



GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Date: Wednesday, 06 March 2019

Time: 18:30

Venue: Council Chamber

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

AGENDA

Open to Public and Press

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 4 - 13

To confirm the minutes of the meeting held on 6 February 2019.

4 PLANNING APPLICATIONS

5 APPLICATION NO 06-16-0190-F FORMER FERRYSIDE 14 - 40
BUILDING & LAND 98 HIGH ROAD GORLESTON

Development of 6 houses & 28 flats with associated works - amended from 8, 3 bedroom terrace houses, 6, one bedroom flats and 30, 2 bedroom flats with associated external works.

6 APPLICATION NO 06-17-0681-F FORMER FLORIDA GROUP LTD 41 - 57
BUILDING, BELLS MARSH ROAD, GORLESTON

Redevelopment of land for 13 no. residential units.

7 APPLICATION NO 06-18-0601-F DAMGATE LANE MARTHAM 58 - 86

3 bungalows & garages & parking spaces.

8 APPLICATION NO 06-18-0224-F 20 ELMGROVE ROAD 87 - 98
GORLESTON

Sub-division of garden to form plot and construction of detached house.

9 DELEGATED AND COMMITTEE DECISION LIST 1-28 99 - 105
FEBRUARY 2019

The Committee to receive and note the planning decisions made by delegated authority by officers and by the Development Control Committee for the period 1-28 February 2019.

10 OMBUDSMAN AND APPEAL DECISIONS

06/17/0485/F – Change of use from guest house to a 14-bedroomed HMO with owner/manager flat contained in the basement at Rhonadean, 110/111 Wellesley Road, Great Yarmouth – appeal dismissed.

The original application was an officer delegated refusal.

11 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.

12 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, 06 February 2019 at 18:30

PRESENT:

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

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

1 APOLOGIES FOR ABSENCE

There were no apologies for absence received at the meeting.

2 DECLARATIONS OF INTEREST

Councillor Annison declared a personal interest in item 8 as he was the Ward Councillor and had spoken to local residents on this issue. Councillor G Carpenter declared a personal interest in item 7 as he was a close neighbour to the academy. However, in accordance with the Council's constitution, they were allowed to both speak and vote on the matter.

3 MINUTES

The minutes of the meeting held on 9 January 2019 were confirmed.

4 PLANNING APPLICATIONS

5 APPLICATION 06-18-0582-F, NORTHGATE HOSPITAL (SITE ADJACENT)

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

The Senior Planning Officer reported that the application was a full application for 76 dwellings revised to 69 dwellings at a brownfield site, a mixture of 14 flats and 2 & 3 bedroom townhouses. within the urban area of Great Yarmouth. The revised proposed vehicular access will be off Churchill Road and there would be pedestrian access off Northgate Street. The amendments had also rotated the block of flats proposed at the north east corner to reduce any potential overlooking to the properties at Beaconsfield Road.

The Senior Planning Officer reported that there were 10 objections received to the original application and 1 to the revised plans from local residents. Building Control had noted the requirement for sprinklers to be installed in the flats but the issue of fire safety would be dealt with under building regulations. Strategic planning had raised no objections and supported the application.

The Senior Planning Officer reported that the application stated that no public open space would be provided on site and this was deemed acceptable considering its location in the Borough. In order to comply with policy CS14, the draft Natura 2000 Monitoring and mitigation Strategy, the comments from Natural England and the findings of the HRA submitted in support of the application, £110 per dwelling was sought to go towards the monitoring or implementation of mitigation measure for designated sites and information leaflets provided for future occupants. The design and wording of the leaflets was to be agreed and secured by condition.

The Senior Planning Officer reported that the site was located within flood zone 3. The application was required to pass the sequential and exemption tests as laid out within the NPPF, paragraphs 158-160. The application has had a site specific flood risk assessment submitted in support, however, there is an objection from the Environment Agency to the previous plans showing 76 dwellings. The Environment Agency have not responded on the revised plans of 69 dwellings where the ground floor of flats have been removed and the development is recommended for approval on the basis that there are no

further objections from the Environment Agency. The application was being presented to Committee at this stage in an effort to offer the developer some certainty as they were keen to commence building as soon as possible.

The Senior Planning Officer reported that an objection had been received from the residents at 136 Northgate Street citing overlooking of their property. However, giving the location there will be a degree of overlooking but there will be a minimum of 25 metres between the new properties and Northgate Street and this is deemed as being sufficient.

The Senior Planning Officer reported that as it was a full application, details such as materials had been provided. The Conservation Officer had requested that the wall to be retained, barring access to the eastern boundary to Churchill Road instead of the proposed materials of wrought iron railings.

The Senior Planning Officer reported that Highways had no objection to the application but had recommended conditions and had not objected to the revised access off of Churchill Road and this access did not cross land owned by the Borough Council. Parking complied to Norfolk County Highways requirements but they had noted that internal parking arrangements could be reconfigured slightly which could be achieved as a minor amendment with the applicant if the application was approved.

The Senior Planning Officer reported that should the application be approved, there would be financial gains for the Local Planning Authority through additional Council Tax income, contributions secured under any s106 agreements and potentially, new homes bonus from the Government. The Committee should also note that the Borough currently had a housing land supply of 2.6 years as at the end of 2017/18, a significant shortfall to the required 5 years. The location of the site was considered to be in a sustainable location.

The Senior Planning Officer reported that the development as proposed, would be a significant boost to the housing supply in accordance with Paragraph 59 of the NPPF and the report identified conformity with a range of relevant Local Plan policies. Provided that the EA objection could be adequately dealt with, no other significant harms were identified that were judged to outweigh the benefits arising from the need for housing, given that the Appropriate Assessment had confirmed that there would be no significant adverse impact on Natura 2000 sites (subject to mitigation). It was acknowledged that the application would be brought back to Committee if there were any material changes prior to the issuing of a planning permission such as amendments to numbers or types of dwellings proposed, in excess of 69.

Mr Shaw, Objector, reported his concerns regarding flooding in the area and the additional pressure the proposed housing units would place on the pumping station off Northgate Street.

Councillor A Wright reported that Anglian Water had carried out remedial

works to the pumping station over and above what was necessary. The Senior Planning Officer reported that secondary comments had been received from Anglian Water stating that there was sufficient capacity in their system for the proposed development.

Councillor Walch, Ward Councillor, reported that he thought that the design of the proposed development was well designed and he supported the application although he still had reservations regarding flash flooding in the immediate neighbourhood.

Councillor Bird reported his concerns regarding flooding of residential homes in nearby Caister Road and was concerned that local residents would suffer greater flooding as a result of this development. Councillor Hammond was concerned that the application could be approved prior to approval by the Environment Agency.

Councillor Williamson reported that the site had been heavily used in the past as a hospital and there had been no resulting flooding issues.

The Senior Planning Officer reported that the application was recommended for approval with conditions and obligations in accordance with Local & National Planning Policy.

Following an extensive debate the motion for approval was duly proposed and seconded and following a vote; it was RESOLVED:-

That application number 06/18/0528/F be approved with conditions and obligations in accordance with Local & National Planning Policy Framework. Permission would not be issued prior to the signing of an agreement under s106 for provision of infrastructure, County Council requirements, habitat mitigation, affordable housing, open space, children's play equipment/space or payment in lieu at the discretion of the Local Authority and management agreement noting that the LPA will not take responsibility for any open space, recreation or drainage. All obligations secured will be in accordance with Regulation 123 of the Community Infrastructure Levy Regulations 2010.

The development as proposed, would be a significant boost to the housing supply in accordance with Paragraph 59 of the NPPF and the agenda report identified conformity with a range of relevant Local Plan policies. Provided that the Environment Agency objection could be adequately dealt with no other significant harm identified that were judged to outweigh the benefits arising from the need for housing, given that the Appropriate Assessment had confirmed that there would be no significant adverse impact on Natura 2000 sites (subject to mitigation). It was acknowledged that the application would be brought back to Development Control Committee if there were any significant material changes prior to the issuing of a planning permission such as amendments to numbers or types of dwellings proposed in excess of 69 dwellings.

6 APPLICATION 06-18-0247-F, CHERRY TREE HOLIDAY PARK, MILL ROAD, BURGH CASTLE

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

The Senior Planning Officer reported that the application site was located within Burgh Castle and was adjacent to the established Cherry Tree holiday park. The application sought to increase the size of the site by an additional 107 caravan bases. The site was located in close proximity to the Breydon Water Special Protection area (SPA).

The Senior Planning Officer reported that the Parish Council objected to the application as there were major concerns regarding the increased volume of traffic. Three objections from local residents had also been received citing additional traffic, increased air pollution, waste collection and heavy vehicle usage would increase through the village, dangerous local road network, increased noise and light pollution, overlooking, loss of wildlife habitat, too many holiday parks already in the village, existing users trespass and speeding through the village.

The Senior Planning Officer reported that Strategic Planning had highlighted Policy CS16 to members of the Committee to consider when determining the application. The Senior Planning Officer reported that Highways had not objected to the application and requested no conditions. Paragraph 109 of the NPPF stated that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Senior Planning Officer reported that a public meeting was held with members of the public and the Parish Council which was attended by the agent for the application. Following the meeting, amended plans were submitted which correctly represented the layout of the existing holiday park and the agent provided details of the proposed boundary treatment. The boundaries to the east, west and south would be secured with a 1.8 m high green plastic coated chain link fence. This fence is still included at the northern boundary as per the application as submitted prior to the additional information. In addition to the boundary treatments proposed additional planting would be conditioned to mitigate the visual appearance of the development and provide ecological enhancements.

The Senior Planning Officer reported that it was the assessment of the Local Planning Authority that the application, if approved, would not adversely affect the integrity of Natura 2000 sites provided that the mitigation sought by natural England was secured.

The Senior Planning Officer reported that the application was recommended

for approval as it complied with Policies CS2, CS6, CS8 and CS16 of the adopted Core Strategy but planning permission should not be issued until the monies required to comply with Policy CS14 of the adopted Core Strategy had been secured.

Councillor Annison requested clarification regarding foul water drainage on the site.

Councillor Williamson asked whether the provision of a bus bay on either side of the road near the site access could be conditioned as this would assist with road safety near the corner of Market Road. The Senior Planning Officer reported that this suggestion could be investigated with the applicant and Highways if planning permission was granted.

Following a vote, it was RESOLVED:-

That application number 06/18/0247/F be approved as the proposal complied with Policies CS2, CS6, CS8 and CS16 of the adopted Core Strategy. A grant of planning permission should not be issued until the monies required to comply with Policy CS14 of the adopted Core Strategy had been secured.

7 APPLICATION 06-18-0683-F GREAT YARMOUTH CHARTER ACADEMY

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

The Planning Officer reported that the application was multi-faceted; the largest element was the creation of a new two storey science block to the rear, south-west corner of the site on existing amenity space. To facilitate the expansion of the school, new car and cycle parking had been provided and Multi-Use Games Areas (MUGA). The proposal also involved alterations to the existing school with the creation of new entrances and windows. The Planning Officer reported that obscure glazing to the side windows could be conditioned if Members were so minded.

The Planning Officer reported that Highways had no objections subject to conditions. The Fire Service had requested that a further access was opened off Beaconsfield Road to give access for the emergency services and a new fire hydrant to be conditioned. In addition they noted that fire evacuation lifts were required at each end of the school buildings.

The Planning Officer reported that the application site was not within Flood Zone 2 or 3. The Lead Local Flood Authority had been consulted and had not objected to the proposal.

The Planning Officer reported that three trees would be lost but the Arboricultural Report stated that these trees were of poor quality. The Planning

Officer reported that no neighbour objections had been received and the proposal was not considered to significantly and adversely impact upon neighbours.

The Planning Officer reported that the application was recommended for approval subject to all conditions ensuring a suitable development.

Councillor A Wright asked for clarification as to whether the proposed MUGA would be floodlight as this could affect the amenity of nearby residents. The Planning Officer agreed to look into this issue and reported that hours of lighting could be conditioned.

Mr Riley, applicant's agent, reported the salient areas of the application and he thanked the Planning Department for all their assistance during the planning process and asked that the Committee approve the application to enable work on site to commence as soon as possible.

Following a vote, it was RESOLVED:-

That application number 06/18/0683/F be approved subject to all conditions ensuring a suitable development. The full conditions recommended by the Highway Department, Lead Local Flood Authority and Sports England. Details of materials, a Flood Response Plan and adequate Ecology mitigation. The proposal should be carried out in accordance with the submitted reports and should be subject to an obligation for a fire hydrant.

8 APPLICATION 06-18-0327-F, 21 CRAB LANE, BRADWELL

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

The Planning Officer reported that the application site consisted of a chalet bungalow located towards the Crab Lane frontage of the plot with a large rear garden. The plot measured 87 m long and was 24 m wide at the front and rear sections and was 35 m wide at the wider central area. There are three trees in the application site which were subject to a Tree Preservation Order. A fourth protected tree was felled without consent and a replacement replanted after enforcement action, however, this has since failed to take.

The Planning Officer reported that the current proposal was to build two, two storey houses at the front of the site which would be in line with the existing properties to either side with a new vehicular access in the centre of the Crab Lane frontage leading to a parking/turning area and two detached bungalows at the rear of the site. The three trees that are subject to a TPO would all be retained.

The Planning Officer reported that a previous application, 06/17/0199/O had been refused on the grounds of over-development, loss of protected trees ,

loss of residential amenity and out of character with the street scene. A subsequent appeal had been dismissed.

The Planning Officer reported that there had been three objectors to the application from local residents citing overshadowing, loss of privacy, additional traffic, drainage, loss of trees and noise nuisance. The Parish Council strongly objected to the application as it was concerned that the protected trees might be removed and no enforcement undertaken.

The Planning Officer reported that the proposal conformed with the aims of Policies CS1, CS2, CS3 and CS11 of the Great Yarmouth Local Plan: Core Strategy and saved Policies HOU7 and HOU17 of the Great Yarmouth Boroughwide Local Plan.

The Planning Officer reported that the application was recommended for approval with conditions as requested by Highways, details of measures to protect the TPO trees during construction and surface water drainage. The Planning Officer reported that if the Committee was minded that the proposed parking spaces for the houses fronting Crab Lane could be moved to the front to give a larger green space between the houses and the bungalows.

Councillor Annison requested clarification of the distance between Plot 2 and 23 Crab Lane. The resident at 23 Crab Lane had been assured that there would be a minimum distance of 2 m between the properties to allow for a pathway between the properties and whether the hedge would be retained. The Planning Officer measured the distance on the submitted plans and reported that there would be a distance of 1 m only. Mr Stone reported that the proposal would improve the street scene and that he would not be adverse to moving the parking for the houses to the front.

Members raised concerns about planning applications which contained trees with existing TPO's on them and whether appropriate enforcement measures were undertaken by Council officers if they were harmed or felled. The Chairman requested that the relevant policy be circulated to all Members for information.

Mr Stone, applicant's agent, reiterated the salient areas of the application to the Committee and clarified the earlier response given to Councillor Annison by reporting that there was 1 m separation between Plot 2 and the fence adjacent 23 Crab Lane then 1 m separation from this fence to 23 Crab Lane which equalled a distance of 2 m.

Councillor Annison asked Mr Stone for an assurance that no trees covered by a TPO would be removed from the site and the boundary hedge be retained if approval was given. Mr Stone reported that one or two scrubby type trees which were not covered by a TPO might need to be removed to allow for construction but that the site would retain all the trees covered by an existing TPO. Councillor Annison also requested that the hours of work be limited to between 8am and 5pm Monday to Friday only so as not to disturb the amenity of the neighbours during the construction period.

Mr Francis, Bradwell Parish Council representative, reported that the site had originally contained 9 trees covered by a TPO which meant that 6 had been illegally felled and asked for an assurance that the Council had taken appropriate enforcement action in each case.

Councillor A Wright proposed that a condition should be added to any approval stating that the 4th tree which had been covered by a TPO and subsequently felled should be replaced by another tree during the next planting season and prior to the occupation of the properties.

Following a vote, it was RESOLVED:-

That application number 06/18/0327/F be approved. The proposal conformed with the aims of Policies CS1, CS2, CS3 and CS11 of the Great Yarmouth Local Plan: Core Strategy and saved Policies HOU7 and HOU17 of the Great Yarmouth Borough-wide Local Plan. Approval to be subject to the conditions requested by Highways, details of measures to protect the TPO trees during construction and surface water drainage.

9 APPLICATION 06-18-0648-F, 24 ROWAN ROAD, MARTHAM

The Senior Planning Officer reported that this item had been brought to Committee as it had been submitted by a member of staff and had been objected to by a neighbour to ensure transparency of planning decisions.

The Senior Planning Officer reported that the application was for the erection of a two storey rear extension which would also connect to the existing garage which would remain single storey. The garden was of sufficient size to accommodate the development and did not constitute over-development of the site. The materials proposed would match the existing dwelling in compliance with saved policy HOU18 of the Borough Wide Local Plan.

A letter of complaint had been received by a neighbour citing that the size of the proposed extension was disproportionate to the original dwelling, there were no other extensions on that part of Rowan Road and the extension would bring forward the southern facing window causing overlooking of their property.

The Senior Planning Officer reported that the application was recommended for approval subject to a condition to ensure that the development was built in accordance with the approved plans.

RESOLVED:-

That application number 06/18/0648/F be approved subject to a condition to ensure that the development is built in accordance with the approved plans.

10 PLANNING APPLICATIONS CLEARED BETWEEN 01 JANUARY 2019 AND 30 JANUARY 2019

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

Councillor Williamson referred to page 137 of the agenda, 158 Burgh Road, and requested that a condition be added to the planning approval stating that the applicant to keep the dyke at the rear of the property clear to prevent flooding in the immediate vicinity. The Planning Manager reported that he would speak to the Internal Drainage Board on this matter.

