



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Development Control Committee

**Date:** Wednesday, 07 March 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 - 13**

To confirm the minutes of the meeting held on the 7 February 2018.

## **4 06/17/0771/O - YORK VILLA CLOSE, FILBY**

**14 - 48**

Construction of three, three bedroom detached houses.

## **5 06/17/0722/F - CLIFF HOTEL, GORLESTON**

**49 - 70**

2nd floor extension to front of hotel, comprising of 12 new rooms.

## **6 06/17/0777/F - WHITE GATES, FLEGGBURGH**

**71 - 89**

Sub division of site and erection of 2 dwellings.

## **7 06/17/0778/O - CORNER FARM, WEST ROAD, WEST CAISTER**

**90 - 104**

Demolition of existing agricultural building and construction of 1 new dwelling on footprint.

**8      PLANNING DECISIONS MADE BY THE PLANNING OFFICERS      105 -**  
**AND DEVELOPMENT CONTROL COMMITTEE BETWEEN 1-27      114**  
**FEBRUARY 2018**

Report attached.

**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, 07 February 2018 at 18:30

### PRESENT:

Councillor Williamson (in the Chair), Councillors Andrews, Annison, Cutting, Fairhead, Flaxman-Taylor, Hammond, Hanton, Lawn, Reynolds, Thirtle, Wainwright and Wright.

Mr A Nicholls (Head of Planning & Growth), Mr D Minns (Planning Manager), Mrs G Manthorpe (Senior Planning Officer), Ms C Whatling (Monitoring Officer), Mrs E Helsdon (Technical Officer) & Mrs C Webb (Senior Member Services Officer).

### **1 APOLOGIES FOR ABSENCE**

There were no apologies for absence given at the meeting.

### **2 DECLARATIONS OF INTEREST**

Councillors Fairhead & Wright declared a Personal Interest in Item 5.  
Councillor Thirtle declared a Personal interest in Items 6 & 7. Councillors Flaxman-Taylor & Hanton declared a Personal Interest in Item 9.

However, in accordance with the Council's Constitution, all Members were allowed to speak and vote on the matters.

### **3 MINUTES**

The minutes of the meeting held on 13 December 2017 were confirmed.

### **4 PLANNING APPLICATIONS**

#### **5 06/17/0247/F LAND AT REAR OF ST. MARY'S ROMAN CATHOLIC SCHOOL, EAST ANGLIAN WAY GORLESTON**

The Committee received and considered the comprehensive report from the Planning Manager.

The Senior Planning Officer reported that this application had been deferred at the September meeting of the DC Committee to enable a site visit to take place. During the site visit, and which was later confirmed by e-mail, the applicant requested that the application be deferred to enable other access options to be assessed and discussed with the Highway Authority. However, the Developer had now requested that the application be determined as per the submitted application, with access from East Anglian Way including the provision of a school drop off and pick up point.

The Senior Planning Officer reported that there had been 11 neighbour objections to the application prior to the site visit and a further 5 had subsequently been received (as detailed in paragraph 2.1 of the agenda). Comments from Strategic Planning had now been received indicating that the application site was an allocated site contained in the SHLAA 2014 document.

The Senior Planning Officer reported that, in this location, and given the proximity to existing public open space, that no public open space was being sought. However, as indicated on the submitted plans, open space was being offered by the applicant, but this could be provided as private open space with payment in lieu of provision at £480 per dwelling. If public open space was to be provided, then the Council would not take ownership or liability for it and a s106 agreement would secure the provision of a management company to manage the open space in perpetuity.

The Senior Planning Officer reported that the application was recommended for approval with requested conditions to ensure a satisfactory form of development.

Mr Gilder, applicant's agent, addressed the Committee and reiterated the salient points of the application. He reported that this application would address the parking/traffic issues arising from the nearby school for the local residents.

A Member asked whether the possibility of another access to the site across the Recreation Ground onto Church Lane had been explored any further by the Developer, as following the meeting last September he had received an e-mail on the matter indicating that this might be possible. Mr Gilder reported that at a subsequent meeting, the Council had expressed concerns regarding loss of public open space to this proposed access.

Mr Baker, objector, urged the Committee to refuse the application due to the unsafe access to East Anglian Way.

A Member reported that parking was an issue for residents who lived in close proximity to any school across the Borough and, in his opinion, this proposal would go along way to negating parking issues for local residents of East Anglian Way.

The Ward Councillors reported that they both still held grave reservations regarding the access to the site and were concerned for the welfare and safety of local school children.

A Member reported that he was astonished that the Council had refused to consider a possible access across the Recreation Ground on to Church Lane.

A Member reported that it would have been helpful to the Committee to have a Highways Agency Officer present at the meeting to respond to questions.

A Member proposed that the application be approved. This motion was seconded but was not carried at the vote.

Another Member proposed that the application be deferred to enable further investigation to take place in regard to an access to the site across the Recreation Ground onto Church Lane. This motion was seconded and a vote followed.

RESOLVED:-

That application 06/17/0247/F be deferred.

## **6      06/17/0387/F MANOR FARM FILBY**

The Committee received and considered the comprehensive report from the Planning Manager.

The Planning Manager reported that the application was for the demolition of a redundant cattle building which stood within agricultural land to the south of Filby Church and to replace it with 3 poultry sheds and a Manager's house with vehicular access from Church Lane. The Planning Manager reported that the new access road would run along existing field boundaries and would join Mautby Lane where there was existing field access.

The Planning Manager reported that Parish Council and thirty local residents had strongly objected to the application and a public meeting was called to discuss the application on 29 January 2018 with thirty eight members of the public in attendance. A site visit was subsequently arranged by the applicant and, if the Committee was minded to approve the application, those additional conditions agreed with local residents at the site visit to be attached to any approval.

The Planning Manager reported that each poultry shed would have 13 ventilation fans set into the roof which would help to mitigate possible noise/odour nuisance by ensuring an ambient temperature in the sheds at all times and could be operated independently of each other to reduce noise emanating from the site. There were two existing poultry farms in Filby which were closer to residential dwellings than the proposed site and Environmental Health had not received any noise or odour complaints from these sites.

The Planning Manager reported that following the submission of additional details the Lead Local Flood Authority had not responded at the time of committee, any permission will be subject to conditions requested.

The Planning Manager reported that the proximity of the proposed site to the Grade 11\*listed Church Building was a material planning consideration and the Committee must ensure that the development did not adversely affect the setting of the listed building. The Committee should have regard to Sections 16 & 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 which required the Council to have special regard to the desirability of features of special architectural or historic interest, preserving listed buildings and their settings in exercise of planning functions. The applicant had agreed to plant trees to screen the buildings from the west and south and raise an earth bund to the east and north. This will help to reduce the effect of the buildings on the landscape and the proposal was considered not to have any adverse on the setting or users of the church.

The Planning Manager reported that this application was recommended for approval but suggested that with such strong local feeling, that the Committee might wish to consider undertaking a site visit prior to determining the application.

Mr Wharton, applicant, reported the salient points of his application and that he accepted the additional conditions requested by the Parish Council. He asked that the Committee approve the application. which would bring much needed employment to the village and assist with the sustainability of the longstanding family farm

Mr Morris, objector, reported the objections of the villagers to the proposed application and requested that the Committee refuse the application on the grounds of visual impact, noise and smell concerns.

Mr Thompson, Chairman of Filby Parish Council, reported that he declared a

personal interest in this application as he owned two poultry sites in the village. However, he had been asked to address the meeting on behalf of local residents who requested that the application be refused as there were far more suitable sites available in the village for this type of development which were much further away from residential dwellings thus negating possible resulting noise/smell issues.

A Member reported that he had similar poultry sheds in his Ormesby ward and he had not received a single complaint regarding them in over 30 years.

Councillor Thirtle, Ward Councillor, vehemently reiterated the concerns of the Parish Council and local residents and requested that the Committee refuse the application.

A Member requested that the Committee be shown the proposed plans for the Manager's accommodation. The Planning Manager duly obliged.

RESOLVED:-

That application number 06/17/0387/F be approved, subject to the requirements of the Local Lead Flood Agency as the proposal complied with the aims of Policies CS6 and CS11 of the Great Yarmouth Local Plan:Core Strategy and Paragraph 28 of the National Planning Policy Framework. The additional conditions agreed by the applicant and the Parish Council at the site visit on 29 January 2018 to be attached to the grant of approval.

Approval should be subject to conditions requiring submission of a detailed landscaping scheme, drainage details including the proposed pond, security gates and lighting and agricultural occupancy of the manager's dwelling.

## **7      06/17/0625/F 2 CHAPEL COTTAGES, ROLLESBY ROAD, FLEGGBURGH**

The Committee received and considered the comprehensive report from the Planning Manager.

The Senior Planning Officer reported that the application was for a two storey extension to an existing residential dwelling which would provide for two additional bedrooms, one en-suite at first floor level and the plans had been amended to move a first floor window at the western elevation to the northern elevation to mitigate overlooking.

The Senior Planning Officer reported that during the application process it had been noted that the land in the applicants ownership had been incorrectly identified in the application. this has been amended with the correct boundary line as shown by Land Registry. The Committee is asked to note that land ownership is a civil and not a planning matter. The additional curtilage had been submitted to Highways who had objected to the application. Highways had reported that, in view of the LPA, the vehicular access had a lawful

permission and that this access could be used to serve number 2 Chapel Cottages without the need for further permissions. However, given that no vehicles currently access number 2 Chapel Cottages through the present access this would result in an intensification of use of a sub-standard access onto the highway. Therefore, Highways would leave this for Members to discuss and make a balanced view at Committee.

The Senior Planning Officer reported that five letters of objection and one letter of support had been received and were summarised in paragraph 2.2 of the agenda report. The Parish Council also objected to the application citing overcrowding, insufficient parking and turning and highways access to road, boundary issues and loss of privacy were also grave concerns.

The Senior Planning Officer reported that the application was recommended for approval with suitable conditions to provide an adequate form of development.

Mr Bullen, applicant's agent, reported that there was adequate parking and turning area provided within the application site and that the application would improve and be in-keeping with the street scene and respectfully requested that the Committee approve the application.

Mrs Watkins, objector, reported that the application would result in additional pressure in parking within the development which often resulted in resident's driveways being blocked. Concerns were also raised regarding the siting of bins on collection day which would reduce the width of the access road considerably, garden and curtilage issues.

Councillor Thirtle, Ward Councillor, reported that the proposal would result in over-development which was dangerous as it could set a precedence for the village and he urged Members to refuse the application.

A Member reported that he was unhappy with the response of the Highways Agency by passing the access issue to the Committee to decide.

**RESOLVED:-**

That application number 06/17/0625/F be approved with conditions requiring the development to be built in accordance with the approved plans. The Bathroom and en-suite windows at first floor level of the northern elevation were obscured glazed and the parking and turning areas were provided prior to occupation and retained thereafter for that use. In addition, it is recommended that any conditions requested by the Highways Authority are attached to any grant of permission and any such conditions that are assessed as required to provide an adequate form of development.

**8      06/17/0743/F HALL FARM HALL ROAD MAUTBY**

The Chairman reported that this item had been deferred.

RESOLVED:

That application 06/17/0743/F be deferred.

**9      06/17/0585/F 70 MARINE PARADE GORLESTON**

The Committee received and considered the comprehensive report from the Planning Manager.

The Senior Planning Officer reported that the proposed development was for the demolition of the existing house on the site built in the 1950's and the replacement with two new dwellings of modern design.

The Senior Planning Officer reported that 15 objections had been received from local residents regarding the original and amended plans citing over development, design, overlooking and the effect on the character of the area.

Members were asked to bear in mind Paragraph 60 of the NPPF and Policy HOU17 when determining the application.

The Senior Planning Officer reported that the application was recommended for approval, with required conditions.

Mr Bullen, applicant's agent, reported that salient areas of the application which would result in two homes fit for purpose for family requirements in the 21st century and asked Members to approve the application.

A Member asked if the applicant had considered building one large detached property which would be in keeping with the street scene.

Councillor Flaxman-Taylor reported that she supported local residents in their objections to the application as it would result in gross over-development of the site and have an adverse effect on the Marine Parade street scene and she urged the Committee to refuse the application.

A Member proposed approval of the application which was seconded but lost at the vote.

A Member proposed another motion that the application be refused as it was contrary to Policy HOU17 of the Great Yarmouth Boroughwide Local Plan which was subsequently seconded and put to the vote.

RESOLVED:

That application number 06/17/0585/F be refused as it was considered to be contrary to saved Policy HOU17 of the adopted Great Yarmouth Boroughwide Local Plan.

**10 06/17/0622/F LAND AT HEATH LIVERIES BROWSTON**

The Committee received and considered the comprehensive report from the Planning Manager.

The Planning Manager reported the proposal was for the construction of a curved dwelling with a green roof that would be partly sunken into the sloping paddock area to reduce its impact on the surroundings. The building would have rammed earth walls which would be constructed using the soil excavated from the site.

The Planning Manager reported that the application met the criteria of Paragraphs 55 and 63 of the National Policy Planning Framework, Policies CS9 & CS12 of the Great Yarmouth Local Plan Core Strategy and was recommended for approval with requested conditions.

Councillor Lawn, Ward Councillor, reported that he had not been approached by anyone in his ward regarding the application of which he was supportive.

Members were unanimous in their support of the application.

RESOLVED:

That application 06/17/0622/F be approved as the proposal complied with Paragraphs 55 & 63 of the NPPF and the aims of Policies CS9 and CS12 of the Great Yarmouth Local Plan:Core Strategy.

**11 PLANNING DECISIONS MADE BY THE PLANNING OFFICERS AND DEVELOPMENT CONTROL COMMITTEE BETWEEN 1-31 JANUARY 2018**

The Committee received and noted the planning decisions made by the Planning Officers & Committee between 1 - 31 January 2018.

**12 ANY OTHER BUSINESS**



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

### **13 EXCLUSION OF PUBLIC**

The meeting ended at: 21:05

**Reference:** 06/17/0771/O

**Parish:** Filby

**Officer:** Mr G Clarke

**Expiry Date:** 09-03-2018

**Applicant:** Mr J De Jean

**Proposal:** Construction of three, three bedroom detached houses

**Site:** Land adjoining 4 York Villa Close  
Filby

## REPORT

### 1 Background / History :-

- 1.1 York Villa Close is a private road off Thrigby Road that currently serves five detached dwellings, the existing development was first approved in 1993 with an outline application for four detached dwellings and garages (06/93/0866/O) with details being approved in 1996 (06/96/0194/D). At that time the Highway Authority only allowed four dwellings to be served by a private drive, in 1997 the number of houses off a private drive was amended to five and a subsequent application for another dwelling (now 4 York Villa Close) was allowed on appeal in 1999 (06/98/0648/F). The current Highway guidelines allow for up to eight dwellings to be served by a private drive.
- 1.2 The application that is now before the Committee is to extend the private drive across the frontage of no. 4 and construct three detached dwellings on land to the south of that property. The application has been submitted in outline form with access and layout to be considered at this stage leaving appearance, landscaping and scale to be considered at the detailed stage if the application is approved.
- 1.3 The site is currently open grass land with trees and hedging to the eastern and western boundaries, there are public footpaths to the east and south of the site but these are not affected by the proposed development. There is a Tree Preservation Order on some of the trees to the front of 4 York Villa Close (T21, T22 & T23) and a tree in the north east corner of the application site T30.
- 1.4 The current Village Development Limit for this part of Filby runs along the southern boundary of 4 York Villa Close so the site is outside but adjoining the development boundary.

## 2 Consultations :-

2.1 Highways - York Villa Close is a private (non-adopted) road which currently serves five properties. The proposed development proposes three additional properties which is still an acceptable number to be served from a private drive. My only slight reservation is the visibility at the access with Thrigby Road, which is reliant on visibility crossing third party land, however, given that it is also in the interests of the neighbouring plots to maintain visibility from their own access, I consider that there is a realistic expectation that visibility will not be restricted more than it is at present and certainly to the north the redevelopment of the pub included a condition which would protect the visibility from what is the critical direction.

Accordingly, in highway terms only I have no objection to the proposal but I would recommend the following condition be appended to any grant of permission your Authority is minded to make:

‘Prior to the commencement of the use hereby permitted the proposed on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.’

2.2 Parish Council – Objects to this proposal on the following grounds:

- Bearing in mind that a previous application to develop the site with 52 dwellings was rejected on highway grounds then because of the extra traffic likely to be generated by this proposal the extra slowing, stopping and turning movements here by this proposal on a busy class 3 road opposite to Filby Primary School and the Claypits car park which is used by the school would be detrimental to the safety and free flow of other road users, especially during term times.
- The five residents on York Villa Close have a Deed of Covenant regarding Rights of Way into the site which would be compromised and would act as breach of legal rights to the other 4 dwellings here.
- The proposal would involve the removal of some nearby mature trees which are protected by a Tree Preservation Order.
- The access point has sub-standard visibility on exiting the site which would result in detriment to other road users on Thrigby Road.
- The proposal for 3 extra dwellings here would not enhance the countryside character of Filby.
- The site of this proposal is outside the Village Development Area within this parish and as the parish of Filby has already, in the last 18 months accommodated more than the 5% Core Strategy Target allowed, then it is unacceptable to permit more residential development within this parish.

2.3 Trees Officer - The trees to the west of the proposed development are of low value, the trees to the east of the proposed development are of high value and longevity.

The protected trees within the grounds of 4 York Villa Close T21, T22, T23 and T30 must be protected through the development phase, with an Arboricultural assessment undertaken and NJUGS regs complied with.

As far as I can tell, there will be no trees directly affected by the development (no landscaping requirements) however access to the site will be close to the root plates of the above preserved trees which require protecting.

- 2.4 Public Rights of Way Officer – Base on the information currently available, this proposal would be unlikely to result in an objection on Public Rights of Way grounds as although Filby Footpath 2 is in the vicinity, it does not appear to be affected by the proposal.
- 2.5 Strategic Planning - The proposal seeks to erect three dwellings to the rear of an existing property. The site is located adjacent the saved Development Village Development Limit for the settlement of Filby.

Policy CS2 of the Core Strategy indicates that the settlement is identified as a Secondary Village in the settlement hierarchy with approximately 5% of new development in the Borough to take place in the Borough's Secondary and Tertiary Villages. Policy CS3 sets the Borough's housing provision for the plan period to at least 7,140 new homes, supporting those areas with the most capacity to accommodate new homes in accordance with policy CS2.

The broader context in which the application should be judged includes –

- its potential contribution to overall housing delivery set out in the Core Strategy and the Council's five housing land supply; and
- national planning policy 'to boost significantly the supply of housing; and
- Housing White Paper's (Feb 2017) central aim to increase the supply of housing.

Provided that a suitable access can be achieved the Strategic Planning team raises no objection to the proposal, but no doubt you may well have other site specific matters to weigh in reaching a decision.

- 2.6 Neighbours/local residents – 12 objections have been received, copies of which are attached (the letters from 1, 3 & 5 York Villa Close give the same reasons for objecting so have not been copied in their entirety). The main reasons for objection are that the proposal would be contrary to covenants in the deeds of the existing dwellings on York Villa Close, increased traffic, impact on residential amenity and outside the Village Development Limit.

### **3 Policy :-**

#### **3.1 POLICY CS2 – Achieving sustainable growth**

Growth within the borough must be delivered in a sustainable manner in accordance with Policy CS1 by balancing the delivery of new homes with new

jobs and service provision, creating resilient, self-contained communities and reducing the need to travel. To help achieve sustainable growth the Council will:

- 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.

### **3.2 Policy CS3 – Addressing the Borough's housing need**

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

- 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

### 3.3 Interim Housing Land Supply Policy

This policy only applies when the Council's Five Year Housing Land Supply utilises sites identified in the Strategic Housing Land Availability Assessment.

