

Reference: 06/17/0247/F

Town: Gorleston

Officer: Miss G Manthorpe

Expiry Date: 18/07/17

Applicant: Badger Building (E. Anglia) Ltd

Proposal: Extension of East Anglian Way and construction of 71 dwellings, car park and drop off point for adjacent school and construction access from Church Lane.

Site: St Marys Roman Catholic School (Land rear of) East Anglian Way, Gorleston.

REPORT

1. Background / History :-

- 1.1 The application was previously presented to member at Septembers Development Control Committee and deferred for a site visit. The site visit took place on the 27th September and was attended by members and members of the public. The site visit allowed not only for the site to be viewed in context but also for the traffic during the adjacent school drop pick up time.
- 1.2 During the site visit and confirmed later by email the applicant requested that the decision on the application be deferred so that other access options could be assessed and discussed with the Highway Authority. The developer has subsequently stated the following:

‘Following the consideration of this application at a planning sub-committee site visit, we agreed to consider alternative means of access again and report back.

We have reviewed all the possibilities and discussed these again with the highway authority. We conclude, having weighed up all the considerations, that the application should be determined as submitted with the access from East Anglian Way and including the provision of the school drop off and pick up point as detailed on our most recent site layout plan.’

- 1.3 The application is now presented to members in the same format as previously seen following the unsuccessful exploration of other means of access.
- 1.4 The site comprises 3.80 hectares of land that was formally allotments. The land was previously allocated for housing as part of the 2001 Borough Wide Local Plan and is included within the Strategic Housing Land Availability Assessment as deliverable and developable.
- 1.5 The application site is broadly level, albeit not with all adjoining land, across the site with a large depression towards the western end of the site. The site is bounded to the north by an existing residential development and open space, to the south is Gorleston recreation ground and on the eastern boundary is a school. The western boundary comprises the A47 Gorleston bypass (formally A12) and residential development.
- 1.4 There have been no previous applications on the site.

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

2.1 Neighbours – There were 11 neighbour objections to the application prior to the site visit a further 5 have been received since and a summary is below and examples are attached to this report:

- The road network, near the school, is not adequate to cope with the additional traffic.
- The access is inadequate.
- The construction access for deliveries should be prevented between the hours of 08:30 to 09:15 and 15:30 to 16:15 Monday to Friday due to increased traffic during these times.
- Traffic calming on Church Lane should be included.
- Access off East Anglian Way is not wide enough for emergency vehicles and there will be issues with turning.
- Cars consistently parked on East Anglian Way.
- There is a lot of wildlife that will lose the habitat should the development go ahead.
- How many years will the development go on for, disruption for existing residents.
- Loss of privacy.
- Pest control, what measures will stop the evicted animals from accessing existing residents land.
- Potential flooding.
- Increase in noise and disturbance.
- Loss of green space.

- New dwellings will back onto existing ones at East Anglia Way.
- Loss of views.
- Inability to maintain boundary treatments.
- Can a fence be erected set back to allow access to boundary treatments.
- There should be access points at Spencer Avenue, Colomb Road and across Gorleston Recreation ground.
- Cannot impose double yellow lines on the whole estate.

2.2 Highways – With reference to the amended layout shown on drawing 6783-SL01 rev A, I can confirm that the comments from my earlier response have been accommodated. As a consequence, in relation to Highway matters only, the County Council would not wish to raise an objection to the granting of planning permission subject to conditions. The conditions requested are below

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

SHC 02 No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.

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

SHC 24 Prior to the first occupation of the development hereby permitted the proposed on-site car park and drop off area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

SHC 28 Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

SHC 29A 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 shall be submitted to

and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway 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.

SHC 29B 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 in consultation with the Highway Authority.

SHC 40 No works shall commence on the site until a Traffic Regulation Order for waiting restrictions on East Anglian Way has been promoted by the Highway Authority.

- 2.3 Landscape Officer – The majority of the trees (+95%) of the trees on site are self-sown and are not worthy of preservation. There is a wide variety of tree maturity throughout the site however nothing I would deem to be over 30 years old (most likely due to the site previously being allotments). Any larger trees are on the boundary of the site being developed so will not be affected, some being situated within meadow park which is maintained by the Council.

Overall there are no trees within the site eligible for a specific preservation order however the area is widely used for dog walking etc and is a massive natural resource that would be a shame to lose in its entirety. Having said that there looks like there is a patch which will be left in the south east corner of the development.

