



GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Date: Wednesday, 08 January 2020
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** 3 - 34
- To confirm the minutes of the meeting held on the 13 November 2019.
- 4 **APPLICATION 06-19-0441-F, 32 BEACH ROAD, SCRATBY, GREAT YARMOUTH** 35 - 54
- Sub division of garden to form 4no. plots for detached bungalows and garages. Access from approved access off Beach Road.
- 5 **APPLICATION 06-19-0025-O, TRETTS LANE - ROLLESBY ROAD (LAND IN CORNER) FLEGGBURGH** 55 - 74
- Residential development of 2 chalet style houses with integral garages.
- 6 **APPLICATION 06-18-0436-O, NEW HOUSE (LAND ADJ) OFF ROLLESBY ROAD, FLEGGBURGH** 75 - 138
- Residential development of 13 dwellings with estate road, private drive, garages and parking.
- 7 **PLANNING APPLICATIONS CLEARED UNDER DELEGATED AND COMMITTEE DECISIONS BETWEEN 1 NOVEMBER TO 19 DECEMBER 2019.** 139 - 160
- Report attached.
- 8 **ANY OTHER BUSINESS**
- To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

Development Control Committee

Minutes

Wednesday, 13 November 2019 at 18:30

PRESENT:

Councillor Annison (in the Chair); Councillors Bird, Fairhead, Freeman, P Hammond, Mogford, Myers, A Wright & B Wright.

Councillor P Carpenter attended as a substitute for Councillor Flaxman-Taylor.

Councillor G Carpenter attended as a substitute for Councillor Lawn.

Councillor Borg attended as a substitute for Councillor Wainwright.

Councillor C Walker attended as a substitute for Item 1 for Councillor Williamson.

Mr D Minns (Planning Manager), Mrs G Manthorpe (Senior Planning Officer), Mrs S Wintle (Corporate Services Manager), Mr G Bolan (Technical Officer), Mrs J Linley (Solicitor, nplaw) & Mrs C Webb (Executive Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Borg, Flaxman-Taylor, Lawn & Williamson.

2 DECLARATIONS OF INTEREST

Councillors Annison, Fairhead & B Wright declared a personal interest in item number 6.

Councillor A Wright declared a personal interest in item number 7.

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 16 October 2019 were confirmed.

4 PLANNING APPLICATIONS

5 APPLICATION 06-19-0471-f - MARINA CENTRE, MARINE PARADE, GREAT YARMOUTH, NR30 2ER

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

The Planning Manager reported that the redevelopment of the Marina Leisure Centre involved demolition of the existing Leisure Centre building, erection of a new two storey health & fitness centre comprising; 6 lane competition pool, attendant teaching pool and leisure water with associated water flumes and changing facilities, 4 court sports hall, fitness suite, exercise and spinning studios together with attendant changing facilities, clip and climb wall, soft play area, cafe & party room, office and tourist information facility together with ancillary accommodation, hard and soft landscaping including cycle and car parking for staff and visitors, service yard waste and recycling facilities.

The Planning Manager reported that the site was to be developed for a mix of leisure and community uses within the public realm comprising Use Class D2 (Assembly & Leisure) according to the Town & Country (Use Classes) Order 1987.

The Planning Manager reported that the proposal as described in the accompanying Design & Access Statement and Planning Statement stated that the proposed new building (which will be open from 0500 to 2300, 7 days a week) would comprise of a 6 lane x 25m main pool with the focus on meeting the requirements for as many different users as possible. It was proposed that the pool would have a level deck along both long sides and the short ends fitted with removable starting blocks and turning boards for competitions. Disabled users were catered for with pool pods, ambulant stairs and platform lift for enhanced pool access. A Learner pool with a moveable floor to maximise flexibility for the community. A new leisure pool with two water flumes and other play equipment.

The Planning Manager reported that external activity space was accessible from the gym, for aerobic exercise classes, yoga or martial arts. First floor multi-purpose studio for aerobics, dance or martial arts, as well as a separate dedicated fixed bicycle spinning room. Flexible space and consultation rooms for use by the community. Dedicated changing facilities to cater for gym users. Spectator seating on the south side of the main pool. A small 'relaxation area', comprising steam room and sauna. Basement level plant room accommodating pool filtration plant and pool balance tanks. Access to the café, accessible WCs, 'changing places' facility and accessible baby change was directly from the lobby, or through the café, whereas access to the other parts of the building were through turnstiles.

The Planning Manager reported that pedestrian and cycle access would also be improved with better access between the replacement building and the beach (a new beach access ramp was to be provided for specially designed for beach wheelchairs). There would also be cycles stands which will allow 110 cycles to be parked. The smaller footprint of the building released space at ground floor which was to be used to provide 184 new car parking spaces, of which 6% (equating to 11 spaces) were to be to accessible standard.

The Planning Manager reported that the landscape improvements proposed were the use of a variety of coloured block pavements to the parking bays, shrub planting to the edges of the car park and the creation of a planted 'beachfront boulevard' running east west between the new building and the new parking areas. There was also a structured scheme of soft planting to be introduced around the new service yard and existing north car park. The service yard was to be enclosed by a 3 metre high, 'green screen' fence and this enclosure also served to screen the sub-station, bin and recycling store.

The Planning Manager reported that photovoltaic panels were to be located on the roof above the sports hall (the sports hall relied on a mixture of mechanical and natural ventilation, such as roof mounted wind catchers). It was proposed to incorporate air source heat pumps within the current design and, in addition, there was flexibility within the design to enable further measures to be added in the future. A seagull deterrent system of iridescent coatings/'fire pots' was to

be installed on the roof but this will not be visible from the Conservation Area.

In summary the proposed uses could be described as :

Wet activities

- Six-lane 25m pool with full disabled access
- Pool suitable for galas and competitions, with seating for 120 spectators
- Confidence water area and learner pool with moveable floor
- Leisure water with fun play features, two water flumes and a splash pad
- Accessible changing village
- Communal changing area with both individual and family changing

Dry activities

- Health suite with sauna, steam and spa
- 100-station health and fitness gym
- External first floor terrace with views to the sea
- Four-court multi-purpose sports hall
- Indoor climbing zone for all ages
- Fitness and spin studios
- Soft play area
- Café with views to the beach
- Fully accessible changing area

The Planning Manager reported that the proposal had been subject to pre-application public consultation in accordance with good practice advocated by Government and had engaged a wide range of users and interest groups. The applicants stated that a total of 294 completed responses were received, of which 73% were from Marina Centre users. Public feedback had since been evaluated and had helped to shape the look and feel of the final design. On 16 May 2019, Full Council considered the feedback and the Council's responses, which had helped to shape the look and feel of the final design.

The Planning Manager reported that the aspiration was for the type of facility now proposed to make a major contribution to sporting participation and health improvement, by allowing the community to access affordable high quality facilities. Many of the local facilities were ageing and the improvement of the facilities at the Marina Centre and one of the main objectives of the proposal was to address this. Various options for the existing buildings, such as the Marina Centre, were considered in the SPLS including its refurbishment; partial or complete redevelopment; or total relocation to another site. At paragraph 3.17 the SPLS stated that "given needs and evidence, the need to maintain levels of waterspace, the importance of the Marina to deliver against the wider tourism agenda and the view of consultees towards the Marina, the strategy process has concluded that" the Marina Centre should remain in its current location for the long-term.

The Planning Manager reported that this fall in quality due to age, also related

to the indoor bowls provision at the Marina Centre which would have needed considerable investment. However, over recent years the overall trend in participation in indoor bowls had been one of decline and when considering the facilities mix for the new centre, the Council has had to plan carefully to accommodate as many sports as possible, whilst also balancing the financial business case for the scheme.

The Planning Manager reported that the main body of the building was 18.5 m at its highest point and 9m at its lowest above existing ground levels. The development finish floor levels would be set at 4.15 AOD. By comparison the existing ground level was 3.5 to 3.74 AOD. Raising the level would help mitigate against flood risk in comparison with the existing building whilst enabling safe accessible access to the building. The plans showed the varied finished building height ranging between 21.5 AOD and 12.560 AOD which illustrated the way the mass of the building was broken up.

The Planning Manager reported that the Design and Access Statement stated that feedback from both public consultation and design team workshops suggested the existing centre was perceived as dark and hulking with large blank facades. In terms of the new centre, comments included that the centre should be appropriate to its wider setting on the Golden Mile, have a more lightweight appearance and be more visually accessible, offering views of the interior functions as well as views out over the beach/sea and Golden Mile. The design team appraised the consultation feedback and undertook a review of various external materials both on the existing centre and of the wider environment within the Conservation Area which included:

- Stucco
- Brick
- Glass Stucco or rendered facades

These were common to a number of buildings in Great Yarmouth and along Marine Parade. Render was an economic material, however, it was felt that render was less suited to the necessarily large volumes inherent in a Leisure Complex. A rendered wall had been integrated at low level as a substrate for a graphic feature wall. Brickwork was common to Great Yarmouth, suitably robust and, when well detailed, aesthetically pleasing. A sandy coloured brick had been selected for both high and low levels to gently break up the overall scale.

The Planning Manager reported that the final selection of materials was made to ensure a balance between construction and long term maintenance costs, with the visual impact that should be associated with a civic building of this nature, in a conservation area, and an exposed seaside setting. To this end, we were generally proposing materials and construction methods that were appropriate to the specific use and location, impact on the environment and potential for re-use when the building reached the end of its useful life. The materials were selected for durability, longevity and quality and integration

within the overall design.

The Planning Manager reported that a balance has been struck with curtain walling between the need for natural light and the views in and out of the centre, with the need to control solar heat gain and deliver high level thermal performance. Low emissivity (LE) glass to the pool hall would minimise the risk of surface water glare which was important for lifeguarding. The leisure water façade would have a combination of 30% opaque and clear glazing panels.

The Planning Manager reported that lightweight aluminium cladding panels consisting of aluminium covered sheets with a fire rated core were proposed to be used. The cladding was low maintenance that was suitable for a marine environment, robust and non- combustible with a colour range and panel sizes that allowed for different configurations. At this stage, blue and sand coloured rain screen panels had been specified with the final colours to be determined at the next design stage.

The Planning Manager reported that sandy coloured brickwork, to compliment the sandy-coloured cladding, had been selected at ground floor level to the sports hall. The feature graphic wall fronting Marine Parade comprised of rendered blockwork. A graphic would be developed at the design stage. A lightweight corrosion resistant metal roof panel cladding system with raised or 'standing' seams was specified for the visible curved roof to the main pool hall.

The Planning Manager reported that the water flumes were strong and lightweight. They were made of a fibre-reinforced plastic that could easily be moulded to any shape and available in any colour. The final colour /colours would be decided at the design stage. In addition to the plans the following documents supported the application:

- Planning Statement
- Design and Access Statement
- Transport Assessment and Car Parking Strategy
- Outline Traffic Construction Management Plan
- Flood Risk Assessment
- Ecological Assessment
- Draft Demolition Report
- Heritage Area Appraisal (revised)
- Utilities Statement
- Solar Glare Study
- Accessibility Report
- Energy Report
- Fire Strategy

The Planning Manager reported that there were areas of car parking to the immediate north (which includes the area for staff) and south of the building amounting to some 110 spaces. There were 6 parking spaces to disability standard. There were 7 cycle parking stands, giving the facility to park 14 cycles. Servicing access to the building was also from the northern car parking area.

The Planning Manager reported that the surrounding area was in mixed use, with considerable commercial activity, particularly at ground floor, with amusement centres, restaurants, cafes, hotels, theaters and leisure attractions, being represented in the vicinity. These developments were on both sides of Marine Parade, the main road which runs on a north-south axis along this part of the coast. The part of the town on the western side of Marine Parade, immediately opposite the development site, was on a grid-iron pattern with some of these roads having a view of the sea, but others were blocked by modern development including the existing Leisure Centre. The railway station was located approximately 1.7 km to the west of the site with services between Great Yarmouth and Norwich. There were northbound and southbound bus stops on Marine Parade, directly adjacent to the site frontage. The bus stops were currently served by one service, the Seaside 3, which runs along Marine Parade, between Haven Seashore Holiday Park and Pleasure Beach. Other bus stops were situated at the Market Gates Shopping. From here, 13 services were available which ran around Great Yarmouth and the surrounding area. Further detail concerning the bus and train services was detailed within the Transportation Assessment submitted with this application.

The Planning Manager reported that there were residential properties close by, these were all separated by Marine Parade and there were no such properties either upon, or adjoining, the development site. The site was within the scope of the Seafront Conservation Area No. 16 and whilst there were no designated Heritage Assets (eg Listed Buildings) on the site nearby, on the opposite side of Marine Parade was the Grade II listed former Maritime Museum now used as a Tourist Information Centre. Nearby there were other listed buildings, such as the Hippodrome Theatre. The Marina leisure and fitness centre facilities were operated by Sentinel Leisure Trust. Retroskate operated the rollerskating venue and two independent retailers operated Perry's ice cream parlour and Mama Cita's respectively. The site encompassed two pay and display public car parks comprising; Marina Centre South Car Park (58 parking spaces of which 3 are accessible spaces) and Marina Centre North Car Park (47 parking spaces of which 3 are accessible spaces).

The Planning Manager reported that planning permission was granted for the current Marina Centre in November 1978 (ref: 06/78/0789/F) the application description included a public toilet, block of five lock up shops and construction of car park. Since then, there had been numerous planning applications over the past years on the site related to its use and alterations to the building together with various applications for advert consent. In addition, there had been applications for various temporary uses. Planning records showed a total

of 52 applications in varying forms and outcomes since the original application was approved, details of which are documented on the planning file. The existing planning use of the various sports and ancillary facilities upon the site was considered to fall within the Class D2 ("Assembly & Leisure") category. There was an existing café on site and two Class A1 retail concessions. The current proposals under consideration did not involve the introduction of any new Use Classes.

The Planning Manager reported that this had included press and site notices along with direct Neighbour consultation. The application has been advertised as a departure from the Local Plan, a major application and an application within Conservation Area No.16 in accordance the legislative requirements. The owners of Pirates Cove noted the plan showed a narrowing of the entry to the southern access ramp which would make it impossible to reverse a vehicle. If the kerb and verge were to be reduced in length, the access could be maintained. Access to the site had been eroded over a number of years and the loss of access to the ramp would result in the loss of the vehicular access point. The Planning Manager reported that another issue was the proposed location of a new kiosk at the top of the entrance ramp. There was likely to be conflict here when it was required to be used for a vehicle or for trade waste.

The Planning Manager reported that the owners of Pirates Cove had noted loss of the public toilets was a concern as there would no longer be a public convenience servicing 1km of central beach. It would be perfectly feasible to install a temporary, trailer mounted toilet block for the duration of the build. The Planning Manager reported that the Anchor Café objected to the planning application because of insufficient public toilets in the area of the Leisure Centre.

The Planning Manager reported that Peel Ports Group raised no objection to the redevelopment of the leisure centre. Norwich Airport noted that the development lied below or beyond the volume of protected airspace that surrounded Norwich Airport and that it did not lay within the bird circle shown on the aerodrome safeguarding map. Therefore, from a safeguarding point of view, this development would not provide a significant risk to aircraft operating in the vicinity of Norwich Airport or interfere with our surveillance systems. They did not need to be a statutory consultee for any future applications on this particular site unless wind turbines become part of the design.

The Planning Manager reported that the Highway Authority has been in consultation with the applicant and the parking management strategy had been altered from Pay on Foot (with barrier access) to Pay and Display with no barrier. In addition, the removal of the parking bays along the frontage of the

development would not take place. The applicant was to submit revised plans detailing the changes which were to be included and conditioned as approved plans. In light of the revised parking management strategy, the highway authority recommended no objection subject to the conditions.

The Planning Manager reported that Norfolk Fire and Rescue Service did not propose to raise any objections providing the proposal met the necessary requirements of the current Building Regulations. Historic Environment Service Strategy commented that on currently available information, redevelopment of the site would not have any significant implications for the historic environment in terms of below- ground archaeology and they would not make any recommendations for archaeological work. The Heritage Statement submitted with the application dealt mostly with matters relating to built heritage. Consideration of this Heritage Statement was a matter for the Great Yarmouth Borough Council conservation officers.

The Planning Manager reported that Historic England had responded that the application sought consent for the redevelopment of the Marina Leisure Centre involving the demolition of the existing leisure centre and the erection of a new two storey health and fitness centre. The site lied between the seafront and Marine Parade and within the Seafront Conservation Area. This encompassed much of the historic seafront and a variety of historic buildings built, as the town developed, as a thriving resort, including terraced houses and distinctive resort buildings such as the Empire and Marine Arcades. The survival of a number of these buildings made this a highly significant area. The Marine Leisure centre occupied a large site between Marine Parade and the beach. The building itself was a substantial building, two storeys in height with a large footprint. The building dated from the 1980s and its demolition offered an opportunity to reconsider how this large site was used and to enhance the conservation area.

The Planning Manager reported that historically, development was concentrated along the landward side of Marine Parade allowing views out to sea. There was some resort development on the seaward side, notably around the piers and winter gardens and prior to the construction of the existing leisure centre, a lido. The siting and scale of the existing leisure centre was at odds with this, blocking views out to sea and detracting from the historic buildings on the seafront. The proposed replacement of the Marina Centre with a building of a much smaller footprint and lower in height would open up more of the sea views. To the south, it would allow sea views from Maritime House. In terms of materials, whilst the use of render and glass might create a lighter appearance than that of the existing building, the large expanse of unrelieved walls at a higher level added to the bulky nature of these parts of the structure. The development included parking areas to the north and south, the latter being particularly large. The treatment of the public realm including car parking on the sea front was particularly important and consideration should be given to the appearance of this area both when it was occupied and

when it was empty.

The Planning Manager reported that National Planning Policy Framework required that local planning authorities took account of sustaining and enhancing the significance of heritage assets; the positive contribution that conservation of heritage assets could make to sustainable communities including their economic vitality and the desirability that new development made a positive contribution to local character and distinctiveness. The redevelopment of the leisure centre offered potential to enhance the significance of this important conservation area which celebrated the heritage of the seaside resort. The proposals sought to reduce the presence, and therefore impact, of a building on this location which was to be supported.

The Planning Manager reported that Historic England was supportive of the proposal to redevelop the site but had some concerns that the proposals did not secure a sufficient level of enhancement in terms of the historic environment and advised us that further information should be provided, and more consideration be given to this.

The Planning Manager reported that the Local Lead Flood Authority (Norfolk County Council) had not initially commented as it was below their threshold to comment. Given the local concern raised in the consultation response the LLFA were requested to review the application again which they had agreed to do. The Planning Manager reported that this proposal did not have a safe means of access in the event of flooding from all new buildings in the area wholly outside the flood plain (up to a 0.5% (1 in 200) annual probability including climate change flood event). There were no objections to the proposed development on flood risk assess safety grounds because an Emergency Flood Plan had been submitted by the applicants but the application should be determined on its adequacy to ensure the safety of occupants; compensatory storage was not required; A Flood Evacuation Plan had been proposed and was necessary to ensure the safety of the development in the absence of safe access with internal flooding in the 0.1% (1 in 1000) annual probability flood level including climate change event.

The Planning Manager reported that Anglian Water had reported that the foul drainage from this development was in the catchment of Caister Pump Lane Water Recycling Centre that would have available capacity for these flows. The Local Planning Authority should seek the advice of the Local Lead Flood Authority (LLFA). They had requested a condition requiring a drainage strategy covering the issue(s) to be agreed. "No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority to prevent environmental and amenity problems arising from flooding."

The Planning Manager reported that Natural England had no comments to make on this application. Natural England had not assessed this application for impacts upon protected species. The Royal Society for the Protection of Birds (RSPB) reported that given the location of the development, the RSPB had no comments to make, but would expect the Council to deliver net gains for biodiversity and ensure that impacts on the Great Yarmouth North Denes Special Protection Area and Site of Special Interest had been fully considered in this application.

The Planning Manager reported that in planning terms, the use of the site will remain the same (Use Class D2 – Assembly and Leisure) but the design and quality of the facility will be a significant improvement on the existing facility.

The Planning Manager reported that any redevelopment of an existing site will result in short term loss of facilities, but the long term benefits of new fit for purpose facilities for the 21st century outweigh the short term impact. The primary purpose of this development is to deliver community sport and as such Sport England is satisfied that it will fulfil the benefits to community sport identified above. The application has identified the potential for this facility to be used for community sport, and this is reflected in its design, location and intended hours of operation

The Planning Manager reported that this being the case, Sport England offered its support for this application, as it is considered to meet Objectives 2 and 3 as set out above, in that it provides new enhanced facilities for local residents and visitors to Great Yarmouth, and Paragraph 97 of the NPPF which sought to ensure that any lost facilities were replaced by equivalent or better provision in terms of quantity and quality, and in a suitable location.

The Planning Manager reported that Building Control had stated that the proposal has been assessed for building regulation compliance purpose at some length and the building appeared to be compliant.

Local Plan Part 1 – Core Strategy policies of relevance to the proposal:-

CS8 – Promoting tourism, leisure and culture

The Council aims to support and encourage a year round tourism offering, supporting proposals which meet changes in consumer demands.

CS6 – Supporting the Local Economy

The Council will work to ensure that the conditions are right for new and existing business to thrive and grow, and to make the local economy less seasonally dependent

CS9 – Encouraging well-designed, distinctive places

The Council will ensure that new developments are of a high quality and both draw inspiration from and respect the location

CS10 – Safeguarding local heritage assets

The Council will promote the conservation, enhancement and enjoyment of the historic environment.

CS11 – Enhancing the natural environment

The Council will support the improvement of the borough's natural environment and work to avoid any harmful impacts of development on biodiversity, geodiversity, landscape assets, priority habitats and species

CS13 – Protecting areas at risk of flooding or coastal change

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.

CS15 – Providing and protecting community assets and green infrastructure

The Council will resist the loss of important community facilities and/or green assets unless appropriate alternatives are provided; support will be given to the development of community facilities, including mixed community uses in the same building. Furthermore the Council will promote healthy lifestyles by ensuring the continued access to sports facilities and will safeguard the natural beauty, openness and recreational value of the borough's beaches and coastal hinterland.

CS16 – Improving accessibility and public transport

The Council will work together with partners to make the best use of and improve existing transport infrastructure, with a focus on better management and the provision of sustainable transport options.

CS14 – Securing appropriate contributions from new development

The Council will ensure that all new development militates against any extra pressure placed on existing infrastructure.

CS1 – Focusing on a Sustainable Future

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.

Remaining 'Saved' Policies from the former 2001 Great Yarmouth Borough-Wide Local Plan of relevance to the proposal

Policy TR4: states that proposals to change the use of tourist facilities, attractions or accommodations to non-tourist-related uses in Primary Holiday Accommodation and Primary Holiday Attraction areas will not be permitted

TR21 – Great Yarmouth Seafront

The whole site is situated within the Great Yarmouth Seafront Area which aims to enhance and protect the Golden Mile as the main focus of the borough's traditional tourist industry.

TCM20 – Urban public parking improvement

The whole site is also situated within the Urban public parking improvement area where the council will work towards improving the public parking provision through the identification of new parking sites, potential park and ride and temporary parking areas

SHP14 – Retail and food and drink uses in prime commercial holiday areas

Subject to size, within the prime commercial holiday areas the conversion or redevelopment of properties to provide class A1 or A3 uses will be permitted.

TR5 – Character of holiday areas

The Council will ensure that existing holiday areas are not spoilt by over development. Proposals for uses that are likely to generate significant levels of noise or disturbance or operate at unsocial hours will only be permitted in the prime commercial holiday areas.

TR7 – New visitor facilities in Prime Commercial Holiday Areas

Proposals for new visitor attractions may be permitted in the prime commercial holiday areas of Great Yarmouth and will be assessed with particular regard to scale, design, and relationship to other uses, landscape, traffic and residential amenity.

REC11 – Protection of community and street scene

The Council will refuse proposals which would erode the provision of land which contributes positively to the community or street scene, particularly in areas identified on the proposals map.

INF16 – New development within coastal areas

The Planning Manager reported that when considering applications for areas which may be susceptible to marine erosion and associated land instability the council will require evidence that the proposal would not be adversely affected by marine erosion or land stability and that the proposal would be capable of withstanding any anticipated erosion/instability.

Draft Local Part 2 - Seafront Policy This policy option has no real status at present, but provides an indication of the Council's developing thinking about the future of the area.