New housing development may be deemed acceptable outside, but adjacent to existing Urban Areas or Village Development Limits providing the following criteria, where relevant to the development, have been satisfactorily addressed:

- a) The scale of the development is appropriate to the size, character and role of the settlement as indicated in the settlement hierarchy and the level of housing proposed in any one settlement is generally in accordance with the level of housing proposed in emerging Policy CS2.
- b) The proposed mix of housing sizes, types and tenures reflect local housing requirements in accordance with the latest Strategic Housing Market Assessment, this may include self-build schemes and lower density housing.
- c) At least 10% or 20% affordable housing depending on the affordable housing sub-market area is proposed unless exceptional circumstances can be demonstrated i.e. the proposal would result in the significant regeneration of a brownfield site.
- d) The townscape and historic character of the area including designated heritage assets are conserved and enhanced. The final design should appropriately respond to and draw inspiration from distinctive local natural and built characteristics such as scale, form, massing and materials.
- e) The proposed density and layout is appropriate and reflects the character and appearance of the surrounding area. Where 'higher' densities are proposed these will only be permitted if potential impacts have been mitigated by a well thought-out design.
- f) A sequential approach has been taken to steer development to areas with the lowest probability of flooding, where this is not consistent with sustainability objectives (as set out in the Exception test) a Flood Risk Assessment should be provided incorporating appropriate mitigation measures, including emergency and evacuation plans.
- g) Measures have been taken to avoid reductions in water quality and ensure that adequate foul water capacity is available to serve the development.
- h) Measures have been taken to avoid or reduce adverse impacts on existing biodiversity and geodiversity assets. Where adverse impacts are unavoidable, suitable measures will be required to mitigate any adverse impacts. Where mitigation is not possible, the Council will require that full compensatory provision be made.



- i) The landscape character of the surrounding area is conserved and enhanced, especially where the proposed development is in close proximity to an important landscape area, such as the Broads or the Norfolk Coast Area of Outstanding Natural Beauty. It is advisable that schemes in close proximity to the Broads also seek pre-application design advice from the Broads Authority.
- j) The proposed development creates a safe and accessible environment that offers convenient access to key facilities and public transport.
- k) The strategic and local road network can accommodate the proposed development without obstructing existing pedestrian and vehicular movements or negatively impacting upon public safety.
- l) The development, having regard to other committed developments, would not be constrained by the need for significant off-site infrastructure which is not planned or funded.
- m) The proposed development fulfils the day-to-day needs of residents and visitors including the provision of suitable private and communal open space, provision of sufficient car parking, planning for cycle storage and ensuring appropriate waste and recycling facilities are provided.
- n) The proposal is demonstrated to be deliverable and viable, having regard to necessary contributions towards infrastructure, service provision and affordable housing, and the intention to develop is demonstrated by the applicant. To maximise housing delivery the Council will seek to ensure that the development commences within 2 years of planning permission being granted.

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

- 4.1 The proposal is an outline planning application for the erection of three detached houses, as an outline application the only matters that are to be considered at this stage are the access and layout of the development. The submitted drawing shows an extension of the existing private drive across the frontage of 4 York Villa Close (which belongs to the applicant) the drive would then run along the western boundary of the site with a turning area at the southern end. The houses will have parking and turning areas at the front with gardens at the rear. The proposed houses are to the south of the applicant's house in an area where there is a tree belt along the rear boundaries of the dwellings on Thrigby Road to the east. The location of the houses and the screening along the boundary will prevent any overlooking or loss of privacy to the occupiers of nearby dwellings.
- 4.2 There are some trees that are protected by a Tree Preservation Order in the front garden of no. 4 to the north of the existing drive, the extension to form the new access will be off the existing drive and will not result in the loss of any trees. The Trees Officer has visited the site and he has said that the proposal



will not directly affect the trees but measures should be put in place to protect them during the construction phase.

- 4.3 The site is outside the Village Development Limit but directly adjoins it along the northern boundary, the Interim Housing Land Supply Policy (IHLSP) gives guidance on the development of such sites until the emerging Development Policies and Site Allocations Local Plan Documents are adopted and where the Borough Council cannot demonstrate a five year housing supply. As of April 1<sup>st</sup> 2017 the Borough has a 4.13 year supply of housing land and as such is a significant material consideration in the determination of this application. 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.
- 4.4 Policy CS2 of the Core Strategy states that approximately 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy such as Filby. The Parish Council and some of the local residents' objections refer to the number of dwellings that have already been built in Filby and that the 5% figure has been exceeded. The Policy states approximately 5% and does not automatically mean that all housing developments will be refused once this figure has been reached, each application still has to be judged on its merits and considered against the relevant policies. In this case the scale of the development is similar to the surrounding area and it will only be visible from the public footpaths to the south and east so it will not have an adverse effect on the character of the area.
- 4.5 The Highways Officer has considered the application and although he has a slight reservation about visibility at the access he has no objection to the proposal with regard to additional traffic movements or possible highway danger. He has also confirmed that he has no objection to eight dwellings being served by the private drive.
- 4.6 The Planning Statement submitted with the application states that the dwellings will be for the applicant and his son and daughter, this may or may not be the case but the application has to be considered on its merits as to whether the site is suitable for three houses irrespective of who the future occupiers may be.
- 4.7 The main objections from the occupiers of three of the four other houses on York Villa Close are loss of amenity from an increase in vehicular movements and possible breach of covenants regarding the use of the private access. There will be an increase in traffic from three extra houses but the road will still remain a private cul-de-sac and will only be used by the occupants of the dwellings, service vehicles and visitors so is unlikely to cause additional traffic movements that would lead to a significant disturbance to the occupiers of the existing dwellings. If there is a breach of a covenant this is a legal matter

between the existing residents and the applicant and is not a reason to refuse the planning application.

- 4.8 A letter from a solicitor representing the occupiers of 3 York Villa Close has been submitted which states that the right of way cannot be extended to serve adjoining land and that York Villa Close cannot be used as the access for the development. The agent for the application has sent an email to say that the covenants do not restrict more houses being accessed from the private road so there is a legal dispute regarding the access but this is not a planning matter and will need to be resolved between the parties concerned. If planning permission is granted it is possible that the residents of York Villa Close could prevent the development from taking place if they can prove that there is a legal reason to do so.
- 4.9 The application site is located close to the main village amenities and will not cause significant harm to the form and character of the village, the dwellings will not cause any overlooking or loss of light to existing dwellings. The increase in vehicular movements will have some effect on the occupiers of the existing dwellings on York Villa Close but it is not considered that this by itself is sufficient reason to justify refusal of the application and the recommendation is to approve.

## **5 RECOMMENDATION :-**

Approve, the proposal complies with Policies CS2 and CS3 of the Great Yarmouth Local Plan: Core Strategy and the Interim Housing Land Supply Policy.

00/11/2018

# BARKER GOTELEE

• SOLICITORS •

41 Barrack Square | Martlesham Heath | Ipswich | IP5 3RF  
Tel: 01473 611211 | Fax: 01473 610560 | Email: bg@barkergotelee.co.uk | www.barkergotelee.co.uk

Mr J C Dejean  
4 York Villa Close  
Thrigby Road  
Filby  
GREAT YARMOUTH  
Norfolk  
NR29 3JN

OUR REF : LSC/JAN/0085714-003/LMS  
YOUR REF :  
DATE : 20 February 2018

Dear Sir

## Right of Way over York Villa Close

We act on behalf of Mr & Mrs Howard, the owners of 3 York Villa Close.

We understand you are aware of their concerns regarding the proposed development of three further dwellings on land adjoining your property.

We have reviewed the title to your property and understand that York Villa Close is not adopted by the Local Authority.

The right of way required over this private access way for the benefit of your property at No.4 York Villa Close stems from rights granted when the properties at York Villa Close were sold off by the original developer, Havant Homes Limited.

The rights of way that were granted at that time only extend to benefit the existing properties at 1 to 5 York Villa Close. As such, the right of way to your existing property cannot be extended so as to serve adjoining land, including the land on which you are proposing to build the three dwellings.

We would recommend you seek urgent legal advice to confirm the position because in the absence of a new legal right of way over York Villa Close being granted for the benefit of your proposed development, then York Villa Close cannot lawfully be used as the access to the new development.

Please also note that this correspondence will need to be disclosed on any future disposition of that land.

Yours faithfully

*BA.*

**Barker Gotelee**

Email: [luke.cain@barkergotelee.co.uk](mailto:luke.cain@barkergotelee.co.uk)  
Direct Dial: 01473 350551

**From:** Ross Jones <ross.jones@jgasurveyors.com>  
**Sent:** 14 February 2018 08:55  
**To:** Graham A. Clarke  
**Cc:** clayton dejean  
**Subject:** RE: Erection of 3 houses at land adjoining 4 York Villa Close, Filby

Dear Mr Clarke,

Thank you for your email, the content of which is noted.

Given that the application requires deciding by the Development Control Committee with their next meeting date being in March, we agree to extend the time limit for the decision until 9 March.

In regard to your query concerning the separate matter of alleged restrictions in connection with the private access road, we investigated this issue last week. The findings of our investigation are detailed below:

*Thank you for forwarding the Title Register and Transfer document dated 23.03.2001 containing the covenants mentioned in some of the objections to the application.*

*The objection submitted by Mr & Mrs Williams who live at 5 York Villa Close, for example, references the Transfer and covenants therein on page 2 under the heading 'Serious breach of binding deed of covenant that forms part of the title absolute in respect of the shared private access and driveway in York Villa Close'. They specifically mention clauses 3 (nuisance) and 4 (obstructions) included in the fourth schedule.*

*We would comments as follows:*

- 1. These are not restrictive covenants. They are general covenants regarding nuisance and obstructions.*
- 2. These general covenants do not restrict anymore houses being accessible from the private road. Note: planning policy which is a separate matter, did historically restrict the number of houses accessible from a private road to 5, but this has subsequently been increased to 8. This issue was raised by Mrs Howard at 3 York Villa Close but her comments are no longer applicable.*
- 3. There is likely to be a degree of nuisance during the building works but this nuisance is applicable to building work taking place anywhere and will be relatively short term.*
- 4. The capability of the existing underground drains would be reviewed prior to connecting additional drains to the existing. This is a level of detail to be addressed in due course, if permission is granted.*
- 5. Nothing needs to block the access road i.e. by parking cars along it or placing skips/materials on it, as plenty of space is available on your land.*

*Accordingly, in our opinion the comments made are unfounded and should not have a material effect on the determination of the application by the Planning Authority.*

*In addition, in the event that the transfer did include restrictive covenants (but I iterate that it doesn't) issues of planning and issues of restrictive covenants are separate matters and are dealt with in completely different ways.*

*Planning permission for all or any of the things restrictive covenants can prevent can be applied for, and the existence of the covenants will form no part in the planning decision.*

*I trust these comments appease your concerns regarding access and the alleged restrictions contained in the Transfer document.*

Kind regards,  
Ross

**Ross Jones BSc (Hons), MRICS, C.Build E, MCABE, MFPWS**  
**Director**

Ack 31/1/18

S

Application Reference 06/17/0771/O

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Ms E J Howard

Address 3 York Villa Close, Filby

Post Code NR29 3JN

Telephone

Email Address alajomail-protect@yahoo.co.uk

For or Against OBJ Object

Speak at Committee

The existing shared private driveway to York Villa Close is restricted to five properties. This was decided under previous planning law and guidance. This should not be changed retrospectively by 'revised restrictions' for new developments - resulting in 'back land development' outside of the village development limit. Highway and pedestrian safety would most definitely be jeopardised. It is a restricted view access especially at busy school times when vehicles park on the road and is immediately opposite a busy car park entrance. Noise and disturbance would increase considerably with additional residential, visitor and service vehicles.

Date Entered 30-01-2018

Internet Reference OWPC1430



Ack 18/1/18

S

1 YORK VILLA CLOSE  
FILBY  
GT YARMOUTH NORFOLK  
NR29 3JN

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

16<sup>th</sup> January 2018

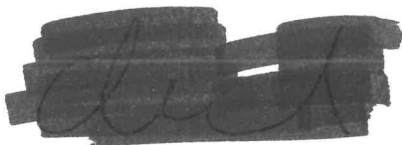
Dear Sir

**COMMENTS RE: PLANNING APPLICATION - 06/17/0771/O – 4 York Villa Close**

We refer to the above application and to your letter dated 20 December (received on Saturday 23 December 2017 after the GYBC office closure until Tuesday 2 January 2018).

Please find our objections and comments attached herewith. We must draw your particular attention to the serious breach of a legally binding Deed of Covenant that forms part of Title Absolute in respect of the shared Private Access and shared Private Driveway detailed in the first section of our objections and comments

Yours faithfully



Graham J. Edwards



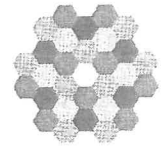
Ann C. Edwards

Enc

Great Yarmouth  
Borough Council

**16 JAN 2018**

Planning  
Department



## Official copy of register of title

Title number NK231910

Edition date 07.01.2010

- This official copy shows the entries on the register of title on 10 JAN 2018 at 14:13:34.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 10 Jan 2018.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Kingston Upon Hull Office.

### A: Property Register

This register describes the land and estate comprised in the title.

NORFOLK : GREAT YARMOUTH

- 1 (05.01.1994) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 1 York Villa Close, Filby.
- 2 (12.05.1999) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 29 March 1999 referred to in the Charges Register.
- 3 (12.05.1999) The Transfer dated 29 March 1999 referred to in the Charges Register contains a provision as to boundary structures.

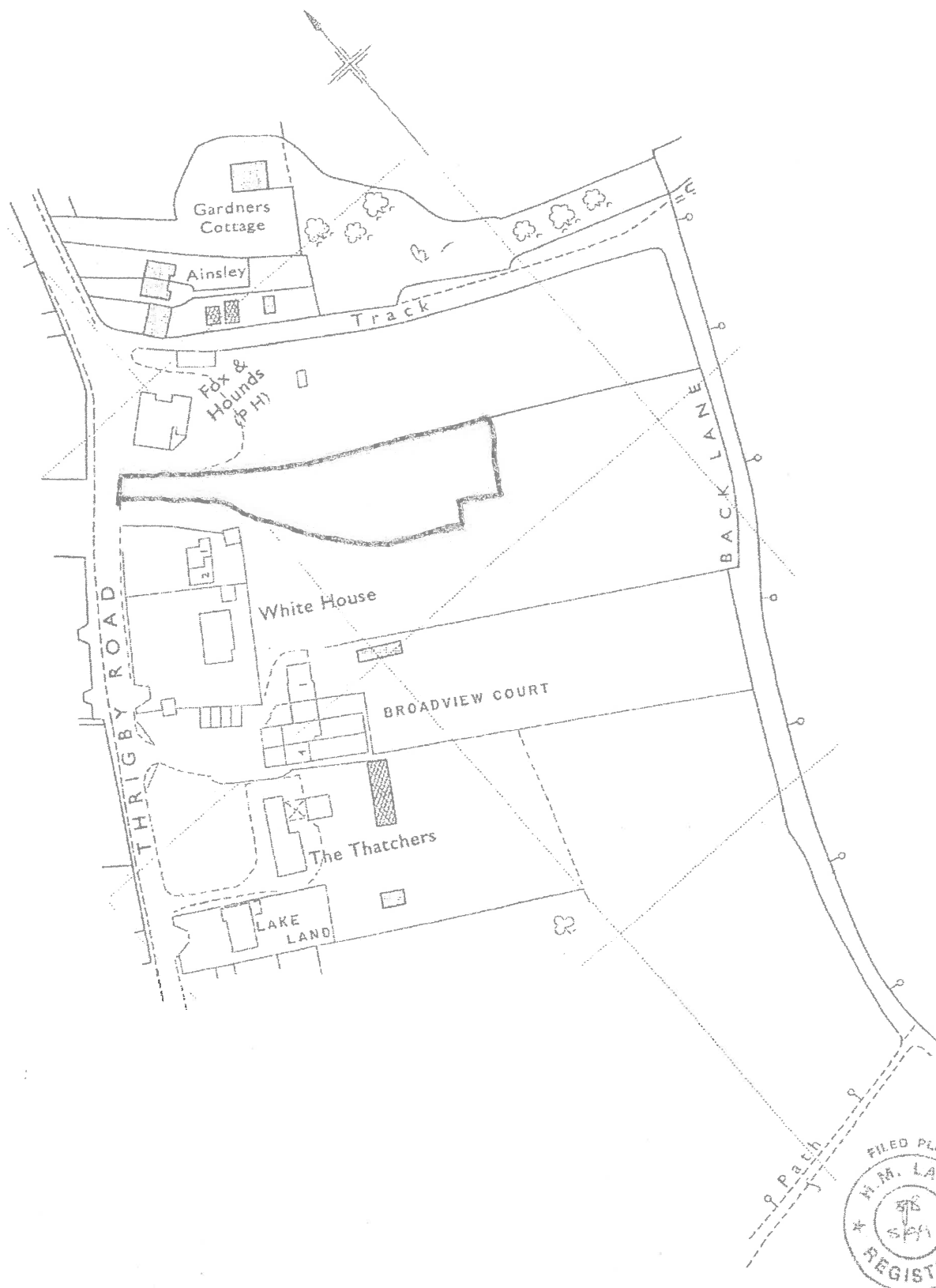
### B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

#### Title absolute

- 1 (18.08.2004) PROPRIETOR: GRAHAM JOHN EDWARDS and ANN CELIA EDWARDS of 1 York Villa Close, Filby, Great Yarmouth, Norfolk NR29 3JN.
- 2 (12.05.1999) RESTRICTION:-Except under an order of the Registrar no transfer by the proprietor of the land is to be registered unless a certificate is furnished by the solicitor for the transferee that the transferee has entered into the covenant referred to in paragraph 8 of the Fourth Schedule to the Transfer dated 29 March 1999 referred to in the Charges Register.
- 3 (18.08.2004) The price stated to have been paid on 7 November 2003 was £350,000.
- 4 (18.08.2004) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

H.M. LAND REGISTRY		TITLE NUMBER	
		NK23 19 10	
ORDNANCE SURVEY PLAN REFERENCE	TG 4613	SECTION B	Scale 1/1250 Enlarged from 1/2500
COUNTY NORFOLK	DISTRICT GREAT YARMOUTH		© Crown copyright 1983





ACK 18/1/18

S

3 YORK VILLA CLOSE  
FILBY  
GT YARMOUTH NORFOLK  
NR29 3JN

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

16<sup>th</sup> January 2018

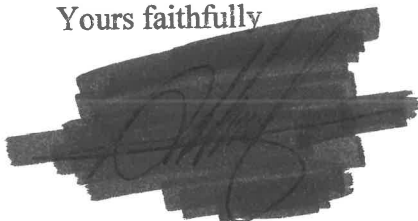
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Yours faithfully



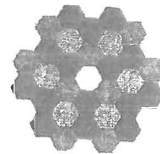
Alan L Howard

Enc

Great Yarmouth  
Borough Council

**16 JAN 2018**

Planning  
Department



Official copy  
of register of  
title

Title number NK282176

Edition date 31.01.2013

- This official copy shows the entries in the register of title on 1 February 2013 at 09:45:00.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 1 February 2013.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website [www.landregistry.gov.uk](http://www.landregistry.gov.uk) or Land Registry Public Guide 1 - A guide to the information we keep and how you can obtain it.
- This title is dealt with by Land Registry Kingston upon Hull Office.

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This register describes the land and estate comprised in the title.

NORFOLK : GREAT YARMOUTH

- 1 (05.01.1994) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 3 York Villa Close, Filby (NR29 3JN).
- 2 (18.05.1999) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 26 April 1999 referred to in the Charges Register.
- 3 (18.05.1999) The Transfer dated 26 April 1999 referred to in the Charges Register contains a provision as to boundary structures.

## B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (07.09.2012) PROPRIETOR: ALAN LESLIE HOWARD and MOLLIE REBECCA LOIS HOWARD of 3 York Villa Close, Filby, Great Yarmouth, Norfolk NR29 3JN.
- 2 (18.05.1999) RESTRICTION:-Except under an order of the Registrar no transfer by the proprietor of the land is to be registered unless a certificate is furnished by the solicitor for the transferee that the transferee has entered into the covenant referred to in paragraph 9 of the Fourth Schedule to the Transfer dated 26 April 1999 referred to in the Charges Register.

## B: Proprietorship register continued

- 3 (07.09.2012) The price stated to have been paid on 29 August 2012 was £490,000.
- 4 (07.09.2012) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.
- 5 (31.01.2013) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

## C: Charges register

This register contains any charges and other matters that affect the land.

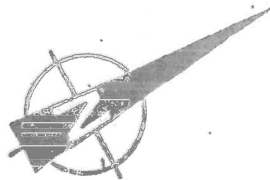
- 1 (01.05.1997) An Agreement with Eastern Group Plc dated 22 April 1997, under the hand of R.A. Bobbin, on behalf of Havant Homes Limited, relates to an authorisation to lay underground electric cables and of indemnity in respect thereof.

