

Reference: 06/18/0707/O

Parish: Gorleston

Officer: Gordon Sutherland

Expiry Date: 15-03-19

Applicant: Pleasure and Leisure Corp PLC

Proposal: Proposed residential development of up to 97 dwellings. Including open space, new and enhanced pedestrian, cycle and vehicular access, associated infrastructure, landscaping, and ancillary development. Demolition of existing football stadium and grounds, club house, associated buildings, structures and infrastructure.
ref: 06/180/0707/O

REPORT

1. Background

- 1.1** This is an outline planning application for a major residential development. Permission in principle is being sought including the point of vehicular access which is shown taken off Woodfarm Lane. Reserved matters of Appearance, Landscape, Layout and Scale would require approval in future if outline permission is granted. An indicative layout for 97 dwellings has been submitted as part of the application.

2. Site and Context

- 2.1** This site is 2.4 hectares (5.9 acres) in an area. It is located to the south-west of the built-up area of Gorleston-on-Sea. Land immediately to the north and east of the site is currently used as the Magdalen Recreation Ground with residential and commercial development beyond. To the south lie allotments, beyond which is the James Paget University Hospital. Westwards the land comprises major new residential development that is currently being built as part of the South Bradwell urban extension (Wheatcroft Farm), with the rest of the Beacon Business Park area located beyond to the south. The site is currently in use as the ground for Gorleston Football Club.
- 2.2** The site is well related to existing services and facilities in Gorleston-on-Sea. It is within walking distance of primary and secondary educational facilities, the James Paget University Hospital, as well as other facilities and amenities accessible by regular public transport. New community and retail facilities are also planned nearby as part of the South Bradwell urban extension and proposed Beacon Park District Centre.

3. Proposal

- 3.1 The proposal is for the demolition of the football stadium, clubhouse and associated structures and for the development of the property for housing. An illustrative site plan shows a typical mix of 1 and 2 bed flats and 3 and 4 bed houses that have been used to model the financial viability of developing the site. Supporting information provided with the application which can be viewed on-line includes:

Topographical Survey; Design and Access Statement; Habitats Regulation Assessment (HRA); Preliminary Ecological Appraisal (PEA); Noise Impact Assessment; Flood Risk Assessment and Surface Water Drainage/SUDS Strategy; Ground Investigation Report; Transport Assessment; Travel Plan; Landscape and Visual Appraisal Statement; Air Quality Impact Assessment; and Planning Statement incorporating a Statement of Community Involvement.

- 3.2 A key consequence of this proposal is that should permission be granted the applicant has undertaken to help facilitate the provision of a significant piece of community infrastructure; that is the provision of a multi-sports pitch and ancillary facilities, which is proposed to be located at the East Norfolk Sixth Form College and for which planning permission was granted (15th January 2020, 06/18/0533/F) .
- 3.3 The Norfolk Football Association advises that Gorleston Football Club (GFC) play at Step 5 of the National League System, and therefore have a specific stadia requirement they must meet in order to comply with league rules. GFC are unable to relocate to a typical 11x11 grass pitch located on a playing field. For example, it must meet stadia requirements which include floodlights, access to a clubhouse with FA compliant changing provision for the players and match officials, grandstands, turnstiles and pitch surrounds; also, their stadium must be enclosed.

4. Relevant Planning History

06/80/1066/O - Sports facilities, including social club, football pitch, sports hall and squash courts – Section 52 **Approved** 10/07/1981

06/81/0876/D – Laying out of football pitch and provision of terracing for spectators; highway improvements to Cemetery Road and Woodfarm Lane – **Approved** 11/09/1981

06/20/82/0141/D – Changing facilities, seating and clubroom **Approved** 23/03/1982 Formal variation of Planning Permission 05/07/1985

06/20/0562/F – Temporary social facilities, permanent changing facilities, offices, refreshment bar, toilets and floodlights. (C) 24/06/1982

06/82/674/SW – Construction of a pole mounted transformer supporting underground electricity cables – (see letter 16/09/1982)

