

**Reference:** 06/16/0790/F

**Parish:** Fleggburgh

**Officer:** Miss Gemma Manthorpe

**Expiry Date:** 28<sup>th</sup> February 2017

**Applicant:** Mrs E Wilgress

**Proposal:** Construction of 5 detached residential dwelling houses.

**Site:** Church View (land south of).

## 1. REPORT

1.1 The application is for the erection of 5 detached dwelling houses on a site currently used as a paddock according to the information provided by the applicant. The site is 0.67 hectares in area.

1.2 There have been 6 applications submitted that are related to the land as outlined below:

- 06/87/0909/SU – Supply for 4 bungalows involving diversion and construction of 11,000 volt overhead line – No objections from GYBC 28-09-1987
- 06/92/0283/O – Residential Development – Refused 12-10-1992
- 06/93/0166/F – Four detached houses and garages with access as shown and replacement access to land at rear – Approved 25-03-1993
- 06/96/0719/F – Proposed 2 no. residential dwellings with garages – Approved 08-01-1997
- 06/14/0699/O – Construction of 5 residential dwelling houses – Withdrawn 16-01-2015
- 06/15/-627/O – Construction of 5 detached residential dwelling houses – Withdrawn 09-12-2015

## 2. Consultations :-

2.1 **Parish Council-** The Parish Council responded with no objections to the application.

2.2 **Neighbours** – 2 objection to the application have been received and one letter in support, all attached to this report and summarised below:

Objections:

- Change of use from agricultural to residential will alter the character of the village.
- The proposed development will damage the views of the thatched church.
- Concern over the safety of the exit from Church view.

- Highways previously recommended refusal on highway safety grounds.
- Additional traffic will utilise existing private drive and the cost will be borne to the existing residents.
- Private drive not suitable for heavy vehicles.
- The private road is not adequate to serve eight properties.
- Loss of view and light to garden and conservatory.
- Additional houses will cause flooding.

Support:

- It will enhance this part of Fleggburgh.
- The view of the church will not be restricted.

**2.3 Norfolk County Council as Highway Authority** – No objections to the application subject to conditions which have been requested.

The Highways department raised concerns regarding previous applications for this development regarding access visibility and following further discussions with the agent and applicant, a section 106 agreement has been entered into with all relevant parties to secure visibility requirements across third party land. The agreement has been sealed and therefore the Highways Authority's concerns relating to visibility have been addressed.

**2.4 Norfolk County Council as Fire Service** – No objection providing the proposal meets the necessary requirements of the current Building Regulations 2000 Approved Document B(volume 1 – 2006 edition, amended 2007) as administered by the Building Control Authority.

**2.5 Building control** – No comment.

**2.6 Norfolk County Council Public Right of Way Officer** – The plan indicates a footpath which should have been dedicated as part of a previous application, this can be achieved with the current application.

No objections to the application per se but question the value of the proposed public footpath. It would need to show benefit to the wider public by linking to public highways and, if it were linked to public highways at either end the status of the route would need to be considered i.e. adopted footway rather than public footpath.

**2.7 Norfolk County Lead Local Flood Authority** – Consultation response received for the original application, no further response following reduction of site. The site is below the threshold for providing detailed comment.

**2.8 Strategic Planning** - Fleggburgh is identified in the Core Strategy (Policy CS2) as a Secondary Village that in combination with other Secondary Villages and Tertiary Villages will contribute to approximately 5% of the Borough's housing growth. Weight should also be given to the NPPF requirement to significantly boost housing supply (paragraph 47), with local

emphasis also on the Core Strategy's settlement hierarchy to direct the locations suitable for growth.

The site is adjacent to the Village Development Limit of Fleggburgh. The site appears to be well connected to the existing built up part of the settlement and is reasonably well located to access local services and facilities.

I therefore recommend approval of the application unless there are site specific reasons for not doing so.

- 2.9 **Historic Environment Service** - Based on currently available information the proposed development will not have any significant impact on the historic environment and we do not wish to make any recommendations for archaeological work.

### 3. **National Planning Policy Framework**

- 3.1 The presumption in favour of sustainable development is set out under paragraph 4.
- 3.2 Paragraph 49: Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 3.3 Paragraph 50 states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
  - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
  - where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.
- 3.4 Paragraph 42: The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extension to existing villages and towns that follow the principles of Garden Cities. Working with the support of their communities, local planning

authorities should consider whether such opportunities provide the best way of achieving sustainable development.