Great Yarmouth's 'Golden Mile' and seafront area, as defined on the Policies Map, will be sustained in its role as the heart of one of the country's most popular holiday resorts. Investment will be encouraged to maintain and improve this area, with a focus on:

- a) Maintaining vibrant and visually active ground floor frontages in tourism and related uses
- b) Promoting high quality design
- c) Conserving the seafront's heritage assets
- d) Encouraging the active use of upper floors
- e) Encouraging investment in major new facilities
- f) Maintaining and improving the public realm and the area's open spaces
- g) Resisting uses and designs which would detract from the above
- h) Managing access and traffic

Policy TR21 is a policy which seeks to conserve the Great Yarmouth Seafront Area and refers to the Golden Mile as the seafront between Euston Road and the Pleasure Beach. It is only the Policy text which is saved and not the explanatory text).

Policy CS8 concerns the promotion of tourism, leisure and culture.

The reduced building footprint offers the potential to improve access to the facility with more cycle stands (for up to 110 cycles) and increased vehicle parking (a net gain of 91 parking spaces). This will greatly improve accessibility in accordance with Policy CS16. The proposed surface car park area was quite large. Tree planting on the northern section will help to break up this area, but the southern section would greatly benefit from further planting to reduce its visual impact along the beach front. The aims of the Great Yarmouth Borough Council 'Sport, Play and Leisure Strategy' (2015), a key evidence document setting out the Borough's sport and leisure requirements, are broadly met by this proposal, particularly in terms of improved quality and accessibility of facilities.

The site was brownfield with the proposal providing a replacement leisure facility, albeit that the scale of the new building is notably smaller. As part of this transition there will be a resulting loss of some uses and users of the existing facility, such as indoor bowls. The new facility offers improved

accessibility for visitors with families and disabilities with new toilets and changing rooms. Overall this facility meets the aims of Policy CS8 in promoting tourism, leisure and culture.

In strategic planning terms, the proposal was considered to be broadly policy compliant. While the replacement facility does not match the existing building in size and will lead to the loss of some activities such as indoor bowls, it does generally seek to improve the quality, variety and accessibility to meet the latest sport and leisure needs. There was no local planning policy which considers the potential redevelopment of the Marina Centre. The site was essentially a brownfield site and the redevelopment for a similar use. The developer was committed to using energy efficient measures as part of the development, which included the potential use of air/ground source pumps but the details have not been finalised. So if approved, it was suggested that this is conditioned as part of the consent.

The Planning Manager reported that the aim of the sequential test is to steer new development to areas with the lowest risk 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 risk of flooding. The strategic flood risk assessment will provide the basis for applying this test along with the site-specific flood risk assessment addresses the development. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding. As the proposal is for the redevelopment of an existing site by replacing the existing building the Sequential Test will not be required. The Exception Test, as set out in paragraph 160 of the Framework, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. There are two requirements to meet for the Exception Tests.

The planning Manager reported that the flood risk assessment provided with the planning application, takes account of climate change implications and more modern data sets which were not available at the time the original Marina site was developed. The development taking into account the proposed finished floor levels will make the proposal far more resilient in a flood event than the existing building. If the application is approved – it is recommended that the recommendations in the flood risk assessment to manage flood risk in the event of a flood event which including finished floor levels; flood resilience measures and a flood management plan are conditioned as part of the grant of planning permission highlighted in the Environment Agency consultation response. On this basis the exception test is considered to be met.

The Planning Manager reported that in terms of the site area shown for kiosk “this was in an allocation site for a kiosk rather than a kiosk that the Council intended to install. The design for any kiosk in this location would be put forward by any prospective tenant and consideration would then be given to any operating requirements. We were aware of the position with the ramp and the location of any kiosk will be mindful of this” In reply to the proposed use the intention is for a A1 Use for the example the sale of ice cream.

The Planning Manager reported that concern over potential surface water flooding was a planning matter. The surface water drainage plan and details submitted with the application showed that there was an existing surface water pipe running through and from the Pirates Cove on to the application site. The application form stated that the surface water as with the foul drainage would discharge via the mains drainage system. The drainage report stated that surface water drainage would be improved by the implementation of appropriate Suds measures and that the strategy will be developed at the next phase of development.

The Planning Manager reported that the applicants had submitted an outline draft construction highways management plan which included suggested routes that vehicles would take to and from the site. Research had also been undertaken into local traffic movement to ascertain peak periods of traffic movement along the suggested routes with the aim of restricting vehicles associated delivering to the site to certain times of the day and outside of those identified peak periods. Alongside this it was suggested that a condition restricting the hours of construction work to 07:00 to 18.30 Monday to Friday and 8:00 to 13:00 Saturdays with no working on Sundays in accordance with the working hours suggested by the applicant.

The Planning Manager reported that Under Section 70(2) of the Town and Country Planning Act 1990, the Council was required, when determining planning applications, to have regard to any local finance considerations, so far as material to the application. Local finance considerations were defined as a government grant, such as new homes bonus or the Community Infrastructure Levy. It was noted that the Borough of Great Yarmouth did not have a Community Infrastructure Levy. Whether or not a local finance consideration was material to a particular decision, it would 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 was assessed that financial gain does not play a part in the recommendation for the determination of this application.

The Planning Manager reported that the decision as to whether the proposal conflicted with policies of the Development Plan would be a matter of planning judgment for officers and the committee. The weight that the Committee gives to the policies as material considerations in the decision making process would be for Members to decide.

The Planning Manager reported that comparison with the pre-application consultation undertaken by Council and its agents, there had been few real objections to the principle of a new sport and leisure facility. It would appear that the pre-application engagement with interest groups, particularly in terms of the facilities and accessibility, had been successful and this was borne out in the response from Sport England who was supportive of the proposal and welcomed by the various interest groups they represented. In conclusion, the new facility and building was considered a welcomed addition to the seafront and community benefit. The Planning Manager reported that the application was recommended for approval.

The Senior Planning Officer read out an objector statement which was not included in the agenda report.

Mr Cadenet, agent, Space & Place, reiterated the salient parts of the application to the Committee and asked that they approve the application.

Members reported that they were in favour of the application but had reservations that there was not a sloped access into the main pool for disabled users and asked that this be re-looked at by the design team.

The Ward Councillors reported that they did not wish to speak on the application.

RESOLVED:-

That application number 06/19/0471/F be approved. The application was considered to be compliant with Core Strategy Policy CS8 and CS15 for the reasons stated above; in addition, the demolition of the existing building and the erection of the new building was considered to enhance and preserve the character of the Conservation Area nor harm the setting of the nearby Listed Buildings. It was recommended that planning permission was subject to conditions to provide a satisfactory development, many of which were referred to in the above report/minutes.

The application would be subject to referral to the Secretary of State in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 because of the scale of the development (over 5,000sqm) and its location before a decision can be issued on the application.

6 APPLICATION 06-18-0533-F - EAST NORFOLK SIXTH FORM COLLEGE, CHURCH LANE, GORLESTON

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

The Senior Planning Officer reported that the proposal sought the replacement of current sports field & tennis courts with a new artificial grass pitch with associated flood lights, ball stop fencing, hard standing areas and a new pavilion. The site was currently part of East Norfolk Sixth Form College and this proposal would represent a shared community facility. The proposal for new community facilities such as this would represent an improved facility compared to Emerald Park, Gorleston FC's current football ground; and supported the aim of this NPPF policy, with this being a shared facility between the football club and East Norfolk Sixth Form College.

The Senior Planning Officer reported that the application details stated that the pitch would provide facilities for curriculum use, match play and training at East Norfolk Sixth Form College, in addition to becoming the new home for Gorleston Football Club and local junior and youth football clubs. The use of the facilities, as a shared community use, was in accordance with the National Planning Policy Framework and was supported by local policy with specific reference to policies CS8 and CS15 of the Core Strategy.

The Senior Planning Officer reported that the scale of the development was detailed within the design and access statement and submitted plans, the statement listed the sizes as follows:

Artificial grass play – 7420 m² Hardstanding – 1605 m² Pavilion building 327 m².

Total = 9352 m²

The hardstanding area included additional parking following consultation with Highways.

Open Steel mesh ball stop fencing and gates around entire perimeter – 4.5m
Open steel mesh fencing and entrance gate connecting AGP to the pavilion – 2m
Perimeter barrier and entrance gates within fenced enclosure 1.2-2m
Acoustic barrier at southern and eastern AGP perimeter – 3.5m
Height of floodlights 15m
Equipment store height 2.59m
Covered spectator grandstand typically 3.08m.

The Senior Planning Officer reported that there had been objections to the application primarily on the grounds of parking and the pressure that would be placed upon the local road network by the facility. Local knowledge suggested that there had been previous contention between the Sixth Form College students and the local residents which had resulted in a parking limitation being in place at Spencer Avenue restricting parking between set times. Local residents had stated that the use proposed would exacerbate an existing

problem with parking, cause anti-social behaviour and be prejudicial to highway safety.

The Senior Planning Officer reported that the Highway Authority required that the red line plan be changed to demonstrate that parking would be available on site and to ensure that this could be conditioned as such. The amended red line plan included the parking spaces at the College and stated that there would be 144 spaces with an additional 5 accessible spaces. Following the receipt of the amended plans, Highway commented as follows:

As my earlier response indicated, the parking does accord with current parking standards and whilst noting that the applicant states that the on-site parking provision will be made available exclusively for Gorleston FC on match days and supervised by match day stewards, no evidence of any formal agreement in this respect has been provided, nor what element of parking will be available for the Community Football and football training use of the proposals. I appreciate that at this stage, a formal agreement may not have been secured, but I am of the opinion that such a formal agreement needs to be secured and conditioned in any consent that may be granted. Whether this needs to be formalised under a Section 106 Agreement for example, I will leave for the LPA to determine the appropriate mechanism.

In accepting that the NPPF states 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, I am of the opinion that this development would not give rise to such factors and therefore could not sustain an objection on highway grounds. However, whilst raising no objection, this is subject to the on-site parking provision shown and referred to in the application being solely available for Gorleston FC's home fixtures and an appropriate parking provision for Community Football use and football training.

Accordingly I would recommend that conditions be attached to any grant of permission your Authority is minded to make, and I would suggest the following:-

The above consultation response demonstrated that the Highway Authority, subject to the conditions listed at paragraph 2.2 of this report, are satisfied that there is no reason to refuse the application on highways grounds. The required conditions can be secured by planning condition to ensure that parking is available at the required times. As noted by the Highway Authority the site is well served by public transport and is a sustainable location. While it is understood that there may be concerns that the application will create additional parking and disruption within the locality the Highway Authority have stated that the parking provision is sufficient given the location that a recommendation for refusal on highway grounds would not be in accordance with the National Planning Policy Framework Paragraph 109.

Sport England had come back with a comprehensive comment in support of the application. Their comments detail the involvement that had been

undertaken to secure a multipurpose site which would provide enhanced replacement facilities which were required owing to the future loss of the facilities at Emerald Park. Sport England noted within their response that they were not commenting on or supporting the loss of the existing facilities which was subject to a separate application. The application that this report was making recommendation on was a stand-alone application and should be decided on merit.

The Senior Planning Officer reported that the proximity of the site to residential dwellings had been a source of objection from some local residents. The application had received four consultation responses from Great Yarmouth Borough Councils Environmental Health Officers and there were no objections to the application. All of the responses looked at the light that will be produced by the floodlights which were required to illuminate the pitch and all responses came back with no objection. Additional comments went into detail regarding the lighting, stating that the levels of light spillage were within the levels of tolerance and were acceptable in Environmental Health terms.

The Senior Planning Officer reported that two of the response from Environmental Health required the attendance to be limited to no more than 250 spectators, although one response was simply reiterating the first, as a curtesy. The number of spectators was put to Environmental Health as a specific query and the consultation that came back did not require a limitation on numbers of spectators. The information submitted in support of the application stated that the normal numbers of spectators were 150-250 and occurred during the first team games. It was acknowledged that there were derby matches and matches against Norwich City Football Club which could attract up to 800 spectators. However, the application acknowledged that these were special events as opposed to the norm. Given that the officer that was required to comment on this aspect specifically came back without requiring the limitation on numbers, this is the response that was deemed most relevant for the purpose of determining the application. It was noted and accepted that the development would cause noise and that a noise management plan, in addition to the fencing, should be conditioned as per the response from Environmental Health.

The Senior Planning Officer reported that in addition to the noise management plan, a condition should be placed upon any grant of planning permission that members were minded to make, stating that no loudspeaker, amplifier, relay or other audio equipment including musical instruments (whether acoustic or amplified) should be installed or used on the sports pitch site outside the pavilion building. It was noted that the applicant would like limited amplification for the calling of scores and players names with additional information provided as follows:

When Gorleston FC play league fixtures at the new facility, a public-address system is required to satisfy non-league football stadium requirements; which should be clearly audible in all those areas of the ground which can be occupied by spectators. However, this public-address system is only required during league and cup fixtures and will therefore only be used on Saturday

afternoons and on Tuesday and Thursday evenings. The use of the public address system for league requirements would appear crucial to the club staying in their designated league. When assessing the application the balance between the benefits of the application and the impact on local residents must be carefully assessed. It is noted that the use of amplified sound will be limited in duration and days and Environmental Health have been asked with specific reference this aspect to provide an expert opinion which is not available at the time of writing. Should the application be approved with this limited amplified sound use it is accepted that Environmental Health have powers to take action against noise nuisance if required at a later date. The noise management condition above would also be placed upon any grant of permission to enable early action to be taken by the club if required. When assessing the impact of the amplified sound the applicant has stated by way of additional information that:

Roughly 80% of fixtures will be scheduled for Saturday's (with a 3pm kick off) and the remaining matches will be scheduled for either a Tuesday and Thursday evening. The statement that the vast majority of the matches are played on a Saturday afternoon further mitigates the impact of the announcement system which will be audible externally. The Senior Planning Officer reported that the use of the site shall also be limited to that shown on the application form to reduce noise outside of these hours. The hours proposed are as follows:

Monday to Friday – 09:00 – 22:00 Saturday – 10:00 – 20:00
Sunday and Bank Holidays – 10:00 – 20:00

The Senior Planning Officer reported that in addition to the sporting uses, the application also included a pavilion which will be utilised as the clubhouse for Gorleston Football club. The applicant had also helpfully confirmed the restricted uses that will occur at the site as follows:

'We are pleased to confirm there is no intention to use the football pitch for any activities other than football training and matches and any non-football events will be run in the clubhouse as an essential income stream for Gorleston FC, any these events will always be indoors within the pavilion.' The statement confirms that while the pavilion shall be made available as a revenue stream this use shall be limited to the pavilion only and shall be conditioned, in accordance with the amplified noise condition, to remain within the building only.

The Senior Planning Officer reported that the application site was a sustainable location and would offer community benefits to the area and an improved facility for the use of the College, the club and associated users which was in accordance with local and national planning policy. The application was recommended for approval.

Councillor Fairhead, Ward Councillor, reported that she had not been contacted by many local residents regarding the proposal. She, herself, had concerns regarding lighting, noise pollution and parking, but if these were

monitored carefully, the proposal would be a big win for the community.

RESOLVED:-

That application number 06/18/0533/F be approved as the development will impact the character of the area and have an effect on the living conditions of existing residents by additional highway use and parking, noise and movement of persons. When assessed on balance the benefits of the development to the wider community by the provision of an upgraded sporting facility outweigh the harms that look to occur. To approve in accordance with conditions as requested by statutory consultees and those to ensure an adequate form of development. The application complies with policy CS8 and CS15 of the Core Strategy.

7 APPLICATION 06-18-0436-O - NEW HOUSE (LAND ADJ) OFF ROLLESBY ROAD, FLEGGBURGH

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

The Senior Planning Officer reported that the application was an outline application with some matters reserved, access, scale and layout formed part of the application with landscaping and appearance to be decided by reserved matters application. Appearance would need to be carefully considered should the application be approved in order to promote an attractive form of development which did not adversely affect the character of the area giving special consideration to the proximity of the Broads Authority Executive Area. When assessing the application, the impact on the Broads Authority was a material consideration that holds substantial weight. The scale of the development was appropriate and respected the setting, with specific reference the retention of all trees on site which provided natural screening between the development and the Broads Authority Executive Area.

The Senior Planning Officer reported that according to the draft Local Plan Part 2, Fleggburgh was one of the largest and best-served secondary village in the Borough, with facilities including a primary school, GP surgery and sports club/gym. The settlement was located along the A1064, inland 6 miles north-west of Caister-on-Sea. The village was adjacent to Filby Broad which further encouraged its attraction as a tourist destination, with a wide range of holiday cottages, and a camping and caravan park.

The Senior Planning Officer reported that the application site was bounded on three sides by low density housing, separated to the south and east by a narrow road way. To the north of the application site, were open fields utilised as agricultural land. The application site was designated as Grade 1 agricultural land and partly comprised a bowling green. The design and access statement had noted that the bowling green was no longer in use but does not

identify how long it had been redundant for. The land was within private ownership and had no designation within the Local Plan. Part of the site was located within Flood Zone 2 and as such, a flood risk assessment had been submitted in support of the application. The flood risk assessment concluded that:

- The site is located within Flood Zone 1 and 2.
- There is a low risk to the site from fluvial sources.
- As a precaution a warning and evacuation strategy has been developed within this assessment. It is proposed that the occupants register with the Agency's Flood Warnings Direct and prepare a Family Flood Plan.
- Safe (dry) refuge at the site is available during the flood event.
- Safe access/egress can be achieved via Rollesby Road.
- It is considered that there is a low risk of groundwater flooding at the site from underlying deposits and a very low risk of surface water flooding and artificial sources.

The Senior Planning Officer reported that only a section of the development site was within Flood Zone 2, the remainder of the site was located within Flood Zone 1, so the discussion on the flood risk was in relation to the section of the site within Flood Zone 2. The Core Strategy, at CS13; a), sought to direct development away from areas identified as being at high risk of flooding. There had been no comment from the Environment Agency, who were consulted with regard to their assessment of flood risk. They assessed the consultation as 'returning without comment'. The lack of response from the Environment Agency does not automatically allow for the assumption that the site was safe and should be developed. The Local Authority were still required to assess the site for suitability for development.

The Senior Planning Officer reported that there have been a number of applications and approvals for development within the village of Fleggburgh, so when assessing the site sequentially against other available sites, the extended area should be considered. Great Yarmouth had a housing land supply of 2.55 years, it could be reasonably assessed that there were limited development sites available that were not within flood areas given the limited availability of development sites. Whilst development should be situated away from flood zones, the development in this instance, was not all within a flood zone and had been assessed within the submitted Flood Risk Assessment as having a dry route to land not within the flood zone. The submitted Flood Risk Assessment did not recommend the raising of finished floor levels to avoid the flood risk and had found that the houses that were located within flood zone 2 had safe land within the dwelling.

The Senior Planning Officer reported that objectors had stated that the development as proposed would disturb bats within the area. The land as existing, was agricultural land with no trees proposed to be removed. The absence of loss of any areas for roosting made the potential for disturbance minimal, although it would be of benefit to restrict external lighting to ensure that the development does not cause excessive light pollution. In addition to the restriction of external lights, should the development be approved,

measures to ensure that protected species were not disturbed should be investigated and adopted.

The Senior Planning Officer reported that although, not in relation to the application, information cited as 'Tretts Lane' survey had been submitted detailing the results of a Bat Survey. The survey demonstrated that there were bats in the locality by number of sitings; however, it was not verified or put forward with any context of disturbance or impact. While it was valuable to acknowledge that the area had bats foraging, in the absence of context, it was difficult to assess that the application would have an adverse impact on the bats within the area. As per the above paragraph, planting, restrictions on lighting and biodiversity improvements should be included within the scheme.

The Senior Planning Officer reported that the development gave the opportunity for biodiversity enhancements which could come through at reserved matters stage. Enhancements included planting which could include trees that had a long-life span and could provide future roosting locations, bat and bird boxes erected on the dwellings to encourage protected species to the area and, with specific regard to bats, planting of night smelling flowers as part of the landscaping scheme. In addition, the fences should have gaps or holes provided to allow for the free movement of hedgehogs to mitigate the loss of open habitat.

The Senior Planning Officer reported that the application site was within 400m of a designated site and as such, the applicant had been required to submit details of drainage methods to ensure that the application site would not have an adverse impact on the designated site through hydrological links. The information submitted had been assessed internally and by Norfolk County Council, to ensure that there would be no significant impact through the hydrological links. In addition, a bespoke Habitat Regulation Assessment had been submitted and accepted by the Local Authority as Competent Authority (as detailed above in the report).

The Senior Planning Officer reported that there had been objections to the application on the grounds of highway safety with reference to the access and the resulting increase in traffic from the development. Norfolk Highways were satisfied, following the submission of additional drawings, that the visibility splay could be provided and that the access and internal layout was acceptable. There were no highways objections to the application from Norfolk County Council subject to conditions being applied to any grant of planning permission.

The Senior Planning Officer reported that the NHS had stated that they had concerns over the development's impact on their local surgery and asked for more time within which to carry out consultation on the impacts. There had been further comment from the NHS in May 2019 stating that they had nothing further to add to their previous comment. While it was understood that development puts increased pressure on service providers, in the absence of any additional information regarding the concerns or additional information, the

weight that could be placed upon the objection was limited. Although it was unusual to comment on separate applications during an assessment, given that that they were decided on merit, in this instance it was noted that the NHS was consulted on an application for 33 dwellings within very near proximity and, with a response having been due at the end of August, there had at the time of writing, been no comments received.

The Senior Planning Officer reported that the application was an outline application. Having discussed this with the agent for the application, they had confirmed that there were developers interested in bringing the site forward and they envisaged an early start date. Whilst there can be no certainty of eventual delivery, the asserted developer interest was useful to know and this went towards demonstrating that the site could be delivered. It was recommended that should the application be approved, there was a condition placed on the permission requiring that reserved matters were submitted within 12 months of the decision being issued.

The Senior Planning Officer reported that an important factor when determining applications is whether a Local Authority has the ability to demonstrate a five-year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development would be considered to be "out of date". There was currently a housing land supply of 2.55 years (as at the end of year 2017/2018) which was a substantial shortfall. In addition, the publication of the first Housing Delivery Test figures in February 2019 showed that the Borough had not seen delivery of 75% of the housing requirement over the previous three-year period. Although this does not mean that all residential developments must be approved, the presumption in favour of sustainable development must be applied.

The Senior Planning officer reported that in weighing the material considerations in this application considerable weight must be given to Paragraph 11 (d) of the National Planning Policy Framework stated that where the policies which were most important for determining the application were out- of-date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. Footnote 7 stated that "this included, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicated that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years." In the case of *Wavendon Properties Ltd v SoS for Housing, Communities & Local Government plus Another* (June 2019, reference [2019] EWHC 1524 (Admin)), Mr Justice Dove made an important judgement on the correct interpretation of paragraph 11(d) of the National Planning Policy Framework (February 2019). Paragraph 11 (d) stated:

"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⁽⁶⁾; 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.”

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

The Senior Planning Officer reported that the application site was a sustainable one being within a village with facilities, albeit limited facilities, and adjacent to existing residences, it cannot therefore be assessed as being isolated. There was a conflict with an in date policy of the Core Strategy, policy CS13 with reference to the site having an area of flood risk within. However, as per the information submitted and the assessment above, in this particular instance and taking into account the limited amount of space that was included within the flood zone, when looking at the site as a whole, it was assessed that the harms do not demonstrably outweigh the benefits of providing housing. There were also harms associated with the loss of Grade 1 agricultural land and the impact on biodiversity within the local area. Being farmed land, the biodiversity present on the site, in the absence of a policy requiring detailed information to be submitted, could be assessed as no harms occurring through loss of the land that would outweigh the need for housing. However, this was caveated by the need for additional enhancements that could be secured by way of condition.

The Senior Planning Officer reported that whilst various policies were of importance for determining the application (and these were highlighted above), the most important policy for the determination of the application was, Saved Local Plan Policy HOU 10, New Dwellings in the Countryside. This policy, which essentially dealt with settlement boundaries was clearly out-of-date and this confirmed that the “tilted balance” therefore applied.

The Senior Planning Officer reported that the application was not one that could be assessed without balancing the material considerations carefully. The lack of a 5 year housing land supply and the need to provide housing provided a material reason for approval in favour of the development and, it was assessed on marginal balance, that the harms identified do not significantly and demonstrably outweigh the benefits of providing housing.

The Senior Planning Officer reported that the application was recommended for approval subject to the conditions to ensure an adequate form of development including those requested by consultees and a one year condition for the submission of reserved matters and a s106 agreement securing Local Authority requirements of children's recreation, public open space, affordable housing and Natura 2000 payment. The proposal complied with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

Councillor P Carpenter raised concerns that part of the application site was within a Flood Zone 2. Councillor P Hammond asked for clarification of the width of the access road. Councillor A Wright highlighted that Fleggburgh Parish Council was in the process of working up a Neighbourhood Plan to give planning control back to the villagers.