06/82/1060/F – Five-a-side training pitch **Approved** 06/12/1982

06/83/0333/F – Site for weekly market **Refused** 05/05/1983

06/83/0442/F – Club house and offices (C) 05/05/1983

06/85/0362/F – Renewal of permission for temporary office, changing rooms and tea stall (C) 22/07/1985
06/87/0699/F – Clubroom and office accommodation, one building single storey (C) 21/07/1987
06/88/0035/F – To build between existing building a beer cellar and storeroom (C) 09/02/1988
06/89/1065/O – Residential development and associated roads, garages, and ancillary works. **Refused** 17/10/1989
06/90/0719/F – Renewal of planning permission no. 06/88/0035/F for beer cellar and storeroom between existing buildings. (C) 26/07/1990
06/90/1268/F New Football and Social Club. **Approved** 11/02/1991

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

5.1 At the time of writing nine letters of objection and one copied letter signed by 11 residents of Edinburgh Avenue have been received with concerns summarised as follows:

- Cumulative impact on services along with other development nearby, on schools, GP, shops
- Loss of open space
- Loss of sports infrastructure for children and adults, a community facility, social amenity, local heritage site
- Loss of football stadium, replacement not guaranteed
- Where will the football ground go? Will there be a stadium elsewhere? Who will pay?
- Sets a precedent for similar proposals
- Report says need an archaeology study before development starts
- Extra traffic, there is congested parking on the Magdalen Estate, poor public transport means travel by car
- Traffic will conflict with cyclists and pedestrians that use Woodfarm Lane
- Layout and density inappropriate

Consultations – External

Norfolk County Council

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

5.3 Highways –The Highways Authority (HA) requested that the applicants demonstrate adequate forward visibility is available for vehicles turning right into the site. Amended plans have addressed this matter. The HA also requested that footway improvements be provided in the vicinity to the north along connecting to Woodfarm Lane beyond the road closure. The HA considered that the shortest and most direct route from the site to the primary school will be via Woodfarm Lane and Oriel Avenue and that this development should provide a footway along the southern side of Oriel Avenue to the school entrance so that pedestrians are not crossing over to and then crossing back from the footway. The applicant is not agreeing to this and this

matter is considered in the assessment section of the report. The HA provides further general comments for consideration when the development layout is designed as part of any reserved matters application.

- 5.4 **Archaeology** – Advises that based on records there is the potential of buried archaeological remains on the site which would be affected by the development. If permission is granted a condition is recommended for site investigation analysis and recording in accordance with an approved programme of works.
- 5.5 **Flood** - Norfolk County Council as Lead Local Flood Authority raise no objection subject to detailed designs of surface water drainage to be submitted, agreed and implemented prior to first occupation of any development. Matters to be addressed in the design are specified.
- 5.6 **Infrastructure Requirements**- No education contribution currently as there is enough spare capacity within schools. One fire hydrant per 50 houses will be required at the cost of £843 per hydrant. A contribution of £7,275 (£75 per dwelling) for stock to increase the capacity of the library. A green infrastructure payment of £200 per dwelling has been requested for resurfacing works being undertaken on Public Rights of Way within the vicinity, primarily Bradwell Bridleway 7 (known as Jews Lane) to the north of Woodfarm Lane. Works are recommended to ensure surfaces are more sustainable and to withstand usage of new developments in the area. Bridleways 7, 10 & 16 and Footpath 20 when combined with minor roads provide a local, short, circular walking or cycling route for residents.
- 5.7 **Health Authority** – Has assessed that the development will have an impact on the delivery of healthcare in the catchment area of the development and seeks a contribution of £155,676 towards capital funding to increase capacity in the form of bed-spaces and floorspace at primary care facilities at the local medical centre(s) and at the acute hospital (James Paget University Hospital) approximating to 170 residents.
- 5.8 **Anglian Water** – Advise the sewerage system has capacity via gravity connection to the existing public sewer, Surface water should be to a sustainable drainage system (SuDS)
- 5.9 **Essex and Suffolk Water** – no objection, water connection should be made to its company network
- 5.10 **Cadent – Gas and Electricity Networks** – no objection
- 5.11 **Norfolk Constabulary – Designing out Crime** – Considers that the indicative layout provides excessive footpath permeability through the site from Woodfarm Lane, along and between dwelling into the recreation ground that will encourage criminal access and anti-social behaviour. Advice is given to provide secure boundary treatments and in relation to provide over-looking in the design of the open spaces shown in the indicative layout. As noted, layout is a reserved matter and not the subject of this outline application.

