Development Control Committee

Date: **Wednesday, 07 August 2019**
Time: **18:30**
Venue: **Council Chamber**
Address: **Town Hall, Hall Plain, Great Yarmouth, NR30 2QF**

AGENDA

CONTENTS OF THE COMMITTEE AGENDA
PLANNING APPLICATIONS & CONDUCT OF THE MEETING

Agenda Contents

This agenda contains the Officers' reports which are to be placed before the Committee. The reports contain copies of written representations received in connection with each application. Correspondence and submissions received in time for the preparations of the agenda are included. However, it should be noted that agendas are prepared at least 10 Working Days before the meeting. Representations received after this date will either:-

(i) be copied and distributed prior to or at the meeting – if the representations raise new issues or matters of substance or,
(ii) be reported orally and presented in summary form by the Principal Officer of the Committee – especially where representations are similar to, or repeat, previous submissions already contained in the agenda papers.

There are occasions when the number of representations are similar in nature and repeat the objections of others. In these cases it is not always possible for these to be included within the agenda papers. These are either summarised in the report (in terms of numbers received) and the main points highlighted or reported orally at the meeting. All documents are available as 'background papers' for public inspection.

Conduct

Members of the Public should note that the conduct of the meeting and the procedures followed are controlled by the Chairman of the Committee or, if he/she so decides, the Vice Chairman. Any representations concerning Committee procedure or its conduct should be made in writing to either –

(i) The Planning Group Manager, Town Hall, Great Yarmouth. NR30 2QF
(ii) The Monitoring Officer, Town Hall, Great Yarmouth. NR30 2QF

DEVELOPMENT CONTROL COMMITTEE

PUBLIC CONSULTATION PROCEDURE

(a) Thirty minutes only will be set aside at the beginning of each meeting to deal with applications where due notice has been given that the applicant, agent, supporters, objectors, and any interested party, Parish Council and other bodies (where appropriate) wish to speak.

(b) Due notice of a request to speak shall be submitted in writing to the Planning Group Manager two days prior to the day of the Development Control Committee meeting.

(c) In consultation with the Planning Group Manager, the Chairman will decide on which applications public speaking will be allowed.

(d) Three minutes only (or five minutes on major applications at the discretion of the Chairman) will be allowed to (i) objectors together, (ii) an agent or applicant and (iii) supporters together, (iv) to a representative from the Parish Council and (v) Ward Councillors.

(e) The order of presentation at Committee will be:-

(1) **Planning Officer presentation** with any technical questions from Members
(2) **Agents, applicant and supporters** with any technical questions from Members
(3) **Objectors and interested parties** with any technical questions from Members
(4) **Parish Council representatives, Ward Councillors and Others** with any technical questions from Members
(5) **Committee debate and decision**

Protocol

A councillor on a planning or licensing decision making body should not participate in the decision and / or vote if they have not been present for the whole item.

This is an administrative law rule particularly applicable to planning and licensing - if you haven't heard all the evidence (for example because you have been out of the room for a short time) you shouldn't participate in the decision because your judgment of the merits is potentially skewed by not having heard all the evidence and representations.

It is a real and critical rule as failure to observe this may result in legal challenge and the decision being overturned."

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.
You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

3 MINUTES 5 - 14

To confirm the minutes of the meeting held on 10 July 2019.

4 PLANNING APPLICATIONS

5 06-19-0354-F FORMER CLAYDON SCHOOL LAND AT BECCLES ROAD GORLESTON 15 - 50

Construction of 12 dwellings (Plots 90-101) & realignment of 3 plots (29-31) previously approved under planning permission 06?15/0737/F.

6 DELEGATED AND COMMITTEE DECISION LIST 1 - 27 JULY 2019 **51 - 61**

The Committee to receive and consider the list of planning applications cleared by delegated officer approval and by the Development Control Committee between 1 to 27 July 2019.

7 APPEAL AND OMBUDSMAN DECISIONS **62 - 67**

The Committee is asked to note the following:-

(i) 06/18/0293/O - Creation of single residential dwelling at Top Farm, Martham Road, West Somerton - Appeal Dismissed. original application was an officer delegated refusal.

(ii) 06/18/0345/CU - Proposed Change of Use from a hotel to a house in multiple occupation with managed accommodation, 46 Queens Road, Great Yarmouth. Please see report attached to agenda.

8 ANY OTHER BUSINESS

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

9 EXCLUSION OF PUBLIC

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."

Development Control Committee

Minutes

Wednesday, 10 July 2019 at 18:30

Attendance :

Councillor Annison (in the Chair); Councillors Bird, Fairhead, Freeman, Flaxman-Taylor, P Hammond, Lawn, Myers, Wainwright, Williamson, A Wright and B Wright.

Also in attendance :

Mr A Nichols (Head of Planning & Growth), Ms C Whatling (Monitoring Officer), Mr D Minns (Planning Mamager), Mrs G Manthorpe (Senior Planning Officer), Mrs G Smith (Technical Officer) & Mrs S Wintle (Corporate Services Manager).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mogford.

2 DECLARATIONS OF INTEREST

Councillor Lawn declared a Pecuniary Interest with regard to Item 7 and left the meeting whilst the item was discussed as Councillor Lawn's daughter was a joint applicant.

Councillor P Hammond declared a personal interest with regard to Item 4 in

that he had been contacted by the Architect involved with the application.

3 MINUTES

The minutes of the meeting held on the 12 June 2019 were confirmed.

Councillor Williamson made reference to Item 4 which had been withdrawn at the last meeting, and asked whether a legal reason could be provided as to the withdrawal of the application and further asked whether all documents with regard to the consultation were on line. The Senior Planning Officer advised that the consultation for this application had now commenced and that all documentation should be live on the website.

4 APPLICATION 06-15-0441-O, FORMER PONTINS HOLIDAY CENTRE, BEACH ROAD, HEMSBY

The Committee received and considered the Planning Manager's report which re-presented an application for demolition of existing buildings and re-development of the site for up to 190 dwellings, retail development and holiday accommodation, together with associated open space, landscaping and infrastructure.

The Planning Manager reported that the application was being re-presented with a revised proposal to Members following a resolution to refuse the application by the Development Control Committee in March 2016.

The Planning Manager provided Members with an overview of the original proposal in line with the current revised proposal. He advised that the outline planning permission was still being sought for a residential led, mixed-use redevelopment of the application site as a whole. He reported that the description had been changed and the scheme no longer proposed community facilities but now included an element of holiday accommodation. He reiterated the plans proposed for the demolition of existing buildings and re-development of the site for up to 190 dwellings, retail development and holiday accommodation, together with associated open space, landscaping and infrastructure. As with the original 2015 submission,
permission was being sought for the principle of the development and the main access
points, with matters relating to layout, scale appearance and landscaping reserved for future approval.

Members were advised that the revised proposals included an area of approximately two hectares to the north of the site, adjacent to Beach Road, for holiday accommodation, in the form of 50 static caravans. It was reported that the existing site was well established with extensive planting and hedging, and the layout shown on the masterplan sought to retain areas of established planting within open space provision on the site.

The Planning Manager detailed the consultation responses received from the Parish Council who had objected to the application, together with the public responses whereby following re-consultation of the revised plan 109 objections had been received in total. Members were advised of the number of statutory consultation responses that had been received from external sources which included Norfolk County Council,Highways, Historic Environment Service,Norfolk Constabulary (Architectural Liaison Officer), Infrastructure, Lead Local Flood Authority, Environment Agency, Anglian Water, Essex and Suffolk Water, Natural England which included internal Great Yarmouth Borough Council internal responses.

The Planning Manager reported that the application in question sought to establish the principle of a residential led mixed use development on a brownfield site. He advised that it was evident from the consultation responses from statutory bodies that subject to conditions and planning obligations that the site can accommodate the principle of the development proposed without adversely impacting upon the infrastructure of the area, local amenity or natural ecological habitats.

The Planning Manager provided a detailed summary as to the principle of the development and pointed out that it should be noted that the NPPF encouraged effective use of land.

The Planning Manager reported that in summary the proposal would enable a site which has been derelict for nearly 10 years , with seemingly very little prospect of being viably re occupied or re-developed for largely tourism use, to be re-developed to provide much-needed housing, along with some space for tourism caravans. No significant harms have been identified, and where harms exist, it is concluded that they can be satisfactorily controlled through planning conditions or the S106 legal agreement.

The Planning Manager reported that the proposal is considered to comply with policy HOU9 of the Great Yarmouth Borough-Wide Local Plan 2001 and policies CS1, CS3, CS4, CS6 CS7 and CS8 of the Core Strategy and the National Planning Policy Framework material considerations thatare considered to - in this instance - outweigh conflict with Policy TR4 and TR11 of the Great Yarmouth Borough Wide Local Plan 2001.

Members were advised that application was recommended for approval subject to conditions required to provide a satisfactory form of development as outlined and referred to above and the completion of a Section 106 Agreement for the provision of affordable housing, library books, green infrastructure provision, Natura 2000 mitigation including financial as outline in the report, play space and maintenance provision and highway requirements.

A Member asked with regard to the local schools and whether these were to be included as assets to the area and he was advised that schools did not fall in the category of an asset.

A Member asked with regard to the proposals for static caravans and whether conditions could be added to the application to ensure these were put into situe, the Planning Manager advised that a condition could be added to the application and it was suggested that this be a phased in approach condition.

The applicants agent provided a brief summary whereby Members were reminded that the Council's draft local plan identified a clear need for housing, the agent reminded Members that the site had been vacant for a number of years and therefore was in need of development, he advised that the development would generate jobs and would therefore benefit the economy, the agent advised that the applicant had worked hard to locate a tourism related business for the site but had been unable to attract any commercial or tourism industries. The agent stated that in his opinion the application to be considered provided a positive proposal for the site and encouraged Members to consider approval for the proposed application.

Mr Archibold, Objector addressed the Committee and provided his views as to why he felt that the application should be recommended for refusal, he advised that he had approached Northern Trust with a commercial idea for the site but had not received any communication from Northern Trust. The Monitoring Officer reminded Members that they were to consider the application included within the agenda of the meeting.

Mrs Foster, Objector addressed the Committee and summarised a number of concerns of the local residents, she advised that residents were fighting to retain a tourism industry for the site, reference was made to the policies that had been detailed with the proposals and advised that objections had been made taking these policies in to account. Mrs Foster commented on the proposed government standard for housing supply which would see the figure for housing supply supply drop significantly and therefore state that she felt the application was premature.

A Member sought clarification as to the proposed reduction in the housing supply and he was advised that whilst new standard methodology was being introduced the Council had adopted the core strategy to fulfill the local plan requirements and advised that the figure detailed within the current local plan was the most recent and up to date figure.

Charlotte Hill, Parish Council Representative addressed the Committee and reported the concerns of the Parish Council and urged the Committee to refuse the application.

A Member asked in light of comments with regard to the need for the retaining of tourism at the site, whether tourism within Hemsby had deteriorated since the closure of the site, it was advised that Hemsby had not seen a decline in visitors since the closure of the site.

Councillor Bensly, Ward Councillor reported the concerns of his constituents to the Committee and stated his own concerns with regard to the applicant and

asked Members to consider refusing the application in order to safeguard the tourism industry within Hemsby.

A Member raised some concern with regard to comments that had been made by Councillor Bensly.

Councillor Galer, Ward Councillor reported the concerns of his constituents to the Committee and stated his own concerns with regard to the applicant and asked Members to consider refusing the application.

Members hereby entered into a general debate with regard to the application.

Councillor Hammond reported that he could find no reason to refuse the application and recommended approval.

Following a vote it was :-

RESOLVED :

That Application 06/15/0441/O be approved subject to conditions required to provide a satisfactory form of development as outlined and referred to above and the completion of a Section 106 Agreement for the provision of affordable housing, library books, green infrastructure provision, Natura 2000 mitigation including financial as outline in the report, play space and maintenance provision and highway requirements.

5 APPLICATION 06-19-0159-D, ROLLESBY ROAD (LAND AT) BROILER FARM, MARTHAM

The Committee received and considered the Senior Planning Officer's report which presented approval of reserved matters - appearance, appearance, landscaping, layout and scale of application 06/15/0673/O - including discharge of conditions 13, 19, 21, 22 and 24.