- 3.5 Paragraph 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

(extract only)

- 3.6 Paragraph 56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

- 3.7 Paragraph 112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

- 3.8 Paragraph 66. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

- 3.9 Paragraph 75. Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

#### **4. Saved Great Yarmouth Borough-Wide Local Plan Policies (2001)**

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

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

- 4.3 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.

- 4.4 HOU10: Permission for new dwellings in the countryside will only be given in connection with agriculture, forestry, organised recreation, or the expansion of settlements.
- 4.5 HOU16: A high standard of layout and design will be required for all housing proposals.

## 5. **Core Strategy:**

- 5.1 **Policy CS1:** This policy promotes sustainable communities and development which would complement the character of an area.
- 5.2 **Policy CS2:** This policy identifies the broad areas for growth by setting out the proposed settlement hierarchy for the borough. CS2 seeks to 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 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy.

- 5.3 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 (inter alia a-g.)
- 5.4 **Policy CS9:** This policy seeks to encourage well designed and distinctive places, particularly conserving and enhancing biodiversity, landscape quality and the impact on and opportunities for green infrastructure.

## 6. **Interim Housing Land Supply Policy**

- 6.1 The Interim Housing Land Supply Policy falls outside of the statutory procedures for Local Plan adoption it will not form part of Great Yarmouth Borough Council's Development Plan. The Interim Housing Land Supply Policy will however be used as a material consideration in the determination of planning applications.
- 6.2 The Interim Housing Land Supply Policy seeks to facilitate residential development outside but adjacent to development limits by setting out criterion to assess the suitability of exception sites. The criterion is based upon policies with the NPPF and the adopted Core Strategy.

- 6.3 It should be noted that the Interim Policy will only be used as a material consideration when the Council's Five Year Housing Land Supply utilises sites identified in the Strategic Housing Land Availability Assessment (SHLAA).
- 6.4 New Housing development may be deemed acceptable outside, but adjacent to existing Urban Areas of Village Development Limits providing the following criteria, where relevant to development, have been satisfactorily addressed: inter alia points a to n.

## **7. Appraisal**

- 7.1 The site is located towards the centre of Fleggburgh but not strictly within the settlement limits. The site is a level, grassed field. A public footpath runs from Town Road in the west along the southern boundary of the site. To the west of the site are allotments. These are lower than the site itself by approximately 1 metre. There is residential development to the north and east of the site and an area of open grassed land to the south. This links through to the graveyard of St Margaret's Church (listed building) which is off Main Road.
- 7.2 The site is located to the east of Fleggburgh, between Rollesby Road and Tower Road. The site is level and set higher than roads which run along its southern and western boundaries, where it is edged by field banking. The site is currently used for arable farming and is bounded on its limits by intermittent trees and hedgerows, whilst the character of the site is limited to open farmland/grazing to the east and residential development to the west. The site is high grade agricultural land (Grade 1).
- 7.3 As part of the consideration of the site during the SHLAA process the site was not considered available for development as the intentions to develop the site could not be ascertained following the SHLAA consultation exercise between June and July 2014. It is noted that these assessments were carried out over two and a half years ago and that the Strategic Planning response is a more up to date view.
- 7.4 In terms of environmental suitability, Anglian Water had, during the SHLAA assessment, indicated that infrastructure upgrades for sewerage treatment would be required to accommodate new development, and cumulative impact of sites may require larger wet well capacity at Pumping Station and flow attenuation upstream. There is no capacity for surface water sewers therefore alternative drainage solutions such as SuDS may need to be explored where appropriate. Anglian Water have not commented or objected on the current application.
- 7.5 The site is severely constrained by the existing highway network within Fleggburgh that is inadequate to support additional large scale development without significant investment to upgrade the highway network. In addition there is no obvious way to achieve on-site access to the site. The site is also considered constrained in terms of having poor access to village facilities and

services. However, there are further local amenities available in Filby which is relatively contiguous to Fleggburgh, therefore limited development in either settlement could be achievable on this account.

- 7.6 Whilst the existing highway network and availability of village services and facilities are poor, these are not insurmountable constraints to development. However, there is no obvious means to access the site which is a fundamental constraint for making the site suitable for development. In addition the availability of the site has not been ascertained. The site was not currently developable during the 2014 assessment as part of the Strategic Housing Land Availability Assessment although the Strategic Planning comments received as part of the consultation for this application are positive and recommend approval.