- 5.12 Natural England** - Recommend a financial contribution of £110 per dwelling to Great Yarmouth Borough Council's adopted Habitats Monitoring and Mitigation strategy to mitigate in-combination impacts of recreational disturbance to designated sites, as advised in the HRA submitted with the application. It also provides advice how to enhance the environment as part of any development including provision of onsite recreational space where possible.
- 5.13 Sport England (SE)** Where a development prejudices or leads to the loss of land being used as a playing field consultation with the SE is a statutory requirement. SE considers proposals in accordance with National Planning Policy Framework (NPPF) paragraph 97 and would oppose the granting of planning permission for any development that would lead to the loss of a playing field unless it meets one or more of five exceptions. In this case exception 4 states: "The area of the playing field to be lostwill be replaced, prior to the commencement of development by a new playing field:
- of equivalent or better quality, and
 - of equivalent or greater quantity, and
 - is a suitable location, and
 - subject to equivalent or better accessibility and management arrangements"
- 5.14** In this case the playing field to be lost would be one which meets Football Association stadia requirements which include floodlights, access to a clubhouse, FA compliant changing provision for players and match officials, grandstands, turnstiles and a pitch surround also their stadium must be enclosed.
- 5.15** While the applicant does not accept that a replacement facility is necessary, in order to enable a suitable replacement, the applicant has been working with SE and the East Norfolk Sixth Form College to provide a 3G facility at the college. SE therefore support this application subject to the condition that development shall not commence prior to development commencing at East Norfolk College.
- 5.16** In this case SE deem that the loss resulting from the proposed development should be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

Consultation - Internal GYBC

- 5.17 Trees** – Following receipt of this application a tree preservation order was placed on two groups of trees running along the western boundary of the site with Woodfarm Lane because of their high amenity value as groups. The trees are assessed to have a lifespan of 20-30 years. Measures should be put in place to protect the trees during construction.
- 5.18 Affordable Housing** – The site is within south west rural affordable housing submarket. Therefore, in accordance with Policy CS2 a 10% contribution is

normally required equating to 10 units when rounded up. The applicant has submitted a viability assessment, which makes the case that the development would not be viable and for dispensation of this requirement.

- 5.19 Strategic Planning** – Advise that redevelopment of the site will lead to the loss of a community facility which provides welcome sport and recreational benefit to residents. The content of paragraph 97 of the NPPF outlined above by Sport England is reiterated. Proposals which seek the loss of community facilities will be principally judged against Local Plan Core Policy CS15, specifically criteria a) which:

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

- 5.20** The advice contends that the facility is not surplus to requirements (subject to paragraph 97a) of the NPPF because:

The current permitted use of the land at Emerald Park is as a football stadium. The stadium has been used by Gorleston Football Club, though it is understood that the football club has limited funds to continue to rent the facility. This, however, does not mean that a football stadium facility is not required, as the football club is still in existence and requires a facility to play.

- 5.21** The advice continues that the proposed alternative use, for a residential development, should help to provide a suitable replacement football facility for the club. Whether this is achieved by direct re-provision of the site and the facility or by a financial contribution, this should be secured prior to the loss of the Emerald Park facility. A more proportionate response to this issue could be to better align the replacement facility or financial contribution to the financial circumstances of the football club, i.e. that the replacement facility should not necessarily be of equivalent quality (particularly as the football club cannot pay the rent for current the facility), but should be an appropriate alternative facility or a sufficient contribution to provide a facility, either way so that the club can viably make use of.

- 5.22** In accordance with policy CS9(d) Encouraging well designed places and CS16 Improving accessibility, the consultation response also recommends seeking improvement to the bicycle and footway network and considers that the development should be viable to provide developer contributions for other community infrastructure including affordable housing as per policy CS4.

6. Assessment of Planning Considerations: Policy Considerations:

National policy

- 6.1** Paragraph 47 of National Planning policy Framework (NPPF) states: Planning law requires that applications for planning permission be determined in

accordance with the development plan, unless material considerations indicate otherwise. In this case paragraph 63 of the NPPF applies in relation to affordable housing and development viability and paragraph 97 of the NPPF applies in relation to the loss of playing fields.

- 6.2** At present the Council is unable to demonstrate a 5-year supply of deliverable housing sites. Paragraph 11(d) of the NPPF, the lack of five-year supply should weigh heavily in favour of the application unless any adverse impacts of doing so would significantly and demonstrably outweigh benefits when assessed against the policies in the Framework taken as a whole.