The Senior Planning Officer reported that the application was for reserved matters and discharge of condition application only, the principle of development has been established as appropriate and in accordance with the principles of sustainable development. The site is noted in the draft Local Plan Part 2 as having been granted outline planning permission. The reserved matters subject to the application are scale, appearance and landscaping
with access having been previously determined.

The Senior Planning Officer reported that 9 neighbour objections had been received. It was noted that the majority of the objections to the application from local residents were in reference the principle of development and the access. Both the principle of development and access have been decided at outline stage and are not being reconsidered. The access approved for the development is shown off Acacia Avenue which is accessed via Willow Way

off Rollesby Road. Highways comments on the outline permission included traffic calming measures and the introduction of a 20mph zone to seek to mitigate the potential harm that is caused by the increase in traffic, Members were advised that this had been conditioned.

The Parish Council had objected that the development does not meet biodiversity improvement standards and that developments of this size have the opportunity for biodiversity enhancements. It was noted that it is becoming common practice to condition that fences should have gaps or holes provided to allow for the free movement of hedgehog
(and other similar sized animals) to mitigate the loss of open habitat and this can be conditioned as part of the current application. Ecological enhancements are important to be considered at the reserved matters stage of the development and the applicant has submitted a scheme of landscaping.

Members were advised of the number of statutory consultation responses that had been received from External sources which included Norfolk County Council, Historic Environment Service, Lead Local Flood Authority, and internal Great Yarmouth Borough Council responses.

The Senior Planning Officer reported that comments had at the time of publication of the agenda not been received from the Highways Authority and therefore Highways Matters would be dealt with through delegated matters but Members were advised that this would not have an impact on the decision to be made by the Committee.

The Senior Planning Officer reported that the house types were acceptable designs and comprised a mix of sizes and types. The dwellings proposed at plot 55 and plot 1 are bungalows as required within the outline permission. They shall be required to remain as such. Some objectors have stated that the development should be single storey only. It was advised that there was no evidence of need or policy consideration to require that the development be restricted in such a way and as such to request this would be deemed unreasonable.

It was reported that the development provides a mix of houses from 2 bedroom to 4 bedroom and had identified the affordable units to be provided. The variety of types of houses and the
layout works well on the site and provides a mix of dwellings with adequate garden
sizes for the dwelling to which they are associated with.

The Senior Planning Officer reported that the application was recommended for approval as the applicant had submitted sufficient details to have the reserved matters approved and relevant conditions discharged and subject to written confirmation of approval from the Highways Department.

The Applicant's agent presented to the Committee and reminded Members that the application only sought approval of the reserved matters, the Agent advised the granted planning application of 55 dwellings would assist with the

Borough Council's housing needs and demands and the development would provide a high quality policy compliant site.

A Member commented on the tree conditions works and asked if the trees would be replaced if lost within a 5 year period, this was confirmed.

RESOLVED :

That subject to written confirmation of approval from the Highways Authority approval be given to application 06-19-0159-D as the applicant had submitted sufficient details to have the reserved matters approved and relevant conditions discharged.

Councillor Lawn hereby left the meeting.

6 APPLICATION 06-18-0563-F, FOLLY COURT COTTAGES, COURT ROAD, ROLLESBY

The Committee received and considered the Senior Planning Officer's report which sought approval of a proposed self build detached dwelling and garage.

The Senior Planning Officer reported that there had been a previous application on the site in recent years that had been refused and were subject to a dismissed appeal. The application sought change of use for temporary storage of personal touring caravan & retention of shed, erection of brick electricity unit to house existing electric supply to former building.

Members were advised that the current application had received objections from the Parish Council as they felt that the proposed site was designated as agricultural land. Previous building on the land had a retrospective application refused and the structure was removed. The site is outside of the development limit for Rollesby. The road is very narrow and not suitable for further development, together with four neighbour objections who had raised a number of reasons for their objections detailed within the Senior Planning Officer's report.

The Senior Planning Officer provided the Committee with a summary of the comments that had been received from both External agencies and Internal Great Yarmouth Borough Council departments.

The Senior Planning Officer reported on the Habitat Regulation Assessment and advised that the application, informed by a bespoke HRA has been assessed by the Competent Authority as likely to have significant indirect effects on one or more Natura 2000 sites and as such, permission may only be granted if an Appropriate Assessment demonstrated that, taking into account relevant mitigation measures, the application would not adversely affect the integrity of any Natura 2000 site(s) and 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.

The Senior Planning Officer reported that when assessed on balance the application in the revised form can be supported with appropriate conditions restricting permitted development rights and those required by the Highways Authority. Should it be the case that the trees at the frontage of the property are not protected at the time of an approval, if granted, a condition for their retention for a period to allow the protection to be in place should be placed upon any grant of planning permission. The development should also offer ecological gains in the form of bat and bird boxes and the mitigation as outlined within the ecology report should be conditioned with specific reference to lighting and the time of year that works can be carried out.

The Senior Planning Officer reported that the application was recommended for approval subject to the conditions requested by Highways, and those required to ensure a satisfactory form of development.

A Member asked with regard to the triggered risk zones as detailed within the Senior Planning Officers report, the Senior Planning Officer reported that these had been identified by Natural England and related to the proximity to the Broad.

A Member sought clarification as to the ownership of the land.

A Member asked with regard to hazardous materials at the site, and it was advised that the Environmental Health had not advised of any known hazardous materials on the site.

The Applicants agent addressed the Committee and thanked the Planning Officers for their help and support.

Mr Lake, objector, summarised his main concerns with regard to the application and urged the Committee to consider refusing the application.

Richard Tacon, Parish Council Representative addressed the Committee and made reference to the ongoing works for the Neighborhood Plan for Rollesby which was near completion stage which did not identify the site in question as a required development site and therefore urged the Committee to consider refusing the application.

Members sought clarification as to the emerging Neighbourhood Plan for Rollesby and it was advised that whilst this had been in the draft stages this had not been finailised and could not therefore be considered at this stage.

The Committee hereby entered into a general debate and it was :-

RESOLVED :

That Application 06-18-0563-F be approved subject to the conditions

requested by Highways, and those required to ensure a satisfactory form of development.

Councillor Lawn hereby returned to the meeting.

7 APPLICATION 06-19-0120-F, LOWER MARINE ESPLANADE AND BEACH GORLESTON

The Committee received and considered the Senior Planning Officer's report which sought approval of 2 storage units for the storage of deck chairs or other authorised leisure use, in the area surrounding the model yacht pond.

The Senior Planning Officer reported that the application was to erect 2 storage units around the yachting pond positioned on the Lower Espanade before Gorleston Beach. The 2 units
measuring 3m by 3m in footprint will positioned near each of the accesses to the yachting pond from the Esplanade.

Members were advised that the application was originally for the 2 storage units and 3 A5 (hot food takeaway) concessions. The hot food takeaways were removed from the application in March.

The Senior Planning Officer advised that the public consultation held on the original proposed scheme received 730 objections, most of the matters raised related to the A5 concessions and the potential for units on the Lower Esplanade. The plans were subsequently amended
leaving the storage units only.

The Senior Planning Officer advised that the application was now for the storage units only, the A5 concessions were removed and the alterations to the beach concession did not require planning permission. The storage units are not considered to significantly and adversely affect the viability of the wider seafront. It is recognised that the elevations of the storage sheds have not been provided so it could be conditioned against the dimensions and therefore the application was recommended for approval as the application complied with Policies CS8 and CS9 of the adopted Core Strategy subject to a condition providing clarity of the units size and a condition restricting the sheds to appropriate use.

RESOLVED :

That Application 06-19-0120-F be approved as the application complies with policies CS8 and CS9 of the adopted Core Strategy subject to a condition providing clarity of the units size
and a condition restricting the sheds to appropriate use.

8 DELEGATED DECISION BETWEEN 1 AND 30 JUNE 2019

The Committee noted the planning applications cleared by delegated officer decision and by the Development Control Committee during June 2019.

9 ANY OTHER BUSINESS

There was no other business to be discussed.

The meeting ended at: 20:30

Reference: 06/19/0354/F

Parish: Gorleston
Officer: Mrs G Manthorpe
Expiry Date: 24/09/19

Applicant: Badger Building (EA) Ltd

Proposal: Construction of 12 dwellings (Plots 90-101) and realignment of 3 plots (29-31) previously approved under planning permission 06/15/0737/F.

Site: Former Claydon School (Land at) Beccles Gorleston

1. Background / History :-

1.1 The site comprises 1.027 hectares of land which includes un-developed land to the rear of numbers 38 to 60 Claydon Grove and an access road leading to Beccles Road. The access road as shown has been approved under planning application 06/15/0737/F.

1.2 Previous planning history for the application site includes application 06/15/0737/F which granted permission for the erection of 113 dwellings and associated infrastructure including open space. The application site, baring the units that are proposed to be re located, was shown on the previous application as open space. Following discussions with local residents additional information was provide by the applicant to show the proposed development as part of the whole development which will give 125 dwellings on the site.

1.3 The full planning history is available in the file however the applications relevant to the current application are the previous applications for residential developments. The first application for residential development at the site was submitted in 1991, reference 06/91/0441/SU, which was withdrawn. Following this withdrawal another application was submitted but not decided in the same year and another submitted in 1994 and withdrawn.

1.4 Application reference 06/05/0439/O was submitted in 2005 for the erection of 110 dwellings, associated access and change of use of former school field to public open space. This application was determined positively in 2012. Application 06/10/0471/CU for change of use to public open space to link with open space

proposed in undetermined planning app 06/05/0439/O. Neither application was implemented and as such both permissions lapsed. Following the lapsed permission application 06/15/0737/F was submitted and approved by the Development Control Committee with the permission being issued after the signing of the s106 agreement on the 30th January 2018.

1.5 The s106 agreement attached to permission reference 06/15/0737/F secured provision of 5718 square metres of public open space and monies for future maintenance of such totalling £90,094 payable prior to occupation of 55% of the dwellings.

1.6 The plan submitted under application 06/15/0737/F showed the application site as open space. Notwithstanding the site not showing as being developed the land is not secured as public open space and is private ownership. The land was not secured as public open space with the s106 agreement as the current planning policy requirement was met and there is no policy mechanism to secure an over provision of open space.

1.7 Planning application 06/18/0464/F was submitted on the same piece of land as the current application however this was withdrawn following discussions with the applicant. The previous application included the demolition of a residential dwelling, no. 50 Claydon Grove, to facilitate the entrance. This application generated 73 neighbour objections primarily concerning the loss of trees which are located on the public highway to facilitate the entrance and the principle of the entrance being off Claydon Grove.

1.8 The current application is for the development of the site to 12 dwellings and the reorientation of three previously approved dwellings with access through the site under construction as approved under application 06/15/0737/F. For the avoidance of doubt no.50 Claydon Grove is to remain and is not included within the red line of the application.

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

2.1 Neighbours – At the time of writing there have been 19 objections to the development from neighbours, the main objections are summarised as follows:

- Loss of public open space.
- The Claydon Ward has the lowest level of public open space in Great Yarmouth.
- Adverse impact on infrastructure – schools, doctors ad dentist.
- Increased traffic.
- The development as a whole will be too dense.

- 113 houses is more than enough.
- There is not enough ecological information submitted.
- Are consultees aware of the whole of the site?
- The residents are against further development.
- Overlooking.
- Gardens will back onto gardens.
- Insufficient water and sewerage systems.
- Access should be off Burgh Road.
- 125 dwellings is too many.
- Wildlife – birds, bats and bees will suffer.
- Shouldn't demolish a bungalow or fell trees.
- Why weren't these on the original plans?
- The land has always bee designated as open space.
- This goes against the council's own policies to retain open space.

2.2 Highways – I can confirm that subject to visibility splays measuring 2.4 x 33m being provided at the junction with the private drive serving plots 94 – 101, I would have no objection to the layout shown on drawing 7019.P2-SL01 rev E.

As a consequence, I would suggest any planning permission should include the following conditions:

SHC 16 Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 x 33 metres shall be provided to each side of the access serving plots 94 – 101 where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent carriageway.

SHC 20 Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

2.4 Assistant Grounds Manager and Arboricultural Officer – No comment.

2.5 Building Control – No objection.

2.6 Cadent – Comments on previous application in relation gas operations within the application site boundary. Applicant aware and confirmed that these matters have been dealt with.

2.7 Strategic Planning – No objection to the application.

2.8 Lead Local Flood Authority – No comment on current application, previous comments were 'No objection subject to condition'.