## **8. Assessment**

- 8.1 The site comprises 0.67 ha of grade 1 agricultural land; there have been two previous applications on the site in recent years which were withdrawn following archaeological works being required and the need to overcome the original highways objections. Both parties as consulted on the current application have no objections.
- 8.2 The Strategic Housing Land Availability Assessment, summarised at paragraphs 7.1 to 7.6 found, in 2014, that the land was not deliverable or developable. The comments received from Strategic Planning at paragraph 2.8 of this report recommend approval of the application. The major constraint identified was the lack of access to the site. The access shown is from the existing Church View development to Rollesby Road. Church View is a privately maintained road and objections have been made regarding the use of this road by construction traffic and additional vehicles. The safety of using this access has also been objected to however Highways are satisfied that the access is suitable, following the 106 agreement, for the development as proposed.
- 8.3 The second major constraint identified was the lack of knowledge of an owner of the land; in the absence of an owner or developer being interested in bringing a site forward, sites are not deemed developable as there is no evidence that the site will be brought forward for development. The existence of an application demonstrates that the site is capable of being developed and that the owner is interested in having this happen this overcomes the objection identified within the SHLAA.
- 8.4 Rights of way over a private road is a civil matter and the access is outlined to indicate that the access is owned by the applicant. Following direct discussions between the applicant and the PROW Officer the application has been amended to provide an improved road surface standard and footway. These improvements will increase the permeability through the village by provision of a public footway to adoptable standard but should also alleviate

concerns of residents of Church View regarding the condition of the access following the development.

- 8.5 There has been an objection to the application on the grounds of loss of view from an existing property to the church by the placement and orientation of plot 2. Views are not protected and not a reason to justify a recommendation of refusal of an application. The objector notes that if the orientation of the dwelling were altered the view wouldn't be lost and there would be less adverse effect on the amenities of the occupiers of the dwelling. Following the consultation response and discussions with the agent plot 2 has been repositioned with the garage (single storey) to the northern boundary of the site and the proposed dwelling further to the southern boundary of the plot. This puts the dwelling house 14 metres from the northern boundary, the closest boundary to no.3 Church View and 21 ½ metres from the dwelling know as no. 3 Church View.
- 8.6 There is a window shown at the gable end of the dwelling proposed as plot 2, the window is annotated on the plan as obscure glazed and this can be conditioned to prevent overlooking. There will be an increase in overlooking from the proposed development however this has been significantly reduced by the relocation of the dwelling and is not so significant as to recommend refusal. This is especially true given the existing character of the area in that there are no isolated plots and there is existing development and a degree of overlooking from around the site. The suggestion to re-orientate the dwelling proposed has been considered however any reorientation would increase the overlooking to the properties to the east of the application site. The movement of the proposed dwelling reduces the impact on Springfield, the property most affected by overlooking. The movement of the property to the south reduces the impact of the dwelling and overlooking to the rear garden.
- 8.7 The objectors state that there are issues within the vicinity of site regarding surface water. The application states that surface water will be dealt with by soakaway, this can be conditioned should the application be approved.
- 8.8 It is noted within one of the objections that the application will result in the loss of high grade agricultural land. This is accepted and the National Planning Policy Framework notes that land that is not the highest grade agricultural should be looked at first. However the site is located adjacent to existing development and, according to the information submitted as part of the application, paddocks. Given the specific location of the land it is deemed acceptable taking into account the grade of agricultural land.
- 8.9 The proposed development lies outside of the village development limits however the Interim Housing Land Supply Policy (IHLSP) has been drafted and adopted in order that developments, specifically those for housing outside of the village development limits can be assessed with a view to meeting housing targets prior to the adoption of the site specific allocations. The IHLSP is a material consideration and as such shall be afforded appropriate weight as a means of assessing development for housing outside of village development limits. The IHLSP is only to be utilised when the Council's five

year housing land supply policy includes 'deliverable' sites identified through the Strategic Housing Land Availability Assessment. The site has been assessed as part of the Strategic Housing Land Availability Assessment as site FL11 and therefore the IHLSP is applicable, the objections found during the SHLAA assessment have been overcome and therefore this report finds the site deliverable and developable.

## **9. Recommendation**

- 9.1 Approve the application with requested conditions by consulted parties and appropriate conditions to ensure an adequate form of development.