Mr Duffield, applicant's agent, reiterated the salient areas of the application and urged the Committee to approve the application.

Mrs Docherty, objector, reported that she represented the concerns of thirty residents of Tretts Lane and she outlined their concerns and objections to the application and asked the Committee to respectfully refuse the application.

Councillor A Wright asked that a site visit be undertaken prior to the application being determined by Committee following the concerns raised by Mrs Docherty on behalf of the residents of Tretts Lane.

RESOLVED:-

That application number 06/18/0436/O be deferred pending a site visit.

8 APPLICATION 06-17-0697-F - WELLINGTON ROAD, PAMELA'S RESTAURANT, GREAT YARMOUTH, NR30 3JJ

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

It was noted that Councillors Annison, Fairhead, Freeman, P Hammond, Myers, A Wright & B Wright were present to determine this application as they had attended the site visit.

The Senior Planning Officer reported that this application had been deferred at the last meeting to enable a site visit to take place.

The Senior Planning Officer reported that this was a full application to demolish an existing garage and erect a pair of dwellings to the frontage of the site and a block of nine flats to the rear of the site. The development had undergone changes in design and the number of dwellings had been reduced to seek to overcome the concerns and incorporate the ideas of the Conservation Officer. The site was located within a conservation area and as such the benefit of the existing building to the amenity of the area must be assessed. The appearance of the building as existing did not provide an attractive addition to the area and could be said to detract from nearby buildings visual appeal. The existing building took up all of the floor area of the site and was a garage building which does not have any architectural value. There was no heritage reason for the retention of the existing building. The loss of the building and replacement with an attractive alternative could be supported when assessed under the Planning (Listed Buildings and Conservation Areas) Act 1990 s72 which stated that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The Senior Planning Officer reported that the two dwellings at the Wellington Road frontage were attractively designed and would enhance not only the conservation area but also the listed building to the north of the application site. The dwellings were three storeys and had a central arch to access the flats to the rear. The distance from the dwellings to the residential property to the south varied from approximately 2.24m – 2.44m (measured from scaled plans online). The neighbour at the southern boundary objected to the application in the original format owing to loss of light. The existing building was roughly the same distance away from the proposed development, although was not as tall, so there would be an additional loss of light through the proposed development owing to the increase in height. The loss of light was mitigated by the location of the proposed dwellings being to the north of the neighbouring dwelling. The loss of light was not assessed as so significant to warrant refusal of the application.

The Senior Planning Officer reported that there were objections to the flats owing to the proposed proximity to neighbouring properties. Through the applications process, the flats had been revised several times which has resulted in the current design. The design had been amended to reduce the number of dwellings and reconfigured to reduce the scale and massing. Owing to the locational proximity to the listed buildings and being situated within a conservation area, the design had been carefully considered to take inspiration from surrounding heritage assets, such as the nearby arch. The flats, in conjunction with the flats had a decorative arch defined by materials which would offer an attractive view through the entrance arch and add to the setting of the listed building. The materials would need to be of high quality to

ensure that the setting of the listed building, Pamela's, was enhanced. The design would improve the setting of the nearby and adjacent listed building and it was in accordance with s66 of the Planning (Listed Buildings and Conservation Areas) Act.

The Senior Planning Officer reported that the reduction in the height of the flats offering a central third floor comprising a single flat gives an attractive design which keeps the bulk of the development to a central point which reduced any impact on the adjoining properties. There were objections to the proximity of the development to the existing buildings, however, the reduction in scale and massing had reduced this to an acceptable level. The windows which were proposed would affect the privacy of the occupants of the properties to the north and south. However, given the built-up character of the area and the existing degree of overlooking this was not a significant adverse impact on the enjoyment of the buildings. The distance to the majority of the windows was increased as many of the buildings to the north and south were 'L' shaped and had windows to the east or west, with the main windows on the inset on the north or south elevations.

The Senior Planning officer reported that there have been concerns raised about parking for the proposed development from a neighbour. The comments from the Highways Officer stated that there was an internal configuration to provide four parking spaces to the two dwelling houses and adequate cycle storage for the flats. The Highways Officer was satisfied that this could be accommodated on site and that the flats do not require designated parking on site. The location of the development was a sustainable one and as such it was assessed that parking was not required to be provided on site.

The Senior Planning Officer reported that an important factor when determining applications was whether a Local Authority had the ability to demonstrate a five-year housing land supply. If a Local Planning Authority cannot show that they were meeting this requirement, their policies in regard to residential development would be considered to be "out of date". There was currently a housing land supply of 2.55 years. Although this did not mean that all residential developments had to be approved, the presumption in favour of sustainable development must be applied.

The Senior Planning Officer reported that the location of the development was a sustainable one and the land proposed to be developed was brownfield. Development on brownfield land was supported by paragraph 117 of the National Planning Policy Framework as being land that could be best used for the redevelopment of land for residential purposes. The application was a full application that demonstrated that the development was deliverable and could positively contribute to the Local Authority's Housing land supply.

The Senior Planning Officer reported that this application was recommended for approval.

Councillor A Wright reported that he had reservations regarding the frontage of the proposed development which was out of character with the streetscene. Councillor Myers noted the differences in the height of buildings in the immediate neighbourhood and felt that there was insufficient parking provided.

Councillor P Carpenter asked how the immediate neighbour would have access to make repairs to his property during the demolition of the garage and the disturbance he would endure during the build process.

RESOLVED:-

That the Committee approved application number 06/17/0697/F, subject to conditions to ensure an adequate form of development. The proposal complied with the aims of Policies CS2, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

9 PLANNING DECISIONS MADE BY OFFICERS UNDER DELEGATED AUTHORITY AND BY THE DEVELOPMENT CONTROL COMMITTEE FROM 1 - 31 OCTOBER 2019.

The Committee received and noted the planning decisions made by officers under delegated authority and by the Development Control Committee from 1 to 31 October 2019.

10 OMBUDSMAN AND APPEAL DECISIONS

The Planning Manager gave an update on the East Anglian Way application which had gone to appeal. The Planning Inspector had dismissed the appeal on highways grounds and had not awarded costs.

Councillor Myers reported that Belton with Browston Parish Council were unhappy that planning application 06/19/0485/F had been approved by delegated officer decision. The Planning Manager agreed to look into this matter and respond directly to Councillor Myers.

11 ANY OTHER BUSINESS

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

12 EXCLUSION OF PUBLIC

The meeting ended at: 22:40

Reference: 06/19/0441/F

Parish: Scratby

Officer: Mrs G Manthorpe

Expiry Date:

Applicant: JCB Developments Ltd

Proposal: Sub division of garden to form 4no. plots for detached bungalows and garages. Access from approved access off Beach Road

Site: 32 Beach Road, Scratby Great Yarmouth

1. Background / History :-

- 1.1 The site comprises 2931 square metres of garden land set back off the road behind existing houses. The application site is within close proximity to a previously approved residential scheme and a residential development which has a resolution to approve after being considered by members. The sites access is proposed off Beach Road, the access has previously been approved under application reference 06/18/0475/O
- 1.2 The site is currently used, according to the application form, as residential curtilage for the donor property, no32 Beach Road. No. 32 Beach Road is set behind the houses that front Beach Road and is accessed from a driveway of approximately 50 metres in length. The development proposed follows the line of the existing donor property. The land bounded to the south by land with resolution to approve a residential development with residential uses to the east, west and north.
- 1.3 To the south west of the application site, although not adjoining, a development of 8 dwellings has been approved, reference 06/17/0201/O which was superseded by an application for 7 reference 06/18/0106/F. This development is currently under construction. In addition, permission has been given for the subdivision of the curtilage of no14 Beach Road and the erection of a dwelling reference 06/17/0569/F. The residential development approved to the south is for the erection of 19 dwellings reference 06/18/0475/O. This application requires the signing of a s106 agreement prior to the decision being issued, members resolved to grant permission in June 2019 at Development Control Committee.

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

2.1 Parish Council – The Parish Council objects to the application, full response attached to this report and a summary of the reasons are below:

- Back land development.
- Is there suitable vehicular access for the development?
- What is the visibility?
- Do planners have any concern about mud and other debris being tracked onto the highway?
- Has consideration been given to a condition upon the approval of planning subject to access improvements fit for the intended purpose?

2.2 Neighbours – There has been one objection from a local resident which is summarised below:

- Why do we need further properties when there are unsold properties nearby?
- We bought our bungalow because we value the view of the countryside, not another property.
- The junction has been the scene of several accidents.
- People do not adhere to the speed limit and further traffic will exaggerate this.
- We no longer hear owls, development is diluting the countryside.

2.3 Highways – No objection subject to conditions:

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

Reason: This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.

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

Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.

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

Reason: To ensure satisfactory development of the site.

SHC 16 Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

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

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

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

Inf. 1 It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the Applicant's own expense.

2.4 Building Control – No objection.

- 2.5 Environmental Health – No objections, conditions requested for hours of work, pre commencement condition regarding contamination, contaminated land during construction condition and an advisory for damping down to prevent dust causing a nuisance.
- 2.6 Lead Local Flood Authority – No comment, standing advice given as the application site is below the size threshold for bespoke comments.
- 2.7 NHS – No objection.
- 2.8 Norfolk County Council Historic Environment Service – Conditions requested as follows:

The proposed development site lies close to the site of the now vanished parish church of Scratby, demolished in the mid-16th century. All Saints was in existence by approximately AD1200 and was demolished in around 1548. Settlement activity of medieval and earlier date is often located close to parish churches. Artefacts of Roman date have been recovered east of the application site. Some of these finds are suggestive of settlement activity of Roman date in the vicinity.

Consequently there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework 2019 paragraphs 199 and 189.

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.

2.8 Norfolk County Council Fire Service – No objection subject to complying with building regulations.

2.9 Essex and Suffolk Water – No comment received.

2.10 Local Authority Requirements – The application is a minor development and does not form part of a larger site so cannot be treated as cumulative development.

Contribution of £110 per dwelling is required to comply with Great Yarmouth Borough Council's Monitoring and Mitigation strategy as the development includes a net gain in residential dwellings.

3 Local Policy :-

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

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

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

- 3.4 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 Core Strategy – Adopted 21st December 2015

- 4.1 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. Scratby is identified as a Secondary 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.
- 4.2 Policy CS3: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:
- a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (extract only):
 - Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
 - Ensuring the efficient use of land/sites including higher densities in appropriate locations
 - d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites.
- 4.3 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.
- 4.4 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species.

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

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

5 Draft Local Plan Part 2

5.1 Draft Policy G1-dp Development limits

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

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

5.2 Draft Policy H13-dp

Housing Applications Reliant on the 'Presumption in Favour of Sustainable Development'

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

Consideration will be given to applying a shorter than standard time limit to such permissions, in order to signal the exceptional nature of the permission and to encourage prompt delivery. Applications for renewal of permissions which relied on that presumption will be considered in the light of the housing delivery and supply situation at the time.

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

6 National Policy:- National Planning Policy Framework (NPPF), February 2019

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 needs.

6.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

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

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

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

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

For decision-taking this means:

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

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

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

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

Footnote 7: This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Transitional arrangements for the Housing Delivery Test are set out in Annex 1.

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 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.
- 6.9 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.
- 6.10 Paragraph 170 (partial). Planning policies and decisions should contribute to and enhance the natural and local environment by:
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- 6.11 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.
- 6.12 Deliverable as defined by the National Planning Policy Framework: Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. Sites that are not major development, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will

not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

7 Local finance considerations:-

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

8 Shadow Habitats Regulation Assessment

- 8.1 The applicant has submitted a shadow Habitat Regulations Assessment (HRA) template as drafted by Great Yarmouth Borough Council. It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.2 Great Yarmouth Borough Council as competent authority agrees with the conclusions of this assessment. The impact of this development is in-combination with other projects and can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling) to ensure that there will be no adverse effects on the integrity of the internationally protected habitat sites.

9 Assessment

- 9.1 According to the draft Local Plan Part 2 Scratby is located along the coast, north of Caister-on-Sea, south of Hemsby and to the east of Ormesby St Margaret. The settlement has grown from a small linear settlement along Beach Road, the most

of what is known as Scratby has been entirely built since post-war with access to the railway line. The settlement has contributed significantly to housing in Secondary and Tertiary villages with 5 housing completions and just over 20 dwellings with extant permission. With a further allowance for housing windfall, Scratby provides an appropriate and proportionate contribution to housing provision without the need for allocation sites.

- 9.2 The application is a full application for the erection of four no. single storey dwellings with access off Beach Road. The Parish Council, within their consultation response have asked whether consideration has been given to conditions requiring the access to be provided prior to the development being built. The Highway conditions, including a condition ensuring the satisfactory formation of an access to the public highway is detailed at paragraph 2.3 of this report.
- 9.3 The application site is bounded on three sides by existing residential development with a site that has a resolution to approve a residential development to the south locating the application site within an existing residential area. The proximity of the site to other residential dwellings and services supports the sustainability of the application site. The application site can be considered a sustainable infill site given its location.
- 9.4 The development gives the opportunity for minor biodiversity enhancements which can be effectively conditioned. The reason that the enhancements are minor is that they are restricted by the size of the development, all enhancements are valuable and should be encouraged. Enhancements include planting which can include trees that have a long-life span and could provide future roosting/nesting locations, bat and/or bird boxes erected on the dwellings to encourage protected species to the area. In addition the fences should have gaps or holes provided to allow for the free movement of hedgehogs to mitigate the loss of open habitat. Enhancements requiring planting and enhancements can be conditioned.
- 9.5 The application site is prominent primarily when travelling north on Yarmouth Road. When the development to the south of the application site is built out the current site will not be visible from any great distance which mitigates the potential impact on the character of the area. Where the development to the south not to be built out the impact is not significantly detrimental to character or form of the settlement and as a standalone application it is acceptable.
- 9.6 The Parish Council have asked as to whether wheel washing can be conditioned. This can be conditioned, however Highways have immediate powers to remedy debris that is deposited on the highway and this is the most appropriate route to take to remedy the condition of a road by tracking of mud.

- 9.7 The dwellings proposed are single storey and of a character that is in keeping with others approved within the area. They will complement the dwellings that are currently being consulted within the locality. There are no objections from Highways as adequate parking and turning is provided. The gardens and external space are in keeping with the size of the dwellings and the development will be an attractive addition to the area. The assessment of the impact on the character of the area is undertaken, as per the above, taking into account the possibility that the development to the south may never be built out.
- 9.8 An important factor when determining applications is whether a Local Authority has the ability to demonstrate a five-year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". By way of explanation this states that policies restricting development for reasons such as village development limits no longer hold weight and the policies that are applied are those within the National Planning Policy Framework which has a presumption in favour of sustainable development. In essence this means that development which has links to a settlement, such as the application site, is assessed as sustainable and permission should be granted as local policies do are out of date if there is not a 5 year housing land supply.
- 9.9 In weighing the material considerations in this application considerable weight must be given to Paragraph 11 (d) of the National Planning Policy Framework which states that where the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. Footnote 7 states that "this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."
- 9.10 In the case of *Wavendon Properties Ltd v SoS for Housing, Communities & Local Government plus Another* (June 2019, reference [2019] EWHC 1524 (Admin)), Mr Justice Dove made an important judgement on the correct interpretation of paragraph 11(d) of the National Planning Policy Framework (February 2019). Paragraph 11 (d) states:
- "Plans and decisions should apply a presumption in favour of sustainable development...
- For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or

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

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁽⁶⁾; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

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

9.12 There is currently a housing land supply of 2.55 years (as at the end of 2017/18). Although this does not mean that all residential developments must be approved the presumption in favour of sustainable development must be applied. While it is correct to say that not all developments have to be approved it must be shown to refuse a development that any adverse impacts approving an application for housing would significantly and demonstrably outweigh the benefits of providing the housing. The application can be sufficiently conditioned and the application is a full application so can be assessed as deliverable.

9.13 Whilst various policies are of importance for determining the application (and these are highlighted above), the most important policy for the determination of the application is, in my judgement, Saved Local Plan Policy HOU 10, New Dwellings in the Countryside. This policy – which essentially deals with settlement boundaries – is clearly out-of-date and this confirms that the “tilted balance” therefore applies.

9.14 Little harm is identified in the current application and the harms do not significantly and demonstrably outweigh the benefits of the four additional dwellings.

10 RECOMMENDATION:-

10.1 Approve – subject to the conditions to ensure an adequate form of development including those requested by consultees.

- 10.2 The proposal complies with the aims of Policies CS2, CS3, CS9 CS11 and CS14 of the Great Yarmouth Core Strategy.

Internet Consultees

Application Reference 06/19/0441/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Jayne Morse

Address Ormesby St Margaret with Scratby Parish Co

Post Code NR29 3PU

Telephone

Email Address clerk@ormesby.org

For or Against OBJ Object

Speak at Committee

It was noted that although these 4 plots were a distance away from the development of 14 Beach Road, it was still connected to this. Objection on the basis of back land development. Is there suitable vehicular access for the increased use. What is the visibility? Do the planners have any concerns about mud and other debris being tracked from the field onto the highway. Has any consideration been given to placing a condition upon the approval of planning subject to access improvements to ensure the access is suitable for the intended purpose?

Date Entered 10-09-2019

Internet Reference OWPC5352

Jill K. Smith

From: Jackie Morgan [REDACTED]
Sent: 16 August 2019 11:20
To: plan
Subject: 06/19/0441/F

Dear sir/ madam

I am in receipt of your letter detailing plans of a further development in scratby.

I struggle to understand why we need further properties in this coastal village . Another new development by the garden centre have not sold all their properties to my understanding and there are several other bungalows in the village still for sale .

We bought our bungalow because we valued our privacy , having a view of countryside, not another property.

The junction out of scratby has been the scene of several accidents , mostly because the public do NOT adhere to the 40 mph or the 30 mph in the village . I feel the extra volume of traffic will aggravate this situation. Unless this problem is addressed.

The countryside is gradually being diluted , which is displacing the wildlife , we no longer hear the owls or see the squirrels .

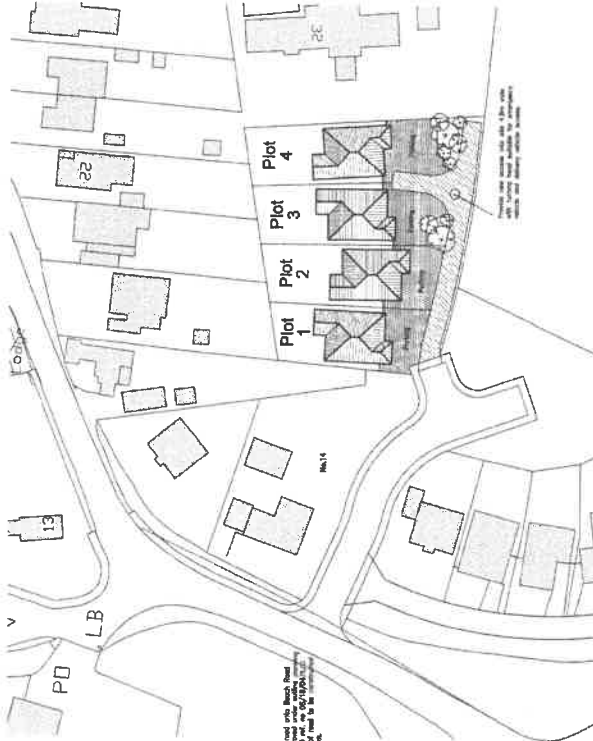
Regards

Jacqueline morgan
18 Beach Road
Scratby

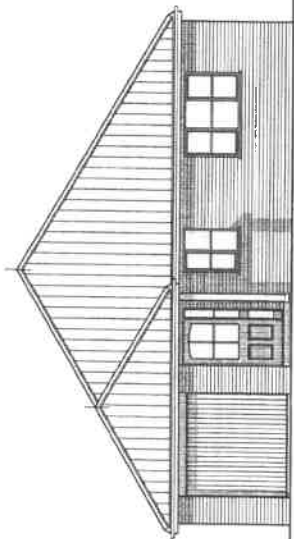
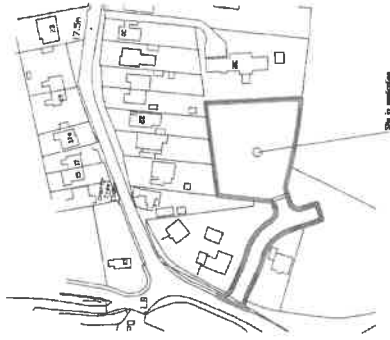
Sent from my iPhone

06/19/0111/F

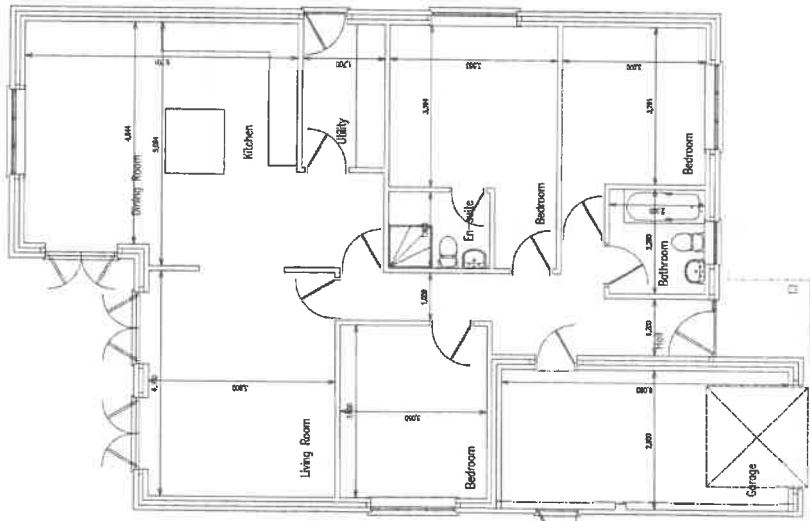
Great Yarmouth
Borough Council
02 AUG 2019
Planning
Department



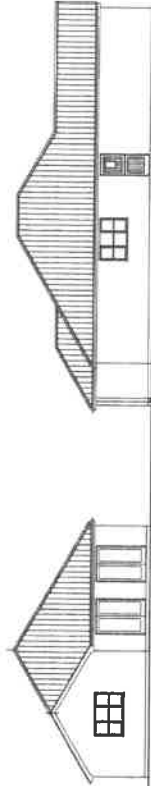
Site Location Plan
1:1250



PROPOSED FRONT ELEVATION
1:50

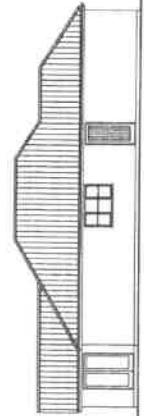


PROPOSED FLOOR PLAN
1:50



Proposed Rear Elevation
1:100

Proposed Side Elevation
1:100



Proposed Side Elevation
1:100

Andrew Middleton
21, Regent Street,
Great Yarmouth
NORFOLK
NR30 1NL T: 01493 856611
Project: Proposed development of site to form
4 no. detached bungalows.
Site off Beach Road, Scratby.
Planning drawing
Client: JCB Developments Ltd
Scale: 1:50 1:100 Date: July 2019
The drawings are the property of Andrew Middleton and must not be
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Revision



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Ordnance Survey 100018547



Reference: 06/19/0025/O

Parish: Fleggburgh

Officer: Mrs G Manthorpe

Expiry Date: 10/01/20

Applicant: Mr Kelly

Proposal: Residential development of 2 chalet style houses with integral garages.

Site: Tretts Lane/Rollesby Road (Land in corner) Fleggburgh

1. Background / History :-

1.1 The site comprises 1230 square metres of land located to the north side of the village of Fleggburgh. The application is an outline application with some matters reserved; access and layout form part of the application with landscaping, scale and appearance to be decided by a later reserved matters application should the outline be approved. The application details state that the existing use of the land is meadow according to the application form

1.2 The planning history for the site is as follows:

06/18/0387/F – Proposed residential development of 3no. detached houses with detached garages. Withdrawn.

1.3 Although not on the application site planning permission has recently been given for the erection of 4 dwelling houses off Rollesby Road reference 06/18/0133/F, 06/17/0705/F is currently under construction for 9 dwellings, a current application is in for 13 dwellings to the north east of the site and a further development for 33 dwellings is currently being assessed to the south east of the site.

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

2.1 Parish Council – Support the application whilst noting concern regarding traffic along Tretts Lane which is very narrow.

2.2 Neighbours – There has been one objection to the application which is attached to this report and is summarised as follows:

- An oak tree on site has been cut down before the application was submitted.