- 2.4 Building Control – no objection.
- 2.5 Environmental Health – No objection to the application, condition requesting that prior to the commencement of the development a Phase 2:Site Investigation report is submitted, with risk assessment to the Local Planning Authority. The full wording of the condition to be applied is within the consultation response.
- 2.6 Strategic Planning – No comments received.
- 2.7 Lead Local Flood Authority – We have **no objection subject to conditions being attached to any consent** if this application is approved. We recognise that the Local Planning Authority is the determining authority, however to assist, we suggest the following wording:

Condition:

Prior to commencement of development, in accordance with the submitted documents a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. Detailed infiltration testing in accordance with BRE Digest 365 at depths and locations of proposed drainage structures should the depth or location of any drainage structure changes.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event.

III. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:

- 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
- 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

IV. The design of the attenuation devices will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.

V. 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

2.8 Environment Agency – No comments received.

2.9 Anglian Water – No objection to the application. The sewerage system at present has available capacity for these flows. From the details submitted to support the planning application the method of surface water management does not affect Anglian Water operated assets.

2.10 Norfolk Fire Service – No objection provided that the proposal complies with the current building regulations.

Norfolk Fire Services have indicated that the proposed development will require 1 hydrant per 50 dwellings (on a minimum 90-mm main) for the residential

development at a cost of £815 per hydrant. The number of hydrants will be rounded to the nearest 50th dwelling where necessary. This development would require 2 fire hydrants at a total cost of £1,630.

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

- 2.11 Essex and Suffolk Water – No objection.
- 2.12 Police Architectural Liaison Officer – Comprehensive comments received giving advice on security of the development.
- 2.13 Library Contribution - A development of 71 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of the library. It has been calculated that a development of this scale would require a total contribution of £5,325 (i.e. £75 per dwelling). This contribution will be spent at Gorleston library.
- 2.14 Norfolk County Council Education - It is understood that the proposed development comprises of 71 multi-bed houses, which will generate:
1. Nursery School – 7 children (2 – 4);
 2. Infant School – 9 children (4 – 7);
 3. Junior School – 10 children (7 – 11);
 4. High School – 12 children (11 – 16);
 5. Sixth Form – 1 child (16-18).

The current situation at local schools is as follows:

School	Capacity	Numbers on Roll (Jan 2017)	Spare capacity No. of places
Wroughton Infant Academy (4-7)	270	263	+7
Wroughton Junior Academy (7-11)	342 (excluding mobiles)	310	+32
Lynn Grove Academy (11-16)	1150	1037	+113

Ormiston Venture Academy (11- 16)	944	788	+156
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Although there is some spare capacity at Wroughton Infant School, taking into account the pending applications in Table 4 (within full consultation response), a total of 207 dwellings (including the Land at the rear of St. Mary's School site) would generate an additional 25 infant school age (4-7) children and there would be insufficient places at Wroughton Infant School for children from this proposed development should it be approved. Therefore Norfolk County Council will be seeking Education contributions as follows:

Wroughton Infant Academy: $9 \times £11,644 = £104,796$

The contributions will be used to fund the following project:

- Wroughton Infant Academy – contribute to improvements to increase permanent capacity of school (Project A).

2.15 Historic Environment Service – The proposed development site occupies a previously undeveloped area of land at the north eastern end of the Lothingland peninsula. The built-up nature the site's surroundings mean that few archaeological finds have previously been recorded in the immediate vicinity of the site. However, multi-phase cropmarks and artefactual evidence recorded further to the south and west indicate that the wider area was intensively utilised during the prehistoric and Roman periods. It is likely that this intensive use of the landscape extended toward the river beneath what is now modern Gorleston. Consequently there is potential that previously unidentified heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance would be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 141. We suggest that the following conditions are imposed:-

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

records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and,

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

and,

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

2.16 GYB Services – No comments received.

2.17 GYBC Property Services – No comments received, copy of the option to purchase provided.

2.18 The Diocese – Confirmation by email that they are to be gifted the car park and will take over responsibility of such.