RESOLVED:

That the Committee note the planning applications cleared by Officers under delegated authority and by the Development Control Committee between 1 and 31 January 2019.

11 OMBUDSMAN & APPEAL DECISIONS

The Planning Manager reported that there were no planning ombudsman or appeal decisions to note.

12 ANY OTHER BUSINESS

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

13 EXCLUSION OF PUBLIC

The meeting ended at: 20:39

Reference: 06/16/0190/F

Location: Gorleston

Officer: Mrs G Manthorpe

ExpiryDate:Extension

Applicant: Dawson Brown Ltd

Proposal: Development of 6 houses and 28 flats with associated works – amended from 8 three bedroom terraced houses, 6 one bedroom flats and 30 two bedroom flats with associated external works.

Site: Former Ferryside Building and Land 98 High Road Gorleston

REPORT

1. Background / History :-

1.1 The application site is 0.48 hectares in size and is currently occupied by a substantial building and various outbuildings. The application has been amended to reduce the total number of dwellings from 44 to 34 following negotiations.

1.2 There are mature trees on the site which are covered by a TPO, attached to this report. The site is adjacent to but not within a conservation area.

1.3 The relevant planning history on the site is below:

- 06/13/0466/F – Change of use from office to residential and the construction of garden wall to the south west boundary. Approved.
- 06/14/0770/M –Demolition of Ferryside building, bungalow, workshop and annexe. Permitted development.

2 Consultations :-

2.1 Neighbour Consultations – There have been 15 objections to the application from neighbours, the objections received summarised below and a selection of objections are attached to this report.

- Density of housing too high.
- The conservation officer's designs should have been used.
- Trees should not be removed.
- There is insufficient parking provided.
- There is no disabled parking provided.

- There is no designated powered two wheel vehicle parking.
- Ferry Boat Lane should not be closed as this will increase the pressure on Ferry Hill which will cause congestion.
- The wall should be retained.
- Where is the bus stop being relocated to? It should not disrupt existing residents.
- Hard standing will exacerbate drainage issues.
- The main building 'Ferryside' should be incorporated in to the development instead of demolished.
- Loss of privacy.
- Building work could damage nearby properties.
- Nearby homes will be devalued.
- Development is out of character with the area.
- The massing and height are out of scale with the area.
- A more modern design should be used.
- The development may destabilise the ground.

2.2 Highways – No objection the application and conditions requested. Full comments are attached to this report. One of the conditions requested states that no works are to commence until a Traffic Regulation Order (TRO) has been promoted by the Highway Authority for one way driving in a south westerly direction for Ferryboat Lane.

2.3 Historic Environment Officer – The proposed development sits between the Augustinian friary in Gorleston and the river Yare. Intriguingly, historic maps dating back to the start of the 19th century show the ferry crossing at Malthouse Lane, with a road or path heading back in the direction of the friary, so it is possible that the ferry crossing has a monastic origin. Very little is known about medieval Gorleston outside of the friary and church, but it was a significant settlement in 1086 (at the time of the Domesday survey), and the town engaged in a number of legal disputes with Great Yarmouth throughout the medieval period, so this importance continued. The location of early settlement is, as noted, not known, but it is likely that both the church and friary provided a focus for development. Hence the location of the proposed development between the friary and the river (particularly the ferry stage) has considerable potential for surviving archaeological deposits.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 141. We suggest that the following conditions are imposed:-

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

and,

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

and,

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

2.4 Building Control Officer – No objection.

2.5 Peel Ports – Object to the residential development in this location given the location adjacent to the port use. Full comments are attached to this report.

2.6 Assistant Grounds Manager and Arboricultural Officer - In regards to the onsite trees at the development at Ferryside, High Road, Gorleston based upon the revised plans;

- The Horse Chestnut and Sycamore situated to the southern boundary of the site are to be retained as they have high amenity value with long life expectancy and high public visibility. Consideration needs to be made as to how they are protected during the construction process and the proximity of any construction, the same applies to the three sycamore trees at the Ferryboat Lane boundary.

- The Holly tree that is located in the centre of the site is of medium amenity value however there are multiple wounds caused by past bad pruning practices which has severely reduced its life expectancy.

- The Acacia tree located to the east of the site provides medium amenity value but due to its age and form it has limited life expectancy and may only contribute to the site for 5-10 years and this will only be achieved with a high level of remedial work demands removing dead wood etc. and also with a slowly entrenching canopy.
- The Holm oak located to the east of the site has been previously coppiced/pollarded again reducing its longevity on site and overall amenity value.
- The Yew tree, located to the east of the site again (nearest to the road) is of good amenity value and I cannot see any Arboricultural reason to justify its removal however replacement planting will make up for this loss.

In regards to the onsite planting;

- Overall there are currently 9 trees within the site and it is planned for the removal of 4 of the less prominent and valuable specimens; to counteract this there are currently 5 trees planned to be planted around the site (as well as a number of shrubs) adding amenity value to the project through landscaping.
- The tree species selected for planting; Lime trees “*Tilia cordata* ‘Greenspire’”, Yew *Aureomarginata* and *Ilex Pyramidalis* are a compact, neat and tidy trees. Clonal tree selection ensures the same height and shape can be expected from each tree planted which is needed for avenue planting and the planting to nearby buildings. These species can also be maintained as a pollard given the space limitations of the site in regards to the lime trees and the yew and holly can be trimmed into a hedge or compact shape allowing planting in restricted spaces.
- The issue of space for future tree growth and planting positions upon the site has also been remedied by the reduction or positioning of the dwellings on site.
- The tree species selection is also sympathetic to the trees being removed due to the development – a newly planted tree does not have the same amenity value as a mature established tree however they will in time.

2.7 Local Planning Authority – Local Authority 106 requirements – In order to be policy compliant, 40 square metres of usable public open space is to be provided per dwelling or, at the discretion of the Local Planning Authority payment in lieu can be accepted. The application is providing an attractive entrance feature which is valuable to the amenity of the area but does not comply with the public open space criteria.

2.8 Payment in lieu of public open space to be calculated at £12 per square metre shortfall (equates to £480 per dwelling where none provided). There are areas of green space identified on the submitted plans however these do not comply with the Core Strategy for useable open space and while they are required to make an appropriate living environment they cannot offset the open space requirement. Payment in lieu of children's recreation equipment is £920 per dwelling for the provision, maintenance and improvement of children's play or recreation off site.

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

2.10 The application site is located within affordable housing sub market area three and requires 10% affordable housing to be provided. The type and tenure of affordable housing to be secured as part of the s106 to comply with Local and National Planning Policy (paragraph 64 of the National Planning Policy Framework).

2.11 In order to comply with policy CS14, the draft Natura 2000 Monitoring and Mitigation Strategy, the comments from Natural England and the findings of the HRA submitted in support of the application £110 per dwelling is sought to go towards the monitoring or implementation of mitigation measure for designated sites and information leaflets provided for future occupants. The design and wording of the leaflets is to be agreed and secured by condition.

3. Local Planning Policy Adopted Core Strategy:-

3.1 Policy CS1 - Focusing on a sustainable future (complete):

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

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

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

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

Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole

Specific policies in that Framework indicate that development should be restricted.

3.2 Policy CS2 – Achieving sustainable growth (partial)

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

e) Encourage the reuse of previously developed land and existing buildings.

3.3 Policy CS3 – Addressing the Borough's housing need:

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

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.

3.4 Policy CS9 – Encouraging well-designed, distinctive places (partial)

High quality, distinctive places are an essential part in attracting and retaining residents, businesses, visitors and developers. As such, the Council will ensure that all new developments within the borough:

a) Respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic 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

3.5 Policy CS10 – Safeguarding local heritage assets (partial)

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.

3.6 Policy CS14 – Securing appropriate contributions from new developments (partial):

New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will:

d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought.

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

f) Make certain that new developments for which a planning obligation is necessary does not take place until a planning obligation agreement has been secured and approved. Payments should be made in a timely and fair manner to minimise the impact on existing services and infrastructure

4 Local Planning Policy – Saved policies Borough Wide Local Plan:-

4.1 Saved Policy HOU7 of the Borough Wide Local Plan.

New residential development may be permitted within the settlement boundaries identified on the proposals map in the parishes of Bradwell, Caister, Hemsby, Ormesby St Margaret, and Martham as well as in the urban areas of Great Yarmouth and Gorleston. New smaller scale residential developments* may also be permitted within the settlement boundaries identified on the proposals map in the villages of Belton, Filby, Fleggburgh, Hopton-on-Sea, and Winterton. In all cases the following criteria should be met:

- (a) the proposal would not be significantly detrimental to the form, character and setting of the settlement;

- (b) all public utilities are available including foul or surface water disposal and there are no existing capacity constraints which could preclude development or in the case of surface water drainage, disposal can be acceptably achieved to a watercourse or by means of soakaways;
- (c) suitable access arrangements can be made;
- (d) an adequate range of public transport, community, education, open space/play space and social facilities are available in the settlement, or where such facilities are lacking or inadequate, but are necessarily required to be provided or improved as a direct consequence of the development, provision or improvement will be at a level directly related to the proposal at the developer's expense; and,
- (e) the proposal would not be significantly detrimental to the residential amenities of adjoining occupiers or users of land.

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

* i.e. developments generally comprising not more than 10 dwellings.

- 4.2 HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will all detailed applications for more than 10 dwellings. These should include measures to retain and safeguard significant existing landscape features and give details of, existing and proposed site levels planting and aftercare arrangements.
- 4.3 HOU9 A developer contribution will be sought as a planning obligation under the Town and Country Planning Act 1990 to finance the early provision of facilities required as a direct consequence of new development.

5 Emerging Local Plan Policies – Local Plan Part 2:

5.1 Policy GN6-dp

Land at Ferryside Road, Gorleston Land off Ferryside Road, Gorleston (0.56 hectares) as identified on the Policies Map, is allocated for 35 dwellings. The site should be developed in accordance with the following site specific criteria:

- 1. Provision of safe and appropriate access to the satisfaction of the local highways authority, including:
 - i. appropriate vehicular access to be taken off Ferryside Road

- ii. appropriate foot-way improvements and visibility splays to Ferry Boat Lane
- 2. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and character of the local residential area;
- 3. A well designed scheme that is sympathetic to the surrounding historic character of the area;
- 4. Retention of the historic flint wall;
- 5. Retention of all trees with Tree Preservation Orders;
- 6. Car parking provision for residents and guests; and
- 7. No demolition or development shall take place until a Written Scheme of Investigation has been submitted to and approved by the local planning authority

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

- 6.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 6.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴.
- 6.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
 - a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open

spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 6.4 Paragraph 11 (partial): Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

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

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

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

- 6.5 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

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

- 6.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 6.8 Paragraph 64. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:
- a) provides solely for Build to Rent homes;
 - b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
 - c) is proposed to be developed by people who wish to build or commission their own homes; or
 - d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- 6.9 Paragraph 76. To help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major development involving the provision of housing, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start.
- 6.10 Paragraph 103. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 6.11 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.12 Paragraph 117. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

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

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

6.14 Amended 19th February 2019.

Paragraph 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

7 Habitat Regulations Assessment considerations:

7.1 "European" or "Natura 2000" sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017, and constitute the most important wildlife and habitat sites within the European Union. The Council has an adopted policy approach, the Habitats Monitoring and Mitigation Strategy, prepared alongside the Part 1 Local Plan (and most recently updated at the Policy & Resources Committee meeting on 5th February 2019). The key research is set out in the Habitats Regulations Assessment (HRA) for the Core Strategy, which concludes that the in-combination effects of new development on the various Natura 2000 sites, principally disturbance of birds by humans and/or dogs, cannot be ruled out as having a likely significant effect. A financial contribution is required to be made (currently £110 per dwelling) for each house or six bed spaces of tourist accommodation within defined areas of the borough. This money goes towards both monitoring Natura 2000 sites for potential harm, and funding measures to mitigate harm. If it is concluded that a development may also

cause direct effects to a Natura 2000 site, further mitigation measures may be necessary.

- 7.2 A recent 2018 decision by the European Court (People Over Wind and Sweetman v Coillte Teorantac (C-323/17)) has changed the position relating to mitigation; as such, mitigation measures cannot any longer be considered at the 'screening stage' of a (HRA). Therefore, just on the basis of the in-combination effects the effect of this application on Natura 2000 sites is assessed as potentially significant. In accordance with the regulations, upon finding that it is likely that there will be a significant effect, an Appropriate Assessment is required to be undertaken, as part of the HRA process, by the Competent Authority (which is the Council). The assessment also requires the consideration of any potentially significant direct effects.
- 7.3 Guidance for applicants is available on Great Yarmouth Borough Council's website identifying when bespoke shadow Habitat Regulation Assessments (HRA) are required to be prepared by the applicant and submitted to the Council. In this case, in accordance with the guidance issued, a bespoke shadow HRA has been submitted (and is available to view on the Council's website). The submitted assessment is thorough and finds that there is likely in combination effects on designated sites from the development.
- 7.4 The application, informed by the bespoke shadow HRA, has been assessed by the Competent Authority as likely to have significant indirect effects on one or more Natura 2000 sites (but no significant direct effects). As such, permission may only be granted if an Appropriate Assessment demonstrates that, taking into account relevant mitigation measures, the application will not adversely affect the integrity of any Natura 2000 site(s). Mitigation for in-combination effects through the £110 per-dwelling contribution to more general monitoring and mitigation is therefore required. It is therefore the assessment of the Council, as Competent Authority, that the application, if approved, would not adversely affect the integrity of Natura 2000 sites, provided that the mitigation sought is secured.

8 Local finance considerations:-

- 8.1 Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms.

It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. The development, if approved, will have financial benefits to the Local Authority, for example by council tax payments, although in this case local finance considerations are not considered to be material to the case.

9 Assessment:-

- 9.1 The application was submitted in June 2016 and has been amended since the original submission to the current application for 34 residential dwellings and associated infrastructure. The design of the flats has been amended over time with the current design seeking to provide 28 flats over three or four storeys. There is a row of six terraced properties proposed at the High Road Boundary, all proposed to be three bedroom dwellings with two storeys and rooms in the roof.
- 9.2 A number of the objections received have asked why the Ferryside Building cannot be retained and have noted the Conservation Officer's suggested alternative designs which show how it might (in theory) be retained. Ferryside is a building that, having served as the Borough's register office for over fifty years, is clearly subject of affection and memories for residents in the Borough and beyond. Having originally been constructed as a gentleman's residence in the 1880s is regarded by many as a local land mark. In planning terms the building is not subject to any particular protection ie it is not listed, architecturally unique or in the conservation area and therefore can be demolished without requiring full planning permission to do so. Therefore whilst the local connections in particular to the building are acknowledged, extremely limited weight in planning terms can be given the retention of the building which can essentially be demolished under as permitted development rights with the Council having control over the practicalities of demolition - such as the method of demolition and safety of services on the site - only.
- 9.3 Historic England conduct periodic examinations of areas to see if buildings that are listed are worthy or remaining on the list and whether buildings should be added to the list. There is availability for applications to be made to Historic England to apply to have buildings listed. To the case officer's knowledge, Ferryside has not been put forward for potential listing and it is known that the building has not been listed by Historic England during one of their local surveys. The Core Strategy states that Designated Heritage Assets should be protected and states the following:

The term heritage asset applies to all parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic value within the borough.

Listed buildings are listed because of reasons explained in a similar vein to the explanation in the Core Strategy. Ferryside has not been found to be a heritage asset that warrants protection by Historic England or by planning policy within the Core Strategy and also the emerging Local Plan Part 2.

- 9.4 The current Ferryside building has not been deemed worthy of retention and as such this is not a reason for refusal of the application. The prior approval is still valid and as such the building could be demolished with no further input from the Local Planning Authority at any time.
- 9.5 The site is a draft allocation within the emerging Local Plan Part Two as a development site up to 35 dwellings. This policy is not adopted and therefore only limited weight can be applied currently, particularly as there are objections to this draft allocation policy.
- 9.6 The design of the buildings has been objected to by residents and by the Conservation officer. Following the initial objections the design of the flats was changed dramatically to reflect some of the conservation officer's comments. The number of flats was reduced, the roof changed from a flat roof to a pitch, balconies added and further detail provided. In an effort to demonstrate what the development will look like 3d imaging has been provided as an additional visual aid. The Conservation officer has requested further amendments however, given the age of the application the applicant has refused and asked that the application be decided in its current form. The primary concerns of the Conservation officer with reference the existing design is the roof. The Conservation officer would prefer a mansard roof as opposed to the submitted design however it is understood that design is subjective and the roof design, with no policy justification or adopted design guide, is not sufficient to recommend refusal of the application.
- 9.7 There is a tree preservation order (TPO) on the site showing 8 protected trees. An annotation on the TPO states that T5, a holly tree, is not on the confirmed order and as such 7 individual trees are protected and there are, according to the Assistant Grounds Manager and Arboricultural Officer, 9 trees on site. The application proposes to remove 4 trees, a Holly, Acacia, Holm Oak and Yew. Of the 4 trees to be removed the Assistant Grounds Manager and Arboricultural Officer has said that the Holly, Holm Oak and Acacia all have faults which are fully detailed at 2.6 of this report. The Assistant Grounds Manager and Arboricultural Officer has stated that, with regards the removal of the Yew, there are no arboriculture reasons to justify its removal however 'planting will make up for the loss'. The Assistant Grounds Manager and Arboricultural Officer have surmised that the 4 trees to be removed are the less prominent on the site.