Local Policy Adopted Core Strategy 2013-2030

- 6.3** The most relevant policies to this proposal from the Core Strategy are summarised below and the key ones CS14 “Securing appropriate contributions from new developments” and CS15 “Providing and protecting community assets and green infrastructure” are set out in full.
- 6.4** Great Yarmouth Borough adopted Local Plan Policy CS1 - "Focusing on a sustainable future" seeks to create sustainable communities where growth is of a scale and in a location that complements the character and supports the function of individual settlements. This is a major development within an established settlement. In Policy CS2 “Achieving sustainable growth” Gorleston-on-Sea and Great Yarmouth is defined as a Main Town where 35% of new borough wide development is anticipated to be provided in the development plan period to 2030.
- 6.5** As a Main Town, Gorleston-on-Sea is identified in the Core Strategy as a settlement with a wide range of services and opportunities for employment, retail and education. It serves a wider catchment area with high levels of accessibility and public transport provision. In this case the site is located off the sea front adjacent to the town centre having a full range of shops and services.
- 6.6** Policy CS3 - “Addressing the boroughs housing need” which identifies that 7,140 homes need to be delivered in the plan period focussing on accessible areas in line with CS2 it states in subparagraph g) that the Council and partners will seek to 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 CS12 (Utilising Natural Resources).
- 6.7** Policy CS4 - “Delivering affordable housing” In the affordable housing sub-market area 2 (South West Rural) requires schemes to deliver 10% affordable housing which is well integrated with the site.
- 6.8** Policy CS9 “Encouraging well designed distinctive places” which requires proposals to take inspiration from the local character, creating positive relationships with the surrounding area.

- 6.9** Policy CS11 “Enhancing the natural environment” which requires proposals to conserve and enhance the natural environment and biodiversity
- 6.10** Policy CS12 “Utilising natural resources” which requires proposals to maximise energy efficiency, reduce waste and minimise the loss of the most fertile agricultural land
- 6.11** Policy CS13 “Protecting areas at risk of flooding” which requires proposals not to increase flood risk elsewhere and to incorporate SuDS
- 6.12** Policy CS14 Securing appropriate contributions from new developments

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) Ensure that the Council’s Infrastructure Plan is appropriately updated as part of the plan making process
- b) Prepare a Supplementary Planning Document on Planning Obligations to set out the appropriate range and level of contributions, and matters for which they will be sought
- c) Assess all development proposals and encourage early engagement with service/utility providers to establish whether any infrastructure or infrastructure improvements are needed to mitigate the impacts of the proposed development
- d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought
- e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures
- 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

6.13 Policy CS15 Providing and protecting community assets and green infrastructure

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

- a) Resist the loss of important community facilities and/or green assets unless appropriate alternative provision of equivalent or better quality facilities is made in a location accessible to current and potential users or a detailed assessment

clearly demonstrates there is no longer a need for the provision of the facility in the area

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

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

d) Work with our partners to deliver essential strategic community facilities, including supporting projects, such as the continuing development of the James Paget University Hospital, to meet current and future needs

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

f) Ensure that all new developments contribute to the provision of recreational green space and incorporate improvements to the quality of, and access to, existing green infrastructure in accordance with local circumstances

g) Safeguard the natural beauty, openness and recreational value of the borough's beaches and coastal hinterland

6.14 Policy CS16 "Improving accessibility and transport" seeks to make best use of existing transport infrastructure and promotion of sustainable forms of travel by directing development to locations towards the most sustainable locations

Final Draft Local Plan Part 2

6.15 The Local Plan Part 2 includes the site within the settlement limits for Gorleston-on-Sea and Great Yarmouth. Policy GSP1: "Development Limits" repeats and reinforces existing spatial policy stating "development will be supported in principle within the Development Limits except where specific policies in the Local Plan indicate otherwise.

6.16 Policy UCS3: "Adjustment to Core Strategy Housing Target" recognises that the housing requirement over the plan period needs to be reduced to reflect the objectively assessed need as updates from 7140 units to 5303 new dwellings, this has the effect of giving the Borough a five year housing supply reinforced by recent approvals for outline permission on housing land allocations within the emergent plan and therefore removing the lack of supply argument, upon adoption. This remains to be tested by the Planning Inspectorate early next

year and in this case the site is one that is being promoted by the Local Plan Part 2 and would deliver 97 homes towards this target.