2.19 Norfolk County Council Minerals – No comments received.

2.20 Local Authority 106 requirements – In order to be policy compliant, 40 square metres of usable public open space is normally to be provided per dwelling. Payment in lieu of public open space to be calculated at £12 per square metre shortfall (equates to £480 per dwelling if none provided). In this location, given the proximity to existing public open space no public open space is being sought. There is open space identified on the plans and this can be provided, at the decision of the developer, and it can be private or public although the Borough Council will accept no liability for future maintenance at any time; should the space be private open space payment in lieu of public open space shall be sought at £480 per dwelling.

Payment in lieu of children's recreation equipment is £920 per dwelling. Given the location of the development, no children's play equipment is being requested and as such no mitigation is offered to offset the payment.

The Local Planning Authority will not accept liability for the open space, drainage, roads (this does not preclude highway adoption by agreement) or private drives and as such should the resolution be made to approve this development the requirement will be on the developer to secure future maintenance by

management agreement and agreed nominated body. This shall be included within the s106 agreement.

Affordable housing at 20% with type and tenure to be agreed through negotiation during 106 should the application gain resolution to approve. 20% has been stated as agreed within supporting information.

In order to comply with policy CS14 and the draft Natura 2000 monitoring and mitigation strategy £60 per dwelling is sought to go towards the monitoring or implementation of mitigation measure for designated sites.

3 Local Policy :-

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

3.2 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

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

3.4 Policy HOU7

New residential development may be permitted within the settlement boundaries identified on the proposals map in the parishes of Bradwell, Caister, Hemsby, Ormesby St Margaret, and Martham as well as in the urban areas of great Yarmouth and Gorleston.

new smaller scale residential developments* may also be permitted within the settlement boundaries identified on the proposals map in the villages of Belton, Filby, Fleggburgh, Hopton-on-Sea, and Winterton.

In all cases the following criteria should be met:

(a) The proposal would not be significantly detrimental to the form, character and setting of the settlement;

(b) All public utilities are available including foul or surface water disposal and there are no existing capacity constraints which could preclude development or

in the case of surface water drainage, disposal can be acceptably achieved to a watercourse or by means of soakaways;

(c) Suitable access arrangements can be made;

(d) An adequate range of public transport, community, education, open space/play space and social facilities are available in the settlement, or where such facilities are lacking or inadequate, but are necessarily required to be provided or improved as a direct consequence of the development, provision or improvement will be at a level directly related to the proposal at the developer's expense; and,

(e) The proposal would not be significantly detrimental to the residential amenities of adjoining occupiers or users of land.

- 3.5 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.

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

- 4.1 The presumption in favour of sustainable development is set out under paragraph 4.
- 4.2 Paragraph 49: Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 4.3 Paragraph 50 states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
 - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
 - where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or

make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.

- 4.4 Paragraph 42: The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extension to existing villages and towns that follow the principles of Garden Cities. Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development.
- 4.5 Paragraph 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should: (partial)
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
 - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 4.6 Paragraph 186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.
- 4.7 Paragraph 187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

5 Core strategy – Adopted 21st December 2015

- 5.1 Policy CS1: Focusing on a sustainable future. For the Borough of Great Yarmouth to be truly sustainable it has to be environmentally friendly, socially inclusive and economically vibrant not just for those who currently live, work and visit the borough, but for future generations to come. When considering development proposals, the Council will take a positive approach, working positively with applicants and other partners to jointly find solutions so that proposals that improve the economic, social and environmental conditions of the borough can be approved wherever possible. To ensure the creation of sustainable communities, the Council will look favourably towards new development and investment that successfully contributes towards the delivery of (partial of a – f):

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

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

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

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

5.2 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. (partial a-e)

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

- Approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth

5.3 Policy CS4: Delivering affordable housing. This policy sets out the thresholds for the provision of affordable housing. The site is within affordable housing sub-market area 1 Gorleston delivering 20% affordable housing.

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

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

d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought.

f) Make certain that new developments for which a planning obligation is necessary does not take place until a planning obligation agreement has been secured and approved. Payments should be made in a timely and fair manner to minimise the impact on existing services and infrastructure