- 9.8 The loss of trees has been discussed at length and has resulted in the reduction in dwellings with specific reference a detached dwelling to the south west of the site. The application proposes to mitigate the loss of the four trees with the planting of 5 trees in suitable locations. The Assistant Grounds Manager and Arboricultural Officer have approved the species and location of the proposed trees. Although, as stated above, only limited weight can be applied, the emerging policy of the Local Plan Part 2, while stating that the site can accommodate 35 dwellings, looks to retain all of the TPOd trees. The loss of the protected trees does not therefore accord with the emerging policy and has been discussed at length. The applicant and their agents have not been able to accommodate the retention of all of the trees and as such the proposed planting is to mitigate the harm in the loss of the trees. The planting can be conditioned to semi mature trees so that the benefit is almost immediate and in order that they can be adequately protected by tree preservation order. The trees that are marked to be retained will remain protected.
- 9.9 The site is adjacent the conservation area and has, at the eastern boundary, an historic flint wall which is to be retained as it the sloping and low level brick wall to the south. The retention of the historical features and by maintaining a green gap at the south west section of the site ensures that the conservation areas is not harmed and that the development shall preserve the character and appearance of the area in accordance with s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.10 There are listed buildings in the vicinity of the site and as such the application must be assessed in accordance with s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The separation by virtue of the green space referenced above distances the development from the buildings of special architectural interest preserving the setting of the buildings. Although the site is currently open in nature the listed buildings are closely linked to other buildings in a dense urban setting. The extension of the urban setting by virtue of this residential development will not be significantly detrimental and, it is assessed, is not a reason to recommend that the application is refused.
- 9.11 The density of the development accords with the emerging policy (noting that only limited weight can currently be afforded to this policy) and can be seen to be in keeping with the wider area. By developing the site there will be an erosion of the open character however there is no policy that could protect the retention of the open space and the land is in private ownership so cannot be assessed as public land.
- 9.12 The plans show a vehicular and pedestrian access off High Road and Ferryboat Lane becoming one way. The plans are annotated to state that this is the

preference of the Highway Authority. The emerging policy puts the access at Ferryboat Lane however in the absence of highways requiring the access to be relocated the access is as shown and is an acceptable form of access for a development such as this.

- 9.13 An objection has been raised regarding the overlooking that will occur to no.6 Ferry Hill. This property is at a lower level than the application site which, the objector states will cause a detrimental effect on the living conditions. The flats, ranging from three to four stories high, will overlook the property and this is exacerbated by the provision of balconies. However given the difference in land levels any development would overlook this dwelling to an extent. In mitigation, as demonstrated by the objector's photographs, there is greenery which helps mitigates the overlooking that may occur. While the overlooking is acknowledged, it is not seen as sufficiently detrimental to warrant a recommendation of refusal.
- 9.14 Peel Ports have objected on the grounds that future residents may object to the port activities and noise and that the operation of the port should not be compromised by the development. Environmental Health have not objected but noise assessments and mitigation to be incorporated into the build (triple glaze for example) to mitigate against and adverse effects from noise. In the absence of an objection from Environmental Health it is assessed that the noise impact shall not be so severe that conditions cannot adequately mitigated against it.
- 9.15 An objection has been received stating that the development will cause erosion and stability issues within the locality. The National Planning Policy Framework is unequivocal on this point as follows:
- Paragraph 179. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- As such it is the land owners/developers responsibility to ensure that the development is safe.
- 9.16 An important factor when determining applications is whether a Local Authority has the ability to demonstrate a 5 year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". There is currently a housing land supply of 2.6 years as at the end of 2017/18.
- 9.17 Paragraph 177 of the National Planning Policy Framework (NPPF) has been amended on the 19th February 2019 and it is now the case that if any necessary proposed mitigation measures (as assessed through Appropriate

Assessment) would lead to a conclusion that there would be no adverse effects on the designated habitats site, then the presumption in favour of sustainable development (paragraph 11 of the NPPF) would apply (in the event of there not being a five-year supply of deliverable housing sites). Only if the proposed mitigation would not ensure no significant adverse effects on the designated Natura 2000 site(s) would the presumption in favour of sustainable development not apply. In this case, as detailed in paragraphs 7.1-7.4 above, officers are content that the proposed mitigation would ensure that there would be no significant adverse effects. The presumption in favour of sustainable development therefore applies – in order for a refusal to be justified, the harms of the development must significantly and demonstrably outweigh the benefits.

- 9.18 The application site is one of only 5 proposed site allocations for residential development within the Local Plan Part 2. The site is located within a sustainable location and accords with Local and National Planning Policy being the re-development of a brownfield site. The benefits of the development – principally new homes, including affordable housing – are significant and are few harms have been identified. The application is therefore recommended to be approved.

7 RECOMMENDATION :-

- 7.1 Approve the application subject to policy compliant affordable housing and payment in lieu of public open space and children's recreation. Although there is open space shown on site this isn't policy compliant and as such full financial payments are required. The Local Planning Authority will take no responsibility for open space, roads or drainage and the s106 agreement will contain provision for a management company. The planning permission should not be issued until the s106 is signed and sealed with full obligations included. The permission shall contain all conditions are requested by consulted parties and all that are deemed necessary to ensure a satisfactory form of development.

From: Emily Barrett
Sent: 24 February 2019 20:50
To: plan
Cc:
Subject: Ref: Planning Application 06/16/0190/F

Dear Mr Minns,

Ref: Planning Application No. 06/16/0190/F - Development of 6 houses and 28 flats with associated works, former Ferryside building and land at 98 High Road Gorleston Great Yarmouth NR31 0PH.

Once again, we write to inform you of our continued, absolute objection to the above revised planning application. We have reviewed the revised planning application carefully and highlight that the proposed minor changes still fail to protect and enhance the local environment on High Road on every level.

The objections we made in our three previously submitted comments on this development (dated 19th April 2018, 24th October 2017 and 16th June 2016) still stand. I wish to draw your attention to those comments. The applicant has made no significant changes to the plans, except the removal of the questionably located house on the edge of the development. A number of concerns that we raised in our previous comments have yet to be addressed. These include (but are not limited to) the following:

1. The incorrect description of the Gorleston Fire and Rescue Station as 'unused'.
2. The absence of the current and future location of the existing bus stop outside Ferryside in the plans.
3. The high density of housing proposed on the site.
4. The failure of the plans to protect and enhance the local streetscape and environment on High Road.
5. The ignoring of sound planning advice regarding the potential development of the site by Ian Hardy.

The applicant has failed yet again to produce a plan for this development which takes into account the surrounding conservation area, streets cape, historical importance of the Ferryside building itself and any pre-application advice by GYBC. The applicant has, by all accounts, simply removed 1 house from the plans, which is unsatisfactory. We will continue to oppose this development until a) something is done to protect the historic Ferryside building and the surrounding plot and b) a proposal is submitted which is both a creative use of the space and sympathetic to the surrounding conservation area on High Road.

Yours faithfully

Mr & Mrs Spencer & Emily Dye

Sent from my iPad

96 High Rd.
Gorleston, SY.
NR31 0PE

 r G P Harvey

The Old Ferryboat Inn

5 Ferry Hill

Gorleston

GREAT YARMOUTH NR310PD

23/02/2019

Planning Application: 06/16/0190/F

Development of 6 Houses and 28 Flats at the former Ferryside Building, 98 High Road
Gorleston.

I OBJECT TO THIS APPLICATION FOR THE FOLLOWING REASONS:

Our property will suffer a complete loss of privacy and become overlooked with the above proposed development. I have serious concerns in relation to this, with the 3 Storey and 4 Storey proposed dwellings on the corner/proximity of Ferryboat Lane and Ferry Hill. These will have an unacceptable impact on our privacy due to directly overlooking our bedroom, living and kitchen windows.

The immediate locality will suffer with the increased volume of overspill parking. Ferry Hill in particular, and the surrounding roads are unable to cope with current levels of demand. By the nature of the proposed volume of dwellings, even allowing for the provision of parking within the development. The area will not cope, leading to road safety issues and congestion.

The proposed development will have a negative impact on the character of the local area. Dwellings within the immediate location, range from Regency, through Victorian and Edwardian periods. Taking into account pre and post War developments, this proposed development would not be in keeping with locality. The only exception to this is a commercial property, namely the Fire Authority building adjacent to proposed development.

I have serious concerns in relation to the road surfaces and sub-terranean infrastructure in such close proximity to our property. The surface area has undergone numerous repairs to cracks and movement over recent time, and I consider the extent of the excavations could impact detrimentally on the existing area.

I trust you will consider my objections when considering this application.

Yours faithfully

George P Harvey

Development Control
Great Yarmouth Borough Council
Town Hall, Hall Plain
Great Yarmouth, Norfolk NR30 2QF

18 02 19

Re: AMENDED HOUSING PROPOSAL - FERRYSIDE, 98 HIGH ROAD, GORLESTON
Application Ref. 06/16/0190F

Dear Mr Minns

Thank you for notifying me regarding the most recent minor amendments to this proposal – so minor in fact that I need do little more than top and tail my previous letter. The removal of the single dwelling at the entrance to Ferry Boat Lane is clearly an improvement, but no amount of tinkering will improve what is a fundamentally flawed scheme. If the applicant gave as much thought to designing something worthwhile as local residents are now spending criticising the proposals it is possible things would move forward. Surely an important site like this next to a Conservation area deserves something better.

Ferryside punctuates the street scene with a much needed green space and should continue to do so. The present house, set within its generous grounds has presented something of a landmark since 1874, as did its predecessor Stone House for a hundred years before. With or without the big house, this site should be given the respect it deserves as a defining part of Gorleston – it should continue to be what planning policy so frequently refers to - a 'distinctive place'.

The comments in my earlier letter of 23 06 16 are all still relevant, as are the following points made in my letters of 21 10 17 and 29 04 18:

ONE HOUSE / MASSIVE OVERDEVELOPMENT

Just a single private dwelling exists on this site at present. The previous use of Ferryside as a public building has been superseded by the planning permission granted to reinstate it as just one house. We are now being asked to consider thirty-four dwellings on this site of a little over an acre, which can only be viewed as massive overdevelopment.

Policy HOU17 requires development to be 'respectful of the density of the surrounding area' and The Interim Land Supply Policy (item e) requires 'the proposed density and layout to be appropriate and to reflect the character and appearance of the surrounding area' and goes on to say 'Where 'higher' densities are proposed these will only be permitted if potential impacts have been mitigated by a well thought out design'.

YOUR OWN IN-HOUSE DESIGN ADVICE

Ian Hardy has set out how this site can sensibly be developed – why has this advice been so completely ignored by the applicant? In principle I can see two approaches:

- 1) 'Villas in the grounds' – Convert Ferryside for use as flats, with a few well considered individual houses, or even blocks of flats, within the grounds. Has this been explored?
- 2) 'Parkland development' – All new development, but set back from High Road and with a green space along the road frontage, much as it presently is.

The 'perimeter development' proposed by the applicant should be completely rejected.

CONSERVATION AREA

The scheme makes no response to the character of the immediately adjacent Conservation Area or indeed Ferry Boat Lane, the significance of which has been highlighted by the Historic Environment officer at the County authority. The site is a natural end stop to the Conservation area and should really have been included in it. Ferryside itself is a candidate for listing and should only be lost if an EXCEPTIONAL scheme comes forward to replace it.

Policy BNV8 – there will be a strong presumption against the demolition of any buildings which are of local importance (including those of architectural, historical, social, cultural or religious interest or significance) and every effort will be made to find alternative uses for these buildings whilst retaining their essential character.

JUST ONE TREE

Well, actually two now, but sadly that's all that remains of the existing green space on High Road – the landscape proposals make no more than a token gesture and the very great majority of the site is tarmac. This directly contradicts the objectives of Policy CS15 from the Councils Core Strategy, concerning 'Green Infrastructure', a term which makes no distinction between public and private ownership and is defined as follows:

'the network of green assets that can work together to support sustainability and quality of life within and around the borough. Green assets include open spaces, parks and gardens, allotments, biodiversity and geodiversity conservation sites, landscape features, waterways, woodlands, green roofs and public rights of way'.

Instead we are offered a terrace of houses, positioned so close to the road as to present a hazard, at odds with the terraced housing opposite and detrimental to the streetscene. And yet support for the retention of green space and the provision of adequate amenity space is a specific requirement of the retained Borough-Wide Local Plan Policies:

POLICY REC11 – Protection of Community and Streetscene

THE BOROUGH COUNCIL WILL REFUSE PROPOSALS WHICH WOULD ERODE THE PROVISION OF AMENITY, OPEN SPACE OR ANY OTHER LAND WHICH CONTRIBUTES POSITIVELY TO THE COMMUNITY OR STREET SCENE, AS IDENTIFIED ON THE PROPOSALS MAP. WHERE NOT IDENTIFIED PROPOSALS WILL BE TREATED ON THEIR INDIVIDUAL MERITS.

POLICY REC8 - Provision of recreational, amenity and playspace

WHERE THE SITE OF A RESIDENTIAL DEVELOPMENT OR PART OF A LARGER RESIDENTIAL SCHEME PROVIDES 20 OR MORE CHILD BEDSPACES, THE COUNCIL WILL REQUIRE PROVISION OF RECREATIONAL/AMENITY SPACE AND/OR CHILDREN'S PLAYSACE PROPORTIONATE TO THE SCALE OF THE DEVELOPMENT OR THE OVERALL SCHEME AS APPROPRIATE.

DISTINCTIVE PLACES

'Distinctive' for all the wrong reasons as things stand, this site has tremendous potential to deliver something worth having. The context is so rich – a waterfront with soon to be revived fishing fleet; historic route to the ferry; flint boundary walls; listed buildings and some lovely trees. In the right hands this could be marvellous – so please don't waste the opportunity in a headlong rush to up the housing numbers. Why underpin the profits of a speculative developer who can't be bothered to make much of an effort?

FERRY LANE

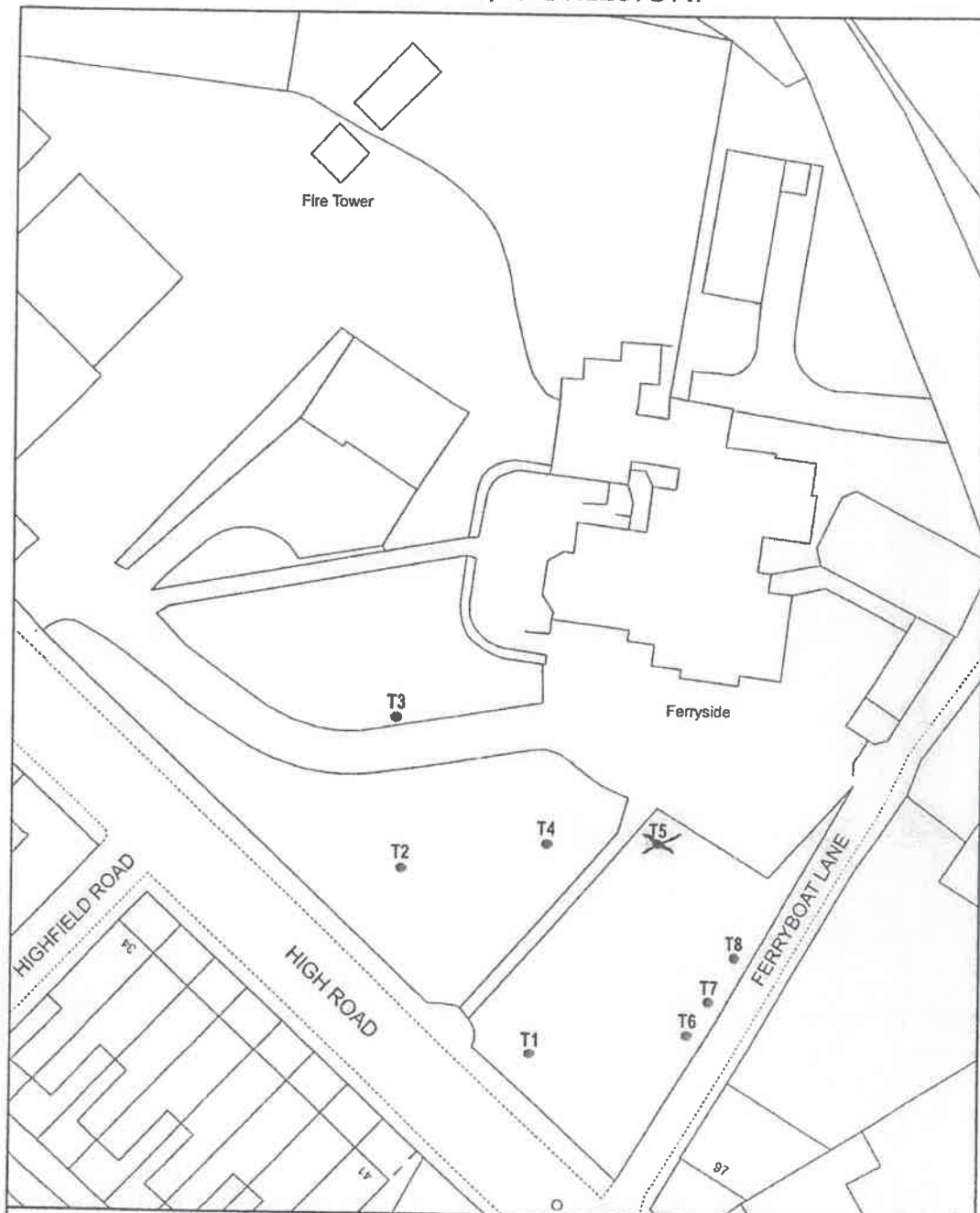
The intentions are not entirely clear to me, but Norfolk Highways support the view of local residents that this route must be maintained for vehicular traffic travelling from Ferry Hill to High Road and I trust their advice will be followed.

Yours Sincerely

Henry Kelf

Town and Country Amenities Act 1974 - Tree Works Register

HIGH ROAD, GORLESTON.