Information regarding a bat survey was also submitted however this was not marked as in relation to any specific application. It provides information on bat movements within the area.

2.3 Highways – No objection to the application subject to conditions.

2.4 Assistant Grounds Manager and Arboricultural Officer – The trees on site have long life expectancy and fair amenity value – BS5837 Cat B. classification seems to be fair.

Based on the submitted plans, there looks adequate protection supplied to the trees through the development process including RPA, no dig areas, car park construction method etc. to ensure they are not harmed.

2.5 Building Control – No objection.

2.6 Broads Authority – No objection.

3 Local Policy :-

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

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

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

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

- 4.1 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.

Fleggburgh is identified as a Secondary Village:

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: (partial)

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

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

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

- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
- Ensuring the efficient use of land/sites including higher densities in appropriate locations

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

- 4.3 Policy CS4: The need to provide additional affordable housing is one of the greatest challenges facing the borough. To ensure that an appropriate amount and mix of

affordable housing is delivered throughout the borough, the Council and its partners will seek to:(partial)

b) Ensure that affordable housing is either:

- Provided on-site using this contribution to deliver homes of a type, size and tenure agreed by the developer and the local authority based on local evidence and where appropriate, delivered in partnership with a Registered Provider; or
- Provided via an off-site financial contribution, in exceptional circumstances

c) Ensure that new affordable housing, when provided as part of a market housing site, is well integrated into the development in terms of its design and layout

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

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

4.6 Policy CS13: 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:

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

- 4.7 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: (a to f)

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

5 **Draft Local Plan Part 2**

- 5.1 Table 8.12. of the draft Local Plan Part 2 2018 consultation gives a summary of reason(s) for the site not being selected as an emerging allocation:

(part of the application site) Site 89: Site is not well related to Fleggburgh. Significant highway improvements required to upgrade Tretts Loke to serve the proposed development.

- 5.2 Policy G1-dp
Development limits

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

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

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

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

Consideration will be given to applying a shorter than standard time limit to such permissions, in order to signal the exceptional nature of the permission and to encourage prompt delivery. Applications for renewal of permissions which relied on that presumption will be considered in the light of the housing delivery and supply situation at the time.

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

6 National Policy: - National Planning Policy Framework (NPPF) February 2019

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

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

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

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

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

For decision-taking this means:

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

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

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

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

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

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

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

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

6.6 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be

permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

- 6.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 6.8 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.9 Paragraph 170 (partial). Planning policies and decisions should contribute to and enhance the natural and local environment by:
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- 6.10 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.

7 Local finance considerations: -

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

8 Shadow Habitats Regulation Assessment

- 8.1 The applicant has submitted a shadow Habitat Regulations Assessment (HRA) template as drafted by Great Yarmouth Borough Council. It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.2 Great Yarmouth Borough Council as competent authority agrees with the conclusions of this assessment. The impact of this development is in-combination with other projects and can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling) to ensure that there will be no adverse effects on the integrity of the internationally protected habitat sites.

9 Assessment

- 9.1 The application is an outline application with some matters reserved, access and layout form part of the application with landscaping, scale and appearance to be decided by reserved matters application. Appearance will need to be carefully considered should the application be approved in order to promote an attractive form of development which does not adversely affect the character of the area. The appearance will also need to carefully consider the overlooking potential to the south. While layout is acceptable the scale, which is not part of the application, may need to be reduced should the design of the development not be able to adequately overcome the potential adverse impact on the surrounding properties however this is for the reserved matters stage should the application be approved.
- 9.2 The layout proposed allows for the trees which are on site to be given adequate root protection areas and is supported by the Assistant Grounds Manager and Arboricultural Officer. Two of the trees on site are covered by a tree preservation order (TPO) and are therefore protected. These trees are proposed to remain with adequate root protection areas. The layout of the development has also been considered to protect the trees in the future by setting the dwellings away from the canopy spread to mitigate against future occupants requesting that they are removed or altered owing to the impact on the dwellings. The layout as applied should allow for a harmonious coexistence between the trees and the dwellings applied for.
- 9.3 When assessing the application, the impact on the Broads National Park is a material consideration that holds substantial weight. The layout of the development is appropriate and respects the setting, with specific reference the retention of the

trees on site and there are no objections to the development from the Broads Authority.

- 9.4 According to the draft Local Plan Part 2, Fleggburgh is one of the largest and best-served secondary village in the Borough, with facilities including a primary school, GP surgery and sports club/gym. The settlement is located along the A1064, inland 6 miles north-west of Caister-on-Sea. The village is adjacent Filby Broad which further encourages its attraction as a tourist destination, with a wide range of holiday cottages, and a camping and caravan park.
- 9.3 The application site is bounded one side by a development which is currently under construction and a residential dwelling to the east. To the west on the other side of the road are residential dwellings. The application site is not assessed as isolated in location and would fit into the character of the area.
- 9.4 The application site, while bounded by residential uses and ongoing development is located within a rural village within close proximity to the Broads Authority Executive Area, as such consideration to protected species such as bats is reasonable. There are no trees proposed to be removed as part of the development and it is recommended that external lighting is restricted to mitigate any impact on bats.
- 9.5 Although not in relation to the application, information cited as 'Tretts Lane' applications has been submitted detailing the results of a Bat Survey. The survey demonstrated that there are bats in the locality by number of sightings; however it is not verified or put forward with any context of disturbance or impact. While it is valuable to acknowledge that the area has bats foraging, in the absence of context it is difficult to assess that the application will have an adverse impact on the bats within the area. As per the above and below paragraph planting, restrictions on lighting and biodiversity improvements should be included within the scheme.
- 9.6 The development gives the opportunity for biodiversity enhancements commensurate with the size of the development which can come through at reserved matters stage. Enhancements include planting which can include trees that have a long-life span and could provide future roosting locations, bat and bird boxes erected on the dwellings to encourage protected species to the area and, with specific regard to bats, planting of night smelling flowers as part of the landscaping scheme. In addition, the fences should have gaps or holes provided to allow for the free movement of hedgehogs to mitigate the loss of open habitat.
- 9.7 The Parish Council, while supporting the application, note that Tretts Lane is of restricted width. There are no highways objections to the application from Norfolk County Council subject to conditions being applied to any grant of planning permission.

- 9.8 The application is an outline application and as such to ensure deliverability it is recommended that should the application be approved there is a condition placed on the permission requiring that reserved matters are submitted within 12 months of the decision being issued.
- 9.9 An important factor when determining applications is whether a Local Authority has the ability to demonstrate a five-year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". There is currently a housing land supply of 2.55 years (as at the end of year 2017/2018) which is a substantial shortfall. In addition, the publication of the first Housing Delivery Test figures in February 2019 showed that the Borough had not seen delivery of 75% of the housing requirement over the previous three-year period. Although this does not mean that all residential developments must be approved the presumption in favour of sustainable development must be applied.
- 9.10 In weighing the material considerations in this application considerable weight must be given to Paragraph 11 (d) of the National Planning Policy Framework states that where the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. Footnote 7 states that "this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."
- 9.11 In the case of *Wavendon Properties Ltd v SoS for Housing, Communities & Local Government plus Another* (June 2019, reference [2019] EWHC 1524 (Admin)), Mr Justice Dove made an important judgement on the correct interpretation of paragraph 11(d) of the National Planning Policy Framework (February 2019). Paragraph 11 (d) states:
- "Plans and decisions should apply a presumption in favour of sustainable development...
- For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed(6); or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

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

9.13 Whilst various policies are of importance for determining the application (and these are highlighted above), the most important policy for the determination of the application is, in my judgement, Saved Local Plan Policy HOU 10, New Dwellings in the Countryside. This policy – which essentially deals with settlement boundaries – is clearly out-of-date and this confirms that the “tilted balance” therefore applies.

9.14 The application site is a sustainable one, being within a village with (albeit limited) facilities, and as adjacent to existing residences it cannot therefore be assessed as isolated.

9.15 Few harms are identified with the application, and with reduced weight given to Saved Local Plan Policy HOU10 and the “tilted balance” applying, the harms do not, in my judgement, significantly and demonstrably outweigh the benefits.

10 RECOMMENDATION:-

10.1 Approve – subject to the conditions to ensure an adequate form of development including those requested by consultees and a one-year condition for the submission of reserved matters. The proposal complies with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

S

Jill K. Smith

From: Fleggburgh Parish Clerk <fleggburghpc@gmail.com>
Sent: 01 March 2019 13:02
To: plan
Subject: 06/19/0025/O

Dear Planning

Fleggburgh Parish Council wish to submit comments regarding planning application 06/19/0025/O:

Fleggburgh Parish Council **support** this application, whist noting concern regarding traffic along Tretts Lane which is very narrow.

--

Jimmy

Dr Jimmy Miller
Parish Clerk, Fleggburgh Parish Council

Internet Consultees

Application Reference 06/19/0025/0

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Glenn Higgins

Address 3 fir tree close, mill lane Fleggburgh

Post Code NR293DU

Telephone

Email Address glenn.higgins@btinternet.com

For or Against OBJ Object

Speak at Committee

Basically they cut down about 6 to 12 months ago the marvellous oak tree in the middle of the site, waited awhile and then applied... this tree was protected I believe... when the site was nexted assessed ... tree has been unprotected as it's died! Shocking !!

Date Entered 01-02-2019

Internet Reference OWPC2516

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Yare House 62 - 64 Thorpe Road
Norwich Norfolk NR1 1RY
tel 01603 610734
broads@broads-authority.gov.uk
www.broads-authority.gov.uk

Mrs G Manthorpe
Planning Services
Development Control
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
NR30 2QF

Ms Cally Smith
Head of Planning
01603 756029
cally.smith@broads-authority.gov.uk

Date 29 April 2019

Our ref BA/2019/0143/NEIGHB Your ref 06/19/0025/O

Dear Mrs Manthorpe

Application No : BA/2019/0143/NEIGHB
Proposal : 2 chalet style dwellings with integral garages
Address : Tretts Lane/Rollesby Road (Land On Corner), Fleggburgh, Norfolk,
Applicant : Mr Kelly-Toppers

I write further to the above planning application. I can confirm that the Broads Authority does not wish to raise an objection.

I would be grateful to receive a copy of the Decision Notice for my file in due course.

Yours sincerely

A handwritten signature in black ink, appearing to read "Cally Smith".

Cally Smith
Head of Planning





Community and Environmental
Services
County Hall
Martineau Lane
Norwich
NR1 2SG

NCC contact number: 0344 800 8020
Text Relay - 18001 0344 800 8020

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

Your Ref: 06/19/0025/O
Date: 1 February 2019

My Ref: 9/6/19/0025
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Gemma

**Fleggburgh: Residential development of 2 chalet style houses with integral garages
Tretts Lane/Rollesby Road (Land on corner) Fleggburgh GREAT YARMOUTH Norfolk**

Thank you for your recent consultation with respect to the above which has been subject to pre-application advice from the Highway Authority.

Accordingly, in highway terms only, I have no objections to the proposals subject to the following conditions and informative notes being appended to any grant of permission your Authority is minded to make.

SHC 05 Prior to the first occupation of the development hereby permitted the vehicular access shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.

SHC 07 Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.

Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.

Continued/...

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- SHC 10 The gradient of the vehicular access shall not exceed 1:12 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway.

Reason: In the interests of the safety of persons using the access and users of the highway.

- SHC 16 Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with the principles of the NPPF.

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

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

- SHC 32A Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works (namely footway provision south of Tretts Lane to link to existing provision) as indicated on Drawing No.(s) 17/159 30 have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

- SHC 32B Prior to the first occupation/use of the development hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

- Inf.1 It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant

Continued/...

and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Design and Development Management Group based at County Hall in Norwich. Please contact Stuart French on 01603 638070.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the Applicant's own expense.

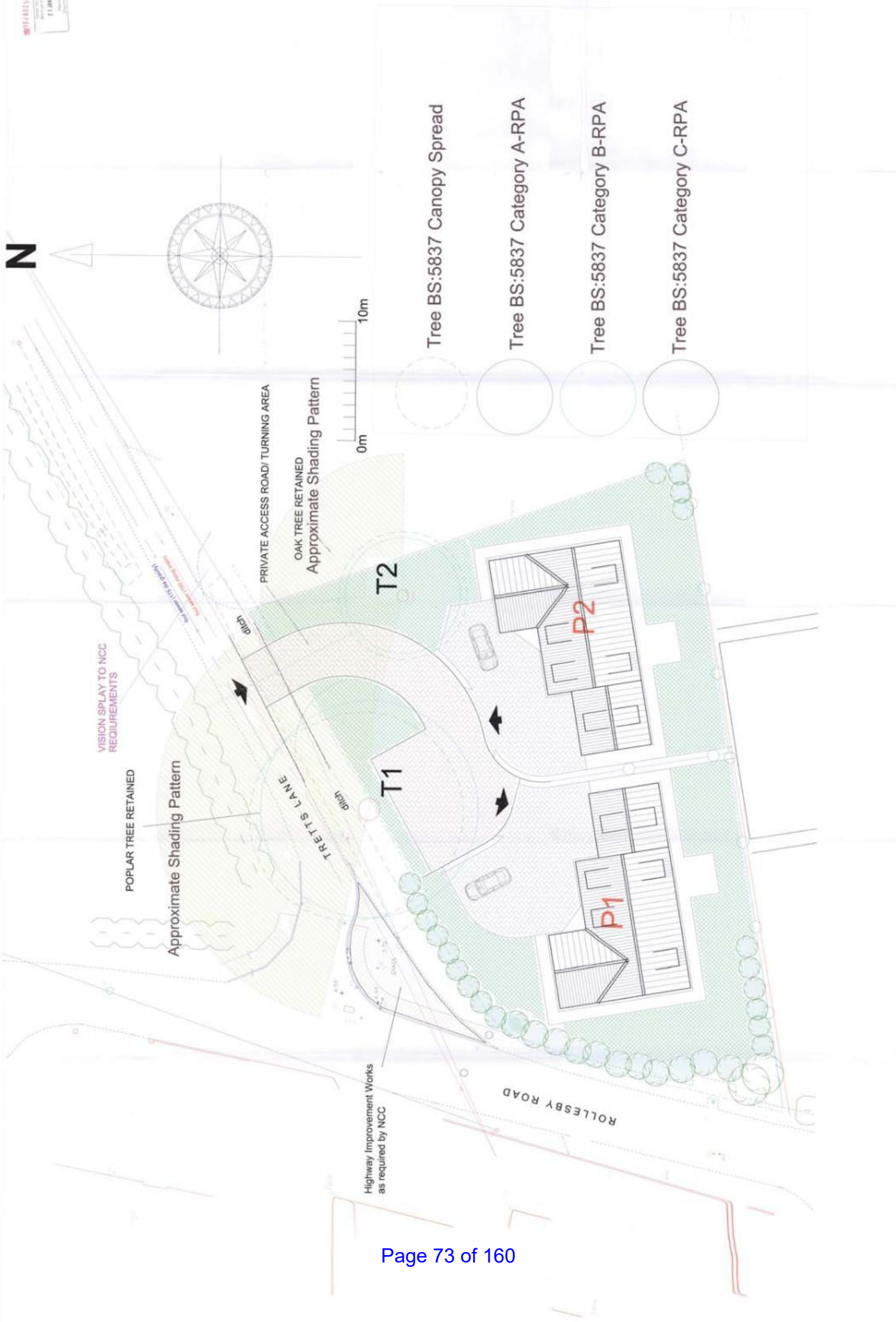
Inf 10 It is the applicant's responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicants title plan. For further details please contact the highway research team at highway.boundaries@norfolk.gov.uk

Yours sincerely

Stuart French

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

N





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Ordnance Survey 100018547

Reference: 06/18/0436/O

Parish: Fleggburgh

Officer: Mrs G Manthorpe

Expiry Date: 12/11/18

Applicant: Mr F Brown

Proposal: Residential development of 13 dwellings with estate road, private drive, garages and parking

Site: New House (land adj) off Rollesby Road Fleggburgh

Application re-listed following site visit on the 16th December 2019

1. Background / History :-

1.1 The site comprises 1.485 hectares of land located to the north side of the village of Fleggburgh. The application is an outline application with some matters reserved; access, scale and layout form part of the application with landscaping and appearance to be decided by a later reserved matters application. The application details state that the existing use of the land is garden land and paddock. Part of the land used to be a bowling green however as this is not included within the application details it is assumed that this use has ceased.

1.2 The planning history for the site is as follows:

06/94/0361/F – Formation of a bowling green with pavilion and car parking – approved with conditions.

06/05/0197/O – two detached dwellings with garages – refused

06/16/0430/O – 4 detached bungalows with garages and parking. Including one bungalow for a disabled elderly person.

1.3 Although not on the application site planning permission has recently been given for the erection of 4 dwelling houses off Rollesby Road reference 06/18/0133/F.

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

2.1 Parish Council – Supported whilst noting:

- Concern about the impact of this development on village traffic, particularly Rollesby Road.
- Concern about the density of housing on this development.
- Concern about the overwhelming of *neighbouring* local residents.

Italics represent change from original consultation response.

2.2 Neighbours – There have been 14 objections to the development from neighbours, the main objections are summarised as follows:

- Bats have been recorded in the area.
- Sewerage spills onto Tretts Lane – will the existing sewerage system be able to cope?
- This development will cause safety issues when exiting and entering Tretts Lane from Rollesby Road.
- Impact on wildlife such as badgers, foxes, deer and kingfishers.
- Increased risk of flooding.
- Fundamental change to the village
- There are already too many houses being built in the village.
- The site is not in an area proposed for development and should not even be considered.
- The doctors is already too busy.
- There are few village amenities.
- The school will not be able to cater for the additional children.
- There is no village shop.
- Public transport is poor.
- Local roads cannot cope.
- Foot and cycle paths should be provided.
- There are a large number of mature trees on site.
- The vision spay is not acceptable.
- Bungalow should be adjacent exiting houses to prevent overlooking.
- The development will alter the natural drainage.

2.3 Highways – No objection to the application subject to the following conditions:

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

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

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

SHC 16 Prior to the first occupation/use of the development hereby permitted visibility splays measuring 2.4 metres x 59 metres shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

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

- 2.4 Assistant Grounds Manager and Arboricultural Officer – No comments received.
- 2.5 Building Control – No comments received.
- 2.6 Environmental Health – No objection subject to conditions relating to unidentified contamination, hours of work and advisories on space standards and local air quality (sufficient water available for dust suppression).
- 2.7 Strategic Planning – No objection to the application.
- 2.8 Lead Local Flood Authority – No comment as the application falls under their threshold.
- 2.9 NHS – The NHS have stated that the practice manager has raised concerns regarding the capacity of the surgery owing to other nearby developments. Full comments are attached to this report. The comments asked for an extension of time so that further comments could be submitted however following this request, in May 2019, a consultation response was received stating that they have no further comments to make. For confirmation the original request for an extension of time was received on the 12th October 2018.
- 2.10 Anglian Water – 8th May 2019 – no objection, request a note regarding a nearby asset is included within an approval.

- 2.11 Historic Environment - No objection and no conditions requested.
- 2.12 Natural England – No objection subject to mitigation payments.
- 2.13 Broads Drainage Boards – Note regarding applications drainage, full comments attached to this report.
- 2.14 Campaign to Protect Rural England – Object, full comments attached to this report.
- 2.15 Broads Authority – No comment.
- 2.16 Local Authority Requirements – The application site is in an area requiring, according to the adopted Core Strategy, a 20% affordable housing provision. This should be secured by s106 agreement.

The application is an outline application however layout and scale form part of the application. The requirement is that 40 square metres of public open space per dwelling is provided or, if a contribution is appropriate at the absolute discretion of the Local Planning Authority payment in lieu towards offsite provision at a cost of £12 per square metre shortfall shall be required to be paid. The application shows roughly 600 square metres of open space at the centre of the site. 520 square metres are required so an overprovision is offered. The development is not a large development and no children's play is shown on site. Should children's recreation be provided, at the absolute discretion of the Local Planning Authority, as an offsite a contribution, payment of £920 per multi bed dwelling shall be paid in lieu of on-site provision which would equate to £11,960.

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

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

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

No viability assessment has been submitted, if any of the above obligations are not met the application should be refused as it is contrary to planning policy.

3 Local Policy :-

- 3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):
- 3.2 Paragraph 213 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.
- 3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it.
- 3.4 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 Core Strategy – Adopted 21st December 2015

- 4.1 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.

Fleggburgh is identified as a Secondary Village:

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: (partial)

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

- 4.2 Policy CS3: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:
- a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (extract only):
- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
 - Ensuring the efficient use of land/sites including higher densities in appropriate locations
- d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites
- 4.3 Policy CS4: The need to provide additional affordable housing is one of the greatest challenges facing the borough. To ensure that an appropriate amount and mix of affordable housing is delivered throughout the borough, the Council and its partners will seek to:(partial)
- b) Ensure that affordable housing is either:
- Provided on-site using this contribution to deliver homes of a type, size and tenure agreed by the developer and the local authority based on local evidence and where appropriate, delivered in partnership with a Registered Provider; or
 - Provided via an off-site financial contribution, in exceptional circumstances
- c) Ensure that new affordable housing, when provided as part of a market housing site, is well integrated into the development in terms of its design and layout
- 4.4 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.
- 4.5 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species.
- 4.6 Policy CS13: 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:

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

4.7 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: (a to f)

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

5 Draft Local Plan Part 2

5.1 Table 8.12. of the draft Local Plan Part 2 2018 consultation gives a summary of reason(s) for the site not being selected:

(part of the application site) Site 89: Site is not well related to Fleggburgh. Significant highway improvements required to upgrade Tretts Loke to serve the proposed development.

5.2 Policy G1-dp
Development limits

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

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

5.3 Housing Applications Reliant on the 'Presumption in Favour of Sustainable Development'

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

Consideration will be given to applying a shorter than standard time limit to such permissions, in order to signal the exceptional nature of the permission and to encourage prompt delivery. Applications for renewal of permissions which relied on that presumption will be considered in the light of the housing delivery and supply situation at the time.

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

6 National Policy:- National Planning Policy Framework (NPPF), February 2019.

- 6.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 6.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴.
- 6.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 6.4 Paragraph 11 (partial): Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 6.5 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 6.6 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.
- 6.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 6.8 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.9 Paragraph 170 (partial). Planning policies and decisions should contribute to and enhance the natural and local environment by:
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

- 6.10 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.

7 Local finance considerations:-

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

8 Shadow Habitats Regulation Assessment

- 8.1 The applicant has submitted a bespoke Shadow Habitat Regulations Assessment (HRA). It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.2 The shadow Habitats Regulations Assessment dated 28 January 2019 has been reviewed. The context of the site is that this development proposal of up to 13 dwellings just north of the existing settlement of Fleggburgh – a rural village comprising approximately 200 houses, with existing residential west of the site. The site is approximately 250m west of The Broads SAC, and 6.5km south-west of Winterton-Horsey Dunes SAC.
- 8.3 Further information has been submitted to consider and address potential hydrological linkage of the site with the nearby Natura 2000 s (the SAC)ite. Foul drainage foul water will be addressed by the existing mains sewerage system. A drainage strategy has been prepared demonstrating how surface water will be satisfactorily discharged to provide the necessary confidence that there will not be a 'likely significant effect' (LSE) on the Natura 2000 network resulting from surface water drainage.

- 8.4 The report rules out direct effects in isolation; but accepts that in-combination likely significant effects cannot be ruled out from increased recreational disturbance on the Broads SAC, Broadland SPA, Winterton-Horsey Dunes SAC, Breydon Water SPA and North Denes SPA. The report identifies that despite the proximity of the nearby Broads SAC, recreational access (and potential for disturbance) to the SAC is extremely limited. An Appropriate Assessment (AA) has been carried out. The AA considers that there is the potential to increase recreational pressures at Winterton-Horsey Dunes SAC and North Denes SPA, but this is in-combination with other projects and can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling) to ensure that there will be no adverse effects on the integrity of the internationally protected habitat sites.
- 8.5 The Borough Council as competent authority broadly agrees with the conclusions of this assessment. To meet the mitigation requirements, it is recommended that the appropriate contribution is secured by either S.111 or S.106 agreement.