6 Appraisal

- 6.1 The site is located within the urban area of Gorleston, between the A47 (formally A12, Lowestoft Road) and off East Anglican Way, and shares its southern boundary with GO04. The site was previously used as allotments and remains vacant since this use ceased. The area is generally level, although partly overgrown in places. The site lies in the heart of Gorleston and surrounding land uses are predominantly residential, although directly south of the site lies a recreation ground.
- 6.2 The site is within Gorleston which is considered to have good access to a range of facilities such as secondary schools, a range of shops and services and medical facilities. In terms of highways and access, Norfolk County Council implied during the Strategic Housing Land Availability Assessment that the site was unacceptable and that no further development should take place from East Anglican Way however there are no objections from highways to the current application and therefore the access is deemed acceptable. It was further commented that the site could only be developed in conjunction with site GO04 (Gorleston Recreation Ground) with access off Church Lane. In terms of environmental suitability, Anglian Water had indicated that there are major constraints with regard to sewerage infrastructure such as flow attenuation for foul water connections may be required. There is also no capacity for surface water sewers therefore alternative drainage measures such as SuDS may need to be explored where appropriate.
- 6.3 The site is an existing housing allocation in the Borough-Wide Local Plan (2001) and is in single ownership (Great Yarmouth Borough Council). It was confirmed by the Borough Council on 27/6/14 as part of the Strategic Housing and Availability Assessment that the intentions to develop the site remained and that dialogue between the Borough Council and a potential developer was on-going in a positive manner.
- 6.4 Since allocation in the 2001 Local Plan for housing and reassessment as part of the Strategic Housing Land Availability Assessment it was determined that the site is potentially suitable, available and achievable and could yield approximately 117 dwellings over the short to medium term.

7 Assessment :-

- 7.1 The application is a full application for the erection of 71 dwelling housing with associated open space and infrastructure. The site has been an existing housing land allocation since 2001 and has been re-assessed as part of the Strategic Housing Land Availability Assessment 2014 (SHLAA) the SHLAA found the site deliverable and developable and noted constraints which have been considered as part of this application.
- 7.2 The access proposed for the development will be off East Anglia Way. There will be a separate access for construction traffic to access the development which will be off Church Lane. This access will be over the existing recreation land and permission will be granted, in consultation with Fields in Trust, by licence through Great Yarmouth Borough Councils Property Services Department, as a temporary access. Fields in Trust have confirmed that the access proposal is approved in principle and will be confirmed should permission be granted upon receipt of the planning permission and licence agreement.
- 7.3 East Norfolk Sixth Form College have commented on the application stating that the construction access at Church Lane should be restricted to hours outside the hours that students arrive and depart the college. The hours that they have requested that the access is restricted are between 08:30 – 09:15 and 15:30 - 16:15. Although the highway authority have not stated that these restrictions are necessary given the small periods of time that the restrictions are requested such a restriction would mitigate the developments impact during construction at this section of the highway. The applicant has agreed to the restriction of vehicles utilising the construction access to these times. The College has also requested off site highway safety improvements. As the construction traffic is to be temporary and further improvements have not been deemed necessary by Norfolk County Highways further mitigation measures are not requested.
- 7.4 The access to the development is proposed as a singular access off East Anglian Way. The access road leads to the proposed development and a new proposed car park and drop off point. The car park and drop off point as proposed are for the adjacent school to seek to alleviate the congestion that is stated to occur on East Anglian Way during school drop off and pick off times. There will be a pedestrian access from the drop off point and the car park to the school. The car park will be gifted by the developer to the school and the agreement to take over the car park has been confirmed by email from the diocese.
- 7.5 The primary objection from residents is that the access is not suitable and that there are high levels of traffic during the drop off and pick up times for the school. Norfolk County Highways are satisfied that the access as proposed is suitable to serve the development, provided that the requested conditions are placed upon

any grant of planning permission, and as such there are no highways reasons to refuse the application. It is understood that the schools drop off and pick-ups increase the level of traffic in the vicinity and the provision of the car park and drop of point which would be secured by condition, would go towards mitigating the existing issue.

