

Reference: 06/16/0752/F

Parish: Bradwell

Officer: Mr Jack Ibbotson

Expiry Date: 17-01-17

Applicant: Mr & Mrs Smith

Proposal: Installation of a new mobile home

Site: Beaumont Park, Mill Lane, Bradwell, Great Yarmouth, NR31 8HP

REPORT

1. Background/History:-

- 1.1 This application relates to the placement of a mobile home within an established park home site. Previously, on the 23rd October 2015 a larger, permanent dwelling was allowed on the same site, in a similar position under appeal (ref.APP/U2615/W/15/3053096, Our ref. 06/14/0747/F). This previously approved scheme had been considered to be acceptable by the Planning Inspectorate following consideration of the developments impact upon neighbouring mobile homes, character of the site and impact upon the green area and trees, and wider concerns regarding the capacity of the park homes site in regards to additional residents at the site.
- 1.2 Beaumont Park, Bradwell is a relatively long established park home site which currently has sited 27 mobile homes, not including the unit related to this application. Within the central area around which the parks access road runs is an area of open space with a number of mature trees (protected by TPO No.1 2009, a group TPO covering the pine trees). The site is based off a single access onto Mill Lane, with a narrower entrance, broadening to the rear which allows for circular access route around the central green area.
- 1.3 Mobile homes are situated on the southern side of the sites access and all the way around the outside of the sites internal road. Beaumont Park is located within an area of established residential development of both 1 and 2 storey scale. The narrower section of the site to the west next to Mill Lane is flanked by No. 82 Mill Lane, located to the north of the access lane.
- 1.4 Planning permission is sought for the siting of a mobile home on the westerly tip of the green central area of the site. This area had previously been developed, as the toilet and laundry block had been sited roughly in this

location. The proposed caravan has been sited in the position without planning consent. Photos from the site show the position of the caravan, and concrete hardstanding on site, currently no skirting, boundary treatment or parking provision has been set down, all of which would need to be agreed with the Local Planning Authority subject to planning approval.

- 1.5 The caravan is shown on plan (and visibly on site) as being set away from the grouping of trees, so as to avoid any loss of trees.

2. Consultations :-

2.1 Neighbours –

- 2.1.1 Following a consultation process in line with the General Development Procedure Order which included a site notice and letters to neighbours representations were received from occupants of 2 dwellings bounding the site. The occupants of 82 Mill Lane objected strongly to the development on the grounds of:-

1. Nuisance from smoke from the caravans wood-burners and stoves
2. Additional development would place more pressure on an already overloaded sewerage system, causing issues for neighbouring residents.
3. The development constitutes over development causing increased traffic movements and associated nuisance.

- 2.1.2 Additional correspondence was received from the occupants of the above address and another neighbouring property commenting on the applicants siting the caravan prior to any planning permission being granted.

2.2 Norfolk County Council as Highway Authority –

NCC commented in support of the development as they had done with the previous application. They have recommended that should the application be approved a condition be attached to ensure that an area sufficient to park turn and manoeuvre two family cars is provided within the site.

2.3 GYBC Tree Officer –

Beaumont Park is partially covered by TPO No1. 2009. The Tree officer is satisfied that the area in which the mobile home is to be situated will not affect the trees.

2.4 GYBC - Refuse Collection –

Collection would be as normal.

2.5 GYBC Environmental Health –

To be reported.

2.6 Bradwell Parish Council – Objection

Strong objection to the installation of a caravan on essential open land, considering a previous application for a permanent installation on the same site was refused. There should also be consideration for the trees in the vicinity, which may be damaged if this site is developed. The parish council also raised the point that the caravan had been sited prior to any formal planning consent being granted.

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

3.1 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007 and assessed again in January 2016. 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.

3.2 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.

3.3 POLICY HOU7

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

(A) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO

THE FORM, CHARACTER AND SETTING OF THE SETTLEMENT;