Gemma Manthorpe  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Your Ref: 06/16/0790/F  
Date: 18 January 2017

My Ref: 9/6/16/0790  
Tel No.: 01603 638070  
Email: [stuart.french@norfolk.gov.uk](mailto:stuart.french@norfolk.gov.uk)

Dear Gemma

**Fleggburgh: Construction of 5 detached residential dwelling houses  
Church View (land south of) Fleggburgh GREAT YARMOUTH NR29 3DJ**

Thank you for your recent consultation with respect to the above.

As you will be aware from previous application for this development, the Highway Authority raised concerns regarding access visibility and following further discussions with the applicant and agent, a Section 106 Agreement has been entered into with all relevant parties to secure visibility requirements across third party land. The Agreement has been sealed and therefore the Highway Authority's concerns relating to visibility have been addressed.

Accordingly in highway terms only I have no objection to the proposals subject to the following conditions being appended to any grant of permission your Authority is minded to make.

SHC 19 Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

SHC 24 Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the

*Continued/...*

approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

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

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

Yours sincerely

*Stuart French*

Highways Development Management & Licensing Officer  
for Executive Director for Community and Environmental Services

**GREAT YARMOUTH BOROUGH COUNCIL**

**To:** PARISH COUNCIL  
**From:** Group Manager (Planning)  
**Date:** 3rd January 2017

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**PARISH:** Fleggburgh 6  
**APPLICATION:** 06/16/0790/F  
**PROPOSAL:** Construction of 5 detached residential dwelling houses  
**LOCATION:** Church View (land south of) Fleggburgh GREAT YARMOUTH NR29 3DJ  
**AGENT:** David Bullen Limited  
Novus Centre The Conge GREAT YARMOUTH NR30 1NA  
**APPLICANT** Mrs E Willgress  
9 Cherry Tree Lane NORTH WALSHAM Norfolk NR28 0HR  
**CASE OFFICER:** Miss G Manthorpe

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I attach for your attention a copy of the application form and plans in respect of the above proposal. This is a Potential Delegated application.

Please let me have any comments you wish to make by 24th January 2017

**Comments:**

FLEGGBURGH PARISH COUNCIL  
Serving Fleggburgh, Billockby & Clippesby

Date: 23<sup>rd</sup> January 2017

The Parish Council has no objections to this application.



Jennifer Colman - Parish Clerk  
Telephone: 01493 368247  
[fleggburghparishclerk@btinternet.com](mailto:fleggburghparishclerk@btinternet.com)

Great Yarmouth Borough Council

19 JAN 2017

Customer Services 14th January 2017

1 CHURCH VIEW  
FLEGGBURGH  
GREAT YARMOUTH  
NORFOLK NR29 3DJ  
TEL: 01

Planning Service  
Development Control  
Town Hall  
Hall Plain  
Gt Yarmouth  
Norfolk NR30 2QF


Planning Application  
06/16/0790/F

Dear Sir,

With reference to the above planning application I wish to object to the construction of 5 houses south of Church View for the following reasons:-

- 1 Church View is very narrow & only built to accommodate a few cars in the close & the possibility of 10 or more cars using it is not recommended for safety reasons especially as there isn't a footpath.
- 2 My drive is the lowest point of all of the gravelled area of Church View and when it rains always floods. As the field rises from Church View it means I would be subject to even more flooding.
- 3 At the moment the residents of Church View are liable for the maintenance of the road & therefore heavy lorries would not be permitted to use it and damage it unless the maintenance agreement was taken over by the construction company legally. The lorries would also churn up the gravelled area making it a danger of falls to us 3 elderly residents.

Yours faithfully



Ian & Angela Couling  
Sophex House  
3 Church View  
Fleggburgh  
Norfolk  
NR29 3DJ

01493 369128  
ian@couling.net  
January 23, 2017

Mr Dean Minns  
Group Manager (Planning)  
Great Yarmouth Borough Council  
Planning Services  
Development Control  
Town Hall  
Hall Plain  
Great Yarmouth  
NR30 2QF

Dear Mr Dean Minns:

**PLANNING APPLICATION 06/16/0790/F**

We are writing to express our concerns about the proposed development at Church View, Fleggburgh. We understand that this site lies outside the village development limits.