2.9 Environment Agency – No comment.

2.10 Anglian Water – No response from the current application at present on the previous application a condition requested – Surface water management strategy to be submitted to and approved prior to drainage works commencing.

2.11 Norfolk County Council Fire – Condition requested

2.12 Historic Environment – No comments have been received on the current application although have been requested, previous comments were as follows:

'The application site lies immediately south of an area where various cropmarks have been recorded from aerial photographs. These include a causewayed or hengiform ring ditch which may represent the remains of a burial mound or ceremonial monument of late Neolithic to early Bronze Age date. There is potential for heritage assets, buried archaeological remains of prehistoric date to be present within the proposed development area and that the significance would be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework paragraph 141.

In this case the programme of archaeological mitigatory work will commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction). A brief for the archaeological work can be obtained from Norfolk County Council Environment Service.

We suggest that the following conditions are imposed: -

A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or

persons/organization to undertake the works set out within the written scheme of investigation. and,

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

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

2.13 Local Authority Requirements – The application site is in an area requiring, according to the adopted Core Strategy, a 20% affordable housing provision.

The application is a full application and as such the public open space and childrens recreation is known. The policy requirement is that 40 square metres of public open space per dwelling will be required to be provided or, if a contribution is appropriate at the absolute discretion of the Local Planning Authority payment in lieu towards offsite provision at a cost of £12 per square metre shortfall shall be required to be paid.

No childrens recreation is proposed onsite, an offsite a contribution, payment of £920 per multi bed dwelling shall be paid in lieu of on-site provision.

The application site is adjacent an area of public open space that is to be adopted by the Local Planning Authority. With reference to public open space and children's recreation giving the specific location of the development being adjacent and area of public open space payment in lieu is acceptable in this specific instance taking note that there is a below average provision of open space for the Borough.

The Local Planning Authority will accept no liability for public open space, childrens recreation or drainage and as such this shall be subject to a management company in perpetuity.

The triggers, types and tenures for the affordable housing shall be subject to negotiation during the s106 process. The trigger for the payment of any of the monies for public open space and childrens recreation shall be payable prior to occupation of 40% of the units. The triggers for the manent company or nominated body and all other matters not specifically listed shall be determined through the s106 process.

Payment of £110 per dwelling as a contribution under policy CS14 shall be payable as required by the Habitats Monitoring and Mitigation Strategy. This payment shall be before occupation of any dwellings for the avoidance of doubt.

No viability assessment has been submitted and one would not be accepted as the application is an outline application. If any of the above obligations are not met the application should be refused as it is contrary to planning policy.

2.14 Sport England – No comments on current application but previously commented the following 'While noting that they are not a statutory consultee they have requested that previously secured contributions are confirmed. These are not confirmed as Sport England, as a non-statutory consultee given the length of time that the playing field was not in operation, had no policy backing to request such contributions.'

3 Local Policy :-

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

3.2 Paragraph 213 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it.

3.4 REC11: The borough council will refuse proposals which would erode the provision of amenity, open space or any other land which contributes positively to the community or street scene, as identified on the proposals map. Where not identified proposals will be treated on their individual merits.

3.5 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 **Core Strategy – Adopted 21st December 2015**

4.1 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 (partial):

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

4.2 Policy CS3: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:

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

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

- Ensuring the efficient use of land/sites including higher densities in appropriate locations

d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites

4.3 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.

4.5 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species.

4.6 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary

infrastructure is delivered the Council will: (a to f)

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

5 Draft Local Plan Part 2

5.1 Policy G1-dp
Development limits

Development will be permitted within the development limits of settlements shown on the Policies Map, provided it is in accordance with the other policies in the Local Plan The areas outside development limits (excepting specific allocations for development) will be treated as countryside or other areas where new development will be more restricted, and development will be limited to that identified as suitable in such areas by other policies of the Local Plan, including:

- domestic extensions and outbuildings within existing residential curtilages, under Policy H8-dp; replacement dwellings,
- under Policy H4-dp;
- small scale employment, under Policy B1-dp;
- community facilities, under Policy C1-dp;
- farm diversification, under Policies R4-dp, L3-dp & L4-dp;
- rural workers' housing, under Policy H1-dp; and
- development relocated from a Coastal Change Management Area, under Policy E2-dp.

5.3 Policy H13 -dp - Housing Applications Reliant on the 'Presumption in Favour of Sustainable Development'

In the event that the Council is unable to demonstrate a five year supply of deliverable housing land, or meet the Housing Delivery Test, it will give favourable consideration to proposals for sustainable housing development (as defined by the National Planning Policy Framework) which will increase the delivery of housing in the short term, and apply flexibly the relevant policies of the development plan where it is robustly demonstrated that the development will be delivered promptly (i.e. within 5 years maximum).

Consideration will be given to applying a shorter than standard time limit to such permissions, in order to signal the exceptional nature of the permission and to encourage prompt delivery. Applications for renewal of permissions which relied

on that presumption will be considered in the light of the housing delivery and supply situation at the time.

Such renewals will only be permitted where the applicant can demonstrate convincing reasons both why the development did not proceed in the time frame originally indicated, and why, in the light of the previous delay, the development can now be expected to proceed promptly.

These policies are emerging policies and hold little weight. They are shown for completeness purpose as emerging polices. They may be subject to alteration through the consultation and adoption process.

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

6.1 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.

6.2 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 needs4.

6.3 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.

6.4 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.

6.5 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:
a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

6.6 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

6.7 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.

6.8 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.

6.9 Paragraph 127. Planning policies and decisions should ensure that developments (partial)

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

6.10 Paragraph 130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

6.11 Paragraph 170 (partial). Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

6.12 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.

7 Local finance considerations:-

7.1 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. It is assessed that financial gain does not play a part in the recommendation for the determination of this application.

8 Shadow Habitats Regulation Assessment

8.1 The applicant has submitted a shadow Habitat Regulations Assessment (HRA) template as drafted by Great Yarmouth Borough Council. It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.

8.2 The Great Yarmouth Borough Council as competent authority agrees with the conclusions of this assessment. The impact of this development is in-combination with other projects and can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling) to ensure that there will be no adverse effects on the integrity of the internationally protected habitat sites.

9 Assessment

9.1 The application is full application for the erection of 12 dwellings with access through the previously approved estate development with access road off Beccles Road. The application site is with in an area previously marked as open space as part of the adjacent planning application (06/15/0737/F) however this land was marked in addition to the policy required amount and could not be secured as adopted public open space by the Council. The dwellings proposed are single storey adjacent the

dwellings (to the rear) at Claydon Grove which is acceptable to mitigate over looking and adverse impacts on existing amenities. The two storey dwellings are of attractive design and the proposed development fits in well with the reorientation of the three previously approved dwellings and the development currently under construction.

9.2 The site is within the settlement of Gorleston, outside of the saved 2001 Borough-Wide Development Limits, but within the emerging Development Limits identified in the Draft Local Plan Part 2. The site is still currently designated open amenity space (REC11); however, the emerging Draft Local Plan Part 2 seeks to replace this policy designation with a criteria-based policy on the functional uses of such sites. The recent approval for 113 dwellings immediately adjacent would surround this site (a former school playing field), it is therefore considered by the applicant to be surplus land that it is not required as part of the public open space provision.

9.3 The previous application, 06/15/0737/F, marking the land as open space has been a consistent point of objection to the current application. The land, previously being a school playing field, was in public ownership by Norfolk County Council, and has subsequently been sold to the applicant. The land is now in private ownership and forms part of a construction site for the previously approved development of 113 houses. The previous application currently under construction is providing policy compliant public open space as part of the development. The policy compliant open space is 4520 square metres of public open space (40 square metres x 113 dwellings). The application has provided 5731 square metres of public open space which has been secured by a s106 agreement. This is 1217 square metres of public open space more than that required by currently Local Planning Policy.

9.4 The application site is located within the Claydon Ward, an area that is classified as having one of the lowest amount of available areas for open space and children's play within the borough according to the 2013 Open Space Study. As detailed above the land is within private ownership and there is no mechanism available to compel the land to be provided as open space accessible to the public as a whole. When assessing the application the area of land adjacent, with a cumulative area of no less than 5713 square metres when assessing the site as a whole, is an "overprovision" of the amount of open space required from 125 dwellings (the cumulative total which is 5000 square metres). While the development is being assessed cumulatively for obligations required through s106, the application, in not seeking to provide on-site open space, is requested to provide payment in lieu which can be utilised to improve, provide or maintain nearby public open space. The children's recreation payment will be required to comply with current policy as there is none proposed to be provided on site. These open space calculations do not include the attenuation basin (drainage) for the development which has been provided as part of the permission currently under construction (06/15/0737/F).

9.5 Strategic Planning, noting the designation of the land within saved policy REC 11, have not objected to the application. As the land is within private ownership and could not be required under current planning policy to be provided as public open space the land is not, in practical or legal terms, public open space. As such the development should not be assessed as a loss of public open space given that the owner can close the land off from the public at will.

9.6 The s106 for planning application 06/15/0737/F contains wording that allows for the application to be varied by way of a superseding application or by s73 application to vary conditions attached to the permission without requiring a deed of variation to the s106 agreement. This is noted as the application includes the reorientation of units previously approved.

9.7 The application, being physically adjacent and an application submitted by the same developer/landowner, should be dealt with cumulatively with the previously approved development when securing policy compliant infrastructure payments. In addition to the s106 obligations listed within paragraph 2.13 of this report Norfolk County Council will be contacted to request a consultation response on payments for education and library provision should the application be approved.

9.8 Following objections on the grounds of overlooking to the previous withdrawn application, detailed above, the applicant submitted plans as part of this application showing bungalows backing on to the existing houses at Claydon Grove. This satisfies the requirement that applications should not significantly affect the amenities of existing occupiers of nearby properties. Should planning permission be granted it would be a recommended condition that these dwellings remained single storey to prevent overlooking and retain control of this aspect of the development. It is not suggested to remove other permitted rights from the proposed dwellings.

9.9 The consultation response in relation to the previously withdrawn application from Anglian Water requires a planning condition for a drainage strategy to be submitted. This can be adequately conditioned with the wording provided by Anglian Water. Under the previous application the Lead Local Flood Authority required details of surface water drainage be submitted. In the absence of an objection on the grounds of surface water drainage it is assessed that the site can be drained, and conditions can be applied to adequately provide suitable drainage. It is noted that both of these responses are in relation to a previously withdrawn application however it can be reasonably assessed that the requirements are the same. Both consultees have been asked for consultation responses. Consultees, as is the norm, shall assess the need, having looked at the submitted information relating to drainage, as to whether these conditions are required.

9.10 The application details the surface water disposal, noting that consultation comments are awaited however they are expected to be in line with those recently received on the previous application. The acceptance at this stage of previous consultations is reasonable in this instance given the layout of the developments and the lack of notable changes between the consultations on the previous application. There have been no major changes to policy or infrastructure in the time scale between the two applications and as such, while consultation responses are being requested the one previously submitted are adequate to inform a determination.

9.12 Concerns have been raised regarding the lack of ecological information provided, as per the above the applicant has submitted the template shadow Habitat Regulation Assessment and the following comments (on the previous application) were received:

The site straddles the 2.5km boundary, with part of the site in the orange zone and part in the green. A different threshold applies in each of these areas. Adopting a precautionary approach, a reasonable starting point would be to take the measurement from the nearest part of the site to a protected area. A broader perspective, however, would note that the majority of the site and dwellings fall outside the 2.5km boundary (in the green zone). Within the 2.5km boundary there is a net increase of two dwellings, and outside it there are 9.

The site is within a much wider urbanised area, comprising hundreds of dwellings. It does not have a clear direct access route to Breydon Water SPA, being served by closer alternative locations to be used for recreation (such as Gorleston recreation ground), and the beaches to the east and south are significant attractors. In that context, it is difficult to envisage there could be any significant 'direct' effect solely from this proposed development on that SPA, or any other.

The information provided in this standardised 'template' assessment is considered adequate to form a sound basis for that judgement, and no need for any additional information has been identified. Together with the assessment above, it provides adequate information to conclude that –

• there is no likely significant effect on protected habitats arising solely from the development itself; and
• the development would contribute to the overall 'in-combination' significant adverse effect identified by the Habitats Regulations Assessment Report for the Local Plan Core Strategy, but this effect can be adequately mitigated by the Habitats Monitoring and Mitigation Strategy; and
• that Strategy requires a payment of £1,210 (£110 per each of 11 additional dwellings) towards the monitoring and mitigation provided through that Strategy.