THE BOROUGH OF GREAT YARMOUTH

Tree Preservation Order No.2

2013

Plan Number: TG 5205

Scale: 1:500

TREES SPECIFIED INDIVIDUALLY

TREES SPECIFIED BY REFERENCE TO AN AREA

TREES SPECIFIED BY REFERENCE TO WOODLAND

GROUPS OF TREES

I.

A

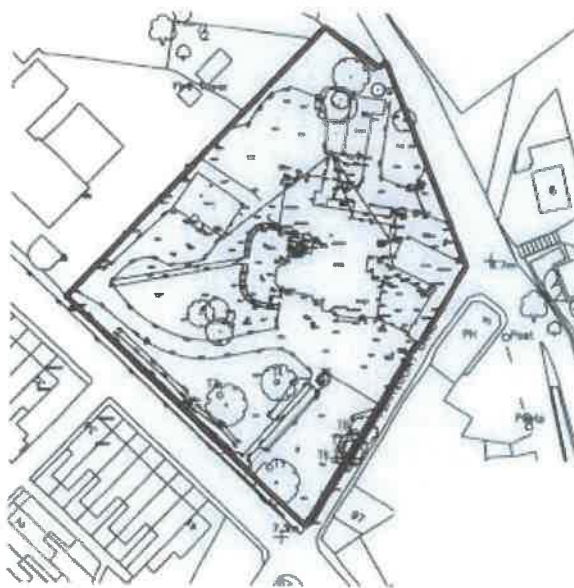
W

G

T1 Horse Chestnut	652546 - 305441
T2 Sycamore	652534 - 305458
T3 Yew	652534 - 305472
T4 Holly	652547 - 305460
T5 Holly	652557 - 305461
T6 Norway Maple	652560 - 305443
T7 Lime	652562 - 305446
T8 Sycamore	652565 - 305450



06/16/0190/F-1

Copyright © 2015 Fusion 13
All Rights Reserved

REVISIONS		
NO.	DATE	DESCRIPTION
1		High Speed Derivation-on-Box
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		

Reference: 06/17/0681/F

Town: Gorleston

Officer: Miss G Manthorpe

Expiry Date: 29/12/17

Applicant: Mr P Hammond

Proposal: Redevelopment of land for 13no. Residential units

Site: Former Florida Group Limited Building, Bells Marsh Road, Gorleston, Great Yarmouth.

REPORT

This application was reported to the Director of Development 3 November 2017 as an application submitted by a member in a personal capacity. The Director of Development has checked and made a record on the file that he is satisfied that it has been processed normally and the member has taken no part in the Council's processing of the application.

1. Background / History :-

- 1.1 The site comprises 2192 square metres, 910 of which was internal floor space, of land which was formally in use as commercial premises. The applicant has stated that the whole site was previously in use as B2 (General Industrial) and this use ended the 1st January 2012 which results in the site having been empty for just over 7 years.
- 1.2 There has been a recent application on the site for the redevelopment of the land to construct 13 residential dwellings. The residential dwellings as previously proposed were two storey dwellings and the application was subject to objections from the Local Planning Authority and the Lead Local Flood Authority on the grounds of flood risk. The Lead Local Flood Authority also objected on the grounds of surface water drainage. The applicant has submitted additional information on drainage and has raised the dwellings habitable rooms to first floor applying for three storey dwellings in an effort to overcome the previously raised objections. The applicant has also submitted a Shadow Habitat Regulations Assessment (HRA) for small development.
- 1.3 The application was previously considered by the Committee and deferred on drainage grounds.

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

2.1 Neighbours – There has been 9 objections from persons in the locality and/or their agents to the application which are summarised below and a selection are attached to this report.

- The visibility at the access to Riverside Road is inadequate.
- A 3 storey structure is too big and will block light.
- There are concerns about the use of the private access to the rear of the development.
- The business operating at the adjoining site needs to block the access several times per week to take deliveries.
- Sharing the access with commercial and residential will lead to accidents.
- There is no provision for visitor parking.
- The joinery business adjacent has unrestricted use and is a noise generating use which is incompatible with residential uses.
- The opening of the gates at the private access will cause security concerns.
- Has anyone actually surveyed the access?
- Object to the kerb island in front of Astec House. This would prevent the use of two off road parking spaces.
- Unsuitable access.
- Residential access via the industrial site will cause obstructions and health and safety issues,
- Overdevelopment
- Members should conduct a site visit to note the relationship between the proposed and existing uses and the access.
- Can types of glass mitigate overlooking and what boundary treatments are proposed.
- Loss of light.
- Incorrect labelling of adjoining property – residential not ‘works’.
- Can the design and location be reconsidered to prevent overlooking.
- Plot 7 and 8 will be disturbed by works conducted in existing garages.
- Inadequate drainage, the road floods.
- Should be a fence put up behind the existing garages.
- Overlooking to no. 30 Riverside Road.
- Can there be confirmation of ownership of the existing boundary walls?
- Will future residents try to limit the hours that the existing businesses operate?

2.2 Highways – Following amendments to the original scheme Norfolk County Highways (Highways) have no objection to the development proposed. My past

response noted the access proposal at Riverside Road and I note that there has been public comment in relation to these and especially in relation to blocking one properties access. As I outlined in my earlier response the proposal establishes a principle that is acceptable to the Highway Authority. These off-site works will be subject to a small highway works agreement where the final design will be agreed and any concerns will be taken into account and addressed accordingly; certainly the blocking of an established access is not the intention.

- 2.3 Building Control - No comments.
- 2.4 Environmental Health – No objection to the application, pre commencement condition requested for acoustic report/noise risk assessment and protection system for dwellings and gardens.
- 2.5 Conservation Officer – Enhancement should be made which would include design changes and front gardens with rear parking.
- 2.6 Environment Agency - No objection subject to you being satisfied that the development is safe for its lifetime and the approval conditioned to be carried out with the FRA and finished habitable first floor level set no lower than 4.5m above AOD. Full response is attached.
- 2.7 Anglian Water – No comments received.
- 2.8 Norfolk County Council Lead Local Flood Authority –
- 2.9 Health and Safety Executive – No objection.
- 2.10 Conservation Officer - Objects on the grounds of design.
- 2.11 Police Architectural Liaison Officer – Comprehensive comments received giving advice on security of the development.
- 2.12 Building Control – No objection.
- 2.13 Strategic Planning – No objection.
- 2.14 Local Authority 106 requirements – A viability assessment has been submitted and assessed by the Property Services Department. It is agreed that the development is not viable if policy compliant contributions are required. As such the Local Authority is not asking for affordable housing or payment in lieu of public open space or children's play.

Payment for in combination effects on designated sites is required at £110 per dwelling.

3 . **Local Plan Policy Core Strategy 2013-2030**

Adopted Core Strategy:-

Policy CS1 - Focusing on a sustainable future (complete):

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

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

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

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

c) Environmentally friendly neighbourhoods that are located and designed to help address and where possible mitigate the effects of climate change and minimise the risk of flooding

d) A thriving local economy, flourishing local centres, sustainable tourism and an active port

e) Safe, accessible places that promote healthy lifestyles and provide easy access for everyone to jobs, shops and community facilities by walking, cycling and public transport

f) Distinctive places that embrace innovative, high quality urban design that reflects positive local characteristics and protects the borough's biodiversity, unique landscapes, built character and historic environment

Planning applications that accord with this policy and other policies within the Local Plan (and with policies in adopted Neighbourhood Plans, where

relevant) will be approved without delay, unless other material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole

Specific policies in that Framework indicate that development should be restricted.

3.1 Policy CS2 – Achieving sustainable growth (partial)

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

e) Encourage the reuse of previously developed land and existing buildings.

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 (partial):

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.

3.3 Policy CS6 -Supporting the local economy

The Borough of Great Yarmouth has a diverse local economy. It is the main service base in England for the offshore energy industry and has a thriving seasonal visitor economy. To ensure that the conditions are right for new and existing businesses to thrive and grow, there is a need to continue to strengthen

the local economy and make it less seasonally dependent. This will be achieved by: (partial of a-m)

b) Safeguarding existing local employment areas identified in Table 10 and future local employment areas allocated in other Local Plan Documents for employment use. Alternative uses will only be allowed where it can be demonstrated that:

There is a satisfactory relationship between the proposed use and any pre-existing neighbouring uses, without significant detriment to the continuation and amenity of existing or proposed uses

There is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months

A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: mixed use of the site that incorporates an employment-generating use, then non-employment use.

3.4 Policy CS9 – Encouraging well-designed, distinctive places (partial)

High quality, distinctive places are an essential part in attracting and retaining residents, businesses, visitors and developers. As such, the Council will ensure that all new developments within the borough:

a) Respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic 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.

3.5 Policy CS13 – Protecting areas at risk of flooding or coastal change

The risk of flooding and coastal change is expected to increase with climate change. This presents a challenge for property/business owners and service providers in susceptible areas and will also place some important biodiversity and heritage assets at risk. The Council will ensure a sustainable and practicable approach to flood risk and coastal change and ensure development does not increase the risk of flooding elsewhere. This will be achieved by (partial a-h)

a) Directing new development proposals away from areas of highest risk of flooding (Flood Zones 2, 3a and 3b) unless it can be demonstrated that:

The requirements of the Sequential Test are met

Where applicable, the requirements of the Exception Test are met. A safe access/egress route throughout the duration of the flood event should be

provided. However, if this is demonstrated as not being possible then evacuation will be considered as a means of making the development safe
A satisfactory Flood Response Plan has been prepared

c) Seeking the use of Sustainable Drainage Systems (SuDS) in all new developments

d) Ensuring that new development takes into consideration the findings of the Surface Water Management Plan

Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (partial)

d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought.

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

f) Make certain that new developments for which a planning obligation is necessary does not take place until a planning obligation agreement has been secured and approved. Payments should be made in a timely and fair manner to minimise the impact on existing services and infrastructure

3.7 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (partial of a to f)

d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought.

f) Make certain that new developments for which a planning obligation is necessary does not take place until a planning obligation agreement has been secured and approved. Payments should be made in a timely and fair manner to minimise the impact on existing services and infrastructure

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

3.9 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.

- 3.10 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.
- 3.11 HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will all detailed applications for more than 10 dwellings. These should include measures to retain and safeguard significant existing landscape features and give details of, existing and proposed site levels planting and aftercare arrangements.

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

- 4.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 4.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed

and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.4 Paragraph 11 (partial): Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

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

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

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

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

4.5 Paragraph 57. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

4.6 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

4.7 Paragraph 64. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the

homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- c) is proposed to be developed by people who wish to build or commission their own homes; or
- d)) is exclusively for affordable housing, an entry-level exception site or a rural exception site

4.8 Paragraph 103. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

4.9 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe

Amended 19th February 2019.

4.10 Paragraph 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

4.11. Habitat Regulations Assessment considerations:

“European” or “Natura 2000” sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017, and constitute the most important wildlife and habitat sites within the European Union. The Council has an adopted policy approach, the Habitats Monitoring and Mitigation Strategy, prepared alongside the Part 1 Local Plan (and most recently updated at the Policy & Resources Committee meeting on 5th February 2019). The key research is set out in the Habitats Regulations Assessment (HRA) for the Core Strategy, which concludes that the in-combination effects of new

development on the various Natura 2000 sites, principally disturbance of birds by humans and/or dogs, cannot be ruled out as having a likely significant effect. A financial contribution is required to be made (currently £110 per dwelling) for each house or six bed spaces of tourist accommodation within defined areas of the borough. This money goes towards both monitoring Natura 2000 sites for potential harm, and funding measures to mitigate harm. If it is concluded that a development may also cause direct effects to a Natura 2000 site, further mitigation measures may be necessary.

A recent 2018 decision by the European Court (People Over Wind and Sweetman v Coillte Teorantac (C-323/17)) has changed the position relating to mitigation; as such, mitigation measures cannot any longer be considered at the 'screening stage' of a (HRA). Therefore, just on the basis of the in-combination effects the effect of this application on Natura 2000 sites is assessed as potentially significant. In accordance with the regulations, upon finding that it is likely that there will be a significant effect, an Appropriate Assessment is required to be undertaken, as part of the HRA process, by the Competent Authority (which is the Council). The assessment also requires the consideration of any potentially significant direct effects.

Guidance for applicants is available on Great Yarmouth Borough Council's website identifying when bespoke shadow Habitat Regulation Assessments (HRA) are required to be prepared by the applicant and submitted to the Council. In this case, in accordance with the guidance issued, a bespoke shadow HRA has been submitted (and is available to view on the Council's website). The submitted assessment is thorough and finds that there is likely in combination effects on designated sites from the development.

The application, informed by a shadow HRA, has been assessed by the Competent Authority as likely to have significant indirect effects on one or more Natura 2000 sites (but no significant direct effects). As such, permission may only be granted if an Appropriate Assessment demonstrates that, taking into account relevant mitigation measures, the application will not adversely affect the integrity of any Natura 2000 site(s). Mitigation for in-combination effects through the £110 per-dwelling contribution to more general monitoring and mitigation is therefore required. It is therefore the assessment of the Council, as Competent Authority, that the application, if approved, would not adversely affect the integrity of Natura 2000 sites, provided that the mitigation sought is secured.

4.12 Local finance considerations:-

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or

the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms.

It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. The development, if approved, will have financial benefits to the Local Authority, for example by council tax payments, although in this case local finance considerations are not considered to be material to the case.

- 4.13 Paragraph 22: Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 4.14 Paragraph 100. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:
- Applying the Sequential Test;
 - If necessary, applying the Exception Test;
 - Safeguarding land from development that is required for current and Future flood management;
 - Using opportunities offered by new development to reduce the causes and Impacts of flooding; and
 - Where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations.
- 4.15 Paragraph 101. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the

proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

- 4.16 Paragraph 102. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:
it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted.

- 4.17 Paragraph 111. Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local Planning Authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.
- 4.18 Paragraph 186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.
- 4.19 Paragraph 187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

7 Assessment :-

- 7.1 The application is a full application for the erection of 13 new dwelling houses with associated curtilage and parking. The site is located within the urban area of Gorleston and is located in close proximity to all amenities and is within easy walking distance to a major supermarket thus reducing the reliance on a car for everyday necessities. The site is designated as an existing employment use in the local plan and this is discussed further below.

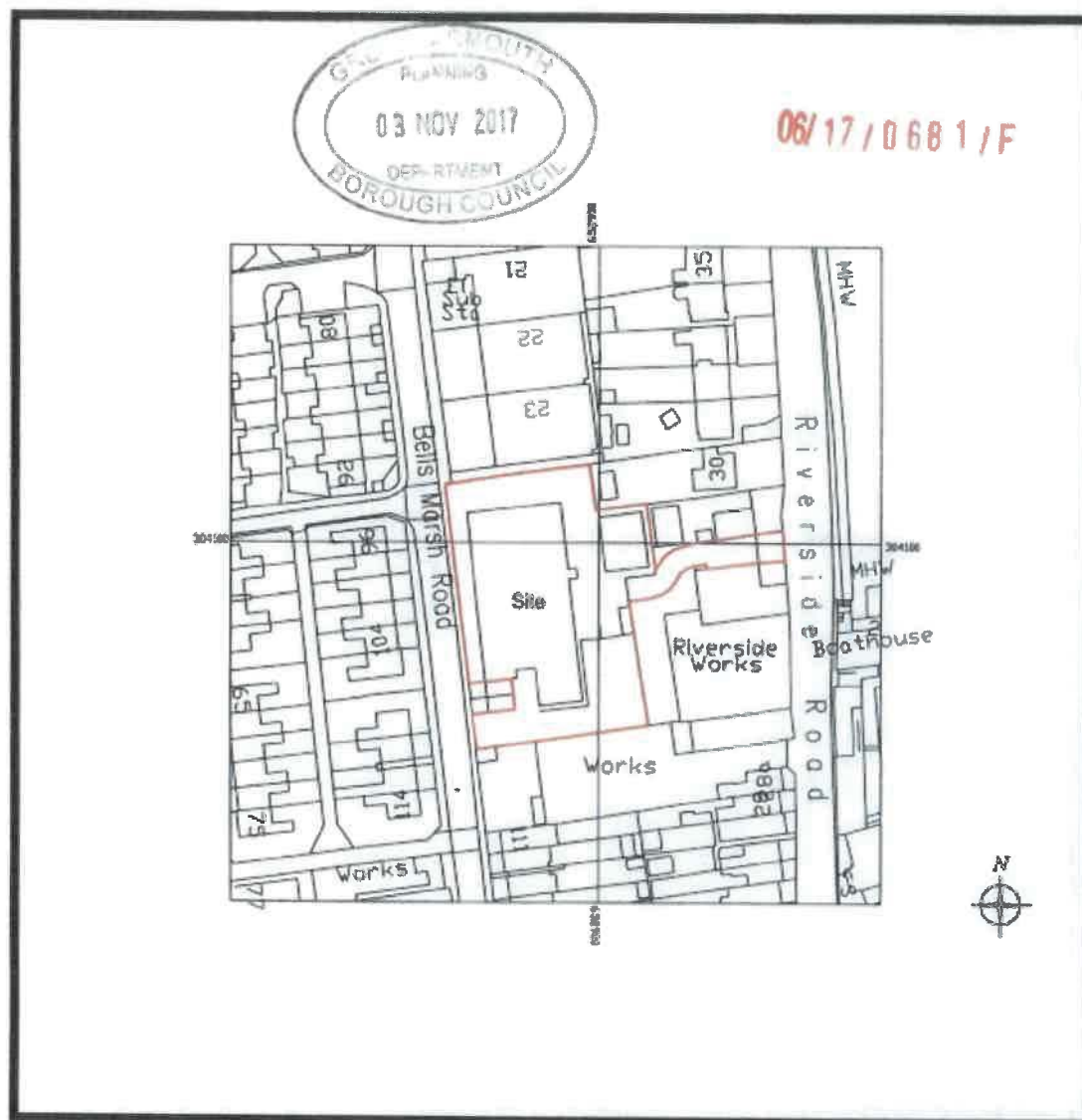
- 7.2 The application originally sought to retain an industrial unit on the site however following consultations with Highways the industrial unit was removed and an additional two dwelling houses shown in this position. Following additional details and ongoing discussions with highways there are no highways objections to the application. A number of objections received state that the access is not sufficient however Highways have concluded that the access and associated works are acceptable to serve the development. It is noted within the highways officer's comments that the offsite highway improvements shall be conditioned and are not intended, as per one objector's comments, to remove the ability to cross an existing access. Should the application be approved the details of these works shall be required to be submitted.
- 7.2 In terms of the sites employment land designation in the Core Strategy, the applicant has submitted additional information which demonstrates that the site has been marketed for in excess of 18 months for employment purposes and that there is no commercial interest in the re-use of the land for employment use. It is therefore considered that the policy requirement of Policy CS6 has been satisfied Policy CS6 is compliant with the National Planning Policy Framework which states that employment land that is not going to be brought back into use should not be protected indefinitely.
- 7.3 The site is located within flood zone 3a and as such consultations have been carried with the Environment Agency with no objection. The Environment Agency have noted the potential risks to the site by flooding and stated that the Lead Local Flood Authority should advise if the mitigation through flood resilient construction measures and water entry strategy as shown in the Flood Risk Assessment submitted in support of the application is acceptable.
- 7.4 The Lead Local Flood Authority (LLFA) originally objected to the application stating that they did not consider that it had been demonstrated that the site would be safe for the life time of the development owing to the actual risk of flooding, with potential rapid inundation of 0.5m depth as demonstrated by the Great Yarmouth Strategic Flood Risk Assessment (SFRA) nor demonstrate that the development would not lead to increased flooding elsewhere.
- 7.5 It is understood and accepted that the site is a brownfield site and as such does not currently have greenfield run off rates however, as per the LLFA objection brownfield sites are still recommended to discharge at the original pre-development runoff rate where possible. The LLFA requested a revised drainage strategy as part of the submitted details. The LLFA reiterated that should applicants wish to place development within areas of risk then the onus is on the applicant to quantify the risk to the development through an assessment which has not adequately been provided.

