 10
PROPOSAL	Proposed installation of permanent dugouts
SITE	New Road Sport and Leisure Centre New Road Belton
APPLICANT	GREAT YARMOUTH
DECISION	Belton and Browston Parish Council APPROVE

REFERENCE	06/19/0277/NMA
PARISH	Belton & Browston 10
PROPOSAL	Raise wall and piers, reduce gate height of planning permission 06/19/0084/F
SITE	Browston Hall Browston Green Browston
APPLICANT	GREAT YARMOUTH
DECISION	Browston Hall Accept Amend Notice

REFERENCE	06/19/0288/F
PARISH	Belton & Browston 10
PROPOSAL	Single storey extension; enlargement of porch, internal layout changes; repositioning of parking spaces
SITE	33 Amhurst Gardens Belton
APPLICANT	GREAT YARMOUTH
DECISION	Miss H Norman APPROVE

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

REFERENCE **06/19/0291/F**
PARISH Belton & Browston 10
PROPOSAL Proposed single storey front and rear extensions

SITE 15 Heather Road Belton
GREAT YARMOUTH

APPLICANT Mr K Brook
DECISION **APPROVE**

REFERENCE **06/19/0293/F**
PARISH Belton & Browston 10
PROPOSAL Ground floor additions to front of dwelling and associated works

SITE 12 Rosedale Gardens Belton
GREAT YARMOUTH

APPLICANT Mr and Mrs M Leach
DECISION **APPROVE**

REFERENCE **06/19/0237/F**
PARISH Bradwell N 1
PROPOSAL Proposed detached garage

SITE 34 Holly Avenue Bradwell
GREAT YARMOUTH

APPLICANT Mr J Butt
DECISION **APPROVE**

REFERENCE **06/19/0281/NMA**
PARISH Bradwell N 1
PROPOSAL NMA of PP: 06/18/0444/F - Minor alterations to the colour of the cladding and placement of windows/doors

SITE Jesters Diner (Former) Morton Peto Road
GREAT YARMOUTH (Parish of Bradwell)

APPLICANT Finance Shop
DECISION **APPROVE**

REFERENCE **06/19/0284/F**
PARISH Bradwell N 1
PROPOSAL Single storey front extension

SITE 4 Garden Court Mill Lane Bradwell
GREAT YARMOUTH

APPLICANT Mr & Mrs Spencer
DECISION **APPROVE**

REFERENCE **06/19/0189/F**
PARISH Bradwell S 2
PROPOSAL Rear extension and roof conversion

SITE 5 Browston Corner Bradwell
GREAT YARMOUTH

APPLICANT Mr and Mrs Porter
DECISION **APPROVE**

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

REFERENCE **06/19/0213/F**
 PARISH Bradwell S 2
 PROPOSAL Roof conversion to include gable in place of hipped roof
 SITE 1 Browston Corner Bradwell
 GREAT YARMOUTH
 APPLICANT Mr R Hayes
 DECISION **APPROVE**

REFERENCE **06/19/0230/F**
 PARISH Burgh Castle 10
 PROPOSAL Proposed detached bungalow with integral garage and new
 vehicular access for existing property
 SITE Sonning (Land to R/O) High Road Burgh Castle
 GREAT YARMOUTH
 APPLICANT Mr J Timms
 DECISION **APPROVE**

REFERENCE **06/19/0251/F**
 PARISH Caister On Sea 3
 PROPOSAL Replacement dwelling and garage, new vehicular access
 onto Second Avenue
 SITE 1 Carter Close Caister
 GREAT YARMOUTH
 APPLICANT Mr & Mrs McLean
 DECISION **APPROVE**

REFERENCE **06/19/0201/F**
 PARISH Caister On Sea 4
 PROPOSAL Sub division of garden to form plot for detached bungalow
 SITE 73 Eastern Avenue Caister
 GREAT YARMOUTH
 APPLICANT Mr M Kern
 DECISION **REFUSED**