- 7.6 A number of objections note the value of the existing site and the wildlife that is present on the site. The biodiversity and protected species report did not identify any rare or protected species and notes that the land is not appropriate for a number of protected species. The report does note that the survey was carried out in January and as such reptiles would be unlikely to be found. It is therefore recommended that an additional survey is carried out during an appropriate time of year and, in line with the report, that should specific species be found (common lizards or slow worms), they are transferred to another site with suitable habitat within the same geographic location prior to the commencement of the development.
- 7.7 Further objections to the loss of habitat have been made. The Local Authorities Landscape Officer did not deem any tree worthy of retention by protection and therefore while urban pockets of wild growing may be a locally desirable addition to an area this is not of such value and does not provide habitat for protected species and is therefore not a reason to refuse a development within a sustainable location that has been allocated for housing for a period in excess of 16 years.
- 7.8 The biodiversity report suggests that any site clearance is carried out outside of the nesting season and that swift nesting boxes are attached to or incorporated into the design of the housing in 5% of the dwellings proposed. It is further suggested that external multi occupancy house sparrow boxes be incorporated to the development to increase the availability of nesting sites. This recommendation could be secured by condition to allow for the number and type of boxes to be submitted to the Local Planning Authority for approval and the installation to occur prior to the occupation of the dwelling to which the box relates.
- 7.9 An objection has been submitted from a resident of Spencer Avenue, no.56, regarding overlooking. There is a significant difference in levels from the proposed site and the existing dwellings however following discussions with the applicant plot 50 of the development site has been amended to be a bungalow and should thus mitigate any overlooking concerns from this plot. The other two storey houses are placed at such an angle that the overlooking is not so significant, when also taking into account the difference in land levels, to warrant a recommendation for refusal.

- 7.10 Neighbour objections have stated that access for fence maintenance should be allowed. The maintenance to fences will, should the proposed development be approved, still require access over third party land, currently the Local Council. The ownership of the land will change from the Council to the developer to the owners of the plots however the land is still within third party ownership which will not change.
- 7.11 There is a large depression on the site (identified on plans as 'pit') which, according to the biodiversity report, does not hold water. There is no indication that the pit forms any part of any on site drainage nor is it proposed that it will. The finished levels in relation to the pit can be required by condition to be submitted.
- 7.12 Anglian Water have stated that there is sufficient capacity for the foul sewerage to be accommodated within the existing network. The Flood Risk Assessment and Drainage Strategy submitted with the application states that the ground conditions are suitable for infiltration drainage. The Lead Local Flood Authority (LLFA) have stated that they are satisfied that the infiltration tests demonstrate that the site has favourable infiltration conditions and that the drainage strategy is sufficient. The LLFA have requested that a condition be placed upon any grant of planning permission which is detailed at 2.7 of this report.
- 7.13 The location of the site is a sustainable one being located within the urban area of Gorleston. The site is within accessible distance of shops, schools and all other amenities that could be required. The design of the development has sought to mitigate the impact on the nearby properties. Objections regarding loss of view and impact on property value are noted although no weight is able to be applied as these are not deemed material planning considerations. In accordance with the National Planning Policy Framework, in particular paragraph 187, Local Planning Authorities should work proactively with developers and seek to recommend approval of sustainable developments such as this. Paragraph 186 of the National Planning Policy Framework highlights the importance of the relationship between the development plan and decision taking. This site formed part of the last Local Plan and is currently assessed through the SHLAA as a deliverable and developable site demonstrating a continued interpretation of suitability for development.
- 7.14 The site is located adjacent to St Mary's Roman Catholic School and the applicant has, as part of the development, agreed to construct the drop off point and car park to be gifted to the school. This shall be secured by way of s106 agreement which shall be completed and ensure the transfer of the car park and drop off point (if not adopted by Norfolk County Council Highways (drop off point only)) to the diocese/school prior to the occupation of the 10th dwelling on the site. This shall ensure that there are no liabilities left with the Local Planning Authority for

the maintenance or upkeep of the car park or drop off point. In addition to this contribution Norfolk County Council are seeking an education contribution detailed at 2.14 of this report with the full request within the consultation response for £104,796 for improvements to Wroughton Infant Academy.

- 7.15 The standard policy requirement on major developments is to request the provision of on-site open space to ensure that adequate amenity space is provided for future occupants. For the application site, the open space that would be required would amount to 2,840 square metres. The application site is bounded by a large expanse of public open space to the south, Gorleston Recreation ground, which is maintained by Great Yarmouth Borough Council and is approximately 38,000 square metres in area. In addition, there is a children's play area at East Anglian Way and an area of public open space 'Meadow Park', approximately 15,890 square meters in area, to the north of the site. Given the specific location, and the open space nearby, it is not deemed necessary for there to be any open space provided on-site. As shown on the submitted plans, open space is being offered by the applicant; however, in this instance, the space could be provided as private open space with payment in lieu of provision at a rate of £480 per dwelling being paid. Should the developer wish to provide the open space as public open space and this option is accepted by the Committee, the resolution should include the fact that the Local Authority will take no ownership nor liability for the open space and the s106 agreement would secure the provision of a management company to manage the open space in perpetuity.
- 7.16 The Local Authority requirements detailed at 2.20 of this report are required to ensure that the Core Strategy is complied with. The s106 agreement shall also include the criteria for the management of the open space, drainage and private drives to ensure that the Local Planning Authority does not incur any responsibility nor liability for these at any point in the future should the open space be put forward as public. All other requirements as detailed as required to ensure a policy compliant development shall be included within the s106 agreement including affordable housing at 20%, open space provision, library contributions and payment in lieu of children's play and, where required, open space payment in lieu of policy compliant usable public open space as detailed at 2.20.
- 7.17 And important factor when determining applications is whether a Local Authority has the ability to demonstrate a 5 year housing land supply. If a local planning authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". As an authority we would then be significantly less able to resist all but the most inappropriate housing development in the area without the risk that the decision would be overturned at appeal under the presumption in favour of sustainable