9 Assessment

- 9.1 The application is an outline application with some matters reserved, access, scale and layout form part of the application with landscaping and appearance to be decided by reserved matters application. Appearance will need to be carefully considered should the application be approved in order to promote an attractive form of development which does not adversely affect the character of the area giving special consideration to the proximity of the Broads Authority Executive Area. When assessing the application, the impact on the Broads Authority is a material consideration that holds substantial weight. The scale of the development is appropriate and respects the setting, with specific reference the retention of all trees on site which provides natural screening between the development and the Broads Authority Executive Area.
- 9.2 According to the draft Local Plan Part 2, Fleggburgh is one of the largest and best-served secondary village in the Borough, with facilities including a primary school, GP surgery and sports club/gym. The settlement is located along the A1064, inland 6 miles north-west of Caister-on-Sea. The village is adjacent Filby Broad which further encourages its attraction as a tourist destination, with a wide range of holiday cottages, and a camping and caravan park.
- 9.3 The application site is bounded on three sides by low density housing, separated to the south and east by a narrow road way. To the north of the application site are open fields utilised as agricultural land. The application site is designated as Grade 1 agricultural land and partly comprises a bowling green. The design and access statement has noted that the bowling green is no longer in use but does not identify

how long it has been redundant for. The land is within private ownership and has no designation within the Local Plan.

- 9.4 Part of the site is located within Flood Zone 2 and as such a flood risk assessment has been submitted in support of the application. The flood risk assessment concludes that:

CONCLUSIONS

- *The site is located within Flood Zone 1 and 2.*
- *There is a low risk to the site from fluvial sources.*
- *As a precaution a warning and evacuation strategy has been developed within this assessment. It is proposed that the occupants register with the Agency's Flood Warnings Direct and prepare a Family Flood Plan.*
- *Safe (dry) refuge at the site is available during the flood event.*
- *Safe access/egress can be achieved via Rollesby Road.*
- *It is considered that there is a low risk of groundwater flooding at the site from underlying deposits and a very low risk of surface water flooding and artificial sources.*

- 9.5 Only a section of the development site is within Flood Zone 2, the remainder of the site is located within Flood Zone 1 so the discussion on the flood risk is in relation to the section of the site within Flood Zone 2. The Core Strategy, at CS13 a), seeks to direct development away from areas identified as being at high risk of flooding. There has been no comment from the Environment Agency, who were consulted with regards to their assessment of flood risk. They assessed the consultation as 'returning without comment'. The lack of response from the Environment Agency does not automatically allow for the assumption that the site is safe and should be developed. The Local Authority are still required to assess the site for suitability for development.

- 9.6 There have been a number of applications and approvals for development within the village of Fleggburgh so when assessing the site sequentially against other available sites the extended area should be considered. Great Yarmouth has a housing land supply of 2.55 years, it can be reasonably assessed that there are limited development sites available that are not within flood areas given the limited availability of development sites. While development should be situated away from flood zones the development in this instance is not all within a flood zone and has been assessed within the submitted Flood Risk Assessment as having a dry route to land not within the flood zone. The submitted Flood Risk Assessment does not recommend the raising of finished floor levels to avoid the flood risk and has found that the houses that are located within flood zone 2 have safe land within the dwelling.

- 9.7 Objections have stated that the development as proposed will disturb bats within the area. The land as existing is agricultural land with no trees proposed to be removed. The absence of loss of any areas for roosting make the potential for disturbance minimal, although it would be of benefit to restrict external lighting to ensure that the development does not cause excessive light pollution. In addition to the restriction of external lights should the development be approved measures to ensure that protected species are not disturbed should be investigated and adopted.
- 9.8 Although not in relation to the application, information cited as 'Tretts Lane' applications has been submitted detailing the results of a Bat Survey. The survey demonstrated that there are bats in the locality by number of sitings; however it is not verified or put forward with any context of disturbance or impact. While it is valuable to acknowledge that the area has bats foraging, in the absence of context it is difficult to assess that the application will have an adverse impact on the bats within the area. As per the above paragraph planting, restrictions on lighting and biodiversity improvements should be included within the scheme.
- 9.9 The development gives the opportunity for biodiversity enhancements which can come through at reserved matters stage. Enhancements include planting which can include trees that have a long-life span and could provide future roosting locations, bat and bird boxes erected on the dwellings to encourage protected species to the area and, with specific regard to bats, planting of night smelling flowers as part of the landscaping scheme. In addition, the fences should have gaps or holes provided to allow for the free movement of hedgehogs to mitigate the loss of open habitat.
- 9.10 The application site is within 400m of a designated site and as such the applicant has been required to submit details of drainage methods to ensure that the application site will not have an adverse impact on the designated site through hydrological links. The information submitted has been assessed internally and by Norfolk County Council to ensure that there will be no significant impact through the hydrological links. In addition, a bespoke Habitat Regulation Assessment has been submitted and accepted by the Local Authority as Competent Authority (as detailed above in the report).
- 9.11 There have been objections to the application on the grounds of highway safety with reference to the access and the resulting increase in traffic from the development. Norfolk Highways are satisfied, following the submission of additional drawings, that the visibility splay can be provided and that the access and internal layout is acceptable. There are no highways objections to the application from Norfolk County Council subject to conditions being applied to any grant of planning permission.

- 9.12 The NHS have stated that they have concerns over the development's impact on their local surgery and asked for more time within which to carry out consultation on the impacts. There has been further comment from the NHS in May 2019 stating that they had nothing further to add to their previous comment. While it is understood that development puts increased pressure on service providers, in the absence of any additional information regarding the concerns or additional information, the weight that can be placed upon the objection is limited. Although it is unusual to comment on separate applications during an assessment, given that that they are decided on merit, in this instance it is noted that the NHS was consulted on an application for 33 dwellings within the very near proximity and, with a response having been due at the end of August, there has at the time of writing been no comments received.
- 9.13 The application is an outline application. Having discussed this with the agent for the application they have confirmed that there are developers interested in bringing the site forward and they envisage an early start date. Whilst there can be no certainty of eventual delivery, the asserted developer interest is useful to know and this goes towards demonstrating that the site can be delivered. It is recommended that should the application be approved there is a condition placed on the permission requiring that reserved matters are submitted within 12 months of the decision being issued.
- 9.14 An important factor when determining applications is whether a Local Authority has the ability to demonstrate a five-year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". There is currently a housing land supply of 2.55 years (as at the end of year 2017/2018) which is a substantial shortfall. In addition, the publication of the first Housing Delivery Test figures in February 2019 showed that the Borough had not seen delivery of 75% of the housing requirement over the previous three-year period. Although this does not mean that all residential developments must be approved the presumption in favour of sustainable development must be applied.
- 9.15 In weighing the material considerations in this application considerable weight must be given to Paragraph 11 (d) of the National Planning Policy Framework states that where the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits. Footnote 7 states that "this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years."

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

“Plans and decisions should apply a presumption in favour of sustainable development...

For decision-taking this means:

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

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

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

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

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

9.18 The application site is a sustainable one being within a village with facilities, albeit limited facilities and adjacent to existing residences it cannot therefore be assessed as isolated. There is a conflict with an in date policy of the Core Strategy, policy CS13 with reference the site having an area of flood risk within however, as per the information submitted and the assessment above, in this particular instance and taking into account the limited amount of space that is included within the flood zone when looking at the site as a whole it is assessed that the harms do not demonstrably outweigh the benefits of providing housing.

9.19 There are also harms associated with the loss of Grade 1 agricultural land and the impact on biodiversity within the local area. Being farmed land the biodiversity present on the site, in the absence of a policy requiring detailed information to be

submitted, can be assessed as no harms occurring through loss of the land that would outweigh the need for housing; however, this is caveated by the need for additional enhancements that can be secured by way of condition.

- 9.20 Whilst various policies are of importance for determining the application (and these are highlighted above), the most important policy for the determination of the application is, in my judgement, Saved Local Plan Policy HOU 10, New Dwellings in the Countryside. This policy – which essentially deals with settlement boundaries – is clearly out-of-date and this confirms that the “tilted balance” therefore applies.

10 RECOMMENDATION:-

- 10.1 The application is not one that can be assessed without balancing the material considerations carefully. The lack of a 5 year housing land supply and the need to provide housing provides a material reason for approval in favour of the development and, it is assessed on marginal balance, that the harms identified do not significantly and demonstrably outweigh the benefits of providing housing.
- 10.2 Approve – subject to the conditions to ensure an adequate form of development including those requested by consultees and a one year condition for the submission of reserved matters and a s106 agreement securing Local Authority requirements of children’s recreation, public open space, affordable housing and Natura 2000 payment. The proposal complies with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

5

Helen Ayers

From: Fleggburgh PC <fleggburghpc@gmail.com>
Sent: 26 November 2018 07:47
To: plan
Subject: 06/18/0436/O Comments from Fleggburgh Parish Council

Good morning,

Fleggburgh Parish Council wish to alter the comments they submitted in relation to planning application 06/18/0436/O, Rollesby Road (Off), New House (land adj), Fleggburgh, NR29 3AT - Residential development of 13 dwellings with estate road, private drive, garages and parking.

Fleggburgh Parish Council wish to alter their comments to read:

SUPPORTED whilst noting:

- Concern about the impact of this development on village traffic, particularly Rollesby Road.
- Concern about the density of housing on the development.
- Concern about the overwhelming objection of *neighbouring* residents.

(Alteration in italics)

Best wishes,
Catherine

Catherine Fletcher
Fleggburgh Parish Clerk
Telephone: 07988 178 295
www.fleggburghpc.norfolkparishes.gov.uk

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General Data Protection Regulations: The Council continues to safeguard the privacy and security of personal details held in its systems. In line with the new regulations, full details can be found on the parish council website at: www.fleggburghpc.norfolkparishes.gov.uk/privacynotice

Your Ref: 06/18/0436/O
11 October 2018

Great Yarmouth Borough Council

12 OCT 2018

Customer Services

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Tel: 01502 719500

Fax: 01502 719874

Web: www.greatyarmouthandwaveneyccg.nhs.uk

Dear Sir/ Madam,

Further to recent correspondence regarding recent Planning Applications, NHS Great Yarmouth and Waveney Clinical Commissioning Group wishes to raise concerns on the following grounds:

- Planning Application #06/18/0436/O
Outline of Concerns Raised: On behalf of Wendy Parker – Practice Manager at Fleggburgh Surgery;


"At the moment there is 3 other developments being built 2 in Fleggburgh consisting of 20 dwellings and 1 in Thurne consisting of 19 dwellings this could increase the list size an average total of 93.6 so with the below also then we could potentially have another 124 patients.

Registered patients today are 2042 (200 more than 5 years ago) and with 1 GP we would struggle to cope with such an increase and as it is difficult to recruit new GPs this would create a lot of extra work for Dr Rogers who is already extremely busy with his work load so on this basis we would object to any new building."

Given our concerns, the CCG also request that an Extension be granted to the process to allow for sufficient consultation and consideration to be made.

Should our position change in relation to any of the above applications, further representation will be made ahead of the deadline.

Yours sincerely



Nickie Watts

Primary Care Transformation Officer

Great Yarmouth
Borough Council
12 OCT 2018
Planning
Department

Chair: Dr Liam Stevens, Chief Executive: Melanie Craig

Helen Ayers

From: LANE, Jenny (NHS GREAT YARMOUTH AND WAVENEY CCG) <jenny.lane@nhs.net>
Sent: 01 May 2019 17:00
To: Helen Ayers
Subject: FW: Consultation - 06/18/0436/O

Hi Helen,

The practice has no further comments to make on top of their previous comment.

Thanks

Jenny

----- Forwarded message -----

From: "Helen Ayers" <helen.ayers@great-yarmouth.gov.uk>
Date: Mon, Apr 15, 2019 at 1:40 PM +0100
Subject: Consultation - 06/18/0436/O
To: "ANGELL, Clare (NHS GREAT YARMOUTH AND WAVENEY CCG)" <clare.angell@nhs.net>

Please have you any further comments on this application (link below) following your previous ones (see attached)?

<http://planning.great-yarmouth.gov.uk/OcellaWeb/planningDetails?reference=06/18/0436/O&from=planningSearch>

I would be grateful if you could let me have any (or let me know if there are none) within the next 14 days (1 May 2019).

Thank you

Helen Ayers (AssocRTPI)
Planning Technician
Development Control
Great Yarmouth Borough Council

Email: helen.ayers@great-yarmouth.gov.uk
Website: www.great-yarmouth.gov.uk
Telephone: 01493 846169



GREAT YARMOUTH
BOROUGH COUNCIL



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To read our email disclaimer visit here: www.great-yarmouth.gov.uk/email-disclaimer



Broads
Authority

(S)

Yare House 62-64 Thorpe Road
Norwich Norfolk NR1 1RY

tel 01603 610734
broads@broads-authority.gov.uk
www.broads-authority.gov.uk

Mrs G Manthorpe
Planning Services
Development Control
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
NR30 2QF

Ms Cally Smith
Head of Planning
01603 756029
cally.smith@broads-authority.gov.uk

Date 29 April 2019

Our ref BA/2019/0142/NEIGHB

Your ref 06/18/0436/O

Dear Mrs Manthorpe

Application No: BA/2019/0142/NEIGHB
Proposal : 13 dwellings with estate road, private drive, garages and parking
Address : Land Adjacent To, New House, Tretts Lane, Fleggburgh
Applicant : Mr F Brown

I write further to the above planning application. I can confirm that the Broads Authority does not wish to raise an objection subject to the connection to the main sewerage system and significant biodiversity enhancements to mitigate the loss of countryside fringe.

I would be grateful to receive a copy of the Decision Notice for my file in due course.

Yours sincerely

Cally Smith
Head of Planning

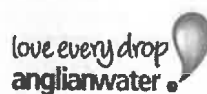


Broads
National Park



INVESTORS
IN PEOPLE | Silver

Chairman: Mr Haydn Thistle
Chief Executive: Dr John Packman



Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 03456 066087, Option 1 or email planningliaison@anglianwater.co.uk.

AW Site Reference: 146486/1/0056966
Local Planning Authority: Great Yarmouth District (B)
Site: Land adj off Rollesby Road Fleggburgh
GREAT YARMOUTH NR29 3AT
Proposal: Residential development of 13 dwellings with estate road, private drive, garages and parking
Planning application: 06/18/0436/O

Prepared by: Pre-Development Team

Date: 8 May 2019

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, in line with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

The development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated.

Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station.

The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Caister - Pump Lane Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows via a gravity discharge regime. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) **INFORMATIVE** - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) **INFORMATIVE** - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) **INFORMATIVE** - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) **INFORMATIVE** - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) **INFORMATIVE**: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Foul water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
 - Development size
 - Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s)
 - Connecting manhole discharge location (No connections can be made into a public rising main)
- Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website)
- Feasible mitigation strategy in agreement with Anglian Water (if required)

Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
 - Development hectare size
 - Proposed discharge rate (Our minimum discharge rate is 5l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website -<http://www.uksuds.com/drainage-calculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
 - Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

Internet Consultees

Application Reference 06/18/0436/0 **Attachments**

Invalid Consultee Comment? ☐ **Copy to existing Consultee?** ☐

Name Mr and Mrs Stubbs

Address Willow Tree Bungalow
Tretts Lane
Fleggburgh

Post Code NR29 3AT

Telephone

Email Address

For or Against OBJ Object

Speak at Committee

1. Increased traffic on Rollesby Road - Safety concern for local residents.
2. Risk of flooding - where will the water go? We are at the bottom on Tretts Lane on an unmade road and additional water on our lane would make it unpassable.
3. Sewerage pump on Tretts Lane - recently upgraded to ensure sewerage does not spill over on Tretts lane. What will 13 additional properties mean to the waste?
4. Wildlife - Bat colony's and Deer reside on the site - what will happen to them?

Date Entered 23-09-2018 **Internet Reference** OWPC1935

Internet Consultees	
Application Reference	06/18/0436 0
	Attachments
Invalid Consultee Comment?	<input type="checkbox"/>
Copy to existing Consultee?	<input type="checkbox"/>
Name	Debra Gerdes
Address	Roby Lodge
	Rollsby Road
	Fleggburgh
Post Code	NR29 3
Telephone	
Email Address	
For or Against	OBJ Object
Speak at Committee	
<div>My concerns for this development are as follows:<ul style="list-style-type: none">- the Plan is not in line with the current or proposed area for developemengt within Fleggburgh.-there will be an increase of traffic onto an already busy narrow road.-there is poor public transport.- There is no local shop- there are no cycle peths- the school might not be able to cope wth influx of children due to all the extra devlopement which has already been passed</div>	
Date Entered	20-09-2018
Internet Reference	OWPC1928

Planning Officer
Great Yarmouth Borough Council

Brickle Hatch
Tretts Lane
Fleggburgh
Great Yarmouth
NR29 3AT

4th October 2018

Dear Sir,

Reference: Planning Application **06/18/0436/O**
Residential development of 13 dwellings with estate road, private drive, garages and parking

We wish to object to the proposed development for the following reasons.

The development is on a Greenfield site.

The development is outside the designated area for housing as per the village development limits.

Fleggburgh has very few services and virtually no bus service, there is little or no work locally. In the application it mentions the provision of a footpath, as one parishioner eloquently put it "a footpath to where?"

The doctor has already put on record that his workload has increased considerably over the last 4 years due to development in the area. The increase will not result in making an additional doctor viable but will increase waiting times for appointments, less time per patient etc. These 13 houses in addition to the 13 already agreed by planning along Rollesby Road, 1 in Tretts Lane and a yet to be decided further 3 in Tretts Lane, will again adversely affect medical services. At the recent Fleggburgh Parish Council, the applicant's representative stated that only 10% of the doctor's patients lived in Fleggburgh. In case this is pedalled again at the council meeting – this statement is untrue.

Rollesby Road is a narrow village road which, whilst allowing two way traffic, is restricted to a single lane when (a) cars are parked outside the existing houses, (b) vehicles are delivering, (c) when one of the numerous agricultural vehicles, beet wagons or lorries are using the road. This application would also increase traffic flow through Town Road and Mill Lane which are even narrower. A previous application for Mill Lane was turned down because "poor alignment, restricted width and lack of passing provision. The proposal, if permitted would be likely to give rise to conditions detrimental to highway safety. The inability of the local road network to accommodate the proposed development is contrary to the Policy HOU7 of the Borough Wide Local Plan".

This development would make the already dangerous junctions of (1) Tower, Town and Rollesby Roads (2) Mill Lane and Rollesby Road (3) Tretts Lane and Rollesby Road even more hazardous.

Traffic entering the village from Rollesby Road regularly exceed the 30mph limit and we have had numerous near misses when exiting Tretts Lane or turning right into it. With the additional 4 currently being built adjacent to this application (all have individual drives onto Rollesby Rd), the 9 currently being built opposite St Margaret's Way will have one exit with cars (30ish) emptying onto Rollesby Road. This application will double the combined numbers of cars emptying onto Rollesby Road. This section of Rollesby Road already has 5 junctions, numerous drives, unrestricted parking and speeding cars to contend with.

The success of recent applications is further pushing out the limits of the village which is gradually sprawling ever northward. This will and is changing the village irreversibly for the worse. There are still potential sites within the current development plan limits and these should be explored first.

There is not currently a need for additional housing as can be seen from the number of properties on the market and the number that remain unsold.

The large development in the Bygone Village has and will cater for the expansion of the village for some time.

If change of use is allowed for the land it will set a dangerous precedent and allow future massive expansion to Fleggburgh and thereby change its rural character.

I am not sure how the council's housing policy is informed by its green policies but it would seem unlikely that a large development such as this, in a rural village with virtually no transport links, would help reduce emissions and greenhouse gases. In fact the reverse would be true as it is likely each house will have 3 to 5 cars, even the applicant is allowing for 39, that does not allow for the increase due to the actual build and manufacture of the myriad of building materials and the ongoing heating, water etc.

The Borough Council's proposed development plan for 2020 states

"The settlement has a reasonable range of services and facilities for a Secondary Village and is suitable to accommodate a small range of housing in accordance with Core Strategy Policy CS2. However, owing to the significant number of completions, planning permissions and an allowance for windfall across the Secondary and Tertiary Villages (of which Fleggburgh already contributes significantly), there is little remaining housing need. The above sites have been assessed for potential development by judging the combination of advantages and disadvantages of the competing sites (including those from other Secondary and Tertiary Villages) in the context of meeting the local housing need with the distribution of development as set out in the Core Strategy. Consequently, no allocations are sought for residential development in Fleggburgh". We see no reason why the criteria above should not be considered and used particularly as the applicant's application to have this area included in the development plan was dismissed.

Some mention has been made in the past that increasing the number of houses in the area will make the local school more viable. This has never been the case, even when the considerable number of houses were built on the Bygone Village site, parents chose to send their children elsewhere. There are particular reasons why parents do not send their children to this school.

The proposed area for development includes an area of land bordering Tretts Lane which regularly floods and acts as a soakaway. In the recent past upgrades to the surface drainage were made to deal with a flood problem between Lime Tree Farm and the sewerage pump, with the extra surface water running off the proposed development area we could be back to regular flooding.

In addition upgrades were made to the sewerage pumping station which put an end to the leaking of raw sewerage in people's homes. All the additional homes that are currently being built will put a strain on the existing sewerage system with a further 13 making it likely that it will fail.

We believe that the addition of so many houses will also adversely affect the "dark sky" contrary to Borough policy.

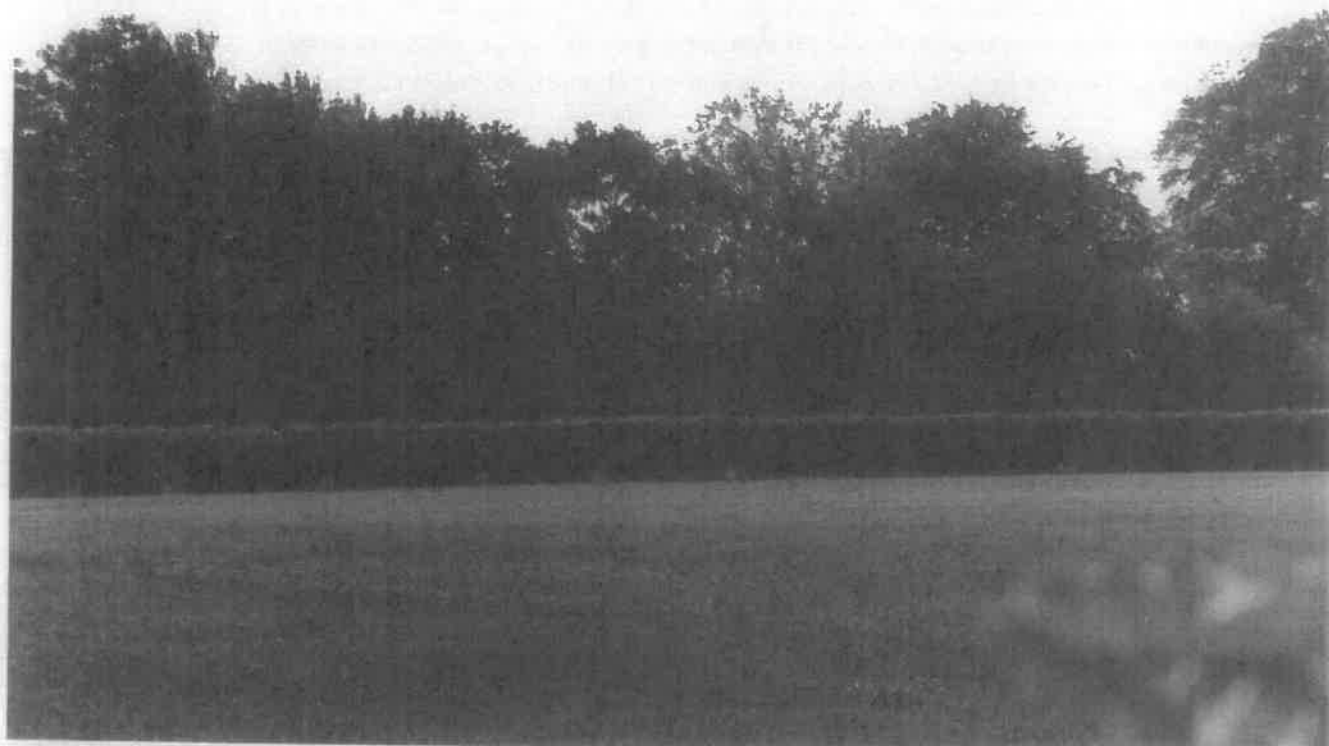
In the application we were surprised that the applicant states that there are no trees or hedges that could influence the development or might be important as part of the landscape character. We have attached pictures of the existing trees and hedges and have also submitted pictures of the previously agreed development by the applicant along Rollesby Road showing the remains of the hedge bordering Rollesby Road and Tretts Loke (hard copies can be supplied if required). We are concerned that even if protection is given for the remaining trees and hedges this would be virtually unenforceable as there will be 13 separate householders. In effect local residents would have to police the enforcement of any orders which realistically could only be requested after the event.

