

Reference: 06/17/0681/F

Town: Gorleston

Officer: Miss G Manthorpe

Expiry Date: 29/12/17

Applicant: Mr P Hammond

Proposal: Redevelopment of land for 13no. Residential units

Site: Former Florida Group Limited Building, Bells Marsh Road, Gorleston, Great Yarmouth.

REPORT

This application was reported to the Director of Development 3 November 2017 as an application submitted by a member in a personal capacity. The Director of Development has checked and made a record on the file that he is satisfied that it has been processed normally and the member has taken no part in the Council's processing of the application.

1. Background / History :-

- 1.1 The site comprises 2192 square metres, 910 of which was internal floor space, of land which was formally in use as commercial premises. The applicant has stated that the whole site was previously in use as B2 (General Industrial) and this use ended the 1st January 2012 which results in the site having been empty for just over 7 years.
- 1.2 There has been a recent application on the site for the redevelopment of the land to construct 13 residential dwellings. The residential dwellings as previously proposed were two storey dwellings and the application was subject to objections from the Local Planning Authority and the Lead Local Flood Authority on the grounds of flood risk. The Lead Local Flood Authority also objected on the grounds of surface water drainage. The applicant has submitted additional information on drainage and has raised the dwellings habitable rooms to first floor applying for three storey dwellings in an effort to overcome the previously raised objections. The applicant has also submitted a Shadow Habitat Regulations Assessment (HRA) for small development.
- 1.3 The application was previously considered by the Committee and deferred on drainage grounds.

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

2.1 Neighbours – There has been 9 objections from persons in the locality and/or their agents to the application which are summarised below and a selection are attached to this report.

- The visibility at the access to Riverside Road is inadequate.
- A 3 storey structure is too big and will block light.
- There are concerns about the use of the private access to the rear of the development.
- The business operating at the adjoining site needs to block the access several times per week to take deliveries.
- Sharing the access with commercial and residential will lead to accidents.
- There is no provision for visitor parking.
- The joinery business adjacent has unrestricted use and is a noise generating use which is incompatible with residential uses.
- The opening of the gates at the private access will cause security concerns.
- Has anyone actually surveyed the access?
- Object to the kerb island in front of Astec House. This would prevent the use of two off road parking spaces.
- Unsuitable access.
- Residential access via the industrial site will cause obstructions and health and safety issues,
- Overdevelopment
- Members should conduct a site visit to note the relationship between the proposed and existing uses and the access.
- Can types of glass mitigate overlooking and what boundary treatments are proposed.
- Loss of light.
- Incorrect labelling of adjoining property – residential not ‘works’.
- Can the design and location be reconsidered to prevent overlooking.
- Plot 7 and 8 will be disturbed by works conducted in existing garages.
- Inadequate drainage, the road floods.
- Should be a fence put up behind the existing garages.
- Overlooking to no. 30 Riverside Road.
- Can there be confirmation of ownership of the existing boundary walls?
- Will future residents try to limit the hours that the existing businesses operate?

2.2 Highways – Following amendments to the original scheme Norfolk County Highways (Highways) have no objection to the development proposed. My past

response noted the access proposal at Riverside Road and I note that there has been public comment in relation to these and especially in relation to blocking one properties access. As I outlined in my earlier response the proposal establishes a principle that is acceptable to the Highway Authority. These off-site works will be subject to a small highway works agreement where the final design will be agreed and any concerns will be taken into account and addressed accordingly; certainly the blocking of an established access is not the intention.