It is stated clearly that the submitted formation is acceptable to discharge the legal duty and that the Council, as Competent Authority, is able to carry out the appropriate assessment and can find in accordance with legislation and case law that subject to mitigation the application can be supported.

9.13 A resident has raised concerns regarding bats. Bats are a protected species and while they are not uncommon in an urban area a site such as this and in this location without any notable roosting available does not require information on protected species to be submitted. Biodiversity enhancements however can be conditioned and could encourage the roosting of bats but more likely would encourage the nesting of birds and as such should be included within the scheme.

9.14 An important factor when determining applications is whether a Local Authority has the ability to demonstrate a five-year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". There is currently a housing land supply of 2.55 years (as at the end of year 2017/2018) which is a substantial shortfall. Although this does not mean that all residential developments must be approved the presumption in favour of sustainable development must be applied.

9.15 In weighing the material considerations in this application considerable weight must be given to Paragraph 11 (d) of the National Planning Policy Framework states that where the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. Footnote 7 states that “this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”

9.16 In the case of Wavendon Properties Ltd v SoS for Housing, Communities & Local Government plus Another (June 2019, reference [2019] EWHC 1524 (Admin)), Mr Justice Dove made an important judgement on the correct interpretation of paragraph 11(d) of the National Planning Policy Framework (February 2019). Paragraph 11 (d) states:

“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 proposed6; 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."

9.17 The implication of the Wavendon judgement is that there must: firstly be an assessment as to which policies of the Development Plan are most important for determining this planning application; secondly, an assessment as to whether each of these policies are, or are not, "out of date"; and thirdly, a conclusion as to whether, taken as whole, these most important policies are to be regarded as "out-of-date". If, taken as whole, they are regarded as "out-of-date", then the "tilted balance" of NPPF paragraph 11 applies (for a refusal to be justified, the harms must "significantly and demonstrably outweigh the benefits…"). If, taken as a whole, they are not regarded as out-of-date, then the tilted balance does not apply.

9.18 It is my judgement that policy REC11 of the 2001 Borough Wide Local Plan, the most important policy applicable in determination of the application, is out of date and the weight applied should be limited. The application has been assessed against paragraph 11 of the National Planning Policy Framework taking into account the Wavendon judgement. In the absence of any considerations that have demonstrably outweighed the benefit of housing and noting that the land is within private ownership, the tilted balance applies.

9.19 The location of the application site is a sustainable one and the site has the potential to contribute to housing provision within a Main Town (Core Strategy Policy CS2), boosting housing supply in the short term and therefore the presumption in favour of sustainable development applies. In practise this means that the Local Planning Authority should approve applications unless the harms demonstrably outweigh the need for providing housing. There are benefits in providing housing within a sustainable location and this should be accorded significant weight and it is recognised that this development would contribute 12 houses to the Borough.

10 RECOMMENDATION:-

10.1 Approve the application subject to the signing of a s106 agreement securing policy compliant obligations, Natura 2000 contributions and requested infrastructure payments requested y Norfolk County Council. The permission should not be issued until the s106 is signed and all consultation responses are received, any

conditions requested by statutory consultees shall be placed upon the grant of planning permission and all other conditions as required to ensure a satisfactory form of development, including the removal of permitted rights for first floor openings at the units proposed to the rear of Claydon Grove.

06/19/0354/F (5)

1 CLAYDON GROVE

GORLESTON ON SEA

NR31 8AT

17/7/2019

Great Yarmouth Borough Council
22 JUL 2019
Planning Department

Great Yarmouth Borough Council
22 JUL 2019
Customer Services

Mr D. Minns.

The Planning office,

GT. Yarmouth Borough Council.

Town Hall

Hall Plain

Great Yarmouth.

NR30 2QF

PLANNING APPLICATION 006—180464f

Dear sir,

I write with regard to the latest information on the development of the Claydon Park.

While looking at this plan it seems that you have agreed in part to the letter where I suggested this in my email (copy attached) stating this as an alternative.

This plan still appears to not hold to any of the specified terms of the local details required for development as required by either local or national guidelines and or legal requirements.

Furthermore the design takes away still more of the required open space. This is after ENGLAND have just won the WORLD cricket cup.

Why have the builders been allowed to try and take this action considering that the residents are against any further developments ? This is obvious from all the correspondence from various parties?

When you look at the planning applications etc. that have been submitted over the previous years that there is no goodwill to see any plans proceeded with at any time.

IF this proceeds where are the facilities for residents?. Doctors , places, public transport, public open spaces, etc. There is no good will for this application. Problems with this application will not be your problem BUT WILL the problem for those that follow you, is this really what you want to be remembered for?

There is also a problem with the access and exit to development. The traffic on to Beccles road is increasing daily with the houses being built on the Bradwell boundary with more planned in the future. We already have problems from this site with water and sewage disposal.

Maurice Hood,

1 Claydon Grove,

Gorleston.

NR31 8AT.

Enc::

Ref: Planning application No 006-18/0464F. Copy or E.Mail

Having seen the plans for the above I have the following comments,

The exit from Claydon Grove to Beccles Road is now already getting harder due to the new properties being built at the western area of Bradwell. These will obviously will need to pass Claydon Grove. This has the result that traffic i held up by the Bradwell traffic lights, remember these traffic light are at the centre of five feeder roads and when released the traffic come as a block hindering the traffic waiting to access Beccles road from Claydon grove and Lynn grove.
This is an accident area waiting to happen..Do not forget these roads are used by parents delivering and colleting children from school..These parents are possibly in a hurry to get to work and in a lot of cases will not be experienced in coping with this amount of traffic.
This also means that residents of Claydon and Lynn grove have difficulty in exiting and re-entering their poperties. Again the situation will not be improved by residents of the estate currently be erected at the old school site as originally approved.

WHAT HAPPENED TO THE ORIGINAL PLAN TO HAVE AN EXIT/ENTRY VIA BURGH ROAD ?

There is no need for any connection to Claydon Grove ,Position plots 8 and 9 further back towards the first stage. They are already have excess garden to the rear of both properties Then move plot 5 to line up with the proposed property planned to be demolished to the rear of that property. This means that the internal road could continue pass the now vacant plot to join thia road.

Now all traffic can enter and leave via Beccles road.

Jill K. Smith

S

From: Terry P Grimmer
Sent: 17 July 2019 13:08
To: Dean A. Minns
Cc: plan; Gemma Manthorpe; Carol Borg; Cara Walker
Subject: Letter of Objection - Badger application No ~~06/19/0356/F~~ 06/19/0354/F
Attachments: L20 D Minns Consultation.pdf

Good afternoon

Please find here attached letter of objection reference the subject application.

The letter currently posted on the website was a letter that was sent regarding the process and the lack of Plan/drawing information.

This is my 1st response to the application required by your letter of 27th June 2019.

Kind regards
Terry

Mr D. Minns
The Planning Office
Gt. Yarmouth Borough Council
Town Hall,
Hall Plain
Great Yarmouth
NR30 2QF

T. P. Grimmer
26A "Amberley" Claydon Grove
Gorleston
Gt. Yarmouth
NR31 8AT

16th July 2019

Your Ref: 06/19/0354/F

Subject: Construction of 12 dwellings (Plots 90-101) and realignment of 3 plots (29-31) previously approved under planning permission 06/15/0737/F

Dear Mr Minns,

Further to receipt of your letter dated 27th June 2019 reference the above subject "full" planning application by Badger Building (E. Anglia) Ltd and a confirmation of the withdrawal of Application No: 06/18/0464/F in its entirety then we object most strongly to the new Badger application for this development for the reasons set out below.

This application should be refused without any rights of appeal, the residents of Burgh and Beccles Roads, the residents of Claydon Grove and the surrounding areas have suffered from continuous planning application submissions regarding this site for the past 28 years.

The consultations and time consuming response requirements along with the current construction activities have taken their toll on the area's amenities and the residents in particular. It is time that this was stopped, we are entitled to the quiet enjoyment of our homes as a right and that right has been sorely tested by NCC, NPS and of late, Badger Building almost continually over the last 4 years.

OBJECTIONS

Open space

Regardless of the developer's assertions that this land is "Development site/land" nothing could be further from the truth. The facts of the matter are this;

- When Badger Building refused to hand over all of the 1.3 hectares of "open space" as they promised so to do, in their October 2016 planning application they retained .77 hectares of "open space" NOT "Development land". They admit as much in their Design and Access Statement attached to their application, when they admit the land is "open space" and the status of that land is "Permission granted" at page 2.

The fact that the land is not development land at all is confirmed by evidence found in the records of a meeting held at the Town Hall on 4th March 2019, when the Chief Planning Officer and the Head of Planning and Growth set out the following at a meeting with the Claydon Representatives;

1) *There are still 1.3 hectares of "open space" within the development albeit in two parts with 5731 sq m under the control of GYBC (subject to) and 7269sq m currently under Badger control.*

2) *That the agreed s106 specifies a "minimum" area of "open space" that GYBC intends to adopt at present.*

3) *That nothing will change until the current Badger planning application is either approved or rejected by Committee.*

This position is now altered by a status confirmation as a result of the "deferral" of a Badger planning application at the 12th July 2019 at Committee, in respect of 3) above; the matter is resolved and irrevocably confirmed.

That deferment was significant and particularly relevant because as a "test" of 3) above we residents and the Committee were denied our sanction, our vote, view and opinion that day.

It was replaced by the Planning Officer's intent in its entirety. The planning officer's intent was to "refuse" the application as set out in the planning officers published statement/address and it follows therefore that a presumption in favour of "refusal" must prevail regardless.

The land has now had its status confirmed as;

- *"Open space" within the development albeit in two parts with 5731 sq m under the control of GYBC (subject to) and 7269sq m currently under Badger control".*

There cannot be any other planning status promoted or determined; it is what it is, the deferral confirmed the status by "intent to refuse," it is undeniably, "open space."

Open space History

Previous planning decisions have approved this land as "open space," it has survived 5 planning applications over 28 years that were made in 1991, 1996, 2005, 2011 and 2015. It has had 3 planning approvals and 1 planning permission attached to it.

- Norfolk County Council – 2 applications, 1 failed, 1 withdrawn.
- Norfolk Property Services - 2 applications, 1 failed, 1 approved following a separate application for the determination of attached "open space".
- Badger Building - 1 application approved

In October 2016 the DCC approved 1.3 hectares of "open space" that accompanied 113 x dwellings approved for construction on the adjacent area of remaining land.

- Badger building kept .77 hectares of "open space", nothing else. They own it but it is not theirs to build on unless a new planning permission is granted.

It would be an extremely unfair and perverse decision to reverse 28 years of this site's history and grant planning permission for this land.

Not only would it deprive the existing approved development future residents of the "open space" to which they are entitled, it would increase the "Density" of the site to 125 x dwellings.

- 125 x dwellings is completely out of character with the area amenity.
- 125 x dwellings was refused and withdrawn as long ago as 1991.
- 125 x dwellings is an increase of 50 dwellings over the original 75 anticipated at the outset.

- 125 x dwellings is 15 dwellings over the 110 previously granted planning permission in 2012, those 110 dwellings (NPS application) had the full 1.3 hectares of "open space" attached to them and an agreed s106 that confirmed it.
- Claydon ward cannot afford to surrender any more green space to development

Amenity Greenspace Benchmark Standards at Section 5.6 states;

- *5.6.1 The NPFA's 'Six Acre Standard' Standard, previously adopted by GYBC (see Parks & Open space strategy, 2005) is expressed as hectares per 1,000 population, and proposes 1.6 ha of outdoor sports space per 1,000 people. Of this total, 0.55 hectares should be informal space.*

Claydon Ward is the 2nd largest Borough ward by Population and it is ranked 2nd from bottom in the local area in the **GYBC Open space Study of 2013.**

Amenity Greenspace by Ward

Population	Total Amenity Greenspace (ha)	Amenity per 1,000 pop (ha)
Claydon 7,451	3.59	0.48

- Claydon ward has the lowest area of Play space in the Borough

Area of Play Space by Ward

Borough Total/Average	16.75	0.17
Claydon	0.47	0.06

The GYBC Open space Study of 2013 at Sub section 5.5.3 states:

- *"Only a minority..... However small areas of amenity greenspace have not been considered in this study.* ***Where there are shortages these should therefore be addressed especially in areas where new development is likely to take place".***

National Planning Policy Framework

National Planning Policy Framework (NPPF) states: due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The GYBC Local Plan, adopted in 2001 'saved' the most relevant policies in 2007. The adoption of the Core Strategy in December 2015 ensured that these policies remain saved following their adoption.