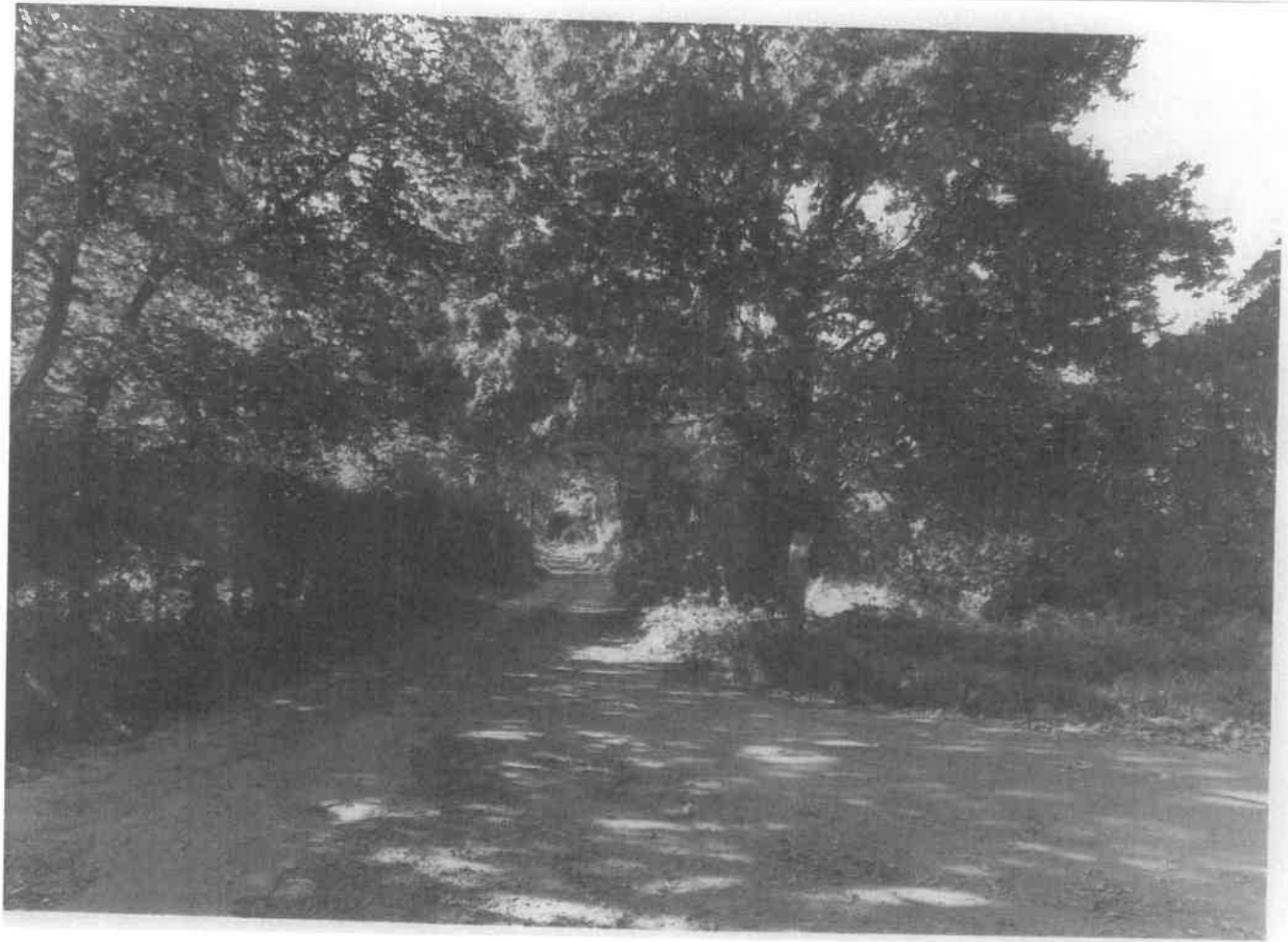
The proposed site is bordered on 3 sides by deciduous trees which are of particular importance in setting the scene towards and from the "Broads View".

This area is bordered by open fields and is a very tranquil, rural and quiet part of the village, with the addition of so many homes there will be an adverse effect to noise levels, the movement of wildlife and the bat colony. Previous reports commissioned by applicants have shown that no bat community exists and yet every householder in the area will testify on having bats circling their homes. There is a suspicion by many that he who pays for the survey gets the result they were hoping for. We believe, if any such survey is commissioned, it should be totally independent of the applicant and carried out by a recognised wildlife organisation.

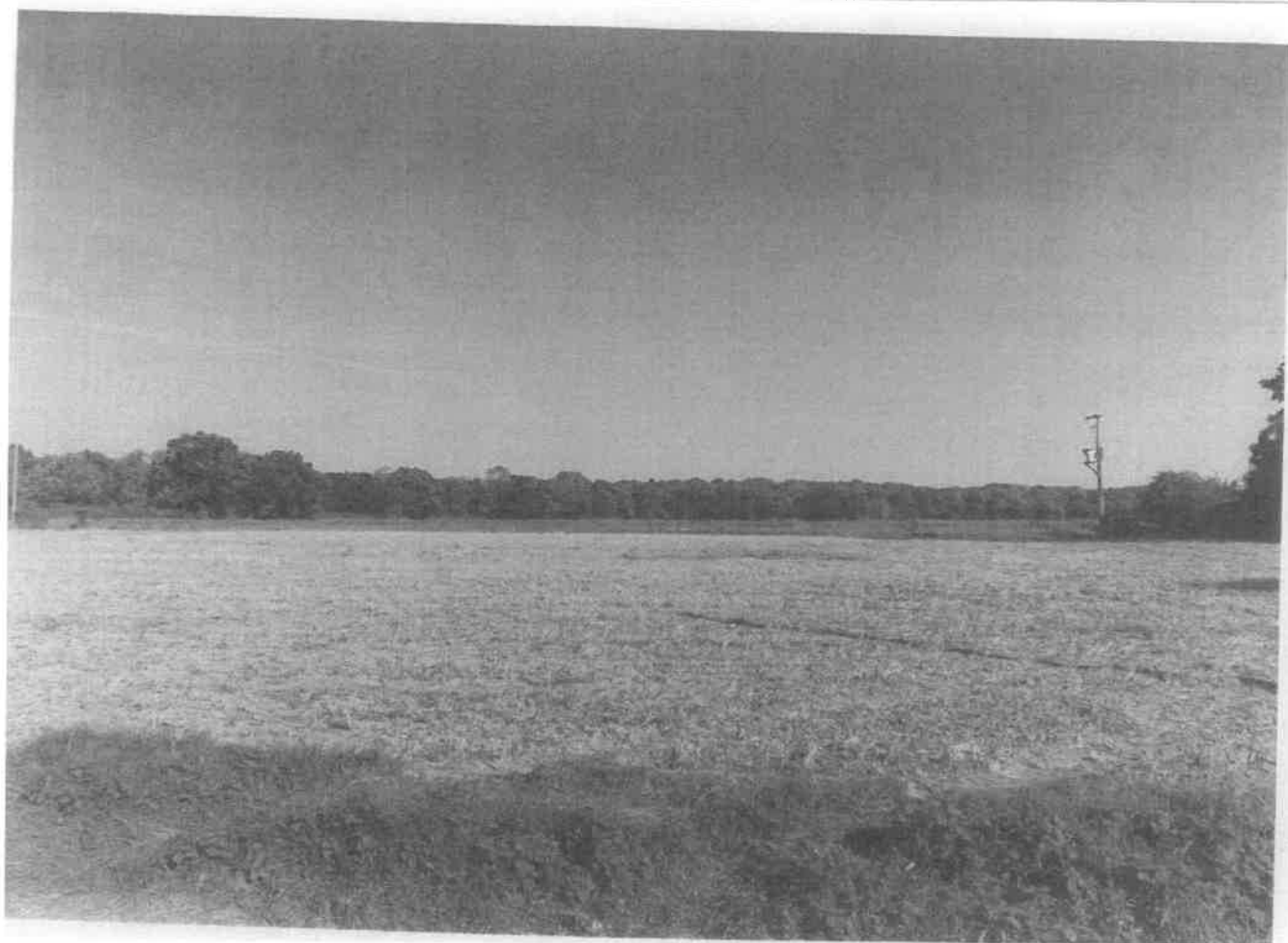
Yours Faithfully

E J & B A Coleman









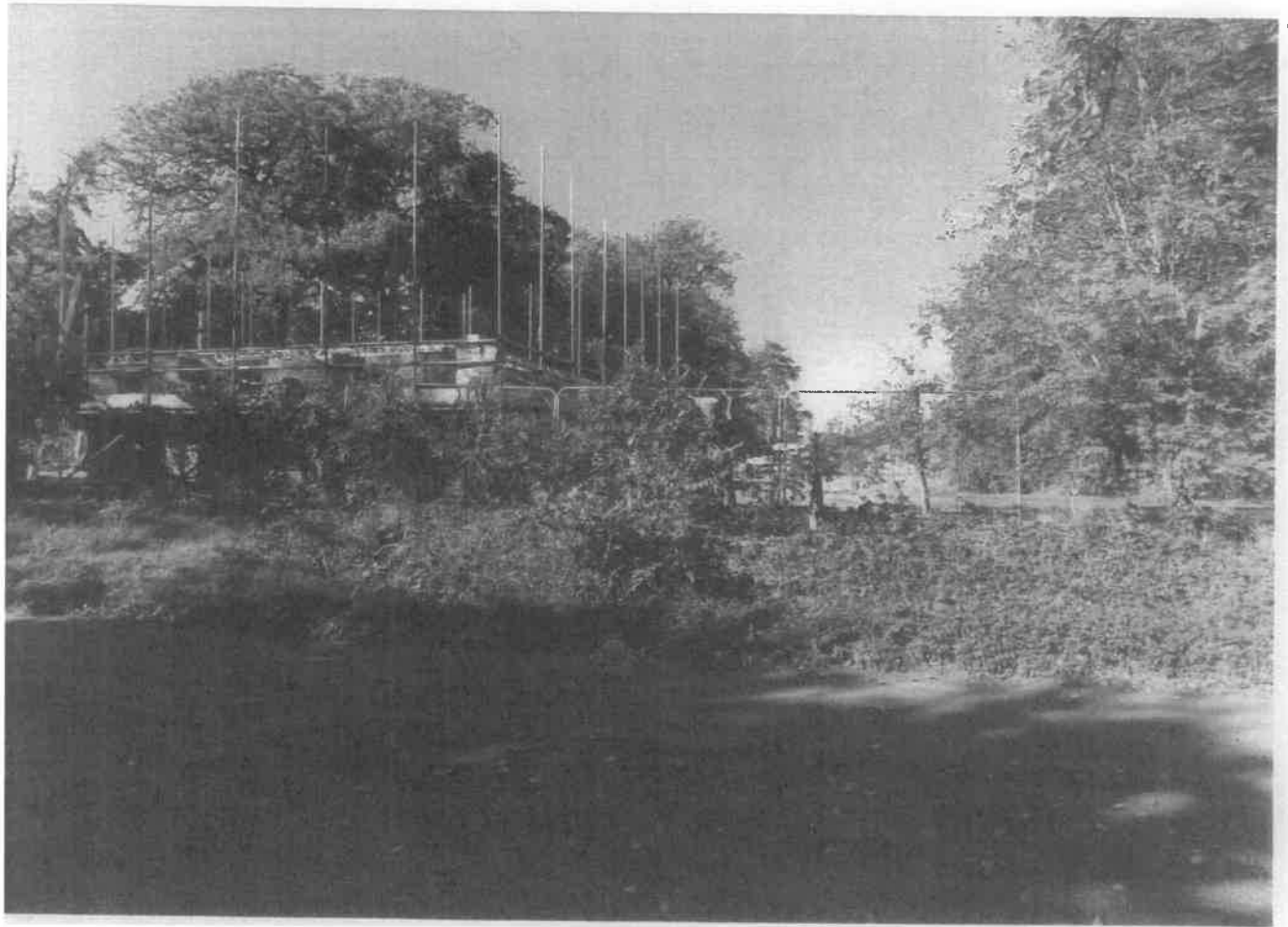














Internet Consultees

Application Reference **06/18/0436-0**

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name **Arnold & Lydia Westveer de Mul**

Address **Playfords Farm**

Tretts Lane

Fleggburgh

Post Code **NR293AT**

Telephone **[REDACTED]**

Email Address **[REDACTED]**

For or Against **OBJ** Object

Speak at Committee ☐

Dear Mr Minns

We wish to object to this application for the following reasons

1. The application is outside the local development plan for Fleggburgh
2. Fleggburgh has had more than its fair share of development approved recently, well in excess of government guidelines for a small village with very poor amenities.
3. Fleggburgh has a poor road infrastructure particularly where the proposed development exits onto Rollesby road and into the village which is considered treacherous particularly during rush hour traffic.
4. The proposed development backs onto Tretts Lane / Tretts Lake which is a quiet rural area with an abundance of

Date Entered **28-09-2018**

Internet Reference **OWPC1949**

Internet Consultees

Application Reference 05/18/0436/0

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name Arnold & Lydia Westveer de Mul

Address Playfords Farm

Tretts Lane

Fleggburgh

Post Code NR293AT

Telephone

Email Address

For or Against

OBJ Object

Speak at Committee

3. Fleggburgh has a poor road infrastructure particularly where the proposed development exits onto Rolesby road and into the village which is considered treacherous particularly during rush hour traffic.

4. The proposed development backs onto Tretts Lane / Tretts Loke which is a quiet rural area with an abundance of wildlife. Some residents have lived here in excess of 30 years and chose this area for a reason. To develop a housing estate which we note is classified by GYBC as a major development would totally change this environment. Concluding we strongly object to this development

Best regards

Arnold & Lydia Westveer de Mul

Date Entered 28-09-2018

Internet Reference OWPC1949

S.

Brickle Hatch
Tretts Lane
Fleggburgh
Great Yarmouth
NR29 3AT

Planning Officer
Great Yarmouth Borough Council

25th November 2018

Dear Sir,

Reference: Planning Application 06/18/0436/O
Residential development of 13 dwellings with estate road, private drive, garages and parking

Further to our previous objection to the above development we feel we must respond to the assertions and claims in recent letters from the applicant's estate agent.

There are a total of 19 houses where planning consent has been given in Fleggburgh, these are Church View 06/16/0790/F 5 dwellings, Tretts Lane 06/17/0479/F 1 dwelling, Rollesby Rd 06/15/0705/F 9 dwellings and Rollesby Rd 06/18/0133/F 4 dwellings. None of these developments have yet been completed and until an assessment can be made on the impact on services, roads, drainage and amenities we do not see how it can be asserted that further development will not have an adverse effect on some or all of these.

At the risk of being emotive the reported assertion attributed to the applicant that there is "no intention to remove any trees under this application" is of no reassurance whatsoever. In fact the statement has the same value as "there are no current plans". Unless there is a TPO issued to protect the stands of trees and hedges I suspect they will go the same way as the trees and hedges to the front and side of the applicant's current building plot of 4 dwellings.

With regard to Dr Rogers' surgery and the likely impact, we think it would be a fair assumption that a good proportion of any new residents would be minded to use the surgery a few hundred yards away from their doorstep than one 6 miles away.

Whilst it is true that Fleggburgh is a "secondary" village and must take its fair share of development the Borough Council's proposed development plan for 2020 states "However, owing to the significant number of completions, planning permissions and an allowance for windfall across the Secondary and Tertiary Villages (of which Fleggburgh already contributes significantly), there is little remaining housing need."

We are surprised that it has been reported that the applicant has assured Mr Duffield that he (the applicant) is unaware of any application and subsequent refusals. We have reproduced below the refusal by the council for a residential development previously applied for by the applicant on the southern part of this site. The application states Tretts Lane as this was the exit point for the development, the site, however, is the same:-

THE BOROUGH OF GREAT YARMOUTH Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION Part 1 - Particulars of Application

Reference No :- 06/05/0197/O Submitted :- 15th March

2005

New House (land at) Two detached dwellings with Tretts Lane garages Fleggburgh Great Yarmouth

Agent :Architectural Draughting Mr F Brown c/o Mr B Willmott New House 17 Hall Quay Tretts Lane Great Yarmouth Fleggburgh NR30 1HJ Great Yarmouth

Part 2 - Particulars of Decision The Great Yarmouth Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act, 1990 that permission has been refused for the carrying out of the development referred to in Part 1 hereof for the following reasons:

Policy HOU10 of the adopted Great Yarmouth Borough-Wide Local Plan states that permission for new dwellings in the countryside will only be given if required in connection with agriculture, forestry, organised recreation, or the expansion of existing institutions. The proposal is contrary to this policy in that the site is outside the "Village Development Limit" for Fleggburgh as defined in the Local Plan and isolated from any other concentration of development. Moreover, the case that has been put forward in support of the proposal is insufficient to justify a departure from national and local policies designed to protect the countryside.

The site of the proposal is within an area designated in the adopted Great Yarmouth Borough-Wide Local Plan as "Landscape Important to the Setting of Settlements" where the Borough Council will permit development provided a developer can demonstrate essential need or that the development would not impinge on the physical separation between settlements, or give rise to any other significant adverse impact. The proposal is contrary to this policy (Policy NNV5) in that the Borough Council considers that essential need has not been established and that the erection of two dwellings in the location proposed would consolidate a small scatter of development in the countryside beyond the main built-up area of the village to the detriment of the setting of the settlement. Furthermore, the site falls within an area designated in the Local Plan as "Landscape Important to the Broadland Scene" where the Borough Council will only permit development that would not have a significant adverse impact on the landscape character of the area (Policy NNV2 refers). For the reasons already given the proposal is also considered to be contrary to this policy.

3. Tretts Lane is unsuitable to serve the development proposed by reason of its restricted width, lack of passing provision, poor alignment and the severely restricted visibility at its junction with the C457 Rollesby Road. Consequently, if permitted, the proposal would be likely to result in hazard and danger to road users contrary to Policy TCM13 of the adopted Great Yarmouth Borough-Wide Local Plan, the objective of which is to ensure that new development does not prejudice highway safety or the free flow of traffic.

Date: 17th May 2005

Head of Planning & Development Maltings House, Malthouse Lane, Gorleston, Great Yarmouth.

We would also like to reiterate our previous objection that the proposed site is in the countryside, outside the current and proposed development plan areas and is "Landscape Important to the Broadland Scene".

Yours faithfully,

E J & B A Coleman

Mr David Dockerty

Willow Tree Farm

Tretts Lane

Fleggburgh

NR293AT

14th December 2018

Dear Councillor

Fleggburgh: 06/18/0436/0 Objection to application of outline planning permission of 13 dwellings at New House (land adj) off Rollesby Road, Fleggburgh, Great Yarmouth.

Please note my OBJECTION to this planning application as listed below.

Firstly thank you kindly for taking your time during this festive period to read my letter. This time last year my wife and I moved into our current house with our young children after leaving the bright city lights to live an alternative lifestyle. What drew us to this property was the seclusion, tight community and lack of light and sound pollution. We've since got to know our neighbours and I can't tell you enough how much stress and anxiety this application has caused.

I would also like to draw your attention to some very serious considerations which I've noted below:

- The application in question is outside the proposed development plan for the area- which was a critical selling point in our move.
- There is a chronic lack of village amenities in Fleggburgh and this site is away from the centre of the village. There is no village shop, The Doctors surgery is already 15% over subscribed and there are a lack of public footpaths alongside the roads.
- This proposal is SO far out of keeping with the surrounding natural capital.
- The roads in Fleggburgh are just not designed for extra traffic, they are used heavily by tractors and horses, they are tight and often require pulling over to pass on coming vehicles. They are not well lined with pathways, it's almost as if development in the area is blindly going ahead without any real structure, plan or safety being put in place.
- The area is a haven for wildlife. And if you look online you will see an objection from CPRE (Campaign to Protect Rural England)

Practical and legal issues aside the truth is this application would rip into the heart of the neighbouring community. Only a few years ago a resident in the area had his application for a horse stable rejected on the grounds of light pollution. And the current applicant had his previous attempt for six houses declined. Which begs the very real question of do we really need new houses that much that this area is now a viable option?? If new builds really are necessary surely adding to the areas already being developed on would offer the least destructive avenue.

I beg and plead with you to fight for the surviving areas that make the Norfolk countryside what it is, what makes us differentiate from the soulless suburban villages that are springing up everywhere. People walk dogs around here, my children and their friends are taking their first strides in learning how to ride a bike with just the noise of nature in the background. Farmers drive tractors up and down the road. Deer's walk through the garden, neighbours stop and chat with each other, on a clear night there are endless stars on display. Once this is lost it's very hard, possibly impossible to restore. There are owls, bats and countless amphibians living in the dykes that feed into the trinity broads. With all the will in the world these animals need somewhere. And this is currently a place for them and for us to appreciate and enjoy.

Thank you so much for your time and if I can be of any extra assistance in this proposal please don't hesitate to contact me.

Many thanks, and kind regards,

David Dockerty

Contact Mark Duffield
DDI 01493 849112
Email mark.duffield@aldreds.co.uk



29th October 2018

Our Ref: MOD/sjb
Your Ref:

Great Yarmouth
Borough Council

01 NOV 2018

Planning
Department

Garden Room
Star & Garter House
Row 57
Great Yarmouth
Norfolk NR30 1HS

GREAT YARMOUTH BOROUGH COUNCIL
PLANNING SERVICES
Town Hall
Hall Plain,
GREAT YARMOUTH
Norfolk
NR30 2QF

t 01493 853853
e danbypatterson@aldreds.co.uk
w www.aldreds.co.uk

For the attention of: Mrs. Gemma Manthorpe

Dear Mrs. Manthorpe,

**PROPOSED RESIDENTIAL DEVELOPMENT OF 13 DWELLINGS OFF ROLLESBY ROAD
ADJACENT NEW HOUSE, TRETT'S LANE, FLEGGBURGH, GT. YARMOUTH, NR29 3AT
Planning Ref: 06/18/0436/0**

The applicant for the above, Mr. Frank Brown, has asked me to comment on the general objections raised by neighbours in the vicinity of the application site.

Much concern has been raised over the adequacy of the proposed estate road junction with Rollesby Road. This junction and the proposed estate road were included in the prior advice discussions, which took place between the applicant's agent, the Highways Officer and the Planning Officer, at the time of the consultations regarding the four dwellings, currently under construction, fronting Rollesby Road. Consideration of visibility splays and adequate width for a new estate road in place of the existing track were discussed and a favourable response was obtained from the Highways Officer.

The removal of trees and loss of habitat is a very emotive subject by the objectors. The outline proposals drawing and the Design and Access statement clearly indicate there is no intention to remove any trees under this application, indeed, the proposals drawing show an increase in green planting in the centre of the site bounded by the private drive.

The impact of drainage on Trett's Loke/Lane is also of concern. Rupert Evans, of Evans Rivers and Coastal, has carried out a Flood Risk Assessment on the application site and has concluded that no mitigating measures need to be undertaken to overcome flooding issues. However, at Reserved Matters application stage, we are conscious that services, such as surface water drainage, need special consideration and it is hoped that specific measures will be employed, such as, permeable surfacing, where appropriate, and grey water harvesting.

Mention has been made of previous refusals of applications for residential development on this particular site; the applicant assures me that he has owned the site for thirty years and he is unaware of any such applications and subsequent refusals.



Danby Patterson Limited trading as Aldreds Chartered Surveyors
Registered in England. Reg. No. 08211367 Registered Office: 66 North Quay, Great Yarmouth, Norfolk NR30 1HE

Would you please note separate correspondence addressing observations made by Strategic Planning and NHS [Great Yarmouth and Waveney] Clinical Commissioning Group.

We have not commented on correspondence from Natural England, The Environment Agency and Norfolk Constabulary as they do not appear to raise any objections.

Yours sincerely



Mark Duffield BSc, FRICS
Director
Enc

Contact Mark Duffield
DDI 01493 849112
Email mark.duffield@aldreds.co.uk



29th October 2018

Our Ref: MOD/sjb
Your Ref:

GREAT YARMOUTH BOROUGH COUNCIL
PLANNING SERVICES
Town Hall
Hall Plain
GREAT YARMOUTH
Norfolk
NR30 20F

Great Yarmouth
Borough Council

01 NOV 2018

Planning
Department

Garden Room
Star & Garter House
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Norfolk NR30 1HS

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Dear Mrs Manthorpe

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Planning Ref: 06/18/0436/0

The applicant for the above, Mr. Frank Brown, has asked me to comment on the information and inaccuracies contained in the letter, sent to your department, from the NHS Great Yarmouth and Waveney Clinical Commissioning Group, dated 11th October, 2018.