6.17 The Draft Local Plan part 2 contains the site specific policy, Policy GN2: Emerald Park, Gorleston-on-Sea which sets out the policy position for a housing allocation at Emerald Park which has been prepared as part of the plan making process in consultation with the community. It should be noted that the draft policy is the subject of outstanding objections and does not have the weight of the aforementioned adopted policies of the core strategy. Nevertheless, the draft policy provides useful context for consideration of the application and is set out in full below. How the application responds to it and the supporting text of the final draft plan is set out in the assessment section of this report.

Policy GN2: Emerald Park, Gorleston-on-Sea

Land at Emerald Park Football Ground (2.3 Hectares) as identified on the draft Policies Map, is allocated for approximately 100 dwellings. The site should be developed in accordance with the following site-specific criteria.

- a. Provision of safe and appropriate vehicular access, to the satisfaction of the local highways authority with appropriate access from the improved section of Wood Farm Lane to the south with appropriate improvements to the surrounding road network, including footpaths.
- b. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and demands of the local area.
- c. Re-provision of an appropriate equivalent recreational facility, at a minimum equaling the quality of facility currently available at Emerald Park. The full funding or re-provision to be secured and demonstrated by legal agreement (i.e. Section 106 agreement) prior to the loss of any facility at Emerald Park.
- d. Submission of an archaeological field evaluation prior to development, in accordance with the NPPF.
- e. Retain existing trees along the south western border of the site in accordance with the Tree Preservation Orders.
- f. Where further trees may be removed which are not protected, replacements are provided in suitable alternative locations and remain for the amenity of future residents.
- g. Financial contributions will be required towards enhanced library provision to serve the development.
- h. Financial contributions will be required towards the improvement of local healthcare facilities.
- i. Provide a financial contribution for off-site open space.
- j. Submission of a site-specific Flood Risk Assessment.
- k. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.
- l. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- m. Submission of a Transport Assessment and Travel Plan and provision of measures necessary to mitigate impacts and encourage sustainable travel.
- n. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.

Saved Policies of 2001 Borough Wide Local Plan

6.18 Policy HOU7 New Residential Development provides a presumption in favour of development within settlement boundaries where the following criteria are 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.

6.19 Policy HOU9 Developer Contributions

POLICY HOU9 A DEVELOPER CONTRIBUTION WILL BE SOUGHT, AS A PLANNING OBLIGATION UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 TO FINANCE THE EARLY PROVISION OF FACILITIES REQUIRED AS A DIRECT CONSEQUENCE OF NEW DEVELOPMENT.

7. Local Finance Considerations:

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

development to raise money for a local authority. In this case it is assessed that financial gain does play a part in the recommendation for the determination of this application in relation to the provision of community infrastructure.

8. Shadow Habitats Regulation Assessment

- 8.19** The site lies within the Green Habitat Impact Zone over 2.5km but less than 5km from an internationally protected wildlife site and for developments greater than 10 dwellings a bespoke Shadow Habitat Regulations Assessment (HRA) is required. It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.20** The report rules out direct effects in isolation; but accepts that in-combination likely significant effects cannot be ruled out from increased recreational disturbance on the Winterton and Horsey Dunes Special Area of Conservation, the North Denes Special Protection Area, the Breydon Water Special Protection Area, the Broadland Special Protection Area and the Broads Special Area of Conservation, but this is in-combination with other projects can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling). Impact payments. If planning permission is granted mitigation payment can be a provision of any associated legal agreement required to run with the permission.

9. Concluding Assessment

- 9.19** The site is situated between the settlements of Gorleston and Bradwell and outside the saved 2001 Borough-Wide Development Limits. The site is also outside but adjacent to the emerging developments limits as identified in the Draft Plan Part 2 wherein it but has been identified as a strategic allocation to deliver the vision set out in the Core Strategy including the provision of a range of homes, affordable housing, as well as local services, open space and community facilities.
- 9.20** The site is adjacent the South Bradwell Urban extension that is currently under construction and will eventually provide up to 1,000 new homes and community facilities including a primary school. It is also close to the Beacon Park employment area as well as James Paget University Hospital and Ormiston Academy. The location is considered as sustainable in terms of accessibility to services and facilities.
- 9.21 Planning Policy** – Policy GN2: Emerald Park sets out site specific criteria for the development of the site. The policy can only be given limited weight at this

point as the Draft Plan has not been adopted and there are unresolved objections to the policy including ones from the applicant. For the purpose of considering this application it remains useful to assess the proposal against the criteria of the policy taking a view on where it accords and where it varies and taking account of information provided by the applicant in support of the application.