Open space and recreation

96. *Access to a network of high quality open spaces .....Planning policies should be based on* ***robust and up-to-date assessments of the need for open space,*****.....** *(including quantitative or qualitative deficits or surpluses)* ***and opportunities for new provision.*** *Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.*

97. ***Existing open space,*** *sports and recreational buildings and land, including playing fields, should not be built on unless:*

a) an assessment has been undertaken which has clearly shown the Open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;

(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

See the GYBC Open space Study of 2013; that study clearly confirms that Claydon ward is in serious need of new open space and it also requires the safeguarding and retention of existing open spaces.

REC8: "*Where the site of a residential development or part of a larger residential scheme provides 20 or more child Bed spaces, the council will require provision of recreational/amenity space and/or children's play space Proportionate to the scale of the development or the overall scheme as appropriate".*

It is actually the developer's intention to use the *"recreational/amenity space and/or children's play space"* that the council *"will require provision of"* to build the 12 x dwellings on that are being proposed in this application.

REC11: *The borough council will refuse proposals which would erode the provision of amenity, open space or any other land which contributes positively to the community or street scene, as identified on the proposals map. Where not identified proposals will be treated on their individual merits.*

Cannot be ignored, this land is most significant, this LAST, albeit small area of open space cannot be given up for a development of 125 x dwellings compromising the existing PP.

Most importantly, this site is within the settlement of Gorleston, outside of the saved 2001 Borough Wide Development Limits and the site is still currently designated open amenity space.

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.*

Cannot be ignored, ANY DEVELOPMENT of this LAST PIECE of open space cannot possibly be described as; "A high standard of layout and design", on the contrary it destroys an excellent, exceptional, good standard of layout and design that exists already. If approved it reduces all landscaping opportunity, retains nothing existing, and destroys the open space amenity already in place.

Core Strategy

Policy CS1:

a) ensuring that new development is of a scale and location that complements the character and supports the function of individual settlements.

This proposed development fails the test of this Policy it is not of a scale that in any way compliments the character of this very individual settlement.

f) Distinctive places that embrace innovative high quality urban design where it responds to positive local characteristics and built character and historic environment.

This proposed development fails the test of this Policy it is not an "*innovative high quality urban design responding to positive local characteristics and built character*" in any way shape or form, on the contrary it destroys all of it irrecoverably.

The impact of granting permission, contrary to the application of Policy CS1 will have an adverse impact that would significantly and demonstrably outweigh any benefits when assessed against the policies in the National Planning Policy Framework and the application should be refused.

Policy CS9: *the Council will ensure that all new developments within the borough:*

a) Respond to and draw inspiration from the surrounding areas distinctive natural and built characteristics such as scale, to ensure that the full potential of the development site is realised, reinforcing the local identity

The impact of granting permission, contrary to the application of Policy CS9 will have an adverse impact, significantly altering the local identity of the natural, built characteristics of the surrounding areas.

Policy CS11: The *Council will work with other partner authorities and agencies to;*

k) Identifying and where appropriate reassessing the locations of strategic gaps to help retain the separate identity and character of settlements in close proximity to each other.

l) Identifying and where appropriate reassessing the locations of local green spaces to help protect open spaces that are demonstrably special to a local community and hold a particular local significance

The impact of granting permission, contrary to the application of Policy CS11 at sub paras k) and l) will have an adverse impact by closing off a very strategic gap.

This is the last green, open space area between here and Gorleston Recreation Ground and Breydon marshland to the south of Burgh Road.

This land is clearly an open space that is demonstrably special to a local community, holding a particular local significance; it has survived as "open space" despite numerous planning applications over 28 years that were made in 1991, 1996, 2005, 2011 and 2015 and It has had 3 planning approvals and 1 planning permission attached to it during those periods as "open space". It is undoubtedly special to a local community and holds a particular local significance that requires immediate and continued protection.

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:*

c) Assess all development proposals and encourage early engagement with service/utility providers to establish whether any infrastructure or infrastructure improvements are needed to mitigate the impacts of the proposed development

d) Ensure that the relevant improvements to local infrastructure are made by the developer.

Where this is not practical financial contributions will be sought. Make certain that new developments ***do not take place until a planning obligation agreement has been approved".***

At 4.14.2 *"The definition of infrastructure is wide and includes a range of services, facilities provided by both public and private bodies. Infrastructure needed to support the delivery of development is of three main types":*

Green infrastructure is one of these types and it includes but is not limited to:

- *Provision of Open space*
- *Landscaping*
- *Creation of green corridors and links between spaces*
- *Habitat management and creation*
- *Enhancement of biodiversity"*

The impact of granting permission, contrary to the absolute application of Policy CS14 at para 4.14.2 will have a serious, adverse impact on every aspect of the very substance of that which this Policy seeks to protect.

- No Open space will be provided save for that reduced area already agreed, said to be compliantly sufficient even though 56% reduced on that anticipated in October 2016, and previously agreed in the NPS 2012 s106.
- Landscaping opportunity will be reduced to Zero.
- The last green gap (part corridor) will be lost forever.
- Habitat will be destroyed with nothing created in return.
- There will be a reduction and not an enhancement of Bio diversity.

Total, absolute failure to add any required value to anything at all, this application should be refused.

Policy CS15: Everyone *should have access to services and opportunities that allow them to fulfil their potential and enjoy healthier, happier lives. The effective planning and delivery of community and* ***green infrastructure is central to achieving this aim; as such the Council will:***

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

The impact of granting permission, contrary to the absolute application of Policy CS15 at para a) will have a serious, adverse impact on their most important community facilities and/or green assets by removing them entirely.

- There are no other location(s) accessible to current and potential users
- The detailed assessment set out in the **GYBC Open space Study of 2013.**clearly demonstrates there is a great need for the provision of the facility in the area to accommodate the current shortfall.
- The study insists that *"small areas of amenity greenspace have not been considered in this study"* and that; ***"Where there are shortages these should therefore be addressed especially in areas where new development is likely to take place".***

Policies in force (Jan 2016) from the 2001 Great Yarmouth Borough-Wide Local Plan

Policy HOU7: "*New residential development may be permitted ..... 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;

The increase in housing density proposed in this planning application is self evident and most significantly it is clearly "*detrimental to the form, character and setting of the settlement;*

(d) an adequate range ..... 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;

The GYBC Open space Study of 2013 is very objective in respect of the requirements for open space, play space and the treatment of; ***"small areas of amenity greenspace"*** where "*shortages should therefore be addressed especially in areas where new development is likely to take place*". Such open space and play space facilities "*are lacking and inadequate, are necessarily required to be provided or improved as a direct consequence of the development*".

Any approval of this application will ensure that this developer provides nothing by way of alternative; instead he offers cash compensation for the loss of something that in terms of a lost amenity to the area and the future residents in particular is priceless.

(e) the proposal would not be significantly detrimental to the residential amenities of adjoining occupiers or users of land".

There can be no doubt that all that has gone before set out herein, by way of objection shows the extent of the damage that any approval here would inflict on the "*residential amenities of adjoining occupiers or users of land*".

Policy HOU9: "*a developer contribution will be sought, as a planning obligation under the town and country planning act 1990 to finance the early provision of facilities required as a direct consequence of new development*".

There is nowhere left for affordable housing to be built and a claim that any "open space" requirement has already been met in the s106 agreement entered into in January 2018 is correct. Ti statement ignores the fact that this developer reneged on his obligations set out in his October 2016 application by not handing over to GYBC the full 1.3 hectares of "open space" he offered in "*anticipation of adoption*".

Policy HOU17: "*in assessing proposals for development the borough council will have regard to the density of the surrounding area. Sub-division of plots will be resisted where it would be likely to lead to development out of character and scale with the surroundings*"

Norfolk County in 1991 made a planning application on an area of 2.83 hectares accessed from Burgh Rd. It was considered then that if fully developed, the site could accommodate between 70 and 85 dwellings. GYBC took the view that the application should be subject to

the Secretary of State's determination and the Borough Council requested that the Secretary of State, having considered all relevant matters, refuse the application. The reasons being;

2) The loss of Open space, when there was a severe shortage of public open/recreational space in the locality.

3) The loss of School accommodation. The Borough Council at that time considered that the County Council had not demonstrated that it had fully examined any long term educational need for the school site **nor had it looked at community needs with regard to the shortfall of open recreational space in the area.**

5) Loss of Amenity. The impact of the development upon residents in the area, possible over development, overlooking, noise and loss of outlook.

Norfolk County Council withdrew their application stating that ***"they proposed to submit a new application in the near future incorporating provision for open space".***

Following application deferments in 2006, 2007, 2011, in 2012 a further application for 110 dwellings subject to a number of conditions and legal agreement (s106) covering a number of aspects including affordable housing, open space and financial contributions to mitigate the impact of the development was approved.

That application had with it a further application which was approved "***for the change of use of land on the site to public open space".*** This was agreed, in total area in the s106.

This applicant never set foot on this approved site instead he sold the site to Badger Building with "planning permission for 110 x dwellings and associated "open space".

We residents have had 70/85 dwellings/acre, 125 dwellings refused and withdrawn, 110 x dwellings with 1.3 hectares of "open space" approved with PP issued and now after gaining PP for 113 x dwellings this developer wants 125 x dwellings with 56% less open space on offer.

Building at a density of 125 dwellings and using the open space to do it will destroy the local amenity and it is entirely out of keeping with the surrounding long established area.

Other matters

Because the Council is unable to demonstrate a five year supply of deliverable housing land, or meet the Housing Delivery Test, it will give favourable consideration to proposals for sustainable housing development.

This site is within the settlement of Gorleston, **outside of the saved 2001 Borough Wide Development Limits, The site is still currently designated open amenity space (REC11);**

This land is now in private ownership and forms part of the open space area adjacent to a construction site for the previously approved development of 113 houses. There are still 1.3 hectares of "open space" within the development albeit in two parts with 5731 sq m under the control of GYBC (subject to) and 7269sq m currently under Badger control.

GYBC will say that "*Strategic Planning, noting the designation of the land within saved policy REC 11, have not objected to the application*".

This is not a relevant statement carrying any weight whatsoever, it merely implies something that may or may not be a fact of the matter, an assumption. It is a complete irrelevance, if GYBC want to place certainty on the matter that they rely on then Strategic planning should be made to state the case; "*that REC11 notes the designation of the land within the saved policy*", which is the truth of the matter, it is also not an emerging policy.

Implied assumption has no place in factual precedence, the express position is that REC11 exists and so does the protection it affords, it cannot be usurped by any emerging policy.

GYBC will go on to say that; "*As the land is within private ownership and could not be required under current planning policy to be provided as public open space the land is not, in practical or legal terms public open space. As such the development should not be assessed as a loss of public open space*"

This statement again is simply opinion and will fly in the face of the meeting statement of 4th March and the resultant confirmation following the deferral of the 12th July which confirms by default at item 3) that the land is indeed open space and therefore cannot be assessed as anything else. The statement here is baseless, not worthy of any consideration at all.

A further indication will be found when GYBC seek justification by saying; "*given that the owner can close the land off from the public at will*".

So what if the developer wants to close it off so be it, it will be better for the environment and bio-diverse eventually. The residual open space contained in the s106 agreed in January 2018 is also fenced and gated and by the very nature of those 2 matters according the GYBC justification here, it is also paradoxically, "*closed off to the public*".

As GYBC have already stated; that the application, being physically adjacent and an application submitted by the same developer/landowner should be dealt with cumulatively with the previously approved development.

It follows therefore that it is only reasonable that the residents that may be affected by this application treat the application as a 113 x dwellings approved application with a new 12 x dwellings application proposed to be built on the adjacent "open space".

