



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Development Control Committee

**Date:** Wednesday, 11 March 2020

**Time:** 18:30

**Venue:** Supper Room

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

## AGENDA

### CONTENTS OF THE COMMITTEE AGENDA PLANNING APPLICATIONS & CONDUCT OF THE MEETING

#### Agenda Contents

This agenda contains the Officers' reports which are to be placed before the Committee. The reports contain copies of written representations received in connection with each application. Correspondence and submissions received in time for the preparations of the agenda are included. However, it should be noted that agendas are prepared at least 10 Working Days before the meeting. Representations received after this date will either:-

- (i) be copied and distributed prior to or at the meeting – if the representations raise new issues or matters of substance or,
- (ii) be reported orally and presented in summary form by the Principal Officer of the Committee – especially where representations are similar to, or repeat, previous submissions already contained in the agenda papers.

There are occasions when the number of representations are similar in nature and repeat the objections of others. In these cases it is not always possible for these to be included within the agenda papers. These are either summarised in the report (in terms of numbers received) and the main points highlighted or reported orally at the meeting. All documents are available as 'background papers' for public inspection.

## Conduct

Members of the Public should note that the conduct of the meeting and the procedures followed are controlled by the Chairman of the Committee or, if he/she so decides, the Vice Chairman. Any representations concerning Committee procedure or its conduct should be made in writing to either –

- (i) The Planning Group Manager, Town Hall, Great Yarmouth. NR30 2QF
- (ii) The Monitoring Officer, Town Hall, Great Yarmouth. NR30 2QF

## DEVELOPMENT CONTROL COMMITTEE

### PUBLIC CONSULTATION PROCEDURE

- (a) Thirty minutes only will be set aside at the beginning of each meeting to deal with applications where due notice has been given that the applicant, agent, supporters, objectors, and any interested party, Parish Council and other bodies (where appropriate) wish to speak.
- (b) Due notice of a request to speak shall be submitted in writing to the Planning Group Manager two days prior to the day of the Development Control Committee meeting.
- (c) In consultation with the Planning Group Manager, the Chairman will decide on which applications public speaking will be allowed.
- (d) Three minutes only (or five minutes on major applications at the discretion of the Chairman) will be allowed to (i) objectors together, (ii) an agent or applicant and (iii) supporters together, (iv) to a representative from the Parish Council and (v) Ward Councillors.
- (e) The order of presentation at Committee will be:-
  - (1) **Planning Officer presentation** with any technical questions from Members
  - (2) **Agents, applicant and supporters** with any technical questions from Members
  - (3) **Objectors and interested parties** with any technical questions from Members
  - (4) **Parish Council representatives, Ward Councillors and Others** with any technical questions from Members
  - (5) **Committee debate and decision**

## Protocol

A councillor on a planning or licensing decision making body should not participate in the decision and / or vote if they have not been present for the whole item.

This is an administrative law rule particularly applicable to planning and licensing - if you haven't heard all the evidence (for example because you have been out of the room for a short time) you shouldn't participate in the decision because your judgment of the merits is potentially skewed by not having heard all the evidence and representations.

It is a real and critical rule as failure to observe this may result in legal challenge and the decision being overturned."

## **1 APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

## **2 DECLARATIONS OF INTEREST**

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

## **3 MINUTES**

**5 - 22**

To confirm the minutes of the last meeting.

## **5 APPLICATIONS 06-19-0071-F & 06-19-0606-F STAITHE ROAD (LAND NORTH OF) MARTHAM, GREAT YARMOUTH, NORFOLK**

**23 - 52**

a) Construction of 47 energy efficient dwellings, including associated open space, drainage infrastructure, vehicular access and associated highway improvements b) Formation of new highway junction between Staithe Road and Somerton Road

## **6 APPLICATION 06-19-0367-F EUROPA HOUSE, 40 SOUTH QUAY, GREAT YARMOUTH**

**53 - 70**

Demolition of Europa House and erection of 17 no. 1 and 2 bedroom apartments and ancillary facilities

## **7 APPLICATION 06-19-0341-F LAND ADJACENT TO THE CROFT, MARTHAM ROAD, ROLLESBY**

**71 - 86**

Erection of 2 no. 4-bedroom 2 storey houses; 2 no. 3-bedroom semidetached cottages, and 3-bay detached garage block served from a private drive with associated parking.

**8      PLANNING APPLICATIONS CLEARED UNDER DELEGATED      87 - 94**  
**AND COMMITTEE DECISIONS BETWEEN 1 FEBRUARY 2020**  
**AND 29 FEBRUARY 2020**

Report attached.

**9      APPEAL DECISION**

Members are asked to note the following appeal decision:

06/19/0439/A – Upgrade of existing 48-sheet advert to support digital poster at 73 North Quay, Great Yarmouth – appeal dismissed.

The original application was an officer delegated refusal.

**10    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, 12 February 2020 at 18:30

### PRESENT:

Councillor Annison (in the Chair); Councillors Bird, Candon, Fairhead, Freeman, Flaxman-Taylor, Lawn, Mogford, Wainwright, Williamson, T Wright and B Wright.

Also in attendance:

Mr D Minns (Planning Manager), Mrs G Manthorpe (Senior Planning Officer), Ms C Whatling (Monitoring Officer), Ms J Smith (Planning Technician), Mrs T Bunn (Senior Democratic Services Officer).

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Myers and P Hammond.

Councillor Candon substituted for Councillor P Hammond

## **2 DECLARATIONS OF INTEREST**

All Development Control Committee members declared an interest in that they personally knew the applicants for Item 5 as they are current sitting Councillors.

Councillors Bird, Fairhead, Freeman, Lawn and Mogford all declared a personal interest in item 6 in their capacity as members of the Broads Internal Drainage Board.

Councillor Mogford declared a personal interest in item 5 in his capacity as a member of the Broads Authority.

## **3 MINUTES**

The minutes of the meeting held on 8 January 2020 were agreed with the addition of Councillor Mogford shown as attending the meeting.

## **4 APPLICATION 06-19-0639-F -REPPS ROAD (LAND SOUTH OF) MARTHAM**

The Committee received and considered the comprehensive report from the Senior Planning Officer.

The Senior Planning Officer reported that the application was a full application for the erection of 46 dwellings at land accessed off Rising Way. The site has previously been granted planning permission as part of a larger development of 144 dwellings which included, by separate application, the construction of a roundabout. Residents have objected to the access off Rising Way and have commented that the roundabout should be provided as part of this application. Norfolk County Council Highways have assessed the application and have not deemed it necessary to provide the roundabout for this development as a stand-alone development. Should a further application be submitted for the erection of additional dwellings accessed off Repps Road this will be assessed, as with the current and all applications, on merit and the matter of the access requirements will again be consulted on. The current application does not, at this time, require a roundabout to be provided.

The Senior Planning Officer reported that one of the comments received from the Highways Authority stated that the potential access, currently to undeveloped land, should be removed. Although additional development at a section of land that has never received an application for residential development is not currently being considered it is deemed appropriate to leave an access point at this location. Should Highways object to a future

application if one is submitted this will be a material consideration that the application shall be judged against.