The statement of 'At the moment there is [sic] 3 other developments being built 2 in Fleggburgh consisting of 20 dwellings and 1 in Thurne consisting of 19 dwellings' is inaccurate for the following reasons; the two sites currently under construction in Fleggburgh are for nine and four dwellings and the application at Thurne, as your department will be aware, is at Outline Planning stage only and, as such, is not in a state to proceed. Furthermore, the number of residential units for the Thurne development is given as 19, whereas, the actual number of residential dwellings applied for is six, with ten proposed for holiday use.

Dr. Rogers' surgery is in relatively close proximity to others at Acle, Caister, Martham, Hemsby and Ormesby and it is known that many Fleggburgh residents make use of these other facilities; conversely, some of Dr Rogers' patients are from outside the village, therefore it is not a statement of fact that any new development will impact directly on the surgery at Fleggburgh.

Fleggburgh is a secondary village and, as such, must expect some housing development to meet the allocation proposed in the Local Plan. This application, if approved, will assist in meeting the requirement and limit the amount of future development in the village.

Thank you for your time in considering our reply to the objections raised in the aforementioned letter.

Yours sincerely,


Mark Duffield BSc, FRICS
Director
Enc

Cc Nickie Watts — Primary Care Transformation Officer NHS Great Yarmouth and Waveney, Clinical Commissioning Group, Beccles House, 1 Common Lane North, BECCLES, NR34 9BN



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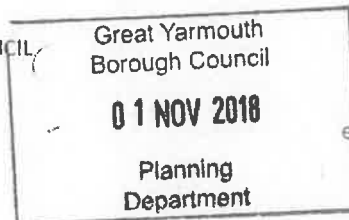
Contact Mark Duffield
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29th October 2018

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Dear Mrs. Manthorpe

PROPOSED RESIDENTIAL DEVELOPMENT OF 13 DWELLINGS OFF ROLLESBY ROAD ADJACENT
NEW HOUSE, TRETTS LANE, FLEGGBURGH, GT. YARMOUTH, NR29 3AT. Planning Ref:
06/18/0436/00

The applicant for the above, Mr. Frank Brown, has asked me to comment on the queries raised in the Strategic Planning observations sent to your department on 12th October 2018.


The adequacy of the proposed vehicular access is questioned. This access was discussed and agreed as part of the scheme for four dwellings, fronting Rollesby Road and currently under construction, with an achievable width of 11.0 metres, which is more than adequate for the provision of an adoptable standard estate road with footpath.

The bowling green, noted in paragraph three of the consultation, was a private club for the use of subscription paying members only. Its use ceased approximately two years ago, however, Fleggburgh village bowling green is still in operation.

With regard to the concern over the 'deliverability of this site'. The applicant has already been given assurances of interest in this site from third parties and, subject to a favourable outcome of this application and the subsequent Reserved Matters application, an early start would be greatly anticipated.

I would further comment that the support of the Strategic Planning Team is very welcome and every effort will be made on the part of the applicant to ensure that this development will proceed in good faith, if approved.

Yours sincerely


Mark Duffield BSc, FRICS
Director
Enc



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SCALE: 1-500 at A3



1-500
SCALE
0 5m 10m 15m 20m

LEGEND

DWELLING NO. 1, 2, 3, 4 2/3 BED HOUSE

5, 6 3 BED HOUSE

7, 8 3/4 BED HOUSE

9, 10, 11 3/4 BED CHALET

12, 13 3 BED BUNGALOW

SG SINGLE GARAGE

INTERNAL DIMENSIONS 7.0M X 3.0M

DG DOUBLE GARAGE

INTERNAL DIMENSIONS 7.0M X 6.0M

EQUALS 1 NO. PARKING SPACE

(1 DG DENOTES INTEGRAL DOUBLE GARAGE)

PARKING SPACE 2.40 X 4.80M

PP PASSING PLACE

PRIVATE DRIVE TO BE MIN. 4.50M WIDE TO ALLOW

ACCESS FOR EMERGENCY AND SERVICE VEHICLES

PROPOSED RESIDENTIAL

DEVELOPMENT OF LAND

ADJOINING NEW HOUSE

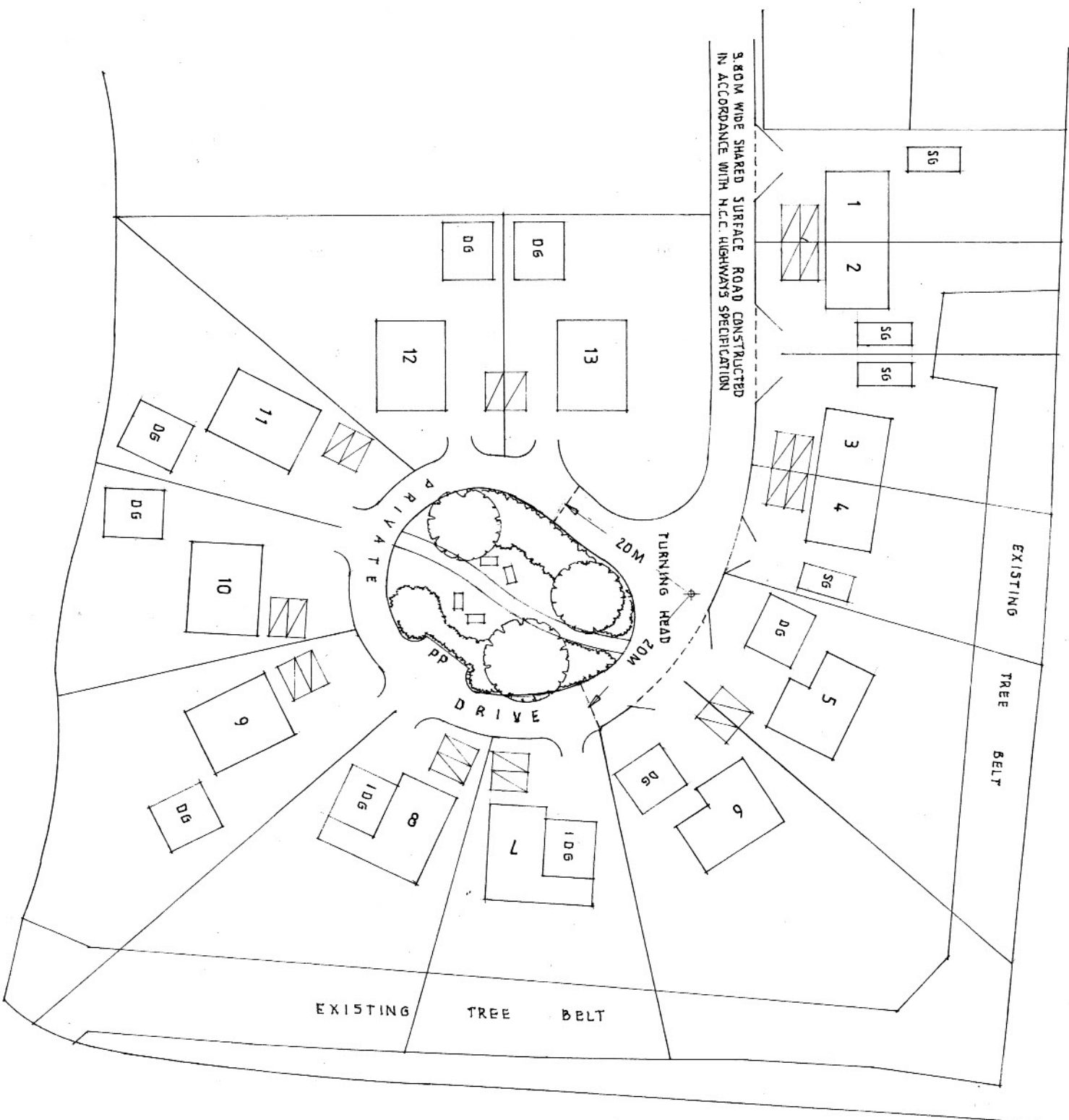
OFF ROLLESBY ROAD,

FLEGGBURGH, GT. YARMOUTH.

PROPOSED OFF ROAD

PARKING AND TURNING

HEAD DETAILS



**ARCHITECTURAL
DRAWING**

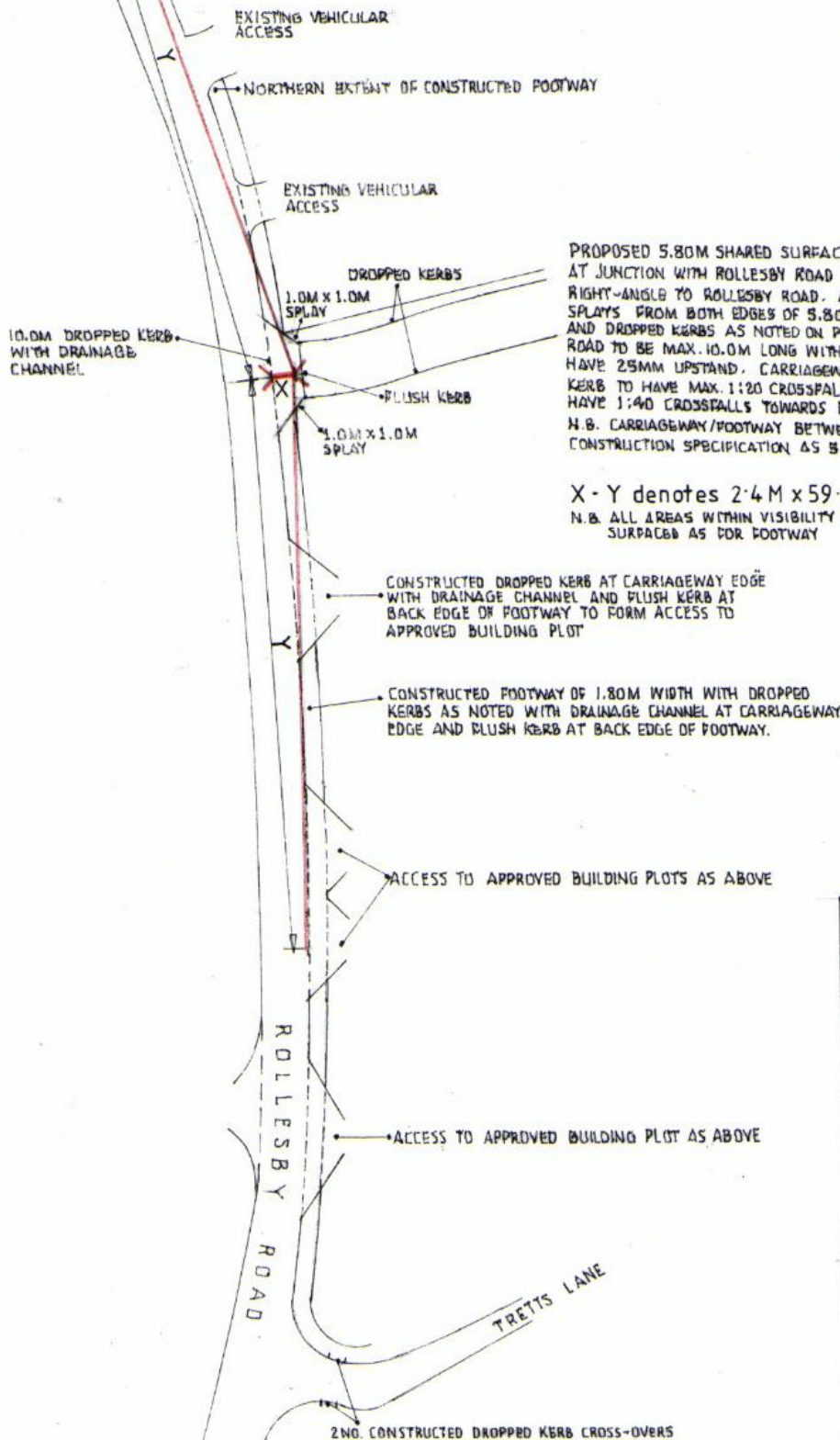
Bernard Willmott 17 Hall Quay, Great Yarmouth, Norfolk NR30 1HT
Tel: 01 493 838376

Drawn	Date	Scale	Ref
B WILLMOTT	OCT 2019	AS SHOWN	2315.03

SCALE: 1-500 at A3



1-500
SCALE



PROPOSED 5.80M SHARED SURFACE ROAD GIVING ACCESS TO PROPOSED DWELLINGS AT JUNCTION WITH ROLLESBY ROAD PROVIDE 6.0M OF FOOTWAY/CARRIAGEWAY AT RIGHT-ANGLE TO ROLLESBY ROAD. AT BACK EDGE OF FOOTWAY PROVIDE 1.0M x 1.0M SPLAYS FROM BOTH EDGES OF 5.80M SHARED SURFACE ROAD. PROVIDE FLUSH KERB AND DROPPED KERBS AS NOTED ON PLAN. DROPPED KERB AT JUNCTION WITH ROLLESBY ROAD TO BE MAX. 10.0M LONG WITH DRAINAGE CHANNEL. ALL DROPPED KERBS TO HAVE 25MM UPSTAND. CARRIAGEWAY/FOOTWAY BETWEEN FLUSH KERB AND DROPPED KERB TO HAVE MAX. 1:20 CROSSFALL TOWARDS ROLLESBY ROAD. OTHER FOOTWAYS TO HAVE 1:40 CROSSFALLS TOWARDS ROLLESBY ROAD.
N.B. CARRIAGEWAY/FOOTWAY BETWEEN FLUSH KERB AND ROLLESBY ROAD TO BE OF SAME CONSTRUCTION SPECIFICATION AS 5.80M SHARED SURFACE ROAD.

X-Y denotes 2.4 M x 59.0M visibility splay shown red
N.B. ALL AREAS WITHIN VISIBILITY SPLAYS BEYOND BACK EDGE OF FOOTWAY TO BE SURFACED AS FOR FOOTWAY

PROPOSED RESIDENTIAL
DEVELOPMENT OF LAND
ADJOINING NEW HOUSE,
OFF ROLLESBY ROAD,
FLEGGBURGH, GT. YARMOUTH.

ROLLESBY ROAD FOOTWAY,
TRETTS LANE AND ESTATE
ROAD JUNCTIONS DETAILS

**ARCHITECTURAL
DRAUGHTING**

Bernard Willmott 17 Hall Quay, Great Yarmouth, Norfolk NR30 1HJ
Tel: Gt. Yarmouth 01493 858576

Drawn	Date	Scale	Ref
B WILLMOTT	OCT 2019	AS SHOWN	2515.02

Public Highway
Hatched Green

Highway Boundary follows
road-side edge of original
drainage ditch

Lilac Cottage

Rose Cottage

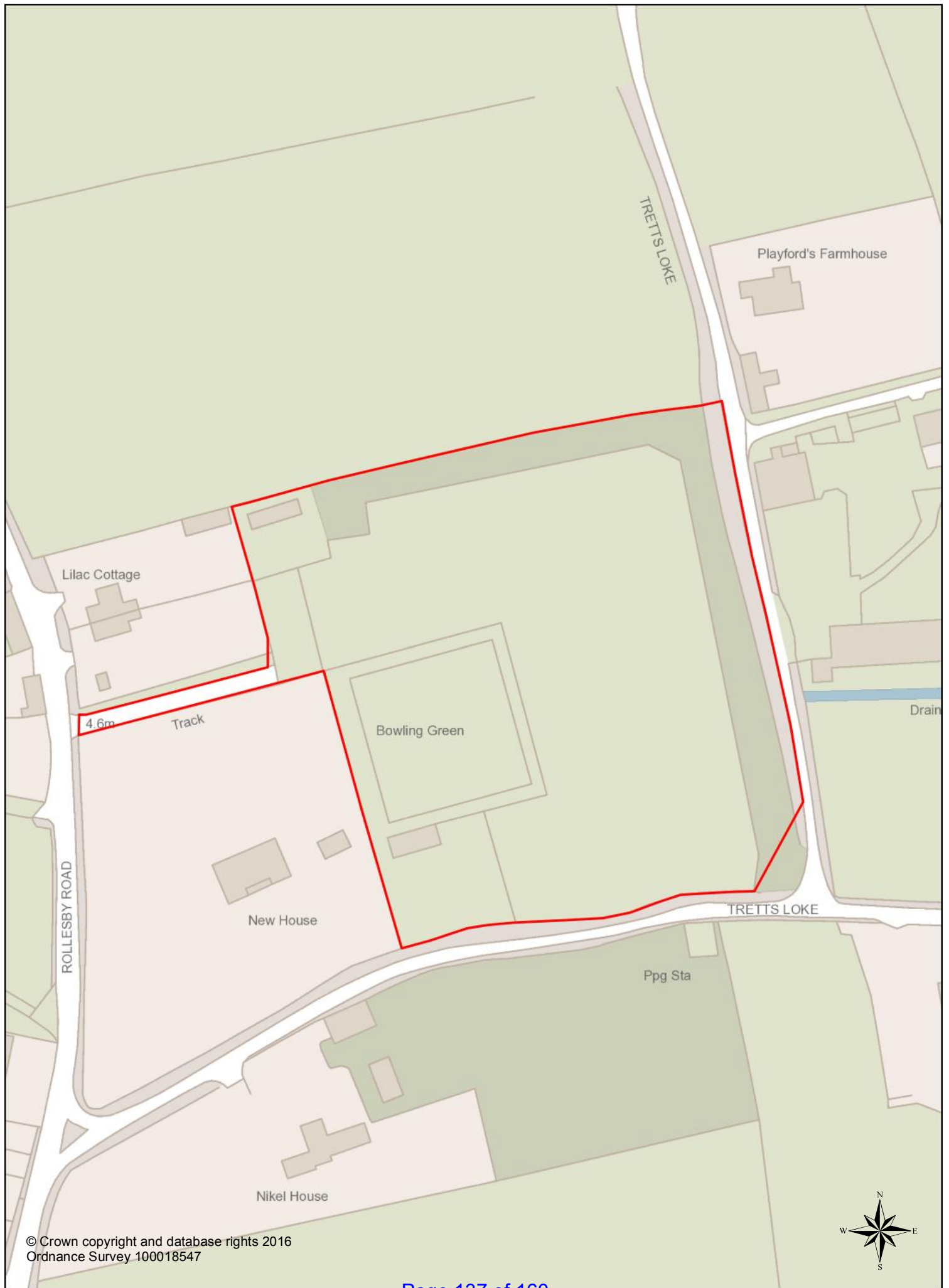
The Shrubbery

4.6m

Track

Rolesby Rd, Flegburgh

1:500



**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0544/F
PARISH	Belton & Browston 10
PROPOSAL	Proposed cart shed
SITE	Five Acres Cherry Lane Browston
APPLICANT	GREAT YARMOUTH
DECISION	Mr & Mrs Riseborough APPROVE
<hr/>	
REFERENCE	06/19/0553/F
PARISH	Belton & Browston 10
PROPOSAL	Proposed erection of self- build 4 bed detached house
SITE	Fairview Farm Stepshort
APPLICANT	Belton GREAT YARMOUTH
DECISION	Mr A Edwards APPROVE
<hr/>	
REFERENCE	06/19/0554/F
PARISH	Belton & Browston 10
PROPOSAL	Proposed erection of externally cladded outbuilding
SITE	131 Station Road North Belton
APPLICANT	GREAT YARMOUTH
DECISION	Mr S Bricknell APPROVE
<hr/>	
REFERENCE	06/19/0571/F
PARISH	Belton & Browston 10
PROPOSAL	Installation of metal storage container
SITE	New Road Sport & Leisure Centre New Road Belton
APPLICANT	GREAT YARMOUTH
DECISION	Belton with Browston PC APPROVE
<hr/>	
REFERENCE	06/19/0490/F
PARISH	Bradwell N 1
PROPOSAL	Proposed construction of single storey extension for use as hairdressing salon
SITE	8 Turner Close Bradwell
APPLICANT	GREAT YARMOUTH
DECISION	Mr & Mrs Cover APPROVE
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0546/CU
PARISH	Bradwell N 1
PROPOSAL	Change of use from B1 business use to D1 childrens nursery
SITE	The Compass Building James Watt Close Bradwell GREAT YARMOUTH
APPLICANT	Ms J Youngs
DECISION	APPROVE
<hr/>	
REFERENCE	06/19/0605/F
PARISH	Bradwell N 1
PROPOSAL	Proposed front porch and shower room extension
SITE	31 Sparrow Close Bradwell GREAT YARMOUTH
APPLICANT	Mr & Mrs Watts
DECISION	APPROVE
<hr/>	
REFERENCE	06/19/0615/F
PARISH	Bradwell N 1
PROPOSAL	Two storey side and single storey front extension
SITE	9 Jasmine Gardens Bradwell GREAT YARMOUTH
APPLICANT	Mr S Logan
DECISION	APPROVE
<hr/>	
REFERENCE	06/19/0627/F
PARISH	Bradwell N 1
PROPOSAL	Variation of condition 2 of Planning Permission 06/15/0633/F - Changes to approved plan
SITE	32 Blake Drive Bradwell GREAT YARMOUTH
APPLICANT	Mr & Mrs Holmes
DECISION	APPROVE
<hr/>	
REFERENCE	06/17/0790/D
PARISH	Bradwell S 2
PROPOSAL	Approval of reserved matters for 9 dwellings in Phase 1 - Approved under 06/13/0703/O
SITE	Meadowland Drive (Land South of) (Caraway Drive (Land South of)) Bradwell GREAT YARMOUTH
APPLICANT	Mr D King
DECISION	APP. DETAILS
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/18/0501/D
PARISH	Bradwell S 2
PROPOSAL	Approval of reserved matters for 39 dwellings in phase 2 - Approved under 06/13/0703/O
SITE	Caraway Drive (land south of) Bradwell GREAT YARMOUTH
APPLICANT	D M King Ltd
DECISION	APP. DETAILS

REFERENCE	06/19/0563/PDE
PARISH	Bradwell S 2
PROPOSAL	Notification for Prior Approval for a Proposed Larger Home Extn - Convert extension to utility room and study
SITE	4 Headington Close Bradwell GREAT YARMOUTH
APPLICANT	Mrs T Bitters
DECISION	PERMITTED DEV.