We do not look forward to the bringing forward of this application save for the fact that it might put an end to the continuous applications for development, however if the application is refused and the caveat of no rights to appeal is not added then it surely will continue, we remain,

Yours sincerely

T P & M J Grimmer

Mr & Mrs T P Grimmer

Helen Ayers

From: Allan & Denise Simmons
Sent: 23 July 2019 18:18
To: plan
Subject: 06/19/0354/F

Construction of 12 dwellings (plots 90-101) and realignment of (3 plots 29-31) previously approved under planning permission 06/15/0737/F

Dear Mr Minns

And yet another letter of complaint! For years now it seems that all we appear to be doing is having to fight to live in a pleasant part of Gorleston.

How many times has this development been refused because of too many dwellings, access, etc. It now seems that once a plan is passed and everyone accepts the outcome that it can be altered and changed at will. The 110 dwellings changed to 113 and now increased to 125! Surely if 125 was not acceptable before then how come it is ok now? These extra dwellings, if passed, will be erected on land which was approved as 'open space' and should be rigorously objected to. Let's just leave it at 113 and nobody will feel cheated that another area of green open space will be lost to concrete. After all 125 dwellings seems rather an over the top development in favour of the builders.

We seem to be lacking in green space in the Claydon area so let's try and hang on to the few areas that we can, no matter how small. All trees, hedges and natural vegetation must be kept, if only to try and offset a little of the increase of the carbon footprint that this whole development site has increased. Let's also not forget the wild life, bees, birds and bats that will suffer enormously, after all they can't raise any objections but have no alternative but to accept the change because once it's gone it's gone and there's certainly no way back. The natural boundary has been there a very long time, please, let's keep it there.

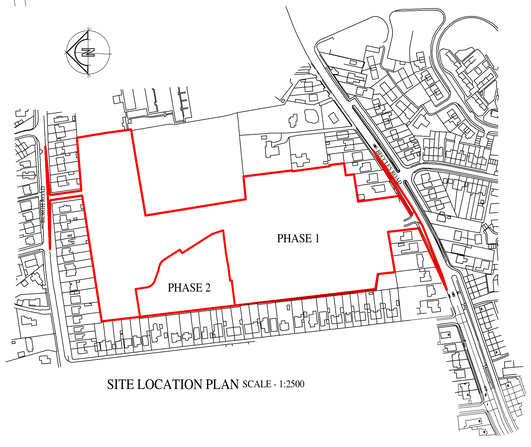
We both think that the extra dwellings will increase traffic generation and safety on all surrounding areas and no doubt bring to mind, as mentioned in previous objections, the lack of school places, serious problems that are already rearing their head with doctors and dentists appointments.

Please seriously look at the impact the extra application could have and put an end to continuous further applications once and for all.

We would appreciate an email to acknowledge receipt. Thanks in anticipation.

Yours sincerely,

Allan and Denise Simmons
56 Claydon Grove



SITE LOCATION PLAN SCALE - 1:2500

PHASE 1 - ACCOMMODATION SCHEDULE - LAND OFF BURGH ROAD					
REF	TYPE	BEDS	HT.	CP min.	No.
PRIVATE HOUSES					
WAN	WANGFORD	2	1	2	5
HEN	HENSTEAD	3	2	2	1
HUL	HULVER	3	2	2	2
BLY	BLYTHBURGH	4	2	3	1
BUR	BURLINGHAM	4	2	3	1
ELL	ELLINGHAM	4	2	3	7
HEL	HELMINGHAM	4	2	3	1
MET	METTINGHAM	4	2	3	1
YOX	YOXFORD	4	2	3	3
CAR	CARBROOKE	4	2	3	2
TOTAL					24

PHASE 1 - ACCOMMODATION SCHEDULE - LAND OFF BECCLES ROAD						
REF	TYPE	BEDS	HT.	CP min.	No.	Plots
PRIVATE HOUSES						
BEN	BENACRE	2	1	2	6	
COO	COOKLEY	2	1	2	2	
WAN	WANGFORD	2	1	2	1	
FLI	FLIXTON	3	1	2	8	
HAD	HADDISCOE	3	2	2	2	
HEN	HENSTEAD	3	2	2	1	
HUL	HULVER	3	2	2	16	
ORF	ORFORD	3	1	2	5	
BLY	BLYTHBURGH	4	2	3	2	
BUR	BURLINGHAM	4	2	3	1	
ELL	ELLINGHAM	4	2	3	4	
GLE	GLEMHAM	4	2	3	4	
HEL	HELMINGHAM	4	2	3	3	
MET	METTINGHAM	3	2	3	3	
RED	REDGRAVE	4	2	3	2	
YOX	YOXFORD	4	2	3	6	
EAR	EARSHAM	4	2	3	1	
AFFORDABLE HOUSING MIX (AFFORDABLE RENTED)						
BEL	BELTON	1	1	2	3	56, 80 & 81
QUI	QUIDENHAM	1	2	2	6	82-87
AFFORDABLE HOUSING MIX (SHARED EQUITY)						
SAX	SAXTEAD	3	2.5	2	9	61-64 & 75-79
STA	STARSTON	2	2	2	4	57-60
TOTAL					89	

ALL LANDSCAPING SHOWN WITHIN VISION SPLAYS TO BE NO MORE THAN 600MM HIGH

LEGEND

BOUNDARY TREATMENTS		1.8M HIGH BRICK SCREEN WALL
		1.8M HIGH CLOSE BOARDED FENCE WITH CONCRETE POSTS & CONCRETE GRAVEL BOARDS.
LANDSCAPING NOTATIONS		TREES TO BE REMOVED.
		EXISTING MATURE TREES.
		GRASS
		SEE LANDSCAPING PROPOSALS FOR PLANTING DETAILS.
SURFACE TREATMENT		600MM X 600MM RIVEN PAVING SLABS
	S	SOAKAWAYS

PHASE 1 - PLANTING SCHEDULE

TREES:
T1 - Prunus Sargentii - Flowering Cherry
T2 - Sorbus Aucuparia - Mountain Ash
T3 - Amelanchier Arborea - Robin Hill
T4 - Amelanchier Arborea - Robin Hill
T5 - Prunus Sargentii - Flowering Cherry
T6 - Sorbus Aucuparia - Mountain Ash
T7 - Amelanchier Arborea - Robin Hill
T8 - Quercus Robor - English Oak
T9 - Quercus Robor - English Oak
T10 - Quercus Robor - English Oak
T11 - Castanea Sativa - Sweet Chestnut
T12 - Castanea Sativa - Sweet Chestnut
T13 - Castanea Sativa - Sweet Chestnut
T18 - Cedrus Atlantica Glauca - Blue Cedar
T19 - Cedrus Atlantica Glauca - Blue Cedar
T20 - Betula Pendula - Silver Birch
T21 - Betula Pendula - Silver Birch
T22 - Betula Pendula - Silver Birch
T23 - Betula Pendula - Silver Birch
T31 - Liquidamber Styraciflua - Sweet Gum
T32 - Liquidamber Styraciflua - Sweet Gum
T33 - Liquidamber Styraciflua - Sweet Gum
T41 - Sorbus Aucuparia - Mountain Ash
T42 - Sorbus Aucuparia - Mountain Ash

GROUND COVER:
GC1-3 Cotoneaster - Rosaceae - Conspicuus or Cornubia - Dammeria (Subject to availability) - planted at 90cms centres

GC4-6 Berberis Candidula - Planted at 90cms centres

GC7 Euonymus Fortunei - Silver Queen - planted at 90cms centres

NOTES

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Written dimensions must be used in preference to scaled.

Contractors must check all dimensions on site.
Discrepancies are to be reported to the Architects before proceeding.

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REVISIONS

REV		DATE
-	-	-

CLIENT:

BADGER
setting the standards
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Tel: 01502 583026
Fax: 01502 508586
Email: info@badgerbuilding.co.uk
Website: www.badgerbuilding.co.uk

PROJECT:

RESIDENTIAL DEVELOPMENT, BECCLES ROAD / BURGH ROAD, GORLESTON

DRAWING TITLE:

COMBINED LAYOUT PLAN PHASES 1 & 2

SCALE - 1:500 @ A0

DATE - JUL. 2019

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JOB NO.	DWG NO.	REV.
7019.P2	CL01	-

Former Claydon School, Beccles Road - 06/19/0354/F

Great Yarmouth Borough Council

Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

1:2,500

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/19/0278/F**
PARISH	Ashby with Oby 18
PROPOSAL	Detached garage and entrance porch
SITE	1 Heathfarm Cottages Heath Road Ashby with Oby GREAT YARMOUTH
APPLICANT	Mr J and Mrs G Cole
DECISION	**APPROVE**

REFERENCE	**06/19/0086/F**
PARISH	Belton & Browston 10
PROPOSAL	Proposed agricultural store
SITE	Fairview Farm Stepshort Belton GREAT YARMOUTH
APPLICANT	Mr A Edwards
DECISION	**APPROVE**

REFERENCE	**06/19/0290/F**
PARISH	Belton & Browston 10
PROPOSAL	Proposed front extension to form Quiet room/Snoezelen Sensory room
SITE	Decoy Farm Browston Lane Browston GREAT YARMOUTH
APPLICANT	Country Retirement & Nursing
DECISION	**APPROVE**

REFERENCE	**06/19/0300/F**
PARISH	Belton & Browston 10
PROPOSAL	Vary conditions 2 & 3 of PP: 06/17/0622/F - Omission of rflights & provision of light well to rear & ass. amends
SITE	Heath Liveries (Land at) Browston Lane Browston GREAT YARMOUTH
APPLICANT	Mr P Needham
DECISION	**APPROVE**

REFERENCE	**06/19/0162/F**
PARISH	Bradwell N 1
PROPOSAL	Proposed side and rear extension, raise roof height to provide rooms in roof and reposition sectional garage
SITE	4 Holly Avenue Bradwell GREAT YARMOUTH
APPLICANT	Mr G London
DECISION	**APPROVE**

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/19/0317/F**
PARISH	Bradwell N 1
PROPOSAL	Single storey side extension and garage conversion
SITE	27 Cormorant Way Bradwell GREAT YARMOUTH
APPLICANT	Mr B Ford
DECISION	**APPROVE**

REFERENCE	**06/18/0115/CD**
PARISH	Bradwell S 2
PROPOSAL	Discharge of conditions 4, 5, 7, 10, 11,12,16,19,20 and 27 re PP 06/16/0391/SU
SITE	Site 25 Beacon Park Gorleston GREAT YARMOUTH (Parish of Bradwell)
APPLICANT	Lovell Partnership Ltd Mr I King
DECISION	**APPROVE (CONDITIONS)**

REFERENCE	**06/19/0179/F**
PARISH	Bradwell S 2
PROPOSAL	Extension to garage; conversion of existing garage to annexe
SITE	24 Marguerite Close Bradwell GREAT YARMOUTH
APPLICANT	Mr P Bricknell
DECISION	**APPROVE**

REFERENCE	**06/19/0362/LDO**
PARISH	Bradwell S 2
PROPOSAL	Construct new facilities bldg, external canopy,wash down, machine shop, paint shop, yard area,security fences and gates
SITE	Site 11 Hydra-Rig Excalibur Road Beacon Park Gorleston GREAT YARMOUTH
APPLICANT	NOV Hydra-Rig UK Ltd
DECISION	**APPROVE**

REFERENCE	**06/19/0331/F**
PARISH	Burgh Castle 10
PROPOSAL	Variation of condition 2 of PP: 06/18/0594/F - Position of units 1 and 2 and materials to be amended
SITE	The Gannel High Road Burgh Castle GREAT YARMOUTH
APPLICANT	Mr & Mrs Greiner
DECISION	**APPROVE**

REFERENCE	**06/19/0259/F**
PARISH	Caister On Sea 3
PROPOSAL	Retrospective application for extension to front of house
SITE	1 Mountbatten Way Caister GREAT YARMOUTH
APPLICANT	Mr A Pinkney
DECISION	**APPROVE**

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/18/0701/F**
PARISH	Caister On Sea 4
PROPOSAL	Erection of 4 2-bedroom houses with car parking & assoc works; erect double garage for use by extg dwells
SITE	56, 56a and 58 High Street Caister GREAT YARMOUTH
APPLICANT	Wright Properties of EA Ltd
DECISION	**APPROVE**

REFERENCE	**06/19/0232/F**
PARISH	Caister On Sea 4
PROPOSAL	Vary cond 5 of pp 6/94/0858/CU - The occ of the dwelling may be for occ of the business on grnd flr or as a sep dwelling
SITE	48 High Street Caister GREAT YARMOUTH
APPLICANT	Trinity Waters
DECISION	**APPROVE**

