

**Reference:** 06/18/0582/F

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

**Applicant:** G & C Homes Ltd, Mr M Coe

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

**Site:** Northgate Hospital (Site adjacent)

## **REPORT**

### **1. Background / History :-**

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

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

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

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

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

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

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

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

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

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

Summary of resident objections to the application as originally submitted:

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

Summary of objection received following amended plans:

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

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

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

2.4 Highways – No objection subject to conditions:

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

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

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

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

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

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

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

SHC 32A Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing GC/300/09 has been submitted to and approved in writing by the Local Planning Authority.

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

2.5 NHS – No objection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Claim:

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

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

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

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

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

and,

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

and,

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

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

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

2.16 Anglian Water – No objection and no conditions requested.

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



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

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

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

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

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

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

2.19 GY Services – No comments received.

### **3 Local Policy :-**

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

3.2 Paragraph 213 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made

during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

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

- 4.4 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.
- 4.5 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species.
- 4.6 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (a to f)
- e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures.

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

- 5.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 5.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs<sup>4</sup>.
- 5.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

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

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

For decision-taking this means:

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

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>6</sup>; or

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

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

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

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

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

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

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

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

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

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

## **6 Habitat Regulations Assessment considerations:**

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

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

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

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

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

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

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

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

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

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

## **7 Assessment :-**

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



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

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

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

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

Materials:

Flats 56-76

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

Roof - Black concrete double pantiles

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

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

Roof - Black concrete double pantiles

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

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

Roof - Black concrete double pantiles

Boundary Treatment and Fencing

Northern boundary to Beaconsfield Road - Existing high wall.

Western boundary to Northgate Street - Existing brick wall.

Eastern boundary to Churchill Road - Wrought iron railings.

Southern boundary - Existing fencing.

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

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

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

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

Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". There is currently a housing land supply of 2.6 years as at the end of 2017/18, a significant shortfall.

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

## 8 RECOMMENDATION :-

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

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



plan@great-yarmouth.gov.uk

**BY EMAIL ONLY**

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Mrs Manthorpe

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

**Location:** Northgate Hospital, Great Yarmouth

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

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED**

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

**Designated Sites**

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

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

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have<sup>1</sup>. The Conservation objectives for each European site

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

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

#### **Habitats Regulations Assessment**

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

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

#### **Sites of Special Scientific Interest**

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

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

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

Should the proposal change, please consult us again.

Yours sincerely

Victoria Wight  
Norfolk and Suffolk Team

Natural England offers the following additional advice:

#### **Landscape**

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

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

### **Best and most versatile agricultural land and soils**

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

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

### **Protected Species**

Natural England has produced [standing advice](#)<sup>2</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### **Local sites and priority habitats and species**

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

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

### **Ancient woodland, ancient and veteran trees**

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

### **Environmental enhancement**

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

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

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



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

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

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

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

#### **Access and Recreation**

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

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

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

#### **Biodiversity duty**

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



**Norfolk County Council**

Community and Environmental Services

County Hall

Martineau Lane

Norwich

NR1 2SG

via e-mail

Mrs G Manthorpe

Planning Services

Development Control

Great Yarmouth Borough Council

Norfolk,

NR30 2QF

NCC contact number: 0344 800 8020

Textphone: 0344 800 8011

Your Ref: 06/18/0582/F

Date: 23<sup>rd</sup> January 2019

My Ref:

FWP/19/6/7639

Tel No.:

0344 800 8020

Email:

lifa@norfolk.gov.uk

Dear Mrs Manthorpe,

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

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

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

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

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

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

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

*Continued.../*

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

**Condition:**

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

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

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

**Reason:**

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

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

Yours sincerely,

Dean

Dean Shelton  
Flood Risk Officer

Lead Local Flood Authority

**Disclaimer**

*We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue.*

Great Yarmouth  
Borough Council

20 DEC 2018

Planning

REF: PLANNING APPLICATION

No. (06/18/0582/F)

MR & MRS GRINDWAKEFIELD

136, NORTHGATE STREET

GREAT YARMOUTH

NORFOLK NR30 1BP

Dear MR MINNS,

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

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

Thank you