The application was subject to pre-application advice during which comment was made on a number of areas including design, layout and parking. The applicants have taken these comments onboard with the current submission and the layout is attractive with thought having gone into the placement of the open space as a buffer to the existing village development. The attenuation area has been altered through the application process as the applicants have sought to locate it at the location which will offer the best drainage for the site.

The Senior Planning Officer reported that the Lead Local Flood Authority (LLFA) have not commented on the application however the Water Management Alliance have stated that infiltration drainage is supported. In the absence of a comment from the LLFA the applicant's agents have helpfully suggested a drainage condition to secure adequate drainage. The condition, if not requested by the LLFA, will not be assessed by the LLFA and as such it will be for the Local Authority to assess the appropriateness while also taking into consideration the responses from other consulted parties.

The Senior Planning Officer reported that the landscaping plan, following comments from the Assistant Grounds Manager and Arboricultural Officer, has been amended to increase the number of trees proposed. the increase to 30 no. trees is a positive one and will offer an improvement to the site. The Natural Environment Team at Norfolk County Council have helpfully assessed the site for biodiversity and suggested conditions.

The Senior Planning Officer summarised the comments from the Natural Environment Team at Norfolk County Council and suggested condition, which shall be placed upon any grant of planning permission are as follows:

"The application site comprises 3.5 ha of arable land. A species rich hedgerow runs along the eastern boundary. The site has limited suitability for protected species or species of conservation concern although an oak on the eastern boundary was considered to have moderate potential for bat roosts. There are no plans to fell this tree. The proposals will result in the loss of 2.5 ha of arable land, approximately 21m of defunct hedge and crown lifting work to two trees, and potentially impact on bat foraging habitat. There are no EPS licencing requirements. The following conditions and informatives were suggested:

- To minimise and mitigate for potential impacts on bats a Lighting design strategy for light-sensitive biodiversity should be conditioned: Prior to occupation, commencement a 'lighting design strategy for biodiversity' shall be submitted to and approved in writing by the local planning authority.

The strategy shall:

- Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and

resting places or along important routes used to access key areas of their territory, for example foraging; and

- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to breeding sites, resting places or feeding areas.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- To secure habitat enhancement and biodiversity gain, in accordance with NPPF, a Biodiversity Method Statement, containing all recommendations made in the Phase 1 Ecological Survey report (NWT, 2019) should be conditioned.

“No development shall take place (including any demolition, ground works or site clearance) until a biodiversity method statement has been submitted to and approved in writing by the LPA. The content of the method statement will include:

- Purpose and objectives for the proposed works,
- Detailed designs and/or working methods necessary to achieve the stated objectives
- Extent and location of proposed works shown on appropriate scale maps and plans,
- Timetable for implementation, demonstrating that works are aligned to the proposed phasing of construction,
- Persons responsible for implementation of the works,
- Initial aftercare and long-term maintenance (where relevant);
- Disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and will be retained in that manner thereafter.

The Senior Planning Officer reported to the Committee the Natural Environment Team at Norfolk County Council Recommendation: Nesting Bird Informative “The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning

consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present. Cut vegetation is to be either removed from site or chipped. Piles of brash are not to be stored on site as this provides potential nesting habitat for birds. If piles of brash are left on site during the main breeding bird season these will need to be inspected for active nests prior to removal."

The Senior Planning Officer reported that the landscaping scheme included the planting of shrubs, hedges and trees as well as root protection areas for the existing trees that are to be retained on site. The hedges to be planted include the reinforcing of the existing boundaries which is encouraged as per the comments above and improvements to biodiversity, as per the above condition taken from the submitted Phase 1 Ecological Survey report (NWT, 2019) shall ensure that there are improvements made at the site.

The Senior Planning Officer reported that although there has not been a consultation response received from the Parish Council the information submitted in support of the application details the community consultation that has been undertaken and has detailed the Parish Councils comments that were submitted directly to them and how they have addressed the concerns. The Parish Council, according to the application details, emphasised the importance of ecology and the mitigations and enhancements were considered, as per the above, and can be conditioned effectively.

The Senior Planning Officer reported that the applicants describe the appearance of the development as providing a traditional appearance. The design includes rubbed brick window heads, stone sills and soffits to eaves which are assessed as appropriate to the local vernacular. The materials include Dorchester Red, Guilt Red Multi and buff stock bricks to be matched to Sandtoft Shire Grey and Red tiles. Plots 7 and 8 have white render porches. The design mix and use of materials demonstrates a fully conceived development that is appropriate for the local area. The mix of dwellings proposed includes bungalows, two storey houses as a mix of semidetached, detached and terraced dwellings and 8 flats in two storey blocks offers an appropriate mix for the site.

The Senior Planning Officer reported that the development as proposed is for all of the properties to be affordable homes with a mix as referenced above. The public consultation covered the proposed use of the site as an all affordable site and the details submitted show the responses received from the public. The provision of the affordable housing was supported by Great Yarmouth Borough Councils Enabling & Empty Homes Officer who supplied positive comments to the application in support.

The Senior Planning Officer reported that although comments were not

currently received from the Highways Officer there was no objection in principle to the development. Further information and minor amendments have been requested and have been made by the applicant baring the alteration detailed above. Should circumstance change and an objection and recommendation for refusal be brought by the Highways Authority the application shall be brought back to members and as such and resolution in the positive shall be subject to Highways returning their consultation response in a positive manner.

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 will be considered to be "out of date". There is currently a housing land supply of 3.42 years (as at the end of year 2018/2019) which is a clear 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 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."

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-date<sup>7</sup>, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of

particular importance provides a clear reason for refusing the development proposed(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 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.

The Senior Planning Officer reported that the application site had previously been granted approval for residential development and was located adjacent to existing residential properties. The development is not an isolated one and is within a sustainable location with access to public transport, open spaces, education facilities and village amenities. There are no significant or demonstrable harms that outweigh the need for the provision of housing in a sustainable location.

The Senior Planning Officer reported that the application was recommended for approval subject to the highway issues being addressed and conditions to ensure an adequate form of development including those requested by consultees 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.

Members raised questions in respect of the access to the site with particular reference to access by emergency vehicles, the Senior Planning Officer advised that this access would have lowering bollards installed which would prevent use by any other than the emergency services. Any application for future development access would be assessed.

Councillor T Wright asked for clarification in respect of the affordable housing if the application for the rest of the site was received, would this be subject to 20% affordable housing. The Senior Planning Officer advised that the S106 agreement would require review if the applicant wished to offset the 20% required.

Councillor Williamson asked if the new hedgerows were subject to any protection and the Senior Planning Officer advised that these would fall under the standard five year conditions as they cannot be covered by the ancient hedgerow controls.



Members were advised that the RSL working with the applicant was Flagship Housing.

No Ward Councillors wished to speak on this item.

