



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Development Control Committee

**Date:** Wednesday, 17 October 2018  
**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 - 9**

To confirm the minutes of the meeting held on 12 September 2018.

## **4 PLANNING APPLICATIONS**

### **5 APPLICATION 06/17/0358/F - SOMERTON ROAD (LAND TO THE SOUTH OF) & WHITE STREET (EAST OF) CHURCH FARM MARTHAM**

**10 - 51**

45 dwellings at Somerton Road (land to the South of) & White Street (East of) Church Farm, Martham.

### **6 APPLICATION 06/18/0327/F - 21 CRAB LANE, BRADWELL**

**52 - 74**

Two detached houses and two detached bungalows.

**7      PLANNING APPLICATIONS CLEARED BY OFFICERS AND      75 - 83**  
**DEVELOPMENT CONTROL COMMITTEE FROM 1 - 30**  
**SEPTEMBER 2018**

The Committee is asked to note the report.

**8      OMBUDSMAN AND APPEAL DECISIONS**

The Planning Manager will report at the meeting.

**9      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.

**10     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, 12 September 2018 at 18:30

PRESENT :

Councillor Hanton (in the Chair); Councillors Annison, Bird, Drewitt, Fairhead, Flaxman-Taylor, Galer, A Grey, Wainwright, A Wright & B Wright.

Councillor G Carpenter attended as a substitute for Councillor Reynolds.

Councillor Hammond attended as a substitute for Councillor A Grey.

Mr D Minns (Planning Manager), Mr A Nicholls (Head of Planning and Growth), Ms C Whatling (Monitoring Officer), Mr G Bolan (Technical Officer) & Mrs S Wintle (Member Services Officer).

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Reynolds and A Grey.

### **2 DECLARATIONS OF INTEREST**

There were no declarations of interest declared at the meeting.

### **3 MINUTES**

The minutes of the meeting held on the 8 August 2018 were confirmed.

### **4 MATTERS ARISING**

There were no matters arising.

### **5 PLANNING APPLICATIONS**

#### **6 APPLICATION 06-18-0408-F LAND CORNER OF GREEN LANE & ORMESBY LANE FILBY**

Members received and considered the Planning Manager's report which sought approval of the erection of three dwellings, garaging, vehicular access off Ormesby Lane and associated works.

The Planning Manager reported that the site was an area of grassland, that was currently used as a paddock. The main frontage of the site is to Ormesby Lane and was currently enclosed by a hedge and post and rail fence alongside the roadside boundary.

The Planning Manager reported that no objections had been received from Highways subject to conditions regarding access, visibility splays and provision of a footpath across the site frontage.

It was advised that the Parish Council had not wished to comment on the application and that no neighbour comments had been received.

The Planning Manager reported that the site was outside the Village Development Limit but reminded Members that as of the 1 April 2017 the Borough had a 4.13 year supply of housing land and therefore suggested significant material consideration in the determination of this application be given.

Members were advised that the application was recommended for approval as the proposal conformed with paragraph 11 of the National Planning Policy Framework (NPPF) and the aims of Policies CS1, CS2 and CS3 of the Great Yarmouth Local Plan: Core Strategy and subject to conditions required by the highway authority regarding the provision of a footpath, visibility splay, vehicular access and parking. The Planning Manager reported that the planning permission should not be issued until the appropriate Natura 2000 payment had been secured.

**RESOLVED :**

That application 06/18/0408/F be approved in view of the proposal conforming

with Paragraph 11 of the NPPF and the aims of Policies CS1, CS2 and CS3 of the Great Yarmouth Local Plan: Core Strategy, subject to the conditions required by the highway authority regarding the provision of a footpath, visibility splay, vehicular access and parking, and planning permission should not be issued until the appropriate Natura 2000 payment has been secured.

## **7 APPLICATION 06-18-0345-CU SOUTHERN HOTEL 46 QUEENS ROAD GREAT YARMOUTH**

Members received and considered the Planning Manager's report which sought approval of a change of use from hotel to house in multiple occupation with managed accommodation.

The Planning Manager reported that the application site was situated on the eastern side of Queens Road, Great Yarmouth and was largely situated amongst residential uses, but with more mixed use on Nelson Road South further to the east.

The application submitted was to change the use of a hotel to a 12 bed House in Multiple Occupation (HMO) in use class Sui generis with managers accommodation. The Planning Manager reported that the application was a retrospective application and has been used as a HMO since 2015.

The Planning Manager reported that no objections had been received in respect of the application.

Members were reminded that this was the third application since the use started in 2015, the previous two applications had been refused by the Committee and had both been appealed, it was noted that both previous appeals had been dismissed in view of the planning inspector agreeing with the Council that the communal facilities were inadequate. The Planning Manager reported that the Planning Inspector's decision for the previous applications needed to be considered in the determination of this application whereby the principle of use of the building as an HMO had been deemed acceptable, although the appeal had been dismissed due to the layout of communal facilities being inadequate, it was pointed out that the latest application layout clearly defined areas of communal use therefore it was felt that concerns raised over living condition had been suitably resolved.

The Planning Manager reported that the application was recommended for approval, subject to all conditions ensuring a suitable development, ensuring the creation and retention of communal facilities, the provision of a flood response plan and noise assessment.

Members raised concern in that the application site had continuously been used as a HMO following two refusals by the Committee. The Planning Manager advised that the Planning Officers had been working with the applicant in order to produce a suitable option for consideration.

Some concern was raised in relation to the layout, it was pointed out that the basement had not previously been included for use but had been proposed in the current layout, all other proposed layout remained the same as previous.

A Member asked whether room sizes as detailed within the layout included the WC facilities, and it was advised that these were not included, Members were provided with measurements.

A Member raised concern in relation to Paragraph 4.1 within the report where a mixed area with tourism uses had been mentioned as it was felt that tourism was not prevalent to the number of HMO's in the area.

A Member asked how as Members a certainty could be put in place that the property would not be used as a bedsit, the Planning Manager advised that a condition could be imposed and that the property could be monitored in conjunction with the Environmental Health Team.

A Member raised concern in relation to the proliferation of HMO's in the area and the issues relating to parking within the area and the gradual erosion of prime holiday area. A further Member reiterated the concerns and stated that in his opinion there was a need to look at future sustainability and encourage development in other areas.

The Planning Officer reminded Members that the Planning inspector had commented that it was a suitable area for a HMO property. A Member stated the need for good quality rental properties in the area and felt that clusters of HMOs should not be encouraged.

RESOLVED :

That application 06/18/0345/CU be refused in view of the proliferation of HMO's in the area and the impact, appearance and condition of living facilities as proposed.

## **8 APPLICATION 06-18-0209-O, STONE COTTAGE, MAIN ROAD, ORMESBY ST MICHAEL**

The Committee received and considered the Planning Manager's report which presented outline planning permission for a pair of semi-detached cottages and parking for approval.

The Planning Manager reported that the application site was positioned on Main Road, Ormesby St Michael within the curtilage of Stone Cottage. The application is for outline permission for a pair of semi-detached properties. The application included the access, layout, appearance and scale meaning only the landscaping is a reserved matter to be determined at a detailed stage.

The Planning Manager reported that no objections had been received subject

to conditions from Highways. It was advise that the site contained a row of large Sycamores along the eastern boundary which were formerly protected. However the Protection was removed due to the structural issues within the trees. The Sycamores are still present, but are no longer protected.

It was advised the the application was recommended for approval subject to all conditions ensuring a suitable development including all the reserved matters. Subject to Highway conditions, details of boundary treatments and materials. Restriction on construction times and full landscaping conditions.

RESOLVED :

That application 06/18/0209/O be approved subject to all conditions ensuring a suitable development including all the reserved matters.

## **9 OMBUDSMEN AND APPEAL DECISIONS**

RESOLVED :

That the Committee note the appeal decision.

## **10 DELEGATED AND COMMITTEE DECISION LIST 1-31 AUGUST 2018**

The Committee considered and noted the delegated and Committee decision list for the period 1-31 August 2018.

## **11 ANY OTHER BUSINESS**

The Chairman reported that there was no other business of sufficient urgency to warrant consideration.

The meeting ended at: 19:18

**Reference:** 06/17/0358/F

**Parish:** Martham

**Officer:** Mrs G Manthorpe

**Expiry Date:** 05/06/18

**Applicant:** Mr and Mrs Cary c/o La Ronde Wright Ltd

**Proposal:** Conversion of existing barn to 2 dwellings and erection of 43 dwellings and associated infrastructure. 45 dwellings in total.

**Site:** Somerton Road (Land to the South of) & White Street (East of) Church Farm Martham.

## REPORT

### 1. Background / History :-

- 1.1 The site comprises 2.07 hectares of land which comprises existing agricultural buildings, grade 1 agricultural land and yards for agricultural use. There is an unoccupied bungalow on the site, no. 34 White Street which is surrounded by trees. A Byway Open to All Traffic (BOAT 22) is adjacent the site to the north.
- 1.2 The application includes the conversion of a thatched barn into two dwellings to accompany the erection of 43 dwellings giving a total of 45. The application is a full application.
- 1.3 The application history for the site comprises 8 previous applications which are noted on the planning file; none have any bearing on the current application with the most recent being from 1988.

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

- 2.1 Parish Council – Please can the permission include a restriction on HGV movements around school opening and closing times on the grounds of safety. There is considerable vehicle and bus traffic in that area during this period – but also high volumes of young people on foot.

2.2 Neighbours – There have been 9 Objections from neighbours to the application, a summary of the objections are below and a selection are attached to the report.

- Martham has had a lot of houses approved recently.
- The existing established unmade road is to be moved.
- There is already a large quantity of traffic.
- A higher fence should be erected at the boundary of the open space and existing residential dwellings.
- The number of trees to be removed is too many.
- Bats fly over the site and may roost on site.
- The cycle/pedestrian path should not be moved.
- If approved this will lead to further development.
- What time was the traffic survey undertaken?
- The dark colour scheme is out of keeping with other properties.
- Balconies will overlook existing dwellings.
- Who will be responsible for the boundary fences?
- Location of new trees needs to be known as there may be an impact on light and foundations to existing dwellings.
- Difficult currently to get an appointment with the local doctors surgery.
- Martham is in danger of becoming a town, there are a lot of approvals for housing in Martham already.
- Somerton Road is a busy road.
- Rain water pools at the corner of the field and the site floods.
- Loss of view.
- Loss of value of property.
- The application does not accord with the Borough Wide Local Plan 2001.
- The access to Somerton Road is dangerous and drawn incorrectly.
- The site is next to a conservation area.
- A pond is adjacent the site has been in existence since Saxon times, has the owner been asked if this can be included in the site?
- The existing track should not be diverted.

2.3 Highways – With reference to the application relating to the above development (as shown on the revised drawings 15.032-010 rev T, 15.032-100 rev F and 15.032-012 rev H), in relation to highways issues only, notice is hereby given that Norfolk County Council recommends that any permission which the Borough Council may give shall include the conditions listed below:

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

SHC 02 Prior to the occupation of the final dwelling all works shall be carried out on roads, footways, street lighting, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.

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

SHC 16 Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 x 59 metres shall be provided to each side of all vehicular accesses where they meet Somerton Road and White Street. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

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

SHC 31 No works shall commence on site until such time as the appropriate stopping Up / diversion Order to remove all highway rights subsisting in the highway land / Byway Open to All Traffic indicated on drawing 15.032-100 rev F has been granted and all highway rights have been successfully removed.

Inf. 5 The imposition of the above condition does not in any way infer that Norfolk County Council, as Local Highway Authority, will support a formal application for a Stopping Up Order to remove highway rights. In addition, statutory undertakers have a right to object to the granting of a Stopping Order, which may prevent this development from progressing in its current format.

- 2.4 Water Management Alliance - Although the site is outside the district of the Broads Internal Drainage Board. Surface water flows from the development could have an impact on the district indirectly. We are therefore pleased to see that a full infiltration solution is possible at this site. Should the proposal change a connection to the surface water system, be required then the applicant should be aware that the IDB must be contacted and that consent from the board would be required.
- 2.5 Building Control – no objection.
- 2.6 Environmental Health – No objection to the application, conditions requested.
- 2.7 Strategic Planning – No comments received.
- 2.8 Lead Local Flood Authority – Following an assessment of the revised Flood Risk Assessment **we are able to remove our objection subject to conditions being attached to any consent** if this application is approved. We recognise that the



Local Planning Authority is the determining authority, however to assist, we suggest the following wording:

**Condition:**

Prior to commencement of development, in accordance with the submitted (Create Consulting Engineers, Flood Risk Assessment and Drainage Strategy; Ref: JJ/CC/P16- 1156/01 Revision B, May 2017), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. The location of the soakaways will be at the depths and locations at which infiltration testing is shown to be viable. These should be at least 1.2m above groundwater levels.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1% annual probability rainfall event including allowances for climate change.

III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

- 3.33% annual probability critical rainfall event to show no above ground flooding on any part of the site.
- 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

IV. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.

V. Finished ground floor levels of properties are a minimum of 300mm and/or 600mm above expected flood levels of all sources of flooding as detailed within the revised FRA.

VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

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

**Reason:**

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

2.9 Public Rights of Officer – Reiterate the comments made by Highways:

No works shall commence on site until such time as the appropriate stopping Up / diversion Order to remove all highway rights subsisting in the highway land / Byway Open to All Traffic indicated on drawing 15.032-100 rev F has been granted and all highway rights have been successfully removed.

2.10 CPRE – Object to the application, full objection attached to this report.

2.11 Police and Architectural Liaison Officer - Full and comprehensive comments were received. The Officer has highlighted concerns regarding the security of the site during the development which the applicant is advised to consider.

2.12 Norfolk Fire service - Norfolk Fire Services have no objections subject to the compliance with building regulations.

With reference to the proposed development, taking into account the location and infrastructure already in place, our minimum requirement based on 44 dwellings would be 1 fire hydrants on no less than a 90mm main at a cost of £818.50.

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

2.13 Library Contribution - A development of 44 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of the library. It has been calculated that a development of this scale would require a total contribution of £3,300 (i.e. £75 per dwelling). This contribution will be spent on IT infrastructure and equipment at Martham library.

## 2.14 Education

It is understood that the proposed development comprises 38 multi-bed houses and 6 1-bed houses. The County Council does not seek education contributions associated with 1-bed units and only seeks 50% contributions for multi-bed flats. Therefore in net education terms this represents the equivalent of 38 dwellings, which will generate:

1. Nursery School – 4 children (2 – 4);
2. Primary School – 10 children (4 – 7);
3. High School – 7 children (11 – 16);

Table 4: Other Developments

Site Addressed	Application Number	Number of Dwellings	Children (2-4)	Children (4-11)	Children (11-16)
North of Hemsby Road, Martham	06/14/081 7 permitted	108	10	28	19
Rollesby Road, Martham	06/15/067 3 permitted	55	5	14	10
White Street, Martham	06/15/048 6 permitted	100	10	26	17
Pointers East, Ormesby	06/15/030 9 permitted	189	n/a	n/a	33
Repps Road, Martham	06/16/0435 resolution to approve	144	14	38	25
<b>Total</b>		<b>596</b>	<b>39</b>	<b>106</b>	<b>104</b>

Table 3: The current situation at local schools is as follows:

<b><i>School</i></b>	<b><i>Capacity</i></b>	<b><i>Numbers on Roll (May 2015)</i></b>	<b><i>Spare Capacity</i></b>
Early Education	181	172	<b>+9</b>
Martham Foundation Primary School and Nursery	412	346	<b>+66</b>
Flegg High School (11-16)	950	823	<b>+127</b>

Taking into account the permitted planning applications in Table 2 (should read Table 4 as inserted), a total of 447 dwellings (including the Church Farm, Martham site) would generate an additional 43 Early Education (2-4 year old) children, and an additional 116 Primary school age (4-11) children. There would not be sufficient capacity in the Primary sector and funding for additional school places in the Primary sector would be required. The Early Education sector would also be full and funding would be sought to accommodate the children generated from this proposed development should it be approved.