REFERENCE	**06/19/0271/F**
PARISH	Filby 6
PROPOSAL	Variation of condition 2 of Planning Permission 06/17/0772/D - Floor plans and garage layouts
SITE	Philmar Lodge (Land to North of) Ormesby Lane Filby GREAT YARMOUTH
APPLICANT	Mr B Hunt
DECISION	**APPROVE**

REFERENCE	**06/19/0301/F**
PARISH	Fritton/St Olaves 10
PROPOSAL	Proposed demolition of existing double garage and replace with new relocated double garage
SITE	3A Priory Road St Olaves GREAT YARMOUTH
APPLICANT	Mr D Boulton
DECISION	**APPROVE**

REFERENCE	**06/19/0211/F**
PARISH	Great Yarmouth 5
PROPOSAL	Proposed 2 storey side extension and dormer infill to rear
SITE	7 Veronica Green Gorleston GREAT YARMOUTH
APPLICANT	Mr & Mrs Eaglen
DECISION	**APPROVE**

REFERENCE	**06/19/0241/F**
PARISH	Great Yarmouth 5
PROPOSAL	Renewal of PP 06/18/0176/F - Removal of condition 2 of PP 06/10/0281/CU - to allow for business/commercial use
SITE	8 Viburnum Way Gorleston GREAT YARMOUTH
APPLICANT	Dr C Winter
DECISION	**APPROVE**

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/19/0296/F**
PARISH	Great Yarmouth 5
PROPOSAL	Proposed single storey front extension
SITE	21 Suffolk Road Gorleston GREAT YARMOUTH
APPLICANT	Mr T Norman
DECISION	**APPROVE**

REFERENCE	**06/19/0224/CU**
PARISH	Great Yarmouth 7
PROPOSAL	Change of use of amenity land to garden land
SITE	Cliff Park House (Land adj) Lowestoft Road Gorleston GREAT YARMOUTH
APPLICANT	Mrs A Howkins
DECISION	**APPROVE**

REFERENCE	**06/18/0715/F**
PARISH	Great Yarmouth 9
PROPOSAL	Replacement and demolition of existing annexe and new replacement dwelling
SITE	271 Southtown Road (Land adj) Sefton Lane GREAT YARMOUTH
APPLICANT	Mr and Mrs Williams
DECISION	**APPROVE**

REFERENCE	**06/19/0263/F**
PARISH	Great Yarmouth 11
PROPOSAL	Two storey rear extension and single storey side extension
SITE	3 Newnham Green Gorleston GREAT YARMOUTH
APPLICANT	Mr J Siron
DECISION	**APPROVE**

REFERENCE	**06/19/0264/F**
PARISH	Great Yarmouth 11
PROPOSAL	Two new attached dwellings on land adjacent to No. 9 and formation of new vehicular access
SITE	9 St Hughs Green (Land adj) Gorleston GREAT YARMOUTH
APPLICANT	Mr J Vadakkemury
DECISION	**APPROVE**

REFERENCE	**06/19/0308/F**
PARISH	Great Yarmouth 11
PROPOSAL	Proposed single storey front extension
SITE	132 Edinburgh Avenue Gorleston Great Yarmouth
APPLICANT	Mr F Westgate
DECISION	**APPROVE**

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/18/0538/F**
PARISH	Great Yarmouth 14
PROPOSAL	Pro.ex.alts to extg cladding & new windows,soft ldscaping & new ped.gates to extg ped. entrances to the site
SITE	45 Yarmouth Way Crown House GREAT YARMOUTH
APPLICANT	Daylight Crown House Limited
DECISION	**APPROVE**

REFERENCE	**06/19/0131/EU**
PARISH	Great Yarmouth 14
PROPOSAL	Application for Certificate of Lawfulness for existing use - HMO
SITE	14 Crown Road GREAT YARMOUTH Norfolk
APPLICANT	GY Lets
DECISION	**EST/LAW USE CER.**

REFERENCE	**06/19/0207/CD**
PARISH	Great Yarmouth 14
PROPOSAL	Discharge of conditions 1, 2, 3, 4, 5 and 6 of Planning Permissions 06/17/0220/F and 06/17/0221/LB
SITE	The Drill House York Road Great Yarmouth
APPLICANT	Mr J Mackintosh
DECISION	**APPROVE (CONDITIONS)**

REFERENCE	**06/19/0220/F**
PARISH	Great Yarmouth 14
PROPOSAL	Repair and re-surfacing of existing hard surfaces
SITE	The Drill House York Road GREAT YARMOUTH Norfolk
APPLICANT	SeaChange Arts
DECISION	**APPROVE**

REFERENCE	**06/19/0221/LB**
PARISH	Great Yarmouth 14
PROPOSAL	Repair and re-surfacing of existing hard surfaces
SITE	The Drill House York Road GREAT YARMOUTH Norfolk
APPLICANT	SeaChange Arts
DECISION	**LIST.BLD.APP**

REFERENCE	**06/19/0174/CU**
PARISH	Great Yarmouth 15
PROPOSAL	Change of use from B & B to single dwelling and 1 holiday let
SITE	10 Wellesley Road GREAT YARMOUTH Norfolk
APPLICANT	J R Accommodation
DECISION	**APPROVE**

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/19/0227/CU**
PARISH	Great Yarmouth 15
PROPOSAL	Change of use from turning head to parking bay
SITE	Nursery Terrace GREAT YARMOUTH Norfolk
APPLICANT	Mrs J Fitzgerald
DECISION	**APPROVE**

REFERENCE	**06/19/0275/F**
PARISH	Great Yarmouth 15
PROPOSAL	Redevelopment of site to create a terrace of 3 dwellings and a detached dwelling
SITE	21-24 Apollo Walk GREAT YARMOUTH Norfolk
APPLICANT	Harfield Homes Ltd J Harfield
DECISION	**REFUSED**

REFERENCE	**06/19/0067/CD**
PARISH	Great Yarmouth 19
PROPOSAL	Discharge of condition 20 of Planning Permissions 06/17/0225/F and 06/18/0638/F
SITE	Dock Tavern Lane (Land off) Gorleston GREAT YARMOUTH
APPLICANT	R G Cooper
DECISION	**APPROVE (CONDITIONS)**

REFERENCE	**06/19/0163/A**
PARISH	Great Yarmouth 19
PROPOSAL	Proposed new illuminated fascia signage
SITE	Ocean Bay Amusements Pier Gardens Gorleston GREAT YARMOUTH
APPLICANT	Mr M Swann
DECISION	**ADV. CONSENT**

REFERENCE	**06/19/0236/CD**
PARISH	Great Yarmouth 19
PROPOSAL	Discharge of condition 10 of Planning Permissions 06/17/0225/F and 06/18/0638/F
SITE	Land off Dock Tavern Lane Gorleston GREAT YARMOUTH
APPLICANT	R & G Cooper (Projects) Ltd
DECISION	**APPROVE (CONDITIONS)**

REFERENCE	**06/19/0242/F**
PARISH	Great Yarmouth 19
PROPOSAL	Vary cond 2 of PP 6/18/524/F - revise 3rd floor detail from pitched to sloping roof & add small balconies front & rear
SITE	54 Englands Lane Gorleston GREAT YARMOUTH
APPLICANT	Mr E Fernandez
DECISION	**REFUSED**

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/19/0270/F**
PARISH	Great Yarmouth 19
PROPOSAL	Proposed ground floor bedsit in lieu of part previously approved flat 1
SITE	54 Englands Lane Gorleston GREAT YARMOUTH
APPLICANT	Mr E Fernandez
DECISION	**REFUSED**

REFERENCE	**06/19/0351/CD**
PARISH	Great Yarmouth 21
PROPOSAL	Discharge condition 12 of PP: Y/6/2018/6003 - (Our ref: 06/18/0554/SU) - in respect of highways signage
SITE	North Denes Middle School Jellicoe Road GREAT YARMOUTH
APPLICANT	Director of Childrens Services
DECISION	**NO OBJECTION**

REFERENCE	**06/19/0315/F**
PARISH	Hemsby 8
PROPOSAL	Conversion of existing detached garage to form granny annexe
SITE	Belmont House Winterton Road Hemsby GREAT YARMOUTH
APPLICANT	Mr R Goffin
DECISION	**APPROVE**

REFERENCE	**06/19/0247/F**
PARISH	Hopton On Sea 2
PROPOSAL	Bathroom, utility, kitchen- diner extension
SITE	3 Mariners Park Close Hopton GREAT YARMOUTH
APPLICANT	Mr O Bryenton
DECISION	**APPROVE**

REFERENCE	**06/18/0601/F**
PARISH	Martham 13
PROPOSAL	Three bungalows and garages and parking spaces
SITE	Damgate Lane Martham GREAT YARMOUTH
APPLICANT	Mr P Hammond
DECISION	**APPROVE**

REFERENCE	**06/19/0245/O**
PARISH	Martham 13
PROPOSAL	Outline permission for two 3 bed bunglows
SITE	58 Hall Road Old Hall Farm Martham GREAT YARMOUTH
APPLICANT	Mr P Conlon
DECISION	**REFUSED**

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/19/0297/F**
PARISH	Martham 13
PROPOSAL	Single storey extension
SITE	51 Thurne Rise Martham GREAT YARMOUTH
APPLICANT	Mr N Shepherd
DECISION	**APPROVE**

REFERENCE	**06/19/0355/PDE**
PARISH	Mautby 6
PROPOSAL	Proposed rear extension
SITE	12 Thrigby Road Runham GREAT YARMOUTH
APPLICANT	Mr J Wright
DECISION	**PERMITTED DEV.**

REFERENCE	**06/19/0363/PAD**
PARISH	Mautby 6
PROPOSAL	Prior approval of proposed new cattle shed and an extn of an existing agricultural bldg to create an addition cattle shed
SITE	Paston Farm Mautby Lane Mautby GREAT YARMOUTH
APPLICANT	Mr N Steggles
DECISION	**REFUSED**

REFERENCE	**06/19/0250/O**
PARISH	Ormesby St.Marg 16
PROPOSAL	Proposed development of vacant land to create a single detached bungalow and garage
SITE	27 Station Road (Land North of) Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mrs J Philpott
DECISION	**REFUSED**

REFERENCE	**06/19/0253/F**
PARISH	Ormesby St.Marg 16
PROPOSAL	Single storey rear extension & conversion of garage to habitable room
SITE	2 Sharpe Way Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr D Amiss & Miss E Smith
DECISION	**APPROVE**

REFERENCE	**06/19/0256/F**
PARISH	Ormesby St.Marg 16
PROPOSAL	Proposed two storey residential dwelling
SITE	Nova Scotia Road Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Miss E Reynolds
DECISION	**REFUSED**

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/19/0274/F**
PARISH	Ormesby St.Marg 16
PROPOSAL	Roof conversion with front and side elevation dormer
SITE	4 Leathway Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr & Mrs J Powell
DECISION	**APPROVE**

REFERENCE	**06/19/0283/F**
PARISH	Ormesby St.Marg 16
PROPOSAL	Garage extension
SITE	31 The Promenade Scratby GREAT YARMOUTH
APPLICANT	Mr & Mrs N Seggie
DECISION	**APPROVE**

REFERENCE	**06/19/0307/F**
PARISH	Ormesby St.Marg 16
PROPOSAL	Single storey front, rear and side extensions
SITE	20 Conifer Close Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr M Wintle
DECISION	**APPROVE**

REFERENCE	**06/19/0311/F**
PARISH	Ormesby St.Marg 16
PROPOSAL	Proposed side extension
SITE	98 California Road Metfield California GREAT YARMOUTH
APPLICANT	Mr & Mrs Goodson
DECISION	**APPROVE**

REFERENCE	**06/19/0320/F**
PARISH	Ormesby St.Michael16
PROPOSAL	Single storey rear extension and detached garage
SITE	Holly Bank Main Road Ormesby St Michael GREAT YARMOUTH
APPLICANT	Mr R Atkins
DECISION	**APPROVE**

REFERENCE	**06/19/0344/NMA**
PARISH	Repps 13
PROPOSAL	Non-Material Amendment of PP: 06/17/0363/F - Revised design incorporating reduction in size
SITE	Linfords Staithe Road Repps GREAT YARMOUTH
APPLICANT	Mr & Mrs Bull
DECISION	**Accept Amend Notice**

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	**06/19/0175/O**
PARISH	Winterton 8
PROPOSAL	Erection of 3 bungalows & garages/carports rear of 30 Bulmer Lane with access off Lavender Court
SITE	30 Bulmer Lane Winterton GREAT YARMOUTH
APPLICANT	MDJC Limited
DECISION	**APPROVE**

* * * * End of Report * * * *

PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-19 AND 27-JUL-19 FOLLOWING DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE

REFERENCE	**06/16/0190/F**
PARISH	Great Yarmouth 5
PROPOSAL	Development of 7 houses and 28 flats with associated works
SITE	Former Ferryside Building and Land 98 High Road Gorleston GREAT YARMOUTH NR31 0PH
APPLICANT	Dawson Brown Ltd
DECISION	**REFUSED**

* * * * End of Report * * * *

The Planning Inspectorate

Appeal Decision

Site visit made on 24 June 2019

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2019

Appeal Ref: APP/U2615/W/18/3216600
46 Queens Road, Great Yarmouth NR30 3JR

- 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 Miss Victoria Hunt against the decision of Great Yarmouth Borough Council.
- The application Ref 06/18/0345/CU, dated 13 June 2018, was refused by notice dated 5 October 2018.
- The development proposed is change of use from a hotel to a house in multiple occupation with managed accommodation.