Mr Duxbury - objector, spoke on behalf of local residents living in Rising Way and expressed concerns in respect of the site access for the development period with particular reference to the nature of Rising Way, with resident parking and that it would cause a danger having constructions vehicles using this as access. He also questioned why, when the original planning permission on the larger site specified a roundabout to lead into the site, that this was not included or required in this application.

In respect of the roundabout the Planning Manager advised that there was no requirement for the roundabout as there would be no more than 46 dwellings having egress from Rising Way. If there are above 46 dwellings then a roundabout will be required. In respect of the construction traffic he advised that there would be a traffic management plan which can be imposed as part of the conditions.

Following a vote it was RESOLVED:-

That application 06-19-0639-F be approved subject to the reinforcement of conditions relating to access and the reinforcement of the West and South access points.

## **5 APPLICATION 06-19-0593-F LAND ADJACENT TO WESTAYLEE, WEST ROAD, WEST END, WEST CAISTER**

The Committee were advised that the applicants were sitting Councillors, P and D Hammond.

The Committee received and considered the comprehensive report from the Senior Planning Officer.

The Senior Planning Officer reported that the proposal seeks approval for the erection of a dwelling in the open countryside near to the minor settlement of West Caister, which is identified in Core Strategy Policy CS2, as one of the Tertiary Settlements, which are to absorb 5% of the Districts Housing requirement as minor developments within the settlement, appropriate in scale to the settlement.

The Senior Planning Officer reported that there have been several recent housing developments within the settlement including a replacement dwelling to the east of the application site, a new dwelling approved to the west and a new bungalow under construction on the opposite side of the road. As a result, it is not considered that the erection of another single dwelling raises any



particular 'policy' objections to the principle, the main concern being the position of the proposed dwelling in relation to the character and form of the settlement.

The Senior Planning Officer reported that West Caister is an unusual settlement in 2 parts, with a nucleated grouping of dwellings based around the church – at the eastern end close to the A149 (Caister by-pass) – and a second grouping of dwellings further west, which has a particularly 'linear' character with each dwelling having a frontage to the various public highways/lanes. The applicant's current dwelling is already set-back some distance from the highway – with an outbuilding between the dwelling and the road - although in keeping with the settlement form, it has a direct road frontage - however in comparison, the proposed dwelling (which would be served from the same access drive), is to be positioned much further from the road. The proposed dwelling is a typical tandem-backland situation, sharing a common drive, but situated behind the host dwelling in relation to the highway.

The Senior Planning Officer reported that this form of development was totally out-of-character with the established character and pattern of development and is an alien form of development that conflicts with the current form of the settlement. It is in effect, a new dwelling in the countryside beyond the obvious settlement limits established by other dwellings.

The Senior Planning Officer reported that the applicant has pointed to other sites within the settlement and other settlements as justification for the proposal, however the other developments quoted are either in villages with a completely different character or are ones which comply with the village form, by having a direct road frontage. Whilst a new dwelling within the settlement would generally comply with policy –and the applicant has been informed that the logical 'infill' plot between the existing dwelling and the nearby stable-block would be considered to be appropriate and could be supported by officers - the applicant has declined to amend the proposal as they did not want to lose their view from the existing dwelling.

The Senior Planning Officer reported that whilst a dwelling that complied with the character and form of the settlement would raise no particular policy concerns, the current proposal is not considered to be acceptable in settlement form terms and would be an alien intrusion in to the countryside outside of the settlement, and as such, is considered to be in conflict with Core Strategy Policy CS2 and the guidance within the N.P.P.F

The Senior Planning Officer reported that, whilst the West Road area of West Caister has a very eclectic mix of dwelling types, with numerous architectural styles and ages of construction – to the extent that there is no readily definable character – the village still has a rural charm and a very simple architectural form to most dwellings. The existing dwelling is very modern in its style and this is continued in relation to the new dwelling, although as stated by the Design and Conservation Officer, the design does not readily gel with the existing rural form of the village.

The Senior Planning Officer reported that the proposed dwelling is a mix of numerous styles and treatment, having both hipped and gable roof construction, corner quoins and a mock-classical entrance canopy supported on columns, a glazed entrance feature, and a multitude of differing window fenestration with dormers above the garage, and large picture windows which are very regimented, particularly the rear elevation which faces the public footpath to the west.

The Senior Planning Officer reported that the N.P.P.F indicates at paragraph 127, that Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

It goes on to state at paragraph 130, that "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents".

The Senior Planning Officer reported that the proposed dwelling is not a high-quality design, being a mix of styles which is completely at odds with the local rural character, and as a result, it fails to take the opportunity to improve the character and quality of the area as required by paragraph 130 and it conflicts with Core Strategy Policy CS9.

The Senior Planning Officer reported that, unlike all of the other dwellings within the village -which have a direct road-frontage to one of the lanes within the settlement, the application proposal is not only set back an appreciable distance from the highway, it has no direct road frontage and it is set behind the applicant's existing dwelling and shares its drive in a tandem backland situation and as discussed above, would appear out-of-character with the form of this linear rural settlement. The dwelling would be sited in a relatively open grazing paddock, extending north from the settlement and the curtilage as shown on the plans extends to the treeline to the north of the site which represents the boundary with The Broads Authority Executive Area.

The Senior Planning Officer reported that, In addition to the concerns regarding the village character, the dwelling represents an intrusion in to the countryside beyond the obvious limits of the settlement. And be read in conjunction with Broads area, particularly in views from West Road, and from the public footpath to the west of the site.

The N.P.P.F indicates that the countryside should be protected for its beauty, and that "great weight should be given to conserving and enhancing

landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues”.

The Senior Planning Officer reported that The Broads Authority had objected to the application on the grounds of the significant adverse impact on the Broads Authority Executive Area. The Broads Authority’s objections are that:- “The proposal is situated outside of a defined settlement limit and the design, scale materials of the proposal are not sympathetic to the countryside location adjacent to the Broads Authority Executive Area and are likely to result in an adverse visual impact on the locality”.

The Senior Planning Officer reported that the Broads is designated as of equivalent status to a National Park and its landscape is accorded the highest level of protection. The introduction of the development proposed adjacent to the Broads boundary would adversely affect the character and appearance of the landscape and it’s quality, particularly from the adjacent footpath.

The Senior Planning Officer reported that when assessing the application, the impact on the Broads Authority is a material consideration that holds substantial weight. As can be seen from the comments above, the assessment is that the impact of the development is considered to be detrimental to the countryside location adjacent to the Broads Authority Area and should be refused for this reason.

The Senior Planning Officer reported that an alternative siting for a dwelling is available on the road frontage – as an infill plot between the applicant’s dwelling and nearby stables – that would both comply with Core Strategy Policy CS9, and would not have the same detrimental impact on the countryside or the Broads Area, however the applicant has declined invitations to relocate the proposal as he does not wish to lose the outlook from the existing dwelling.