REFERENCE **06/19/0216/F**
 PARISH Caister On Sea 4
 PROPOSAL Rear and side extension and roof conversion
 SITE 15 Belstead Avenue Caister
 GREAT YARMOUTH
 APPLICANT Mr & Mrs Baldwin
 DECISION **APPROVE**

REFERENCE **06/19/0304/NMA**
 PARISH Caister On Sea 4
 PROPOSAL NMA of PP: 06/17/0560/F - Roof design omissions, omission of
 window on 1st floor & obscure glazed window in en-suite
 SITE 12 Edinburgh Close Caister
 GREAT YARMOUTH
 APPLICANT Mr G Wilson
 DECISION **Refuse Amend Notice**

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

REFERENCE	06/19/0204/PAD
PARISH	Fleggburgh 6
PROPOSAL	Prior approval for conversion of agricultural building to 3 dwellings
SITE	Mill Lane Broiler Farm Fleggburgh
APPLICANT	GREAT YARMOUTH
DECISION	Mr G Di Corpo PERMITTED DEV.

REFERENCE	06/19/0181/F
PARISH	Great Yarmouth 5
PROPOSAL	Construction of bay window to front elevation
SITE	5 The Pastures Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Mr and Mrs R Bircham APPROVE

REFERENCE	06/19/0170/F
PARISH	Great Yarmouth 7
PROPOSAL	Proposed erection of log cabin
SITE	1 Links Road Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Mr L Goodchild APPROVE

REFERENCE	06/19/0188/F
PARISH	Great Yarmouth 7
PROPOSAL	Variation of condition 2 of Planning Permission consent 06/17/0585/F - Proposed alternative design
SITE	70 Marine Parade Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Mr Hendry REFUSED

REFERENCE	06/19/0229/F
PARISH	Great Yarmouth 7
PROPOSAL	Proposed first floor extension over garage for 2 no. bedrooms and bathroom
SITE	311 Lowestoft Road Gorleston
APPLICANT	Great Yarmouth
DECISION	Mr French APPROVE

REFERENCE	06/19/0269/F
PARISH	Great Yarmouth 7
PROPOSAL	Front extension to provide shower room
SITE	17 Half Moon Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Ms C Varley APPROVE

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

REFERENCE	06/19/0279/LDO
PARISH	Great Yarmouth 7
PROPOSAL	Alts to extg indus.premises. Enclose ex.yard to create add. warehse acc.Int.alts.incl.encl & extn to int.mezz.to office
SITE	Units 15 & 16 Blackfriars Court Beacon Park Gorleston GREAT YARMOUTH
APPLICANT	MacLean Electrical
DECISION	PERMITTED DEV.

REFERENCE	06/19/0132/CU
PARISH	Great Yarmouth 9
PROPOSAL	Proposed change of use from Industrial (B1) to a dance studio (D2) inclusive of beauty therapy rooms
SITE	Unit 15 Jones (GC) Way GREAT YARMOUTH Norfolk
APPLICANT	Miss M Reeves
DECISION	APPROVE

REFERENCE	06/19/0133/F
PARISH	Great Yarmouth 9
PROPOSAL	Variation of condition 3 of Planning Permission 06/14/0592/F - To include a mansard roof
SITE	137 Mill Road GREAT YARMOUTH Norfolk
APPLICANT	Mr W Harrison
DECISION	APPROVE

REFERENCE	06/19/0217/F
PARISH	Great Yarmouth 9
PROPOSAL	To demolish and replace existing two storey residential dwelling with a new build
SITE	130 Lichfield Road (Land R/O) GREAT YARMOUTH Norfolk
APPLICANT	Mr M Abouraban
DECISION	APPROVE

REFERENCE	06/19/0289/F
PARISH	Great Yarmouth 11
PROPOSAL	Additional storey over two storey extension, plus single storey porch
SITE	8 Middlestone Close Gorleston GREAT YARMOUTH
APPLICANT	Mr S and Mrs C Baker
DECISION	APPROVE