- 2.3 Building Control - No comments.
- 2.4 Environmental Health – No objection to the application, pre commencement condition requested for acoustic report/noise risk assessment and protection system for dwellings and gardens.
- 2.5 Conservation Officer – Enhancement should be made which would include design changes and front gardens with rear parking.
- 2.6 Environment Agency - No objection subject to you being satisfied that the development is safe for its lifetime and the approval conditioned to be carried out with the FRA and finished habitable first floor level set no lower than 4.5m above AOD. Full response is attached.
- 2.7 Anglian Water – No comments received.
- 2.8 Norfolk County Council Lead Local Flood Authority –
- 2.9 Health and Safety Executive – No objection.
- 2.10 Conservation Officer - Objects on the grounds of design.
- 2.11 Police Architectural Liaison Officer – Comprehensive comments received giving advice on security of the development.
- 2.12 Building Control – No objection.
- 2.13 Strategic Planning – No objection.
- 2.14 Local Authority 106 requirements – A viability assessment has been submitted and assessed by the Property Services Department. It is agreed that the development is not viable if policy compliant contributions are required. As such the Local Authority is not asking for affordable housing or payment in lieu of public open space or children's play.

Payment for in combination effects on designated sites is required at £110 per dwelling.

3 . **Local Plan Policy Core Strategy 2013-2030**

Adopted Core Strategy:-

Policy CS1 - Focusing on a sustainable future (complete):

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.

3.1 Policy CS2 – Achieving sustainable growth (partial)

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

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

3.2 Policy CS3 – Addressing the Borough's housing need:

To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to (partial):

a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by:

Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2.

3.3 Policy CS6 -Supporting the local economy

The Borough of Great Yarmouth has a diverse local economy. It is the main service base in England for the offshore energy industry and has a thriving seasonal visitor economy. To ensure that the conditions are right for new and existing businesses to thrive and grow, there is a need to continue to strengthen

the local economy and make it less seasonally dependent. This will be achieved by: (partial of a-m)

b) Safeguarding existing local employment areas identified in Table 10 and future local employment areas allocated in other Local Plan Documents for employment use. Alternative uses will only be allowed where it can be demonstrated that:

There is a satisfactory relationship between the proposed use and any pre-existing neighbouring uses, without significant detriment to the continuation and amenity of existing or proposed uses

There is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months

A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: mixed use of the site that incorporates an employment-generating use, then non-employment use.

3.4 Policy CS9 – Encouraging well-designed, distinctive places (partial)

High quality, distinctive places are an essential part in attracting and retaining residents, businesses, visitors and developers. As such, the Council will ensure that all new developments within the borough:

a) Respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised; making efficient use of land and reinforcing the local identity.

3.5 Policy CS13 – Protecting areas at risk of flooding or coastal change

The risk of flooding and coastal change is expected to increase with climate change. This presents a challenge for property/business owners and service providers in susceptible areas and will also place some important biodiversity and heritage assets at risk. The Council will ensure a sustainable and practicable approach to flood risk and coastal change and ensure development does not increase the risk of flooding elsewhere. This will be achieved by (partial a-h)

a) Directing new development proposals away from areas of highest risk of flooding (Flood Zones 2, 3a and 3b) unless it can be demonstrated that:

The requirements of the Sequential Test are met

Where applicable, the requirements of the Exception Test are met. A safe access/egress route throughout the duration of the flood event should be

provided. However, if this is demonstrated as not being possible then evacuation will be considered as a means of making the development safe

A satisfactory Flood Response Plan has been prepared

c) Seeking the use of Sustainable Drainage Systems (SuDS) in all new developments

d) Ensuring that new development takes into consideration the findings of the Surface Water Management Plan

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

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

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

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

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

3.9 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local

Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

- 3.10 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.
- 3.11 HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will all detailed applications for more than 10 dwellings. These should include measures to retain and safeguard significant existing landscape features and give details of, existing and proposed site levels planting and aftercare arrangements.

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

- 4.1 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.
- 4.2 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.
- 4.3 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.

4.4 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-date⁷, granting permission unless:

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

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

4.5 Paragraph 57. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

4.6 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.

4.7 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

4.8 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.

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

Amended 19th February 2019.