The Senior Planning Officer reported that the N.P.P.F; The Conservation of Habitats and Species Regulations 2017, and Core strategy Policy CS11/Natura2000 Monitoring and Mitigation Strategy, establishes a strict regime for consideration of the impact of a development on both protected species and wildlife habitats. There are 3 separate issues to consider in relation to the above legislation and policy and the current proposal, being the ecology of the site itself, any recreational pressures on Natura2000 sites and impact on protected species off-site.

The Senior Planning officer reported that the applicant currently manages the land to the north of his dwelling as a wildlife site, and actively encourages bats/owls, hedgehogs and other species. An ecology report has been submitted that concludes that there is potential for wildlife to be present at the site, and with appropriate additional bio-diversity enhancement/extra nest-boxes, the development would not harm wildlife. The County ecologist confirms that the report is fit-for-purpose. The submitted HRA report concludes that there could be some impact on Natura2000 sites arising from visitor

pressure, however it would not be significant and the County Ecologist confirms that it could be dealt with via the Monitoring and Mitigation Strategy. The appropriate payment has been made.

The Senior Planning Officer reported that the key concern relates to the potential impact on protected species off-site. The applicant's own ecology report confirms the potential for water-voles with the drainage ditches adjacent to the site and where water-voles presence has been recorded nearby. The drainage proposals for the new dwelling include the disposal of surface-water run-off to the adjacent ditch network, with foul water utilising the existing dwellings package treatment plant, which also discharges to the same ditch network. Information relating to the final discharge position of the ditches (to assess potential for hydro-logical link to Natura2000 sites) is outstanding, and the County Ecologist has indicated that permission should not be granted until such time as a water-vole survey has been undertaken, and an assessment made as to the impact

The Senior Planning Officer reported that in the absence of such information/reports, the appropriate assessment by the competent authority (in this case the Local Planning Authority) cannot be made and the Council would be failing in its statutory duty under The Conservation of Habitats and Species Regulations 2017 if permission was to be granted. Circular 06/2005 makes it clear that the presence or otherwise of protected species and the extent to which they would be affected by a development proposal, should be established before the grant of permission, otherwise all material considerations have not been considered (i.e. the matter cannot therefore be subject to a condition) and the High Court has ruled that failure to make the appropriate assessment – and proceeding straight to mitigation – is a failure to comply with the Regulations, and makes any permission fundamentally flawed.

The Senior Planning Officer reported that, in the absence of the water-vole report and information regarding the discharge position of the ditch, the L.P.A as the competent authority is unable to make the appropriate assessment and therefore cannot carry out its statutory duty under the above Regulations and therefore permission should not be granted. In discussions, the applicant has declined to provide the appropriate water-vole survey, and there is therefore no alternative under the above Regulations but to refuse permission.

In conclusion the Senior Planning Officer reported that, whilst the general principle of a modest housing development in a Tertiary village is acceptable in policy terms, the proposal does not represent an acceptable infill, and would be a tandem-backland development that would appear out-of-character with the linear form of the settlement, contrary to the N.P.P.F and Core Strategy Policy CS2.

The Senior Planning Officer reported that the design of the dwelling is inappropriate for the location and would be harmful to the rural character, and as a result, it fails to take the opportunity to improve the character and quality of the area as required by paragraph 130 of the N.P.P.F and conflicts with Core Strategy Policy CS9. The dwelling constitutes an alien encroachment in

to the countryside adjoining the Broads Authority Executive Area, which is to be afforded the highest level of protection.

The Senior Planning Officer reported that the application is not accompanied by sufficient information for the L.P.A to make the appropriate assessment of its impact on protected species and Natura2000 habitat and therefore the L.P.A could not meet its statutory duty to make such an assessment as required by the regulations, the N.P.P.F, Core Strategy Policy CS11 and Circular 06/2005.

The Senior Planning Officer reported that the application was recommended for refusal for the following reasons:-

1. Insufficient information has been provided in relation to water-Voles – a protected species – and the final discharge points of the drainage ditch to be used for the disposal of foul and surface water, and therefore the Local Planning Authority as the competent authority, is unable to make the appropriate assessment of its impact of the development proposal on protected species and Natura2000 habitat and therefore the Local Planning Authority could not meet its statutory duty as required by The Conservation of Habitats and Species Regulations 2017, Circular 06/2005, the National Planning Policy Framework, and conflicts with the provisions of Adopted Core Strategy 2015 - Policy CS11.

2. Whilst the general principle of a modest housing development in a Tertiary village is acceptable in policy terms, the proposal does not represent an acceptable infill within the obvious development limits of the settlement, and would constitute an unacceptable form of tandem-backland development that would appear out-of- character with the linear form of the settlement, contrary to the N.P.P.F and conflicts with the provisions of Adopted Core Strategy 2015 - Policy CS2.

3. The dwelling constitutes an alien encroachment in to the attractive countryside to the north of the settlement, and adjoining the Broads Authority Executive Area, which is to be afforded the highest level of protection. The proposed dwelling would appear out-of-place within the open rural landscape. The impact on the landscape is exacerbated by the scale and design of the dwelling, which is inappropriate for the location and would be harmful to the rural character, and as a result, it fails to take the opportunity to improve the character and quality of the area as required by paragraph 130 of the National Planning Policy Framework and conflicts with the provisions of Core Strategy Policy CS9.

The applicant Mrs D Hammond provided comments on the issues raised. She advised members that the Ecological Survey undertaken in November 2019 specifically stated that there was no risk to water voles and felt that this was not correctly recorded in the report. She also stated that there were three other properties in the same lane which do not have a road frontage

In respect of the drainage she advised that the Environment Agency had given permission to discharge and that this is outside the CMTP301 drainage board



area.

Members asked for clarification in respect of the comments made by Mrs Hammond in respect of the ecological report and whether this had been taken into account in the assessment. The Senior Planning Officer advised that the full ecological report had formed part of the planning file and that the report had been undertaken in August 2019. This was reviewed by the County Ecologist and the response dated 18 December 2019 and the statements contained within the report reflect these comments.

No Ward Councillors wished to speak on the application.

Following member debate and a vote it was

RESOLVED that permission be refused for the following reasons:

1. Insufficient information has been provided in relation to water-Voles – a protected species – and the final discharge points of the drainage ditch to be used for the disposal of foul and surface water, and therefore the Local Planning Authority as the competent authority, is unable to make the appropriate assessment of its impact of the development proposal on protected species and Natura2000 habitat and therefore the Local Planning Authority could not meet its statutory duty as required by The Conservation of Habitats and Species Regulations 2017, Circular 06/2005, the National Planning Policy Framework, and conflicts with the provisions of Adopted Core Strategy 2015 - Policy CS11.

2. Whilst the general principle of a modest housing development in a Tertiary village is acceptable in policy terms, the proposal does not represent an acceptable infill within the obvious development limits of the settlement, and would constitute an unacceptable form of tandem-backland development that would appear out-of-character with the linear form of the settlement, contrary to the N.P.P.F and conflicts with the provisions of Adopted Core Strategy 2015 - Policy CS2.