- (B) ALL PUBLIC UTILITIES ARE AVAILABLE INCLUDING FOUL OR SURFACE WATER DISPOSAL AND THERE ARE NO EXISTING CAPACITY CONSTRAINTS WHICH COULD PRECLUDE DEVELOPMENT OR IN THE CASE OF SURFACE WATER DRAINAGE, DISPOSAL CAN BE ACCEPTABLY ACHIEVED TO A WATERCOURSE OR BY MEANS OF SOAKAWAYS;
- (C) SUITABLE ACCESS ARRANGEMENTS CAN BE MADE;
- (D) AN ADEQUATE RANGE OF PUBLIC TRANSPORT, COMMUNITY, EDUCATION, OPEN SPACE/PLAY SPACE AND SOCIAL FACILITIES ARE AVAILABLE IN THE SETTLEMENT, OR WHERE SUCH FACILITIES ARE LACKING OR INADEQUATE, BUT ARE NECESSARILY REQUIRED TO BE PROVIDED OR IMPROVED AS A DIRECT CONSEQUENCE OF THE DEVELOPMENT, PROVISION OR IMPROVEMENT WILL BE AT A LEVEL DIRECTLY RELATED TO THE PROPOSAL AT THE DEVELOPER'S EXPENSE; AND,
- (E) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE RESIDENTIAL AMENITIES OF ADJOINING OCCUPIERS OR USERS OF LAND.

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

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

3.4 POLICY HOU16

A HIGH STANDARD OF LAYOUT AND DESIGN WILL BE REQUIRED FOR ALL HOUSING PROPOSALS. A SITE SURVEY AND LANDSCAPING SCHEME WILL BE REQUIRED WITH ALL REQUIRED WITH ALL DETAILED APPLICATIONS FOR MORE THAN 10 DWELLINGS THESE SHOULD INCLUDE MEASURES TO RETAIN AND SAFEGUARD SIGNIFICANT EXISTING LANDSCAPE FEATURES AND GIVE DETAILS OF, EXISTING AND PROPOSED SITE LEVELS PLANTING AND AFTERCARE ARRANGEMENTS.

(Objective: To provide for a high quality of new housing development.)

4 Core strategy – Adopted 21st December 2015

4.1 POLICY CS1 – FOCUSING ON A SUSTAINABLE FUTURE

For the Borough of Great Yarmouth to be truly sustainable it has to be environmentally friendly, socially inclusive and economically vibrant not just for those who currently live, work and visit the borough, but for future

generations to come. When considering development proposals, the Council will take a positive approach, working positively with applicants and other partners to jointly find solutions so that proposals that improve the economic, social and environmental conditions of the borough can be approved wherever possible.

To ensure the creation of sustainable communities, the Council will look favourably towards new development and investment that successfully contributes towards the delivery of:

- a) Sustainable growth, ensuring that new development is of a scale and in a location that complements the character and supports the function of individual settlements
- b) Mixed adaptable neighbourhoods, which provide choices and effectively meet the needs and aspirations of the local community
- c) Environmentally friendly neighbourhoods that are located and designed to help address and where possible mitigate the effects of climate change and minimise the risk of flooding
- d) A thriving local economy, flourishing local centres, sustainable tourism and an active port
- e) Safe, accessible places that promote healthy lifestyles and provide easy access for everyone to jobs, shops and community facilities by walking, cycling and public transport
- f) Distinctive places that embrace innovative, high quality urban design that reflects positive local characteristics and protects the borough's biodiversity, unique landscapes, built character and historic environment

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

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

4.2 POLICY CS2 – ACHIEVING SUSTAINABLE GROWTH

Growth within the borough must be delivered in a sustainable manner in accordance with Policy CS1 by balancing the delivery of new homes with new

jobs and service provision, creating resilient, self-contained communities and reducing the need to travel. To help achieve sustainable growth the Council will:

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

- Approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth
- Approximately 30% of new development will take place in the borough's Key Service Centres at Bradwell and Caister-on-Sea
- Approximately 30% of new development will take place in the Primary Villages of Belton, Hemsby, Hopton on Sea, Ormesby St Margaret, Martham and Winterton-on-Sea
- Approximately 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy
- In the countryside, development will be limited to conversions/replacement dwellings/buildings and schemes that help to meet rural needs

b) To ensure compliance with Policy CS11, the proportions of development set out in criterion a) may need to be further refined following additional work on the impact of visitor pressures on Natura 2000 sites

c) Ensure that new commercial development for employment, retail and tourism uses is distributed in accordance with Policies CS6, CS7, CS8 and CS16

d) Promote the development of two key strategic mixed-use development sites: the Great Yarmouth Waterfront area (Policy CS17) and the Beacon Park extension, south Bradwell (Policy CS18)