Criteria

a. Provision of safe and appropriate vehicular access, to the satisfaction of the local highways authority with appropriate access from the improved section of Wood Farm Lane to the south with appropriate improvements to the surrounding road network, including footpaths.

The application shows access for the development would be taken of Woodfarm Lane. The Highways Authority had sought improvements including the provision of a footway along the south side of Oriel Avenue where it meets Woodfarm Lane. A footway will be provided on the north side of Oriel Avenue as community infrastructure being provided by the larger housing development in Bradwell. The applicant considers that the requested improvement does not meet the planning test of being necessary as there is an existing footway running across the recreation ground at the Northern end of the site which provides a suitable alternative route to the schools. The Highways Authority has now conceded this.

b. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and demands of the local area.

The applicant has provided a viability assessment that demonstrates the development would not be viable if 10% of the dwellings are affordable. This is discussed further below.

c. Re-provision of an appropriate equivalent recreational facility, at a minimum equaling the quality of facility currently available at Emerald Park. The full funding or re-provision to be secured and demonstrated by legal agreement (i.e. Section 106 agreement) prior to the loss of any facility at Emerald Park.

The applicant holds the position that a replacement facility is not necessary. It considers that without the financial and support in kind it has received from the applicant over many years that the football club would not be operating today, further that there are no other football clubs that would need this facility if Gorleston FC was not in existence. Nevertheless, the applicant has been working with Sport England to facilitate the provision of a 3G pitch and associated facilities at the East Norfolk Sixth Form College and is willing to undertake an agreement to secure a financial contribution. However, the applicant does not accept based on its' agents interpretation of the National Planning Policy Framework (NPPF) of section 97 (open space and playing fields) and the use of conditions and obligations sections 55 and 56 (in order to make developments acceptable where they would not otherwise be) that

planning permission for the proposed development should be conditional or obligatory on there being a replacement.

The applicant has reviewed and sought to update the data used in the Council's Sport, Play & Leisure Strategy 2015-2029. The applicant logically interprets that the number of playing pitches continues to be greater than the number of teams existing in established leagues in the area. However, in this case officers consider that this is a flawed approach as the playing field affected is not a standard 11x11 grass pitch; it is a stadia and associated infrastructure. Further, it is currently the home ground of Gorleston Football Club so is not vacant. Additionally, the Norfolk FA have advised that the only other facility in the Great Yarmouth Borough that meets National League System Step 5 ground grading compliance is The Wellesley, which is currently at capacity and unable to cater for additional matches due to the Great Yarmouth Town Football Club's usage of the facility.

Therefore, it is considered that notwithstanding the applicant's assertion of Gorleston FC's reliance on external funding and in-kind support, that a replacement facility equal to or better than the proposed facility should be provided if redevelopment is to be permitted. This endorses the position taken by Sport England provided as a statutory consultee. Further, the financial arrangements between the club and the applicant do not have a bearing on the established use of the land. It is clear from the extensive planning history of the site set out at the start of this report that there has been substantial investment made over decades to provide the stadia infrastructure on the site.

d. Submission of an archaeological field evaluation prior to development, in accordance with the NPPF.

e. Retain existing trees along the south western border of the site in accordance with the Tree Preservation Orders.

f. Where further trees may be removed which are not protected, replacements are provided in suitable alternative locations and remain for the amenity of future residents.

The above criteria can be addressed as a condition of outline planning permission

g. Financial contributions will be required towards enhanced library provision to serve the development.

A contribution of £7,275 has been requested by the Library Service. This can be secured within a legal agreement to run with planning permission.

h. Financial contributions will be required towards the improvement of local healthcare facilities.

The Health Authority has assessed that the existing healthcare services would

be impacted and seek a developer contribution of £155,676 towards additional bed spaces and floorspace for primary healthcare and acute healthcare facilities. The applicant questions how this contribution has been calculated and notes that the James Paget University Hospital has been awarded significant amounts of funding to re-build as part of a recent Government announcement on Hospital infrastructure and therefore questions the necessity of a contribution for acute care. Further the applicant points out that such contributions were not requested for the development agreed in the vicinity namely, the Lovells Site 25 development to the west (ref:06/16/0391/SU), which was given outline permission for 230 dwellings in 2018.

In response to the applicant's argument, members will be aware that all applications are judged on their merits and take account of the material circumstances. It should be noted that since 2018 the Health Authority has a policy of seeking contributions on sites of over 50 units which it has put in place since this application was submitted at the end of 2018.