In the High school sector (11-16) a total of 636 dwellings (including the Church Farm, Martham site) would generate an additional 110 High school age (11-16) children and there would be sufficient spare capacity to accommodate the children generated from this proposed development so High school funding will not be sought on this occasion.

Therefore Norfolk County Council will seek Education contributions for this proposed development as follows:

Early Education: 4 x £11,644 (cost per pupil) = £46,576

Martham Academy and Nursery School: 10 x £11,644 (cost per pupil) = £116,440

Total Education contributions = £163,016

- 2.16 Natural England – Natural England were consulted twice on the application following a recent ruling on mitigation, they have offered, as general advice the following:

Competent authorities undertaking HRAs should be aware of a recent ruling made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17). The case relates to the treatment of mitigation measures at the screening stage of a HRA when deciding whether an appropriate assessment of a plan/project is required. The Court's Ruling goes against established practice in the UK that mitigation measures can, to a certain degree, be taken into account at the screening stage.

As a result, Natural England advises that any "embedded" mitigation relating to protected sites under the Habitat Regulations 2017 Regulation 63 (1) should no longer be considered at the screening stage, but taken forward and considered at the appropriate assessment stage to inform a decision as whether no adverse effect on site integrity can be ascertained. In light of the recent case law, any reliance on measures intended to avoid or reduce harmful effects at the likely significant stage is vulnerable to legal challenge. You may also want to seek your own legal advice on any implications of this recent ruling for your decisions.

In specific reference to this application the below was stated:

**We note that the Shadow HRA considers mitigation at the screening stage. However, we advise that, in light of the recent ruling, the assessment should proceed to appropriate assessment where the principles of mitigation outlined in the Natura 2000 Monitoring and Mitigation Strategy and Policy CS11 would still apply. We would anticipate that an appropriate assessment based on these mitigation principles could reasonably reach a conclusion of no adverse effect on integrity.**

Following the advice above which is general advice sought in relation to a different application, the below was given following a second consultation:

'06/17/0358/F – Land at Martham

Natural England agree with the conclusions of the Shadow HRA'

The full original response from Natural England is attached to this report and notes the requirement for mitigation measures in line with the HRA submitted in support of the application which includes walking routes, sustainable drainage and public open space.

- 2.17 Anglian Water – No objection, there are assets in the near to or within the development and this should be considered.
- 2.18 NHS – No objection.

2.19 Local Planning Authority – Local Authority 106 requirements – In order to be policy compliant, 40 square metres of usable public open space is to be provided per dwelling. Payment in lieu of public open space to be calculated at £12 per square metre shortfall (equates to £480 per dwelling if none provided). The application shows open space being provided at the entrance and at the western boundary. The open space at the entrance is not in compliance with planning policy and as such, while this adds to the development overall and should be maintained it does not constitute usable public open space. Although limited in size the 424m<sup>2</sup> of land located to the western boundary is usable and while not subject to good natural surveillance does provide a degree of useable space and as such can be agreed as part of the scheme to comply with policy.

1,800 m<sup>2</sup> of open space is required in total, 424m<sup>2</sup> is being provided which leaves as shortfall of 1376m<sup>2</sup>. Payment in lieu is therefore required at £16,512.

The Borough Council will accept no liability for future maintenance at any time of any open space.

Payment in lieu of children's recreation equipment is £920 per dwelling. At the absolute discretion of the Local Planning Authority children's recreation can be provided by payment in lieu or provided on site. Given the limited area available for open play on site it is accepted that all or most will be provided by contribution.

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

20% Affordable housing is required and noted in the application to be provided. Type and tenure have been discussed as part of s106 negotiations to comply with Local and National Planning Policy (paragraph 64 of the National Planning Policy Framework).

In order to comply with policy CS14 and the draft Natura 2000 Monitoring and Mitigation Strategy £110 per dwelling is sought to go towards the monitoring or implementation of mitigation measure for designated sites.

2.20 Natural Environment Team - Thank you for consulting us regarding the above application, in relation to Public Right of Way issues, we do not wish to object the principle of the development. However, a plan should be provided showing the

extent of the highway that will require stopping up, as well as the existing line of the highway that will need to be diverted.

The public right of way (Martham BOAT 22) is a Byway Open to All Traffic, and the application intends to remove the vehicular rights to limit the use to pedestrians and cyclists only. However, we feel that this will be likely to encourage objections which is likely to impact our ability to complete the order.

- 2.21 Environment Agency - As part of the LLFA's response they have conditioned that the soakaways must be at least 1.2m above groundwater (I) and that further details are required regarding the treatment stages for water quality (VI). We support the inclusion of these conditions and have nothing further to add.
- 2.22 In this case we will be recommending a programme of archaeological work commencing with an archaeological evaluation by trial trenching.

The proposed development site lies within an area where Roman and medieval pottery and other artefacts have previously been found, and cropmarks suggesting the presence of fieldsystems and a trackway of unknown date are present. Consequently there is a high potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will 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 para. 135. We suggest that the following three conditions are imposed:-

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

and,

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



and,

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

In this case the programme of archaeological work will commence with an archaeological evaluation by trial trenching in accordance with a brief issued by Norfolk County Council Historic Environment Service.'

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

- 3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):
- 3.2 Paragraph 213 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.
- 3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.
- 3.4 HOU10: Permission for new dwellings in the countryside will only be given in connection with agriculture, forestry, organised recreation, or the expansion of settlements.
- 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.
- 3.6 HOU9 A developer contribution will be sought as a planning obligation under the Town and Country Planning Act 1990 to finance the early provision of facilities required as a direct consequence of new development.



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

- 4.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 4.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs<sup>4</sup>.
- 4.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 4.4 Paragraph 11 (partial): Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

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

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

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

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

4.5 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).

4.6 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.

4.7 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.

4.8 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.

4.9 Paragraph 177. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

## **5 Core strategy – Adopted 21st December 2015**

- 5.1 Policy CS2: Achieving sustainable growth. This policy identifies the broad areas for growth, sets out the sustainable settlement hierarchy for the borough and two key allocations. Martham is identified as a Primary Village and is expected to receive modest housing growth over the plan period due to its range of village facilities and access to key services.
- 5.2 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
- 5.3 Policy CS4: Delivering affordable housing. This policy sets out the thresholds for the provision of affordable housing. The site is within affordable housing sub-market area 1 northern rural with a threshold of 5 delivering 20% affordable housing.
- 5.4 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.
- 5.5 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.
- 5.6 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.

## **6 Interim Housing Land Supply Policy (July 2014)**

- 6.1 The Interim Housing Land Supply Policy seeks to facilitate residential development outside but adjacent to development limits by setting out criterion to assess the suitability of exception sites. This policy only applies when the Council's Five Year Housing land Supply utilises sites identified in the Strategic Housing Land Availability Assessment. As such the Interim Policy 2014 can be used as a material consideration in the determination of planning application although appropriate weight must be applied.
- 6.2 New Housing development may be deemed acceptable outside, but adjacent to existing Urban Areas of Village Development Limits providing the following criteria, where relevant to development, have been satisfactorily addressed: inter alia points a to n.

## **7. Legislation**

Planning (Listed Buildings and Conservation Areas) Act 1990

General duty as respects listed buildings in exercise of planning functions.

(1) In considering whether to grant planning permission [F1or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

Conservation of Habitats and Species Regulations 2017

Assessment of implications for European sites and European offshore marine sites

63.—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

(2) A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required.

(3) The competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies.

(4) It must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate.

(5) In the light of the conclusions of the assessment, and subject to regulation 64, the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

(6) In considering whether a plan or project will adversely affect the integrity of the site, the competent authority must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given.

## **8 Appraisal**

- 8.1 The proposal is for a residential development of 45 dwellings including two access points onto White Street and Somerton Road with limited provision of onsite open space. The site is located outside of the saved Borough-Wide Local Plan (2001) Village Development Limits for Martham, but it is immediately adjacent the fringe of the existing settlement. Overall, the site is reasonably well located to access village services and facilities in the centre of the settlement.
- 8.2 Martham already benefits from a significant number of completions and permissions (committing over 400 houses) since the adoption of the Core Strategy. The Core Strategy (Policy CS2) identifies Martham as a Primary Village; one of six villages which will accommodate approximately 30% of the Borough's total housing over the plan period (7,140 units).
- 8.3 The site is located in the north of the Borough, within a reasonable proximity to attract visitors to nearby internationally designated nature conservation sites (Winterton-Horsey Dunes Special Area of Conservation, in particular), and in accordance with Policy CS11, the Council will ensure that the habitats and

species impact avoidance and mitigation contributions are secured to provide the appropriate measures.

## **9 Assessment :-**

- 9.1 The application for residential development is a full application for a total of 45 dwellings with associated infrastructure. The application includes two access points off White Street and Somerton Road and there is a requirement to apply to move the public right of way which is open to all traffic (BOAT22) to the north of the site. It is noted by the Natural Environment Team that the application looks to remove the vehicular rights to BOAT22 and that should objections be made to this application there may be difficulties in granting this. The matter of stopping up the existing right of way and re positioning is required by the Public Rights of Way Officer and the Highways Authority. The movement and stopping up of the existing BOAT will be conditioned and is up to the applicant to comply with to ensure a satisfactory form of development. The retention of the BOAT, albeit in a different location, goes from Hemsby Road to Somerton Road and provides a valuable walking route for dog walkers or recreation through the village. This public right of way will also provide access to Flegg High for children of the village, most notably those who will reside in the developments which have been approved at the site known as the Mushroom Farm and the site off Hemsby Road.
- 9.2 “European” or “Natura 2000” sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017, and constitute the most important wildlife and habitat sites within the European Union. The application site is in the vicinity of a number of Natura 2000 sites, including the Winterton and Horsey Dunes Special Area of Conservation (SAC) and North Denes Special Protection Area (SPA). The Council has an adopted policy, the “Natura 2000 policy”, prepared alongside the Part 1 Local Plan (and updated at Policy & Resources Committee on the 24<sup>th</sup> July 2018) which requires a financial contribution to be made (currently £110 per dwelling) for each house or unit of tourist accommodation. This money goes towards both monitoring Natura 2000 sites for potential harm, and funding measures to mitigate harm. The key research underpinning the need for this contribution is that the in-combination effects on the various Natura 2000 sites, principally disturbance of birds by humans and/or dogs, cannot be ruled out as potentially significant.
- 9.3 A recent decision by the European Court (*People Over Wind and Sweetman v Coillte Teorantac (C-323/17)*) has changed the position relating to mitigation; as such, mitigation measures cannot any longer be considered at the ‘screening stage’ of a Habitats Regulations Assessment (HRA). Therefore, the effect of this application on Natura 2000 sites is assessed as potentially significant. In

accordance with the regulations, upon finding that it is likely that there will be a significant affect, an Appropriate Assessment is required to be undertaken, as part of the HRA process, by the Competent Authority (which is the Council).

9.4 Paragraph 177 of the National Planning Policy Framework (NPPF) states that where an Appropriate Assessment is required, the presumption in favour of sustainable development (the “tilted balance”) does not apply (paragraph 11 NPPF). The application of paragraph 177 therefore means that even though it is accepted that there is not a five-year supply of deliverable housing land in the borough, the tilted balance does not apply. The applicant has acknowledged the need for the Appropriate Assessment to be carried out and has, in addition to the shadow HRA, submitted additional information to allow the Competent Authority to carry out the assessment. Natural England has confirmed their belief that the Council, as Competent Authority, has adequate information to carry out the Appropriate Assessment. In addition Natural England has confirmed that they are in agreement with the conclusions of the Shadow Habitats Assessment.

9.5 As the application has been assessed as likely to have significant effects on one or more Natura 2000 sites, permission may only be granted if the application is determined by way of Appropriate Assessment that it will not adversely affect the integrity of that Natura 2000 site(s). The information submitted within the Shadow HRA states that:

*It has already been established through the Visitor Surveys at European Protected Sites across Norfolk project (Footprint Ecology, 2017) that development within proximity of the Norfolk European sites will contribute ‘in combination’ to recreational pressure within those sites, that will require mitigation.*

And concludes at this stage that:

*because the project is not directly connected with or necessary to the management of the European sites and is likely to have an ‘in-combination’ significant effect on the identified sites when considered without the counteracting measures (as required by the recent ruling made by the CJEU in the case of People over Wind and Sweetman vs Coillte Teoranta ref: C – 323/17), an Appropriate Assessment is required under the Habitat Regulations 2017. This will ascertain whether or not it is possible to conclude that there would be no adverse effect on the integrity of the European Sites.*

9.6 The Shadow HRA concludes that:

*It can be concluded that due to the counteracting measures identified in this shadow HRA and the Public Access and Footpaths Plan, particularly the*



*provision of information boards, access links and a financial contribution, the project will not have an adverse effect on the integrity of the Broads SAC, Broadland SPA, the Broads Ramsar, Winterton – Horsey SAC or Great Yarmouth and North Denes SPA, either alone or in combination with other plans and projects.*

*Natural England was consulted on planning application 06/17/0358/F. In their consultation response (17th August 2018), they have stated that in order to mitigate the identified adverse effects and make the development acceptable, the following mitigation options should be secured:*

- A financial contribution of £110 per dwelling to the strategic Natura 2000 recreational mitigation project*
- Implementation of the suite of mitigation detailed in the shadow HRA (this document) and the Public Access and Footpaths Plan.*

- 9.7 It is the assessment of the Local Planning Authority, as Competent Authority, that the application if approved will not adversely affect the integrity of European Sites provided that the mitigation put forward is secured, both on-site and through the £110 per-dwelling contribution to more general monitoring and mitigation. This assessment is made having taken into account the cumulative effect that the recreational pressure on the Natura 2000 sites in relative proximity to the site would have. It is the assessment of the Competent Authority that the application if approved will not adversely affect the integrity of European Sites provided that the mitigation put forward is secured. This assessment is made having taken into account the cumulative effect that the recreational pressure on European Sites would have.
- 9.8 The site has not been identified for allocation in the emerging Draft Local Plan Part 2 which has recently been consulted upon; however, at this plan is at an early stage it is afforded only limited weight. A previous draft plan to that consulted upon was agreed at Local Plan Working Party and included the site as a draft allocation, but the document was subsequently amended following proposed changes in national planning policy, in particular, the new standard methodology for calculating local housing need, which resulted in a lower housing target and consequently fewer allocations to be distributed (in accordance with Core Strategy Policy CS2) and therefore the draft allocation site was removed. The application site has been assessed through the Strategic Housing Land Availability Assessment (published in 2014) and was considered to be deliverable and developable.
- 9.9 Although the titled balance does not apply, the site is within a sustainable location adjacent the village development limits, within accessible distance of local amenities including a village centre as defined within the Core Strategy and local



schools. There are walking routes identified and submitted in support of the application which identify circular routes for recreational and dog walking which are readily accessible from the site. Although the site puts forward little open space that meets the policy criteria, contributions are sought for delivery off-site and the development is spaced out and gives an open feel with a quality design. The cohesive high quality design is considered to be in accordance with paragraphs 127 and 130 of the National Planning Policy Framework.