3. The dwelling constitutes an alien encroachment in to the attractive countryside to the north of the settlement, and adjoining the Broads Authority Executive Area, which is to be afforded the highest level of protection. The proposed dwelling would appear out-of-place within the open rural landscape. The impact on the landscape is exacerbated by the scale and design of the dwelling, which is inappropriate for the location and would be harmful to the rural character, and as a result, it fails to take the opportunity to improve the character and quality of the area as required by paragraph 130 of the National Planning Policy Framework and conflicts with the provisions of Core Strategy Policy CS9.

**6 APPLICATION 06-19-0565-F 19 YALLOP AVENUE, GORLESTON, GREAT YARMOUT, NR31 6HD**

The Committee received and considered the Senior Planning Officer's report and noted that the applicant was an employee of GYBC and that this was a

retrospective application.

The Senior Planning Officer reported that, under the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class E (criterion d, e and f) which states that; Development is not permitted by Class E if -

(d) the building would have more than a single storey;

(e) the height of the building, enclosure or container would exceed -

(i) 4 metres in the case of a building with a dual-pitched roof.

(ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse.

(iii) 3 metres in any other case

(f) the height of the eaves of the building would exceed 2.5 metres

7.2 The outbuilding sits within 2 metres of the shared east boundary with neighbour

No.17 and its existing height of 3.15 metres therefore, exceeding the permitted height of 2.5 metres by 0.65 metres.

The Senior Planning Officer reported that when considering the development in the context of Policies CS9 and HOU18 and Paragraph 127 of the NPPF it is acknowledged that the siting of the outbuilding has an impact on the view from adjoining neighbour's property of the dwellings and gardens in Yallop Avenue to a certain degree however, there is no right to a view under the planning system the outbuilding. Impacts for loss of light were also assessed and due to the siting of the adjoining neighbour's dwelling the east of the application site and the sun's path from the east towards the west, it was observed and noted the impact is minimal therefore, not resulting in a significant loss of light.

The fallback position here is that a building could be erected on the site in the current location albeit 0.65m lower. In practical terms it is for the LPA to consider the additional impact of the building over and above that allowed under the permitted development rights. On balance the impact would not be significant and would not result in an unduly oppressive living environment for the occupants of No.17 nor to the neighbour No.21 to the west.

The Senior Planning Officer reported that according to the Noise Policy Statement for England (NPSE), The Government is committed to sustainable development and The Department for Environment, Food and Rural Affairs (Defra) plays an important role by working to secure a healthy environment in which people and future generations can prosper. A particular type of noise which is addressed by the NPSE is "neighbour noise" which includes noise from inside and outside people's homes. These objectives are echoed by the National Planning Policy Framework. (NPPF) paragraph 180, which states that planning policies and decisions should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

The Senior Planning Officer reported that providing that the building is used for

purposes ancillary to 19 Yallop Avenue as a residential dwelling and no other unrelated uses - as condition of should planning permission then the impact of the use of the building upon the neighbouring properties should be minimised. Taking into consideration the factors discusses above, the recommendation was to approve with conditions.

The Senior Planning Officer recommended that the application should be approved with conditions for the use of the outbuilding to be incidental and related to the main dwelling.

The Senior Planning Officer reported that the proposal complies with the aims of Policies CS9 of the Great Yarmouth Local Plan: Core Strategy and saved Policies HOU18 of and the Great Yarmouth Borough-wide Local Plan (2001) (LP).

No Ward Councillors wished to speak on the application.

Members discussed the number of retrospective applications received. The Monitoring Officer advised that if Members wished to refuse a retrospective planning application then the planning reasons would need to be detailed if this was going against the officer recommendation.

Following a vote the application was APPROVED.

## **7 PLANNING APPLICATIONS CLEARED UNDER DELEGATED AND COMMITTEE DECISIONS BETWEEN 20 DECEMBER 2019 AND 31 JANUARY 2020**

The Committee received and noted the planning applications cleared under delegated officer decision and by the development control committee for the period of 20 December 2019 to 31 January 2020.

## **8 ANY OTHER BUSINESS**

The Planning Manager reported that there had been three Ombudsman decisions received, all with no evidence of fault.

The Planning Manger advised members that this was the last Development Control Committee to be attended by the Senior Planning Officer as she was moving on to another authority. On behalf of the Committee he expressed his thanks to her for all her hard work and gave best wishes for the future. The Chair and members expressed their thanks and said that she would be missed and they hoped to see her return to GYBC in the future.



The meeting ended at: 20:30



**Reference:** 06/19/0071/F & 06/19/0606/F

**Parish:** Martham

**Officer:** Mr D Minns

**Expiry Date :**EOT 16 March 2020

**Applicant:** EPC Buildings Ltd

**Proposal:** a) Construction of 47 energy efficient dwellings, including associated open space, drainage infrastructure, vehicular access and associated highway improvements b) Formation of new highway junction between Staithe Road and Somerton Road

**Site:** Staithe Road (Land North of) Martham GREAT YARMOUTH Norfolk

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

- 1.1** This is a full planning application. Since the planning application was first submitted the application has been subject to amendment both in terms of the design of the dwellings and the means of access to the site. This has resulted in a separate application for a new junction to serve the development as result of highways objections. Members of the Committee have two separate but related planning applications with a determination for each individual application. The applications have been subject to further public consultation.

## **2.0 Site and Context**

- 2.1** The site is located on the north east approach to the village close to the junction of Somerton Road and Staithe Road and approximately 1km from the centre of Martham. The land is currently designated as Grade 1 agricultural with access from Somerton Road via the Damgate Lane track. The land lies just outside the village development boundary.
- 2.2** The site comprises 2.47 hectares of land to the north of Staithe Road and Somerton Road. The site is adjacent to and to the rear of residential properties in Staithe Road abuts Damgate Back Lane which also serves as a public footpath - Martham 3. To the north of the site is Damgate Farm which is screened from the site by a tall belt of existing trees and vegetation. To the west is Damgate Lane with a couple of residential properties 34 & 38 abutting the site. The remaining residential properties in Damgate Lane are separated from the application site by a strip of land running to the rear of those properties.

- 2.3 The properties in this section of Staithe Road are primarily terrace and semi-detached dwellings. Whilst Damgate Lane for the most part comprises detached dwellings
- 2.4 . At the Staithe Road frontage is the Scout Hall. The intention is that the Scout Hall which is owned by the Borough Council (as is the access to the land) and leased to Martham Parish Council will remain with some a reconfiguration of the land. This also means that the Borough Council has a ransom strip
- 2.5 The application was subject to public and Parish Council consultation by the applications agent prior to the application being submitted (Nov 2018) 1.2 The documents submitted in support of the application detail the public consultation.