- 7.6 The applicant drainage consultants submitted further information to support the drainage strategy for the site. The applicant has revised the Surface Water Flood Modelling Assessment and the LLFA have removed their objection to the proposal subject to suggested appropriate conditions to ensure compliance with the Surface Water Flood Risk Drainage Strategy as revised.
- 7.5 Anglian Water although not commenting at this application stage, supplied pre application advice to the applicant which forms part of the drainage strategy confirming that there was capacity in the existing public foul sewer network system to accommodate fouls from the development. In terms of surface water disposal Anglian Water also stated that there was capacity within the network to accommodate the additional flows but the applicant would need to demonstrate that alternative means of disposal had been explored i.e. discharge to local water courses in the first instance. Once done the connection to the existing system via two named manholes points subject to the approval of Anglian Water can be achieved. As Committee will be aware the Anglian Water seldom reply directly to applications within the built up urban area. Any further response from Anglian Water will be reported. Any grant of planning permission should be subject to condition requiring the submission and agreement of the final drainage details prior to commencement of the development cross referencing with the suggested conditions of the LLFA. On the basis of the above the application is compliant with policy CS13 of the adopted Core Strategy and the National Planning Policy Framework with regards to flood risk and drainage
- 7.6 The design of the development, following highways consultation is accepted in highway terms. This includes parking to the frontage which the conservation officer is not in favour of. The properties, with living accommodation on ground floor level as opposed to the normal layout within flood zone 3 of undercroft parking, are suitable in size although it is noted that plot 6 has an exceptionally small curtilage. In the absence of size requirements within policy curtilage should be looked at in relation to the size of the property that it relates to.
- 7.7 The layout of the development has been subject to some redesign to address objections to the proposal and these will be reported in detail to the Committee
- 7.8 In conclusion the principle of residential development of this brownfield site within this currently mixed use and sustainable location is considered to be acceptable and policy compliant subject to the revised plans and conditions outline above. The application has been subject to a viability assessment submitted on behalf of the applicant demonstrating that the site if subject to the affordable housing and open space contribution would make the development of the site for residential unviable because of the sites development constraints and final values to build costs. Therefore the requirement for a legal obligation in this regard is not

requirement in this instance. There will however be a requirement for a Habitats mitigation payment of £110 per dwelling in accordance with the Council strategy has referred to above prior to any planning permission being issued.

8 RECOMMENDATION :-

- 8.1 Approve the revised application. The permission shall contain all conditions are requested by consulted parties and all that are deemed necessary to ensure a satisfactory form of development as being compliant with the Local Plan policies and the National Planning Policy Framework referred to along with the Habitats mitigation payment at £110 per dwelling.



Planning

This drawing is the copyright of Paul Robinson Partnership (UK) LLP and can only be reproduced with their written permission. This drawing is not to be scaled. Any discrepancies on site are to be notified to Paul Robinson Partnership (UK) LLP. This drawing has been prepared for Planning and Building Regulations purposes only and does not constitute or form part of any contract unless specifically agreed thereto in writing by Paul Robinson Partnership (UK) LLP. On this drawing the term 'Client' means the client named in the title block.

Reproduced from/based on the Ordnance Survey map with the permission of The Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence No 00175427



Paul Robinson
PARTNERSHIP
ARCHITECTURE + SURVEYING

Head Office: The Old Vicarage, Church Plain,
Great Yarmouth, Norfolk NR30 1NE
Tel: 01493 342223

Sturbridge Office: Gateway, Unit 1, 10-17
Pattingsale, Norwich, Norfolk NR2 1DZ
Tel: 01603 397057



Client:
Hammond Property Development

Location:
**Bells Marsh Road
Gorleston**

Site:
Location Plan

Scale @ A4:
1:1250

Date:
16.10.17

Project no:
7857

Drawn by:
NG

Reviewed:
BA

Drawn no:
01

Revision:
A

A	20.10.17	Amended to red line	NS
rev	date	description	by

Reference: 06/18/0601/F

Parish: Martham

Officer: Mrs G Manthorpe

Expiry Date: 11/01/19

Applicant: Mr P Hammond

Proposal: Three bungalows and garages and parking spaces.

Site: Damgate Lane Martham

REPORT

This application was reported to the Head of Planning and Policy 8 November 2018 as an application submitted by a member in a personal capacity. The Head of Planning and Policy has checked and made a record on the file that he is satisfied that it has been processed normally and the member has taken no part in the Council's processing of the application.

1. Background / History :-

- 1.1 The site comprises 1943 square metres of land with frontages to Damgate Lane and Back Lane. The land is described within the application form as vacant land.
- 1.2 There have been previous refusals, one upheld at appeal, for residential development on the land. The last application was for two detached dwellings which was refused and the appeal discussed in 1990. There have been no applications for the past 28 years.

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

- 2.1 Parish Council – No comments have been received.
- 2.2 Neighbours – Four representations have been received objecting to the proposal.
- 2.3 Highways – No objection to the application subject to conditions.
- 2.4 Water Management Alliance - No comments have been received.

- 2.5 Building Control – No adverse comments.
- 2.6 Environmental Health – No objection to the application, conditions requested.
- 2.7 Strategic Planning – No objection to the application.
- 2.8 Lead Local Flood Authority – No comments have been received.
- 2.9 Environment Agency – No comments have been received.
- 2.10 CPRE – No comments have been received.
- 2.11 Police and Architectural Liaison Officer - No comments have been received.
- 2.12 Norfolk Fire Service – No comments have been received.
- 2.16 Natural England – No comments have been received.
- 2.17 Anglian Water – Concerns over fresh water mains on the application site therefore requests a meeting to discuss pre-developments issues with the applicant.
- 2.18 Norfolk Wildlife Trust – No comments have been received
- 2.19 NHS – No comments have been received.

3 Local Policy :-

- 3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):
- 3.2 Paragraph 213 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.
- 3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not

contradicting it. These policies hold the greatest weight in the determining of planning applications.

- 3.4 HOU10: Permission for new dwellings in the countryside will only be given in connection with agriculture, forestry, organised recreation, or the expansion of settlements.
- 3.5 HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will all detailed applications for more than 10 dwellings. These should include measures to retain and safeguard significant existing landscape features and give details of, existing and proposed site levels planting and aftercare arrangements.

4 National Policy:- National Planning Policy Framework (NPPF), July 2018

- 4.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 4.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴.
- 4.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 4.4 Paragraph 11 (partial): Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

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

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or

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

- 4.5 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

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

- 4.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can

come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

- 4.8 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.9 Paragraph 177 of the National Planning Policy Framework (NPPF) states that where an Appropriate Assessment is required, the presumption in favour of sustainable development (the “tilted balance”) does not apply (paragraph 11 NPPF). The application of paragraph 177 therefore means that even though it is accepted that there is not a five-year supply of deliverable housing land in the borough, the tilted balance does not apply. The applicant has not acknowledged the need for the Appropriate Assessment to be carried out and has despite this , in addition to the shadow HRA, submitted additional information detailing their assessment of impact and suggested potential measures to address such effects. The Local Planning Authority, as Competent Authority does not agree with this assessment that the Appropriate Assessment is not required. Natural England has confirmed their belief that the Council, as Competent Authority, has adequate information to carry out the Appropriate Assessment.

5 Core Strategy – Adopted 21st December 2015

- 5.1 Policy CS2: Achieving sustainable growth. This policy identifies the broad areas for growth, sets out the sustainable settlement hierarchy for the borough and two key allocations. Martham is identified as a Primary Village and is expected to receive modest housing growth over the plan period due to its range of village facilities and access to key services.
- 5.2 Policy CS3: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:
- a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (*extract only*):
- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
 - Ensuring the efficient use of land/sites including higher densities in appropriate locations

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

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

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

5.6 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (a to f)

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

5.7 Policy CS2 – Achieving sustainable growth

a) Ensure that new development is distributed according to the following settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements.

- Approximately 30% of new developments will take place in in the Primary Villages of Belton, Hemsby, Hopton on Sea, Ormersby St Margaret, Martham and Winterton –on-Sea.

5.8 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

6 Local finance considerations:-

- 6.1 Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great

Yarmouth does not have the Community Infrastructure Levy and that this development does not include the provision of any housing. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. It is assessed that financial gain does not play a part in the recommendation for the determination of this application.

7 Assessment

- 7.1 Paragraph 177 of the National Planning Policy Framework (NPPF) states that where an Appropriate Assessment is required, the presumption in favour of sustainable development (the “tilted balance”) does not apply (paragraph 11 NPPF). The application of paragraph 177 therefore means that even though it is accepted that there is not a five-year supply of deliverable housing land in the borough, the tilted balance does not apply. The applicant has not acknowledged the need for the Appropriate Assessment to be carried out and has despite this , in addition to the shadow HRA, submitted additional information detailing their assessment of impact and suggested potential measures to address such effects. The Local Planning Authority, as Competent Authority does not agree with this assessment that the Appropriate Assessment is not required. Natural England has confirmed their belief that the Council, as Competent Authority, has adequate information to carry out the Appropriate Assessment.
- 7.2 It is noted that there is a current national consultation on some changes to the revised NPPF (running until 7th December). One of the proposed areas of change (paras 39-43) is to reflect the implications of the People over Wind judgment; it is proposed that paragraph 177 of the NPPF be changed to say: “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that there will be no adverse effect from the plan or project on the integrity of the habitats site.”
- 7.3 In simple terms, the proposed change will (if implemented as proposed) largely restore the widely understood English position on mitigation to that which existed prior to the People over Wind case. This is that if any necessary proposed mitigation measures (as assessed through Appropriate Assessment) would lead to a conclusion by the Competent Authority that there would be no adverse effects on the designated habitats site, then the presumption in favour of sustainable development (paragraph 11 of the NPPF) would apply (in the event of there not being a five-year supply of deliverable housing sites). Only if the

An important factor when determining applications is whether a Local Authority has the ability to demonstrate a 5 year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". There is currently a housing land supply of 2.6 years (2018/19),

- 7.4 The proposal is a full application for the erection of 3 bungalows with associated curtilage and parking on an existing vacant site located on the east side of Damgate Lane in a largely residential area. The site is located in North of Martham and is outside the saved development limits from the 2001 Local Plan and also outside the development limits identified in the emerging Local Plan 2.
- 7.5 Previous applications have been submitted seeking planning permission for erection of dwellings on this site and have been refused with the most recent refusal in 1989 which was appealed and dismissed in 1990. Consultations have revealed that there is a fresh water main pipe which was drilled through under this vacant site and runs through the middle of the site and connects to the water tower at Bernsley Road and also an electricity main line which passes under the site land.
- 7.6 Discussions between The Local Authority and Anglian Water has confirmed that there are assets on the vacant site which belong to Anglian Water and prior to any developments, a pre-commencement meeting shall be held between all parties to discuss any pre-development issues which would be beneficial to both Anglian Water and the applicant.
Should the application be approved the pre commencement meeting to discuss any issues shall be held between both the applicant and Anglian Water.
- 7.7 The proposal seek to dispose of surface water by infiltration which is has not been considered a drainage strategy by Broads Drainage Board. A ground investigation to determine the infiltration potential of the site and depth of groundwater must be submitted to support this strategy to satisfy that there would be no future hazard potentials. Furthermore the proposed development would require land drainage consent in line with the Board's bye law 3.
- 7.8 A number of objections have been received from Martham Parish Council and the adjoining neighbours raising concerns regarding the proposed development's potential impacts on the public, visual amenities, highway impacts would have on the current parking issues in Damgate Lane and Staithe Road
Adjoining neighbours raised concerns that, further residential properties in Damgate Lane which is a single track road would significantly increase traffic and vehicular access. Neighbours have pointed out the potential to flood risk as

Damgate Lane acts as a massive culvert for surface water during adverse weather events due to elevated land on both sides of the application site. The Lead Local Flood Authority had been consulted and they have not objected to the proposal

- 7.9 According to Policies CS2, CS3 and the positive comments made by The Local Authority Planning Policy team, the proposed development will make a small contribution in meeting the Borough's housing needs to be delivered in Primary Villages (approximately 30%) of which Martham is part of the overall plans and goals. The proposed 3 bungalows would each have front and rear landscaped gardens, parking areas and a single garage. The proposal would also include a 5.5 metre wide access road and a diameter of 12 metres clear space turning circle thus reducing the current parking and congestion issues in Damgate Lane.
- 7.10 Assessing the impacts on the residential amenities there is a potential overlooking and a material loss of privacy impacts on the neighbours No. 54 to the north, No. 40 to the south and The Thatched Barn to the south east due to the fact that the application site is set at a level approximately 2 metres higher than the adjoining dwelling, however No 54 dwelling is set approximately 24.8 metres from the proposed bungalows Units 1 and 2 with the a detached garage close to the shared boundary and a private driveway therefore the garage would screen the adjoining neighbour from any adverse impacts.
- 7.11 There would be a distance of approximately 30 metres from the proposed bungalow Unit 3 and neighbour No. 40 and a distance of approximately 28 metres with The Thatched Barn and the adverse impacts would be too minimal to warrant a refusal of planning permission.
- 7.12 The proposed development would not harm the residential character of the Damgate Lane or would have any adverse impacts on the visual amenities and would contribute to the distinctiveness of the residential area. Although there are minimum impacts on the garden and amenity areas of the adjoining neighbours it is considered that the benefits of the proposed development on housing needs of the area outweigh the impacts on the neighbours therefore the proposal would be acceptable.
- 7.13 Although concerns of the potential adverse impacts on the local habitats and the current parking and vehicular access to properties in Damgate Lane, the proposal has adequate parking facilities which satisfies highway standards have been raised. Norfolk County Council have expressed that although Damgate Lane is a narrow road primarily suited to single file traffic, the proposed development would not result in a material increase in traffic movements, nor would it likely to give rise to a severe residual cumulative impacts in transport terms. However Norfolk County Council have stated that should the development be allowed, conditions

to ensure that the parking and traffic proposals shall be carried out in accordance with the submitted proposal and the highways specifications and shall be retained as indicated on the plans submitted. Further conditions would apply.

- 7.14 Paragraph 177 of the National Planning Policy Framework (NPPF) states that where an Appropriate Assessment is required, the presumption in favour of sustainable development (the “tilted balance”) does not apply (paragraph 11 NPPF). The application of paragraph 177 therefore means that even though it is accepted that there is not a five-year supply of deliverable housing land in the borough, the tilted balance does not apply.

8 Shadow Habitat Regulation Assessment

“European” or “Natura 2000” sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017, and constitute the most important wildlife and habitat sites within the European Union but also domestically in the NPPF. The application site is in the vicinity of a number of Natura 2000 sites, including the Winterton and Horsey Dunes Special Area of Conservation (SAC) and North Denes Special Protection Area (SPA). The Council has an adopted policy, the “Natura 2000 policy”, prepared alongside the Part 1 Local Plan (and updated at Policy & Resources Committee on the 24th July 2018) which requires a financial contribution to be made (currently £110 per dwelling) for each house or equivalent unit of tourist accommodation. This money goes towards both monitoring Natura 2000 sites for potential harm, and funding measures to mitigate harm. The key research underpinning the need for this contribution is set out in the Habitats Regulations Assessment (HRA) for the Core Strategy which includes that the in-combination effects on the various Natura 2000 sites, principally disturbance of birds by humans and/or dogs, cannot be ruled out as potentially significant.