- 9.10 An ecological appraisal was submitted as part of the application which covered a number of issues. Japanese knotweed was discovered on site, a species covered by Section 14 (2) of the Wildlife and Countryside Act 1981. The disposal of Japanese knotweed is covered by environmental legislation and is not a bar to development. The applicant, having commissioned the survey, will be aware of the existence of the knotweed and of the legal requirements.
- 9.11 The ecological appraisal has noted that there are a small number of bats on site and as such the development will be subject to grant of a licence. The report outlines a number of conditions that shall be imposed, including restrictions on when development can occur, when tree works can be undertaken and the instillation of a bat loft to prevent, to the greatest extent, disturbance. Should the application be approved all recommendations regarding protected species are to be conditioned.
- 9.12 Although no evidence of owls was found the report goes on to describe enhancements. It is recommended that all mitigation and improvement measures for all species are conditioned. Ecological improvements are required to allow the development to go forward given the assessment as submitted as part of the application and to ensure that where improvements are able to be made they are.
- 9.13 The Campaign to Protect Rural England has objected to the application and it has been noted that the application site is grade I agricultural land. The application site is and has been under agricultural use although a section of the site has been previously developed with hardstanding and agricultural buildings. The building of merit, the thatched barn, has been put forward by the application to be converted to two dwellings. The loss of agricultural land has, in this instance, been assessed as acceptable. The conversion of the thatched barn will add an interesting focal point and serve as a reminder to the history of the site as agricultural land.
- 9.14 Objections have been raised by neighbours regarding potential overlooking. The applicant has amended the submitted drawings following receipt of these objections to minimise the overlooking to the adjacent properties to a degree that does not cause a significant adverse effect. The loss of view and loss of value have been stated as reasons for objection although these are not material

planning considerations. The loss of an outlook over open fields, albeit within a commercialised agricultural processing site is understood to be something that residents are concerned with however it cannot be considered a reason to recommend refusal of the application.

- 9.15 There have been no comments received regarding the trees however the application is supported by an arboricultural impact assessment. The assessment and planning statement note 57 trees of varying species, groups of trees and hedging. The scheme has been designed to retain the most prominent trees and provide replacement planting to compensate for the loss of trees. There is a method statement for the protection of the trees to be retained and this shall be conditioned, with other requirements and in accordance with improvements that have been suggested through the habitats assessment to add enhancements to the development proposed.
- 9.16 Martham has an attractive and central village green which is within close proximity to the application site. The location of the village green allows for accessible open space and there is a children's play area located within walking distance. Assessing the available recreation and open space allows for developments such as this to provide payment in lieu of provision on site. The Core Strategy notes that improvements to quality local green infrastructure is appropriate at policy CS15.
- 9.17 The Local Authority requirements detailed at 2.19 of this report are required to ensure that the Core Strategy is complied with. The s106 agreement shall also include the criteria for the management of the open space, drainage and private drives to ensure that the Local Planning Authority does not incur any responsibility nor liability for these at any point in the future should the open space be put forward as public. All other requirements as detailed as required to ensure a policy compliant development shall be included within the s106 agreement including affordable housing at 20%, open space provision, library and education contributions (as requested by Norfolk County Council) and at the discretion of the Local Planning Authority payment in lieu of children's play or provision on site and open space.
- 9.18 The appraisal carried out by Strategic Planning notes the other developments that have been approved within Martham which currently stands at over 400. The Core Strategy does not require that there is an equal distribution of housing through the primary villages. In the absence of an objection on policy grounds from Strategic Planning the application, when assessed against local and national planning policy and taking the lack of five year housing land supply into account and giving it correct weight following the Appropriate Assessment, the other approved developments are not sufficient reasons to recommend refusal of the application.

9.19 And important factor when determining applications is whether a Local Authority has the ability to demonstrate a 5 year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". There is currently a housing land supply of 4.13 years (as at the end of 2016/17, the most recent figures available). Paragraph 9.4 of this report details the impact of the Appropriate Assessment on the tilted balance in accordance with paragraph 177 of the NPPF.

9.20 It is recognised that Martham has had a number of applications for housing approved, totalling over 400 since the adoption of the Core Strategy. However the housing allocations are not designed to be spread equally over the villages and each application must be assessed on its own merits. The approval of other developments within the same village is not a reason to recommend refusal of the current application.

## 10 RECOMMENDATION :-

10.1 The development would be contrary to saved policy HOU10, as development in the open countryside. However, the development as proposed would be a significant boost to housing supply in accordance with Paragraph 59 of the NPPF and the report above identifies conformity with a range of other relevant Local Plan policies. No other significant harms are identified that are judged to outweigh the benefits arising from the need for housing, given that the Appropriate Assessment has confirmed that there will be no significant adverse impact on Natura 2000 sites (subject to mitigation).

10.2 The recommendation is therefore to approve the application with conditions and obligations in accordance with local and national planning policy. Should the Committee be minded to approve the application, the recommendation is such that the permission would not be issued prior to the signing of an agreement under section 106 for provision for infrastructure, County Council requirements, mitigation, affordable housing, open space, children's play equipment/space or payment in lieu at the discretion of the Local Authority and management agreement noting that the Local Planning Authority will not take responsibility for any open space, recreation or drainage. All obligations secured will be in accordance with Regulation 123 of the Community Infrastructure Levy Regulations 2010.

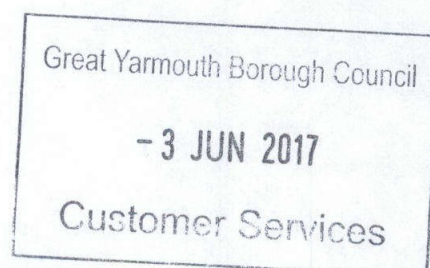


Mr&Mrs L.G.Rodda  
11A Somerton road  
Matham  
NR29 4QF

With regard to the planning application 06/17/0358/F may I object to the use of agricultural land for the building of houses. Martham has had rather a lot of houses built recently and there is still Persimon gardens to be built which will add another 100 houses to the area. This current plan not only adds houses to brown sites but also to a large agricultural area (please see accompanying photo).

I notice that the current established unmade road is to be moved and changed into a cycle and walk way? They also plan to bring a road from the houses on the green site to join Somerton road opposite the collective drives of 11,11A,15 and 17 existing houses.

My last concern is the enormous quantity of traffic particularly when the school children are being bused to school. The tight bends are particularly hazardous.









**Jill K. Smith**

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**From:** Sandra Abbott [REDACTED]  
**Sent:** 11 July 2017 13:04  
**To:** plan  
**Subject:** Planning Application 06/17/0358/F

Proposal: Conversion of existing barn to 2 dwellings and erection of 43 dwellings and associated infrastructure Location : Somerton Road (land to South of) White Street (East of) Church Farm Martham Great Yarmouth

I write in response to your letter dated 15th June.

We own Blackthorne Cottage, 11 Somerton Road and wish to object strongly to the above development. Our beautiful thatched cottage is immediately opposite where you propose to build. We enjoy fantastic views across open countryside which we will immediately lose if the above proposal is accepted. We purchased our property in 2009 on the understanding that Church farm was arable land which could not be built on. Obviously if there was the slightest doubt that it could be built on we most certainly would not have purchased our property.

We did not want to live on an estate. Had we wanted to, we would have purchased a property on one of the many estate houses that already exist in Martham. The first thing people say to us when they come to visit is the wonderful views we have from all of our front windows.

The suggested proposal of a new road running from White Street onto Somerton Road opposite our neighbours house is absolute ludicrous. Has anyone monitored the amount of traffic that comes up and down our road to and from Flegg High School. It is an extremely busy road especially between school opening and closing times. There are also a high volume of cars, school buses, coaches and the added volume of farm traffic.

We understand traffic surveys was undertaken to ascertain the amount of vehicles using Somerton Road. One survey at lunchtime and one at about 5pm. Possible the two most quietest road times of the day. There definitely needs to be some survey during the most busiest times of the day as detailed above.

I would like to reiterate my concerns of this proposed siting of this horrendous ill-considered development.

All of our neighbours who will be effected by this proposal are all in favour of it being rejected immediately.

If this planning application is passed it will most definitely reduce the value of our property and this hope you agree this is a big concern to us. We have worked extremely hard all our lives to be able to live in the house of our choice. It is pure greed for someone to take this away from us.

We look toward with interest to your reply

Yours faithfully  
Sandra Abbott

Sent from my iPad



Great Yarmouth Borough Council

14 JUL 2017

Customer Services

Mrs A.M. Meakin  
6 Marsh Close  
Martham  
Great Yarmouth  
NR29 4UF

Telephone [REDACTED]  
[REDACTED]

13<sup>th</sup> July 2017

Great Yarmouth Borough Council,  
Planning Services Department,  
Town Hall,  
Great Yarmouth,  
Norfolk, NR30 2QF

For the attention of Mrs. G. Manthorpe



DEVELOPMENT at MARTHAM Reference 00/17/0358/F  
My reference OWPC 1185

**This site is one of exceptional historic and environmental importance.**

Whilst agreeing that sites must be found for new housing, I think that in planning this site, historical features and existing natural features have not been sufficiently considered.

It is adjacent to a Conservation Area.

It has an environmentally important pond.

It has a very ancient well used track.

I also fully agree with the objection made CPRE NORFOLK.

It is typical of the several sites occupied by the Saxon settlers of Martham. When they were seeking new places in which to settle they discovered that Martham had numerous spring-fed ponds which provided the water they needed and therefore settled near them.

The surrounding upland of Martham is very fertile sandy loam. This provided ideal soil for arable crops and still does today.

#### **Regarding the pond**

From Saxon times people have lived alongside the pond which is shown in blue on the enclosed map. (I have not been able to obtain a more up to date map of the proposed development).

So many of Martham's other ponds have been disturbed by modern development, therefore, it is vitally important that Page 35 of 83 In the interests of both people



and wildlife the pond should not be surrounded by the fencing of people's back gardens in the way that is shown on the plan. If it is it could eventually become a dumping ground for rubbish. It should become a feature of the estate.

When development takes place these days it is important that the natural environment is preserved and enhanced wherever possible.

This site could be much better planned if the existence of the pond to the west of the site is included. When the Bell Meadow Estate on the other side of White Street was developed, the spring-fed pond there, became a wonderful amenity. One wonders whether the owner of the pond (in blue on the enclosed plan) was approached and asked whether they would be willing for it to be included as an amenity in the new estate. The pond is currently in the garden of 72 White Street, I believe. It has perhaps not occurred to anyone that it could be part of a well planned development.

I enclose a copy of an article from the Summer 2017 Natural World magazine. It shows what can be achieved if the relevant organizations work together.

Please look at [wildlifetrusts.org/housing](http://wildlifetrusts.org/housing). That explains what is in a white paper recently published on the subject.

**Regarding the track that they wish to divert, my comments are as follows:-**

To walk the track from Somerton Road to Hemsby Road is one of the most enjoyable walks within easy reach of the village of Martham. This is because it takes you past one of the finest barns ever built in Martham and to the east there is a magnificent view across open countryside. The track is one of the most historic of the village, having been the route taken by the farmers at the north end of the village to where a windmill stood for centuries on higher ground near to Hemsby Road. A windmill of some sort has probably been there for over 1000 years – ever since windmills were invented.

The route of the track will not have changed in all those centuries. It is shown on Faden's Map of 1797, the Enclosure Map of 1812 and the Tithe Map of 1842 and has not altered since those maps were made. Copies of these could be supplied if required.

It is part of the skeletal structure on the landscape of Martham. To those who know about the history of the village, it is like walking with our forbears and understanding their way of life.

If the track was diverted at its northern end, much of this would be destroyed.

The suggested new route is unsatisfactory for many reasons.

The part to be alongside the currently open fields (B to C on the enclosed plan) would have a high fence on one side which would be the fence of the gardens of the adjoining houses.



On its east side it would no doubt have a fence. In the way that demand for housing is constantly increasing, in future there will very likely be another housing development on its east side. That would probably necessitate another high fence, thus making part of the track into a fenced suburban alleyway between two housing developments.

It has been suggested that walkers could go along an estate road to look at the barn. However, very soon, the barn would be forgotten by the majority of people who would not know of its existence.

It has also been suggested that the diverted track could become part of a cycle route for children going to the High School in the Somerton Road. Having a cycleway with right angle bends is not sensible for smooth riding.

If it became an alleyway it could cause problems of antisocial behaviour.

There seems to be no reason why the existing track cannot be left in place and a housing development built around it. It could be widened as necessary to become part of a road giving access to dwellings alongside it. It would then still be part of enjoyable walk. You could still enjoy looking at the ancient barn as you pass it.

The eastern boundary of the proposed housing development does not follow an existing landscape feature. Why has it been designed like that? Could the boundary be altered slightly to enable properties to be built in a way that would not make it necessary to consider a diversion of the track?

There is an area of open space on the west side of the great barn. Could this area not be used for houses and open space left instead, on the east side of the barn? The occupants of the barn would then enjoy a magnificent view across the open countryside instead of looking at a row of houses.

There seems to be no expedient reason why the track needs to be diverted unless it is to squeeze the maximum number of properties onto the new estate. This should not happen at the expense of sacrificing a local piece of historical landscape and the complete alteration and therefore destruction of a very enjoyable village walk experience.

With a great deal of development already planned for Martham it seems that there is time for the environmental and historical aspects of this area to be carefully reconsidered and an exemplary new estate to be created.

Yours faithfully,



Ann Meakin (Mrs)

Enclosures :- 1. Map of the development. + copy of 1906 O.S. Map. on reverse  
2. Copy of Article from Natural World.



The next decade is likely to see hundreds of thousands of new homes built. In the past, housing developments have mostly destroyed habitats rather than created them. But done in the right way, on the right site, they can lead to a net gain for wildlife – and offer their incoming residents a healthier, happier place to live. And that's because good housing and a healthy natural world are intrinsically linked.

The Wildlife Trusts have pioneered the integration of wildlife into new developments for many decades (see box below). Using our expertise

## “The Wildlife Trusts have pioneered this idea for the past decade”

and relationships with developers we have ensured that existing meadows, wetlands, hedgerows, trees and woods are retained. We also aim for wildlife-rich gardens, verges, amenity green space, cycle paths and

walkways. The result is natural corridors weaving through the development and reaching out beyond. These features add what is known as natural resilience: they reduce surface water flooding and improve air quality, for example. We also work with social landlords and residents to create natural places that encourage wildlife and benefit people.

The best new houses are energy and water efficient; have built-in roosting and nesting features; and provide easy access to safe, attractive green space for exercise,

play and social interaction. And they deliver the priceless treasure of wildlife on your doorstep.

The Wildlife Trusts believe that all new housing developments could and should be places where people and wildlife flourish with:

- Access to wildlife whether in a town or country
- High quality natural green space
- A genuine, measurable net overall gain for wildlife
- Connectivity to the wider ecological network.

With the urgent need to build so many new homes, the Government

now has a perfect opportunity to reset the approach to housing. We believe it should refocus to help wildlife, and to create healthy, cohesive and thriving communities, where residents can connect with nature and each other.

All the necessary knowledge, evidence and expertise to do this already exists, and so our vision is simple: it should become normal for all housing developments – whether new or established – to contribute to nature's recovery.