### 3.0 The Proposal (s)

- 3.1 The documents supporting the application state that the aim of the proposal is to provide an exemplar highly sustainable low carbon development which will provide new well-proportioned family dwellings and new landscape areas for both new residents and the existing community. Key design features :-

- Sustainable Homes equipped with PVT solar panels and ground source heat pumps
- Affordable housing will aim to exceed the Council affordable housing requirement by providing 24% affordable housing across the site
- Sustainable drainage
- Off-site Construction - each dwelling will be constructed from pre-fabricated panels reducing noise and disturbance to neighbours and construction time
- Landscape setting – provision of dwellings that integrated landscape setting with large areas of public open space and semi-mature trees and Dwellings built to Lifetime Homes standard

3.2 Entrance to the site will be formed from Staithe Road with the new access road running between the existing scout building and No.59 Staithe Road. The plans show the site entrance opening up to a tree line avenue running the length of the site and giving access to the main area of public open space which forms a 'green edge' against the northern boundary, abutting the countryside and the road forming a circular route around the site. . A second area of public open space is shown to the centre of the site.

3.3 The proposed dwellings are a combination of one and two storey elements The plans show a variety of materials beings used including brick. timber shingles and weatherboarding The plans initially incorporated a numbers of flats roofs with seedham but the plans have since been amended to incorporate pitch roofs with in design terms is more in keeping with the character of the area.

3.4. The house types have been arranged in character zones with more traditional forms mixing with contemporary forms.

3.5 Application **06/19/0606/F** (b) This application has been submitted in order to facilitate the development of the site. Concern had been raised by Norfolk County Council (and local residents) over the ability of the Staithe Road and Somerton Road junction to cope with the vehicle movements arising from the proposed development. This is because of the awkward road junction arrangement that exists at present.

3.6 The application proposes:

- To re-prioritise Staithe Road so that traffic is directed towards the new T-junction formed of Staithe Road and Somerton Road, which will become the new junction for access into Staithe Road and the proposed development
- The existing junction will be narrowed by changing the exiting carriage way to a grass verge and closed to traffic wishing to turn in from Somerton Road. It will only provide access out onto Somerton Road.
- Properties on the newly narrowed section of Staithe Road will have the ability to either turn left out of their properties and use the existing but newly narrowed junction to Somerton Road. Alternatively they can right and at the giveaway marking turn left and exit into Somerton Road via the new T-junction and then right into Staithe Road. This means that this section of Staithe Road will be used by 8 properties, which exit onto it. All other traffic would use the new junction
- Construction of a new footway linking Staithe Road and Somerton Road together.

3.7 The new footpath linking Staithe Road and Somerton Road has been located so that it passes between existing trees within this area.

3.8 This application has been submitted so that it can be considered and determined in parallel to the residential scheme and if both applications are approved can be delivered in parallel to the residential scheme.

3.9 The revised/ junction new application has been subject to full public and statutory body consultation

3.10 Accompanying both proposals are the following documents:-

- Design and Access Statement
- Transport Statement
- Framework Travel Plan
- Flood Risk Assessment and Drainage Strategy
- Preliminary Ecological Report
- Shadow Habitat Regulation Assessment
- Tree Survey and Arboricultural Impact Assessment
- Utilities Statement

- Desk top Archaeological Assessment
- Sustainability Design and construction Statement
- Homes Quality Mark Pre-assessment report
- Prelim Ecological Report
- Desk based contamination Land assessment

#### 4.0 Relevant Planning History

4.1 06/06/0317/F- New Scout Building approved 22-12-2006

06/09/0128/F Revised proposal for new scout hut Approved 27-04-2019

#### 5.0 Consultations :-

5.1 Martham Parish Council - A full copy is attached to this report.

5.2 I am writing on behalf of Martham Parish Council concerning the afore mentioned planning application. Council wish to object to the development of houses on Staithe Road in Martham. Council have examined the plans, visited the site and have had long-standing partnerships with local groups and managing projects close to this site for a number of years.

5.3 The Parish Council have noted in the 'Core Strategy' Martham is mentioned as a settlement as a 'Primary Village' – *'The settlement has a good range of services and facilities located in the east and centre of the settlement. However, owing to the significant number of completions, planning permissions and allowing for windfall across the Primary Villages (of which Martham has made the most significant contribution), there is little remaining housing need.'*

5.4 The Parish Council have noted the 'Strategic Housing Land Availability Assessment 2014 (SHLAA)' contained within the Local Plan Part 2 Consultation (20 Aug-30 Sept 2017) and recognises the sites of 'identified land' that are suitable for housing located within the development limit. The proposed site (Staithe Road) is clearly recognised as '*Unsustainable*' however there are a number of sites currently available and recognised as '*Deliverable and Developable*'.

5.5 Council have concerns in relation to the consistency of applying policy in relation to the Development limits and being consistent with the adopted Core Strategy. Development limits Policy G1-dp of the Local Plan includes the following - *'In particular such limits help to avoid urban/suburban sprawl and the unplanned coalescence of settlements.'*

5.6 As an alternative to this proposal, we would support the construction of houses built on the sites located within the village development limit if it was ensured that these were affordable homes for local people and fulfilled the percentage as required within the Local Plan.

5.7 Council have also noted the site selection summary for Martham includes site 125 (MA02) and states the main comparative reasons for not being selected as *'constrained by unsuitable access, potential to be prominent to the setting of the Broads'*.

5.8 Pressure for continued development in the village is considerable with a large number of proposals being agreed over the last few years. Planning permission has already been granted for sites named on the site selection summary as – 64, 281, 282 and 337 giving a total of 407 units and a considerable contribution to the overall Local Plan housing target.

5.9 Further issues raised which affect the community as a whole include the inadequacy of the road access on 'Staithe Road' in accommodating increases in traffic. There are parts of the road where widening is not possible so there are concerns over the safety of school children walking to both the Primary and the High School via Staithe Road daily.

5.10 In addition, Martham Parish Council is concerned about the limited public transport available for access to the nearest train station in Acle as Norfolk County Council's recent decisions have been to reduce or remove bus services from Norfolk villages. This would limit opportunities for the residents of the new development to travel by public transport and increase the need for use of cars furthermore increasing traffic and congestion within the village.

5.11 Further questions raised by Council include: 'why an existing highways road has been included into the proposal and 'why is the land currently leased from Great Yarmouth Borough by Martham Parish Council also included at this stage'?

5.12 Further clarification is also required regarding the type and number of jobs created as a result of the erection of the proposed 47 houses as stated in the 'Planning Statement' submitted by Turley.

5.13 Finally, please note that our submission is in respect of the proposed development. While we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching your decision

5.14 Public representations received – the revised proposal has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.

06/19/0071/F Originally 124 objections were received to the application

06/19/606/F 6 further objections against the proposal and the development responses

The representations in summary cite the following issues:-

- Any new development will place further demands on local facilities.
- The proposal is contrary to current policies in the Local Plan

- Impact on local facilities and infrastructure
- Martham both socially and physically cannot cope
- Insufficient demand for further housing put additional responses
- Schools. Doctors, dentists cannot cope
- Our doctors surgery is only open 3 days per week with no parking available
- More housing not needed 700 homes already granted in outline so why do we need more?
- Martham will no longer be a village but a town
- There are no jobs to warrant further housing in the area
- Do not need the additional traffic going through the village
- Will add to the congestion that already occurs particularly at school dropping off and picking up times with Staithe road being used as a bolt hole and is severely overloaded with vehicles as a consequent
- We are fast becoming too large for the infrastructure we have
- When do we as the inhabitants get to say enough is enough?
- Unhappy about obstructed view at the back of our garden
- Worried that access will compromise road safety access and parking

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

### **6.1 Statutory Consultations - External Norfolk County Council**

#### **Preface**

The requirements below would need to be addressed in order to make the development acceptable in sustainable terms through the delivery of necessary infrastructure. The funding of this infrastructure would be through Planning obligations / condition.