REFERENCE	06/19/0577/NMA
PARISH	Bradwell S 2
PROPOSAL	Non-Material Amendment of Planning Permission 06/18/0026/D - Amend red line plan submitted and approved
SITE	Wheatcroft Farm Bradwell GREAT YARMOUTH (Land at South Bradwell)
APPLICANT	Persimmon Homes (Anglia)
DECISION	APPROVE

REFERENCE	06/19/0583/F
PARISH	Bradwell S 2
PROPOSAL	Proposed demolition of existing building and erection of 6 new dwellings
SITE	21 Crab Lane Bradwell GREAT YARMOUTH
APPLICANT	Tredwell Developments Ltd - Mr D Smith
DECISION	REFUSED

REFERENCE	06/19/0607/F
PARISH	Bradwell S 2
PROPOSAL	Erection of single storey dwelling and all associated works
SITE	Tudor Lodge (rear of) Marguerite Close Bradwell GREAT YARMOUTH
APPLICANT	Mr A Edwards
DECISION	REFUSED

PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/19/0472/F
PARISH	Burgh Castle 10
PROPOSAL	Proposed construction of vehicular access
SITE	The Hatchery Market Road Burgh Castle GREAT YARMOUTH
APPLICANT	P.D. Hook Ltd
DECISION	REFUSED
<hr/>	
REFERENCE	06/19/0503/F
PARISH	Burgh Castle 10
PROPOSAL	Permission for a self-build 5 bedroomed detached house with garaging
SITE	Three Ways (land adj.) Mill Road Burgh Castle GREAT YARMOUTH
APPLICANT	Miss T Manguzi
DECISION	REFUSED
<hr/>	
REFERENCE	06/19/0545/CD
PARISH	Burgh Castle 10
PROPOSAL	DOC 8 and 11 of PP 6/18/0247/F - COU of arable land for expansion to exiting holiday park, 107 caravan bases
SITE	Cherry Tree Holiday Park Mill Road Burgh Castle GREAT YARMOUTH
APPLICANT	Parkdean Resorts Limited
DECISION	APPROVE (CONDITIONS)
<hr/>	
REFERENCE	06/19/0552/F
PARISH	Burgh Castle 10
PROPOSAL	Proposed extension to respite centre
SITE	The Gannel High Road Burgh Castle GREAT YARMOUTH
APPLICANT	Burgh House Development Ltd
DECISION	APPROVE
<hr/>	
REFERENCE	06/19/0557/F
PARISH	Burgh Castle 10
PROPOSAL	Conversion of existing garage and rear extension to form orangery. Proposed detached garage
SITE	Treetops High Road Burgh Castle GREAT YARMOUTH
APPLICANT	Mr & Mrs Titterington
DECISION	APPROVE
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0160/CD
PARISH	Caister On Sea 4
PROPOSAL	Discharge of condition nos 3, 4, 5 & 11 of planning permission 06/16/0279/F (chalet bungalow)
SITE	5 Cooper Close Caister GREAT YARMOUTH
APPLICANT	Mr M Phillips
DECISION	APPROVE (CONDITIONS)

REFERENCE	06/19/0463/O
PARISH	Caister On Sea 4
PROPOSAL	Construction of a single dwelling
SITE	The Black Barn Front Road West Caister GREAT YARMOUTH
APPLICANT	Mr H Rodbourne
DECISION	APPROVE

REFERENCE	06/19/0537/F
PARISH	Caister On Sea 4
PROPOSAL	Proposed front kitchen extension and first floor side bathroom extension
SITE	32 Clay Road Caister GREAT YARMOUTH
APPLICANT	Mrs K Morelli
DECISION	APPROVE

REFERENCE	06/19/0550/F
PARISH	Caister On Sea 4
PROPOSAL	Retrospective application for erection of summer house and flat-roofed outside area
SITE	35 Yarmouth Road April Cottage Caister GREAT YARMOUTH
APPLICANT	Mr L Hurren
DECISION	APPROVE

REFERENCE	06/19/0569/F
PARISH	Caister On Sea 4
PROPOSAL	Conversion of external seating area to provide external covered food deck
SITE	Seashore Holiday Park North Drive GREAT YARMOUTH (Parish of Caister)
APPLICANT	Bourne Leisure Limited
DECISION	APPROVE

PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/19/0570/CD
PARISH	Caister On Sea 4
PROPOSAL	Discharge of condition 11 of Planning Permission 06/18/0701/F in respect of Aboricultural Method Statement
SITE	56, 56A and 58 High Street Caister GREAT YARMOUTH
APPLICANT	Wright Properties of EA Ltd
DECISION	APPROVE (CONDITIONS)

REFERENCE	06/19/0177/O
PARISH	Filby 6
PROPOSAL	Proposed self build detached barn style dwelling with detached double garage
SITE	Market Lane (Land off) Filby GREAT YARMOUTH
APPLICANT	Mr M J Barnett
DECISION	REFUSED

REFERENCE	06/19/0555/F
PARISH	Filby 6
PROPOSAL	To create a new private entrance to the property that currently has a shared access
SITE	Summerfield House Main Road Filby GREAT YARMOUTH
APPLICANT	Mr D Hipperson
DECISION	APPROVE

REFERENCE	06/19/0556/F
PARISH	Filby 6
PROPOSAL	Pro.C.O.U of single dwelling hse to self contained annex to be used as a holiday let & ext of extg summer hse for hol.let
SITE	Black Barn Market Lane Filby GREAT YARMOUTH
APPLICANT	Mr P Thompson
DECISION	APPROVE

REFERENCE	06/19/0371/F
PARISH	Fleggburgh 6
PROPOSAL	Construction of 6 no. detached dwellings and garages
SITE	Church View (Land rear of) Fleggburgh GREAT YARMOUTH
APPLICANT	BGW Dev. Ltd and Mr & Mrs Tibbenham
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0575/PAD
PARISH	Fleggburgh 6
PROPOSAL	Prior for approval of i) erect a bunded sprayer wash down area with roof structure over ii) re-concreting farmyard
SITE	Marsh Road Fleggburgh
	GREAT YARMOUTH
APPLICANT	Mr Roper
DECISION	APPROVE

REFERENCE	06/19/0591/F
PARISH	Fleggburgh 6
PROPOSAL	Variation of condition 5 of PP: 06/17/0777/F - Erection of vehicular and pedestrian gates to plot 1
SITE	White Gates Main Road Fleggburgh
	GREAT YARMOUTH
APPLICANT	Mr D Parkinson
DECISION	APPROVE

REFERENCE	06/19/0616/F
PARISH	Fleggburgh 6
PROPOSAL	Ground floor front and first floor extensions and detached single garage
SITE	Glenross Church Lane Clippesby
	GREAT YARMOUTH
APPLICANT	Mr & Mrs Lindsay
DECISION	APPROVE

REFERENCE	06/19/0617/F
PARISH	Fleggburgh 6
PROPOSAL	Ground floor front and first floor extensions and detached single garage
SITE	Galbraith Church Lane Clippesby
	GREAT YARMOUTH
APPLICANT	Mr & Mrs Lindsay
DECISION	APPROVE

REFERENCE	06/19/0228/F
PARISH	Fritton/St Olaves 10
PROPOSAL	Stationing of static caravan to be used as an Annexe
SITE	Landscape New Road Fritton
	GREAT YARMOUTH
APPLICANT	Mr L Brown
DECISION	REFUSED

PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/19/0532/F
PARISH	Great Yarmouth 5
PROPOSAL	Renew PP: 06/18/0557/F - Vary condition 1 of 06/17/0600/F - Allow petrol station to open from 5am to midnight x 7 days
SITE	White Horse Filling Station Beccles Road Gorleston GREAT YARMOUTH
APPLICANT	Motor Fuel Group
DECISION	APPROVE
<hr/>	
REFERENCE	06/19/0534/F
PARISH	Great Yarmouth 7
PROPOSAL	Proposed single storey rear extension
SITE	34A Youell Avenue Gorleston GREAT YARMOUTH
APPLICANT	Mr Leighton
DECISION	APPROVE
<hr/>	
REFERENCE	06/19/0559/F
PARISH	Great Yarmouth 7
PROPOSAL	Removal of conservatory and erection of single storey rear extension, plus two storey side extension
SITE	19 Yallop Avenue Gorleston GREAT YARMOUTH
APPLICANT	Mr & Mrs Jones
DECISION	APPROVE
<hr/>	
REFERENCE	06/19/0594/F
PARISH	Great Yarmouth 7
PROPOSAL	Proposed single storey rear extension
SITE	27 Youell Avenue Gorleston GREAT YARMOUTH
APPLICANT	Mr & Mrs Baker
DECISION	APPROVE
<hr/>	
REFERENCE	06/19/0611/A
PARISH	Great Yarmouth 7
PROPOSAL	Installation of replacement illuminated and non-illuminated signs to the exterior of the building
SITE	Captain Manby Guinevere Road Beacon Park Gorleston GREAT YARMOUTH
APPLICANT	Toby Carvery
DECISION	ADV. CONSENT
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0479/F
PARISH	Great Yarmouth 9
PROPOSAL	Proposed extn to acc.1 class III/IV MOT testing bay 2 service bays with ele.alts to extg showrm & demo.of wkshop
SITE	Mitchells Renault Suffolk Road GREAT YARMOUTH Norfolk
APPLICANT	Mitchells Renault
DECISION	APPROVE

REFERENCE	06/19/0515/A
PARISH	Great Yarmouth 9
PROPOSAL	Proposed advertisement signs
SITE	Mitchells Renault Suffolk Road GREAT YARMOUTH
APPLICANT	Mitchells Renault
DECISION	ADV. CONSENT

REFERENCE	06/19/0531/A
PARISH	Great Yarmouth 9
PROPOSAL	Proposed 1x 42" LCD media screen. 3 x 1250mm x 700mm flag pole signs
SITE	Tesco Pasteur Road GREAT YARMOUTH
APPLICANT	Tesco
DECISION	ADV. CONSENT

REFERENCE	06/19/0542/F
PARISH	Great Yarmouth 9
PROPOSAL	Drive thru cafe/restaurant (Class A1/A3/A5) ass servicing ,landscaping & external seats; reconfigure carpark & ass work
SITE	Pasteur Retail Park Thamesfield Way Great Yarmouth
APPLICANT	EOP II PROP CO. I S.A.R.L.
DECISION	APPROVE

REFERENCE	06/19/0600/F
PARISH	Great Yarmouth 11
PROPOSAL	Proposed one storey extension over existing ground floor to form an additional bedroom
SITE	214 Brasenose Avenue Gorleston GREAT YARMOUTH
APPLICANT	Mr & Mrs Huang
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/18/0308/F
PARISH	Great Yarmouth 14
PROPOSAL	Remove fire surrounds, partitioned wall & access control door from 1st to 2nd flrs installed w/assoc int alterations
SITE	148 King Street GREAT YARMOUTH Norfolk NR30 2PA
APPLICANT	Change Grow Live Mr I Barrett
DECISION	REFUSED

REFERENCE	06/18/0309/LB
PARISH	Great Yarmouth 14
PROPOSAL	Remove fire surrounds, partitioned wall & access control dr from 1st to 2nd flr installed w/ass int alteration
SITE	148 King Street GREAT YARMOUTH Norfolk NR30 2PA
APPLICANT	Change Grow Live Mr I Barrett
DECISION	LIST.BLD.REFUSE

REFERENCE	06/18/0588/CU
PARISH	Great Yarmouth 14
PROPOSAL	Increase number of HMO rooms to eight (eight persons)
SITE	14 Crown Road GREAT YARMOUTH Norfolk
APPLICANT	GY Lets
DECISION	APPROVE

REFERENCE	06/18/0596/CD
PARISH	Great Yarmouth 14
PROPOSAL	Discharge of conditions 3 and 5 of Planning Permission 06/16/0784/F
SITE	33 Marine Parade Caesars Palace GREAT YARMOUTH
APPLICANT	Mr W Austrin
DECISION	APPROVE (CONDITIONS)

REFERENCE	06/19/0191/F
PARISH	Great Yarmouth 14
PROPOSAL	Erect 1st floor restaurant extension (A3) to existing restaurant and takeaway; the installation of A/C condensers
SITE	114A Regent Road Taco Bell GREAT YARMOUTH
APPLICANT	Taco-Time Limited
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/19/0238/LB**
PARISH Great Yarmouth 14
PROPOSAL Replacement of existing windows

SITE 51 King Street GREAT YARMOUTH
Norfolk
APPLICANT Mr S Talbot-Williams
DECISION **LIST,BLD.REFUSE**

REFERENCE **06/19/0450/F**
PARISH Great Yarmouth 14
PROPOSAL VoC 2 of PP-06/16/0593/F - Replace old drawings with new
& VoC 3 of PP06/16/0593/F - Res units changed from 14 to 12
SITE 35-36 South Quay Surgery South Quay
GREAT YARMOUTH
APPLICANT Minster Developments Ltd Eden
DECISION **APPROVE**

REFERENCE **06/19/0518/PDC**
PARISH Great Yarmouth 14
PROPOSAL Notification for Prior Approval for a Proposed Change
of Use - Convert 1st & 2nd flr offices to 2 two bed flats
SITE 23 Regent Street GREAT YARMOUTH
Norfolk
APPLICANT Duffield Ltd - Mr M Duffield
DECISION **APPROVE**

REFERENCE **06/19/0573/CU**
PARISH Great Yarmouth 14
PROPOSAL Change of use from residential property to holiday let

SITE 16 Nelson Road Central GREAT YARMOUTH
Norfolk
APPLICANT MHB Property Developments Ltd
DECISION **APPROVE**

REFERENCE **06/19/0574/CU**
PARISH Great Yarmouth 14
PROPOSAL Change of use to form 4 self contained flats

SITE 1 Selby Place GREAT YARMOUTH
Norfolk
APPLICANT Mr H Gray
DECISION **REFUSED**

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0597/F
PARISH	Great Yarmouth 14
PROPOSAL	Locating steel storage containers on forecourt
SITE	133 South Quay GREAT YARMOUTH Norfolk
APPLICANT	Mr S Moran
DECISION	APPROVE
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REFERENCE	06/18/0548/F
PARISH	Great Yarmouth 15
PROPOSAL	Installation of security shutters to front of cafeteria/restaurant
SITE	16 Regent Road La Continental GREAT YARMOUTH
APPLICANT	Mr R Farnese
DECISION	REFUSED
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REFERENCE	06/19/0078/F
PARISH	Great Yarmouth 15
PROPOSAL	Conversion of commercial premises with storage to residential and construction of adjoining 3 storey dwelling
SITE	10 & 11 Row 48 North Quay GREAT YARMOUTH
APPLICANT	Mr P Bonham
DECISION	APPROVE
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REFERENCE	06/19/0349/CD
PARISH	Great Yarmouth 15
PROPOSAL	Doc 3 & 4 of PP 6/14/761/F & 6/14/762/LB (cafe/storage/ residential) - doors/windows, fixtures & fittings & material
SITE	22 Market Place GREAT YARMOUTH Norfolk
APPLICANT	Miss D Kraus
DECISION	APPROVE (CONDITIONS)
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REFERENCE	06/19/0524/CD
PARISH	Great Yarmouth 15
PROPOSAL	Discharge of condition 3 of Planning Permission 06/18/0498/F - Contamination report
SITE	49A Northgate Street GREAT YARMOUTH Norfolk
APPLICANT	Mr R Simpson
DECISION	APPROVE (CONDITIONS)
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**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0561/F
PARISH	Great Yarmouth 15
PROPOSAL	Proposed rear single storey kitchen extn including pitched roofs to replace extg flat roofs on rear & side addition
SITE	108 Lawn Avenue GREAT YARMOUTH
APPLICANT	Norfolk
DECISION	Mr & Mrs Knights APPROVE

REFERENCE	06/19/0599/A
PARISH	Great Yarmouth 15
PROPOSAL	Proposed new fascia signs
SITE	Hollywood Cinema Marine Parade GREAT YARMOUTH
APPLICANT	Norfolk
DECISION	Gilligan ADV. CONSENT

REFERENCE	06/19/0603/CU
PARISH	Great Yarmouth 15
PROPOSAL	Change of use A1 to D2 - Escape rooms/puzzle rooms
SITE	45 Regent Road GREAT YARMOUTH
APPLICANT	Norfolk
DECISION	Mr S Colby APPROVE

REFERENCE	06/19/0609/CD
PARISH	Great Yarmouth 15
PROPOSAL	Discharge condition 4 of PP: 06/19/0337/F (Industrial Building) in respect of flood response plan
SITE	Trafalgar Yard Paddys Loke Eurocentre North River Road GREAT YARMOUTH
APPLICANT	Starlings Transport & Storage Ltd
DECISION	APPROVE (CONDITIONS)

REFERENCE	06/19/0491/F
PARISH	Great Yarmouth 19
PROPOSAL	Variation of condition 2 of Planning Permission
SITE	06/15/0209/F - Amendment to approved plan 9 Lovewell Road Gorleston GREAT YARMOUTH
APPLICANT	Mr C Colman
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/19/0547/F**
 PARISH Great Yarmouth 19
 PROPOSAL Enlarge existing dormer window
 SITE 4 Pier Gardens Coast Cottage
 Gorleston GREAT YARMOUTH
 APPLICANT Ms H Edmunds
 DECISION **APPROVE**

REFERENCE **06/19/0558/F**
 PARISH Great Yarmouth 19
 PROPOSAL Pro.2 storey side extn.2storey front porch.Replace white UPVC
 windows with anthracite grey & & replace pantiles with grey
 SITE 5 East Anglian Way Gorleston
 GREAT YARMOUTH
 APPLICANT Mr W Redmond
 DECISION **APPROVE**

REFERENCE **06/19/0608/F**
 PARISH Great Yarmouth 21
 PROPOSAL Proposed dropped kerb
 SITE 24 Beatty Road GREAT YARMOUTH
 Norfolk
 APPLICANT Mr D Barnard
 DECISION **APPROVE**

REFERENCE **06/19/0150/CD**
 PARISH Hemsby 8
 PROPOSAL Discharge condition 4 of planning permission no
 06/18/0014/F (single storey dwelling)
 SITE Dun Roamin (Land adj) Kings Loke
 Hemsby GREAT YARMOUTH
 APPLICANT Mr S Mullaney
 DECISION **APPROVE (CONDITIONS)**

REFERENCE **06/19/0252/F**
 PARISH Hemsby 8
 PROPOSAL Re-develop outbuildings to form habitable annexe.
 Demolish and re-build cottage to form new living area
 SITE 24 Mill Road York Cottage Hemsby
 GREAT YARMOUTH
 APPLICANT Mr B Mason
 DECISION **APPROVE**

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0407/F
PARISH	Hemsby 8
PROPOSAL	Demolition of existing fire damaged property to allow the erection of a replacement single storey dwelling & garage
SITE	4 Ormesby Glebe Hemsby
APPLICANT	GREAT YARMOUTH
DECISION	Mr W McCready APPROVE

REFERENCE	06/19/0513/F
PARISH	Hemsby 8
PROPOSAL	Removal of hedge and erection of 1.5M high close boarded fence
SITE	Holly Lodge Mill Road Hemsby
APPLICANT	GREAT YARMOUTH
DECISION	Mr P Boczek APPROVE

REFERENCE	06/19/0521/F
PARISH	Hemsby 8
PROPOSAL	Construction of single storey annex building in rear garden
SITE	The Oaks Kings Loke Hemsby
APPLICANT	GREAT YARMOUTH
DECISION	Mr & Mrs A Peddle APPROVE

REFERENCE	06/19/0522/F
PARISH	Hemsby 8
PROPOSAL	Conv grd flr shop to 3 self contained holiday units; reconfigure 1st floor to 3 self contained holiday units
SITE	The Bakery The Street
APPLICANT	Hemsby GREAT YARMOUTH
DECISION	Coastal Gas & Plumbing Service REFUSED

REFERENCE	06/19/0604/F
PARISH	Hemsby 8
PROPOSAL	Removal of condition 3 of Planning Permission
SITE	06/18/0591/D - Relating to use of caravan no: 97
APPLICANT	Hemsby Belle Aire Ltd - Caravan 97 Club Belle Beach Road
DECISION	Hemsby GREAT YARMOUTH Mr A Duckworth APPROVE

PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS

REFERENCE	06/19/0643/PDE
PARISH	Hemsby 8
PROPOSAL	Notification for Prior Approval for a Proposed Larger Home Extension - Single storey rear extension
SITE	21 Beach Road Rose Cottage Hemsby GREAT YARMOUTH
APPLICANT	Mr A Wales
DECISION	APPROVE
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REFERENCE	06/19/0190/O
PARISH	Hopton On Sea 2
PROPOSAL	Development of site to form plot for a detached dwelling
SITE	Sidegate Road (Site off) Hopton GREAT YARMOUTH
APPLICANT	Mr & Mrs Finn
DECISION	APPROVE
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REFERENCE	06/19/0548/F
PARISH	Hopton On Sea 2
PROPOSAL	Retrospective application for 3 timber stables
SITE	Copperfields (Adj) Sidegate Road Hopton GREAT YARMOUTH
APPLICANT	Mr T Watson
DECISION	APPROVE
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REFERENCE	06/19/0329/O
PARISH	Martham 13
PROPOSAL	Sub-division of site to provide 2 bed additional dwelling adjacent to No. 2
SITE	2 Willows Court Martham GREAT YARMOUTH
APPLICANT	Mr R Guyton
DECISION	REFUSED
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REFERENCE	06/19/0568/F
PARISH	Mautby 6
PROPOSAL	Replacement of existing fence with new 6ft metal and wood fence
SITE	Upper Wood Farm Upper Wood Barn Browns Lane Mautby GREAT YARMOUTH
APPLICANT	Mr S Gray
DECISION	APPROVE
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**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0161/D
PARISH	Ormesby St.Marg 16
PROPOSAL	Approval of reserved matters application. 06/17/0028/O - for appearance, landscaping, layout & scale
SITE	Beechcroft 74 Station Road Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr D Troy
DECISION	APP. DETAILS

REFERENCE	06/19/0473/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Vary cond. 2 - 06/18/0318/F (4 houses and garages) to retain No. 44 to allow dev. of plots 5 & 6 only
SITE	44 North Road (Orchard Court Plots 5 & 6) Ormesby St Margaret GREAT YARMOUTH
APPLICANT	A.C Pembroke (Buiders) Ltd
DECISION	APPROVE

REFERENCE	06/19/0529/PDC
PARISH	Ormesby St.Marg 16
PROPOSAL	Notification for Prior Approval for a Proposed Change of Use - Butchers shop to tea room
SITE	Rackhams Butchers Wapping Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mrs H Greenland
DECISION	APPROVE

REFERENCE	06/19/0551/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Single storey rear extension and two storey extension over existing garage and utility
SITE	9 Bracecamp Close Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr and Mrs RL Loveland
DECISION	APPROVE

REFERENCE	06/19/0586/F
PARISH	Ormesby St.Marg 16
PROPOSAL	Proposed single storey detached accommodation for a manager with office facilities
SITE	The Dog House, Filby Lane Farm Filby Lane Ormesby St Margaret GREAT YARMOUTH
APPLICANT	Mr I Wharton
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0619/CC
PARISH	Ormesby St.Marg 16
PROPOSAL	Demolition of existing derelict hay barn and associated works
SITE	11 North Road Ormesby St Margaret
APPLICANT	GREAT YARMOUTH
DECISION	Mrs S Headford CON.AREA.CONST
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REFERENCE	06/19/0523/F
PARISH	Repps 13
PROPOSAL	First floor side extension
SITE	East View High Road Repps
APPLICANT	GREAT YARMOUTH
DECISION	Mr & Mrs T Ellis APPROVE
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REFERENCE	06/19/0528/F
PARISH	Repps 13
PROPOSAL	Side extension to form self- contained annexe
SITE	Manor Bungalow Church Road Repps
APPLICANT	GREAT YARMOUTH
DECISION	Mr & Mrs Dyble APPROVE
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REFERENCE	06/19/0405/CD
PARISH	Rollesby 13
PROPOSAL	Discharge condition 3 of Planning Permissions 06/18/0205/F and 06/18/0206/LB - (Replacement door)
SITE	Parish Church of St George Fleggburgh Road Rollesby
APPLICANT	GREAT YARMOUTH
DECISION	Rollesby Parochial Church Council APPROVE (CONDITIONS)
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REFERENCE	06/19/0538/F
PARISH	Rollesby 13
PROPOSAL	First floor extension
SITE	2 Broad View Court Road Rollesby
APPLICANT	GREAT YARMOUTH
DECISION	Mr Sutton & Ms S Rayment APPROVE
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**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0543/F
PARISH	Rollesby 13
PROPOSAL	Remove condition 5 of PP 06/02/0856/F - to be used as residential units not for holiday purposes
SITE	Court House Cottages Court Road Rollesby GREAT YARMOUTH
APPLICANT	Mr R Hawkins
DECISION	APPROVE

REFERENCE	06/19/0602/CU
PARISH	Somerton 8
PROPOSAL	Temporary (3 year) change of use from dwelling to B1(a) office
SITE	Manor Farm Cottage Manor Farm Road East Somerton GREAT YARMOUTH
APPLICANT	Mr T Harper
DECISION	APPROVE

REFERENCE	06/19/0628/F
PARISH	Stokesby 6
PROPOSAL	Proposed front entrance porch. Side extension, rear extension and side covered way
SITE	The Bungalow Filby Road Stokesby GREAT YARMOUTH
APPLICANT	Mr & Mrs Bygrave
DECISION	APPROVE

REFERENCE	06/18/0714/CU
PARISH	Winterton 8
PROPOSAL	Change of use from Class D1 (non-residential) to Class C2 (residential) in connection with use of field study centre
SITE	Winterton First School Black Street Winterton GREAT YARMOUTH
APPLICANT	Winterton Primary School & Nursery
DECISION	APPROVE

REFERENCE	06/19/0567/F
PARISH	Winterton 8
PROPOSAL	Side extension and alterations
SITE	4 Bulmer Lane Winterton GREAT YARMOUTH
APPLICANT	Mr M Collins
DECISION	APPROVE

**PLANNING APPLICATIONS CLEARED BETWEEN 01-11-2019 AND 19-12-2019 FOLLOWING
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	06/19/0588/F
PARISH	Winterton 8
PROPOSAL	Single storey extension to front and rear of property including roof terrace to rear extension
SITE	Sunny Lodge 1 Bush Road Winterton
	GREAT YARMOUTH
APPLICANT	Mr & Mrs C Richardson
DECISION	APPROVE

* * * * End of Report * * * *

**PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-19 AND 19-DEC-19 FOLLOWING
DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE**

REFERENCE	06/19/0471/F
PARISH	Great Yarmouth 14
PROPOSAL	Demolition & redevelopment of Marina Centre, with ancillary accommodation, hard/soft landscaping, cycle/car parking
SITE	Marina Centre Marine Parade GREAT YARMOUTH Norfolk
APPLICANT	Great Yarmouth Borough Council
DECISION	APPROVE

* * * * End of Report * * * *