development, as set out in the National Planning Policy Framework. The current application accords with the National Planning Policy Framework and is sustainable development in addition to being allocated for housing and in compliance with Local Planning Policy.

- 7.18 The Core Strategy identifies approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth. The application, being located on a site identified for housing with no objections from statutory consultees excluding neighbours and located within a sustainable location accords with saved policies of the Borough Wide Local Plan, the Core Strategy and the National Planning Policy Framework.

8 RECOMMENDATION :-

- 8.1 The recommendation is to approve the application subject to conditions as recommended by consulted parties and those deemed appropriate, whether expressly noted within this report or not, to ensure a satisfactory form of development and obligations as set out by Norfolk County Council and Great Yarmouth Borough Council. Should members be minded to approve the application the recommendation is such that the permission is not issued prior to the signing of an agreement under section 106 for provision for infrastructure, mitigation, affordable housing, payment in lieu of children's play equipment, open space, Natura 2000 contributions and payment in lieu of open space if required and management agreement with the Local Authority taking no responsibility for open space, drainage or private drives.

Gemma Manthorpe

From: Helen Bates <~~helen.bates@diocese.org.uk~~>
Sent: 28 July 2017 13:43
To: Gemma Manthorpe; 'head@smspprimary.norfolk.sch.uk'
Subject: RE: Planning application at Land Rear St Marys Roman Catholic School / Land off East Anglian Way 06/17/0247/F

Hi Gemma,

Yes, I can confirm the car park will transfer into the ownership and responsibility of the Diocese of East Anglia.

Regards,

Helen

From: Gemma Manthorpe [mailto:Gemma.Manthorpe@great-yarmouth.gov.uk]
Sent: 28 July 2017 10:51
To: Helen Bates ; ~~helen.bates@diocese.org.uk~~
Subject: Planning application at Land Rear St Marys Roman Catholic School / Land off East Anglian Way 06/17/0247/F

Good morning,

I have been passed your email address by Mrs Long, copied into this email, following a discussion regarding the planning application adjacent your site the submitted details state that the car park will transfer to your ownership and therefore responsibility. I am requesting advice from our solicitors as to how this will be secured but would appreciate your confirmation this is the case? If there is any action required in relation to yourselves I will let you know.

I am happy to discuss the application and answer any questions that you have, I thank you for your cooperation regarding this matter.

Best regards,

Gemma Manthorpe LLB (Hons)
Senior Planning Officer
Great Yarmouth Borough Council

Telephone: 01493 846 638
E-mail: gm@great-yarmouth.gov.uk

Website: www.great-yarmouth.gov.uk
Correspondence Address: Town Hall, Hall Plain, Great Yarmouth, Norfolk NR30 2QF

Great Yarmouth Borough Council - Customer Focused, Performance Driven

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

06/17/0247/F

Elaine Helsdon

From: Tracey Kelly - [REDACTED]
Sent: 20 May 2017 11:29
To: plan
Subject: Re: Planning for housing estate off East Anglian Way.

To whom this concerns,

I'm forwarding email below.
Hope it reaches correct department.
Please reply to inform of acknowledgment.