### **6.2 Education - The number of children expected from a 47 dwelling development is calculated as follows:**

2-4:  $47 \times 9.7/100 = 5$   
 4-11:  $47 \times 28.1/100 = 13$   
 11-16:  $47 \times 14.5/100 = 7$

In addition to the current situation at local schools, the following permissions need to be taken into account:

#### **Table 3 Other Developments**



<b>Site</b>	<b>Application</b>	<b>No. of dwellings</b>	<b>Children 4-11</b>	<b>Children 11-16</b>
Rollesby Road, Martham	15/0673	55	14	10
White Street, Martham	15/0486	100	26	17
Church Farm, Martham	17/0358	44	4	12
North of Repps Road	18/0149	55	15	8
<b>Total</b>		<b>254</b>	<b>59</b>	<b>47</b>

**Table 4 The current situation at local schools is as follows:**

<b>School</b>	<b>Capacity</b>	<b>Numbers on Roll (Sept 2019)</b>	<b>Spare capacity No. of places</b>
Early Education (2-4)	113	70 (Feb 2020)	<b>+43</b>
Martham Academy and Nursery (4 – 11)	412	345	<b>+67</b>
Flegg High Ormiston Academy (11-16)	950	783	<b>+167</b>

Taking into account the other permitted developments in Martham (table 3 above) there is still spare capacity in the Early Education sector, at Flegg High Ormiston Academy and at Martham Academy and Nursery School for the children generated from this proposed development should it be approved. Therefore, Norfolk County Council will not be seeking Education contributions on this occasion.

## **Fire Service**

With reference to the proposed development, taking into account the location and infrastructure already in place, our minimum requirement based on 47 no. dwellings would be one fire hydrant on no less than a 90 mm main at a cost of £824 each.

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

## **Library Provision**

A development of 47 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of Martham library. It has been calculated that a development of this scale would require a total contribution of £3,525 (i.e. £75 per dwelling). This contribution will be spent on a project at Martham Library.

## **Environment**

As outlined in the Norfolk County Council Planning Obligations Standards (2020), the scope of the County Council's green infrastructure responsibilities include:

- Public Rights of Way
- Norfolk Trails
- Ecological Networks

Green infrastructure should be included within the proposed site in line with local policy. Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. We would advise the Local Planning Authority that a maintenance/mitigation contribution or commuted sum for new and existing GI features, may be required in addition to the County response, in order comply with local policy. Thus, allowing the local GI network to facilitate the development without receiving negative impact and equally, allow the development to integrate and enhance the existing network.

## **Specific Comments**

The open space at the back of the proposed development should have a link providing access to Damgate Back Lane which is also Martham Public Footpath No. 3. Access can be via a kissing gate if the developer wishes to secure the open space for children playing. We would also request a contribution from the developer for an information board to be installed highlighting where all the public rights of way are. This will encourage residents and visitors to walk in the area and they will be easily able to identify a number of different local walking routes to enjoy

6.3 Historic Environment - An archaeological evaluation has previously been carried out at the proposed development site and the results submitted with the current application

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 199. We suggest that the following conditions are imposed:-

A) No development shall take place other than in accordance with the approved archaeological written scheme of investigation submitted with this planning application ('Written Scheme of Investigation for Post-Determination Trial Trenching: Land at Repps Road, Martham, Norfolk', 2019, RPS Group) and any subsequent addenda to that document.

and,

B) 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.

6.4 **Highways (06/19/0071/F)** – with regards the layout shown on drawing 514 /SO1 re B, I can confirm that the majority of the previous concerns have been addressed and I do not wish to raise a highway objection to the proposal. Therefore subject to agreeing a scheme for the off-site highway improvement works , which must be carried out prior to the occupation of any of the dwellings , I would have no objection to the Borough Council granting planning permission subject to appropriate conditions .

6.5 **06/19/0606/F** –‘ I can confirm that subject to detailed design the revised junction proposals shown on drawing 181202-CL-01 rev P7 are considered acceptable I would have no objection to the Borough Council granting planning permission subject the following condition:-

SHC 33A - Notwithstanding the submitted details indicated in the submitted drawings , no works shall commence on site unless otherwise agreed in writing until detailed drawings for the highway improvements works indicated on drawing no. 181202-CL-01-rev 1 rev 7 have been submitted to and agreed in writing by the local planning authority.

6.6 **Public Rights of Way** We have no objection on Public Rights of Way grounds.as although Martham footpath 3 is in the vicinity 'it does does not appear to be affected by the proposal.

**Green Infrastructure Officer** – Is pleased to note that the revised proposals in regard the ROW have been addressed and a landscape buffer has been provided between the back gardens on the eastern boundary of the development and Martham Footpath 3. We are also pleased to note the extent and connectively of the public open space and the link to footpath 3. Providing both onsite recreational opportunities and access to the wider PROW network.

6.7 **Local Lead Flood Authority** – Response received stating that they have no comments to make on the application

6.8 **Norfolk County Council Fire** – No objection subject to compliance with Building Regulations

#### **Other External Consultees**

6.9 **Anglian Water** – No objection- there is existing capacity in the system .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.

6.10 **Water Management Alliance** – No comments to make falls outside our jurisdiction

6.11 **NHS** – No response received

6.12 **Broads Authority** – No objection

#### **GYBC - Internal Consultation**

6.13 **Building Control** – No comments received

6.14 **Environmental Health-** Due to proximity of residential there should be a condition restricting hours of working. Further concern raised regarding potential dust during construction and impact on air quality. Potential Contamination standard conditions recommended on any grant of planning permission.

#### **7.0 Relevant Local Plan Policy :-**

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

7.2 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.

7.3 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.

7.4 a) HOU 10 restricts development outside existing development limits

b) HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required with 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.

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

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

7.7 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.

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

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

7.9 **Draft Local Plan Part 2**

7.10 Table 7.4.1T Site Selection Summaries (Martham) of the draft Local Plan Part 2 gives a summary of reason(s) for the site not being selected:

Site 125 for the following reason: 'Constrained by unsuitable access, potential to be prominent to the setting of the Broads'

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

7.12 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.

7.13 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs<sup>4</sup>.

7.14 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.

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

For decision-taking this means:

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

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

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

- 7.16 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).
- 7.17 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.
- 7.18 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.
- 7.19 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.
- 7.20 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;
- 7.21 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.