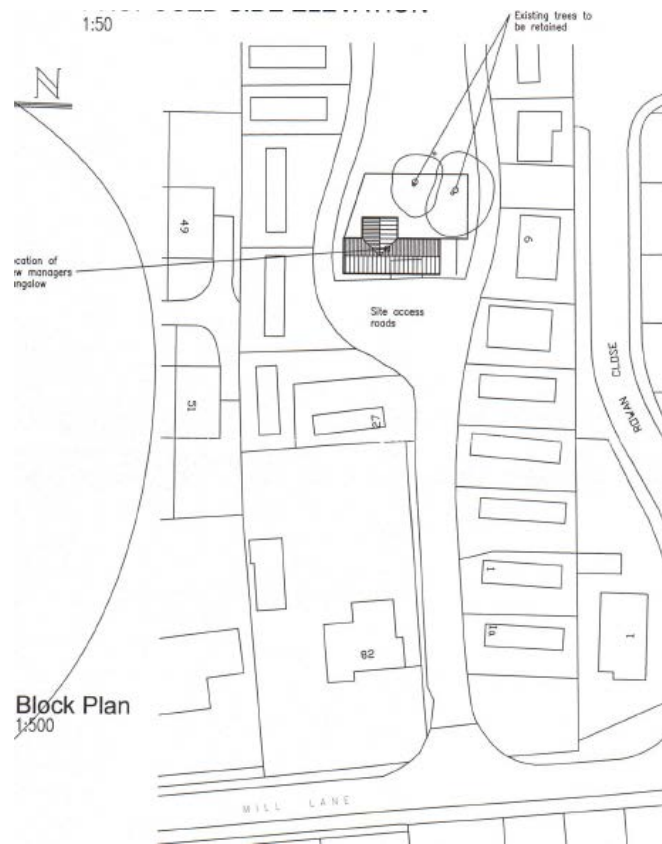
e) Encourage the reuse of previously developed land and existing buildings

To ensure that the Council delivers its housing target, the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in the Main Towns and Key Service Centres where appropriate and consistent with other policies in this plan. Any changes to the distribution will be clearly evidenced and monitored through the Annual Monitoring Report.

5. Assessment

- 5.1** The application for the addition of a mobile home in this location is not a departure from local plan policy. The merits of the scheme are to be measured against relevant planning policy. Additionally, significant weight must be attributed to the previously approved scheme for a single storey

permanent dwelling at the site which was allowed at appeal (ref. 06/14/0747/F APP/U2615/W/15/3053096 – see below).



Previously Allowed Scheme ref. APP/U2615/W/15/3053096

- 5.2** In terms of the principle of development, the site is located within the boundaries of an established residential area of Bradwell and within a park home site and is considered in accordance with Policy CS1 - Focusing on a sustainable future and Policy CS2 – Achieving sustainable growth of Great Yarmouth Borough Council's Local Plan – Core Strategy. Previously at appeal the principle of an additional unit of accommodation at the site, in this position has been allowed. The site has good access to a wide range of services, public transport, and also has an acceptable vehicular access. Key issues relating to the impact on protected trees and amenity land, as well as the impact upon the amenity of neighbouring residents and future occupiers will be considered as part of this report.
- 5.2** It is apparent from the most recent site visit that the position of the mobile home, which has already been sited, has not had an impact upon the surrounding trees. The area of green still provides a significant area of amenity, although the parking of cars on this land has detracted from the character of the area somewhat. It is therefore considered that this development would not have a harmful impact upon the amenity of residents of Beaumont Park. The council's tree officer has assessed the proposal in

terms of impacts on the protected trees to the east of the site and has not raised any concerns.

- 5.3** The scale and massing of the caravan is significantly less than that of the permitted permanent dwelling. Being both lower, and having a smaller footprint the scheme would have a lesser impact upon the outlook of neighbouring residents than that of the extant permission. No objections to the scheme have been raised by occupants of the neighbouring mobile homes, and considering the context of the site, the position of this caravan is in keeping with the character of the area. Separation distances are similar to that of other caravans within the park, and whilst windows are located on elevations which were blank on the previous scheme (06/14/0747/F), this is not uncommon within the park. The separation distance, across the parks road is considered adequate to maintain privacy in both the proposed mobile home, and that of existing residents.
- 5.4** In terms of the impact upon residents in the neighbouring residential dwellings, this scheme does not pose significant harm in terms of loss of amenity. As there is an extant permission on site for an additional unit of accommodation, the specific form it takes would not have a material impact on the sewerage system. Therefore it is considered in this case that little weight can be given to the objection from the neighbouring resident in regards to sewerage. Additionally, the use of wood burners is not prohibited, and is not a material planning consideration. Finally, the addition of a single unit, would not constitute an unacceptable increase in vehicle movements or associated noise. Norfolk County Council have been consulted on the matter and have not objected to the proposal subject to a condition ensuring parking provision is provided. Therefore the scheme is in accordance with saved policy HOU16 of Great Yarmouth Borough-Wide Local Plan.