A recent 2018 decision by the European Court (People Over Wind and Sweetman v Coillte Teorantac (C-323/17)) has changed the position relating to mitigation; as such, mitigation measures cannot any longer be considered at the ‘screening stage’ of a (HRA). Therefore, just on the basis of the in-combination effects the effect of this application on Natura 2000 sites is assessed as potentially significant. In accordance with the regulations, upon finding that it is likely that there will be a significant effect, an Appropriate Assessment is required to be undertaken, as part of the HRA process, by the Competent Authority (which is the Council). The assessment also requires the consideration of potentially significant direct effects.

- 8.1 The HRA of the Local Plan Core Strategy identified that planned new housing has a potential to increase recreational pressures on nearby international protected wildlife sites particularly where located within 5km of such sites. Outside of the

5km distance, the Borough Council will consider the need for further assessment based on the scale and nature of the development.

8.2 The European and Internationally protected wildlife sites of relevance for this project are as follows;

- The Broads SAC
- Winterton-Horsey Dunes SAC

8.3 There have been objections from the application site's adjoining neighbours. Concerns have been raised for the potential harm to the current wild life corridor for local animal species and the disturbances to the habitats. Furthermore neighbours in Damgate Lane have pointed out that should planning permission be granted, this would allow further proposals to be submitted for planning approval thus causing overdevelopment to the villages in Martham bearing in mind that The Local Authority has approved several hundred houses to be built in Martham and a potential harm to the wildlife and habitats.

8.4 Addressing the concerns raised, the Great Yarmouth Borough Council – template for the preparation of a Shadow Habitat Regulations Assessment (HRA) for small-scale development with no 'direct effects' on internationally protected wildlife sites was used to assess any potential impacts. It is acknowledged that the application site is in close proximity to the Broads Area , It has been noted that the site is well screened with existing trees ,hedgerows and residential properties ,therefore would unlikely to have a significant impact on its settings. This if further supported by The Assistant Grounds Manager and Aboricultural Officer who pointed out that there is nothing upon the sites that is of high amenity value and with life span of over 10 years. The northern hedge is of good screening value between properties and a group of trees across the Damgate Lane of little value.

8.5 This is further justified by the confirmation by Great Yarmouth Borough Council that the proposed development proposal is within the orange zone, 400m – 2.5km and is well within the acceptable threshold set out in the template shadow HRA. The site is located within 800m south of The Broads SAC and 3.1km west of Winterton-Horsey Dunes SAC. Conclusions from the assessment are that, there is no likely significant effect on protected habitats arising solely from the proposed development. The development would contribute to the overall 'in-combination' significant adverse effect identified by the Habitats Regulation Assessment Report for the Local Plan Core Strategy, but this effect can be adequately mitigated by the Habitats Monitoring and Mitigation Strategy. The Strategy requires a payment of £300 (£110 per each additional dwelling) towards the monitoring and mitigation provided through that Strategy.

8.6 Paragraph 177 of the National Planning Policy Framework (NPPF) states that where an Appropriate Assessment is required, the presumption in favour of sustainable development (the “tilted balance”) does not apply (paragraph 11 NPPF). The application of paragraph 177 therefore means that even though it is accepted that there is not a five-year supply of deliverable housing land in the borough, the tilted balance does not apply. The applicant has not acknowledged the need for the Appropriate Assessment to be carried out and has despite this , in addition to the shadow HRA, submitted additional information detailing their assessment of impact and suggested potential measures to address such effects. The Local Planning Authority, as Competent Authority does not agree with this assessment that the Appropriate Assessment is not required. Natural England has confirmed their belief that the Council, as Competent Authority, has adequate information to carry out the Appropriate Assessment.

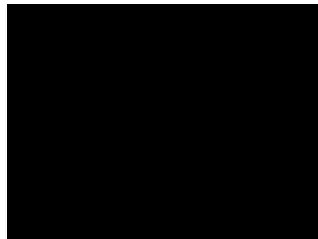
9 RECOMMENDATION :-

- 9.1 It is accepted that the application is outside of the village development limits and therefore contrary to the adopted Borough Wide Local Plan 2001. However, this Local Plan policy is obviously very dated, the site has been assessed as developable and deliverable and there are no other significant objections in planning terms to the development, subject to conditions to ensure an adequate form of development and submission of reserved matters. The development as proposed would be a significant boost to housing supply in accordance with Paragraph 59 of the NPPF and the report above identifies conformity with a range of other relevant Local Plan policies. No other significant harms are identified that are judged to outweigh the benefits arising from the need for housing, given that the Appropriate Assessment has confirmed that there will be no significant adverse impact on Natura 2000 sites (subject to the proposed mitigation).
- 9.2 Approve – subject to the conditions requested by Highways, Anglian Water, Broads Drainage Boards and the payment of a contribution of £110 per unit towards the Council’s Habitats Monitoring and Mitigation Programme.
- 9.3 The proposal complies with the aims of Policies CS2, CS3, CS9 CS11 and CS14 of the Great Yarmouth Local Plan: Core Strategy and saved Policies HOU10 and HOU16 of the Great Yarmouth Borough-Wide Local Plan.

Great Yarmouth Borough Council

27 NOV 2018

Customer Services



S.

23rd November 2018

Great Yarmouth Borough Council
Planning Department
Town Hall
Hall Plain
Great Yarmouth
Norfolk NR30 2QE

Your Ref: 06/18/0601/F

Dear Sir or Madam,

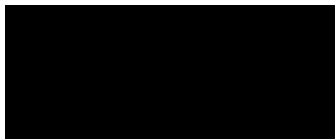
Re: Proposed three bungalows with three garages and parking space

I am writing to share my objections and reservations about the proposed building project in Damgate Lane. Our property shares a long boundary with the site and our key objections are outlined below.

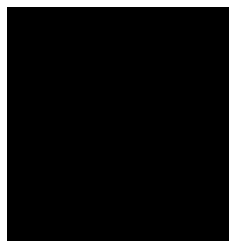
1. Increased traffic from three homes with possibly nine additional cars on a single-track road at an awkward T-junction would be an increased hazard area.
2. Three homes on the site, potentially housing thirteen people with respective car usage, is a high-density population on a relatively small plot compared with its neighbours. Two bungalows, with bigger gardens, particularly if families moved in, would be more in keeping with the built environment and would provide sustainable and attractive homes for long-term living. The current plans have very limited outdoor space.
3. Wildlife habitats should be protected where possible. Currently Damgate Lane is an area with minimal light pollution and comprises farmland, domestic gardens and mixed native hedgerows which support a vast range of species – owls, bats, newts, frogs, birds, deer. Bigger gardens and respect for the hedges and trees, which act as vital wildlife corridors, would be a very desirable revision to this plan.

We look forward to hearing your thoughts.

Yours faithfully



Kate and Richard Pannett



Great Yarmouth
Borough Council

27 NOV 2018

Planning
Department

Internet Consultees	
Application Reference	00-18/0001/F
Attachments	
Invalid Consultee Comment?	<input type="checkbox"/>
Name	Kate Pennett
Address	40 Damgate Lane
	Martham
	Great Yarmouth
Post Code	NR29 4PZ
Telephone	
Email Address	
For or Against	OBJ Object
Speak at Committee	
<p>1. Increased traffic from three homes with possibly nine additional cars on a single-track road at an awkward T-junction would be an increased hazard area.</p> <p>2. Three homes on the site, potentially housing thirteen people with respective car usage, is a high-density population on a relatively small plot compared with its neighbours. Two bungalows, with bigger gardens, particularly if families moved in, would be more in keeping with the built environment and would provide sustainable and attractive homes for long-term living. The current plans have very limited outdoor space.</p> <p>3. Wildlife habitats should be protected where possible. Currently Damgate Lane is an area with minimal light pollution and comprises farmland, domestic gardens and mixed native hedgerows which support a vast range of</p>	
Date Entered	23-11-2018
Internet Reference	OWPC2217

Internet Consultees

Application Reference 06/18/0001/F

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name Kate Pannett
Address 40 Damgate Lane
Martham
Great Yarmouth

Post Code NR29 4PZ

Telephone

Email Address

For or Against OBJ Object

Speak at Committee

2. Three homes on the site, potentially housing thirteen people with respective car usage, is a high-density population on a relatively small plot compared with its neighbours. Two bungalows, with bigger gardens, particularly if families moved in, would be more in keeping with the built environment and would provide sustainable and attractive homes for long-term living. The current plans have very limited outdoor space.

3. Wildlife habitats should be protected where possible. Currently Damgate Lane is an area with minimal light pollution and comprises farmland, domestic gardens and mixed native hedgerows which support a vast range of species - owls, bats, newts, frogs, birds, deer. Bigger gardens and respect for the hedges and trees, which act as vital wildlife corridors, would be a very desirable revision to this plan.

Date Entered 23-11-2018

Internet Reference OWPC2217

Internet Consultees	
Application Reference	00 18 0007 F
	<input type="button" value="Attachments"/>
Invalid Consultee Comment?	<input type="checkbox"/>
Name	Rita and Leslie Feam
Address	54 Damgate Lane
	Martham
Post Code	NR29 4PZ
Telephone	
Email Address	
For or Against	<input type="radio"/> OBJ <input type="radio"/> Object
Speak at Committee	<input type="checkbox"/>
Copy to existing Consultee? <input type="checkbox"/>	
Martham. 7-02-2019 I have perused the documents and responses shown online regarding the above application. I noted that water and electricity main services across this site. I personally saw the new water main drilled and replaced across this site some years ago. I assume by Anglian water. I cannot see in the responses anywhere that Anglian water or the electricity company have been contacted for responses or their reply to enquiries.	
Date Entered	07-02-2019
Internet Reference	OWPC2558

Internet Consultees	
Application Reference	06/18/0601.F
<input type="button" value="Attachments"/>	
Invalid Consultee Comment?	<input type="checkbox"/>
Copy to existing Consultee?	<input type="checkbox"/>
Name	Rita and Leslie Fearn
Address	54 Damgate Lane
	Martham
Post Code	NR29 4PZ
Telephone	
Email Address	
For or Against	<input type="radio"/> OBJ <input type="radio"/> Object
Speak at Committee	<input type="button" value="v"/>
<div>I noted that water and electricity main services across this site. I personally saw the new water main drilled and replaced across this site some years ago. I assume by Anglian water. I cannot see in the responses anywhere that Anglian water or the electricity company have been contacted for responses or their reply to enquiries. Please see my previous letter and plans on your records dated 20-11-2018. I feel this may be important to the application and any would be occupants of the properties. This could result in large damages claims against the council if this issue is overlooked. Thank you, L A Fearn.</div>	
Date Entered	07-02-2019
Internet Reference	OWPC2558

S

Internet Consultees

Application Reference

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name

Address

Post Code

Telephone

Email Address

For or Against

Speak at Committee

Mr LA Fearn Planning application 06/18/0601/F
54 Damgate Lane
Martham.
7-02-2019

I have perused the documents and responses shown online regarding the above application.
I noted that water and electricity main services across this site. I personally saw the new water main drilled and replaced across this site some years ago. I assume by Anglian water.

Date Entered Internet Reference

Internet Consultees	
Application Reference	06/18/0601/F
Attachments	
Invalid Consultee Comment?	<input type="checkbox"/>
Copy to existing Consultee? <input type="checkbox"/>	
Name	Rita and Leslie Fearn
Address	54 Damgate Lane
	Martham
Post Code	NR29 4PZ
Telephone	
Email Address	
For or Against	OBJ Object
Speak at Committee	
<p>I cannot see in the responses anywhere that Anglian water or the electricity company have been contacted for responses or their reply to enquiries.</p> <p>Please see my previous letter and plans on your records dated 20-11-2018.</p> <p>I feel this may be important to the application and any would be occupants of the properties.</p> <p>This could result in large damages claims against the council if this issue is overlooked.</p> <p>Thank you, L A Fearn.</p> <p>Planning application 06/18/0601/F</p> <p>54 Damgate Lane</p>	
Date Entered	07-02-2019
Internet Reference	OWPC2558

Great Yarmouth Borough Council

28 NOV 2018

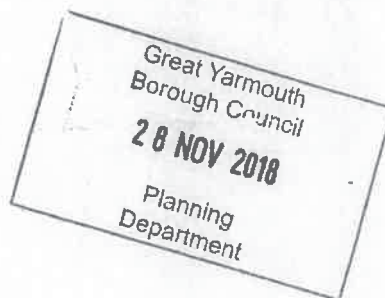
Customer Services

Thatched Barn
Damgate Lane
Martham
Norfolk
NR29 4PZ

Tel: 0 [REDACTED]
[REDACTED]

Gt Yarmouth Borough Council
Planning Services
Development Control
Town Hall
Hall Plain
Gt Yarmouth
Norfolk
NR30 2QF

26th November 2018



Application No. 06/18/0601/F
Development Three Bungalows & garages & parking spaces
Location Damgate Lane Martham NR29 4PZ

Dear Sir/Madam

Thank you for your letter regarding the above planning application.

Our views are the proposal to build further residential properties requiring vehicular access to Damgate Lane, will add to the significantly increasing volume of traffic on this single track road. Passing places are currently only provided by existing driveways and has no safe pedestrian walkways. Damgate Lane also acts as a massive culvert for surface water during adverse weather due to elevated land on both sides.

At the moment the site is a corridor for wildlife. There are snakes both grass and adder deer, hedgehogs, squirrels and an abundance of birds. What would happen to the hedgerow bordering three sides of the site?

One very important point is the fact the site is outside the building line should this be passed it would open the flood gates for more requests to build on green site

land. Martham has planning for several hundred house still to be built. The Village is already stretched to breaking point with schools doctors and main services.

Yours faithfully



AG Grimble
V I Williams

Mr and Mrs L.A. Fearn
54 Damgate Lane
Martham
Norfolk NR29 4PZ

Application number 06/18/0601/F

20th November 2018

Dear Sir/Madam,

We would like to offer our observations on the above application involving 3 bungalows totalling 10 bedrooms.

Please note that Damgate Lane carries traffic to and from Damgate Back Lane. On the Back Lane there is a row of council houses with a young population. It is a fact that they speed with cars and motor cycles up and down Damgate Lane to access their properties. This is rather impossible to stop.

The proposed access driveway to Damgate Lane for the potential of 10 residents cars plus visitors and deliveries. This driveway will need to steeply drop from elevated land to its junction with Damgate Lane. Ice or frost could allow a vehicle to slide out straight across the lane. This is at a narrow point in the lane near a blind bend to the south immediately uphill of the access. There is a no speed limit sign at the top of Damgate Lane which encourages drivers to speed down the lane. 15 miles per hour would be a reasonable speed at this location, but this never happens. The road is never gritted in winter. There is no road lighting or footpaths and it is single track. There has been accidents at this blind bend previously. When a car is leaving the proposed driveway it will completely block the lane and we fear an accident, perhaps a motor cycle fatality is probable. Deliveries and service vehicles to this access point will completely block the lane at this point just downhill of the blind bend.

To summarize; Damgate Lane is narrow and hazardous at the best of times with 10 bedrooms and visitors, deliveries and services, on a sloping access, this will be a busy and dangerous hazard to users and passing traffic, particularly in winter.

Relatively recently a replacement water main was installed to the north of the proposed site where two of the proposed bungalows are located. As this is a sandy substrate (not rock), what will happen to the bungalows if a problem occurs with the main?
There is an electric main cable across the northern end of the site as well as the water main.
How would both of these be accessed?

Our property is bordering to the north of the site. The site lies some 2 metres higher than my land with a steep bank to the border. If any disturbance to the border or bank cause slippage it will come against my garage or outbuildings.

Two of the bungalows will overlook our property and due to the around 2 metres land height difference the roof of the bungalows will be imposing and will cause shading to my garden in the winter. One bungalow overlooks my private garden seating area at the north-east of the site. I am also apprehensive of garden machinery noise as our garden is usually peaceful.

It would require a border wall of at least 2.25 metres to reduce us from being overlooked from windows and standing area positions, though this would not help with the roof height problem. This may help with noise problems. It is not clear on the plan what height border wall is proposed.

Borough Council

21 NOV 2018

Planning

Department
1/E&@#&2\$E@#&@E\$%&@#E\$
#&@1#\$&24&##@1#&\$J@&#&@%#&E

Another of the bungalows, from an elevated position, overlooks directly into my house frontage and front garden from windows and standing areas to the northwest of the site. The roof of this building will be high and imposing on my front outlook. This will also cause shading in the winter to my front garden. If this building were to be moved further to the east it would be less imposing and only half in my front view.

Damgate Lane is served by a sewage pumping system at the bottom of the lane. How will this work with 10 more bedrooms plus visitors?