*NOTE: Copy filed under NK153300.*

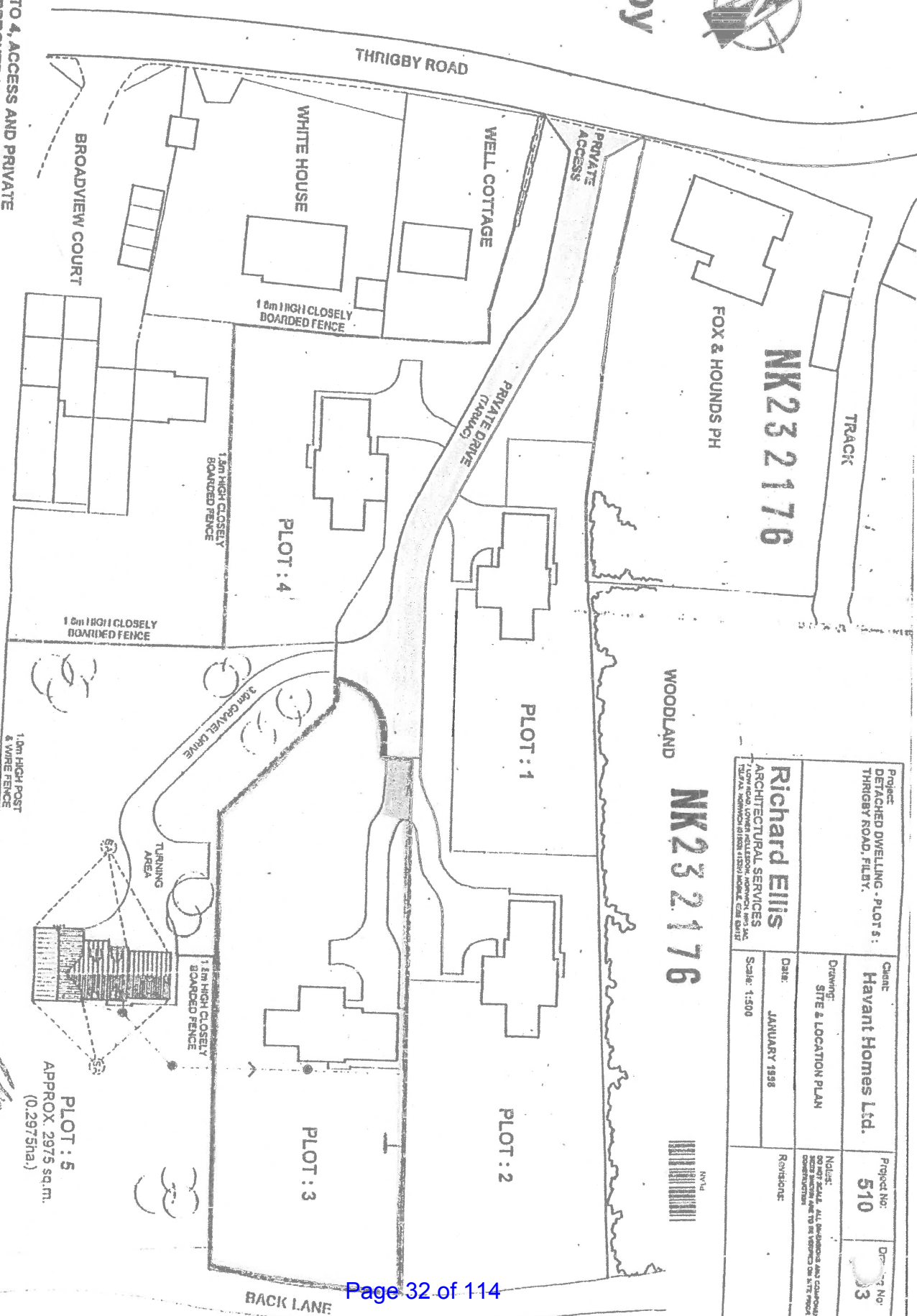
- 2 (18.05.1999) A Transfer of the land in this title dated 26 April 1999 made between (1) Havant Homes Limited and (2) Graham David George and Deborah Susan George contains restrictive covenants.

*NOTE: Original filed.*

End of register



Filby



NK232176

WOODLAND  
NK232176

Project: DETACHED DWELLING - PLOTS 1: THRIGBY ROAD, FILBY.		Client: <b>Havant Homes Ltd.</b>	Project No.: <b>510</b>	Drawing No.: <b>3</b>
Drawing: SITE & LOCATION PLAN		Date: <b>JANUARY 1998</b>	Notes: DO NOT SCALE. ALL DIMENSIONS AND COORDINATES SHOWN ON THIS DRAWING ARE TO BE USED TO CONSTRUCT THE DEVELOPMENT.	
Richard Ellis ARCHITECTURAL SERVICES 1, LEWIS ROAD, LOWER WILLESDON, NORWICH, NR6 5AG TEL: 01603 418000 FAX: 01603 418012		Scale: 1:500	Revisions:	



NK14

\* PLOTS 1 TO 4, ACCESS AND PRIVATE  
DRIVE APPROVED UNDER GREAT  
YARMOUTH BOROUGH COUNCIL  
PLANNING REF: 06/96/0194/D - 3 JUN 1996.

SITE & LOCATION PLAN 1:500

PLOT 5  
APPROX. 2975 sq.m.  
(0.2975ha.)

Ack 18/1/18

S

5 YORK VILLA CLOSE  
FILBY  
GT YARMOUTH NORFOLK  
NR29 3JN

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

16<sup>th</sup> January 2018

Dear Sir

**COMMENTS RE: PLANNING APPLICATION - 06/17/0771/O -- 4 York Villa Close**

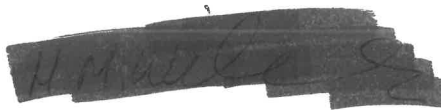
We refer to the above application and to your letter dated 20 December (received on Saturday 23 December 2017 after the GYBC office closure until Tuesday 2 January 2018).

Please find our objections and comments attached herewith. We must draw your particular attention to the serious breach of a legally binding Deed of Covenant that forms part of Title Absolute in respect of the shared Private Access and shared Private Driveway detailed in the first section of our objections and comments

Yours faithfully

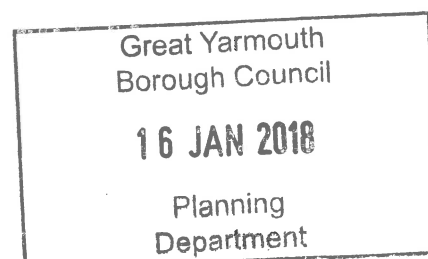


Graham F. Williams



Hazel M. Williams

Enc





**SERIOUS BREACH OF LEGALLY BINDING DEED OF COVENANT THAT FORMS PART OF TITLE  
ABSOLUTE IN RESPECT OF THE SHARED PRIVATE ACCESS AND DRIVEWAY IN YORK VILLA CLOSE**

The York Villa Close access road serves five properties and has a shared private access and shared private driveway – legally binding rights exist purely for the five properties in situ and the use, maintenance and repair provision over that private driveway is by virtue of a legally binding right jointly shared by the five properties.

The restrictive covenants detailed in the Deed of Covenant on the properties in the development are clearly stated in The Fourth Schedule:

Section Three - “Not to do or permit or suffer to be done upon the Premises or any part thereof any act or thing which shall be or grow to be or cause a nuisance damage annoyance or disturbance to the owners or occupiers of any adjoining property.....nor to do anything to overload the services on the Estate”.

Section Four – “Not to park any vehicles or place any object on any part of the Private Driveway so as to obstruct the access to other parts of the Estate.....”.

It is clear in the proposed site preparation that a significant volume of heavy plant and vehicles will be involved. In addition during the construction phase there will also be a significant volume of heavy delivery vehicles and light vehicles providing building materials and labour. This clearly constitutes considerable nuisance, damage, annoyance and disturbance to the owners or occupiers of any adjoining property and is a very serious breach of the covenant which is totally unacceptable and there is no legal right for the Applicant to be able to do this.

Also, we anticipate the applicant will seek to connect to existing underground services beneath the private roadway. The use of this private roadway, which is the only means of access, will result in severe hindrance, obstruction and road surface damage by vehicles engaged throughout the construction process which again clearly breaches the covenants and there is no legal right for the Applicant to be able to do this.

**LOSS OF AMENITY**

The application is very misleading and inaccurate to state that “there will be no adverse impact on the amenities that the occupiers of nearby dwellings could reasonable expect to enjoy” (Section 5 – Conclusion Para 4). The number of household vehicles using the small private road will increase from 10-16, a considerable increase of 60%. In addition there will be a similar increase in visitor traffic, utility and delivery vehicles as well as pedestrians (with no footpaths).

This represents a considerable increase in traffic, traffic noise/disturbance and also a greatly increased risk of an accident at the York Villa Close/Thrigby Road access junction – especially during the very busy periods of drop off and pick-up at Filby village school.

As a private and exclusive development of five similarly sized detached houses, without question, there would be a significant adverse impact on the amenity that the current occupants of York Villa Close enjoy (and originally bought into).

### VILLAGE DEVELOPMENT LIMIT

The proposed site is clearly outside of the current village development limits and in view of the considerable easing of this restriction that would be required to accommodate this proposal it is important that both the future integrity of the site and the complete honesty of the application be achieved.

Therefore a Section 106 Agreement should be put in place, effective for an appropriate period of (say) 15-20 years and thus restrict the occupancy of the properties to the applicant, his son and his daughter as called for in the application.

Such an agreement would reasonably prevent the application being submitted on one basis and then after approval changing the three houses to open market properties.

### LACK OF CLARITY IN THE APPLICATION

There appears to be an element of duplicity in the application:

- Section 3, page 3-3, paragraph 1 states:

*"whilst also increasing the opportunity by different groups (ie a younger generation) within the community".*

- Section 3, page 3-1 paragraph 2 states:

*"The applicant wishes to seek a planning permission for 3 no. houses for himself and his son and daughter".*

- Section 3, page 3-1, paragraph 3 states:

*"hopefully enabling the applicant's son and daughter to move back to the village".*

This is a clear attempt to mislead and/or even to deceive both the planners and existing residents as to the true nature of the application and puts in question its integrity and true purpose. This is a most unsatisfactory situation for all concerned parties.

The applicant has not lived on a full time basis at the property for some years and is more often than not away for long periods of time either working abroad or at his other home(s). The property has also been rented out for a period and remains unoccupied most of the time. There has been no evidence of 'family members' living there.

We are obviously not aware of any family dependency issues and the suggestion of a plot for his son and daughter to reside in is disingenuous and irrelevant.

### **LOCAL AFFORDABLE MARKET HOUSING**

This statement is very misleading:

- Section 3, page 3-1, paragraph 2 states there is :

*"a lack of market housing affordable to them".*

In fact there are currently in excess of 130 market properties available within a three mile radius of Filby within a £100k to £300k price range.

### **TREE PRESERVATION ORDERS (TPOs)**

Section 1, page 1-1, paragraph 3 it states correctly 'there are no known TPOs on the site'. However, it is important to note that there are three trees in the existing front garden of No. 4 York Villa Close with TPOs – see TPO No.4/1995):

T21	=	Oak Tree
T22	=	Silver Birch Tree
T23	=	Oak Tree

It is essential that any new roadway through the existing plot of No. 4 is outside of the Root Protection Zone of the said trees, particularly for T21 and T22. It is important to ensure that the Root Protection Zone is not compromised by the new tarmac drive thus enabling the three trees to retain their current level of protection and their future is not jeopardised.

### **MAINTENANCE COSTS**

The Application states "the existing maintenance contributions of the upkeep of the shared part of the existing road will be reassessed accordingly".

This is both presumptuous and offensive as this is a very complex issue and can only be resolved to the satisfaction of all parties of the other four properties in York Villa Close. Of particular concern would be the effect of any changes to the current Deeds/Covenants affecting the future sale/transfer of any of the existing properties. There must be a unanimous formal and legally binding agreement to avoid any future complications that might jeopardise a future sale/transfer.

Any and all costs for all parties would have to be met by the Applicant.



4. The right to use and enjoy any adjoining or adjacent land without restriction arising from the interference with light or air to the Premises

#### **THE FOURTH SCHEDULE**

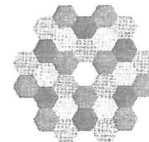
1. **USE** No building shall be used other than as a private dwellinghouse and usual ancillary purposes without the written consent of the Transferor

2. **OUTBUILDINGS** No hut shed caravan or similar erection or building (whether temporary or permanent) shall be placed or allowed to remain on any part of the Premises within 5 years from the date hereof

3. **NUISANCES** Not to do or permit or suffer to be done upon the Premises or any part thereof any act or thing which shall or may be or grow to be or cause a nuisance damage annoyance or disturbance to the Transferor or the owners or occupiers of any adjoining or neighbouring property and in particular not to release any deleterious matters into the drains nor to do anything to increase the fire risk in excess of that for properties of this nature nor to do anything to overload the services on the Transferor's Estate

4. **OBSTRUCTIONS** Not to park any vehicles or place any object on any part of the land tinted yellow and the Private Driveway so as to obstruct the access to other parts of the Transferor's Estate with or without vehicles by the Transferor the owner and occupiers of other parts of the Transferor's Estate and all persons properly authorised by any of them

5. **PLANTING** To permit the Transferor to plant any tree or shrub on the Premises as may be required by the Local Authority in accordance with the Conditions in the Planning Consent and thereafter the Transferee will at all times care for such tree or shrub and replace any tree or shrub which may die within a period of five years from the planting thereof



# Official copy of register of title

Title number NK253740

Edition date 23.05.2012

- This official copy shows the entries on the register of title on 10 JAN 2018 at 14:15:44.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 10 Jan 2018.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Kingston Upon Hull Office.

## A: Property Register

This register describes the land and estate comprised in the title.

NORFOLK : GREAT YARMOUTH

- 1 (05.01.1994) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 5 York Villa Close, Thrigby Road, Filby, Great Yarmouth (NR29 3JN).
- 2 (18.09.2000) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 31 August 2000 referred to in the Charges Register.
- 3 (18.09.2000) The Transfer dated 31 August 2000 referred to in the Charges Register contains a provision as to boundary structures.

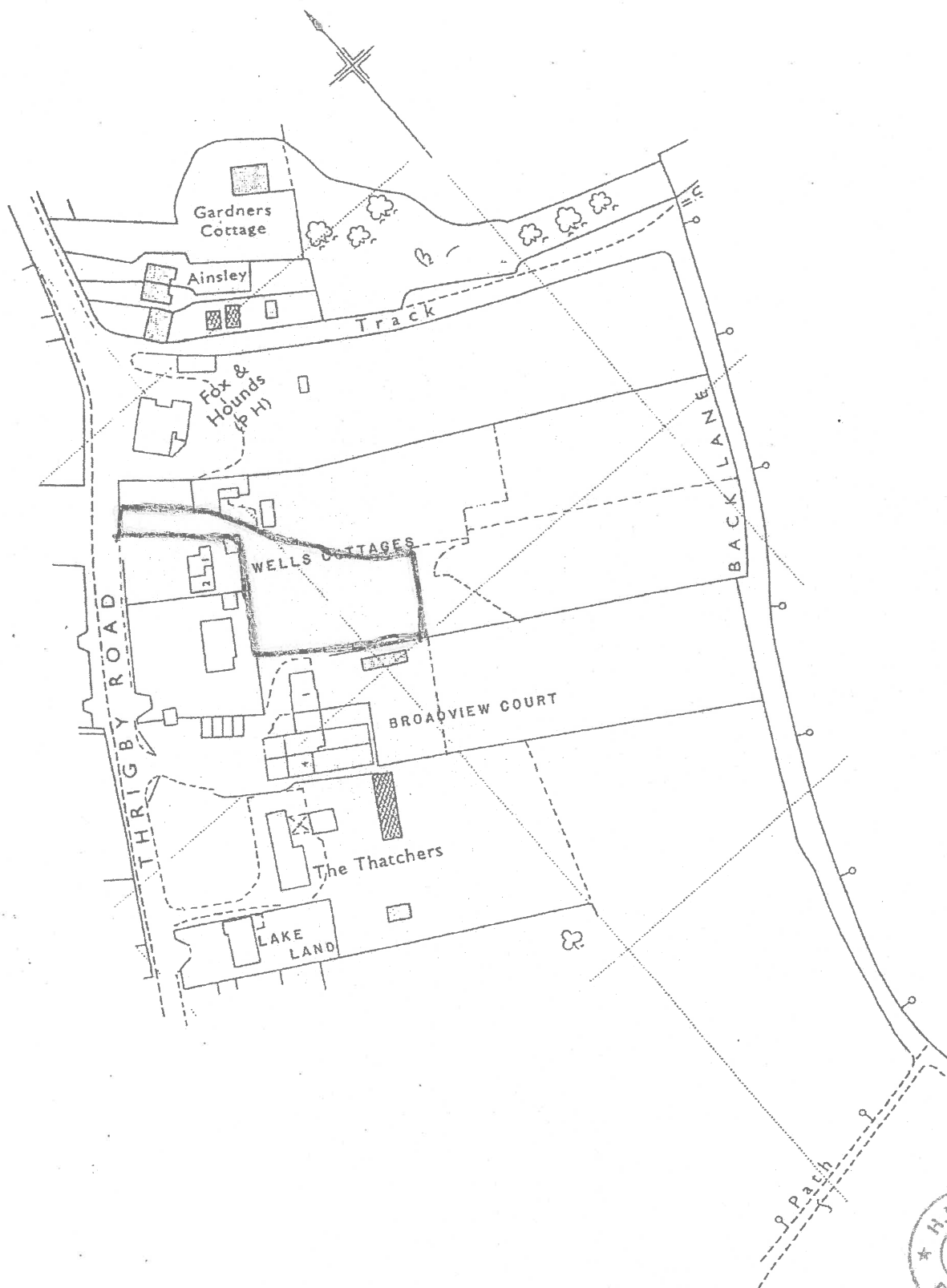
## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (23.05.2012) PROPRIETOR: GRAHAM FARRAR WILLIAMS and HAZEL MABEL WILLIAMS of 5 York Villa Close, Thrigby Road, Filby, Great Yarmouth, Norfolk NR29 3JN.
- 2 (23.05.2012) The price stated to have been paid on 17 May 2012 was £385,000.
- 3 (23.05.2012) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.
- 4 (23.05.2012) RESTRICTION: No disposition of the registered estate (other than a charge) by the proprietor of the registered estate or by the proprietor of any registered charge is to be registered without a certificate signed by a conveyancer that the provisions of clause 8 of the third schedule to the transfer dated 31 August 2000 and made between (1) Havant Homes Limited and (2) C P A and P R Bean have been complied with.

H.M. LAND REGISTRY		TITLE NUMBER	
		NK 253740	
ORDNANCE SURVEY PLAN REFERENCE	TG 4613	SECTION B	Scale 1/1250 Enlarged from 1/2500
COUNTY NORFOLK	DISTRICT GREAT YARMOUTH		© Crown copyright 1983



Application Reference 06/17/0771/O

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Miss A Eaton

Address Wells Cottage and Holly Cottage

Thrigby Road

Filby

Post Code NR29 3HJ

Telephone

Email Address

For or Against OBJ Object

Speak at Committee

I believe the applicant in the first instance should withdraw their planning request, as York Villa Close has restrictive covenants on the properties that need to be initially discussed with the other property owners. I could reiterate other objections, but at present conclude there is a fundamental legal issue requiring attention prior to any requests for planning permission.

Date Entered 21-01-2018

Internet Reference OWPC1419



**From:** Lois [REDACTED]  
**Sent:** 17 January 2018 15:05  
**To:** plan  
**Subject:** OBJECTION - re Planning Application 06/17/0771/O - FAO Dean Minns, Group Manager (Planning)  
**Attachments:** 4YVC Application Comments.docx

I agree with and endorse all comments as attached herewith and hereby lodge my "**OBJECTION**" to the above planning application. Please consider the attached comments "together with" my comments below.

In particular, it is my belief that the applicant is not in a position to proceed with this application owing to the joint access, ownership and maintenance agreements of the shared private access and the shared private driveway between the five property householders. Another important issue would obviously be the serious breach of the legally binding Deed of Covenant and this will remain the case until unanimous agreements to any changes are in place. I disagree as to how any planning decision can consider this to be irrelevant.

Obviously, if the applicant chooses to opt for a separate access to the proposed site and subsequent connection to services utilising the adjoining field under his ownership, then that is a different matter entirely. However, such an application would still necessitate change of use from agricultural land and break the village development limit. In connection with this I strongly "**OBJECT**" to the misleading statement in the application about the proposed plot being on agricultural land which was 'historically difficult' to farm/cultivate. During my six years of residency in York Villa Close the proposed development plot has been maintained on a routine basis by a local farmer and the adjoining field, which runs along the village allotments and community orchard, has been cropped and harvested every year.