■ More at [wildlifetrusts.org/housing](http://wildlifetrusts.org/housing)

“We like living here”

“We have attractive, varied open spaces with no need to get in the car. The area feels safe and the kids can play within walking distance of our home.”

Rachel Mortimer, wildlife development resident at Cambourne, Cambs

## Some we did earlier...

### Trumpington Meadows: Beds, Cambs, Northants WT

**CHALLENGE:** 1,200 new homes.

**RESPONSE:** Habitats created and managed with the local Wildlife Trust.

The developer consulted widely about creating a new country park. They chose the local Wildlife Trust to advise on green infrastructure and to manage the land in future. Play areas, open ditches and tree avenues weave

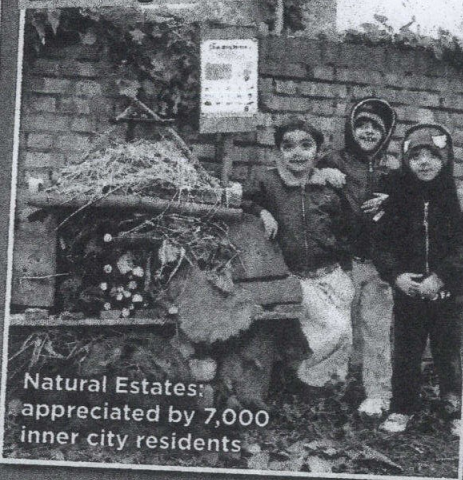
through the development and the 58ha park is both a space for people and a 'nature reserve'. Creation of 40ha of species-rich meadows, hedgerows, woodlands and floodplain meadows began before the first houses were built. Wetland features keep runoff to the River Cam at pre-development levels.

#### New development



The developer at Trumpington Meadows understood the value of high quality green space

#### Existing development



Natural Estates: appreciated by 7,000 inner city residents

### Natural Estates: London WT

**CHALLENGE:** Little wildlife in many estates. **RESPONSE:** Encourage residents to improve their area.

This was a partnership between London Wildlife Trust, Groundwork London and social landlords. More than 7,000 people from nine different London housing estates took part.

“It helped create havens for wildlife and attractive outside areas for people to enjoy, and built a sense of pride and wellbeing in the local environment,” said the Trust's Gareth Morgan. More at [neighbourhoodsgreen.org.uk/case-studies/natural-estates](http://neighbourhoodsgreen.org.uk/case-studies/natural-estates)

“It created attractive outside areas for people to enjoy”

### My Wild City: Avon WT

**CHALLENGE:** Bristol is the UK's fastest-growing city. **RESPONSE:** To transform it into a place where wildlife can thrive.

Avon Wildlife Trust's My Wild City idea aims to get whole streets joining up wildlife-friendly gardens, and communities and businesses transforming their local green spaces. One starter project offered a wildlife garden makeover for 30 houses in Stanley Park. It is now a wildlife corridor between two neighbouring green spaces. All the My Wild City actions, projects and groups are recorded on an interactive map. See it on [avonwildlifetrust.org.uk](http://avonwildlifetrust.org.uk)

#### Existing development



Why can't all front gardens...



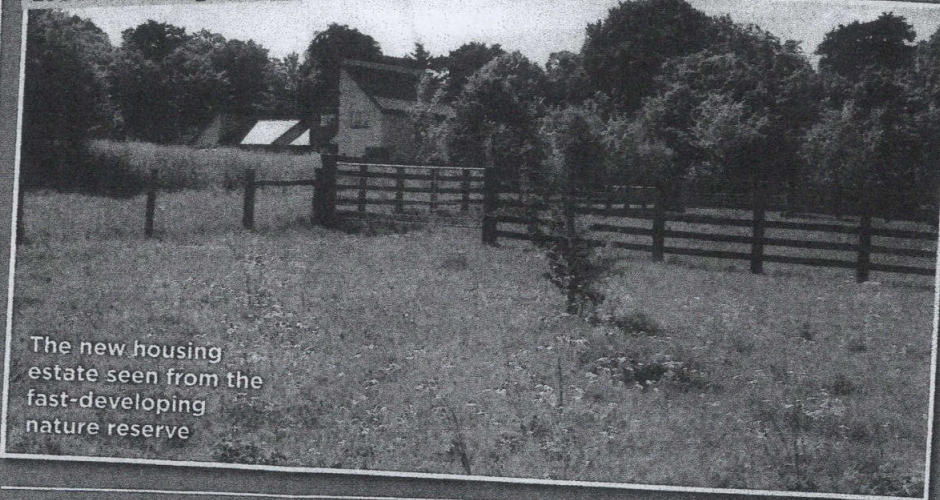
### Priest Hill: Surrey WT

**THEN:** abandoned playing fields and some developed land. **NOW:** 15 new homes alongside a new nature reserve.

Surrey Wildlife Trust worked with the developer and Borough Council to restore the 34ha reserve site, which helps reconnect a green corridor into

London. The Trust is recreating species-rich chalk grassland, wetlands and hedgerows, and many existing paths have been retained. Small blue, white-letter and brown hairstreak butterflies are increasing, as are common lizard, skylark and linnet.

#### New development



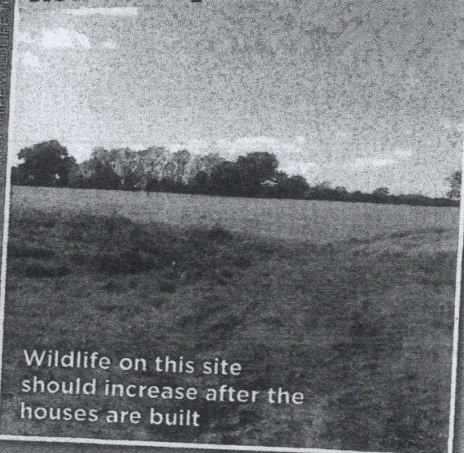
The new housing estate seen from the fast-developing nature reserve

### Gaydon: Warwickshire WT

**CHALLENGE:** A planned 3,000 home development. **RESPONSE:** To make it a net gain for wildlife.

Warwickshire Wildlife Trust has worked to shape this complex development since it was proposed as part of the local plan in 2013. Final planning permission is pending but as part of the development a Local Wildlife Site will become a nature reserve with long term management. There will also be semi-natural buffers to protect nearby ancient woodlands; semi-natural habitat links to the nature reserve; and green infrastructure throughout the development.

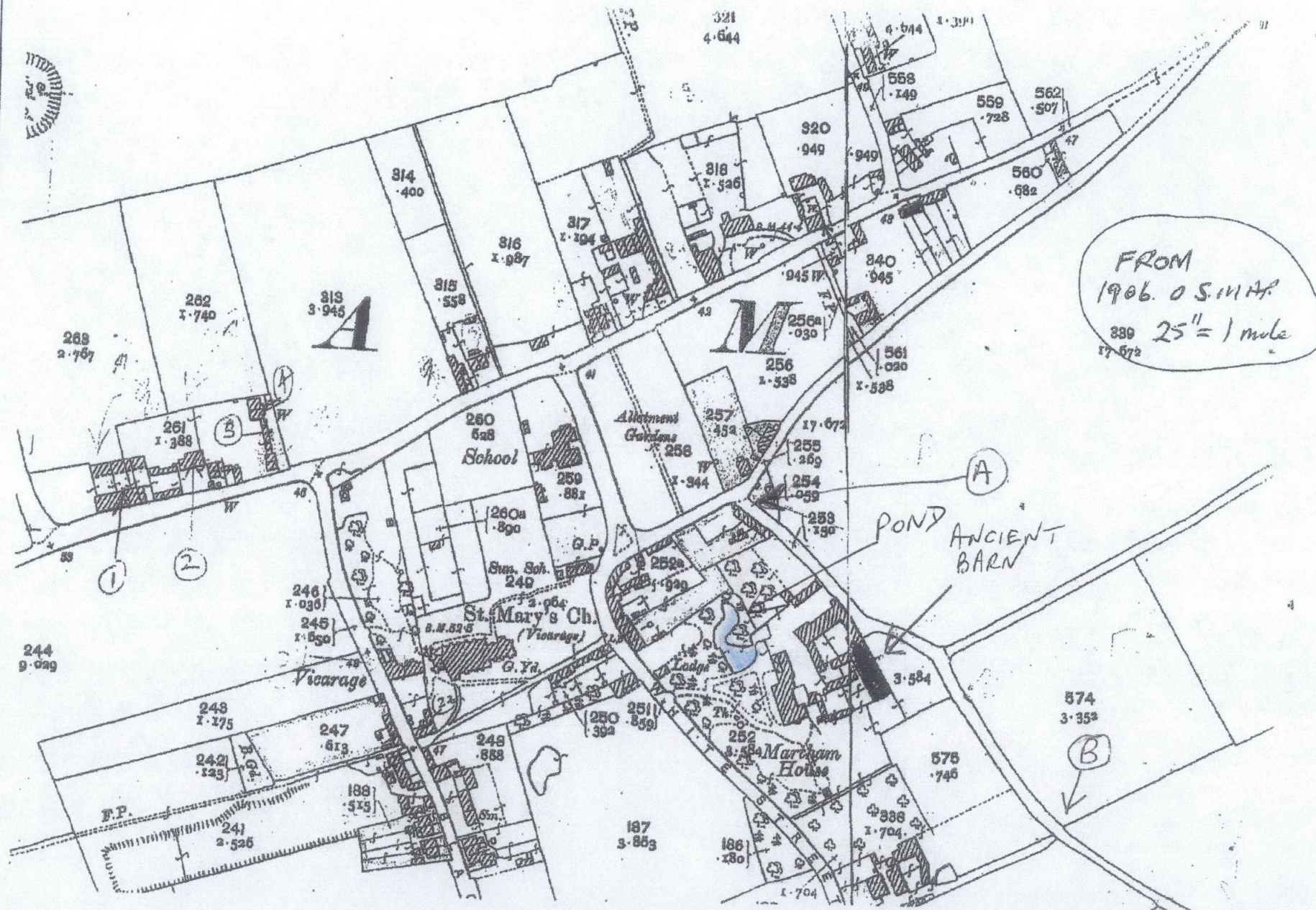
#### New development



Wildlife on this site should increase after the houses are built

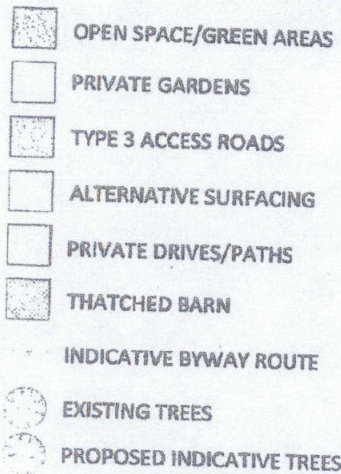


OWPC 1185





PROPOSED DIVERTED FOOTPATH





# Internet Consultees

Application Reference 06/17/0358/F

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name Ann Meakin (Mrs)

Address 6 Marsh Close

Martham

Great Yarmouth

Post Code NR29 4UF

Telephone 01492 730379

Email Address meakin.a@tiscali.co.uk

For or Against OBJ Object

Speak at Committee ☐

My letter with enclosures will be in the post on 13th July.  
Please acknowledge receipt by email

Date Entered 13-07-2017

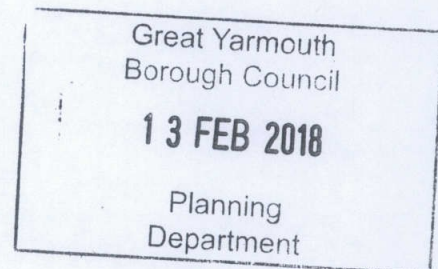
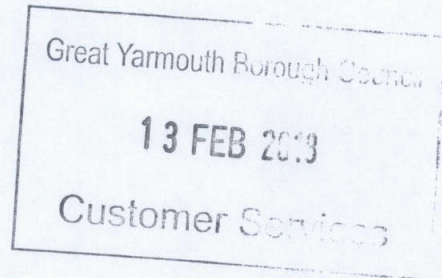
Internet Reference OWPC1185



N A Willgress  
23 Somerton Road  
Martham  
Norfolk  
NR29 4QF

February 9<sup>th</sup> 2018

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



Dear Mr Minns,

Reference:

Planning Application No: 06/17/0358/F

Conversion of existing barn to 2 dwellings and erection of 43 dwellings and associated infrastructure.

I write in connection with the above planning application. I have examined the plans and know the site off Somerton Road well. I wish to object to the development of these houses in this location.

1. The proposed development does not accord with the provisions set out within the saved policies of the Great Yarmouth Borough-Wide Local Plan 2001.
2. The proposed site would occupy Grade 1 Agricultural land.
3. Studying the Master Plan it has obviously straightened out Somerton Road. Why?
4. The proposed entrance on Somerton Road is within an estimated 40 to 45 metres of a blind bend. Any cars turning right into the entrance or exiting right from it would constitute a danger. Despite being a 30mph zone it can be a very fast road.
5. Given 3. And 4.above the Highways Department or whomever is responsible needs to investigate.



July 8, 2017  
Page 2

6. During rush hour Somerton road is extremely busy with commuting and school traffic. Expecting school children to attempt to cross at this time is an "accident waiting to happen", even more so during the winter months with low daylight hours. I would suggest a further survey of Somerton Road, in term time, between 0815 hrs and 0845 hrs and to a lesser extent at 1500 hrs to 1530 hrs.
7. Having lived on Somerton Road for nearly 19 years I can confirm that the proposed site is subject to flooding and water logging as is Somerton Road at the bend.
8. The Landscape and Visual Assessment document appears to be a justification rather than an objective assessment.  
Consider 5.1.6.2 (pg 18) : Ignoring 200 year old thatched cottages and the use of the word "stark."

By the way the wind turbine is situated in East Somerton not Winterton.

Viewpoint Table Site 3 (pg 23) : If ones view across open arable land is blocked by housing development how can the impact be " low to medium?"

Significance of Visual Impact 5.1.8 (pg 25) : Again a justification. Describing beautiful open Norfolk farmland and a panoramic horizon as "stark" is a mystery.

9. Furthermore I see no need for additional expensive housing, for city commuters, outside the Borough –Wide Local Plan given the considerable development either in planning or underway in Martham. This enforced expansion when considered in its entirety will exert undue pressure on local services which are already under stress. This would include the road system, the low mains water pressure, lack of public transport with no direct connection to Norwich or even Acle, the medical facilities which have the infrastructure but not the personnel (who is ticking the box that indicates the health centre will be able to cope?)
10. I have no objection to affordable housing for local residents to be constructed within the development area provided for in the Local Plan
11. I believe the points raised to be factual however I have no qualifications in Civil Engineering, Town Planning or Property Development and therefore cannot take responsibility for unintentional errors. I therefore request you to satisfy yourself as to their veracity before reaching your decision.

Sincerely,

Norman Willgress



Date: 17 August 2018  
Our ref: 254626  
Your ref: 06/17/0358/F



plan@great-yarmouth.gov.uk

**BY EMAIL ONLY**

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

T 0300 060 3900

Dear Mrs Manthorpe

**Planning consultation:** conversion of existing barn to 2 dwellings and erection of 43 dwellings and associated infrastructure

**Location:** Somerton Road (land South of) & White Street (East of), Church Farm, Martham, Great Yarmouth

Thank you for your consultation on the above dated 26 July 2018 which was received by Natural England on 30 July 2018.