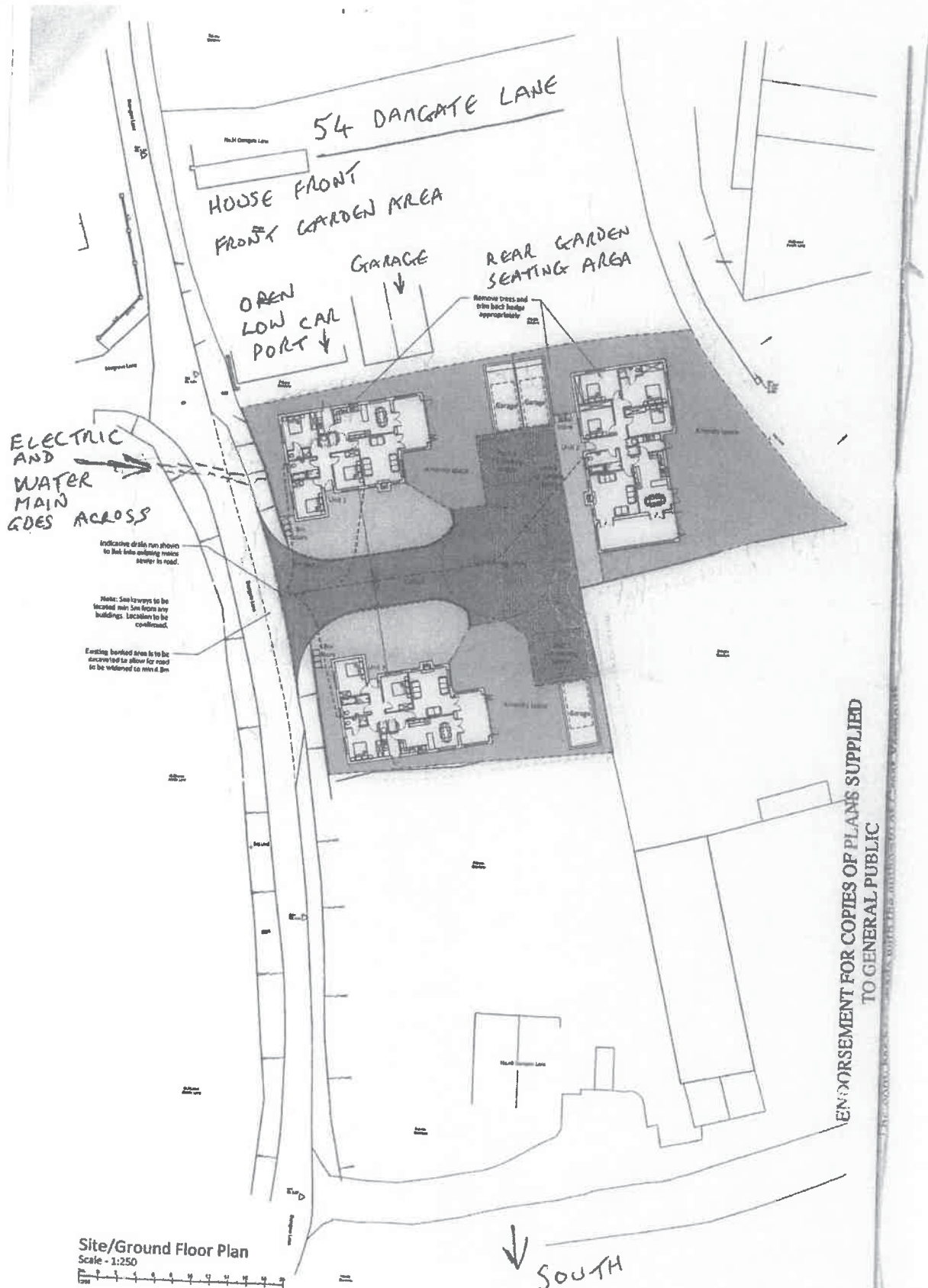
To summarize: There are a few aspects of this development which appear inappropriate for the area regarding services and a very clear road hazard particularly in winter.

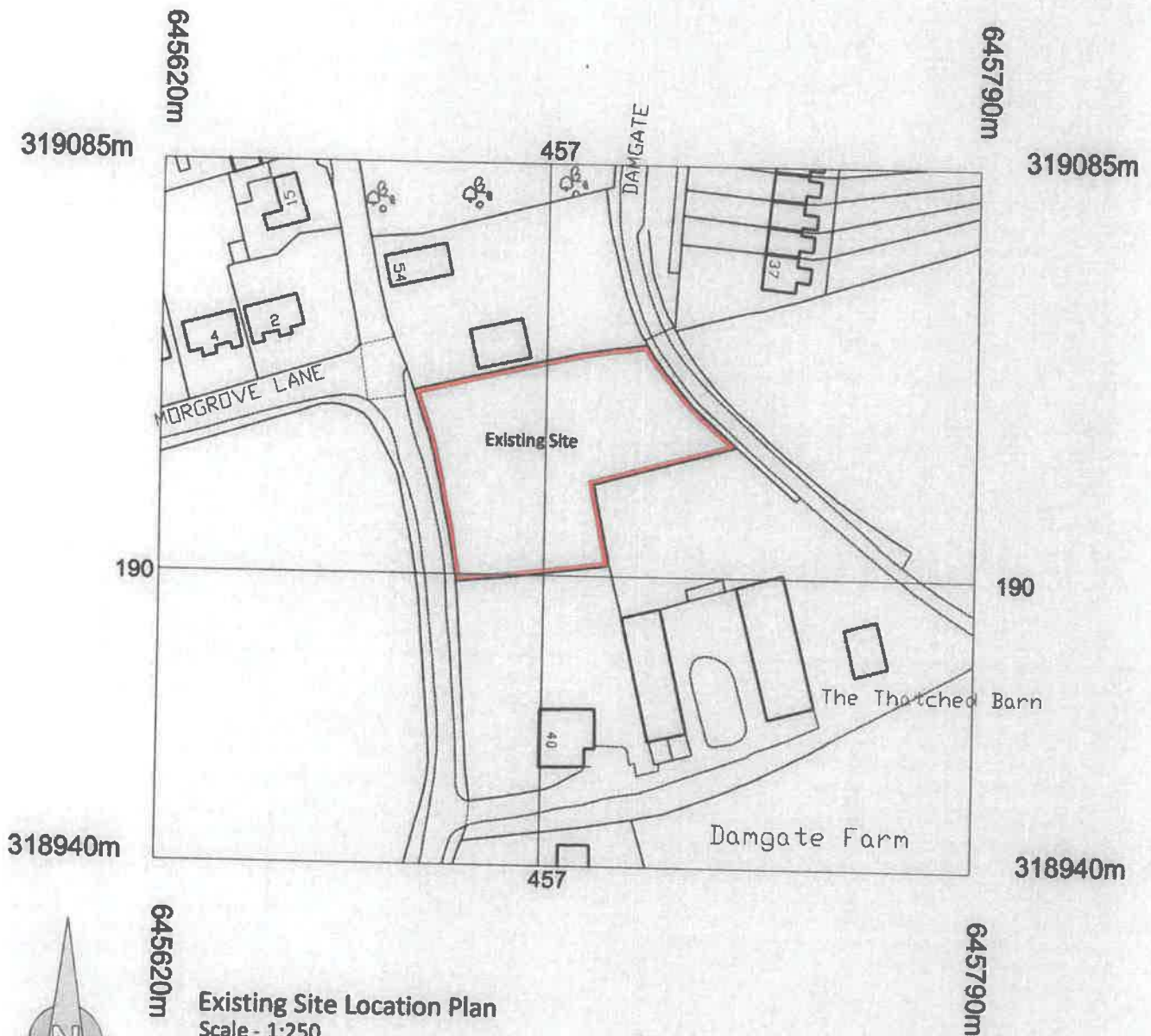
From our point of view, 54 Damgate Lane, our privacy will be overlooked from an elevated position. We will also have our outlook imposed upon by rooves in an elevated position directly in front of our house. We feel the privacy to our gardens and seating area will be severely impinged upon by being overlooked and possible noise.

Yours faithfully

A black rectangular redaction mark covering the signature of Mr. L.A. Fearn and Mrs. R. Fearn.

Mr. L.A. Fearn & Mrs. R. Fearn





This drawing is the copyright of Paul Robinson Partnership (UK) LLP and can only be reproduced with their written permission. This drawing is not to be scaled. Any discrepancies on site are to be notified to Paul Robinson Partnership (UK) LLP. This drawing has been prepared for Planning and Building Regulations purposes only and does not constitute or form part of any contract unless specifically annexed thereto in writing by Paul Robinson Partnership (UK) LLP. On this drawing the term 'client' means the client named in the title block.

All Intellectual property rights are vested with Paul Robinson Partnership (UK) LLP and cannot be used or reproduced without their permission.
Copyright 2017



Paul Robinson
PARTNERSHIP
ARCHITECTURE + SURVEYING

6 Octagon Business Park,
Hospital Road, Little Plumstead,
Norwich, NR13 5FH
tel: 01603 397057

e-mail: design@paulrobinsonpartnership.co.uk
web: www.paulrobinsonpartnership.co.uk

Planning

client:
Paul Hammond

location:
**Damgate Lane, Martham
Great Yarmouth, NR29 4PZ**

title:
Existing Site Location Plan

scale @ A4:
1:1250

date:
October 2018

project no:
7975

drawn by:
KM

approved:
BH

dwg no:
04

revision:

rev.	date	description	by

7 Oct 2018

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

Dear Sirs

PLANNING APPLICATION

APPLICATION: 06/18/0224/F

PROPOSAL: Sub division of garden to form plot and construction of detached house.
Revised submission

LOCATION: 20 Elmgrove Road, Gorleston, Great Yarmouth, NR31 7PP

I have viewed the revised application and drawings for the aforementioned proposal. I can see the orientation of the roof has been modified, however no other details appear to have changed. My objections to this proposal remain, which I would like to restate once more.

As a resident of Elmgrove Road, at No. ²⁵, in the immediate vicinity of the proposed development, and having perused the revised plans for the detached dwelling in the garden of the existing No. 20 Elmgrove Road, I maintain several concerns and issues that I would like considered as part of the planning process.

I am aware that the previous application, reference 06/17/0644/F, was rejected on a number of counts, including the height, width and cramped appearance, and parking issues. I recognise that this latest proposal has attempted to take these policy issues into consideration; however I do not feel the changes in anyway detract from my original objections. In furtherance to my original objections, please also consider the following: -

Parking

It appears from the revised plans that a single car parking space has been created for the proposed dwelling. Whilst this might take a single vehicle off the road, assuming it is used for that purpose, it does not address the issue of additional parking needs outside the dwelling, or indeed the parking needs of No.20 itself, which is currently alleviated by virtue of the house being unoccupied. It is highly probable that 2 large, detached properties will introduce significantly more vehicles onto an already congested street, causing safety and appearance issues, and general difficulty in parking in the immediate vicinity of my house. As outlined in my earlier letter to you, evening parking often extends into surrounding streets and this is not acceptable.

In addition to the long-term parking concerns, there are also parking concerns around the length of build, possibly as long as twelve months. This continues to cause stress amongst local residents.

Type of housing

The revised planning submission still represents a substantial, 3-storey, luxury 4-bedroomed property, squeezed into a small garden plot between No. 20 and No. 22. I maintain this area has experienced a number of failed new-builds when undertaking similar projects on cramped plots. The results have been detrimental to the street appearance and character and I maintain this will be the case should this application be approved.

I understand the pressures on local government to create new homes, but feel strongly that our area requires more affordable housing on brownfield and greenfield plots that can accommodate housing without the significant disruption and damaging effect on well-established residential neighbourhoods.

Disruption

Particularly throughout the summer months, I have concerns around parking, access restrictions, dust and noise. For example, sitting in our gardens, hanging out washing and enjoying our outdoor space will be significantly affected. Elmgrove Road is a street that has always attracted young families and there are many families that use their gardens throughout the summer and we feel this would affect our children and family life during the build period.

Appearance

Elmgrove Road is a pleasant, tree-lined, family orientated and well thought-of local road that mainly consists of individual character & period properties. Having considered the revised plans I fail to see how this house will fit into that image. Again, looking at recent examples of this kind of build locally it is apparent that the street appearance is negatively affected by such builds.

I feel strongly that the revised plans simply squeeze another property onto an already congested street, exacerbating existing parking restrictions and easy access to our homes. I do not feel that the revised plans are a significant departure away from the original plans that were rejected; the erection of a dwelling of the height and width shown on the proposed drawings on the space between the existing houses will result in a cramped appearance that will detract from the pleasant, open nature of this part of the road and will be significantly detrimental to the character and appearance of the area.

In summary I object to the proposal to sub divide a garden to form a plot and construction of a detached house at No. 20 Elmgrove Road.

Yours Faithfully,

A large, dark, rectangular redaction mark covering the signature area.

No. 25.

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

1:1,250

Reference: 06/18/0224/F

Parish: Gorleston

Officer: Mr G Clarke

Expiry Date: 08-03-2019

Applicant: Mrs Skoyles

Proposal: Sub-division of garden to form plot and construction of detached house

Site: 20 Elmgrove Road
Gorleston

REPORT

1 Background / History :-

- 1.1 No. 20 Elmgrove Road is a detached two-storey house on the north side of the road, there is a semi-detached three-storey house to the east (no. 18) and a semi-detached three storey house to the west (no. 22). The land involved in the application is part of the garden to the west side of no. 20 between that property and no. 22, there is a pair of flat roofed garages belonging to 20 and 22 at the west side. The proposal will involve the demolition of the garage belonging to no. 20 and a conservatory on the side of that house to allow for the erection of a three-storey house on the site.
- 1.2 Elmgrove Road is a wide road with a mixture of detached houses, bungalows, semi-detached and terrace houses of different designs on plots of varying widths that contribute to the character of the area.
- 1.3 In 2017 planning permission was refused for the sub-division of the garden and the construction of a detached house on the grounds that the height and width of the dwelling would result in a cramped appearance that would be detrimental to the character of the area and the proposed parking area across the full width of the site would also have an adverse effect on the street scene (ref: 06/17/0644/F).
- 1.4 The current proposal is for a narrower house which uses the existing vehicular access to provide a parking space to the front of the dwelling. The design of the dwelling as originally submitted with the current application had a ridge line running in an east/west direction; a revised drawing was subsequently submitted with some changes to the front elevation and with the ridge in a north/south direction.

2 Consultations :-

- 2.1 Highways - As you will be aware the adopted LPA parking standards require a minimum of three parking spaces for development of this size and it is likely that there is already a high demand for on street parking in this area due to many of the properties not having any off street parking provision. Accordingly this may give rise to other social issues which the LPA may wish to consider. Whilst the development is technically not a town centre location, access to public transport and limited local service provision is within walking distance of the development and taking this and the location of the development into account, it is unlikely I could sustain an objection for lack of parking provision alone nor demonstrate the residual cumulative impacts of the development are severe. Accordingly, should your Authority be minded to approve this application, I would recommend highway conditions regarding access and parking and informative note be appended to any grant of permission your Authority is minded to make.
- 2.2 Building Control – no comments that affect Building Regulations.
- 2.3 Neighbours – 13 objections were received to the original proposal with 12 objections to the revised design – the main reasons for objection are parking, type of house, disruption during building and out of character with the area. The objections consist of a standard letter signed by the individual residents, a copy of the letter is attached.

3 Policy :-

GREAT YARMOUTH LOCAL PLAN: CORE STRATEGY

3.1 Policy CS1 – Focusing on a sustainable future

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

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

- a) Sustainable growth, ensuring that new development is of a scale and in a location that complements the character and supports the function of individual settlements
- b) Mixed adaptable neighbourhoods, which provide choices and effectively meet the needs and aspirations of the local community

- c) Environmentally friendly neighbourhoods that are located and designed to help address and where possible mitigate the effects of climate change and minimise the risk of flooding
- d) A thriving local economy, flourishing local centres, sustainable tourism and an active port
- e) Safe, accessible places that promote healthy lifestyles and provide easy access for everyone to jobs, shops and community facilities by walking, cycling and public transport
- f) Distinctive places that embrace innovative, high quality urban design that reflects positive local characteristics and protects the borough's biodiversity, unique landscapes, built character and historic environment

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

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

3.2 Policy CS2 – Achieving sustainable growth

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

- a) Ensure that new residential development is distributed according to the following settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements:
 - Approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth
 - Approximately 30% of new development will take place in the borough's Key Service Centres at Bradwell and Caister-on-Sea
 - Approximately 30% of new development will take place in the Primary Villages of Belton, Hemsby, Hopton on Sea, Ormesby St Margaret, Martham and Winterton-on-Sea

- Approximately 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy
 - In the countryside, development will be limited to conversions/replacement dwellings/buildings and schemes that help to meet rural needs
- b) To ensure compliance with Policy CS11, the proportions of development set out in criterion a) may need to be further refined following additional work on the impact of visitor pressures on Natura 2000 sites
- c) Ensure that new commercial development for employment, retail and tourism uses is distributed in accordance with Policies CS6, CS7, CS8 and CS16
- d) Promote the development of two key strategic mixed-use development sites: the Great Yarmouth Waterfront area (Policy CS17) and the Beacon Park extension, south Bradwell (Policy CS18)
- e) Encourage the reuse of previously developed land and existing buildings

To ensure that the Council delivers its housing target, the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in the Main Towns and Key Service Centres where appropriate and consistent with other policies in this plan. Any changes to the distribution will be clearly evidenced and monitored through the Annual Monitoring Report.