I have strong "**OBJECTION**" to the significant increase of traffic and dangers especially at the entrance on to Thrigby Road opposite a car park (used mostly by the school and parents) on to an already busy minor road (with no NCC Highways winter weather gritting schedule and is predominantly without footpaths). The view is very restrictive when exiting especially at school drop-off/collection times and has become more hazardous since the redevelopment of the Fox & Hounds Public House with cars parked on a front drive immediately to the right of the exit. Any increase in traffic would further jeopardise safety of motorists, pedestrians and school children.

I also understand that the area and its existing access has been the subject of previous planning applications which were "refused" and that this new application would be "Back Land Development". It was eventually 'approved' with a restriction of just five houses with a shared private access and shared private roadway under planning law and advice. I understand that a fairly recent Planning Guidance revision/relaxation of numbers of properties on a private shared drive maximises development to eight but **OBJECT** to this being applied retrospectively and with the existing restrictions and hazards of the shared private access on to the main road.

It has been heard that a wildlife refuge might be considered in the grounds of one or more of the plots and this would be "**OBJECTIONABLE**" on the basis of noise, disturbance, smell and possible damage to surrounding residences.

I am not surprised by the phraseology of the application as it sings to the tune of planners and is well-versed by agents and advisers. I might add that having a view that this development was in the pipeline I set up my own "fake general enquiry" with a Council Building Control Officer last year. Not surprisingly, I was given similar advice with regard to keeping any "new" property for direct family members. So, does the fact that "the developer's morals or motives" may be "irrelevant" in reaching a planning decision, mean that one (ie an applicant) can say anything to achieve a favourable result?

Any approval will most definitely be challenged.

ACK 18/1/18

S

Application Reference 06/17/0771/O

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Mr. K. Saul

Address Albion, Main Road,  
Filby  
Great Yarmouth

Post Code NR29 3HS

Telephone

Email Address

For or Against

OBJ Object

Speak at Committee

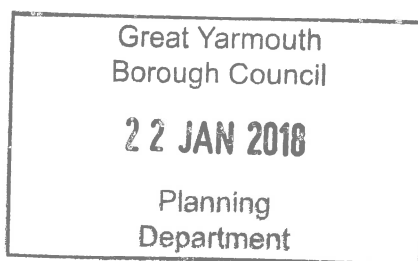
I should like to object to this proposal. Aside from any other considerations, it falls outside the development area and should therefore be rejected.

Date Entered 17-01-2018

Internet Reference OWPC1409

Planning Department  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
NR30 2QF

ACK 24/1/18



S  
Albion  
Main Road  
Filby  
Great Yarmouth  
Norfolk  
NR29 3HS

21 January 2018

Dear Sirs

**Re: Planning Application 06/17/0771/O**  
**Construction of 3 number 3 bedroom detached houses at land adjacent to**  
**4, York Villa Close, Thrigby Road, Filby for Mr. J De Jean**

Dear Sirs,

This application raises many concerns about traffic flow, access and suitability of site.

However it falls outside of the Local Development Planning Area so needs to be completely rejected.

Filby has had four new developments in the past two years with over 35 houses being built. This is more than our share. This type of housing is not needed. There are several large houses for sale in the village at the moment if anyone needs one.

Please reject this plan

Yours faithfully

A handwritten signature in dark ink, which appears to be "Joan Saul", written over a blacked-out rectangular area.

Mrs. Joan Saul

From: [REDACTED]  
Sent: 17 January 2018 14:55  
To: plan  
Subject: Planning Application 06/17/077/O

Paul J. Bell  
High Barn House  
Thrigby Road  
Filby  
Great Yarmouth  
Norfolk  
NR29 3HJ

17th January 2018

Dear Sir

I would like to register my objections to Planning application 06/17/0771/O - construction of 3 detached houses, land adjacent to 4 York Villa Close (& Directly behind High Barn House).

1) 365 Day Shooting Rights at High Barn House.

These have been in place under my family name since 1964 & registered with Norfolk Constabulary for the past 31 years. Should these rights be in any way affected by the granting of this application, (& it is highly likely they would be) I have been advised to seek recompense from yourselves "in excess" of £25,000 per year, every year, for the rest of my life & the lives of my descendants, to replace these established rights elsewhere on the open market.

2) This application is not in the planning boundary line.

& if passed as such - How would High Barn House NOT be included in moving this boundary?

3) Lack of driveway splay onto Thrigby road by York Villa Close.

Finally, if you should pass this application, Please do not bother contacting me in the future regarding complaints from the new residents of noise or smoke.

Many thanks for your attention in this matter.

Regards.. Paul J. Bell.



ACK 15/1/18

S

Application Reference 06/17/07710

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Mrs T Proctor

Address Mountain Ash

Thrigby Road

Filby

Great Yarmouth

Post Code NR29 3HJ

Telephone

Email Address

For or Against

OBJ

Object

Speak at Committee

As a co-owner of the land at High Barn House which is adjacent to the proposed development site I would just like to point out firstly that the proposed dwellings are not within the building line & would make the structure of the village exceed its development limits.

Also, correct me if I'm wrong but isn't this called "Back Land Development"? Which on that basis, hasn't planned development applications been denied more than once in the past?

This application could open the floodgates for other land owners to develop within this area should this proposal go ahead.

The applicant claims the dwellings are for himself, his son & his daughter. Firstly, why does the applicant want a house for himself when he already has one to live in? Secondly, his son & daughter are not dependants.

I feel this is a miss leading & untruthful disclosure by the applicant as more than likely once completed the development site/dwellings would be put up for sale on the open market.

As a daily dog walker of the footpaths I have noticed that the dwelling that the applicant is supposed to be living in is unoccupied for long periods of time.

Does this applicant genuinely need these extra dwellings for himself & his family or is this just a capital gains venture for his retirement?

The proposed site also has public footpaths going alongside & across the land the applicant owns. As we are a broadland village we need to retain as much as possible the natural greenbelt & not diminish the natural habitat of the wildlife.

On the basis of the points raised within this letter, I am strongly against & oppose this application. But I am sure there are further key issues in question which are more related to other residents.

Date Entered 14-01-2018

Internet Reference OWPC1392

ACK 15/1/18

S

Application Reference 05/17/0771/0

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Mrs Pat Bell

Address The Bungalow

Thrigby Road,

Filby

Great Yarmouth

Post Code NR29 3HJ

Telephone

Email Address

For or Against

OBJ

Object

Speak at Committee

Fifteen years ago I fought against 43 dwellings on this site. The entrance lies on a bend in the road & is so close to the school.

The much used car park opposite & the extra cars parking on the narrow country lane which is Thrigby Road has to be seen to be believed.

I witness this everyday taking my granddaughter to school.

The busses, lorries, delivery vehicles & heavy farm machinery have difficulty passing the parked vehicles.

We have no footpath.

Further vehicles exiting on this bend is not acceptable. The proposed development is not in the building guide lines & the school.

The much used car park opposite & the extra cars parking on the narrow country lane which is Thrigby Road has to be seen to be believed.

I witness this everyday taking my granddaughter to school.

The busses, lorries, delivery vehicles & heavy farm machinery have difficulty passing the parked vehicles.

We have no footpath.

Further vehicles exiting on this bend is not acceptable. The proposed development is not in the building guide lines & is BACK LAND DEVELOPMENT.

Date Entered 14-01-2018

Internet Reference OWPC1391



ACK 9/1/18

Application Reference 06/17/0771/0

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name carole colthurst

Address 2 broadview court

thrigby road

filby

Post Code NR29 3HJ

Telephone 01632 59979

Email Address

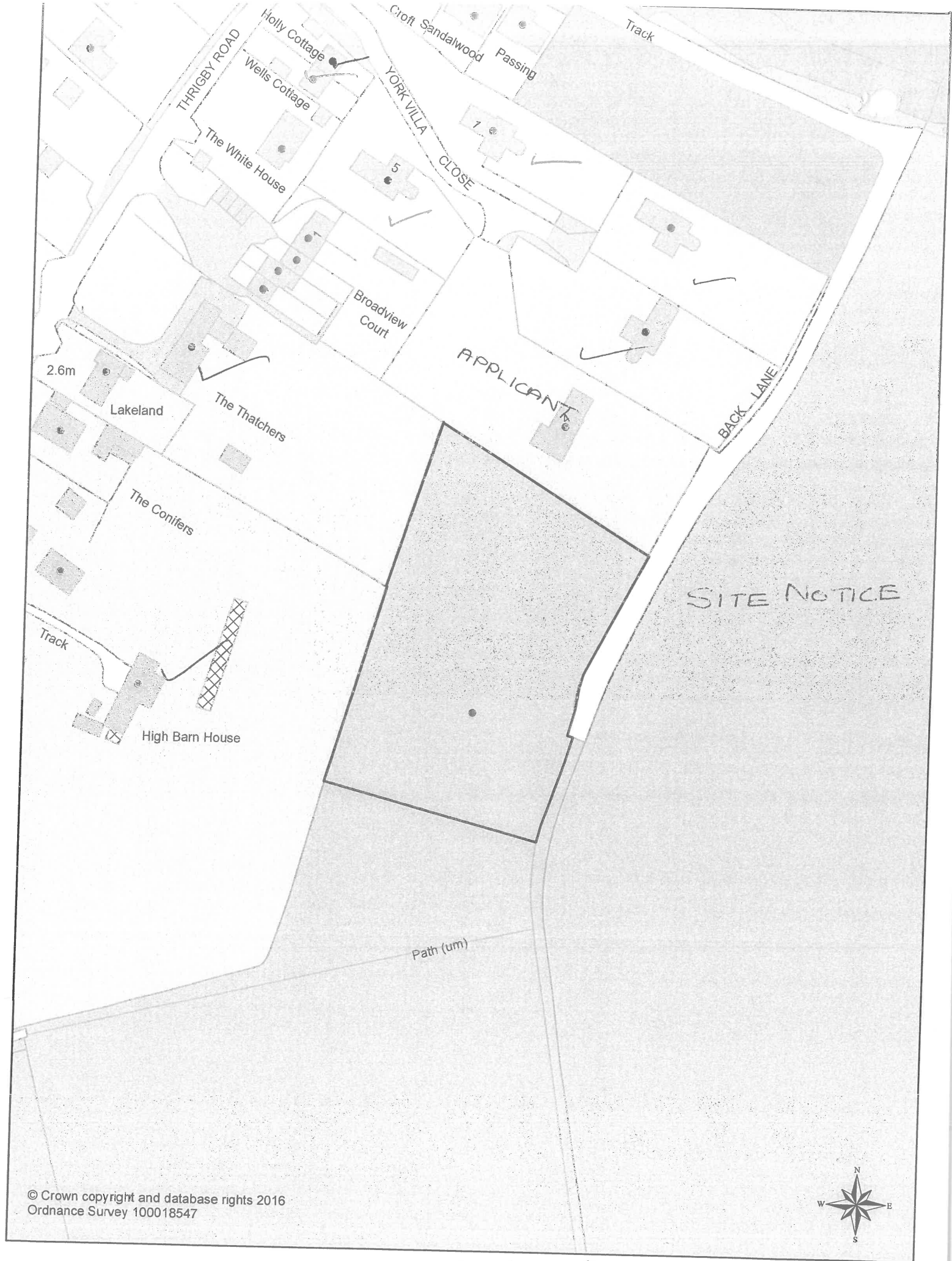
For or Against OBJ Object

Speak at Committee

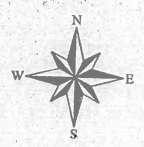
This would put a driveway for 3 properties directly across the rear of our garden, with according to the plans up to 6 vehicles passing through. not to mention the construction traffic. I would also have concerns for water drainage as the clay soil in this area retains water.

Date Entered 08-01-2018

Internet Reference OWPC1374



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Ordnance Survey 100018547



**Reference:** 06/17/0722/F

**Parish:** Gorleston

**Officer:** Mr G Clarke

**Expiry Date:** 09-03-2018

**Applicant:** Mr D Ferguson  
East Anglian Hotels Ltd

**Proposal:** Second floor extension to the front of the hotel comprising of 12 new rooms

**Site:** Cliff Hotel  
Cliff Hill  
Gorleston

## REPORT

### 1. Background / History :-

- 1.1 The Cliff Hotel is a long established business that is sited on the east side of Cliff Hill, there are dwellings to the north, west and south and an area of open space sloping down to Beach Road to the east. The western side of the hotel nearest to Cliff Hill is two storeys in height, parts of the eastern range of buildings are three storeys high with the top floor contained in the roof space. The main customer car park is to the south of the building and there is a small car park to the north east side.
- 1.2 The hotel currently has 37 bedrooms together with various bar, dining and function rooms, the proposal is to add another floor to the west side of the building to create 12 new bedrooms.
- 1.3 The site is within the Cliff Hill Conservation Area.

### 2 Consultations :-

- 2.1 Highways - I am minded that the proposed works to expand the hotel include for no additional parking provision or any other mitigation to address the increased demand in parking that will occur if this application is approved. However, whilst there will be increased pressures on the existing on-street parking demand in the area, I am also minded that there are already traffic management measures in place specifically to restrict parking and to keep junctions, etc. clear of parked vehicles



Accordingly I do not consider that I could demonstrate that there would be a significant residual impact resulting from the development proposed so as to sustain an objection to this application. The Highway Authority therefore raises no objection.

- 2.2 Conservation Officer - The additional floor is supported by conservation in principle as it will create better proportioned facades however it is seen as better to use a mansard format of double slope roofs finished in slate with red clay pointed ridges and hips.
- 2.3 Neighbours/local residents – ten objections have been received copies of which are attached, the main reasons for objection are lack of parking, additional traffic, noise and adverse effect on light and outlook.

### **3 Policy :-**

#### **3.1 Policy CS8 – Promoting tourism, leisure and culture**

As one of the top coastal tourist destinations in the UK, the successfulness of tourism in the Borough of Great Yarmouth benefits not only the local economy but also the wider sub-regional economy as well. To ensure the tourism sector remains strong, the Council and its partners will:

- a) Encourage and support the upgrading, expansion and enhancement of existing visitor accommodation and attractions to meet changes in consumer demands and encourage year-round tourism
- b) Safeguard the existing stock of visitor holiday accommodation, especially those within designated holiday accommodation areas, unless it can be demonstrated that the current use is not viable or that the loss of some bed spaces will improve the standard of the existing accommodation
- c) Safeguard key tourist, leisure and cultural attractions and facilities, such as the Britannia and Wellington Piers, Pleasure Beach, Hippodrome, the Sea Life Centre, the Marina Centre, Great Yarmouth Racecourse, St Georges Theatre and Gorleston Pavilion Theatre
- d) Maximise the potential of existing coastal holiday centres by ensuring that there are adequate facilities for residents and visitors, and enhancing the public realm, where appropriate
- e) Support the development of new, high quality tourist, leisure and cultural facilities, attractions and accommodation that are designed to a high standard, easily accessed and have good connectivity with existing attractions
- f) Encourage a variety of early evening and night time economy uses in appropriate locations that contribute to the vitality of the borough and that support the creation of a safe, balanced and socially inclusive evening/night time economy

- g) Support proposals for the temporary use of vacant commercial buildings for creative industries, the arts and the cultural sector, where appropriate
- h) Seek to support the role of the arts, creative industries and sustainable tourism sectors in creating a modern and exciting environment that will attract more visitors to the borough
- i) Support proposals for new tourist attractions and educational visitor centres that are related to the borough's heritage, countryside and coastal assets, and emerging renewable energy sector
- j) Ensure that all proposals are sensitive to the character of the surrounding area and are designed to maximise the benefits for the communities affected in terms of job opportunities and support for local services
- k) Encourage proposals for habitat-based tourism, especially where these involve habitat creation and the enhancement of the existing environment, in particular the areas linked to the Broads
- l) Protect rural locations from visitor pressure by ensuring that proposals for new tourist, leisure and cultural facilities are of a suitable scale when considering relevant infrastructure requirements and the settlement's position in the settlement hierarchy, in accordance with Policy CS2
- m) Protect environmentally sensitive locations, such as Winterton-Horsey Dunes Special Area of Conservation (SAC), from additional recreational pressure by seeking to provide facilities to mitigate the impact of tourism. In addition, the Council and its partners will seek to develop a series of 'early warning' monitoring measures which will be set out in the Natura 2000 Sites Monitoring and Mitigation Strategy along with the identified mitigation measures
- n) Support proposals involving the conversion of redundant rural buildings to self-catering holiday accommodation and/or location appropriate leisure activities, particularly where these would also benefit local communities and the rural economy
- o) Support the development of navigational links to the Broads and beyond where possible
- p) Work with partners to improve accessibility and public transport links to make it as easy as possible for visitors to travel to and around the borough.

### **3.2 Policy CS10 – Safeguarding local heritage assets**

The character of the borough is derived from the rich diversity of architectural styles and the landscape and settlement patterns that have developed over the centuries.

In managing future growth and change, the Council will work with other agencies, such as the Broads Authority and Historic England, to promote the conservation, enhancement and enjoyment of this historic environment by:

- a) Conserving and enhancing the significance of the borough's heritage assets and their settings, such as Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, archaeological sites, historic landscapes including historic parks and gardens, and other assets of local historic value
- b) Promoting heritage-led regeneration and seeking appropriate beneficial uses and enhancements to historic buildings, spaces and areas, especially heritage assets that are deemed at risk
- c) Ensuring that access to historic assets is maintained and improved where possible
- d) Regularly reviewing heritage designations and designating additional areas, buildings and spaces for protection where justified by evidence
- e) Carrying out, reviewing and implementing Conservation Character Appraisals and, if appropriate, management plans
- e) Designating new Conservation Areas and amending existing Conservation Area boundaries, as appropriate

### **3.3 POLICY BNV18**

The council will require alterations and extensions to buildings to be sympathetic to the character of the building to be extended and to its setting.

### **3.4 POLICY TR11**

The council will permit developments which improve the range of good quality holiday accommodation. However, within primary holiday accommodation areas, as shown on the proposals map, the loss of holiday accommodation will only be permitted where it can be demonstrated that an alternative use would be to the overall benefit of the tourist industry.

(Objective: To satisfy visitor requirements and expectations.)

## **4 Assessment :-**

- 4.1 The application as originally submitted showed the new second floor being with full height walls and gable ends facing Cliff Hill, following receipt of the comments from the Conservation Officer the design has been amended so the new floor has a mansard style roof with the rooms being partly contained within the roof space. This revision helps to reduce the height, bulk and impact of the extension and will be similar in design to the existing mansard roof to parts of



the western range of buildings. Internally there will still be 12 en-suite bedrooms as shown on the original drawings, the hotel currently has 37 bedrooms so the proposed extension will increase the total number to 49. The submitted drawing shows 33 parking spaces in the main car park and 8 in the smaller parking area to the north although in practice it would be difficult to use the 8 spaces in this area as shown on the drawing.

- 4.2 The concerns regarding possible adverse effect on light and outlook are from the dwellings on Cliff Hill to the west of the site, these houses are approximately 25 metres from the nearest part of the extension so the proposal in its revised form is unlikely to cause any significant overshadowing of those properties.
- 4.3 In considering whether to grant planning permission for development which affects a conservation area, the local planning authority must have regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of that area. The revised drawings comply with the suggested design changes made by the Conservation Officer and are similar in design to the western side of the hotel so will not have an adverse effect on the character of the conservation area.
- 4.4 The main objections to the application are that there is insufficient parking at the hotel and the additional rooms will lead to increased traffic and more parking on the surrounding roads. The objections also refer to delivery vehicles parking on the roads outside the hotel causing obstruction to people and traffic, this is a long-standing problem but it is unlikely to be made worse by extra bedrooms for hotel guests. The hotel car park does not have enough spaces to meet the parking standard for the existing number of hotel rooms so the extension is likely to lead to an increase in parking on the surrounding roads however there is no objection from Highways to the increased number of rooms. The agent for the application has stated that parking for hotel guests is adequate due to families booking more than one room but travelling in one car or arriving on public transport, the hotel also has coach parties that take up rooms and do not require parking space.
- 4.5 The hotel has rooms open to non-residents such as a bar and function room and it is customers using these facilities that cause late night noise and disturbance when people are leaving the building, this is an existing problem and will not change with the addition of extra bedrooms as the customers using the new rooms will not be leaving the premises.
- 4.6 The design of the extension has been amended as suggested by the Conservation Officer and is considered to be acceptable in its revised form. The increased number of rooms may increase the demand for on-street parking in the surrounding area due to the restricted space within the car park but as there is no objection from Highways to the lack of parking within the site it would be difficult to justify refusal on the lack of off-street parking alone and the recommendation is therefore to approve.