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

**SUMMARY OF NATURAL ENGLAND'S ADVICE**

**NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED** We consider that without appropriate mitigation the application would have an adverse effect on the integrity of:

- Trinity Broads Sites of Special Scientific Interest
- Ludham Potter Higham Marshes Site of Special Scientific Interest
- Upper Thurne Broads and Marshes Site of Special Scientific Interest
- Winterton – Horsey Dunes Site of Special Scientific Interest
- The Broads Special Area of Conservation
- The Broads Special Protection Area
- The Broads Ramsar
- Winterton – Horsey Special Area of Conservation
- Great Yarmouth and North Denes Special Protection Area

In order to mitigate these adverse effects and make the development acceptable, the following or the following mitigation options should be secured:

- A financial contribution of £110 per dwelling to the strategic Natura 2000 recreational mitigation project
- Implementation of the suite of mitigation detailed in the Shadow HRA and Public Access and Footpaths Plan

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Natural England's advice on other natural environment issues is set out below.



Natural England welcome the suite mitigation measures proposed in the Shadow HRA and Public Access and Footpaths Plan.

#### **Further advice on mitigation**

The Shadow HRA and Public Access and Footpaths Plan concludes no likely significant effect on designated sites subject to the delivery of a suite of mitigation measures outlined below:

- A financial contribution of £110 per dwelling to the strategic Natura 2000 recreational mitigation project
- Provision of access links to local established footpath network
- Community information boards directing residents to alternative circular walks and highlighting ecologically sensitive sites within the area

Natural England advises that the Shadow HRA should be revised in light of a recent ruling regarding the treatment of mitigation measures at the screening stage (see below). We agree with the conclusions of the Public Access and Footpaths Plan.

#### **Shadow HRA and Sweetman II**

Competent authorities undertaking HRAs should be aware of a recent ruling made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C-323/17). The case relates to the treatment of mitigation measures at the screening stage of a HRA when deciding whether an appropriate assessment of a plan/project is required. The Court's Ruling goes against established practice in the UK that mitigation measures can, to a certain degree, be taken into account at the screening stage.

As a result, Natural England advises that any mitigation relating to protected sites under the Habitat Regulations 2017 Regulation 63 (1) should no longer be considered at the screening stage, but taken forward and considered at the appropriate assessment stage to inform a decision as whether no adverse effect on site integrity can be ascertained. In light of the recent case law, any reliance on measures intended to avoid or reduce harmful effects at the likely significant stage is vulnerable to legal challenge.

**We note that the Shadow HRA considers mitigation at the at the screening stage. However, we advise that, in the light of the recent ruling, the assessment should proceed to appropriate assessment where the principles of mitigation outlined in the Natura 2000 Monitoring and Mitigation Strategy and Policy CS11 would still apply. We would anticipate that an appropriate assessment based on these mitigation principles could reasonably reach a conclusion of no adverse effect on integrity.**

As the competent authority, you should come to your own view as to whether to undertake appropriate assessments of plans and projects that you are responsible for. You may also want to seek your own legal advice on any implications of this recent ruling for your decisions.

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

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

If you have any queries relating to the advice in this letter please contact me on 02082257617.

Should the proposal change, please consult us again.

Yours sincerely



Natural England offers the following additional advice:

### **Landscape**

Paragraph 109 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

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

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply the requirements of the NPPF. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in Natural England's [Technical Information Note 049](#).

Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

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

### **Protected Species**

Natural England has produced [standing advice](#)<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

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

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 113 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further

<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>



information including links to the open mosaic habitats inventory can be found [here](#).

### **Ancient woodland and veteran trees**

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 118 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances.

### **Environmental enhancement**

Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 9, 109 and 152 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 118 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

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

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

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

### **Access and Recreation**

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

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

Paragraph 75 of the NPPF highlights the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

**Biodiversity duty**

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



Great Yarmouth Borough Council,  
Planning Services Department,  
Town Hall,  
Great Yarmouth,  
Norfolk,  
NR30 2QF

6th July 2017

For the attention of Miss G. Manthorpe

**45 Dwellings - Somerton Road (Land to South of) & White Street (East of) Church Farm Martham:**  
**Reference 06/17/0358/F**

Dear Sir/Madam,

We refer to the above planning application wish to register our objection to the above application as the proposed development is outside the existing village boundary, with part of the development impinging on the rural landscape and resulting in the loss of agricultural land.

This site is noted on the SHLAA map for Martham in the 5 year land supply for the Borough (MA10a) as "not currently developable".

We appreciate that additional housing is required but we consider that this must be the correct numbers in the right locations. Our concerns relate to the sustainability of Martham as a village. It is evident that the village, as with many others in Norfolk, is becoming a dormitory settlement for commuting to employment centres beyond the village boundaries putting pressure on the already inadequate rural road network.

The Core Strategies for the Borough are for annual developments of 420 dwellings and a final allocation of 30% of the 15 year supply allocated in the six primary villages of which Martham is one. Using these two principles it would seem equitable that the annual supply for Martham should be equivalent to 21 dwellings. The current approved brownfield development for the Mushroom site should therefore equate to the five year land supply requirements.

There is a danger of too much too soon which would swamp the amenities of the village.

The following extracts from the Borough's Core Strategy documents relating to the Primary Villages, of which Martham is one, should be borne in mind when considering this application:

- The borough's primary villages **will have been developed** to provide a wider choice of **employment** and residential opportunities. The expansion of these existing communities will have been undertaken in such a way that the quality of life of existing and new residents is maintained and where possible enhanced.
- The rural character and nature of villages in the northern and southern parishes **will have been retained and improved**. Sustainable tourism building on the unique natural assets of the countryside and coast will have continued to be a major source of local income and **employment**. The **linkages between villages and**

Page 49 of 83



*the borough's main towns will have been enhanced to create better connected and more sustainable communities.*

- *The borough's primary villages **will have been developed** to provide a wider choice of employment and residential opportunities. The expansion of these existing communities will have been undertaken in such a way that the quality of life of existing and new residents is maintained and where possible enhanced.*
- *It is acknowledged that there is a need to provide additional housing to meet local housing needs, especially for affordable housing, housing for young families and for older persons' housing. There is also the recognised potential for some growth for economic purposes, particularly for tourism and for new 'start-ups', and to address the changing requirements Core Strategy – Adopted December 2015/ Page 37 of businesses. However, the need for additional development in these areas must be carefully balanced with the need to protect the individual character and identity of each settlement including its setting, key historic characteristics and local features.*

We consider that this proposal should not be considered until further investigation is undertaken to understand the sustainability issues of employment and transport for Martham. It is apparent that no additional employment is being established in the village and the percentage of working population travelling elsewhere to work by car, currently stated to be in excess of 80%, will increase further.

Notwithstanding the application is submitted by H J E and A E Cary, we note that the land is owned by Norfolk County Council who lease to Billockby Farms Ltd. There is already a lack of opportunity for young people in rural communities within farming both in available employment and affordable housing. We do not consider that public agricultural land assets, through local authority ownership, which are essential for the continuance of a thriving rural economy, should be sold for a short term financial gain to prop up the falling budgets.

We are also concerned about the diversion of a historic trackway currently running roughly north to south across the east of the site, from Somerton Road to Hemsby Road. This trackway can be seen on Faden's Map of 1797 and undoubtedly would have been in use for a long time before then. If permission is given we would want to see this historic route preserved and continued within any new development.

Finally on a technical issue concerning the site layout, we consider the proposed road access points to the site either side of a 90 degree bend, one of which is opposite existing estate access to Bell Meadow, create traffic hazards and should be reconsidered if the development is to be progressed.

Michael Rayner

On behalf of CPRE Norfolk



LOCATION PLAN - LAND AT WHITE STREET MARTHAM



Scale 1:1250 at A3  
Site Area 2.17ha

Tidswell Childs			
CHARTERED BUILDING SURVEYORS . ARCHITECTURAL CONSULTANCY			
Tidswell Childs LLP The Meeting Room, Old Chapel Way Broadland Business Park, Norwich. NR7 0WG Tel : 01603 443344			
Client Wans Farms	Project Land at White Street, Martham. Proposed Residential Development		
Drawing Title LOCATION PLAN	Drawn ric	Scale 1:1250 @ A3	Sheet A3
	Date May 2017		
Project Number 15.032	Drawing Number 001	Revision G	Revision Date 22.12..17

**Reference:** 06/18/0327/F

**Parish:** Bradwell

**Officer:** Mr G Clarke

**Expiry Date:** 19/10/18

**Applicant:** Mr D James

**Proposal:** Two detached houses and two detached bungalows

**Site:** 21 Crab Lane  
Bradwell

## **REPORT**

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

- 1.1 The application site consists of a chalet bungalow located towards the Crab Lane frontage of the plot with a large rear garden, at some time the garden appears to have been extended to the west through the addition of part of No.19 Crab Lane's rear garden.
- 1.2 The plot measures 87m long and is 24m wide at the front and rear sections, and 35m at the wider central area. The rear of the application site adjoins the side boundaries of houses on Parkland Drive, the eastern boundary of the application site adjoins the rear boundaries of semi-detached houses on Headington Close and the side boundary of No. 23 Crab Lane. The western boundary of the site runs to the side and behind the boundary of No. 19 Crab Lane, and alongside the rear section of the side boundary of No. 17 Crab Lane.
- 1.3 There are three trees in the rear garden that are subject to a Tree Preservation Order, a Scots pine and an oak to the rear of the dwelling and a Monterey cypress close to the rear boundary of 6 Headington Close. A fourth tree was felled without consent, and following enforcement action subsequently replaced however this replacement pine has since failed.
- 1.4 In 2017 outline planning permission was refused for the erection of two detached, three-storey, four bedroom houses at the front of the site, a

four bedroom chalet bungalow on the land at the rear of 19 Crab Lane and a pair of three bedroom houses linked by garages at the rear (06/17/0199/O). This application was refused on the grounds that it would be an over-development of the site, loss of protected trees, harm the amenity of neighbouring residents and out character with the existing settlement form and street scene. A subsequent appeal was dismissed with the inspector agreeing that the proposal would be an over-development and that three dwellings at the rear of the site with a hardstanding and turning area would introduce noise and disturbance to the occupiers of the dwellings on Headington Close from the comings and goings of people and vehicles. She also considered that the house on plot 1 would cause overlooking and loss of privacy and that the loss of the TPO trees would be harmful to the character and appearance of the area. A copy of the decision is attached.

- 1.5 In 2007 planning permission was refused for the demolition of the existing dwelling and the erection of one house at the front of the site and three bungalows at the rear (06/07/0151/O) and in 2006 permission was refused for the demolition of the existing dwelling and the erection of two houses at the front of the site with four bungalows at the rear (06/06/0515/O).
- 1.6 The current proposal is to build two, two-storey houses at the front of the site which be sited roughly in line with the existing houses to either side with a new vehicular access in the centre of the Crab Lane frontage leading to a parking/turning area and two detached bungalows at the rear of the site. The three trees that are subject to the TPO will all be retained.

## **2 Consultations :-**

- 2.1 Highways – no objections subject to conditions regarding access, visibility splays and parking.
- 2.2 Parish Council – the Council strongly objects to any planning application involving the removal of trees that are subject to Tree Preservation Orders and, until reassurance is given that original Orders will remain and no tree will be felled in the course of housing development, it will only support those applications which retain original Tree Preservation Orders.
- 2.3 Strategic Planning - The proposal seeks to demolish an existing dwelling and erect two bungalows and two detached houses, a net gain of 3 dwellings. The site is located in Bradwell which is identified as a Key

service centre in the Core Strategy. The site is located within the saved village development limits. The site is therefore well located among current dwellings and the additional dwellings will contribute to the overall housing land supply within the Borough.

However, it is noted from the planning history of this site a previous application for 5 dwellings was refused in 2017. One of the reasons for this was the protection of 3 trees with TPO's (Tree Preservation Orders) upon them. The new layout proposed would involve the removal of the Monterey Cypress on the eastern boundary of the site. This would have an impact upon the surrounding area as these trees make a moderate to substantial contribution to visual amenity and consequently have a positive effect on the character and appearance of the area. In terms of policy, removal of this tree would be contrary to Policy CS9 of the core strategy – developments should conserve and enhance landscape features and townscape features.

Although Strategic planning holds no objection to the principle of a small residential development at this site, the current layout results in the removal of a tree subject to a TPO and the Strategic Planning Team therefore objects to this application in its current form. However no doubt you may well have other matters to weigh in reaching a decision.

- 2.4 Neighbours – 3 objections have been received and one comment seeking further information copies of which are attached. The main reasons for objection are a) overshadowing, b) loss of privacy, c) extra traffic, d) drainage e) loss of trees, f) disturbance caused by vehicular traffic to the bungalows at the rear of the site and g) loss of the existing dwelling.

### **3 Policy :-**

#### **GREAT YARMOUTH LOCAL PLAN: CORE STRATEGY**

##### **3.1 POLICY CS1 – Focusing on a sustainable future**

For the Borough of Great Yarmouth to be truly sustainable it has to be environmentally friendly, socially inclusive and economically vibrant not just for those who currently live, work and visit the borough, but for future generations to come. When considering development proposals, the Council will take a positive approach, working positively with applicants and other partners to jointly find solutions so that proposals that improve the economic, social and environmental conditions of the borough can be approved wherever possible.

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

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

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

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

### 3.2 POLICY CS2 – Achieving sustainable growth

Growth within the borough must be delivered in a sustainable manner in accordance with Policy CS1 by balancing the delivery of new homes with new jobs and service provision, creating resilient, self-contained communities and reducing the need to travel. To help achieve sustainable growth the Council will:

- a) Ensure that new residential development is distributed according to the following settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements:
  - Approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth
  - Approximately 30% of new development will take place in the borough's Key Service Centres at Bradwell and Caister-on-Sea
  - Approximately 30% of new development will take place in the Primary Villages of Belton, Hemsby, Hopton on Sea, Ormesby St Margaret, Martham and Winterton-on-Sea
  - Approximately 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy
  - In the countryside, development will be limited to conversions/replacement dwellings/buildings and schemes that help to meet rural needs
- b) To ensure compliance with Policy CS11, the proportions of development set out in criterion a) may need to be further refined following additional work on the impact of visitor pressures on Natura 2000 sites
- c) Ensure that new commercial development for employment, retail and tourism uses is distributed in accordance with Policies CS6, CS7, CS8 and CS16
- d) Promote the development of two key strategic mixed-use development sites: the Great Yarmouth Waterfront area (Policy CS17) and the Beacon Park extension, south Bradwell (Policy CS18)
- e) Encourage the reuse of previously developed land and existing buildings

To ensure that the Council delivers its housing target, the distribution of development may need to be flexibly applied, within the overall context of

seeking to ensure that the majority of new housing is developed in the Main Towns and Key Service Centres where appropriate and consistent with other policies in this plan. Any changes to the distribution will be clearly evidenced and monitored through the Annual Monitoring Report.