Our principle concern is that the change of use from agricultural land to a housing development will transform the centre of the village, permanently changing the unique character of this rural Norfolk village and the views and setting of the thatched church enjoyed by most of the residents in the

village centre. Fleggburgh Church is a listed building and one of only 53 surviving thatched Churches in Norfolk. We believe that any further development which further impacts on the view and setting of the church from the village would fundamentally change the nature of the village and destroy the unique nature of Fleggburgh village centre.

Our second concern is one of safety the exit from Church View is already a problem. We have suffered one collision and several near misses exiting from the property and consider that something will need to be done to improve the visibility and safety of the access if the development is to be enlarged.

The visibility to the right of the Church View entrance has been improved recently but is still limited and Rollesby Road residents often park opposite the entrance to Church View which exacerbates the problem. The proximity of the bend to the left of the exit makes the problem worse. Vehicles often cut the corner at high speed and combined with the poor visibility causes a significant safety issue. We feel that this should be taken into account in any plans to enlarge the development. I would remind you of the letter from Stephen Coleman (Highways Development Manager) to Gemma Manthorpe dated 19 December 2014 in which he stated *"The visibility available to the access point intended to serve these additional dwellings amounts to only some 30% to the East and 53% to the West of required Government guidance."* He went on to say: *"In light of the above evidence I am of the opinion that the site is unacceptably located by reason of its lack of access to safe pedestrian provision and severely sub-standard access visibility onto the county highway"* He recommended refusal of the application under SHCR 12 & SHCR 02 (variation). Apart from a little hedge trimming this situation has not been improved

Another concern is one of maintenance and drainage, as we understand it the current residents are jointly responsible for the upkeep of the Private Road which is Church View. The current (loose stone) surface whilst

adequate for the 3 properties (numbers 1, 2 & 3) that currently use this part of the road would not be suitable or adequate for 8 properties. We clearly could not be expected to maintain the road under these circumstances and it would not be acceptable for heavy construction vehicles to cross this pea shingle driveway, turning it into a mud bath in wet weather.

It is unclear how a suitable footpath could be located sympathetically with the existing properties which gives further concern for pedestrian safety or children going to school. I cannot see any provision for a foot path on Church View in the plans which will surely be required?

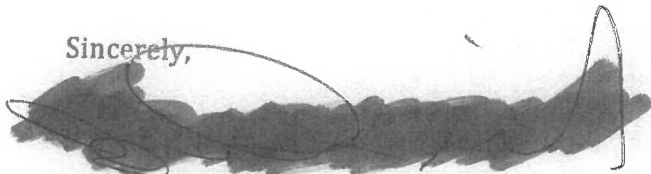
On a personal level we are pleased that the design of the properties does appear in keeping with the other properties in the village and to see that an effort has been made on plots 1, 4 & 5 of the proposed development to avoid blocking the view of the church thereby preserving the theme of Church View and. However the proposed plots 2 and 3 have not been laid out in the same way and on plot 2 in particular the property has been positioned with the gable end directly in line with our view of the Church and in a way which clearly overshadows our south facing garden with loss of light to our garden and conservatory. If the development is to go ahead we would like to see some consideration given to the impact of this overshadowing on our property which will clearly be the one most adversely affected by the development. We would welcome the opportunity to discuss this with you before a decision is made.

In the 3rd December 2014 email to Peter Stockwell from the Development Control Manager it states that bins will need to be presented at the end of Church View for collection. I have seen no comments to alter this statement since but this is clearly unsafe and unsatisfactory as there is nowhere other than the road itself where bins could be "presented at end of Church view on the junction with Main Road for collection"

Mr Dean Minns  
January 23, 2017  
Page 4

We acknowledge that some effort has been made to improve the visibility splay to the East of Church view although we still have concerns about the safety of this junction with increased traffic from the new properties. Particularly the sharp "blind bend" in close proximity on the West side of Church View. We feel that if the plots 2 and 3 were offset in the way that has been done with plots 1, 4 & 5. This would represent a big improvement to the scheme but the road and footpath safety and maintenance issue will need to be resolved in any event.

Sincerely,



Ian & Angela Couling

Ref.

06/16/079d#

Land south of Church View

4, CHURCH VIEW,

FLEGGBURGH,

NR29 3DJ.

18/1/17.

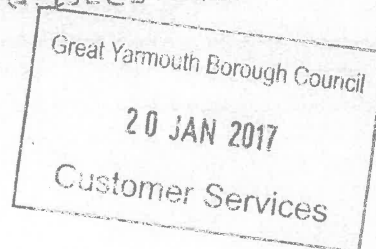
Dear Sir,

I have absolutely NO objection to this planning application. In fact it will enhance this part of Fleggburgh. The view of the Church will not be restricted as only the tower & roof is visible through the trees.