## **5 RECOMMENDATION :-**

- 5.1 Approve – the proposal complies with Policies CS8 and CS10 of the Great Yarmouth Local Plan: Core Strategy and saved Policies BNV18 and TR11 of the Great Yarmouth Borough-Wide Local Plan.

ACK 2/1/18

S

Application Reference 06/17/0722/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name susan simmons

Address 1 Cliff Hill

Gorleston

Great Yarmouth

Norfolk

Post Code NR31 6DH

Telephone 01553 21110

Email Address susan.simmons@btinternet.com

For or Against OBJ Object

Speak at Committee ☐

Sorry for my late comment but I've been very ill.

The proposed application will affect the light to my property and obscure my sea views. The front of my house get all it's light from the east.

The parking in this area is dire at the moment and building into the car park yet again will increase the problem exponentially.

At the moment, people congregate, smoking, waiting for taxis and sometimes fighting at the entrance. With this proposed extension it will make these groups of customers spill onto the street instead. This will be a few feet from my bedroom window.

Date Entered 24-12-2017

Internet Reference OWPC1355



Application Reference 06/17/0722/F

Attachments

ACK 2/1/18

S

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Mrs Louisa Marsden

Address 3 Cliff Hill

Gorleston

Norfolk

Post Code NR31 6DH

Telephone

Email Address

For or Against

OBJ Object

Speak at Committee

1. Issues with severe congestion of parking around the Cliff Hotel and roads in close proximity to the hotel. There is already a severe lack of packing space provided at the hotel for customers. This means that there are always extra vehicles parked on the roads around the hotel (specifically Cliff Hill and Springfield Road), which causes issues for people both living in the vicinity and others trying to visit. We have seen at least one accident from drivers trying to manoeuvre past parked vehicles at the top of Cliff Hill, outside the hotel. The sharp corner at the top of the hill is extremely dangerous and the excessive amount of parked vehicles in this area (sometimes even on the double yellow lines outside the hotel) makes it especially unsafe. After looking at the proposals, we can not understand how the Hotel are proposing more customers that will inevitably bring vehicles into the area for a substantial amount of time, but not show any proposals for increased parking facilities on their land? 2. The increase in large delivery vehicles adding to congestion and causing danger to pedestrians and other road users in the area because of lack of space. We have noted the number of delivery vehicles that park on the double yellow lines opposite our property (sometimes multiple vehicles at once) and on a daily basis there can be up to ten vehicles parking illegally to deliver goods. Not only is this unsafe to other road users (because they are parking around a blind bend) but also it can be difficult to manoeuvre our own vehicles out of our driveway because of the lack of space. We have also had to speak to staff at the Hotel about delivery lorries parking right across our driveway access on almost a weekly basis, often for up to 15 minutes, making it impossible to leave or enter our property in an emergency. With three children under 3years old in our home, this is unacceptable. We can only see this issue getting worse with an increase in rooms at the Hotel, along with the time during the building works taking place. 3. Late night noise and traffic in close proximity to the hotel, which will only increase with added numbers of customers staying at the hotel. The noise created by extra numbers of patrons staying at the hotel will only increase with an increase in numbers, therefore causing more late night issues. Living opposite the hotel, we are aware that there will be some noise due to the nature of the hotel business, however we are concerned that this will increase causing more problems late at night. There is a definite increase in the amount of traffic along Cliff Hill when the Hotel has certain event nights on, as well as on the weekends. We have three young children who have been woken up in the past by customers leaving the hotel both on foot and in taxis. This noise is usually between 11.30 and 3am. 4. Increase in height to the front of the hotel, causing eyesore for home owners living opposite and possible detrimental effect on future home sales in a special Conservation Area. Apart from the aesthetic effect of increasing the height to a vast amount of the Hotel, this could well have an impact on homeowners living in the immediate vicinity with regards to housing prices. The extension of another level to the Hotel, in our opinion, creates an unnecessarily imposing figure in a residential area such as Cliff Hill. The fact that it is also a Conservation Area must mean that this can not affect the views from other properties (being so close to the Seafront). We are concerned that if we were to attempt to sell our property in the future, this extension could turn potential buyers off the area because of the impact to the overall view of such a Conservation Area.

Date Entered 22-12-2017

Internet Reference OWPC1353

Application Reference 06/17/0722/F

Attachments

ACK 22/12/17 S

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Iain Macdonald

Address 24 Cliff Hill

Gorleston

Norfolk

Post Code NR316DQ

Telephone [REDACTED]

Email Address [REDACTED]

For or Against OBJ Object

Speak at Committee ☐

How does this plan make any sense without the requisite parking at the hotel? The streets round the hotel are already overburdened by parking demands, and residents will find themselves even more squeezed with the inevitable addition of cars.

Date Entered 22-12-2017

Internet Reference OWPC1352



ACK 20/12/17

S  
36 Cliff Hill  
Gorleston  
Norfolk  
NR31 6DQ

Mr G Clarke  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF



20<sup>th</sup> December 2017

Re: Planning Ref: 06/17/0722/F Cliff Hotel NR31 6DH

Dear Mr Clarke

We object to this application on the grounds that the size of the proposed addition is too large relative to the existing building, and that the extra traffic generated by an increase in residential capacity of 30% is not appropriate in a Conservation Area which has such a narrow, winding road layout and restricted access.

Increasing the hotel's capacity to this extent will have a bearing on all its transport requirements including food, beverage and laundry delivery and collection, and waste collection. The addition of twelve rooms will require twelve more parking spaces. The applicant has not submitted any detailed plans of the exterior space so we don't know how they intend to manage the increased demand. Of the twenty eight or so existing parking spaces the only ones marked on the ground are three disabled spaces. Plans should have been submitted clearly demonstrating how parking and traffic flow will relate to the building itself, both during construction and afterwards, and the extent to which they will affect the surrounding streets more than they do now.

Given this, it is difficult to understand why the Highways Authority raises no objection to the application. Presumably the 'traffic management measures' mentioned in its letter refer to the double yellow lines in the immediate vicinity of the hotel. The efficacy of these measures to 'restrict parking and keep junctions clear' might look convincing on a plan, but not if you live nearby. In addition to the hotel users' cars, heavy goods and light service vehicles using the side and rear entrances block the footpaths and illegally park on a regular basis. It is unlikely the hotel will find space to designate a specific loading bay in its car park, so will allow this practice to continue at an increased level. One hopes the advice of the emergency services has been sought, they are likely to have an opinion on this.

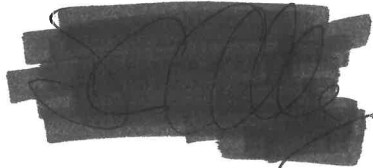
The number and variety of other road users should also be taken into account. Cliff Hill is experiencing more and more pedestrian and cyclist traffic. It is used as a regular route to the town and back by many of the Hotel's guests, other tourists, particularly those filling in their Borough Tourist Board quizzes, family groups, schoolchildren, parents with buggies, holiday walkers – more so since the opening up of the Coastal Path - dog walkers and local people just going about their daily business. All must remain safe in an area of narrow pavements where one often has to step into the road to let others pass.

A development of this size requires more than just a minimum of statutory consultation. The ramifications of this proposed development should not be underestimated, a far greater number of local residents will be directly affected by it than just those consulted. The Council must surely consider their responsibilities within a Conservation Area to be more than just specifying which building materials to use. One could question the purpose of a Conservation Area entirely if planning applications are not considered in the context of the whole. This application is for a development out of scale in size and impact to its environment, and we ask that it be refused.

Yours sincerely



Z Carter



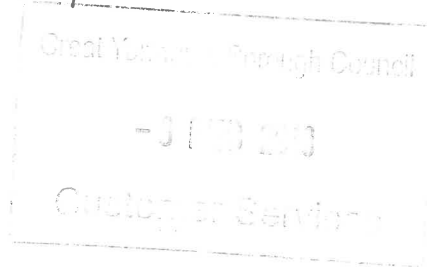
D Allen



ACK 9/2/18

38 Cliff Hill S  
Gorleston  
NR3 6DQ  
5/2/18

Planning Services  
Town Hall  
Hall Plain  
Cit Yarmouth



Ref: Planning Application 06/17/0722/F.  
Cliff Hotel, Cliff Hill, Gorleston.

FAD. Graham Clarke

Dear Mr Clarke

Great Yarmouth  
Borough Council

08 FEB 2018

Planning  
Department

You may remember that we spoke concerning the above in December 2017.

My main opposition to the above was the problems we are already facing with the parking situation locally. In relation to this I want to inform you what happened to me on Christmas and Boxing day 2017.

On Christmas Eve I parked on lower Cliff Road at the East junction just before the dropped kerb/double yellow lines etc.

On Christmas Day morning I went to my car only to find it boxed in by an old Volvo Estate, not one I recognised locally. I phoned the police who did what they could and traced the ownership of that car and the one behind. The answer was that the Police do not deal with traffic problems (GABC traffic wardens are responsible but were on holiday of course). It appears that the Volvo driven was not fit to remove the car for over 2 days, despite numerous calls to the police!

I had to spend Christmas Day on my own - without Christmas dinner, or seeing both of my children who had been quite ill with the effects of 'flu'. On Boxing day I had to scrounge a lift + back from the food bank where I am a volunteer.

The car in question finally moved, late boxing day and apparently lives further up Cliff Hill, and has caused other parking problems locally.

I shall remember Christmas 2017 as part of the horrendous parking problems we already have in this area. To encourage more is absolute folly and will lead to conflict (my car has already been 'keyed').

For those who decide the planning permission outcome, please

remember those of us who do not have a driveway or parking area to go to daily, but who already have to park up to 300 plus metres away from our properties, including shopping and other items. My own serious health problems make parking closeby a must, when transferring heavy shopping/items already. To encourage more cars in overcrowded areas will only cause more problems and discontent than already exists.

I hope this matter will be given the attention it deserves now before more selfish behaviour triggers serious problems

Yours faithfully





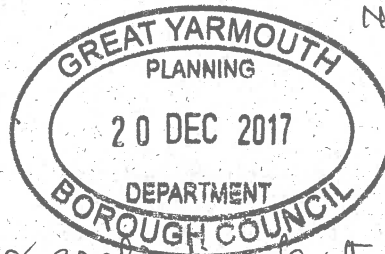
FAO. Graham Clarke.  
Planning Dept.

06/17/0722/F  
ACK 20/12/17

38 Cliff Hill  
Creston. S

NR31 6DQ

Ref. Planning Application by the Cliff Hotel.



20/12/17

Dear Mr Clarke.

I wish to oppose the planning application for the Cliff Hotel firstly on the grounds of this area <sup>being</sup> part of the Creston Conservation area and the height of the hotel will greatly overshadow its area.

Secondly, the amount of extra rooms will increase the parking area the hotel will require. Currently there is not sufficient for the hotel, particularly when they hold major functions, ie weddings etc.

12 more bedrooms will require many more cars than currently block the roads that surround the Cliff Hotel.

There are two extremely dangerous 90° bends where it is impossible to drive on the right side of the road, due to local cars parking all the way down from 1 Cliff Hill to the left turn into Upper Cliff Road. This has been a difficult practice in the 20 years I have lived here, there is an urgent need for more parking space for locals on a daily basis and when the Cliff hotel holds functions plus holiday makers that area becomes chaotic.

This area is particularly a problem when the hotel uses its rear entrance on the bend into its parking for deliveries, bin emptying, tradesmen etc. I have frequently been delayed in that area until bin collections etc have been completed. It will get worse if the hotel increases its size. There is also an issue with the street lighting at that last corner, no working lamppost (for a number of years despite complaints from me). In winter this whole area becomes a driving hazard; and the frustration of trying to find somewhere to park for all who live in the terraced houses surrounding is becoming a real problem. This now includes trade vans whose drivers deliberately park over pavements, blocking use to residents.

It is a problem that is not going to go away and is getting worse partly because we now turn large houses into flats, where there currently is no parking area attached.

This small area is already overwhelmed and the increase of residents getting planning permission? for converting gardens does not

help.

In the summer we have a major increase in the number of cars coming down Cliff Hill on a frequent basis, the wrong way, leading to even more problems.

The GVB council have already taken the parking spaces on Fiskes opening for use only with cars using Pops Meadows. This has been turned into a graveyard for filthy old deteriorating caravans of all shapes and sizes. Locally we have lost up to 20 spaces there.

Finally, in the summer months flocks of locals use the beach, those who come from outside Gorseston fill all available spaces along Beach Road and the Riverside - a hunting ground for traffic wardens -

If these issues are not addressed fully then there will be many more problems created in this tiny area which is one of the attractions of Gorseston. If the Cliff Hotel can increase their parking area without taking away what is already in use, then we need to look closely at wherever it will be. We cannot afford more traffic, particularly as Cliff Hill has become a rat-run for local living beyond this area.

Yours sincerely





ACK 20/12/17

5

Elaine Helsdon

**From:** [redacted]  
**Sent:** 19 December 2017 18:04  
**To:** plan  
**Subject:** Re: Applicatuion 06/17/0722/F

Address as requested:  
Mr & Mrs D. Turnbull  
27 Poplar Avenue  
Gorleston  
NR31 7PW

Many thanks

**From:** plan  
**Sent:** Tuesday, December 19, 2017 2:32 PM  
**To:** 'Turnbull'  
**Subject:** RE: Applicatuion 06/17/0722/F

Please would you provide your address so that your comments can be registered.

**From:** [redacted]  
**Sent:** 19 December 2017 13:39  
**To:** plan  
**Subject:** Applicatuion 06/17/0722/F

Dear Sirs,

I would like to object to the above application for a 3rd floor on the Cliff Hotel, Gorleston for 12 additional bedrooms. This is a densely populated area and parking is at a premium throughout the year in both the available car park and surrounding roads. This objection is made on the following grounds:

There are no plans for any additional car parking spaces on this application, causing havoc for pedestrians and householders in the area.

A third storey on top of the Hotel will be unsightly in an area of domestic housing.

I trust that you will turn this application down.

Regards

Mr & Mrs D Turnbull

Ack 20/12/17

S

Elaine Helsdon

**From:** [REDACTED]  
**Sent:** 19 December 2017 17:50  
**To:** plan  
**Subject:** Re: Application 06/17/0722/F

28 Poplar Avenue  
Gorleston  
Great Yarmouth  
Norfolk NR31 7PW

Sent from Yahoo Mail for iPad

On Tuesday, December 19, 2017, 4:36 pm, plan <[plan@great-yarmouth.gov.uk](mailto:plan@great-yarmouth.gov.uk)> wrote:

Please would you provide your address so that your comments can be registered.

---

**From:** [REDACTED]  
**Sent:** 19 December 2017 16:30  
**To:** plan  
**Subject:** Application 06/17/0722/F

Dear Sir

I would like to lodge an objection to the above application for a 3rd floor incorporating 12 extra bedrooms to be added at the Cliff Hotel Gorleston.

This is a densely populated, in the main, residential area where parking is at a premium throughout the year in the car park available to the Cliff Hotel and in the surrounding streets

I am making this objection on the grounds that there is no provision for additional car parking

on this application which will lead to the overspill from the Hotel using the surrounding residential streets to the detriment of the householders both in trying to park their cars and the

added problem of noise which the Applicant has not taken into account



I trust this application will be refused

Yours faithfully

Mr. Mrs. R.G. Jenkins

Sent from Yahoo Mail for iPad

Planning Services  
Development Control  
Town Hall, Hall Plain  
St Yarmouth

ACK 15/12/17

H.A. Tropham 5  
6 Cliff Hill  
Gorleston  
St Yarmouth

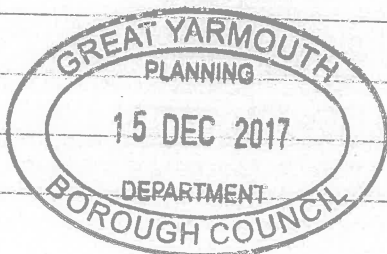
## Objections to planning Application

06/17/0722/F

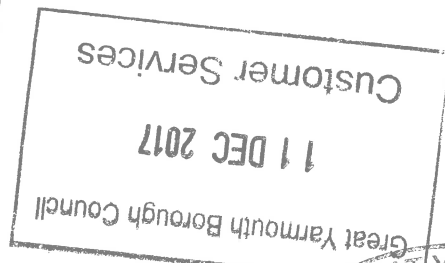
- 1) The section of road around the Hotel is already quite dangerous. Lorries etc delivering stock to the Hotel cause traffic to pile up in the Cliff Hill Road area.
- 2) There is already an excess of noise at closing time & complaints have been made.
- 3) The area around the Hotel is littered with empty bottles and cans etc, quite often dumped in the properties rear by.
- 4) The Hotel car park is already inadequate for its existing trade, and this also creates problems on surrounding roads.
- 5) Cans etc tend to park all around the Hotel, creating problems to enter and leave. Cliff Hill <sup>is</sup> a very busy Road.

Yours Faithfully

[Redacted Signature]



Ack 11/12/17



Turnstone House S

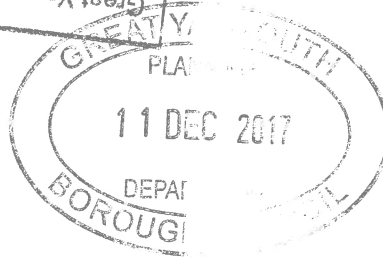
4 Cliff Hill

Gorleston

Great Yarmouth

NR31 6DH

8th December 2017



Dear Sir/Madam

Planning Application 06/17/0722/F CLIFF HOTEL.

Having reviewed the proposed plans, we are very concerned that no provision has been made for additional parking which this plan would attract.

The roads in the area are frequently congested with people using the Cliff Hotel. Cars are parked inappropriately on pavements, causing pedestrians, including young families with pushchairs and people in wheelchairs to have to walk in the road.

We recently had to call for an ambulance who found it difficult to access the area due to the narrow/congested roads; for this reason we are unhappy with the plans and would like to register our objection.

Yours faithfully

Paul and Diana Gillings

Application Reference 06/17/0722/F

Attachments

ACK 4/12/17

S

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Philip Tropman

Address 6a Cliff Hill

Gorleston

Post Code NR31 6DH

Telephone

Email Address

For or Against

OBJ Object

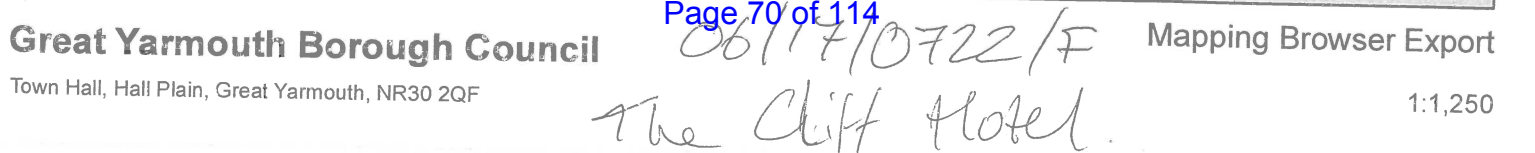
Speak at Committee

(Hi) I strongly object to any further expansion of the Cliff Hotel on so many grounds that there probably isn't space enough to write here. I live at 6a, my parents live at 6 and we also own 7 Cliff Hill(which we rent out) and we all have issues with the Cliff Hotel regarding anti social behaviour, noise, traffic, parking, delivery lorries, etc. as do other local residents I speak to. The Cliff Hotel has already outgrown the area and any expansion can only make it more unbearable to live near it. Please don't make me and my family have to sell up and move(I haven't the energy) as we couldn't bear to stay if things get even worse. Thanks, kind regards, Philip Tropman (and family)

Date Entered 01-12-2017

Internet Reference OWPC1337







**Reference:** 06/17/0777/F

**Parish:** Fleggburgh

**Officer:** Mrs G Manthorpe

**Expiry Date:** 12-03-18

**Applicant:** Mr D Parkinson

**Proposal:** Subdivision of site – Erection of 2no. dwellings.

**Site:** White Gates Main Road Fleggburgh Great Yarmouth

## **REPORT**

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

- 1.1 The application site comprises a large garden and a detached bungalow. There are two properties sited back from the road to the rear of the site to the north which are adjacent to the application site and to the east of the site is a development of executive houses, The Village. The application site is separated from The Village development by an established tree line.
- 1.2 There have been two previous applications on the site for housing, both of which were refused by delegated powers with one refusal being appealed. The Inspector found in favour of the Local Authority and dismissed the appeal. The current application is notably different from the two previous applications. The previous applications were for the demolition of the existing dwelling and the erection of 5 no. detached dwellings, one of which was a bungalow to the frontage of the site and 4 no. detached dwellings. The dwellings previously applied for were large three storey modern dwellings with comparably small gardens and would have been at odds in both layout and scale with the dwellings in the locality and the Village development. The previous application also had full height glazing which would have had a dominating and intrusive effect on the character of the area.
- 1.3 The current application, in contrast to the previously refused applications, is for a less intense use of the site by the reduction in numbers of dwellings applied for. In addition the application reflects the comments of the Inspector by reducing the scale of the dwellings applied for and therefore reducing the adverse impact on the character of the area. The reduction in numbers and scale provides a development which is in keeping with the character of the area and locality.