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

4.11. Habitat Regulations Assessment considerations:

“European” or “Natura 2000” sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017, and constitute the most important wildlife and habitat sites within the European Union. The Council has an adopted policy approach, the Habitats Monitoring and Mitigation Strategy, prepared alongside the Part 1 Local Plan (and most recently updated at the Policy & Resources Committee meeting on 5th February 2019). The key research is set out in the Habitats Regulations Assessment (HRA) for the Core Strategy, which concludes that the in-combination effects of new

development on the various Natura 2000 sites, principally disturbance of birds by humans and/or dogs, cannot be ruled out as having a likely significant effect. A financial contribution is required to be made (currently £110 per dwelling) for each house or six bed spaces of tourist accommodation within defined areas of the borough. This money goes towards both monitoring Natura 2000 sites for potential harm, and funding measures to mitigate harm. If it is concluded that a development may also cause direct effects to a Natura 2000 site, further mitigation measures may be necessary.

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 any potentially significant direct effects.

Guidance for applicants is available on Great Yarmouth Borough Council's website identifying when bespoke shadow Habitat Regulation Assessments (HRA) are required to be prepared by the applicant and submitted to the Council. In this case, in accordance with the guidance issued, a bespoke shadow HRA has been submitted (and is available to view on the Council's website). The submitted assessment is thorough and finds that there is likely in combination effects on designated sites from the development.

The application, informed by a shadow HRA, has been assessed by the Competent Authority as likely to have significant indirect effects on one or more Natura 2000 sites (but no significant direct effects). As such, permission may only be granted if an Appropriate Assessment demonstrates that, taking into account relevant mitigation measures, the application will not adversely affect the integrity of any Natura 2000 site(s). Mitigation for in-combination effects through the £110 per-dwelling contribution to more general monitoring and mitigation is therefore required. It is therefore the assessment of the Council, as Competent Authority, that the application, if approved, would not adversely affect the integrity of Natura 2000 sites, provided that the mitigation sought is secured.

4.12 Local finance considerations:-

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or

the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms.

It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. The development, if approved, will have financial benefits to the Local Authority, for example by council tax payments, although in this case local finance considerations are not considered to be material to the case.

- 4.13 Paragraph 22: Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 4.14 Paragraph 100. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:
- Applying the Sequential Test;
 - If necessary, applying the Exception Test;
 - Safeguarding land from development that is required for current and Future flood management;
 - Using opportunities offered by new development to reduce the causes and Impacts of flooding; and
 - Where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations.
- 4.15 Paragraph 101. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the

proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

- 4.16 Paragraph 102. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:
it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted.

- 4.17 Paragraph 111. Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local Planning Authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.
- 4.18 Paragraph 186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.
- 4.19 Paragraph 187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

7 Assessment :-

- 7.1 The application is a full application for the erection of 13 new dwelling houses with associated curtilage and parking. The site is located within the urban area of Gorleston and is located in close proximity to all amenities and is within easy walking distance to a major supermarket thus reducing the reliance on a car for everyday necessities. The site is designated as an existing employment use in the local plan and this is discussed further below.