Decision

1. The appeal is allowed and planning permission is granted for the change of use from a hotel to a house in multiple occupation with managed accommodation at 46 Queens Road, Great Yarmouth, NR30 3JR, in accordance with the terms of the application, Ref 06/18/0345/CU, dated 13 June 2018, subject to the three conditions set out at the end of this decision.

Procedural Matters

2. I observed during my site visit that the use of the building had already commenced and that the appeal scheme floor plans I have been provided with (drawing 1049/2 Rev.A(April '18)1) do not accurately reflect the layout of the building or the use of all the rooms. Starting with the ground floor, there is a 'kitchen' shown to be accessed through the 'common room' but no access is available as the room adjacent is a private bedroom. It is accessed through the fire door beyond the reception area. This is also used to access a further 'kitchen' and the 'covered yard', these are used for storage and as a laundry. The storage spaces on the first and second floors are in fact kitchens. The ensuite WC in Bedroom 12 is also now a storage cupboard, the bathroom being retained. The layout including the kitchens is more accurately reflected in a plan accompanying the local planning authority's (the LPA) officer report. Nonetheless, given that both plans contain inaccuracies, I have based my assessment on drawing 1049/2 Rev.A(April '18)1 but for the avoidance of doubt I confirm that my determination of this appeal is based on the drawings as submitted and not upon the layout as exists in the building at present.

3. A previous planning application[1] for the change of use of the building from a hotel to an HMO was refused by the LPA and an enforcement notice subsequently served. Both were unsuccessfully appealed in 2017[2]. A further

[1] Ref 06/15/0710/F
[2] Ref APP/U2615/W/16/3151847

planning application[3], again for the same use, was also refused by the LPA, which was also unsuccessfully appealed in 2018[4].

4. These decisions are reasonably recent and there have been no relevant intervening changes in planning policy. Whilst the National Planning Policy Framework (the Framework) has been revised twice since the latest stated appeal, most recently in February 2019, the revisions do not alter the policies upon which this appeal turns.

5. The appeal site, its environs and the substance of the appeal scheme before me are broadly the same to the previous appeal decisions. They are therefore a material consideration of significant weight in my deliberations, as like applications should be considered in a like manner.

Main Issues

6. The main issues in this appeal are: -

- Whether the proposed development provides adequate living conditions for occupants; and
- Whether the HMO is in a suitable location.

Reasons

Living conditions

7. The property is three storeys in height with a basement and attic and is currently in use as a House in Multiple Occupation (HMO). The property was previously in use as a hotel. Whilst the extent of time spent within a bedroom may differ for the HMO and hotel uses, the relationship of the bedrooms to one another is the same. However, the degree of permanency of residential occupation associated with an HMO would warrant a greater degree of protection for occupants.

8. The Inspectors for the previous two appeals considered the effect of noise and disturbance within the property and surrounding areas. In both cases noise mitigation for bedrooms was adjudged to be capable of being addressed by a suitably worded planning condition. Given the relationship of bedrooms to one another, I am satisfied that this is reasonable and necessary to protect the occupants from noise and disturbance. I have not been alerted to any specific change in the site circumstances so my findings are consistent with the previous Inspectors. As such, whilst the LPA does not recommend a condition to address this matter, noise mitigation can be adequately addressed by planning condition.

9. As I have described above, the layout differs to the submitted plans. As the provision of communal space was a significant element of the discussion in the previous appeal schemes, it is also a material consideration in my assessment. It is therefore essential that adequate communal facilities are provided for occupants of the HMO to ensure acceptable living conditions.

[3] Ref 06/17/0412/CU
[4] Ref APP/U2615/W/17/3190619

10. The communal areas for residents will also be shared by the appellant and members of her family residing privately within the building. However, contrary to the details shown on the submitted plans there are parts of the building that appear private. Moreover, the floor plans indicate that there are communal areas accessible to the rear of the building on the ground floor and within the basement. These are all served by a corridor connected to the main entrance hall. The character of these rooms does not appear to have changed from that described by the Inspector for the previous appeal, as they still appear to be primarily the living accommodation of the appellant's family.

11. Whilst I find that sharing accommodation within the building to be appropriate, the uncertainty in relation to defined communal spaces is a concern. Access through private spaces to access communal areas would be an imposition for the appellant and her family, principally in terms of their privacy and security. These rooms are also not particularly accessible from most parts of the building. This would discourage their use by occupants of the HMO and increase pressures for them to spend a disproportionate amount of time in their bedrooms. I do not therefore consider that it would be appropriate to retain these rooms for communal use, particularly if other rooms are available to fulfil this purpose.

12. It is therefore imperative that the other communal spaces available within the building are accessible and functional. The ground floor layout now shown on the submitted plans is different to that described by the previous Inspector, as it includes a 'common room' and linked 'kitchen'. This would remove the reliance placed on the basement to function as communal living accommodation. It would therefore be reasonable to use a suitably worded planning condition to ensure that this accommodation is provided and maintained for use by the occupants of the HMO.

13. The previous Inspector also suggested that kitchens could be provided on the first and second floors to serve occupants of the HMO. Given that the kitchens are already in use, it is not beyond the scope of what can reasonably be controlled by a planning condition to ensure that they remain in situ whilst the HMO is in operation. This is important as the use of the rooms is different to the annotation on the submitted plans. These conditions would be enforceable as inspections can be undertaken in parallel with the annual monitoring required by the Council's licencing of the HMO. As such, these are not matters weighing against the grant of planning permission.

14. I therefore conclude that noise mitigation for bedrooms, along with the provision of the communal living accommodation I have described above, would be necessary to make the proposal acceptable. As the communal rooms are either in situ or proposed as part of the appeal, I now have sufficient grounds to conclude differently on this matter to the previous Inspectors. The communal areas would now be of an appropriate scale and adequately sited to ensure suitable living conditions for the occupants of the HMO. Moreover, occupants would not be pressured into spending a disproportionate amount of time in their bedrooms socialising or preparing and cooking food. Subject to planning conditions dealing with the abovementioned matters, the use would therefore accord with Paragraph 127 of the Framework, which seeks to ensure a high standard of amenity for existing and future users of development.

Whether the HMO is in a suitable location

15. My role is to consider the evidence before me in the context of relevant planning policy and in the previous appeal decisions the Inspectors made it clear that the property is situated between others that are occupied by numerous flats. It would therefore be unreasonably inconsistent for me to depart from their conclusions. With that in mind, the properties represent a cluster of multiple occupancy properties in Queen Street. This cluster would therefore be conflict with Policy HOU23 of the Great Yarmouth Borough Wide Local Plan 2001 (the LP).

16. The use of the property as an HMO has now been in operation for some time. However, I have not been provided with compelling evidence to substantiate that the use has resulted in an intensification that can be regarded as being harmful to services nearby or to neighbouring properties.

17. I have not been provided with any evidence of noise complaints, antisocial behaviour or increased pressures emanating from parking associated with the development. I therefore share the same view as the previous Inspector that there is adequate parking available on street nearby to serve the HMO and neighbouring uses. I am also mindful that the HMO use must be considered in the context of the previous use as a hotel, whereby comings and goings from the building would have been a regular occurrence. Furthermore, whilst I appreciate that there may be other multiple occupancy properties in the vicinity, I have also not been provided with any information regarding the number or location of these properties. I cannot therefore readily conclude that the addition of the HMO would cumulatively lead to an unacceptably intense or dense concentration of multiple occupancy accommodation which would harm the character of the area.

18. The impact upon the viability of tourism in Great Yarmouth has also not been quantified but the evidence before me indicates that the site is not in an area of prime holiday accommodation. As such, the change of use has not therefore undermined the aim of Policy HOU23 of the LP to direct accommodation of this nature away from these areas. I am also satisfied the proposals would not directly encourage a fundamental change in the character of the area. Similarly, the change of use has also not required any external changes to the building that have had a harmful effect on the appearance of the area. The proposal would therefore preserve the character and appearance of the Camperdown Conservation Area within which it is located.

19. Whilst the evidence of need for further HMO accommodation in Great Yarmouth is not before me as part of this appeal, I am mindful that this matter was discussed in the previous appeals for the site. Both Inspectors accepted that the need for further HMO accommodation outweighs the policy conflict with Policy HOU23. The appeals are directly related to the site and relatively recent. Like the previous Inspectors, I have seen nothing to suggest there is an over provision of HMOs in the vicinity of the site so I can find no reason to depart from the previous position in this respect.

20. I therefore conclude that the points that I have raised above are material considerations that indicate that a departure from the development plan in this instance and on this issue can be justified. As such, I find that the HMO is in a suitable location.

Other Matters

21. The previous Inspector indicated that subject to a suitably worded planning condition the matter of flood risk could be adequately addressed. I have not been made aware of any material change in the risk of flooding at the site and the LPA has recommended a planning condition to deal with this matter. As such, I find no reason to disagree with the previous Inspector's approach to this matter. Furthermore, as each development should be judged on its own individual merits, the LPA can consider whether further development would be harmful in respect of any of the matters referred to in this appeal.

Conditions

22. The appeal being allowed, I attach a condition securing the completion of the development in accordance with the plan submitted with the appeal, except where a different layout would be in the interests of the living conditions of the occupants of the HMO. It is also necessary to exclude the basement area from being used as sleeping accommodation, in the interests of reducing the risk to life from flooding. In this respect the wording of the condition is more precise than the condition recommended by the LPA.

23. I also attach conditions securing a scheme of noise mitigation for the bedrooms within the HMO in order to safeguard the living conditions of future occupiers; and to secure a flood response plan to ensure that occupants are prepared in the event of flooding.

24. I have altered the timeframe to comply with these conditions to three months as this would be more realistic amount of time for the appellant to undertake the works required to meet the conditions.

Conclusion

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

Paul Thompson

INSPECTOR

Schedule of Conditions

1) Within three months of the date of this permission, the rooms within the building shall be arranged in accordance with the details shown on drawing 1049/2 Rev.A(April '18)1, except where detailed below:

- the storage rooms shown on the first and second floors shall be retained as kitchens;
- the communal rooms and storage spaces in the basement and adjacent to rooms 19 and 21 at the rear of the ground floor, shall be retained in private use as Manager's accommodation; and
- no room within the basement shall be used for sleeping accommodation.

Each room shall only be used for the express purposes detailed on the approved drawing, or as set out above, and shall not be used for any other purpose whilst the property is in use as a House in Multiple Occupation.

2) Within three months of the date of this permission, a noise risk assessment shall be submitted to, and approved in writing by, the local planning authority. The assessment shall include details of any mitigation measures required to protect the bedrooms within the building from internal noise and a timetable for their completion. All mitigation measures shall be completed in accordance with the agreed timetable and retained as such thereafter.

3) Within three months of the date of this permission, a flood response plan shall be submitted to and approved in writing by the local planning authority. The approved Flood Response Plan, including information regarding the availability of the Environment Agency's Flood Warnings Service, shall be made available to all future occupiers of the House in Multiple Occupation.