## 2 Consultations :-

- 2.1 Highways – No objection to the application subject to conditions, full comments attached to the report.
- 2.2 Neighbours – There have been 2 objections from nearby residents which are summarised as follows and attached to this report.
- Why were members of the Village Management Company not consulted?
  - Properties are too close to the protected woodland, if there is any damage to the trees we will hold the Council fully accountable.
  - The dwellings will not be affordable.
  - The site has had previous refusals and one upheld at appeal.
  - Nothing has changed since the appeal.
  - The landscape would be blighted.
- 2.3 Fleggburgh Parish Council – No objection to the application, response states: Supported.
- 2.4 Building Control – No adverse comments.
- 2.5 Tree and Landscape Officer – The trees marked for removal are all scrubby and have little value or longevity. I would anticipate that there will be an adequate distance from the edge of the proposed development to the protected trees on the adjacent piece of land.
- 2.6 Norfolk County Council Fire and Rescue Service – No objections.
- 2.7 Strategic Planning - The proposal seeks planning permission for the erection of two detached dwellings, situated to the front and rear of the existing dwelling on the site, which is to be retained. This application follows two previously refused planning applications for 5 and 4 dwellings.

This application falls outside of the village development limit for Fleggburgh and is not immediately adjacent to the limit. The adopted Core Strategy Policy CS2 states; that approximately 5% of all new residential development over the plan period should be located in 'secondary villages' and 'tertiary villages' such as Fleggburgh which is a secondary village. However, a development located in the open countryside will be limited to conversions/replacement dwellings and schemes that help meet rural needs. Policy HOU10 states that new dwellings in the countryside will only be permitted in connection with agriculture, forestry, organised recreation or expansion of existing institutions, which is not present in this applications proposal. The proposed two dwellings could be considered

acceptable subject to the compatibility of the development in relation to the surrounding area, considering the density, scale and character of the area under Policy HOU17.

In consideration of the Interim Housing Land Supply Policy 2014, the site does not meet the first requirement of the policy as the site is not adjacent to the village development limit. However, the National Planning Policy Framework (Paragraph 55) promotes sustainable development in rural areas, and notes that housing should be located where it will enhance or maintain the vitality of rural communities. Policy CS1 supports developments with safe accessible places for walking, cycling and public transport to access jobs, shops and community facilities. The site is in close proximity to the main settlement and the adjacent Bygone Heritage Village development. The site is connected to village via a footpath leading to the nearby local primary school, the pub and other services and facilities in the centre of the village.

It is relevant that the Planning Inspector's report for a previous appeal on the site (for 5 dwellings) concluded that "...whilst there are some shortcomings in pedestrian facilities and public transport services, there are nonetheless some facilities within walking distance and easily accessible on foot or by bicycle....for these reasons I find the proposals would be reasonably accessible to a range of local services and facilities and would accord with policy CS1 of the CS in this regard" . Therefore on a reduced scheme (for 2 dwellings) I would not consider the location of the proposal to be unsustainable with regards to the accessibility of rural services.

Therefore, in the broader context of:

- The proposal's location within an area identified for housing growth in the adopted Local Plan Core Strategy;
- Being reasonably accessible to a range of local services and facilities;
- The generally small scale of the proposal; and,
- The urgent need to boost the supply of housing as identified in the Borough's Annual Monitoring Report, the NPPF and the recent Housing White Paper,

I consider the proposal to be broadly policy compliant and support it in principle, and subject to the satisfactory resolution of design and other detailed considerations i.e. treatment of Tree Preservation Order adjacent to the site.

### **3 Policy :-**

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

- 3.2 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007.
- 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 Policy HUO10 – Permission for new dwellings in the countryside will only be given if required in connection with agriculture, forestry, organised recreation, or the expansion of existing institutions. The council will need to be satisfied in relation to each of the following criteria: (partial)
- 3.5 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.

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

- 4.1 The presumption in favour of sustainable development is set out under paragraph 14. For **decision-taking** this means 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 the Framework indicate development should be restricted
- 4.2 Paragraph 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should (partial):
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- 4.3 Paragraph 49. Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 4.4 Paragraph 55. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances: (partial)

## **5.0 Core Strategy – Adopted 21st December 2015**

5.1 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: (partial)

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

5.2 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

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

**6 Interim Housing Land Supply Policy – (description)** 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 can be used as a material consideration in the determination of planning applications.

6.1 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 Assessment :-**

- 7.1 The application is for the subdivision of an existing garden and the erection of 2no. dwelling houses, the existing dwelling, White Gates, is to remain. The proposed houses are two storey, one three bedroom and one four bedroom. There are currently two accesses to the existing dwelling which shall remain. The access to the east shall serve one of the new dwellings and the access to the west shall serve the existing dwelling and one of the proposed new dwellings. There are no objections from Norfolk County Highways subject to conditions.
- 7.2 The two objections to the application have been received from occupants of two of the properties at The Village, no objections have been received from the occupants of the two closest dwellings, one of which has a boundary that abuts the application site. The objections received are primarily concerned with the impact on the existing trees located adjacent the application site and that the application has been previously refused for five and four dwellings respectively.
- 7.3 The Inspector notes during the appeal decision that the previous applications would cause an unacceptable harm to the character and appearance of the area stating the National Planning Policy Framework requirement for a high quality of layout and design taking in to account the surrounding area. The current application has reduced the numbers applied for and is in accordance with the character and density of the area thereby sufficiently mitigating this harm.
- 7.4 The Inspector notes that the application site has a reasonable level of accessibility to services and that this is not a reason for refusal noting again that the refusal is because of the environmental impact of the previous applications. This is referenced in the comments received from Strategic Planning that find the application site a sustainable location.
- 7.5 The previous application that was dismissed at appeal provided a linear development with dwellings having the rear facing to the west which would be highly visible for a considerable distance to persons traveling to the east from Main Road. The current application mitigates this by the orientation of the two proposed dwellings and the reduction in numbers. In addition the dwellings as proposed are significantly lower in height than those previously applied for. The two proposed dwellings are 8.35m in height for plot 2 and 7.3m in height for plot 1. The reduction in height and orientation sufficiently mitigates the environmental impact that was the reason for the previous refusals.

- 7.6 The Inspector noted that the environmental impact was the only reason for refusal and that the location of the development was a sustainable one. This has been further reinforced by the application sites consideration and recommendation for allocation in the Local Plan Part 2 for the residential site allocations. The site has been recommended for inclusion by the Strategic Planning section and this has been agreed by the Local Plan Working Party. When considering the application sites suitability for residential development the progress of the site specific allocations should be given appropriate weight.
- 7.7 The application site is adjacent to a band of protected trees which are under separate ownership. The objections to the application note the potential impact on the protected trees. The site was visited by the Tree and Landscape Officer who is satisfied that the proposed development has been positioned far enough away from the protected trees so that there should be no adverse impact from the development.
- 7.8 The Interim Housing Land Supply Policy (IHLSP) gives guidance on the development of sites such as this until the emerging Development Policies and Site Allocations Local Plan Documents are adopted and where the Borough Council cannot demonstrate a five year housing supply. As of April 1<sup>st</sup> 2017 the Borough has a 4.13 year supply of housing land and as such is a significant material consideration in the determination of this application. If as a local planning authority we cannot show that we are meeting this requirement, our policies with regards to residential development will be considered to be "out of date" therefore that para 14 of the NPPF is engaged (harms must significantly and demonstrably outweigh the benefits to justify a refusal, reduced weight to existing adopted Local Plan policies). 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.
- 7.9 The application complies with saved policy HOU17 of the Borough Wide Local Plan and policy CS2 of the adopted Core Strategy. The erection of only 2 dwellings with the retention of the existing dwelling is in keeping with the character and density of the area ensuring that the donor dwelling is left with sufficient curtilage. The development as proposed is a sustainable development.

## **8 RECOMMENDATION :-**

- 8.1 It is recommended to approve the application with conditions requiring the development to be built in accordance with the approved plans, removal of permitted development rights for the new dwellings for openings in the roofs and all conditions as requested by Norfolk County Highways.



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

Your Ref: 06/17/0777/F  
Date: 2 January 2018

My Ref: 9/6/17/0777  
Tel No.: 01603 638070  
Email: stuart.french@norfolk.gov.uk

Dear Gemma

**Great Yarmouth: Sub-division of site - erection of 2 dwellings**  
**White Gates Main Road Fleggburgh GREAT YARMOUTH NR29 3AG**

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

In highway terms only I have no objection to the proposals but I would recommend the following condition be appended to any grant of permission your Authority is minded to make.

- SHC 11 Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive (off existing access 1) shall be maintained in perpetuity at a minimum width of 4.5 metres for or a minimum length of 10m and shall be constructed perpendicular to the highway carriageway for that said distance.
- SHC 14 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

- SHC 19 Prior to the first occupation of the development hereby permitted a visibility splay (59m x 2.4m x 59m) shall be provided in full accordance with the details indicated on the approved plan (Drg No. 1008 A3.04). The splay shall

*Continued/...*

*Continuation sheet to Gemma Manthorpe*

*Dated 2 January 2017*

*-2-*

thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

SHC 24 Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

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

Yours sincerely

*Stuart French*

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



## Gemma Manthorpe

---

**From:** Jamie Hall <[REDACTED]@b[REDACTED]>  
**Sent:** 15 January 2018 12:22  
**To:** Gemma Manthorpe; Gemma Manthorpe  
**Subject:** Re: Objection to the Cnew<sup>1</sup> White Gates application 06/16/0311/F - Jamie and Wendy Hall Part B  
**Attachments:** obj.pdf  
**Importance:** High

Dear Ms Manthorpe,

We understand that there is a new White Gates application been made **06/17/0777/F**. There are a few comments concerns from our side which we would like to understand;

- why have no member(s) of the Village management company (adjacent landowners – 1,3,5,7 & 9 the Village, Main Road, Fleggburgh) been sent a letter regarding the new development when on the two previous applications they were? We would like this clearly answered as we feel it has particular bearing on the outcome and feel that the system is failing in it's duty to consult all the relevant /affected parties. Particularly as there were strong objections to the previous applications.
- In light of the previous upheld objections and clear statements made by previous surveys (particular to the Risk to Ancient Woodland and any potential property damage/injury incurred post build due to damage to roots and adjacent trees and affecting the natural beauty of the area). Objections placed in 06/16/0311/F still stand in this case.
- If the council deems this application fit to commence as the two additional new properties are still very close to the woodland in the event there is damage to either to property or life from the TPO trees root system failing as already recently seen on the village development, we will hold the council fully accountable.

Refusal statements: 06/16/0311/F



**No. Condition Text**

1. The application site is located outside of the village development limits of Fleggburgh and is not adjacent to any other development. The application does not apply. Were the application to be assessed against the Interim Housing Land Supply Policy the application would be refused. HOU10 of the Borough Wide Local Plan seeks to prevent development outside of the development limits. The application is made to comply with policy HOU10 and as such the development as proposed is contrary to current policy. The application is in accordance with HOU10 restricts the development outside of development limits to exceptional circumstances. The application is an unsustainable location, is therefore contrary to the National Planning Policy Framework and CS1 of the Borough Wide Local Plan.
2. The layout of the proposed development is not in keeping with the character, form or layout of the village. The application is contrary to policy CS9 of the adopted Core Strategy. The overdevelopment of the site is contrary to policy CS1 of the Core Strategy and Paragraph 17 of the National Planning Policy Framework. The application is a development of the site which would lead to a development which is out of keeping with the character of the village. The application is contrary to the Borough Wide Local Plan.
3. The size and location of the proposed dwellings would have a significant adverse effect on the amenity of the village. The application is coupled with the over intense use of the site and the significant adverse effect on the character of the village. The application is contrary to the National Planning Policy Framework. The application has not taken the designation of the village as a village into account. The application is a few services and facilities, with limited access to public transport and very few employment opportunities. The application is an unsustainable location and the development would be contrary to the principles of the National Planning Policy Framework.

Clearly any statements to mitigate regarding increasing affordable housing (nationwide) would not apply in this case due to the size and location of the housing, although it may be convenient to reference this to strengthen the case. The cost of the housing will clearly not fall into the first home/affordable housing category. As taxpayer I would expect a clear line to be drawn by a professional body such as yourselves as to whether this qualifies as stated.

In closing we fail to see what has changed here, the landscape will still be blighted by these properties as originally stated by the planning inspectorate - Nick Palmer (see attached – 17-22)

Regards

Jamie and Wendy Hall  
Woodlands  
7 The Village  
Main Road  
Fleggburgh

## Gemma Manthorpe

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**From:** Nick Calver <[REDACTED]>  
**Sent:** 05 February 2018 10:31  
**To:** Gemma Manthorpe; Gemma Manthorpe  
**Subject:** Objection to the 'new' White Gates application 06/16/0311/F - Nick and Rachel Calver  
**Attachments:** obj.pdf  
**Importance:** High

Good morning Ms Manthorpe

With reference to the new application regarding developing the White Gates site **06/17/0777/F**

The comments Jamie Hall made highlight the same objections we wish to formally raise. It seems as though even with government reports and the ancient woodland report these comments have been ignored when submitting the latest application.

More worrying is why we haven't received a letter in a timely fashion and only after we noticed a sign on the gate of the property did communications start.

If you could record our objection in line with Jamie and Wendy's points and let me know you have received it I would appreciate it

Thanks  
Nick Calver  
5 The Village  
Main Road  
Fleggburgh

----- Forwarded Message

**From:** Jamie Hall <[REDACTED]>

**Date:** Mon, 15 Jan 2018 12:21:39 +0000

**To:** <gm@great-yarmouth.gov.uk>, <Gemma.Manthorpe@great-yarmouth.gov.uk>

**Conversation:** Objection to the 'new' White Gates application 06/16/0311/F - Jamie and Wendy Hall Part B

**Subject:** Re: Objection to the 'new' White Gates application 06/16/0311/F - Jamie and Wendy Hall Part B

Dear Ms Manthorpe,

We understand that there is a new White Gates application been made **06/17/0777/F**. There are a few comments concerns from our side which we would like to understand;

- why have no member(s) of the Village management company (adjacent landowners – 1,3,5,7 & 9 the Village, Main Road, Fleggburgh) been sent a letter regarding the new development when on the two previous applications they were? We would like this clearly answered as we feel it has particular bearing on the outcome and feel that the system is failing in it's duty to consult all the relevant /affected parties. Particularly as there were strong objections to the previous applications.
- In light of the previous upheld objections and clear statements made by previous surveys (particular to the Risk to Ancient Woodland and any potential property damage/injury

- If the council deems this application fit to commence as the two additional new properties are still very close to the woodland in the event there is damage to either to property or life from the TPO trees root system failing as already recently seen on the village development, we will hold the council fully accountable.



GREAT YARMOUTH  
BOROUGH COUNCIL

Clearly any statements to mitigate regarding increasing affordable housing (nationwide) would not apply in this case due to the size and location of the housing, although it may be convenient to reference this to strengthen the case the cost of the housing will clearly not fall into the first home/affordable housing category. As taxpayer I would expect a clear line to be drawn by a professional body such as yourselves as to whether this qualifies as stated.

Jamie and Wendy Hall  
Woodlands  
7 The Village  
Main Road  
Fleggburgh

2

Scan 06/16/0311/F



## Appeal Decision

Site visit made on 30 August 2016

by Nick Palmer BA (Hons) BPI MRTPI

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

Decision date: 9 September 2016

**Appeal Ref: APP/U2615/W/16/3148204**

**White Gates, Main Road, Fleggburgh, Norfolk NR29 3AG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr M Barnard against the decision of Great Yarmouth Borough Council.
- The application Ref 06/15/0617/F, dated 18 September 2015, was refused by notice dated 12 February 2016.
- The development proposed is demolition of existing detached dwelling and the erection of 5 detached dwellings.

### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The Council's delegated planning officer's report and appeal statement refer to effects on the living conditions of adjacent occupants but these do not form part of the stated reasons for refusal. I shall not therefore consider these matters as main issues in the appeal.

### Main Issues

3. The main issues are:
  - i) the effect of the proposal on the character and appearance of the area, including its potential effect on adjacent trees; and
  - ii) the accessibility of the site to services and facilities.

### Reasons

#### *Character and Appearance*

4. The appeal site lies close to the village of Fleggburgh but in open countryside. It comprises a detached bungalow which stands in a large garden. There are two other adjacent dwellings which are sited well back from the road and to the rear of the site. There are trees within the gardens of the site and adjacent properties and an adjacent area of protected woodland. Beyond the woodland there is a recent housing development of mainly large detached houses in large gardens having a wooded setting ('The Village'). The site lies outside the village development limits of Fleggburgh as defined in the Great Yarmouth Borough Wide Local Plan (LP) (2001).



5. Saved policy HOU10 of the LP restricts permission for new dwellings in the countryside to those required for specified purposes such as agriculture or forestry. The Plan period has expired and the Council relies on sites which have been identified in its Strategic Housing Land Availability Assessment (SHLAA) and on its Interim Housing Land Supply Policy (IHLSP) to ensure its supply of housing. This arrangement is to continue until its Site Allocations Local Plan is adopted. In the meantime the Council considers that it has a five-year supply of housing land and the appellant does not dispute this.
6. The full text of the IHLSP has not been provided to me. However that policy is said to make provision for housing development on sites that have been identified in the SHLAA and which are on the edge of villages. I understand that the site was put forward for inclusion within the SHLAA but the Council advises that it has not been included. The site is not on the edge of the village in that it is separated from the village development limit by intervening land. Thus on the basis of the information before me the IHLSP would not allow for the proposed development.
7. Paragraph 14 of the National Planning Policy Framework (the Framework) states a presumption in favour of sustainable development. Where relevant development plan policies are out-of-date as in this case, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.
8. Policy CS1 of the Great Yarmouth Local Plan: Core Strategy (CS) (2015) requires sustainable development including consideration of landscape and built character as well as accessibility to jobs, shops and community facilities by sustainable means of transport. These considerations are consistent with the core planning principles in paragraph 17 of the Framework.
9. Although the site is close to the built up area of the village and there is housing development to the east, the immediate area has a distinctly rural character arising from the generally open adjoining land and the extensive tree cover. The nearby development at 'The Village' does not alter that character because of its spacious quality and wooded setting. The site is associated with two other dwellings but these are within an open setting and concealed to a large extent by trees.
10. The proposed development would contrast sharply with the layout and scale of 'The Village' and with that of the adjacent dwellings. It would provide three storey detached houses and a bungalow sited in close proximity to each other and with small gardens in comparison to the adjacent and nearby developments. The proposed development would be a more intensive form of development than is present in the immediate area and as such would be out of character.
11. Furthermore I find that the proposed full-height glazing features particularly those proposed for plot 1 would add to the dominant and intrusive effect of the development. I noted on my visit that the first house on 'The Village' has a full-height glazed feature but this is not dominant in the context of the scale, design and layout of that development.
12. The adjacent woodland is a significant feature in the landscape and provides separation between the site and 'The Village'. Most of the woodland is

protected by a Tree Preservation Order (TPO) which is defined by reference to an area. The boundary of the area covered by the TPO does not directly adjoin the site but I saw on my visit that conifer trees forming part of the woodland grow up to the site boundary. The appellant's Arboricultural Impact Assessment assesses the impact of the development on trees within the site and immediately around its boundaries but survey information regarding the nearest woodland trees is limited and for this reason any potential effects on those trees from the construction of the house on plot 1 and the driveway cannot be fully assessed. Protective fencing would be erected to protect the roots of selected trees around the boundaries and other protective measures would be used. However for the above reasons the extent of the survey information does not provide complete reassurance that the trees within the woodland would not be adversely affected.