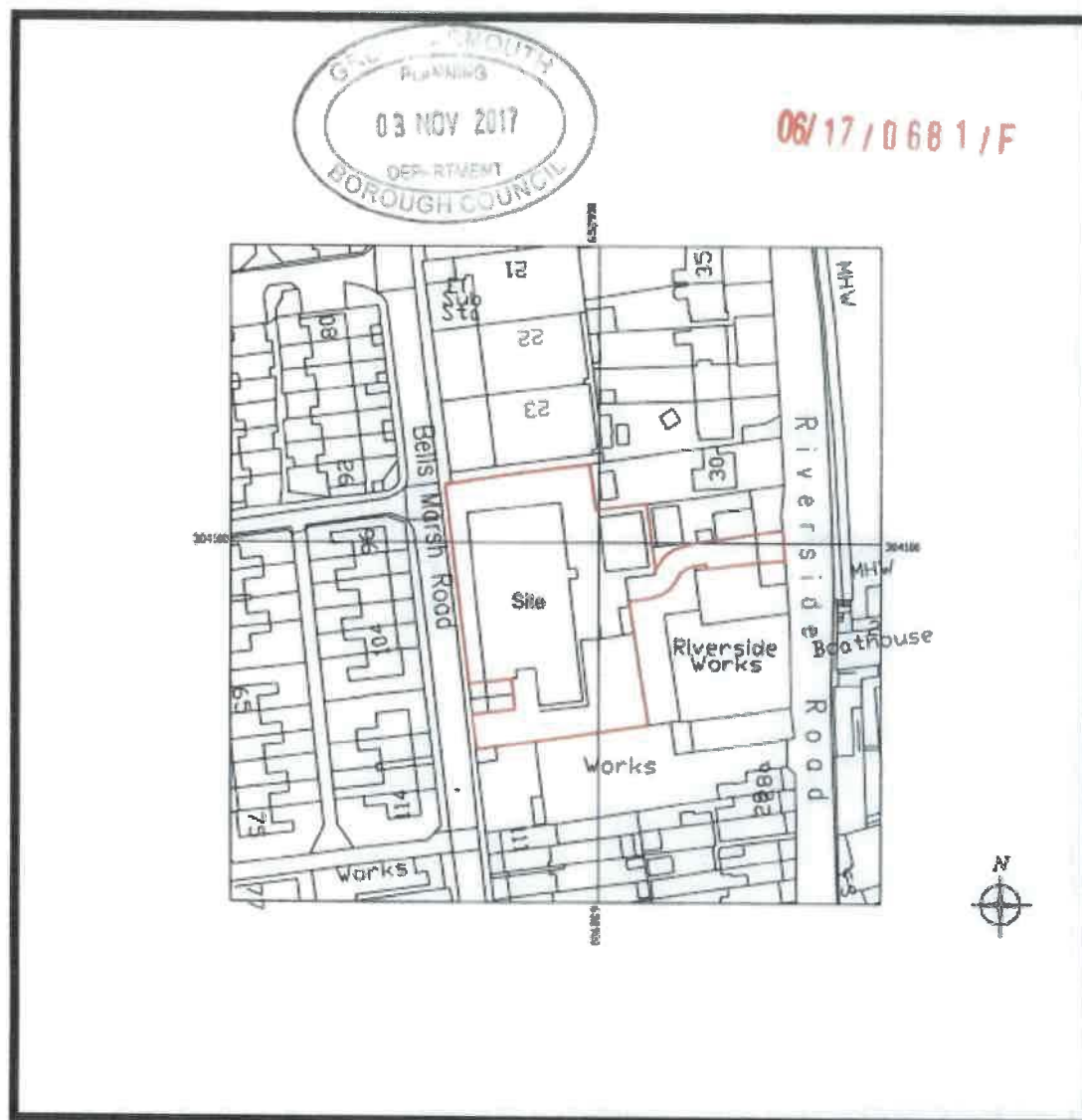
- 7.2 The application originally sought to retain an industrial unit on the site however following consultations with Highways the industrial unit was removed and an additional two dwelling houses shown in this position. Following additional details and ongoing discussions with highways there are no highways objections to the application. A number of objections received state that the access is not sufficient however Highways have concluded that the access and associated works are acceptable to serve the development. It is noted within the highways officer's comments that the offsite highway improvements shall be conditioned and are not intended, as per one objector's comments, to remove the ability to cross an existing access. Should the application be approved the details of these works shall be required to be submitted.
- 7.2 In terms of the sites employment land designation in the Core Strategy, the applicant has submitted additional information which demonstrates that the site has been marketed for in excess of 18 months for employment purposes and that there is no commercial interest in the re-use of the land for employment use. It is therefore considered that the policy requirement of Policy CS6 has been satisfied Policy CS6 is compliant with the National Planning Policy Framework which states that employment land that is not going to be brought back into use should not be protected indefinitely.
- 7.3 The site is located within flood zone 3a and as such consultations have been carried with the Environment Agency with no objection. The Environment Agency have noted the potential risks to the site by flooding and stated that the Lead Local Flood Authority should advise if the mitigation through flood resilient construction measures and water entry strategy as shown in the Flood Risk Assessment submitted in support of the application is acceptable.
- 7.4 The Lead Local Flood Authority (LLFA) originally objected to the application stating that they did not consider that it had been demonstrated that the site would be safe for the life time of the development owing to the actual risk of flooding, with potential rapid inundation of 0.5m depth as demonstrated by the Great Yarmouth Strategic Flood Risk Assessment (SFRA) nor demonstrate that the development would not lead to increased flooding elsewhere.
- 7.5 It is understood and accepted that the site is a brownfield site and as such does not currently have greenfield run off rates however, as per the LLFA objection brownfield sites are still recommended to discharge at the original pre-development runoff rate where possible. The LLFA requested a revised drainage strategy as part of the submitted details. The LLFA reiterated that should applicants wish to place development within areas of risk then the onus is on the applicant to quantify the risk to the development through an assessment which has not adequately been provided.