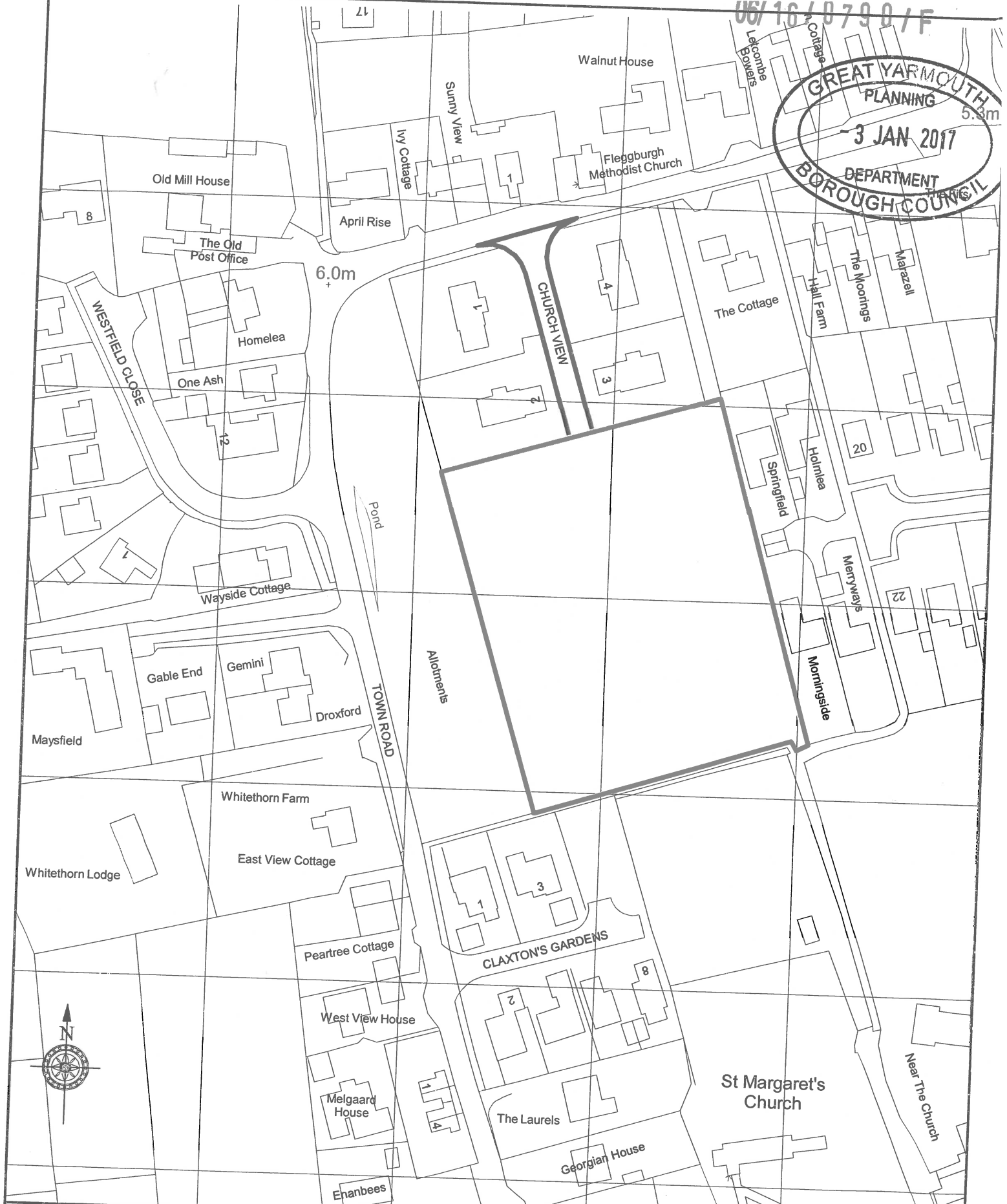
I trust the Planning Committee will look kindly & grant the application.