Notwithstanding the above and in this case as stated previously in this report the applicant has undertaken a viability assessment and a contribution towards healthcare facilities would further decrease the viability of development.

i. Provide a financial contribution for off-site open space.

The indicative layout shows the provision of open space on site. It is also located next to a recreation ground and allotments. The applicant also proposes to facilitate the provision of a 3G pitch and associated facilities at the college.

j. Submission of a site-specific Flood Risk Assessment.

k. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.

l. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.

m. Submission of a Transport Assessment and Travel Plan and provision of measures necessary to mitigate impacts and encourage sustainable travel.

n. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical

and environmentally feasible.

A Flood Risk Assessment with a Surface Water Drainage/SUDS Strategy, a Transport Assessment and a Ground Investigation Report was provided in support of this application, the Lead Local Flood Authority have recommended conditions requiring approval of details prior to any development.

- 9.22 Objectors concerns.** This section addresses any objector concerns not addressed elsewhere in the report. In this case the development density would be 16 units per acre, which is similar to the surrounding neighbourhoods and new developments in the area. The schools have capacity to accommodate the development. The existing section of Woodfarm Lane from Beaufort Way to the site has been improved including the provision of a footway and off-road cycleway. Highway safety has been improved and the Highways Authority have confirmed the development can be accommodated safely.
- 9.23 Key Considerations.** Given that the site is deemed a sustainable location for development the key considerations with this application are the developments viability and its impact on open space/a sports facility.
- 9.24 Viability** – The applicant has provided a viability assessment with the application which has been shared with the committee. This shows that when calculating the residual value of the development that the house sale values minus the costs of development will produce a yield of 8.3%. The industry accepted yield for development is between 15% and 20% to be deemed viable. The applicant has therefore made a case for dispensation with a requirement to provide affordable housing in this development. Additionally, paragraph 63 of the NPPF provides for the application of a vacant buildings credit to be applied against a requirement to provide affordable housing. The credit is applied proportionally when measuring the area of the vacant buildings being replaced. In this case the floor area of the stands, club house and ancillary buildings add up to 1,902sqm Gross External Area (GEA). whereas 10 dwellings that would need to be made affordable according to planning policy would measure approximately 959sqm GEA (with a total GEA of 9,584 for 97 dwellings). This is well below the amount of floorspace which can be offset according to the National Planning Policy Framework. The buildings are not currently vacant but will become so should the football club relocate to the college and therefore it is not considered appropriate to require the provision of affordable housing in this case.
- 9.25** The Council's Property Services have reviewed the applicant's viability assessment and concurs that the development as submitted, (costs to yields) would not be viable. It is considered that the construction costs appear to be high in comparison with current The Building Cost Information Service (BCIS) data of the Royal Institute of Chartered Surveyors. Also, the end sale values, of the 3 & 4 bedroom houses may be undervalued particularly in comparison with the prices being achieved at East Wood, opposite. However, the 2 bedroom-flat values are considered optimistic at £150,000. Other inputs are considered reasonable.

- 9.26** A residual valuation calculation has been made based on the figures provided but adopting the mean BCIS construction costs, and adjusting sale values to; £140,000 -2 bed flats, £240,000 – 3 bed houses and £260,000 – 4 bed houses. Allowing for a standard 18% developers profit with no affordable provision, the calculations produce a residual land value of just £119,000 for a residential site. The scheme as proposed therefore appears to be unviable. However, the calculations suggest that the position is likely to be significantly improved if consideration would be given to an alternative scheme replacing the blocks of flats with houses.
- 9.27** In conclusion the applicant has committed to making contributions to community infrastructure that it considers are reasonable and necessary to enable the development. In this case the payment for the provision of two fire hydrants as required by the Building Regulations, £843 per hydrant to Norfolk County Council Libraries £7,275 and as required by the Habitats Regulations £10,670. These can be secured by legal agreement.
- 9.28 Open Space/Sport Facility** – The Council's Open Space Study, published in 2013 concluded that the borough had a surplus of football pitches for adult and junior teams during peak times. For adults alone this was estimated to be approximately 42-44 pitches not being used for adult games.
- 9.29** The Council's Sport, Play & Leisure Strategy 2015-2029, published in 2015 re-evaluated the current provision of open space types in the borough. It concluded that whilst adult pitches continue to be underutilised, the surplus had reduced from 42-44 pitches in 2013 to 23-24 pitches in 2015. The strategy also concluded that there remains a significant under provision of junior football pitches, recommending that some surplus adult pitches being converted to junior pitches to help redress this imbalance. Overall, the strategy recommended that the overall stock of outdoor sports and recreational facilities should be protected and improved. As reported above in relation to paragraph (c) of the emerging policy GN2, the applicant sought to update the data of playing field supply versus demand which is in this case is considered to be a flawed argument.
- 9.30** In this case the playing field that would be removed by the development is not an ordinary grass pitch facility, it is a stadia which include floodlights, access to a clubhouse, FA compliant changing provision for players and match officials, grandstands, turnstiles and a pitch surround also their stadium must be enclosed. The applicant has taken a position based on paragraph 97 (open space and recreation) of the National Planning Policy Framework that it is not necessary to replace the football facility. However, officers take a contrary view that planning permission should be dependent on the provision of equal or better facilities safeguarded by planning condition or appropriate legal agreement. Notwithstanding this difference of position between the applicant and officers of the Council, the applicant is proposing to help facilitate the provision of an improved recreational facility that would compensate for the loss of this facility. The applicants have included the sum of £400,000 in the development cost calculations to help bridge any gap in funding to construct a