### **3.3 Policy CS3 – Addressing the Borough’s housing need**

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

- a) Make provision for at least 7,140 new homes over the plan period.  
This will be achieved by:
  - Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
  - Allocating two strategic Key Sites; at the Great Yarmouth Waterfront Area (Policy CS17) for approximately 1,000 additional new homes (a minimum of 350 of which will be delivered within the plan period) and at the Beacon Park Extension, South Bradwell (Policy CS18) for approximately 1,000 additional new homes (all of which will be delivered within the plan period)
  - Allocating sufficient sites through the Development Policies and Site Allocations Local Plan Document and/or Neighbourhood Development Plans, where relevant
  - Ensuring the efficient use of land/sites including higher densities in appropriate locations
  - Using a ‘plan, monitor and manage’ approach, which uses a split housing target to ensure that the plan is deliverable over the plan period (as shown in the Housing Trajectory: Appendix 3), to ensure the continuous maintenance of a five-year rolling supply of deliverable housing sites
- b) Encourage the effective use of the existing housing stock in line with the Council’s Empty Homes Strategy
- c) Encourage the development of self-build housing schemes and support the reuse and conversion of redundant buildings into housing where appropriate and in accordance with other policies in the Local Plan
- 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

- e) Support the provision of housing for vulnerable people and specialist housing provision, including nursing homes, residential and extra care facilities in appropriate locations and where there is an identified need
- f) Encourage all dwellings, including small dwellings, to be designed with accessibility in mind, providing flexible accommodation that is accessible to all and capable of adaptation to accommodate lifestyle changes, including the needs of the older generation and people with disabilities
- g) Promote design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas and make efficient use of land, in accordance with Policy CS9 and Policy CS12

### **3.4 Saved Great Yarmouth Borough-Wide Local Plan Policies**

The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007 and assessed again in January 2016. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption. The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.

### **3.5 POLICY HOU7**

NEW RESIDENTIAL DEVELOPMENT MAY BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE PARISHES OF BRADWELL, CAISTER, HEMSBY, ORMESBY ST MARGARET, AND MARTHAM AS WELL AS IN THE URBAN AREAS OF GREAT YARMOUTH AND GORLESTON. NEW SMALLER SCALE RESIDENTIAL DEVELOPMENTS\* MAY ALSO BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES IDENTIFIED ON THE PROPOSALS MAP IN THE VILLAGES OF BELTON, FILBY,

FLEGGBURGH, HOPTON-ON-SEA, AND WINTERTON. IN ALL CASES THE FOLLOWING CRITERIA SHOULD BE MET:

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

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

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

### **3.6 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.

(Objective: To safeguard the character of existing settlements.)

#### **4 Assessment :-**

- 4.1 The previous application included the erection of two houses at the front of the site with a chalet bungalow and two houses at the rear. Although this was an outline application the drawings showed two large, three storey houses at the front which would have had an adverse effect on light and outlook to the adjoining dwellings facing Crab Lane. The houses, as now proposed, are smaller and are more in keeping with the scale and design of the adjoining dwellings on the road frontage. In particular the house on plot 2 is further from the boundary with no. 23, with the main two-storey part of the house being roughly in line with that property. The houses will have first floor windows at the rear that will overlook adjoining gardens but there is already an element of overlooking from existing first floor windows so the proposal will not introduce overlooking where it does not already occur.
- 4.2 No. 21 Crab Lane has a garage close to the boundary with the application site with the house itself being approximately 5 metres from the boundary. The two-storey part of the new house next to no. 21 will not extend beyond the rear elevation of that property and, as the rear gardens face south, it will not cause any significant overshadowing or loss of light to the neighbour. The access road runs down the middle of the site and the garden to plot 1 and a landscaped area will be next to no. 21 so the road will not adjoin the boundary of that property.
- 4.3 The two earlier applications in 2006 and 2007 showed four dwellings at the rear and three dwellings respectively and the recent application that was dismissed on appeal showed two houses and a chalet bungalow at the rear of the site. The chalet bungalow was to be sited to the west of the turning area opposite the rear gardens of 4, 6 & 8 Headington Close. The current proposal has two detached bungalows at the rear which is a lesser number of dwellings in the rear garden than the previous applications. The proposed layout shows two parking spaces for plot 2 at the rear of 4 Headington Close and the parking spaces for plot 1 on the opposite side of the turning area to the west. The parking for the bungalows will be located between the two dwellings. In dismissing the appeal the inspector considered that the three dwellings at the rear would introduce noise and disturbance from the comings and goings of people and vehicles. The reduced number of dwellings now proposed would have less of an adverse effect with the wider landscaped area at the rear of Headington Close also providing more screening to the access road and turning area. All of the previous applications included dwellings in the centre of the site; the current proposal locates the dwellings at the front and the rear of the land in line with the existing built development on Crab Lane and Parkland Drive. This layout will reduce activity in the middle of the site and should result in less noise and

disturbance to the surrounding dwellings than the previous proposals. If Members consider that there may still be a problem with noise from cars using the road and parking areas it may be possible to relocate the parking for the houses on plots 1 and 2 to the front of the site which would further reduce traffic movements at the rear of the site.

- 4.4 The other main reason for dismissing the appeal was the loss of the trees that are covered by a TPO, the applicant has now addressed this concern by submitting a revised drawing showing the retention of the TPO trees and replacement tree planting.
- 4.5 The reduced number of dwellings that are now proposed and the amended layout with two bungalow at the rear of the site and two houses at the front is a more spacious form of development and would have less of an adverse effect on the character of the area.
- 4.6 The site is located in a suburban settlement which is within the Council's Core Strategy development boundary and therefore the site is considered to be a sustainable location for residential development. The reduced number of dwellings and the retention of the TPO trees result in a more acceptable form of development and it is considered that it would now be difficult to justify refusing permission and the recommendation is therefore to approve.

## **5 RECOMMENDATION :-**

- 5.1 Approve – the proposal conforms with the aims of Policies CS1, CS2 and CS3 of the Great Yarmouth Local Plan: Core Strategy and saved Policies HOU7 and HOU17 of the Great Yarmouth Borough-Wide Local Plan.
- 5.2 Approval should be subject to the conditions requested by Highways, details of measures to protect the TPO trees during construction and surface water drainage.



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## Appeal Decision

Site visit made on 17 October 2017

by **Amanda Blicq BSc (Hons) MA CMLI**

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

**Decision date: 8<sup>th</sup> November 2107**

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**Appeal Ref: APP/U2615/W/17/3177754**

**21 Crab Lane, Bradwell NR31 8DJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr David James, of Barco East Ltd against the decision of Great Yarmouth Borough Council.
  - The application Ref 06/17/0199/O, dated 26 March 2017, was refused by notice dated 24 May 2017.
  - The development proposed is 2 detached two and a half storey dwellings with integral garages, 2 linked dwellings linked by garages, 1 chalet bungalow and detached garage.
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### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by Mr David James, of Barco East Ltd against Great Yarmouth Borough Council. This application is the subject of a separate Decision.

### Procedural matters

3. For clarity I have used the description of development given on the decision notice in the heading above.
4. The evidence before me indicates that although this is an outline application with all matters reserved, the agent agreed during the course of the application that landscaping, layout and scale could be determined as part of the application. This is confirmed in the appellant's statement and consequently I have based my reasoning on the evidence submitted in relation to those matters.
5. Whilst this appeal is not an application to remove trees under The Town and Country Planning (Tree Preservation) (England) Regulations 2012, the evidence before me indicates that some of the site's trees are protected by a Tree Preservation Order (TPO) and the layout shows the removal of some protected trees. Although I do not have all the TPO documentation, the fact that particular trees are protected by a TPO<sup>1</sup> does not appear to be disputed by the parties. As such, I have based my reasoning on the presumption that they are protected. The granting of planning permission would over-ride the TPO, and

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<sup>1</sup> Tree Works Register – TPO No 5, 2006, confirmed 5 December 2006

consequently I have considered the appeal with regard to the future health and longevity of these protected trees.

6. Although the reasons for refusal identify harm to the amenity of neighbouring residents, this is not amplified in the Council's appeal statement. However, on the basis of evidence submitted by interested parties I have concluded that the potential harm to living conditions of existing occupiers would be in respect of light, overlooking, and noise and disturbance. This is included as a main issue.

### **Main Issues**

7. The main issues are the effect of the development on:
  - The character and appearance of the area;
  - The future health and longevity of protected trees; and,
  - The living conditions of occupiers of neighbouring dwellings with particular regard to light, overlooking, and noise and disturbance.

### **Reasons**

#### *Character and appearance*

8. The appeal site contains a detached dwelling fronting Crab Lane with a very generous rear garden. The development would comprise five dwellings following demolition of the existing dwelling.
9. There would be a spread of development across the site, with two dwellings aligned along the Crab Lane frontage and two at the rear of the site in line with a short terrace on Parkland Drive. These dwellings would be two-storey and with regard to location, Plots 1, 2, 3 and 4 would generally be in keeping with the underlying building pattern.
10. However, the dwellings on Plots 1 and 2 would appear disproportionately deep and bulky compared to nearby dwellings and would have notably less articulation of form than other dwellings in the vicinity.
11. Furthermore, Plot 5 would be located between the building lines of Parkland Drive and Crab Lane and would be unrelated to the underlying building pattern of neighbouring plots. The access road to Plots 3, 4 and 5 would introduce frontage activity into an area of contiguous rear gardens behind the Crab Lane, Headington Close and Parkland Drive frontages. This would also be out of keeping with the underlying development pattern.
12. Consequently, I conclude that the spread and scale of the development would be unreflective of the established development pattern and would also appear cramped within the site. This would represent over-development which would be detrimental to the character and appearance of the area. As such, the development would be contrary to Saved Policy HOU17 of the Local Plan<sup>2</sup> (LP) which states that the sub-division of plots will be resisted where it would be likely to lead to development out of character and scale with the surroundings, and LP Policy HOU7 which states that new residential development should not

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<sup>2</sup> Great Yarmouth Borough Council, Saved Great Yarmouth Borough-wide Local Plan Policies (2001)

be significantly detrimental to the form, character and setting of the settlement.

*Protected trees*

13. There are three protected mature trees on the site, and one outstanding replacement for a fourth which was felled without permission. A Scots Pine (pine) and an imposing Monterey Cypress (cypress) are located close to the site boundaries, and there is an oak situated towards the centre of the site. Both the oak and the cypress have naturally shaped canopies, and at heights of 13 and 17 metres respectively, are imposing specimens. Although it has an asymmetric and damaged crown, the pine is of a similar height to the oak. All three trees are prominent in views across gardens behind the Crab Lane and Headington Close frontages. They are also seen glimpsed between and above dwellings from Crab Lane and appear to be the tallest trees in the immediate area. As such, I conclude that the trees make a moderate to substantial contribution to visual amenity, and consequently have a positive effect on the character and appearance of the area.
14. Where reasonably healthy trees are protected, there is a strong presumption against their removal unless there is evidence of essential need. The tree survey states all three are in good physiological and moderate structural condition. The survey also notes that the pine requires only the removal of dead wood. No works are recommended for the oak or cypress.
15. Nonetheless, the layout and the tree survey indicate that the pine would be removed to allow the development of Plot 5. The cypress would also be removed as it is considered unsuitable for retention in a more tightly developed residential context where it could obstruct light and suffer wind damage.
16. The appellant argues that the pine should be removed because of its damaged state. However, the contribution trees make to visual amenity is not predicated on symmetry or lack of damage. Furthermore, the tree survey does not indicate that the pine's structural integrity is compromised by that damage. As such, I am not satisfied that this argument demonstrates that there is an essential need to remove the pine other than to accommodate the development.
17. The layout demonstrates that the oak could be retained with adjustments to site access and appropriate protection measures. However, due to its proximity to the south of Plot 2, it is likely that there would be pressure for its removal from future occupiers to mitigate overshadowing of the limited amenity area<sup>3</sup>.
18. Furthermore, although a scheme for replacement planting has been proposed, most of the replacements would be located in a line along a limited distance of the site's eastern boundary. Their future growth would be likely to be constrained by the proximity of other replacement trees, hardstanding areas and the rear amenity areas of adjacent plots. As such, I give limited weight to the likelihood of these replacements reaching a size and maturity sufficient to replace the trees removed. In any case, a line of trees along one site boundary would not necessarily compensate for the existing spread of trees across the site. Moreover, although I acknowledge that landscape works could be agreed

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<sup>3</sup> Shade cast is shown at midday in mid-summer and as such is the minimum shadow over the course of a year.

under reserved matters, I am satisfied that the constraints of amenity space, vehicular hardstanding and dwellings of the appeal before me would preclude significant tree planting in other parts of the site.

19. Finally, the concentration of replacement tree planting in one area of the site reinforces my conclusion outlined above, that the proposals would represent overdevelopment of the site.
20. Although there is an alternative site layout in the AIA<sup>4</sup>, there is nothing before me to indicate that this layout reflects the proposed scale or form of development. In any case, this layout also shows the removal of the pine and cypress. I conclude that there is no evidence before me to support the appellant's argument that the development could proceed with all protected trees retained.
21. The appellant also argues that the Council's tree officer was of the opinion that the pine and cypress should be removed and replaced. However, the evidence before me indicates that with regard to the cypress, it is the future proximity of foot and vehicular traffic that is the tree officer's main concern. There does not appear to be any evidence that the tree officer agreed to the removal of the pine. In any case, on the basis of the evidence before me, I have reached a different conclusion.
22. In the light of the above, I conclude that the pine and cypress would be removed, together with the removal and significant pruning of non-protected specimens and groups of trees, solely to accommodate the scale and spread of development. No essential need to fell the protected trees has been demonstrated, and I am not satisfied that the proposed replacement planting would reach a size and maturity commensurate with the existing protected trees. Consequently, the development would have an adverse effect on the character and appearance of the area. This would be to the detriment of the visual amenity of the locality.
23. As such, the development would be contrary to Policy CS9 of the Core Strategy<sup>5</sup> (CS) which requires development to conserve and enhance landscape features and townscape quality.

#### *Living conditions*

24. The scale and positioning of the dwelling on Plot 1 would result in significant overshadowing of the rear elevation and rear garden area of 23 Crab Lane (No 23), which has very modest amenity space at the rear. This would have an adverse effect on the living conditions of occupiers of No 23 with regard to light.
25. There would also be vehicular hardstanding and turning for three dwellings within a few metres of the rear plot boundaries of dwellings fronting Headington Close. This would introduce noise and disturbance from the comings and goings of both people and vehicles. Although the rear gardens of dwellings on Headington Close are of reasonable length, they are narrow and the underlying development pattern is tight. Occupiers should have a reasonable expectation that their rear amenity areas will be areas of reduced activity and disturbance. I conclude that there would be increased noise and

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<sup>4</sup> April 2017

<sup>5</sup> Great Yarmouth Borough Council, Local Plan Core Strategy, adopted December 2015



disturbance for occupiers of some dwellings on Headington Close, to the detriment of their living conditions.

26. Plot 1 would have habitable rooms at first floor level and in the roof accommodation and windows would overlook the rear gardens of Headington Close. I concur with interested parties that there would be a loss of privacy from overlooking for occupiers of some neighbouring dwellings, which would also have an adverse effect on their living conditions. Although a reconfiguration or internal space and use of obscure glazing could address these issues in the absence of other concerns, this harm reinforces my view that these proposals represent overdevelopment.
27. I conclude that the development would be contrary to CS Policy CS9 which requires development to protect the amenity of existing residents, and LP Policy HOU7 which does not permit development which would be significantly detrimental to the residential amenities of adjoining occupiers.