13. I have taken into account the presumption in favour of the use of previously-developed land in the Framework. I have also taken into account the screening effect of the trees in the woodland and adjacent gardens but the development would remain visible and prominent. For the reasons given I conclude that the proposal would unacceptably harm the character and appearance of the area.
14. The appellant has drawn attention to the recent development at 'The Village' and further permissions on land adjoining that development. However the circumstances of each site and proposal vary and those other permissions for development outside the village development limits do not alter my conclusions on this issue. The proposal would not accord with policy CS1 of the CS or with saved policy HOU17 of the LP which requires consideration of density in relation to the character of the area. The proposal would not accord with saved policy HOU10 of the LP regarding housing development in the countryside but this carries reduced weight as the policy is out-of-date.

#### *Accessibility*

15. The site is within walking distance of a number of facilities which include a primary school, church, public house and village hall. There is also in close proximity a caravan and leisure park with a shop, although interested parties point out that this is only open in the high season. There is also a gym, pool and sports centre close by. The appellant states that there are other facilities including a doctor's surgery, post office and shop within 1 mile of the site and that those facilities are accessible via footpaths but the suitability of the footpath along the road is questioned by interested parties.
16. There are bus stops on Main Road but services to Great Yarmouth are infrequent. Although there are shortcomings in pedestrian facilities and public transport services there are nonetheless some facilities available within walking distance and easily accessible on foot or by bicycle. For these reasons residents of the proposed development would not necessarily be wholly reliant on the car and reasonable use could be made of sustainable means of transport. For these reasons I find that the proposal would be reasonably accessible to a range of local services and facilities and would accord with policy CS1 of the CS in this regard.

#### **Planning Balance**

17. I have found that the proposal would result in unacceptable harm to the character and appearance of the area. The core planning principles in the



Framework require high quality design taking into account the character of different areas and recognising the intrinsic character and beauty of the countryside. For the reasons given I find that the development would be at odds with the character of its surroundings and I attach significant weight to this harm.

18. Given that development plan policies for housing supply are out of date the proposal may be of benefit. The appellant advises that the site is available for development. However the Council says that it has a five year supply of land for housing. On the basis that there is no identified shortfall in provision I can give only limited weight to any benefit in terms of the contribution to housing supply.
19. The bungalow is proposed as an affordable dwelling but there is no planning obligation before me to secure this provision. For this reason I cannot give weight to any benefit in this regard.
20. The significant weight that I have given to the identified harm significantly and demonstrably outweighs the limited weight that I have given to the benefit of the proposal.
21. The harm to the character and appearance of the area indicates that the development would not accord with the environmental dimension of sustainable development. The reasonable level of accessibility of the site to services and facilities would accord with the three dimensions of sustainable development. The provision of new housing would accord with the social dimension in terms of increasing housing provision and supporting community facilities. It would also accord with the economic dimension in terms of providing employment during construction and supporting local businesses. However the significant harm that I have identified in respect of the environmental dimension means that the proposal when considered as a whole would not be a sustainable form of development.

#### **Conclusion**

22. For the reasons given I conclude that the appeal should be dismissed.

*Nick Palmer*

INSPECTOR



**Reference:** 06/17/0778/O

**Parish:** West Caister

**Officer:** Mr J Beck

**Expiry Date:** 12-03-2018

**Applicant:** Mrs Farnese

**Proposal:** Demolition of existing agricultural building and construction of one new dwelling on footprint

**Site:** Corner Farm  
West Road  
West Caister

## REPORT

### 1. Background / History :-

1.1 The application site is positioned on West Road, West Caister where the road bends to the south. Corner Farm is positioned to the east of the site with another property positioned to the front in the north east whilst the site itself contains a large, utilitarian, agricultural style building currently in equine use. West Caister is a tertiary village and is largely divided into two clusters of residential units; this development is positioned in the western cluster. The area is largely residential in character with rural/agricultural uses around the site. The area is largely defined by large properties on large plots of land, but with a row of bungalows further to the east.

1.2 The application is for outline permission for a new residential building stated as a bungalow on the application form utilising the footprint of the existing barn. However as the layout and scale are reserved matters the final footprint of the dwelling would be agreed at a detailed matters stage. The application is for all matters reserved meaning the access, appearance, layout, scale and landscaping are all to be dealt with by a detailed application.

1.3 The site is outside the village development limit as West Caister does not have a formal settlement limit as defined under the Local Plan. The Adopted Core Strategy



states West Caister is a Tertiary Village. The Broads Authority Area is located to the east of the area along Front Road.

#### 1.4 Planning History:

None

### **2. Consultations :-**

All Consultations are available to view on the website.

2.1 Parish Council – No objection.

2.2 Highways – No objection subject to conditions. The condition requested is to provide details of visibility splays, access, parking provision and turning.

2.3 Environmental Health – No objection subject to conditions. The recommended conditions include details of surface water drainage and land contamination as well as restrictions of working hours.

2.4 Public Consultation – No public objections were received.

### **3. Policy and Assessment:-**

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

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

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 POLICY HOU10

Permission for new dwellings in the countryside will only be given if required in connection with agriculture, forestry, organised recreation, or the expansion of existing institutions.

The council will need to be satisfied in relation to each of the following criteria:

- (i) the dwelling must be required for the purpose stated
- (ii) It will need to be demonstrated that it is essential in the interests of good agriculture or management that an employee should live on the holding or site rather than in a town or village nearby
- (iii) there is no appropriate alternative accommodation existing or with planning permission available either on the holding or site or in the near vicinity
- (iv) the need for the dwelling has received the unequivocal support of a suitably qualified independent appraiser
- (v) The holding or operation is reasonably likely to materialise and is capable of being sustained for a reasonable period of time. (in appropriate cases evidence may be required that the undertaking has a sound financial basis)
- (vi) the dwelling should normally be no larger than 120 square metres in size and sited in close proximity to existing groups of buildings on the holding or site
- (vii) a condition will be imposed on all dwellings permitted on the basis of a justified need to ensure that the occupation of the dwellings shall be limited to persons solely or mainly working or last employed in agriculture, forestry, organised recreation or an existing institution in the locality including any dependants of such a person residing with them, or a widow or widower or such a person
- (viii) where there are existing dwellings on the holding or site that are not subject to an occupancy condition and the independent appraiser has indicated that a further dwelling is essential, an occupancy condition will be imposed on the existing dwelling on the holding or site

- (ix) applicants seeking the removal of any occupancy condition will be required to provide evidence that the dwelling has been actively and widely advertised for a period of not less than twelve months at a price which reflects the occupancy conditions\*

In assessing the merits of agricultural or forestry related applications, the following additional safeguard may be applied:-

- (x) Where the need for a dwelling relates to a newly established or proposed agricultural enterprise, permission is likely to be granted initially only for temporary accommodation for two or three years in order to enable the applicant to fully establish the sustainability of and his commitment to the agricultural enterprise
- (xi) where the agricultural need for a new dwelling arises from an intensive type of agriculture on a small acreage of land, or where farm land and a farm dwelling (which formerly served the land) have recently been sold off separately from each other, a section 106 agreement will be sought to tie the new dwelling and the land on which the agricultural need arises to each other.

Note: - this would normally be at least 30% below the open market value of the property.

### 3.5 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.

### 3.6 Adopted Core Strategy:

#### 3.7 CS1 - Focusing on a sustainable future

A) Sustainable growth, ensuring that new development is of a scale and location that complements the character and supports the function of individual settlements

B) Mixed adaptable neighbourhoods, that provide choices and effectively meet the needs and aspirations of the local community

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 where it responds to positive local characteristics and protects the borough's biodiversity, unique landscapes, built character and historic environment

### 3.8 CS2 – Achieving Sustainable Growth

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 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy

### 3.9 CS9 – Encouraging well designed distinctive places

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

D) Provide safe access and convenient routes for pedestrians, cyclists, public transport users and disabled people, maintaining high levels of permeability and legibility

E) Provide vehicular access and parking suitable for the use and location of the development, reflecting the Council's adopted parking standards

G) Conserve and enhance biodiversity, landscape features and townscape quality

### 3.10 National Planning Policy Framework:

Paragraph 57. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

## 4. Appraisal:

4.1 The application site is situated on West Road where the road bends to the south. Corner Farm is formed of the main building to the east of the site which is a relatively large dwelling typical of a farmhouse. To the front of Corner Farm is a building currently in residential use (Honeysuckle Cottage) whilst there is a large barn structure to the west of the site which is the subject of this application. It is this barn that is proposed to be demolished and replaced. The barn is utilitarian in style, tall with a relatively large footprint. It has a block work base and steel top. The barn is currently used as a stables in equine use.

4.2 The application is for outline permission for a new dwelling utilising the footprint of the barn. Although the application states that the dwelling will utilise the footprint the application is for all matters reserved and the exact size and layout of the barn will be determined under a detailed application.

4.3 The proposal is outside the village development limit and as West Caister does not have a defined settlement limit the site is not immediately adjacent to the village development limit. Accordingly the Interim Housing Land Supply Policy carries limited weight in this instance. However the proposal is opposite a site taken to the Local Plan Working Party (18<sup>th</sup> September 2017) as a potential allocation in a Tertiary Village. Each potential site is assessed against the Site Assessment Criteria which derive from the Sustainability Objectives set by the Core Strategy and the legal requirements for Strategic Environmental Assessment and the Strategic Planning team have recommended the site opposite for allocation. It should be noted that as no allocations have been determined this document also contains limited weight. The further along the process a potential allocation goes to being adopted the greater weight it has.

4.4 West Caister is a Tertiary Village and policy CS2 states that 5% of expected housing for the Borough of Great Yarmouth should be located in secondary and tertiary villages. The applicant has submitted examples of public transport and walking routes as part of their application.

## **5.0 Assessment**

5.1 The location of the development is considered acceptable in principal and contributes to the supply of housing as set out in policy CS2 of the adopted Core Strategy. It is recognised that policy HOU10 which governs new dwellings in the countryside is restrictive about the type of housing allowed in the countryside usually limiting new housing to agricultural or business needs meaning the proposal is a



departure. However appropriate weight should be given policies CS2 and CS3 of the adopted Core Strategy and in addition some weight can be given to the potential; allocation of a nearby site. The Local Plan Working Party (18<sup>th</sup> September 2017) recommended a site directly north (numbered 94) for allocation. If this recommended allocation meets the criteria then a site situated adjacent could also be considered to meet the sustainability objectives defined under the Core Strategy.

5.2 Policy CS2 of the adopted Core Strategy recommends that 5% of the overall housing numbers required for the Borough is located in Secondary and Tertiary Villages. This dwelling will go towards meeting this target. Whilst it is recognised that the limited services within the village of West Caister restricts the numbers of potential for new dwellings a singular dwelling could be acceptable. The site is not considered isolated as it relates well to its surroundings and is positioned within a clear cluster of housing.

5.3 As of April 1<sup>st</sup> 2017 the Borough has a 4.13 year supply of housing land and as such is a significant material consideration in the determination of this application. 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.

5.4 The proposal is outline only and does not include the access. The site is located on a corner, however the Highways Department have not objected and have stated that obtaining the required visibility splay is possible in this location. Accordingly they have recommended a condition for all details to be agreed with a detailed or full application.

5.5 Details of the appearance and scale of the development are reserved matters. The applicant has stated that the proposed bungalow will be limited to the footprint of the existing building. The existing footprint is relatively large and the full details of the layout, scale and appearance would be subject to a detailed application. The site is of a sufficient size to accommodate the dwelling and a curtilage. The plot would also ensure that Corner Farm itself retains a sufficient curtilage.

5.6 The site contains a thick hedgerow across the frontage which adds to the character of the development and helps shield it visually. The retention of this hedgerow (with allowances to provide a visibility splay) can be conditioned under a landscaping condition should approval be given.

5.7 Environmental Health has been consulted and have requested a condition regarding surface water drainage and a contamination condition. It is considered reasonable to address surface water drainage by way of a condition as the site is not within a flood zone nor is it an area of critical drainage. However it is recognised in the Environmental Health's comments that sub-division of former agricultural sites can have surface water issues and the Local Plan Working Party states that West Caister can experience surface water issues more generally. As the site will utilise an existing footprint it is considered that the overall impact would not be significant.

5.8 No neighbour objections were received nor has the parish council objected.

**6. RECOMMENDATION :- 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 Environmental Health conditions. In accordance with the application form a condition ensuring the development is single storey will be included.

## **RECOMMENDATIONS FROM CAISTER PARISH COUNCIL**

**06/17/0577/F**      Proposed single storey extension at 5 Kingston Avenue, Caister NR30 5ET

**Recommendation** - No Objection

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**06/17/0755/F**      Proposed front porch extension at 36 West Road, Caister NR30 5BD

**Recommendation** - No Objection

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**06/17/0760/F**      Proposed 2 storey side extension at 5 Hanly Court, Caister NR30 5XB

**Recommendation** - No Objection

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**06/17/0778/O**      Demolition of existing agricultural building and construction of one new dwelling on footprint at Corner Farm, West Road, West End, West Caister NR30 5ST

**Recommendation** - No Objection

## **MEMORANDUM**

### **From Environmental Services**

To: Planning Services

Attention: Mr Jason Beck

cc: -

Date: 26<sup>th</sup> of January 2018

Our ref: R071933

Your ref: 06/17/0778/O

Please ask for: David Addy

Extension No: 846678

---

**Proposal: Demolition of existing agricultural building and construction of one new dwelling on footprint.**

**Location: Corner Farm, West Road, West End, West Caister, GREAT YARMOUTH, NR30 5ST.**

Great Yarmouth Borough Council Environmental Services does not object to the grant of consent for the above referenced prior approval application. However, we do give the following advice, conditions, and informatives for inclusion on any consent that may be granted.

#### **Foul water drainage**

Officer experience has shown that sub-divided and former agricultural sites often have issues with insufficient and unsuitable surface water drainage systems, which are often shared with other dwellings leading to surcharging issues, neighbour disputes, and enforcement action. Therefore it is important to take care with these aspects.

#### **Potential Land Contamination**

There is no Phase 1 contamination report submitted with this application, to consider the previous potentially contaminative agricultural uses of the barn and land, and whether Phase 2 intrusive investigations are required.

#### **Conditions:**

##### **DW/SW Surface water**

Prior to the commencement of work on site, full details of the means of surface water drainage, shall be submitted to and agreed in writing with the local planning authority. The details should include the results from percolation tests if appropriate and incorporate installation of water efficiency and water saving devices such as rain saver systems. The development shall be carried out in accordance with the agreed details prior to the first occupation and shall be retained as such thereafter.

It should be noted that it is the applicants/developers/owners responsibility to ensure adequate drainage of the site so as not to adversely affect surrounding land, property or highway.

Reason for the condition

To minimise the possibilities of flooding.

**Land Contamination:**

Prior to the commencement of the development and to the satisfaction of the Environmental Services Group Manager, a Phase 1 contamination report shall be carried out to assess whether the land is likely to be contaminated. The report shall also include details of known previous uses and possible contamination arising from those uses.

If contamination is suspected to exist, a Phase 2 site investigation is to be carried out to the satisfaction of the Environmental Services Group Manager. If the Phase 2 site investigation determines that the ground contains contaminants at unacceptable levels then the applicant is to submit a written strategy detailing how the site is to be remediated to a standard suitable for its proposed end-use to the Environmental Services Group Manager.

No dwellings/buildings hereby permitted shall be occupied until the remediation works agreed within the scheme have been carried out to the satisfaction of the Local Planning Authority.

Reason for the condition

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**(Note: the applicant is strongly advised to contact Environmental Health at an early stage.)**

**Contaminated land during construction**

In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until:

- 1) a report shall be submitted and agreed in writing by the Local Planning Authority which includes results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified and
- 2) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the Local Planning Authority.

Reason for the condition

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.



### **Informatives:**

#### **Advisory Note**

The applicant is strongly recommended to advise neighbouring businesses and residential occupiers of the proposals, including any periods of potentially significant disturbance e.g. demolition or piling, together with contact details in the event of problems.

#### **Disclaimer re contamination**

NOTE: The responsibility for the safe development and secure occupancy of the site rests with the developer. The local planning authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination, or that the land could not be declared Contaminated Land in future.

#### **Hours of Work:**

The hours of any noisy construction or refurbishment works should be restricted to:

- 0730 hours to 1800 hours Monday to Friday
- 0830 hours to 1330 hours Saturdays
- No work on Sundays or Bank Holidays.

#### **Local Air Quality:**

The site will potentially generate a significant amount of dust during the construction process; therefore, the following measures should be employed:

- An adequate supply of water shall be available for suppressing dust;
- Mechanical cutting equipment with integral dust suppression should be used;
- There shall be no burning of any materials on site, or burial of asbestos, which should instead be removed by an EA licenced waste carrier, and the waste transfer notes retained as evidence.

**David Addy CEnvH, MCIEH, MSc, BSc (Hons), LCGI**  
Chartered Environmental Health Practitioner  
Environmental Health Officer

From To: Building Control Manager

My Ref: 06/17/0778/O

To From: Development Control Manager

Date: 3rd January 2018

Case Officer: Mr J Beck  
Parish: Caister On Sea 4

**Development at:-**

Corner Farm West Road  
West End West Caister  
GREAT YARMOUTH  
NR30 5ST

**For:-**

Demolition of existing  
agricultural building and  
construction of one new  
dwelling on footprint

**Applicant:-**

Mr R Farnese  
Corner Farm West Road  
West End West Caister  
GREAT YARMOUTH

**Agent:-**

Mr R Farnese  
Corner Farm West Road  
West End West Caister  
GREAT YARMOUTH

The above mentioned application has been received and I would be grateful for your comments on the following matters:-

Please let me have any comments you may wish to make by 17th January 2018.

**COMMENTS:**

Using information supplied I have no  
adverse comments

DBE . 5.1.18

Jason Beck  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Your Ref: 06/17/0778/O  
Date: 2 January 2018

My Ref: 9/6/17/0778  
Tel No.: 01603 638070  
Email: stuart.french@norfolk.gov.uk

Dear Jason

**Caister on Sea: Demolition of existing agricultural building and construction of one new dwelling on footprint  
Corner Farm West Road West End West Caister GREAT YARMOUTH NR30 5ST**

Thank you for your recent consultation with respect to the above and as you will be aware from the documentation submitted with the application, the applicant has carried out a pre-application consultation with the Highway Authority, and in this respect my comments are now a matter of record.

It should be noted that at pre-application stage the visibility splays shown in the application presume ownership of the land out side of the submitted red line plan; the applicant having appeared not to identify land also in their control in blue. I suspect from the other information supplied this may be an omission and can be corrected at the detailed application stage; in reality even if the applicant does not own the land, the minor variation in the visibility splay is unlikely to have a significant adverse effect in this case.

Having examined the information submitted with the application, which is all matters reserved, in terms of highway considerations, at this stage, I would have no objection to the principle of the development. However, the applicant would need to provide an appropriate design at a reserved matters / full application stage to address the following points in accordance with the adopted standards:

- i) Visibility splays;
- ii) Access;
- iii) Parking provision in accordance with adopted standard; and
- iv) Turning.