6. Recommendation

- 6.1** Approve – the proposal is considered to accord to policy CS1 and CS2 of the Great Yarmouth Local Plan – Core Strategy and Saved Policies HOU7 and HOU15 of the Great Yarmouth Borough-Wide Local Plan.
- 6.2** Approve subject to conditions requiring additional information to be submitted and approved by the local planning authority regarding the provision for on-site parking spaces for two cars, details of boundary treatment and position, and measures to protect the protected trees.

7. Appendix – Appeal Decision APP/U2615/W/15/3053096

Appeal Decision

Site visit made on 12 October 2015

by Nick Palmer BA (Hons) BPI MRTPI

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

Decision date: 23 October 2015

Appeal Ref: APP/U2615/W/15/3053096

Beaumont Park, Mill Lane, Bradwell, Great Yarmouth NR31 8HP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Smith against the decision of Great Yarmouth Borough Council.
 - The application Ref 06/14/0747/F, dated 3 November 2014, was refused by notice dated 27 January 2015.
 - The development proposed is a detached site manager's single storey dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a detached site manager's single storey dwelling at Beaumont Park, Mill Lane, Bradwell, Great Yarmouth NR31 8HP in accordance with the terms of the application, Ref 06/14/0747/F, dated 3 November 2014, subject to the conditions set out in the attached schedule.

Procedural matters

2. An amended drawing has been submitted with the appeal which shows a smaller garden area than originally proposed. That plan was not before the Council when it made its decision and has not been subject to consultation with interested parties. For these reasons I shall make my decision on the basis of the original plan.
3. I have used the site address given on the appeal form in the banner heading and in my decision because this appears to be more accurate than the address given on the application form.

Main Issues

4. The main issues in the appeal are:
 - i) the effect of the proposal on the character and appearance of the area; and
 - ii) the effect of the proposal on the existing communal open space at Beaumont Park.

Reasons

Character and Appearance

5. Beaumont Park is a mobile home park which accommodates approximately 27 mobile homes. The homes are accessed by a private drive from Mill Lane that loops around a central open space. Within that open space there are pine trees that are protected by a group Tree Preservation Order. The park is within a residential area and within the built up area of Bradwell.
6. The proposed dwelling would replace an existing small building which is said to have previously been used for laundry purposes. The dwelling would be at the end of the central open space adjacent to the entrance to the park. It would be of single storey and of modest scale and faced with timber cladding and shingles. Its scale and general appearance would be in keeping with the mobile homes. Although larger than the building to be replaced the dwelling would not have a cramped appearance in relation to the mobile homes because it would be within the central open space and set apart from the homes.
7. The rear garden is shown on the plan to be enclosed by a 2 metre high close boarded fence. Residents have expressed concerns about the appearance and enclosing effect of such a fence. However the appellants have indicated that a lower fence could be provided and would accept the imposition of a condition requiring its approval by the Council.
8. Two of the protected pine trees would be within the newly formed rear garden but their crown spreads would not be affected by the proposed dwelling. A condition may be imposed to secure appropriate tree protection measures during construction, including in respect of any excavation necessary to construct the fencing.
9. The central open space provides an open amenity feature. The proposed dwelling would be at one end of the open space and the height of the garden fencing could be controlled by a condition. Given that the existing trees would not be affected, the amenity value of the open space in terms of its appearance and its overall openness as a central feature would not be unduly affected.
10. For these reasons I find that the proposal would not harm the character and appearance of the area and that it would accord with saved policy HOU7 (A) of the Great Yarmouth Borough-Wide Local Plan (2001) (LP).

Communal Open Space

11. The mobile homes have small individual gardens and the communal open space provides an amenity area which is used by the residents for organised social events. The proposal would reduce the communal open space area by about 20% but nonetheless a significant area would remain. No evidence has been put forward of any specific space requirement in connection with the mobile homes. It seems to me that although the area of open space would be reduced, it would remain of adequate size to accommodate social events and to function properly as an outdoor amenity area.

12. For these reasons I conclude that the proposal would not adversely affect the existing communal open space at Beaumont Park and would accord with saved policy HOU7 (E) of the LP in terms of ensuring acceptable levels of residential amenity.