3.3 Policy CS3 – Addressing the Borough’s housing need

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

- a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by:
- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
 - Allocating two strategic Key Sites; at the Great Yarmouth Waterfront Area (Policy CS17) for approximately 1,000 additional new homes (a minimum of 350 of which will be delivered within the plan period) and at the Beacon Park Extension, South Bradwell (Policy CS18) for approximately 1,000 additional new homes (all of which will be delivered within the plan period)
 - Allocating sufficient sites through the Development Policies and Site Allocations Local Plan Document and/or Neighbourhood Development Plans, where relevant
 - Ensuring the efficient use of land/sites including higher densities in appropriate locations

- Using a 'plan, monitor and manage' approach, which uses a split housing target to ensure that the plan is deliverable over the plan period (as shown in the Housing Trajectory: Appendix 3), to ensure the continuous maintenance of a five-year rolling supply of deliverable housing sites
- b) Encourage the effective use of the existing housing stock in line with the Council's Empty Homes Strategy
 - c) Encourage the development of self-build housing schemes and support the reuse and conversion of redundant buildings into housing where appropriate and in accordance with other policies in the Local Plan
 - d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites
 - e) Support the provision of housing for vulnerable people and specialist housing provision, including nursing homes, residential and extra care facilities in appropriate locations and where there is an identified need
 - f) Encourage all dwellings, including small dwellings, to be designed with accessibility in mind, providing flexible accommodation that is accessible to all and capable of adaptation to accommodate lifestyle changes, including the needs of the older generation and people with disabilities
 - g) Promote design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas and make efficient use of land, in accordance with Policy CS9 and Policy CS12

3.4 Policy CS11 – Enhancing the natural environment

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

- a) Conserving and enhancing designated nature conservation sites, including Sites of Special Scientific Interest (SSSIs), Special Protected Areas (SPAs), Marine SPAs, Special Areas of Conservation (SAC), RAMSAR sites, National Nature Reserves, Local Nature Reserves Norfolk County Wildlife Sites and Norfolk County Geodiversity Sites
- b) Working in partnership with relevant nature conservation organisations to ensure that protected species, such as Little Terns, are adequately protected from any adverse effects of new development. This includes the preparation

of the Natura 2000 Sites Monitoring and Mitigation Strategy and ensuring assessment of development proposals in the vicinity of the colonies

- c) Relevant development will be required to deliver the mitigation measures identified in the Natura 2000 Sites Monitoring and Mitigation Strategy. This document is being prepared and will secure the measures identified in the Habitat Regulations Assessment which are necessary to prevent adverse effects on European wildlife sites vulnerable to impacts from visitors
- d) Ensuring that the Norfolk Coast Area of Outstanding Natural Beauty (AONB), the Broads and their settings are protected and enhanced
- e) Safeguarding and where possible enhancing the borough's wider landscape character, in accordance with the findings of the borough's and the Broads Authority's Landscape Character Assessment
- f) Improving the borough's ecological network and protecting habitats from fragmentation by working with our partners to:
 - create coastal habitats, including those along developed stretches
 - enhance and protect the quality of the habitats, including buffering from adverse impacts
- g) Ensuring that all new development takes measures 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
- h) Ensuring that all new development appropriately contributes to the creation of biodiversity and/or geodiversity features through the use of landscaping, building and construction features, sustainable drainage systems and geological exposures
- i) Further developing public understanding of biodiversity and geodiversity and where appropriate, enabling greater public access to any notable biodiversity and/or geodiversity assets
- j) Protecting and where possible enhancing the quality of the borough's resources, including inland and coastal water resources and high quality agricultural land, in accordance with Policy CS12
- k) Working with developers and landowners to ensure land management practices protect and enhance landscapes and to restore landscapes where valued features and habitats have been degraded or lost
- l) Identifying and where appropriate reassessing the locations of strategic gaps to help retain the separate identity and character of settlements in close proximity to each other

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

3.5 Saved Great Yarmouth Borough-Wide Local Plan Policies

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

3.6 Policy HOU7

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

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

- (E) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE RESIDENTIAL AMENITIES OF ADJOINING OCCUPIERS OR USERS OF LAND.

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

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

3.7 Policy HOU17

IN ASSESSING PROPOSALS FOR DEVELOPMENT THE BOROUGH COUNCIL WILL HAVE REGARD TO THE DENSITY OF THE SURROUNDING AREA. SUB-DIVISION OF PLOTS WILL BE RESISTED WHERE IT WOULD BE LIKELY TO LEAD TO DEVELOPMENT OUT OF CHARACTER AND SCALE WITH THE SURROUNDINGS.

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

4 Local finance considerations:-

- 4.1 Under Section 70(2) of the Town and Country Planning Act 1990 the council is required, when determining planning applications, to have regard to any local finance considerations so far as they are material to the application. Local finance considerations are defined as a government grant, such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case local finance considerations are not considered to make the development more acceptable.

5 Assessment :-

- 5.1 The plot on which no. 20 stands is approximately twice as wide as the plots for the dwellings to the west, the house itself is built on the east side of the plot with an area of garden to the west between the house and no. 22. There is a flat roofed garage towards the front of the site that is attached to a similar garage belonging to 22. The proposal will involve the demolition of the garage and a conservatory that is on the side of the original house and the sub-division of the site into two roughly equal plots. The width of the plot for the new house will be 7.5 metres and the plot for the original house will be 8 metres, the houses to the west are built on plots of between 6 and 8 metres, the house adjoining the east boundary is on a wider plot of 12 metres but the houses beyond that are on 6 metre plots. The plot widths vary along both sides of the road but the widths of the plots for both the proposed house and donor dwelling will be similar to the existing development on this part of the road.

- 5.2 The ridge height of the proposed house will be lower than no. 22 and higher than no. 20 so there will be a step down from the taller houses to the west. The house will be set in from the side boundaries of the site by one metre but as the houses to either side are also set in from the boundaries there will be a space of 2.2 metres between the house and no. 20 and 3.6 metres to the main part of no. 22. These gaps to either side result in the house appearing less cramped in the street scene than the dwelling that was previously refused and it is considered that the current design will not have a significant adverse effect on the character of the area.
- 5.3 The application that was refused showed parking across the whole of the site frontage, it was considered that this large area of parking would have looked out of place and would also have resulted in a loss of on-street parking. The loss of on-street parking was also one of the concerns of the neighbours that was mentioned in the letters objecting to that application. The current application uses the existing single point of access that serves the garage to provide one parking space to the front of the house in an attempt to overcome the previous objections and reason for refusal. This is likely to result in more demand for on-street parking but given the location of the site the Highways Officer has no objection to the proposal and it would be difficult to justify refusal on the grounds of parking without support from Highways.
- 5.4 A similar proposal for a house in the side garden of 61 Avondale Road was refused by the Council in 2015 (06/15/0075/F) but was subsequently allowed on appeal, taking that decision into account it is considered that if the current application is refused it may be difficult to defend the decision should the applicant decide to appeal.
- 5.5 The application has been on hold awaiting the submission of a Shadow Habitats Regulations Assessment (SHRA) to determine whether the application will be likely to have significant effects on one or more Natura 2000 sites. Permission may only be granted if it is determined that the application will not adversely affect the integrity of any Natura 2000 site. A SHRA has now been submitted and it is the assessment of the Local Planning Authority, as Competent Authority, that any adverse effects of the development on Natura 2000 sites can be adequately mitigated for by a contribution to the Habitats Monitoring and Mitigation Strategy. This assessment is made having taken into account both the direct and cumulative effects that the site may have in terms of recreational pressures on any Natura 2000 sites.

6 RECOMMENDATION :-

- 6.1 Approve – subject to the conditions requested by Highways and the payment of a contribution of £110 towards the Council's Habitats Monitoring and Mitigation Programme.
- 6.2 The proposal complies with the aims of Policies CS1, CS2, CS3 and CS11 of the Great Yarmouth Local Plan: Core Strategy and saved Policies HOU7 and HOU17 of the Great Yarmouth Borough-Wide Local Plan.

PLANNING APPLICATIONS CLEARED BETWEEN 31-JAN-19 AND 26-FEB-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/18/0696/O
PARISH	Belton & Browston 10
PROPOSAL	Demolition of existing bungalow - Replace with 2 no. chalet style dwellings
SITE	Brentwood St Johns Road Belton GREAT YARMOUTH
APPLICANT	Mr Leighton
DECISION	APPROVE
<hr/>	
REFERENCE	06/18/0697/F
PARISH	Bradwell N 1
PROPOSAL	Renewal of planning permission 06/15/0681/F - To convert part of an existing detached garage to a dog grooming studio
SITE	184 Burgh Road Bradwell GREAT YARMOUTH
APPLICANT	Mrs H Parsley
DECISION	APPROVE
<hr/>	
REFERENCE	06/18/0723/F
PARISH	Bradwell N 1
PROPOSAL	Proposed rear extension and pitched roof over side extension and existing garage
SITE	12 Mallard Way Bradwell GREAT YARMOUTH
APPLICANT	Mr P Coe
DECISION	APPROVE
<hr/>	
REFERENCE	06/18/0724/F
PARISH	Bradwell N 1
PROPOSAL	Proposed single storey side extension
SITE	1 The Buntings Bradwell GREAT YARMOUTH
APPLICANT	Mr and Mrs Griffen
DECISION	APPROVE
<hr/>	
REFERENCE	06/18/0729/F
PARISH	Bradwell S 2
PROPOSAL	Proposed single storey rear extension
SITE	12 Crab Lane Bradwell GREAT YARMOUTH
APPLICANT	Mr L Thacker
DECISION	APPROVE
<hr/>	

PLANNING APPLICATIONS CLEARED BETWEEN 31-JAN-19 AND 26-FEB-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/18/0594/F
PARISH	Burgh Castle 10
PROPOSAL	6 warden controlled self sufficient homes for the elderly, c.o.u res.dwelling (The Gannel) to day care etc.
SITE	Burgh House High Road
APPLICANT	Burgh Castle GREAT YARMOUTH
DECISION	Burgh House Residential Care Home APPROVE
<hr/>	
REFERENCE	06/18/0691/F
PARISH	Burgh Castle 10
PROPOSAL	Construction above single storey back addition forming larger bedroom
SITE	11 Cement Cottages Butt Lane
APPLICANT	Burgh Castle GREAT YARMOUTH
DECISION	Ms C Lynch APPROVE
<hr/>	
REFERENCE	06/18/0692/F
PARISH	Burgh Castle 10
PROPOSAL	Construction above single storey back addition forming larger bedroom
SITE	10 Cement Cottages Butt Lane
APPLICANT	Burgh Castle GREAT YARMOUTH
DECISION	Mr M Webster APPROVE
<hr/>	
REFERENCE	06/18/0693/F
PARISH	Burgh Castle 10
PROPOSAL	Construction above single storey back addition forming larger bedroom
SITE	12 Cement Cottages Butt Lane
APPLICANT	Burgh Castle GREAT YARMOUTH
DECISION	Mr A Carter APPROVE
<hr/>	
REFERENCE	06/18/0703/F
PARISH	Caister On Sea 4
PROPOSAL	Single storey rear extension
SITE	50 Ormesby Road Caister
APPLICANT	GREAT YARMOUTH
DECISION	Mr M Smith APPROVE
<hr/>	
REFERENCE	06/18/0721/F
PARISH	Caister On Sea 4
PROPOSAL	first floor side extension
SITE	28 Coxswain Read Way Caister
APPLICANT	GREAT YARMOUTH
DECISION	Mr and Mrs Humphreys APPROVE
<hr/>	

PLANNING APPLICATIONS CLEARED BETWEEN 31-JAN-19 AND 26-FEB-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE **06/18/0709/F**
 PARISH Filby 6
 PROPOSAL Single storey front and side extensions

SITE Russvon Main Road
 Filby GREAT YARMOUTH
 APPLICANT Mr and Mrs N Popay
 DECISION **APPROVE**

REFERENCE **06/18/0689/F**
 PARISH Great Yarmouth 7
 PROPOSAL Two storey side extension and single storey rear extension

SITE 41 Marine Parade Gorleston
 GREAT YARMOUTH
 APPLICANT Mr and Mrs L Perdicou
 DECISION **APPROVE**

REFERENCE **06/19/0014/CU**
 PARISH Great Yarmouth 9
 PROPOSAL Change of use from floor sales and storage to D2 - gymnastics training centre

SITE 4 Bessemer Way GREAT YARMOUTH
 Norfolk
 APPLICANT Mrs T Amis
 DECISION **APPROVE**

REFERENCE **06/19/0003/F**
 PARISH Great Yarmouth 11
 PROPOSAL Two storey side extension to create larger kitchen and utility room and 4th bedroom with en-suite

SITE 26 Clare Avenue Gorleston
 GREAT YARMOUTH
 APPLICANT Mr & Mrs Patterson
 DECISION **APPROVE**

REFERENCE **06/19/0012/F**
 PARISH Great Yarmouth 11
 PROPOSAL Single storey rear, two storey side extension and porch to front

SITE 73 St Annes Crescent Gorleston
 GREAT YARMOUTH
 APPLICANT Mr P Devine & Miss D Smith
 DECISION **APPROVE**

REFERENCE **06/18/0568/CU**
 PARISH Great Yarmouth 14
 PROPOSAL Change of use of former day care centre to residential dwelling

SITE 45 Albion Road Gemini
 GREAT YARMOUTH
 APPLICANT Mrs M Mason
 DECISION **APPROVE**

PLANNING APPLICATIONS CLEARED BETWEEN 31-JAN-19 AND 26-FEB-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/18/0676/F
PARISH	Great Yarmouth 14
PROPOSAL	Change of use from 4-bedroomed HMO to 8-bedroomed HMO
SITE	4 Nelson Road South Holme Lee
APPLICANT	GREAT YARMOUTH
DECISION	Mr W Mills REFUSED

REFERENCE	06/18/0710/F
PARISH	Great Yarmouth 14
PROPOSAL	Removal of condition 1 of PP: 06/13/0049/F - To allow temporary warehouse to become permanent
SITE	Asco Group Ltd (Land Adj) Perenco Neptune Warehouse South Denes Road GREAT YARMOUTH
APPLICANT	Asco Group - Mr G Hurran
DECISION	APPROVE

REFERENCE	06/17/0441/F
PARISH	Great Yarmouth 15
PROPOSAL	Retrospective planning consent for residential flats
SITE	37 Northgate Street GREAT YARMOUTH Norfolk NR30 1BH
APPLICANT	Mr P O'Gallachoir
DECISION	REFUSED

REFERENCE	06/18/0627/F
PARISH	Great Yarmouth 15
PROPOSAL	Conversion of existing house into two flats with associated alterations
SITE	56 Nelson Road North GREAT YARMOUTH Norfolk
APPLICANT	Mr & Mrs Fraser
DECISION	APPROVE

REFERENCE	06/18/0686/F
PARISH	Great Yarmouth 15
PROPOSAL	Proposed internal alterations to form 7 room HMO
SITE	41 South Market Road GREAT YARMOUTH Norfolk
APPLICANT	Mr M Charalambides
DECISION	REFUSED

REFERENCE	06/18/0718/F
PARISH	Great Yarmouth 15
PROPOSAL	2 storey extension to existing dwelling to create enlarged ground floor kitchen/diner & 1st floor bedroom with ensuite
SITE	197 Alderson Road GREAT YARMOUTH Norfolk
APPLICANT	Mr Pywell
DECISION	APPROVE

PLANNING APPLICATIONS CLEARED BETWEEN 31-JAN-19 AND 26-FEB-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/18/0733/A
PARISH	Great Yarmouth 15
PROPOSAL	2 no. ASDA letter fascia signs
SITE	ASDA Vauxhall Station
APPLICANT	GREAT YARMOUTH
DECISION	ASDA Stores Ltd ADV. CONSENT
<hr/>	
REFERENCE	06/18/0734/F
PARISH	Great Yarmouth 15
PROPOSAL	Installation of 4 no. mistral packs to existing store roof
SITE	Asda Vauxhall Station
APPLICANT	GREAT YARMOUTH
DECISION	ASDA Stores Ltd APPROVE
<hr/>	
REFERENCE	06/19/0007/F
PARISH	Hemsby 8
PROPOSAL	Proposed infill porch and front lounge extension (revised location)
SITE	9 Meadow Rise Hemsby
APPLICANT	GREAT YARMOUTH
DECISION	Miss S Bevan APPROVE
<hr/>	
REFERENCE	06/18/0431/CD
PARISH	Hopton On Sea 2
PROPOSAL	Discharge of Conditions 3, 6, 7 & 8 re: Planning Permission 06/16/0094/CU
SITE	Margaret Chadd House Sidegate Road Hopton
APPLICANT	GREAT YARMOUTH
DECISION	East Coast Hospice Limited APPROVE (CONDITIONS)
<hr/>	
REFERENCE	06/18/0698/F
PARISH	Hopton On Sea 2
PROPOSAL	New steel portal framed laundry building. Refurbishment of extg laundry bldg. Relocate gas bottle storage. Etc.
SITE	Hopton Holiday Village Warren Road Hopton
APPLICANT	GREAT YARMOUTH
DECISION	Bourne Leisure Limited APPROVE
<hr/>	
REFERENCE	06/18/0704/F
PARISH	Martham 13
PROPOSAL	Renewal of planning application 06/18/0483/F - location of temporary sales cabin with 3 parking spaces
SITE	Martham Village Hall Car Park White Street
APPLICANT	Martham GREAT YARMOUTH
DECISION	Persimmon Homes APPROVE
<hr/>	

PLANNING APPLICATIONS CLEARED BETWEEN 31-JAN-19 AND 26-FEB-19 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/18/0664/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Renewal of Planning Permission 06/13/0574/F for retention of beach hut
SITE	1 Beach Hut Scratby Green Rottenstone Lane Scratby GREAT YARMOUTH Norfolk
APPLICANT	Ms J Bury
DECISION	APPROVE

REFERENCE	06/18/0695/A
PARISH	Ormesby St.Marg 16
PROPOSAL	Non-illuminated roundabout sponsorship signs
SITE	Yarmouth Road/Jack Chase Way (Roundabout at Junction) Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Marketing Force Ltd
DECISION	ADV. CONSENT

REFERENCE	06/18/0722/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Proposed single storey rear extension and installation of new window in front elevation
SITE	20 Wapping Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Miss O Urbina
DECISION	APPROVE

REFERENCE	06/18/0690/F
PARISH	Somerton 8
PROPOSAL	Erection of new dormer to side of White House with full length doors and balustrade
SITE	The White House Manor Farm Road East Somerton GREAT YARMOUTH
APPLICANT	Mrs D Le Grice
DECISION	APPROVE

* * * * End of Report * * * *

**PLANNING APPLICATIONS CLEARED BETWEEN 31-JAN-19 AND 26-FEB-19 FOLLOWING
DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE**

REFERENCE **06/18/0327/F**
PARISH Bradwell S 2
PROPOSAL Two detached dwellings & two bungalows

SITE 21 Crab Lane Bradwell
 GREAT YARMOUTH

APPLICANT Mr D James
DECISION **APPROVE**

REFERENCE **06/18/0648/F**
PARISH Martham 13
PROPOSAL Two storey rear extension

SITE 24 Rowan Road Martham
 GREAT YARMOUTH Norfolk

APPLICANT Mr and Mrs D Włodarczyk
DECISION **APPROVE**

* * * * End of Report * * * *