REFERENCE	06/19/0325/NMA
PARISH	Great Yarmouth 11
PROPOSAL	NMA of PP: 06/18/0458/F - Reposition en-suite bathroom window to North elevation from East elevation
SITE	141 Middleton Road Gorleston GREAT YARMOUTH
APPLICANT	Mr & Mrs Cairns
DECISION	Accept Amend Notice

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

REFERENCE	06/18/0259/F
PARISH	Great Yarmouth 14
PROPOSAL	Locating steel storage containers and forming enclosure on forecourt
SITE	133 South Quay GREAT YARMOUTH Norfolk
APPLICANT	Mr S Moran
DECISION	REFUSED
<hr/>	
REFERENCE	06/18/0659/F
PARISH	Great Yarmouth 14
PROPOSAL	Conversion of existing building from single dwelling to 4 no. self contained flats
SITE	44 King Street GREAT YARMOUTH Norfolk
APPLICANT	Mr M Gaffar
DECISION	APPROVE
<hr/>	
REFERENCE	06/18/0660/LB
PARISH	Great Yarmouth 14
PROPOSAL	Conversion of existing building from single dwelling to 4 no. self contained flats
SITE	44 King Street GREAT YARMOUTH Norfolk
APPLICANT	Mr M Gaffar
DECISION	LIST.BLD.APP
<hr/>	
REFERENCE	06/18/0663/LB
PARISH	Great Yarmouth 14
PROPOSAL	Upgrade internal doors; creation of internal sterile staircase
SITE	21 South Quay GREAT YARMOUTH Norfolk
APPLICANT	Mr H Johnson
DECISION	LIST.BLD.APP
<hr/>	
REFERENCE	06/19/0124/CU
PARISH	Great Yarmouth 14
PROPOSAL	Ground floor extension of shop and change of use to commercial A1 use from residential
SITE	128-129 Nelson Road Central GREAT YARMOUTH Norfolk
APPLICANT	Mr K Mahadevan
DECISION	APPROVE
<hr/>	
REFERENCE	06/19/0248/F
PARISH	Great Yarmouth 14
PROPOSAL	Minor works to building, including doors, shop front and roofing
SITE	3A York Road GREAT YARMOUTH Norfolk
APPLICANT	SeaChange Arts
DECISION	APPROVE

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

REFERENCE **06/19/0249/LB**
PARISH Great Yarmouth 14
PROPOSAL Minor works to building, including doors, shop front
and roofing
SITE 3A York Road GREAT YARMOUTH
Norfolk
APPLICANT SeaChange Arts
DECISION **LIST.BLD.APP**

REFERENCE **06/18/0565/F**
PARISH Great Yarmouth 15
PROPOSAL Proposed new 2 storey apartments providing 4 no. 2
bedroom self-contained units
SITE 19 Regent Road GREAT YARMOUTH
Norfolk
APPLICANT Mr P Rackham
DECISION **APPROVE**

REFERENCE **06/19/0092/F**
PARISH Great Yarmouth 15
PROPOSAL Proposed internal alterations to form 7 room HMO
SITE 41 South Market Road GREAT YARMOUTH
Norfolk
APPLICANT Mr M Charalambides
DECISION **REFUSED**

REFERENCE **06/19/0141/F**
PARISH Great Yarmouth 15
PROPOSAL Variation of condition 2 of Planning Permission
06/18/0673/F - Materials
SITE AW Plant Services Eurocentre North River Road
GREAT YARMOUTH
APPLICANT AW Plant Services
DECISION **APPROVE**

REFERENCE **06/19/0214/F**
PARISH Great Yarmouth 19
PROPOSAL Proposed rear single storey extension
SITE 18 Lowestoft Road Gorleston
GREAT YARMOUTH
APPLICANT Mr Speed
DECISION **APPROVE**