Other Matters

13. Although the Council's reasons for refusal refer to the amenities of the occupiers the only specific matter cited in this regard is the amenity value of the open space. Interested parties have expressed concern about overlooking. The windows in the proposed dwelling would look towards the front and rear and not towards the adjacent homes on either side. The front windows would be some distance away from the nearest homes and at angles to the windows in the adjacent homes. For these reasons the proposal would not result in unacceptable overlooking.
14. The Highway Authority has no objection regarding access and highway safety. Residents have concerns about the suitability of the road within the site to accommodate emergency and service vehicles but the proposal would not affect the road. Neither would it affect the adjacent car parking area.
15. I note that there have been planning applications in the past for additional homes within the park which have been resisted. Details of those proposals are not before me but there is nothing to indicate that they were in any way similar to the appeal proposal.
16. Residents have questioned whether the existing site manager would in fact occupy the dwelling but this is a private matter between the parties concerned and not a matter for this appeal.
17. The proposal would differ from the mobile homes in that it would be a permanent building but this is not a reason to dismiss the appeal. I have taken into account all other matters raised, including concerns about noise from extra visitors and potential fumes from the wood burner within the proposed dwelling but these matters do not alter my conclusions.

Conditions

18. The Council's committee report recommended the imposition of conditions requiring the approval of boundary treatment, the protection of the trees during construction and removal of permitted development rights. Other than this, no draft conditions have been suggested.
19. I have imposed a condition requiring the development to be carried out in accordance with the approved plan for the avoidance of doubt.
20. A condition requiring details of boundary treatment to be approved is necessary to ensure that its appearance is acceptable and that it allows for surveillance. A condition requiring protection measures for the trees during construction, including any excavation required to construct the fencing is necessary to ensure that the trees are not harmed.
21. The Council has not advised which permitted development rights it would wish to restrict. The Planning Practice Guidance¹ advises that conditions restricting the future use of permitted development rights will rarely pass the test of

¹ ID 21a-017-20140306

necessity. In the absence of specific evidence to justify such a restriction I consider that this would not pass the test of necessity.

Conclusion

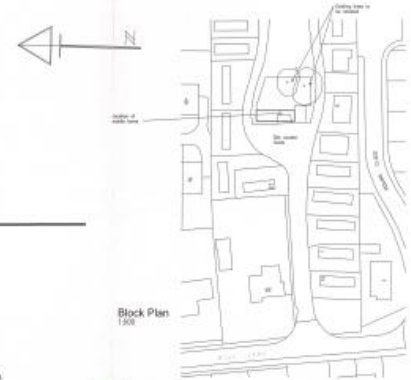
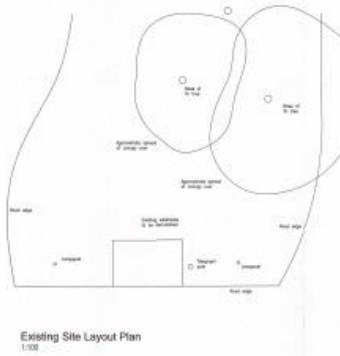
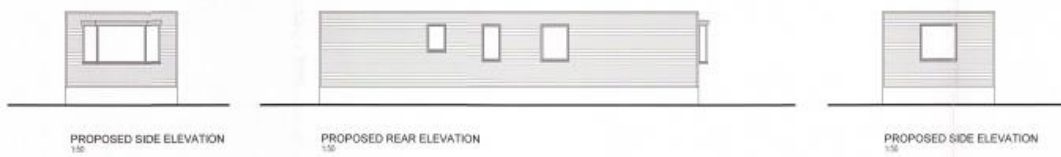
22. For the reasons given I conclude that the appeal should be allowed.

Nick Palmer

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 966/1.
- 3) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until details of measures to be taken to protect the trees within the site and adjacent to it during the construction period, including in respect of excavations for the proposed fencing, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.



Andrew Middleton
15 Eugene Street,
Great Yarmouth
NORFOLK
NR11 1RL Tel: 01693 555555

Project
Proposed development of mobile homes,
Dunham Road, Mill Lane, Great Yarmouth,
Great Yarmouth, NORFOLK

Client
Mr & Mrs Smith

Date
18/01/2016 Date August 2016

Drawn
966/2

Revised

MEMORANDUM

From Environmental Services

To: Development Control Manager
Attention: Mr Jack Ibbotson
Re: Installation of new mobile home
Address: Beaumont Park, Mill Lane, Bradwell
Date: 4 January 2017
Your Ref: 06/16/0752/F

Please ask for: Jason Williams

Extension No: 635

Thank you for your request for comments on the above.

I can confirm that I have viewed the application and have no objection in principle to the development subject to the site's continued compliance with the requirements of the Council's Caravan Site Licence Conditions for Permanent Residential Sites.

Jason Williams
Community Protection Manager