- 7.6 The applicant drainage consultants submitted further information to support the drainage strategy for the site. The applicant has revised the Surface Water Flood Modelling Assessment and the LLFA have removed their objection to the proposal subject to suggested appropriate conditions to ensure compliance with the Surface Water Flood Risk Drainage Strategy as revised.
- 7.5 Anglian Water although not commenting at this application stage, supplied pre application advice to the applicant which forms part of the drainage strategy confirming that there was capacity in the existing public foul sewer network system to accommodate fouls from the development. In terms of surface water disposal Anglian Water also stated that there was capacity within the network to accommodate the additional flows but the applicant would need to demonstrate that alternative means of disposal had been explored i.e. discharge to local water courses in the first instance. Once done the connection to the existing system via two named manholes points subject to the approval of Anglian Water can be achieved. As Committee will be aware the Anglian Water seldom reply directly to applications within the built up urban area. Any further response from Anglian Water will be reported. Any grant of planning permission should be subject to condition requiring the submission and agreement of the final drainage details prior to commencement of the development cross referencing with the suggested conditions of the LLFA. On the basis of the above the application is compliant with policy CS13 of the adopted Core Strategy and the National Planning Policy Framework with regards to flood risk and drainage
- 7.6 The design of the development, following highways consultation is accepted in highway terms. This includes parking to the frontage which the conservation officer is not in favour of. The properties, with living accommodation on ground floor level as opposed to the normal layout within flood zone 3 of undercroft parking, are suitable in size although it is noted that plot 6 has an exceptionally small curtilage. In the absence of size requirements within policy curtilage should be looked at in relation to the size of the property that it relates to.
- 7.7 The layout of the development has been subject to some redesign to address objections to the proposal and these will be reported in detail to the Committee
- 7.8 In conclusion the principle of residential development of this brownfield site within this currently mixed use and sustainable location is considered to be acceptable and policy compliant subject to the revised plans and conditions outline above. The application has been subject to a viability assessment submitted on behalf of the applicant demonstrating that the site if subject to the affordable housing and open space contribution would make the development of the site for residential unviable because of the sites development constraints and final values to build costs. Therefore the requirement for a legal obligation in this regard is not

requirement in this instance. There will however be a requirement for a Habitats mitigation payment of £110 per dwelling in accordance with the Council strategy has referred to above prior to any planning permission being issued.

8 RECOMMENDATION :-

- 8.1 Approve the revised application. The permission shall contain all conditions are requested by consulted parties and all that are deemed necessary to ensure a satisfactory form of development as being compliant with the Local Plan policies and the National Planning Policy Framework referred to along with the Habitats mitigation payment at £110 per dwelling.



Planning

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Client:
Hammond Property Development

Location:
**Bells Marsh Road
Gorleston**

Site:
Location Plan

Scale @ A4
1:1250

Date:
16.10.17

Project no:
7857

Drawn by:
NG

Reviewed
BA

Drawn no:
01

Revision
A

A	20.10.17	Amend street to red line	NS
rev	date	description	by