

Reference: 06/17/0781/F

Parish: Gorleston

Officer: Mr G Clarke

Expiry Date: 06-04-2018

Applicant: Mr P Green

Proposal: Residential development of 6 dwelling houses

Site: Land at Church Road
Gorleston

REPORT

1 Background / History :-

- 1.1 The application site is an area of land and buildings on the north eastern side of Church Road. The site has an authorised use as a lorry depot and repair yard but has not been used as such for a number of years. The site has a frontage to Church Road with residential uses adjoining the remaining boundaries of the land. There are terraced houses on Garnham Road to the south and bungalows and sheltered housing on Addison Road to the north and east. There is a terrace of three houses facing Church Road (no's. 7 to 9) to the north west with another terrace of three houses on Victoria Place to the rear of 7 to 9 Church Road.
- 1.2 The application as originally submitted was for the removal of the existing buildings on the site and the erection of seven dwellings. This was to consist of a terrace of four houses along the Church Road frontage and a terrace of three two-storey houses on the land at the rear with off-road parking served by a single point of access off Church Road. The occupiers of two of the houses on Garnham Road objected to this proposal on the grounds that the terrace at the rear of the site would be overbearing and would overlook their property and they also raised some concerns about parking and access. The occupiers of 1 Victoria Place said that they had no objection to the houses but had concerns about site levels, future maintenance, nesting birds and possible asbestos roofs to the existing buildings on the application site. Following receipt of these comments, the development at the rear of the site was amended to two detached bungalows with rooms in the roof space, the proposed development along the road frontage remains the same as the original application, so the number of dwellings has been reduced to six. The vehicular access is in the same location leading to 12 off-road parking spaces.

2 Consultations :-

- 2.1 Highways – no objection subject to conditions regarding access and parking.
- 2.2 Norfolk Fire & Rescue Service – no objections providing the proposal meets the necessary requirements of the current Building Regulations 2000 – Approved Document B (volume 1 – 2006 edition, amended 2007) as administered by the Building Control Authority.
- 2.3 Historic Environment Officer - The proposed development site lies within the precinct of an Augustinian Friary. The Friary was founded in the 13th century and dissolved in 1538. Human skeletons have been found here since the 18th century and excavations have revealed the presence of structures on the site. Remains of the friary buildings have also been incorporated into buildings to the north and south of Burnt Lane. Consequently there is 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 mitigatory work in accordance with National Planning Policy Framework para. 141.

- 2.4 Environmental Health - does not object to the grant of consent for the application subject to advice regarding asbestos, burials, surface water drainage and conditions requiring the submission of a Phase 1 contamination report to consider the previous potentially contaminative land uses and whether Phase 2 intrusive investigations are required and reporting of any contamination found during construction.
- 2.5 Neighbours – the occupiers of the dwellings on Garnham Road had no objections to the revised scheme. The occupier of 196 Church Road is happy with the land being redeveloped as it looks rough but wants the parking arrangements to be firm i.e. two spaces per house and no three storeys overlooking his property and asks whether there are any traffic calming measures proposed. The occupiers of 1 Victoria Place have objected to the revised proposal on the grounds of overlooking and loss of light although they had no objections to the original layout.

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.

SAVED POLICY FROM THE GREAT YARMOUTH BOROUGH-WIDE LOCAL PLAN

3.3 POLICY HOU7

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

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

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

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

4 Assessment :-

- 4.1 The development, as revised, will provide a terrace of four two-storey houses along the Church Road frontage (plots 3 to 6) and two detached dwellings at the rear (plots 1 & 2). The houses will each have a living room, kitchen/dining room and WC on the ground floor with three bedrooms and a bathroom on the first floor. The terrace will be set back from the front boundary by 1 metre and each property will have a rear garden of similar or larger size than the nearby dwellings. The two dwellings at the rear (plots 1 & 2) will be aligned in a roughly east/west direction with their front elevations facing the parking area and the rear gardens of the houses on Garnham Road. These dwellings will have the external appearance of being bungalows but internally they will have a living room, kitchen/dining room, bathroom and two bedrooms on the ground floor with a bedroom and en-suite in the roof space. There will be one roof window in the front elevation giving light to the stairwell and three roof windows in the rear elevation, two to the bedroom and one to the en-suite. These two plots will also have rear gardens of a size that is comparable with the surrounding development.
- 4.2 The vehicular access will use the existing access point at the southern end of the site, this will lead to a parking and turning area between the front gardens of plots 1 & 2 and the rear boundaries of the houses on Garnham Road. The parking area will provide 12 spaces which complies with the parking standard of two spaces per dwelling.
- 4.3 The only objection to the revised proposal is from the occupier of no. 1 Victoria Place, which is one of the terrace of three houses at the rear of the existing houses on Church Road. The objections are on the grounds of overlooking and loss of light from the houses on plots 3 to 6. There will be first floor windows to the rear of the proposed dwellings that will overlook Victoria Place but this is an urban area where there is already a degree of overlooking so a development of this nature would not be out of place in the context of the surrounding development. The new houses will be to the south-west of Victoria Place and will cause some overshadowing when the sun is low in the sky but there is a space between the frontage development and the two plots at the rear so the existing houses will not be surrounded by buildings and the existing houses will not be overshadowed for the entire day.
- 4.4 The site has an existing use as a lorry depot and repair yard and, although it has not been used for this purpose for some time, it could reopen at any time without the need for planning permission. Taking into account the existing use it is considered that the benefits of the development in removing a potentially noisy and anti-social use from a residential area and replacing it with housing outweigh any potential adverse effects on the existing dwellings and the recommendation is to approve.
- 4.5 The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications. At the heart of the National Planning Policy Framework is a presumption in favour of

sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 states that for decision-taking this means: approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless 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; or specific policies in this Framework indicate development should be restricted

- 4.6 An important factor when determining applications is whether a Local Authority has the ability to demonstrate a 5 year housing land supply. Paragraph 49 of the National Planning Policy Framework reinforces that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. 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". As an authority we would then be significantly less able to resist all but the most inappropriate housing development in the area without the risk that the decision would be overturned at appeal under the presumption in favour of sustainable development, as set out in the National Planning Policy Framework.
- 4.7 As the Local Planning Authority we cannot demonstrate a five year housing land supply. As at 1st April 2017 the Borough has a 4.13 year supply of housing land. As set out above the assumption is that, in the absence of a 5 year housing land supply planning policies relating to housing can be deemed out of date and the balance is tilted towards sustainable development. There is no significant nor demonstrable harm that would outweigh the need to supply housing in a sustainable location and as such the application is in accordance with current National Planning Policy.

5 RECOMMENDATION :-

- 5.1 Approve – the proposal complies with the aims of Policies CS1 and CS2 of the Great Yarmouth Local Plan: Core Strategy and saved Policy HOU7 of the Great Yarmouth Borough-Wide Local Plan.
- 5.2 Approval should be subject to conditions removing permitted development rights for extensions and dormer windows, submission of details of boundary treatments and the conditions requested by Highways, Environmental health and the Historic Environment Officer.

ACK 6/3/18

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Great Yarmouth
Borough Council

06 MAR 2018

Planning
Department

1 VICTORIA PLACE
CHURCH ROAD
GORLESTON
NR316PA

5/3/2018

DEAR SIR

(AMENDED) PLAN.

Objection to planning application 06/17/0781/F

THE PLOTS 1 AND 2 THE RIDGE HEIGHT HAS BEEN LOWERED.

WE WOULD LIKE THE RIDGE HEIGHT LOWERED ON PLOTS 4/5/6.

OUR SMALL GARDEN AT 1 VICTORIA PLACE WILL BE OVERLOOKED, THIS WILL MEAN NO PRIVACY WHICH WE HAVE ENJOYED FOR FORTY YEARS, PLUS BLOCKING THE SUN FROM THE SOUTH WEST ASPECT. TO MAKE IT FAIR TO US, IF THE RIDGE HEIGHT HAS BEEN LOWERED FOR GARNHAM ROAD RESIDENTS IT NEEDS LOWERING ON PLOTS 4/5/6 FOR US.

ACCESS NEEDED TO MAINTAIN THE SHED IN OUR GARDEN NEXT TO PLOT 3.

THE ROOF ON THE NORTH SIDE OF THE SITE COULD BE ASBESTOS SHEETING, WE WOULD LIKE ASSURANCE IT IS CHECKED WITH REGARD TO HEALTH AND SAFETY.

THE BIRDS ARE NOW NESTING IN THE IVY ABOVE THE WORKSHOP ROOF, TO DISTURB THEM NOW WOULD BE AGAINST THE WILDLIFE AND COUNTRYSIDE ACT. THEY CANNOT BE DISTURBED UNTILL LATE AUGUST AT THE EARLIEST.

IN OUR GARDEN THERE IS A RAISED FLOWER BED AT THE END. THE GARDEN IS HIGHER THAN THE PROPOSED SITE BY 2-3 FEET. WHEN THE STABLE WALL IS TAKEN DOWN THE RUBBLE AND BRICKS COULD FALL ON OUR FLOWER BED THEREBY SPOILING ALL OUR EFFORTS TO MAKE IT LOOK NICE. A RETAINING STRUCTURE/WALL WOULD BE NEEDED TO STOP THE SOIL FALLING INTO THE BUILDING SITE.