#### *Other matters*

28. I appreciate that the development was recommended for approval by officers. However, some of the Members came to a different conclusion, as have I. The appellant also argues that no reasons for refusal were given at the committee meeting. Nonetheless, the reasons given on the decision notice have identified the main issues in my reasoning.
29. The appellant has referred to a previous appeal at Crab Lane, but I have no further information to enable me to conclude whether that appeal was comparable to this. In any case, every appeal is determined on its merits.
30. I appreciate that urban locations can generally accommodate higher densities. However, it does not necessarily follow that all sites can be developed to the same extent and in this instance I disagree with the appellant that the site can clearly accommodate the development proposed.
31. The appellant also advances the argument that a neighbour has supported the removal of the cypress due its intrusiveness, risk to health and safety and its impact on amenity areas. This however reinforces my conclusion that proposed replacement planting along this site boundary would be unlikely to reach full maturity, as the trees would significantly overhang adjacent amenity areas of dwellings on Headington Close.
32. I appreciate that this is an outline application. Although I have found it appropriate to consider the appeal in the context of the layout proposed, I am satisfied that even with a different layout, proposals of the form and scale before me would represent overdevelopment of the site.

#### *Planning balance*

33. There is no evidence that the Council can demonstrate a five year housing land supply. In such situations, Paragraph 49 of the National Planning Policy Framework (the Framework) states that relevant policies for the supply of housing are to be considered out of date and Paragraph 14 of the Framework is engaged. However, case law<sup>6</sup> has indicated that the weight to be given to conflict with the development plan remains a matter of planning judgement.

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<sup>6</sup> Crane v Secretary of State DCLG (2015) EWHC 425 (Admin)

34. In this instance, there is nothing in the evidence before me to indicate that the Council has an objection to the principle of development. However, although the development would make a very modest contribution to housing supply in the area, the harm I have identified above would not significantly and demonstrably outweigh the benefits when assessed against policies in the Framework taken as a whole, as required by Paragraph 14 of the Framework.

**Conclusion**

35. For the reasons given above and taking all matters into account, I conclude that the development would be contrary to the relevant policies of the Council's Local Plan and that therefore the appeal should be dismissed.

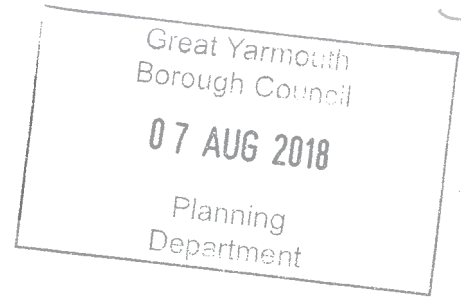
*Amanda Blicq*

INSPECTOR

ACK 8/8/18

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Mr Mark Ogden  
19 Crab Lane  
Bradwell  
Great Yarmouth  
Norfolk, NR31 8DJ



Planning service development control  
Town Hall, Hall Plain  
Great Yarmouth Norfolk

Dear Mrs E Heisdon

Ref: 06/18/0327/F

Two dwellings, two bungalows. 21 Crab Lane.

I wish to object to this application, my bullet points are as follows but not limited to.

The current property is within the keeping of the area and is an old style Victorian building which in my opinion should be left standing as it does not detract from the other buildings in the area.

There are several trees with preservation orders on, some of which the owner has already cut down and was ordered to replace but has failed to do so.

The current occupier has been at the said tree recently with a chainsaw, I did not think this was allowed under the preservation order.

Why has he not been chased up on this matter?

These trees where/are used by much local wildlife including but not limited to bats, crows and other Great British wildlife

The buildings of high height will create overshadowing and loss of light in my south facing back garden, I will not be able to enjoy my garden to its full potential, not to mention a complete loss of privacy for me and my family.

The addition of extra dwellings will create an increase in noise and traffic; we will have the noise from 5 dwelling instead of one

The road on the plans runs right through where one of the trees stands, this road also runs along the border of my property I do not wish to hear traffic running up and down the side of my property all day long. I purchased this property because of the peace and quiet in the rear garden which will be ruined by this development.

I don't believe the drainage system could cope with even more houses being built. The drain outside my property struggles enough during rain fall as it is causing light flooding in the local vicinity and the increase in water run off and drainage that these dwellings would create a far worse area of flooding.

Two houses were built opposite and now the Archers development, I think Crab Lane is developed enough without the addition of these extra five dwellings.

The extra traffic will cause a hazard to the local residence wishing to exit or enter their properties. Crab lane has become an increasingly busier road in the past few years without the need to add more with this development.

The council has turned down plans for this site several times now and I hope they continue to see common sense and turn it down again.

Yours faithfully

Mark Ogden

ACK 8/8/18

S

6 Headington Close  
Bradwell  
Great Yarmouth  
Norfolk  
NR31 8DN

3 August 2018

Mr J Ibbotson  
Great Yarmouth Borough Council  
Planning Services  
Development Control  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Dear Sir

**Application:** Planning Application 06/18/0327/F

**Proposal:** Two Detached dwellings. Two bungalows.

**Location:** 21 Crab Lane Bradwell Great Yarmouth Norfolk NR31 8DJ

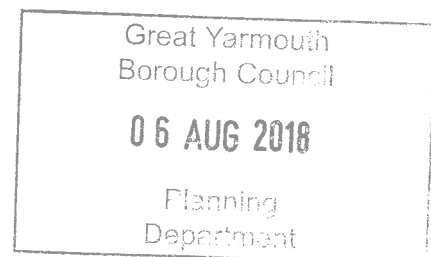
We are in receipt of your letter dated 16 July 2018 advising us of the above application.

We presume the proposal is for the demolition of the existing chalet bungalow and the construction of two detached three bedroom houses and two detached three bedroom bungalows as shown on the plans. Although on the planning application documents, page 5 states houses two - two bedroom and two - four plus bedroom?

This application has been submitted since an appeal was unsuccessfully made on the previous application ref: 06/17/0199/O.

We would like to reiterate the following:-

In previous years there have been several planning applications made for development at the above property. The applications consisted, apart from one, of single storey dwellings which were all refused with the reasons given that the development would be very cramped and the impact it would have upon the character of the area and upon privacy, outlook and amenity of adjacent householders.



This new application, despite the refusal of the previous applications, including the most recent, ref: 06/17/0199/O with the reasons stated that the proposal was considered to be over development of the site resulting in a cramped development, loss of trees, particularly protected species, harm the amenity of neighbouring residents and would be out of character with the existing settlement form and street scene, is still being submitted. We refer you to the appeal decision document ref: APP/U2615/W/17/3177754 .

The plan shows the proposed positioning of the houses and bungalows but despite advising in the Arboricultural report that the trees with Tree preservation orders would remain these are not shown on the said plan, which has been submitted as a detailed planning permission application.

**Policy HOU17 under Schedule of current status (January 2016) of policies from the Great Yarmouth Borough-Wide local Plan** states: "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". Both Crab Lane and Headington Close properties have generous sized gardens and the building of two houses and two bungalows on the site in question would not be adhering to the said policy.

- 1 If the proposal is passed, this would mean having both a road to the front and rear of our property, which is not a usual occurrence and would mean increased noise, especially with the proposed properties being of family dwellings with the proposal of eight vehicle parking spaces which would be both intrusive and a disturbing factor in, what is presently a relatively quiet and peaceful back garden area and location generally. This fact is confirmed in the appeal decision under the **Character and Appearance** heading, **point 11**. This states **"The access road to plots 3 and 4 would introduce frontage activity into an area of contiguous rear gardens behind Crab Lane, Headington Close and Parkland Drive frontages. This would also be out of keeping with the underlying development pattern"**
2. In July 2006 a tree preservation order was put on four trees in the rear garden at said property. Since the preservation order was given, tree T6 on the plan was illegally removed but upon the council being advised, a replacement sapling was planted which has since died.
3. The destruction of mature trees, providing benefits to our atmosphere, helping to combat the harm of, for example, carbon monoxide pollution which would certainly increase by the erecting of four family sized properties.
4. The development would mean more loss of valuable green space, which in spite of being somewhat spoiled from its former country style area, which previously contained at least a further five trees, is still a habitat for birds and wildlife and the remaining trees, which make for a pleasant outlook in the middle of a residential area.



5. There would be further increase in traffic on an already busy main through road (Crab Lane) to Gorleston. This is especially significant as three bungalows have been built to the rear of 16 and 18 Crab Lane, to which more properties are to be added. The building of five properties being built on the Arches public house site has also begun. The close proximity of possibly five road junctions as well as entrance and exit to the Bradwell butchery within a short distance endangers the safety of pedestrians (including school children).
6. By allowing four new dwellings to be built on the site would be a further strain on the resources of water, gas, drainage, sewerage and electricity. Problems on going in other areas of Bradwell.
7. Considering there is already a strain on public services such as schools, doctors and dentists four more properties would certainly not help the situation.
8. With a roadway directly leading to the development it would affect the security of our property giving access to the rear garden via the west boundary.
9. The demolition of "West Oak" 21 Crab Lane would mean the destruction of the oldest dwelling on Crab Lane.

We still feel that this development is totally out of character for the locality, destroying a little bit of green open space left within a residential area. It would be detrimental to many of the neighbours' privacy, security and outlook and would lessen our quality of life.

We trust you will take all these points into consideration, realising that the position remains the same as when the previous applications were refused.

We look forward to receiving confirmation of receipt of this letter.

Thanking you in anticipation.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Mr M G & Mrs L M Woodcock

ACK 6/8/18

S

Elaine Helsdon

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**From:** Rachel Warner [mailto: [REDACTED]]  
**Sent:** 03 August 2018 16:56  
**To:** plan  
**Subject:** Re: Planning Application 06/18/0327/F

Hi, my address is 22 Crab lane, Bradwell. NR31 8DJ

On Fri, 3 Aug 2018, 3:14 pm plan, <[plan@great-yarmouth.gov.uk](mailto:plan@great-yarmouth.gov.uk)> wrote:

Could you please supply your address.

**From:** Rachel Warner [mailto: [REDACTED]]  
**Sent:** 03 August 2018 15:13  
**To:** plan  
**Subject:** Planning Application 06/18/0327/F

I am writing to oppose the development of 21 Crab Lane. There are enough dwellings that are being and have been built in such a small area. Some of the protected trees have already been chopped down without permission and with the proposal for these new builds we will loose even more trees and I have been told bats are living in the trees what are left. Do not let this area be a concrete jungle!

Best regards

R. Warner

## Internet Consultees

Application Reference 06/18/0327/F

Attachments

S

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Angela Hogg

Address 23 Crab Lane

Bradwell

Post Code NR31 8D

Telephone

Email Address

For or Against

NOS

Subject to Condition

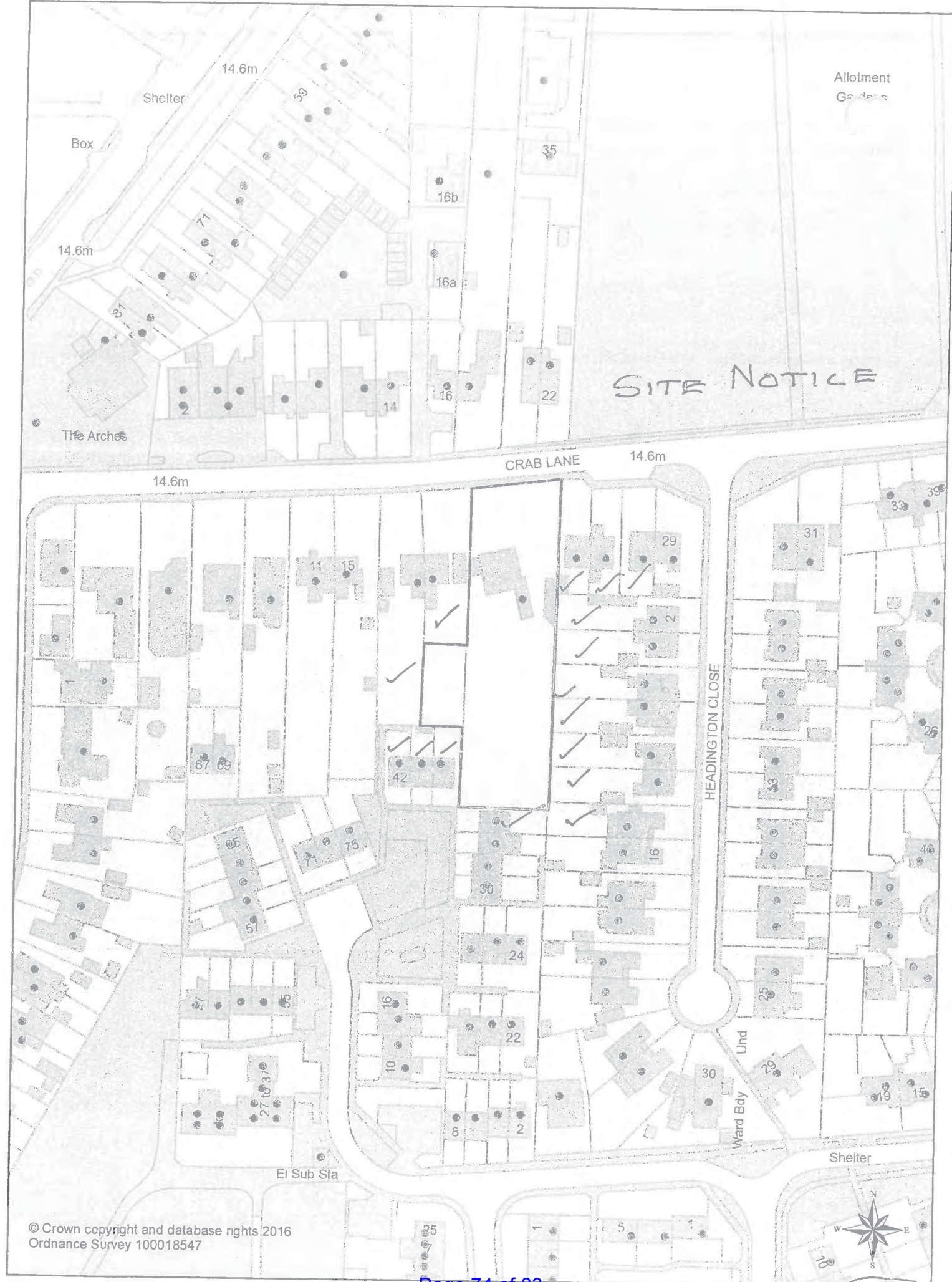
Speak at Committee

Good Morning, Please note that the plans are not very clear. I would like to know further information and will contact Jack Ibbotson. 1. Where the properties will be located, how close is the property to me. Privacy Factors, overlooking. Trees to be kept. Time scale if won, when is the meeting to be held in order that I can voice my opinions. Many thanks Angela and Martin Hogg