Yours faithfully

J. A. ISLES (Mrs)



06/16/0790/F



CLIENT: Mrs Wilgress  
PROJECT: Land at Town Road, Fleggburgh  
DRAWING TITLE: Existing Site Plan  
DRG. No: 063-P-SITE01  
DRG. SCALE: 1:1250  
DATE: December 2016  
PAGE SIZE: ISO A4

## David Bullen LTD

Chartered Building Surveyors  
Novus Centre, The Conge,  
Great Yarmouth, NR30 1NA  
Tel: (01493) 842 168  
e.mail: [info@dbsurveyors.co.uk](mailto:info@dbsurveyors.co.uk)



Gemma Manthorpe  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Your Ref: 06/16/0790/F  
Date: 18 January 2017

My Ref: 9/6/16/0790  
Tel No.: 01603 638070  
Email: [stuart.french@norfolk.gov.uk](mailto:stuart.french@norfolk.gov.uk)

Dear Gemma

**Fleggburgh: Construction of 5 detached residential dwelling houses  
Church View (land south of) Fleggburgh GREAT YARMOUTH NR29 3DJ**

Thank you for your recent consultation with respect to the above.

As you will be aware from previous application for this development, the Highway Authority raised concerns regarding access visibility and following further discussions with the applicant and agent, a Section 106 Agreement has been entered into with all relevant parties to secure visibility requirements across third party land. The Agreement has been sealed and therefore the Highway Authority's concerns relating to visibility have been addressed.

Accordingly in highway terms only I have no objection to the proposals subject to the following conditions being appended to any grant of permission your Authority is minded to make.

SHC 19 Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

SHC 24 Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the

*Continued/...*

approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

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

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*Stuart French*

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Date: 23<sup>rd</sup> January 2017

The Parish Council has no objections to this application.



Jennifer Colman - Parish Clerk  
Telephone: 01493 368247  
[fleggburghparishclerk@btinternet.com](mailto:fleggburghparishclerk@btinternet.com)

Great Yarmouth Borough Council

19 JAN 2017

Customer Services 14th January 2017

1 CHURCH VIEW  
FLEGGBURGH  
GREAT YARMOUTH  
NORFOLK NR29 3DJ  
TEL: 01

Planning Service  
Development Control  
Town Hall  
Hall Plain  
Gt Yarmouth  
Norfolk NR30 2QF

Planning Application  
06/16/0790/F

Dear Sir,

With reference to the above planning application I wish to object to the construction of 5 houses south of Church View for the following reasons:-

- 1 Church View is very narrow & only built to accommodate a few cars in the close & the possibility of 10 or more cars using it is not recommended for safety reasons especially as there isn't a footpath.
- 2 My drive is the lowest point of all of the gravelled area of Church View and when it rains always floods. As the field rises from Church View it means I would be subject to even more flooding.
- 3 At the moment the residents of Church View are liable for the maintenance of the road & therefore heavy lorries would not be permitted to use it and damage it unless the maintenance agreement was taken over by the construction company legally. The lorries would also churn up the gravelled area making it a danger of falls to us 3 elderly residents.

Yours faithfully



Ian & Angela Couling  
Sophex House  
3 Church View  
Fleggburgh  
Norfolk  
NR29 3DJ

01493 369128  
ian@couling.net  
January 23, 2017

Mr Dean Minns  
Group Manager (Planning)  
Great Yarmouth Borough Council  
Planning Services  
Development Control  
Town Hall  
Hall Plain  
Great Yarmouth  
NR30 2QF

Dear Mr Dean Minns:

**PLANNING APPLICATION 06/16/0790/F**

We are writing to express our concerns about the proposed development at Church View, Fleggburgh. We understand that this site lies outside the village development limits.

Our principle concern is that the change of use from agricultural land to a housing development will transform the centre of the village, permanently changing the unique character of this rural Norfolk village and the views and setting of the thatched church enjoyed by most of the residents in the

village centre. Fleggburgh Church is a listed building and one of only 53 surviving thatched Churches in Norfolk. We believe that any further development which further impacts on the view and setting of the church from the village would fundamentally change the nature of the village and destroy the unique nature of Fleggburgh village centre.

Our second concern is one of safety the exit from Church View is already a problem. We have suffered one collision and several near misses exiting from the property and consider that something will need to be done to improve the visibility and safety of the access if the development is to be enlarged.