MR A HALIFAX.

[REDACTED]

Application Reference 06/17/0781/F

Attachments

ACK 22/12/17

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Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Andrew Bird

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Norfolk

Post Code NR31 6NU

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Email Address [REDACTED]

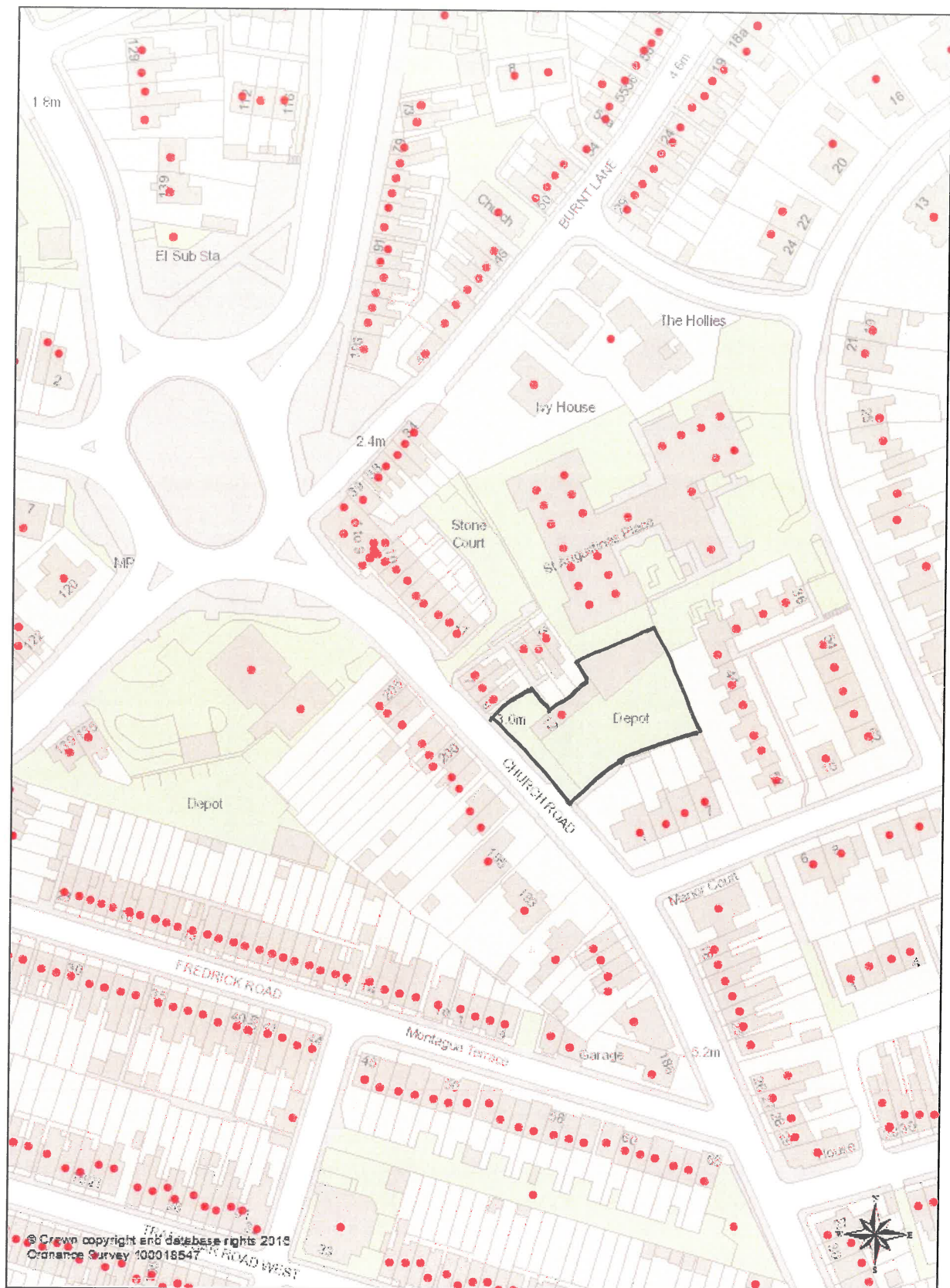
For or Against NOS Subject to Condition

Speak at Committee

I just wanted to state I live across the road and while i am happy the land is being re-developed as it looks rough, i want the parking arrangements to be firm, i.e. two spaces minimum per house and no three stories over looking my property. Church road is a very busy and the new entrance is on a bend are there any traffic calming measures proposed?

Date Entered 21-12-2017

Internet Reference OWPC1351



Great Yarmouth Borough Council

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

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