REFERENCE **06/19/0287/F**
PARISH Great Yarmouth 19
PROPOSAL Vehicle access and crossover
SITE 53 Church Lane Gorleston
GREAT YARMOUTH
APPLICANT Mr D Kelf
DECISION **APPROVE**

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

REFERENCE	06/19/0222/F
PARISH	Great Yarmouth 21
PROPOSAL	Proposed front porch extension; installation of first floor window and dropped kerb to front of property
SITE	53 Chaucer Road GREAT YARMOUTH
APPLICANT	Norfolk
DECISION	Mr A Hamed APPROVE

REFERENCE	06/19/0171/F
PARISH	Hemsby 8
PROPOSAL	Raise rear pitched roof; alteration to front boundary wall to provide pedestrian access
SITE	2 Mill Road Hemsby GREAT YARMOUTH
APPLICANT	Mr E Setchell
DECISION	APPROVE

REFERENCE	06/19/0225/F
PARISH	Hemsby 8
PROPOSAL	Single storey side extension
SITE	Whynot The Street Hemsby GREAT YARMOUTH
APPLICANT	Mr R Mingay
DECISION	APPROVE

REFERENCE	06/19/0234/F
PARISH	Hemsby 8
PROPOSAL	Alteration of roof type from pyramid hipped to gable - (amendment to 06/19/0041/F)
SITE	Te-Aroha North Road Hemsby GREAT YARMOUTH
APPLICANT	Mr S Wilson
DECISION	APPROVE

REFERENCE	06/19/0239/F
PARISH	Martham 13
PROPOSAL	Front extension with lean-to pitched roof
SITE	33 Black Street Martham GREAT YARMOUTH
APPLICANT	Mr and Mrs Brown
DECISION	APPROVE

REFERENCE	06/19/0244/F
PARISH	Martham 13
PROPOSAL	Proposed rear extension and alterations
SITE	33 Oak Tree Close Martham GREAT YARMOUTH
APPLICANT	Mr N Roser
DECISION	APPROVE

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

REFERENCE	06/19/0261/NMA
PARISH	Martham 13
PROPOSAL	Non-material amendment to substation details of Planning Permission 06/15/0486/F
SITE	10 White Street Martham GREAT YARMOUTH
APPLICANT	Persimmon Homes Anglia
DECISION	Accept Amend Notice

REFERENCE	06/19/0203/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Erection of shed in connection with use as an allotment
SITE	California Halt California Road California GREAT YARMOUTH
APPLICANT	Ms S Watson
DECISION	APPROVE

REFERENCE	06/19/0218/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Single storey rear and two storey extension over existing garage and utility
SITE	9 Bracecamp Close Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr R and Mrs L Loveland
DECISION	APPROVE

REFERENCE	06/19/0240/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Pitched roof to replace flat roof and rear extension
SITE	4 Pippin Close Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr and Mrs Louison
DECISION	APPROVE

REFERENCE	06/18/0597/CD
PARISH	Rollesby 13
PROPOSAL	Discharge of condition 3, 6, 8, 14, 15, 16 and 17 of Planning permission: 06/18/0035/F
SITE	Meadow Way (Land at) Rollesby GREAT YARMOUTH Norfolk
APPLICANT	Badger Building (E Anglia) Ltd
DECISION	APPROVE (CONDITIONS)

* * * * End of Report * * * *

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

REFERENCE	06/18/0717/O
PARISH	Fleggburgh 6
PROPOSAL	Residential development to provide 4 no plots for detached houses and garages
SITE	Beech House Main Road Fleggburgh GREAT YARMOUTH
APPLICANT	Mr and Mrs Colman
DECISION	APPROVE

REFERENCE	06/18/0370/F
PARISH	Hemsby 8
PROPOSAL	Construct detached double garage to serve extg dwelling, sub division of side garden & construct 3bed chalet bungalow
SITE	The Old Vicarage The Street Hemsby GREAT YARMOUTH
APPLICANT	Mr G Maitland
DECISION	APPROVE

* * * * End of Report * * * *