The visibility to the right of the Church View entrance has been improved recently but is still limited and Rollesby Road residents often park opposite the entrance to Church View which exacerbates the problem. The proximity of the bend to the left of the exit makes the problem worse. Vehicles often cut the corner at high speed and combined with the poor visibility causes a significant safety issue. We feel that this should be taken into account in any plans to enlarge the development. I would remind you of the letter from Stephen Coleman (Highways Development Manager) to Gemma Manthorpe dated 19 December 2014 in which he stated *"The visibility available to the access point intended to serve these additional dwellings amounts to only some 30% to the East and 53% to the West of required Government guidance."* He went on to say: *"In light of the above evidence I am of the opinion that the site is unacceptably located by reason of its lack of access to safe pedestrian provision and severely sub-standard access visibility onto the county highway"* He recommended refusal of the application under SHCR 12 & SHCR 02 (variation). Apart from a little hedge trimming this situation has not been improved

Another concern is one of maintenance and drainage, as we understand it the current residents are jointly responsible for the upkeep of the Private Road which is Church View. The current (loose stone) surface whilst

adequate for the 3 properties (numbers 1, 2 & 3) that currently use this part of the road would not be suitable or adequate for 8 properties. We clearly could not be expected to maintain the road under these circumstances and it would not be acceptable for heavy construction vehicles to cross this pea shingle driveway, turning it into a mud bath in wet weather.

It is unclear how a suitable footpath could be located sympathetically with the existing properties which gives further concern for pedestrian safety or children going to school. I cannot see any provision for a foot path on Church View in the plans which will surely be required?

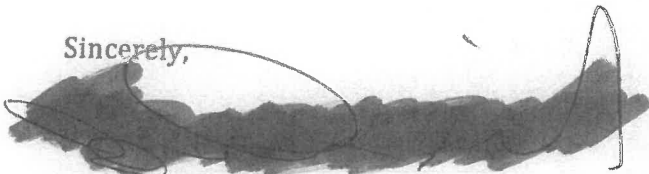
On a personal level we are pleased that the design of the properties does appear in keeping with the other properties in the village and to see that an effort has been made on plots 1, 4 & 5 of the proposed development to avoid blocking the view of the church thereby preserving the theme of Church View and. However the proposed plots 2 and 3 have not been laid out in the same way and on plot 2 in particular the property has been positioned with the gable end directly in line with our view of the Church and in a way which clearly overshadows our south facing garden with loss of light to our garden and conservatory. If the development is to go ahead we would like to see some consideration given to the impact of this overshadowing on our property which will clearly be the one most adversely affected by the development. We would welcome the opportunity to discuss this with you before a decision is made.

In the 3rd December 2014 email to Peter Stockwell from the Development Control Manager it states that bins will need to be presented at the end of Church View for collection. I have seen no comments to alter this statement since but this is clearly unsafe and unsatisfactory as there is nowhere other than the road itself where bins could be "presented at end of Church view on the junction with Main Road for collection"

Mr Dean Minns  
January 23, 2017  
Page 4

We acknowledge that some effort has been made to improve the visibility splay to the East of Church view although we still have concerns about the safety of this junction with increased traffic from the new properties. Particularly the sharp "blind bend" in close proximity on the West side of Church View. We feel that if the plots 2 and 3 were offset in the way that has been done with plots 1, 4 & 5. This would represent a big improvement to the scheme but the road and footpath safety and maintenance issue will need to be resolved in any event.

Sincerely,



Ian & Angela Couling

Ref.

06/16/079d#

Land south of Church View

4, CHURCH VIEW,

FLEGGBURGH,

NR29 3DJ.

18/1/17.

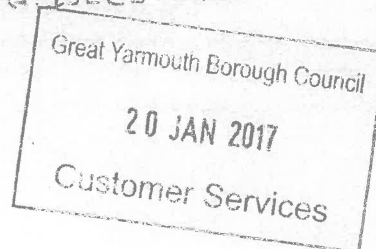
Dear Sir,

I have absolutely NO objection to this planning application. In fact it will enhance this part of Fleggburgh. The view of the Church will not be restricted as only the tower & roof is visible through the trees.

I trust the Planning Committee will look kindly & grant the application.

Yours faithfully

J. A. ISLES (Mrs)



06/16/0790/F



CLIENT: Mrs Wilgress  
PROJECT: Land at Town Road, Fleggburgh  
DRAWING TITLE: Existing Site Plan  
DRG. No: 063-P-SITE01  
DRG. SCALE: 1:1250  
DATE: December 2016  
PAGE SIZE: ISO A4

## David Bullen LTD

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