Thanks
Tracey Kelly

- > On 16 May 2017, at 12:10, Tracey Kelly [REDACTED]
>
> To Cllr Fairhead,
>
> Building plans for the housing estate off East Anglian have been brought to our attention.
> We live on the entrance of East Anglian Way to side of the junction. 132 Church Rd.
> We would like to object to East Anglian Way being used to enter into the proposed housing estate.
> With a busy school along the entrance road and general congestion we feel the extra traffic would be disastrous!
> With personal opinion from living, parking and driving around the entrance area, the congestion at school and work times is already unacceptable.
> I have three school children and generally of a morning i will wait five minutes at least to reverse out onto East Anglian Way, after giving way to traffic and pedestrians.
> With the amount of houses proposed that would have to use this access bearing in mind on average two cars per house, the extra congestion could also be unsafe for children that are often biking and walking without parents.
> There is quite often school coaches, delivery vans and lorries entering this way also.
> We are not against the building of the estate but the proposed access would NOT work.
>
> Hope our views and input are took on board, they should be valuable to any decision as we've lived here seven years and feel this is a true, fair and strong opinion and objection.
>
> Kind regards,
>
> Tracey Kelly, Christian Dimascio and family.

Internet Consultees

Application Reference **06/17/0247/E**

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name **Joseph Santori**

Address **East Norfolk Sixth Form College**

Church Lane

Gorleston

Great Yarmouth

Post Code **NR31 7BQ**

Telephone

Email Address

For or Against **NOS** Subject to Condition

Speak at Committee

8:00 and 4:30pm Monday to Friday only. We would request that deliveries be prevented from 8:30am until 9:15am and 3:30pm until 4:15pm Monday until Friday due to the increased traffic at these times. The additional vehicles using Church Lane because of the development will increase the risks to pedestrians, cyclists and motorists in the area. Given the proximity of the proposed access on Church Lane to the main College vehicular entrance, there is an increased likelihood of accidents involving the users of Church Lane. We would therefore ask that the Borough Council / Highway Authority consider that the planning consent include traffic calming measures or a pedestrian crossing on Church Lane as a safety improvement measure for local residents and the students and staff of the College.

Date Entered **12-05-2017**

Internet Reference **OWPC1118**

Internet Consultees

Application Reference 06/17/0247/E

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name John Bebbington

Address 9 East Anglian Way

Gorleston

Great Yarmouth

Post Code NR31 6TY

Telephone

Email Address

For or Against NOS Subject to Condition

Speak at Committee

As a resident in EAW and head coordinator of the East Anglian Way Neighbourhood Homewatch, which has also acted as a residents association, I have been very actively involved in the development of various traffic and housing plans for East Anglian Way.

The main objection has always been the problem of access. This has not improved since raising it with GYBC in 2002. At that time it was only the school traffic blocking access as well as backing up into Church Road. A school travel plan did not succeed in solving the problem. This was before the proposed plans for the future development of the land adjacent to the school and EAW were publicised. From 2009 onwards various suggestions were proposed.

Date Entered 11-05-2017

Internet Reference OWPC1115

Internet Consultees

Application Reference 061170247/E

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name John Bebbington

Address 9 East Anglian Way

Gorleston

Great Yarmouth

Post Code NR31 6TY

Telephone

Email Address

For or Against NOS Subject to Condition

Speak at Committee

by yourselves which eventually foundered on the access problem - and the size of the development of the area - figures ranged up to 140 dwellings and the effect this would have on the local residents, pupils and local traffic in the area. The revised plan by Badger Homes showed a welcome sympathetic understanding of the residents concerns but it also highlighted the need for a second access point to the area. The proposal to have school drop-off/collection parking area was welcome but as the only access route would be down EAW and through the very narrow road between 9 and 11 a number of the residents did not see this as an improvement, on the contrary traffic would be heavier due to the housing and the expansion of the school. The removal of the surgery would not have any real benefit.

Date Entered 11-05-2017

Internet Reference OWPC1115

Internet Consultees

Application Reference 06170247/E

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name John Bebbington

Address 9 East Anglian Way

Gorleston

Great Yarmouth

Post Code NR31 6TY

Telephone

Email Address

For or Against NOS Subject to Condition

Speak at Committee

The new plan as proposed has merits , especially in listening to residents worries about the amount of housing and types backing on to the existing EAW residents. The problem however of access remains. The amount of traffic at school times will be both hazardous for traffic in Church Road and dangerous for children walking to school, especially as school traffic will (or should) be moving in a very confined area.

The above are my own views but not surprisingly reflect at least some of our residents.

AS BEFORE ACCESS IS THE MAIN PROBLEM HERE - IT STILL NEEDS TO ADDRESSED.