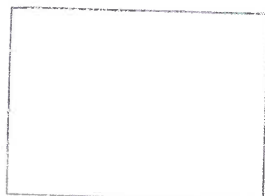
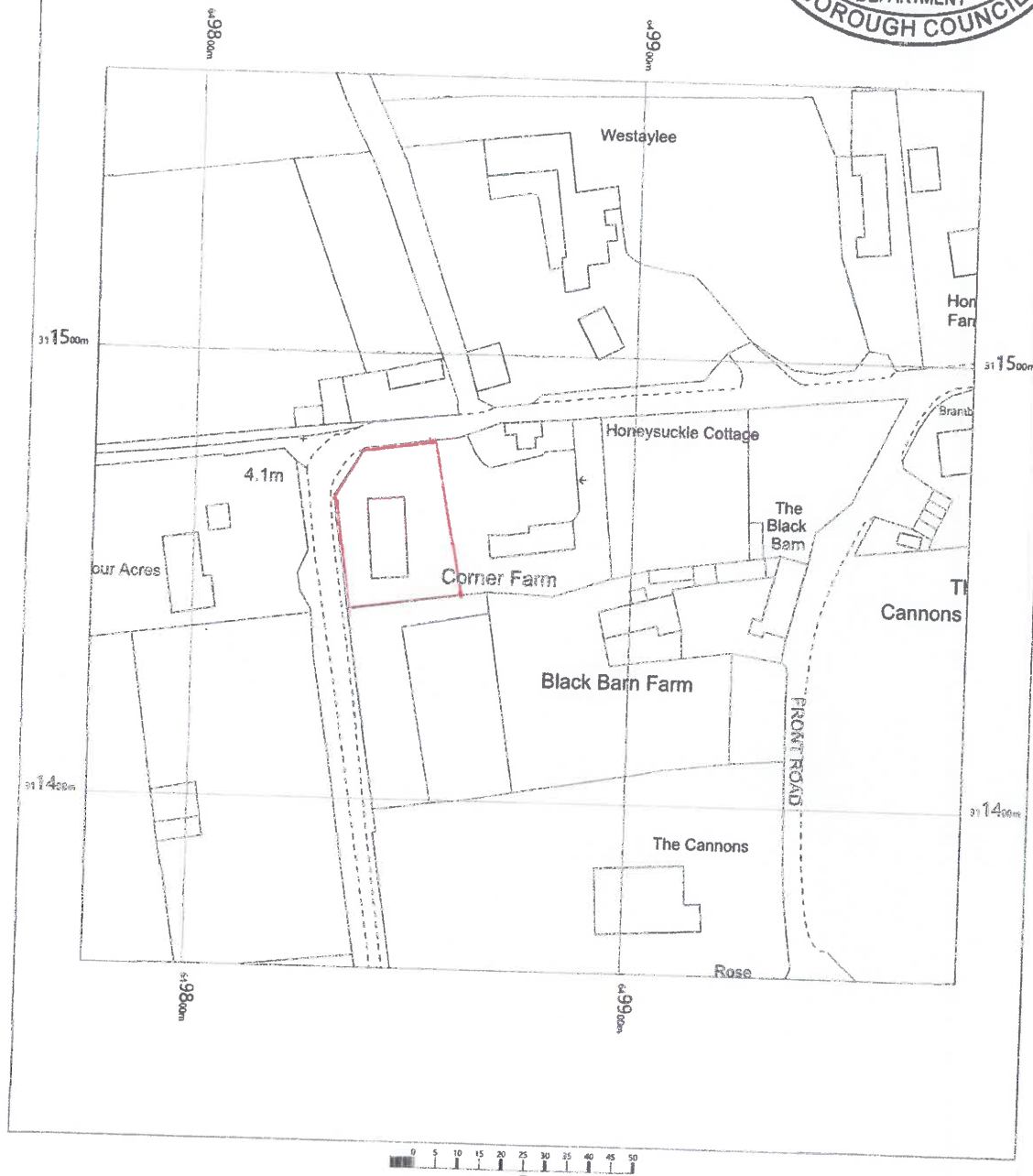
Yours sincerely

*Stuart French*

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

Corner Farm Plot West Rd W Caister

06/17/0778/0



OS MasterMap 1250/2500/10000 scale  
Wednesday, December 13, 2017, ID: CM-00677525  
[www.centremapslive.co.uk](http://www.centremapslive.co.uk)

1:1250 scale print at A4, Centre: 649877 E, 311462 N

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GREAT  
YARMOUTH  
BOROUGH COUNCIL

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE**

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REFERENCE	<b>06/17/0622/F</b>
PARISH	Belton & Browston 10
PROPOSAL	Proposed five bedroomed dwelling
SITE	Heath Liveries (Land at) Browston Lane Browston GREAT YARMOUTH NR31 9DP
APPLICANT	Mr P Needham
DECISION	<b>APPROVE</b>

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REFERENCE	<b>06/17/0625/F</b>
PARISH	Fleggburgh 6
PROPOSAL	Two-storey extension
SITE	2 Chapel Cottages Rollesby Road Fleggburgh GREAT YARMOUTH
APPLICANT	Mr & Mrs Couling
DECISION	<b>APPROVE</b>

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REFERENCE	<b>06/17/0585/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Demolition of existing residential dwelling and replacement with two new residential dwellings
SITE	70 Marine Parade Gorleston GREAT YARMOUTH NR31 6EZ
APPLICANT	Mr Hendrie
DECISION	<b>REFUSED</b>

---

REFERENCE	<b>06/16/0435/O</b>
PARISH	Martham 13
PROPOSAL	Outline application with all matters reserved apart from access for up to 144 new dwellings
SITE	Repps Road (Land south of) Martham GREAT YARMOUTH
APPLICANT	Mr J Chapman
DECISION	<b>APPROVE</b>

---

REFERENCE	<b>06/16/0811/F</b>
PARISH	Martham 13
PROPOSAL	Roundabout and new access road
SITE	Repps Road (Land South of) Martham GREAT YARMOUTH
APPLICANT	Mr J Chapman
DECISION	<b>APPROVE</b>

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



**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0783/F</b>
PARISH	Belton & Browston 10
PROPOSAL	Front porch and rear extension
SITE	7 Station Road South Belton GREAT YARMOUTH NR31 9JG
APPLICANT	Mr K Bacon
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0033/F</b>
PARISH	Bradwell N 1
PROPOSAL	Replace existing fence & gate, erect new fence & brick wall north side of house, along boundary. Max height 1.8m
SITE	20 El Alamein Way Bradwell GREAT YARMOUTH NR31 8SY
APPLICANT	Mr M Fellgett
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0037/F</b>
PARISH	Bradwell N 1
PROPOSAL	Proposed side and front single storey extension
SITE	53 Blackbird Close Bradwell GREAT YARMOUTH NR31 8RT
APPLICANT	Mr C & Mrs J Waters
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/17/0773/F</b>
PARISH	Bradwell S 2
PROPOSAL	Construct a Sub Station to serve Phase 2 of residential development permitted under 06/13/0652/O and 06/16/0064/D
SITE	Wheatcroft Farm (Land at) Bradwell GREAT YARMOUTH (Land at South Bradwell)
APPLICANT	Persimmon Homes Anglia
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0006/PDE</b>
PARISH	Bradwell S 2
PROPOSAL	Notification of larger home extension - single storey flat roof rear extension
SITE	66 Bradwell Avenue Bradwell GREAT YARMOUTH NR31 8HE
APPLICANT	Mr E Leek
DECISION	<b>PERMITTED DEV.</b>
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0787/F</b>
PARISH	Burgh Castle 10
PROPOSAL	Demolition of existing conservatory and erection of new extension to rear of bungalow
SITE	Strawlands Mill Road Burgh Castle GREAT YARMOUTH
APPLICANT	Mr G Miller
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/17/0760/F</b>
PARISH	Caister On Sea 3
PROPOSAL	Proposed 2 storey side extension
SITE	5 Hanly Court Caister GREAT YARMOUTH NR30 5XB
APPLICANT	Mr & Mrs Holland
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0015/F</b>
PARISH	Caister On Sea 3
PROPOSAL	Proposed loft conversion with dormers to front and rear elevations. Proposed side extension to form porch
SITE	6 East End Close Caister GREAT YARMOUTH NR30 5PG
APPLICANT	Mrs M Chapman
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0010/F</b>
PARISH	Caister On Sea 4
PROPOSAL	Single storey kitchen extension
SITE	6 Victoria Street Caister GREAT YARMOUTH NR30 5HA
APPLICANT	Mrs T Hunt
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0019/A</b>
PARISH	Caister On Sea 4
PROPOSAL	Proposed new business signage
SITE	The Green Gate Public House High Street Caister GREAT YARMOUTH NR30 5EL
APPLICANT	Enterprise Inns Plc
DECISION	<b>ADV. CONSENT</b>
<hr/>	
REFERENCE	<b>06/18/0065/F</b>
PARISH	Caister On Sea 4
PROPOSAL	Change extg garage. Knock down parapits on front /rear.Remove flat roof & replace - rafters & tiles,2 garage drs, 2 bk drs
SITE	95 Salisbury Road GREAT YARMOUTH Norfolk NR30 4LS
APPLICANT	Mrs L Morris
DECISION	<b>APPROVE</b>
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0764/CD</b>
PARISH	Filby 6
PROPOSAL	Construct 6 no. dwellings with access road, site works, etc - Discharge of Conditions 3, 4 & 6 re: PP 06/17/0306/F
SITE	Glebe Farm Close Filby
APPLICANT	GREAT YARMOUTH NR29 3HS
DECISION	Mr B Newson <b>APPROVE (CONDITIONS)</b>

REFERENCE	<b>06/18/0055/CD</b>
PARISH	Filby 6
PROPOSAL	Replacement of 12 existing sash windows - Discharge of condition 3 re: PP 06/17/0721/LB
SITE	Chestnut House Main Road Filby
APPLICANT	GREAT YARMOUTH NR29 3HN
DECISION	Mr M Jarvis <b>APPROVE (CONDITIONS)</b>

REFERENCE	<b>06/18/0020/F</b>
PARISH	Fleggburgh 6
PROPOSAL	Vary con 11 of pp 6/15/705/F - Construct 9 mixed size/type resl dwellings (as amended) design change of houses
SITE	Rollesby Road (Land to the East) Fleggburgh
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mrs R Brooks <b>APPROVE</b>

REFERENCE	<b>06/18/0025/F</b>
PARISH	Fleggburgh 6
PROPOSAL	Proposed single storey extension to rear. Two-storey extension to gable end
SITE	2 Gate House Close Fleggburgh
APPLICANT	GREAT YARMOUTH NR29 3FE
DECISION	Mr D Nicholls <b>APPROVE</b>

REFERENCE	<b>06/18/0017/F</b>
PARISH	Fritton/St Olaves 10
PROPOSAL	Erection of a portacabin for use as a temporary visitor centre, cafe, gift shop, office, and toilet block
SITE	Redwings Caldecott Hall Estate Beccles Road Fritton
APPLICANT	GREAT YARMOUTH NR31 9EY
DECISION	Miss R Spencer <b>APPROVE</b>

REFERENCE	<b>06/17/0750/F</b>
PARISH	Great Yarmouth 5
PROPOSAL	Removal of a section of front boundary wall to form dropped kerb and vehicular access
SITE	27 Burgh Road Gorleston
APPLICANT	GREAT YARMOUTH NR31 8BE
DECISION	Mr C Stanton <b>APPROVE</b>

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0756/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Demolition of existing conservatory and erection of new extension to rear
SITE	3 Yallop Avenue Gorleston GREAT YARMOUTH NR31 6HA
APPLICANT	Mr D Biss
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0016/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Removal of existing roof canopy and erection of single-storey glass canopy to front elevation of property
SITE	9 Arnott Avenue Gorleston GREAT YARMOUTH NR31 6HS
APPLICANT	Mr Reynolds
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/17/0789/F</b>
PARISH	Great Yarmouth 11
PROPOSAL	Proposed side/rear extension
SITE	202 Lowestoft Road Gorleston GREAT YARMOUTH NR31 6JG
APPLICANT	Mr D Harding
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0005/PDE</b>
PARISH	Great Yarmouth 11
PROPOSAL	Notification of larger home extension - single storey rear extension to form bedroom
SITE	48 Oxford Avenue Gorleston GREAT YARMOUTH NR31 7ES
APPLICANT	Mr B McCourt-Hall
DECISION	<b>PERMITTED DEV.</b>
<hr/>	
REFERENCE	<b>06/18/0024/F</b>
PARISH	Great Yarmouth 11
PROPOSAL	Proposed dropped kerb for vehicle access with impermeable covering & new drainage channel adj pavement
SITE	162 Lowestoft Road Gorleston GREAT YARMOUTH NR31 6JD
APPLICANT	Mrs S P Whittington
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/17/0660/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Variation of condition 1 of Planning Permission 06/17/0289/F - Amendments to approved drawings
SITE	136 King Street GREAT YARMOUTH Norfolk NR30 2PQ
APPLICANT	Mr Vyas
DECISION	<b>APPROVE</b>
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/17/0670/CD</b>
PARISH	Great Yarmouth 14
PROPOSAL	DoC 5 & 6 of PP 06/17/0289/F & Listed Building Consent
SITE	06/17/0209/LB-convert & extend at rear forming resident units 136 King Street GREAT YARMOUTH Norfolk NR30 2PQ
APPLICANT	Mr B Vyas
DECISION	<b>APPROVE (CONDITIONS)</b>
<hr/>	
REFERENCE	<b>06/17/0676/CD</b>
PARISH	Great Yarmouth 14
PROPOSAL	Discharge of Condition 9 and 10 (A) of Planning Permission
SITE	06/17/0218/O Pleasure Beach South Beach Parade GREAT YARMOUTH NR30 3EH
APPLICANT	Mr A Jones
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/17/0744/PDC</b>
PARISH	Great Yarmouth 14
PROPOSAL	Details of prior approval - change of use from warehouse
SITE	(B8) to two residential dwellings (C3) The Church Albion Road GREAT YARMOUTH NR30 2HU
APPLICANT	Mr J Walker
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/17/0770/LB</b>
PARISH	Great Yarmouth 14
PROPOSAL	Variation of condition 1 of Listed Building Consent
SITE	06/17/0290/LB - amendments to approved drawings 136 King Street GREAT YARMOUTH Norfolk NR30 2PQ
APPLICANT	Mr B Vyas
DECISION	<b>LIST.BLD.APP</b>
<hr/>	
REFERENCE	<b>06/18/0022/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Variation of condition 2 of planning permission
SITE	06/17/0440/F - to allow timber cladding as to previous render 31-33 South Quay Nelson House GREAT YARMOUTH NR30 2RG
APPLICANT	Daylight Nelson House Ltd
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0068/CD</b>
PARISH	Great Yarmouth 14
PROPOSAL	81-BEDROOM HOTEL, ASSOCIATED PUB/RESTAURANT, PARKING ,
SITE	ASSOCIATED INFRASTRUCTURE AND LANDSCAPING (PHASE 1) Pleasure Beach South Beach Parade GREAT YARMOUTH NR30 3EH
APPLICANT	Mr A Jones
DECISION	<b>APPROVE</b>
<hr/>	



**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/17/0688/CU**  
 PARISH Great Yarmouth 15  
 PROPOSAL Retrospective change of use of former fishing tackle shop to assembly rms for adult events & occasional use as a club  
 SITE Unit 10 Estcourt House Estcourt Road  
 GREAT YARMOUTH NR30 4JQ  
 APPLICANT Mr G Kendrick  
 DECISION **REFUSED**

REFERENCE **06/17/0758/CD**  
 PARISH Great Yarmouth 15  
 PROPOSAL Discharge of conditions 6, 7 and 10 of Planning permission 06/16/0765/F  
 SITE 19 Hall Quay GREAT YARMOUTH  
 Norfolk NR30 1HP  
 APPLICANT Atal Properties  
 DECISION **APPROVE (CONDITIONS)**

REFERENCE **06/17/0780/F**  
 PARISH Great Yarmouth 15  
 PROPOSAL Single storey rear extension to provide staff room  
 SITE 23-24 North Drive The Hamilton  
 GREAT YARMOUTH NR30 4EW  
 APPLICANT Mr & Mrs Higton  
 DECISION **APPROVE**

REFERENCE **06/17/0776/O**  
 PARISH Great Yarmouth 19  
 PROPOSAL Proposed two storey building to be used as a snooker club  
 SITE 2-3 Beach Road Gorleston  
 GREAT YARMOUTH NR31 6BH  
 APPLICANT Mr W Toovey  
 DECISION **APPROVE**

REFERENCE **06/18/0001/A**  
 PARISH Great Yarmouth 19  
 PROPOSAL 1 fascia sign, 1 projecting sign and vinyl window manifestations  
 SITE 4 Lowestoft Road Gorleston  
 GREAT YARMOUTH NR31 6LY  
 APPLICANT Mr I Archer  
 DECISION **ADV. CONSENT**

REFERENCE **06/18/0004/F**  
 PARISH Great Yarmouth 19  
 PROPOSAL Ground floor single storey front extension to provide shower room  
 SITE 2 St Andrews Close Gorleston  
 GREAT YARMOUTH NR31 7AD  
 APPLICANT Mr A Lee  
 DECISION **APPROVE**

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/17/0733/F**  
 PARISH Great Yarmouth 21  
 PROPOSAL Proposed extensions and internal alterations

SITE 59 North Drive GREAT YARMOUTH  
 Norfolk NR30 4EX

APPLICANT Mr A Evans  
 DECISION **APPROVE**

REFERENCE **06/18/0018/PDE**  
 PARISH Great Yarmouth 21  
 PROPOSAL Proposed single storey rear extension

SITE 95 Salisbury Road GREAT YARMOUTH  
 Norfolk NR30 4LS

APPLICANT Mrs L Morris  
 DECISION **PERMITTED DEV.**

REFERENCE **06/17/0734/F**  
 PARISH Hemsby 8  
 PROPOSAL Variation of condition to allow occupancy from 27th February to 11th February the following year

SITE 33 and 34 Four Acres Estate Hemsby  
 GREAT YARMOUTH NR29 4JB

APPLICANT Mr P Mitchell  
 DECISION **APPROVE**

REFERENCE **06/18/0034/F**  
 PARISH Hemsby 8  
 PROPOSAL Proposed pitched roof to replace flat roof

SITE 10 Common Road Hemsby  
 GREAT YARMOUTH NR29 4LT

APPLICANT Mr and Mrs Murrell  
 DECISION **APPROVE**

REFERENCE **06/17/0598/O**  
 PARISH Hopton On Sea 2  
 PROPOSAL Sub division of plot and construction of detached bungalow

SITE 48 Warren Road Hopton (Parish of)  
 GREAT YARMOUTH NR31 6JT

APPLICANT Mrs Bishop  
 DECISION **APPROVE**

REFERENCE **06/17/0640/F**  
 PARISH Hopton On Sea 2  
 PROPOSAL Erection of a detached agricultural building (grain store)

SITE Farmhouse Home Farm Lowestoft Road Hopton  
 GREAT YARMOUTH NR31 9AN

APPLICANT SCC Corporate Property  
 DECISION **APPROVE**

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/17/0769/F**  
 PARISH Hopton On Sea 2  
 PROPOSAL Rear single storey and side two storey extensions

SITE 25 Coast Road Hopton  
 GREAT YARMOUTH NR31 9BT

APPLICANT Mr P Philbin  
 DECISION **APPROVE**

REFERENCE **06/17/0775/F**  
 PARISH Hopton On Sea 2  
 PROPOSAL Proposed loft conversion with side dormer roof extension

SITE 54 Old Church Road Hopton  
 GREAT YARMOUTH NR31 9BZ

APPLICANT Mr P Smith  
 DECISION **APPROVE**

REFERENCE **06/18/0044/F**  
 PARISH Hopton On Sea 2  
 PROPOSAL Demolition of extg bungalow, erection of a replacement agricultural workers dwelling and detached double garage

SITE Farmhouse Home Farm Lowestoft Road Hopton  
 GREAT YARMOUTH Norfolk

APPLICANT SCC Corporate Property  
 DECISION **APPROVE**

REFERENCE **06/17/0731/F**  
 PARISH Martham 13  
 PROPOSAL Replace conservatory with new garden room. Replace existing lean-to, 1.5 storey structure. Demolish existing outbuilding

SITE 70 Damgate Lane Sunnyside Martham  
 GREAT YARMOUTH NR29 4PZ

APPLICANT Mr and Mrs Janusz  
 DECISION **APPROVE**

REFERENCE **06/17/0779/CU**  
 PARISH Martham 13  
 PROPOSAL Change of use from agricultural land to additional garden space

SITE 70 Damgate Lane Sunnyside  
 Martham GREAT YARMOUTH

APPLICANT Mr & Mrs Janusz  
 DECISION **APPROVE**

REFERENCE **06/17/0754/F**  
 PARISH Ormesby St.Marg 16  
 PROPOSAL Proposed detached garage

SITE 4 Symonds Avenue Ormesby St Margaret  
 GREAT YARMOUTH NR29 3PN

APPLICANT Mr M Stolworthy  
 DECISION **APPROVE**

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-18 AND 27-FEB-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0009/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Construction of detached steel framed workshop
SITE	Tuddenham Caravan Park California Road California
APPLICANT	GREAT YARMOUTH NR29 3QW
DECISION	Mr W Tuddenham <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0050/PDE</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Single storey flat roof extension to form 2 bedrooms
SITE	11 Manor Way Ormesby St Margaret
APPLICANT	GREAT YARMOUTH NR29 3RG
DECISION	Mr C Humphrey <b>PERMITTED DEV.</b>
<hr/>	
REFERENCE	<b>06/17/0766/F</b>
PARISH	Rollesby 13
PROPOSAL	Renewal of planning permission 06/12/0607/F for field shelter for pet miniature horses
SITE	7 Rectory Close Rollesby
APPLICANT	GREAT YARMOUTH NR29 5HW
DECISION	Mr D Cooney <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0081/CD</b>
PARISH	Winterton 8
PROPOSAL	DoC10 of Planning Permission consent 06/15/0061/F - convert Net House to residential dwelling inc. extension
SITE	22 Bulmer Lane Old Net House Winterton
APPLICANT	GREAT YARMOUTH NR29 4AF
DECISION	Mr J Clark <b>APPROVE (CONDITIONS)</b>
<hr/>	

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