3G (third generation) all weather pitch at the East Norfolk Sixth Form College. The applicant has been working with Sport England (SE) to support the provision of this facility, where SE have been working with the National Football Association to secure a grant of £1million towards this facility. Planning permission for the facility was granted 15th January this year (06/18/0533/F).

- 9.31 Conclusion** - In this case the site is in a sustainable location and will help to deliver the Councils development plan housing target. It is for the committee to decide whether it is minded to approve this planning application that will facilitate the provision of the 3G facility at the college. The financial contribution from the applicant will close the gap in the funding required in addition to releasing a grant of £1million which is on offer from Sport England towards the cost of its provision. On balance it is considered that the social, health and educational benefits to the community from the provision of the facility are significant and in this case the provision of affordable housing is not achievable on this site.

10. RECOMMENDATION: -

- 10.19 Approve.** Subject to the following conditions outlined below and the completion of a legal agreement and a unilateral undertaking in accordance with S106 of the Town and Country Planning Act 1990. The proposal is deemed in compliance with the aims of Policies CS2, CS3, CS14 and CS15 of the Great Yarmouth Local Plan Core Strategy, also to Policy E3 of the Emerging Local Plan Part 2 and saved Policies HOU7, and HOU9 of and the Great Yarmouth Borough-wide Local Plan (2001) (LP). Conditions: That development shall not commence prior to development commencing at East Norfolk College; reserved matters to be submitted within 2 years. Access to be in accordance with approved plans, approval for up to 97 dwellings, tree retention and protection during construction, details of surface water drainage and foul drainage systems to be submitted and agreed, and an archaeological programme of investigation, analysis and recording prior to development.

Background Papers 06/18/0707/O

**Gorleston – Emerald Park
Financial Appraisal
Executive Summary
13th August 2020**

	Income (£)	Cost (£)	Profit (£)
Sales Values (based on 97no. dwellings)	£17,625,000.00		
Construction Costs		£13,010,000.00	
Fees (Note 1)		£1,207,498.00	
Planning Application Costs		£29,345.00	
Planning Application Surveys		£15,000.00	
Football Club Premium		£400,000.00	
Section 106 Payment		£155,383.00	
Section 106 Legal Fees (Council)		£5,000.00	
Section 106 Legal Fees (P&L)		£2,500.00	
Construction Legal Documents		£15,000.00	
Finance Costs		£737,172.00	
TOTAL	£17,625,000.00	£15,576,898.00	
Estimated Net Profit			£1,347,671.00
Profit on Cost			8.28%

Notes:

- Note 1 – Includes Architect, Quantity Surveyor, MEP, Project Manager, Principal Designer, Highways, Planning Consultant, Building Regulation, Sales Agent & Legal Fees

END.

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Revision	Status	Date
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Great Yarmouth

Longli Ovalion

14 DEC 2018 8107 370 41

Planning

Département

25

This drawing is for Outline Planning purposes only

Application Boundary

E

Pleasure & Liesure Corporation

Redevelopment - Housing

Woodfarm Lane Gorleston

OVER 100 MILLION

Illustrative Site Plan

PROPOSED

1:1250

100

17

11

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Greenaway

Architecture

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