Date Entered 11-05-2017

Internet Reference OWPC1115

S

Jill K. Smith

From: Tracey Kelly
Sent: 28 September 2017 11:34
To: plan
Subject: Extn of East Anglian Way
Attachments: Video.MOV

To whom it may concern,
06/17/0247/F

After attending a site visit in regards to the above application, I was initially pleased to hear the drop/pick up point to St Mary's Roman Catholic school would be relocated to attempt to ease the flow of the traffic, which is presently a major problem. But this I regret to say will not resolve the congestion problem as by doing so it won't change the amount of traffic passing through the entrance of East Anglian Way. The traffic will only be increased with the 71 extra dwells proposed which will also be using this entrance and exit. By using this one entrance and exit it's clear to see from attachments enclosed the driving, parking, pedestrians and residents will suffer. This video enclosed is an example of a regular occurrence.

The stress of the congestion effects all involved and personally I've had damage to my fencing from cars reversing into my fence/driveway. As you can see from the video drivers will use my driveway if there is a space to park. My car is often blocked in which results in my three children being late for school. I generally leave extra early and hold back going straight home to avoid congestion. I can accept this what with living close by a school. My children attend Wroughton Academy, my school run has never seemed as hectic as St Marys!

Children on cycles have to weave around parked cars up on pavements and on double yellow lines. There's no consideration from drivers and no safety for the children.

Hope my views can be put to positive use in the positioning of entrances for the housing estate.

Kind regards,

Tracey Kelly
132 Church Rd
Gorleston.

Sent from my iPhone

Jill K. Smith

From: Gemma Manthorpe
Sent: 28 September 2017 16:20
To: plan
Subject: FW: Planning Application 06/17/0247/F

Gemma Manthorpe LLB (Hons)
Senior Planning Officer
Great Yarmouth Borough Council

Telephone: 01493 846 638
E-mail: gm@great-yarmouth.gov.uk

Website: www.great-yarmouth.gov.uk

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

Great Yarmouth Borough Council - Customer Focused, Performance Driven

It takes 24 hours to print this email. Do you really need to print this email?

From: paul to [redacted]
Sent: 28 September 2017 16:05
To: Gemma Manthorpe
Cc: Barbara Wright; Marlene Fairhead
Subject: Planning Application 06/17/0247/F

I attended a site meeting held at 2.30pm on 27/9/18 at East Anglian Way, Gorleston, at the invitation of Cllrs. Wright & Fairhead, who suggested that if I had any issues to raise about the above planning application that I needed to attend this meeting.

I tried to raise the issue that to have only one vehicle access to both enter and exit a housing estate of over 160 family homes will create serious congestion and danger for residents and visitors alike, and in my opinion increase the possibility of a serious accident. I tried to explain that there are other roads of a similar nature to East Anglian Way that adjoin the site and could be opened up to give permanent additional access to the site.

The meeting was addressed by a representative Badger Building Ltd., who stated that access to the area had been planned in conjunction with Norfolk County Council, Highways Dept. experts who had agreed that only one road used as a both entrance and exit was required.

Along with Cllrs. Wright & Fairhead, I find it inconceivable that the authorities could find that the proposal is OK. I hope that it was clearly visible to the members of the planning committee at the site meeting that at peak times the whole area is inaccessible due to the current level of traffic entering and exiting.

I hope that planning permission is not given until a plan showing more and safer road access to the area is submitted. The vendors and developers of this land have a chance to provide a plan that eases problems in the area and does not compound an already difficult traffic flow problem

Regards

Paul Todd
50 East Anglian Way



LOCATION PLAN
1:1000 @ A1 SIZE

NOTES

The Client of this design is responsible for the accuracy of the information provided in this form.
Where dimensions are not stated, the Client is responsible for the accuracy of the information.
Dimensions are to be taken to the centre of the line unless otherwise stated.

SPECIAL NOTES

As the design progresses, the Client is responsible for the accuracy of the information provided in this form.
Where dimensions are not stated, the Client is responsible for the accuracy of the information.
Dimensions are to be taken to the centre of the line unless otherwise stated.

REVISIONS

DATE

CLIENT

BADGER
setting the standards

PROJECT

LAND OFF EAST ANGLIAN WAY,
GORLESTON,
NORFOLK.

DRAWING TITLE

LOCATION PLAN

SCALE: 1:1000 @ A1. DATE: SEPT 2017

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