Date Entered 06-08-2018

Internet Reference OWPC1839





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Ordnance Survey 100018547

**PLANNING APPLICATIONS CLEARED BETWEEN 01-SEP-18 AND 30-SEP-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0393/A</b>
PARISH	Belton & Browston 10
PROPOSAL	Proposed signage
SITE	8 Bell Lane Belton
APPLICANT	GREAT YARMOUTH
DECISION	Tesco Stores Limited <b>ADV. CONSENT</b>
<hr/>	
REFERENCE	<b>06/18/0398/F</b>
PARISH	Belton & Browston 10
PROPOSAL	Variation of condition 2 re: PP 06/17/0788/F - Design amendments
SITE	Beccles Road Barn 1 Hall Farm
APPLICANT	Belton GREAT YARMOUTH
DECISION	Rattler Properties Ltd <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0422/F</b>
PARISH	Belton & Browston 10
PROPOSAL	Proposed dormer and alterations
SITE	29 Waveney Drive Belton
APPLICANT	GREAT YARMOUTH
DECISION	Mr G Evenden <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0333/CU</b>
PARISH	Bradwell N 1
PROPOSAL	Change of use of offices to therapy centre including internet sales and supply with associated storage
SITE	Unit 9 Enterprise Court Electronics House
APPLICANT	Gapton Hall Road Bradwell
DECISION	Mrs M Van de Pieterman <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0390/F</b>
PARISH	Bradwell N 1
PROPOSAL	Renewal of planning permission 06/12/0101/F - for two storey office block and construction of car park (complex)
SITE	Edison Way (former Proserve) Gapton Hall Ind Est
APPLICANT	(Parish of Bradwell) GREAT YARMOUTH
DECISION	Mr C Jones <b>APPROVE</b>
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-SEP-18 AND 30-SEP-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0445/A</b>
PARISH	Bradwell N 1
PROPOSAL	Two fascia signs
SITE	Unit 9 Enterprise Court Electronics House Gapton Hall Road, Bradwell GREAT YARMOUTH
APPLICANT	Mr D Farrow
DECISION	<b>ADV. CONSENT</b>
<hr/>	
REFERENCE	<b>06/18/0211/O</b>
PARISH	Caister On Sea 3
PROPOSAL	Sub division of garden to form plot for detached dwelling and garage, including access into site
SITE	124 Ormesby Road Caister-On-Sea GREAT YARMOUTH NR30 5NJ
APPLICANT	Mr & Mrs Nelson
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0409/F</b>
PARISH	Caister On Sea 4
PROPOSAL	New extension lobby to form new entrance to indoor pool. Construct a new flume tower plus 2 flumes & new plant room
SITE	Seashore Holiday Park North Drive GREAT YARMOUTH (Caister Parish)
APPLICANT	Bourne Leisure Ltd
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0400/F</b>
PARISH	Fleggburgh 6
PROPOSAL	Proposed detached double garage
SITE	Lilac Cottage Main Road Billockby GREAT YARMOUTH
APPLICANT	Mr S Armes
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0437/PAD</b>
PARISH	Fleggburgh 6
PROPOSAL	Prior approval for a proposed change of use of Broiler House to 5 dwellings retaining the remainder of the bldg for agr.
SITE	Unit 2 Broiler Farm Mill Lane Fleggburgh GREAT YARMOUTH NR29 3DA
APPLICANT	Mr G Di-Corpo
DECISION	<b>REFUSED</b>
<hr/>	
REFERENCE	<b>06/18/0414/F</b>
PARISH	Fritton/St Olaves 10
PROPOSAL	Variation of Condition 1 re: PP 06/16/0586/F - Rotate angle of plots 22 and 23
SITE	Caldecott Hall Estate Fairway Lakes Village Beccles Road Fritton GREAT YARMOUTH
APPLICANT	Fairway Lakes Ltd
DECISION	<b>APPROVE</b>
<hr/>	



**PLANNING APPLICATIONS CLEARED BETWEEN 01-SEP-18 AND 30-SEP-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0337/F</b>
PARISH	Great Yarmouth 5
PROPOSAL	Sub division of garden and construction of a one bedroom attached house
SITE	11 Jasmine Green Gorleston
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mr K Reed <b>APPROVE</b>

REFERENCE	<b>06/18/0420/F</b>
PARISH	Great Yarmouth 5
PROPOSAL	Roof conversion (front and rear dormers) to form master suite
SITE	17 Westbrook Avenue Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Mr & Mrs M & J Farrow <b>APPROVE</b>

REFERENCE	<b>06/18/0419/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	First floor extension to form 2 no. bedrooms, porch addition and change of use of public open space land to residential
SITE	2A Victoria Road Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Mr & Mrs McDonald <b>APPROVE</b>

REFERENCE	<b>06/18/0433/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Erection of a 1.8 metre fence at side of property
SITE	1 Banting Close Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Mrs L Clements <b>APPROVE</b>

REFERENCE	<b>06/18/0406/CU</b>
PARISH	Great Yarmouth 9
PROPOSAL	Change of use to Class D2 (assembly/leisure) for specialist target sport facility
SITE	Unit 2 off Southtown Road (Former Central Tyres)
APPLICANT	GREAT YARMOUTH
DECISION	Mr N Bowerbank <b>APPROVE</b>

REFERENCE	<b>06/18/0412/DM</b>
PARISH	Great Yarmouth 9
PROPOSAL	Demolition of derelict warehouse
SITE	Southtown Road Silverton Aggregates
APPLICANT	GREAT YARMOUTH
DECISION	Silverton Aggregates <b>DETAILS NOT REQ'D</b>

**PLANNING APPLICATIONS CLEARED BETWEEN 01-SEP-18 AND 30-SEP-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0421/F</b>
PARISH	Great Yarmouth 9
PROPOSAL	Removal of condition 3 of PP: 06/17/0190/F - In respect of removal of temporary mobile buildings
SITE	Edward Worlledge Primary School Suffolk Road
APPLICANT	GREAT YARMOUTH
DECISION	Edward Worlledge Ormiston Academy <b>APPROVE</b>

REFERENCE	<b>06/18/0379/F</b>
PARISH	Great Yarmouth 11
PROPOSAL	Erection of a new storage building
SITE	Lydia Eva Court Peterhouse Avenue
APPLICANT	Gorleston GREAT YARMOUTH
DECISION	Norsecare <b>APPROVE</b>

REFERENCE	<b>06/18/0407/F</b>
PARISH	Great Yarmouth 11
PROPOSAL	One storey extension over existing single storey to form an additional bedroom
SITE	155 Brasenose Avenue Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Mr C and Mrs C Hasmasan <b>APPROVE</b>

REFERENCE	<b>06/18/0107/CU</b>
PARISH	Great Yarmouth 14
PROPOSAL	Retrospective application for change of use to HMO (six bedrooms)
SITE	109 Nelson Road Central GREAT YARMOUTH
APPLICANT	Norfolk
DECISION	Mrs M Fillette <b>REFUSED</b>

REFERENCE	<b>06/18/0405/CD</b>
PARISH	Great Yarmouth 14
PROPOSAL	Discharge of conditions 18, 22 and 24 of Planning Permission 06/17/0218/O
SITE	Pleasure Beach South Beach Parade
APPLICANT	GREAT YARMOUTH
DECISION	Premier Inn Hotels Ltd <b>APPROVE (CONDITIONS)</b>

REFERENCE	<b>06/18/0410/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Change of Use from Class B1 Business (light industrial) to D2 Assembly and Leisure (Gym)
SITE	81 Exmouth Road GREAT YARMOUTH
APPLICANT	Norfolk
DECISION	Mr R Thompson <b>APPROVE</b>

**PLANNING APPLICATIONS CLEARED BETWEEN 01-SEP-18 AND 30-SEP-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0427/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Proposed replacement of existing timber casement windows with similar UPVC casement windows
SITE	Hardy Court Flats 3-6 St Georges Road GREAT YARMOUTH
APPLICANT	Orbit Housing Association
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0429/CD</b>
PARISH	Great Yarmouth 14
PROPOSAL	Discharge of condition 4 of Listed Building Planning Permission 06/17/0604/LB
SITE	St Georges Theatre King Street GREAT YARMOUTH
APPLICANT	Mr J Goffin
DECISION	<b>APPROVE (CONDITIONS)</b>
<hr/>	
REFERENCE	<b>06/18/0430/CU</b>
PARISH	Great Yarmouth 14
PROPOSAL	Proposed retrospective application for change of use to increase number HMO rooms to 7
SITE	45A King Street GREAT YARMOUTH Norfolk
APPLICANT	GY Lets
DECISION	<b>REFUSED</b>
<hr/>	
REFERENCE	<b>06/18/0439/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Demolish existing part of the rear and replace with new rear extension
SITE	38 Admiralty Road GREAT YARMOUTH Norfolk
APPLICANT	GY Borough Council
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0462/CD</b>
PARISH	Great Yarmouth 14
PROPOSAL	Discharge of condition 5 of Planning Permission 06/17/0440/F
SITE	31-33 South Quay Lord Nelson House GREAT YARMOUTH
APPLICANT	Miss S Boulton
DECISION	<b>APPROVE (CONDITIONS)</b>
<hr/>	
REFERENCE	<b>06/18/0336/A</b>
PARISH	Great Yarmouth 15
PROPOSAL	Proposed aluminium composite fascia pan sign to the front of store
SITE	32-33 Market Place GREAT YARMOUTH Norfolk
APPLICANT	YOURS Clothing Mr D Coquard
DECISION	<b>ADV. CONSENT</b>
<hr/>	



**PLANNING APPLICATIONS CLEARED BETWEEN 01-SEP-18 AND 30-SEP-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/18/0366/LB**  
 PARISH Great Yarmouth 15  
 PROPOSAL Proposed aluminium composite fascia pan sign to the front of store  
 SITE 32-33 Market Place GREAT YARMOUTH  
 Norfolk  
 APPLICANT YOURS Clothing Mr D Coquard  
 DECISION **LIST.BLD.APP**

REFERENCE **06/18/0442/F**  
 PARISH Great Yarmouth 15  
 PROPOSAL Construction of a new thatched shelter adjacent to lily pond  
 SITE Venetian Waterways Cafe North Drive  
 GREAT YARMOUTH NR30 4EW  
 APPLICANT Great Yarmouth Borough Council  
 DECISION **APPROVE**

REFERENCE **06/18/0485/F**  
 PARISH Great Yarmouth 15  
 PROPOSAL Garage to accommodate motorhome for private use only  
 SITE 44-46 Northgate Street GREAT YRMOUTH  
 Norfolk  
 APPLICANT Mr Ward  
 DECISION **APPROVE**

REFERENCE **06/18/0363/F**  
 PARISH Great Yarmouth 19  
 PROPOSAL Proposed demolition of existing commercial building and erection of 6 no. two storey two bedroom houses  
 SITE Dock Tavern Lane (Controlled Repair Ltd)  
 Gorleston GREAT YARMOUTH  
 APPLICANT Herringfleet Developments Ltd  
 DECISION **APPROVE**

REFERENCE **06/18/0367/F**  
 PARISH Great Yarmouth 19  
 PROPOSAL Proposed external works with new cladding, entrance door and railings  
 SITE The Tramway Public House 1 Lowestoft Road  
 Gorleston GREAT YARMOUTH  
 APPLICANT EI Group - Mr A Ashton  
 DECISION **APPROVE**

REFERENCE **06/18/0413/F**  
 PARISH Great Yarmouth 19  
 PROPOSAL Erection of 1 no 2 bed dwelling  
 SITE High Street (land at) Gorleston  
 GREAT YARMOUTH  
 APPLICANT Harrison Homes EA Ltd  
 DECISION **REFUSED**

**PLANNING APPLICATIONS CLEARED BETWEEN 01-SEP-18 AND 30-SEP-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/18/0418/F**  
 PARISH Great Yarmouth 21  
 PROPOSAL Take down existing porch and replace with new  
 SITE 27 Ormesby Road West View Hemsby  
 GREAT YARMOUTH  
 APPLICANT Mr Gallie  
 DECISION **APPROVE**

REFERENCE **06/18/0396/PDE**  
 PARISH Hemsby 8  
 PROPOSAL Proposed rear extension - Notification of larger home extension  
 SITE 2 Council Houses Yarmouth Road  
 Hemsby GREAT YARMOUTH  
 APPLICANT J Dixon & Son Contractor Ltd  
 DECISION **REFUSED**

REFERENCE **06/18/0438/F**  
 PARISH Hemsby 8  
 PROPOSAL Sub division of garden to form plot for detached chalet style bungalow  
 SITE The Willows Kings Loke  
 Hemsby GREAT YARMOUTH  
 APPLICANT Ms K Holden  
 DECISION **APPROVE**

REFERENCE **06/18/0441/F**  
 PARISH Hemsby 8  
 PROPOSAL Proposed infill porch and side lounge extensions  
 SITE 9 Meadow Rise Hemsby  
 GREAT YARMOUTH  
 APPLICANT Miss S Bevan  
 DECISION **APPROVE**

REFERENCE **06/18/0469/F**  
 PARISH Hemsby 8  
 PROPOSAL Single storey pitched roof extensions to front of existing detached pitched roof bungalow  
 SITE 18 Common Road Oak View  
 Hemsby GREAT YARMOUTH  
 APPLICANT Miss V Lord  
 DECISION **APPROVE**

REFERENCE **06/18/0432/F**  
 PARISH Hopton On Sea 2  
 PROPOSAL Two portable modular offices for a period of 3 years  
 SITE Margaret Chadd House Sidegate Road Hopton  
 GREAT YARMOUTH NR31 9AL  
 APPLICANT East Coast Hospice Limited  
 DECISION **APPROVE**

**PLANNING APPLICATIONS CLEARED BETWEEN 01-SEP-18 AND 30-SEP-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0434/F</b>
PARISH	Martham 13
PROPOSAL	New front entrance hall, replacing existing. New dormer window to master bedroom
SITE	2 Morgrove Lane Martham GREAT YARMOUTH NR29 4QA
APPLICANT	Mr & Mrs B M Tibble
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/18/0450/PDC</b>
PARISH	Martham 13
PROPOSAL	Notification for Prior Approval - Proposed change of use from storage (B8) to dwelling house (C3)
SITE	The Old Exchange Common Road Martham GREAT YARMOUTH
APPLICANT	Mr F Muskett
DECISION	<b>REFUSED</b>

REFERENCE	<b>06/18/0318/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Demolish existing cottage, barn outbuilding and garage and erect 4 no detached houses with garages
SITE	44 North Road (Orchard Court Plots 5-8) Ormesby St Margaret GREAT YARMOUTH
APPLICANT	M Slack
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/18/0463/F</b>
PARISH	Ormesby St.Michael16
PROPOSAL	Remove condition 1 of PP 06/11/0790/F - CoU of Building 'B' for storage of builders materials
SITE	Manship Farm Barn Main Road Ormesby St Michael GREAT YARMOUTH
APPLICANT	Mr J Colclough
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/18/0293/O</b>
PARISH	Somerton 8
PROPOSAL	Conversion of existing buildings to single residential dwelling
SITE	Top Farm Martham Road West Somerton GREAT YARMOUTH NR29 4DH
APPLICANT	Mr and Mrs D Ribbands
DECISION	<b>REFUSED</b>

\* \* \* \* End of Report \* \* \* \*



**PLANNING APPLICATIONS CLEARED BETWEEN 01-SEP-18 AND 30-SEP-18 FOLLOWING DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE**

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REFERENCE	<b>06/17/0387/F</b>
PARISH	Filby 6
PROPOSAL	Demolition of redundant cattle building, erection of three poultry buildings, on-site managers dwelling and new road
SITE	Manor Farm Filby GREAT YARMOUTH NR29 3HW
APPLICANT	Charles Wharton Limited
DECISION	<b>APPROVE</b>

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REFERENCE	<b>06/18/0226/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Vary cond. 2 of 06/14/0604/F sub-division of garden for det dwelling, relocate proposed acc new dwelling & 14 do not share
SITE	14 Beach Road (land adj) Scratby GREAT YARMOUTH NR29 3AJ
APPLICANT	Mr T Philpot
DECISION	<b>APPROVE</b>

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REFERENCE	<b>06/18/0209/O</b>
PARISH	Ormesby St.Michael16
PROPOSAL	Outline planning for a pair of semi-detached cottages and parking
SITE	Stone Cottage Main Road Ormesby St Michael GREAT YARMOUTH NR29 3LN
APPLICANT	Mr J Coulclough
DECISION	<b>APPROVE</b>

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\* \* \* \* End of Report \* \* \* \*