## **8 Local finance considerations:-**

- 8.1 Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. It is assessed that financial gain does not play a part in the recommendation for the determination of this application.
- 8.2 Of relevance to this planning application is the fact that the Great Yarmouth Borough Council has a ransom strip to the land if the development is implemented. In simple terms, a ransom strip is a parcel of land which, in some way, restricts the development of another parcel of land. In order to access and develop the land the developer will need to agree a value to do so with the Council to obtain access across the land/ransom strip.
- 8.3 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.

## **9.0 Shadow Habitats Regulation Assessment**

- 9.1 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
- 9.2 The shadow HRA concludes that there is potential for increased visitor pressure on Winterton -Horsey Dune SAC alone and in combination which can be satisfactorily mitigated for through a financial contribution under the Borough's Monitoring and Mitigation Strategy and locally accessible green space. Impacts on Great Yarmouth North Denes SPA are anticipated in combination with other proposals only, which can be satisfactorily mitigated for through a financial



contribution to the Habitats monitoring and Mitigation Strategy, and locally accessible green space.

- 9.3 Great Yarmouth Borough Council as Competent Authority has adequate information to carry out the Appropriate Assessment and concludes that any adverse impacts of the development can be addressed via the Natura 2000 mitigation strategy and payment by payment of £110 per dwelling and the onsite features subject to the final endorsement of Natural England and support .

## **Assessment**

- 9.1 As mentioned above this report covers two separate planning applications . One is for erection of 47 dwellings and the other for the construction of a new highway junction to serve the development. Although separate applications requiring separate determination they are linked with the residential application being dependent on the provision of the access.
- 9.2 Since the residential was first submitted in addition to the new junction arrangement there have been a number of amendment to the submitted plans in order to address the concerns and objections raised to the proposal. As can be seen from the consultations from the statutory bodies set out above in the main the concerns have been addressed and can be addressed by appropriate conditions and completion of a Section 106 the legal agreement to mitigate the impacts of the development as identified in the report.

## **The Principle of Development**

- 9.3 The application site was put forward as a potential housing allocation in the Part 2 of the Local Plan. It was not considered appropriate for inclusion in the local plan - above because the site was considered to be constrained by unsuitable access and the potential to be prominent to the setting of the Broads Authority ( Site 125)
- 9.4 As originally submitted this remained the case with Norfolk County highways expressing the concern over the access as proposed from Staithe Road alone. The revised access arrangements submitted under application 06/19/0606/F incorporating a new access arrangement including land fronting Somerton Road has addressed the highways concerns and subject to agreement to the final details the revised access and a condition that the access in carried out prior to first occupation of the dwellings highways have no objection to the proposal which has also been subject to a safety audit.
- 9.5 It is also evident from the consultation response that the Broads Authority have no objection to the proposal. In terms of the constraints identified in the reasoning for rejection of the site as a future allocation those elements carried limited weight.

9.6 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 3.42 years (as at the end of year 2018/2019) which is a clear 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.

9.7 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."

9.8 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-date<sup>7</sup>, granting permission unless:

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

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

9.9 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.

9.10 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.

### Local Plan Policy

9.11 The Core Strategy forms part of the Development Plan for the area, the starting point for decisions on planning applications. Core Strategy policies of most relevance to this application are discussed below; those not specifically mentioned may still be of some materiality but are concluded to not be of particular importance. In assessing the application in the context of the Wayendon judgement I have undertaken the following assessment and along with my conclusions on the weight that can be given to the policy in the context of this application.

9.12 **Policy CS1** supports the NPPF’s presumption in favour of sustainable development, ensuring that the Council will take a positive approach working positively with applicants and other partners. In addition, the policy encourages proposals that comply with Policy CS1 and other policies within the Local Plan to be approved without delay unless other material considerations indicate otherwise.

9.13 Policy CS1 is an overarching policy and is concluded to be one of the most important Local Plan policies. It is concluded to be in conformity with the NPPF and there is no evidence that it is out of date – all the key provisions still apply. **CS1 is therefore concluded to be in-date.**

9.14 Policy CS2 states that approximately 30% of all new residential development should be located in the named Primary Villages, of which Hemsby is one. The remaining part of this policy state that the Main Towns should deliver 35%, the Key Service Centres

30% and the Secondary and Tertiary Villages 5%. The policy wording allows for some flexibility in the percentage split, and clearly the application of this policy depends to a significant extent on the allocations being made (and thence delivered) in the emerging Local Plan Part 2.

- 9.15 Policy CS2 is designed to try to ensure that growth is delivered most sustainably, with the highest tiers of settlements receiving the most growth (commensurate with their access to services and ability to reduce travelling). However, whilst accepting that the emerging Local Plan Part 2 is not yet adopted, at present – with only a 3.42 5-year supply of deliverable housing land – it is difficult to argue that this policy remains fully up to-date and should continue to attract full planning weight. Policy CS2 is therefore concluded to be out-of-date.
- 9.16 Policy CS3 sets out criteria for ensuring a suitable mix of new homes. This includes ensuring that designed layout and density of new housing reflects the site and surrounding area. Policy CS3 also encourages all dwellings including small dwellings, to be designed with accessibility in mind providing flexible accommodation. Particularly relevant extracts are shown below:
- a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (extract only):
  - b) Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
  - c) 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
  - f) Encourage all dwellings, including small dwellings, to be designed with accessibility in mind, providing flexible accommodation that is accessible to all and capable of adaptation to accommodate lifestyle changes, including the needs of the older generation and people with disabilities
  - g) Promote design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas and make efficient use of land, in accordance with Policy CS9 and Policy CS12
- 9.16 Policy CS3 covers a range of general matters in relation to providing the right number, type, tenure and size of dwellings. The contents are concluded to be in conformity with the most relevant policies of the NPPF and therefore Policy CS3 is concluded to be in-date.

- 9.17 Policy CS4 sets out the policy requirements for delivering affordable housing. Sites of 5 dwellings or more in Hemsby are required to provide 20% affordable housing. For a site up to 190 dwellings (as proposed) this equates to 38 affordable dwellings. In accordance with Policy CS4, affordable housing should be provided on-site, and off-site financial contributions should only be used in exceptional circumstances.
- 9.18 Chapter 5 (in particular) of the NPPF sets out various statements on the importance of delivering affordable housing, and how this should be set out in Local Plan policies. Policy CS4 follows this approach, and therefore Policy CS4 is concluded to be in-date.
- 9.19 Policy CS9 sets out the broad design criteria used by the Council to assess applications. Criteria a), c), f), and h) should be specifically considered to ensure that the proposed design reinforces local character, promotes positive relationships between existing and new buildings and fulfils the day to day needs of residents including the incorporation of appropriate parking facilities, cycle storage and storage.
- 9.20 Policy CS11 sets out the Council's approach to enhancing the natural environment. Consideration should still be given as to how the design of the scheme has sought to avoid or reduce negative impacts on biodiversity and appropriately contributes to the creation of biodiversity in accordance with points f) and g). In addition criterion c) states that 'The Natura 2000 Sites Monitoring and Mitigation Strategy will secure the measures identified in the Habitat Regulation Assessment which are necessary to prevent adverse effects on European wildlife sites vulnerable to impacts from visitors'.
- 9.21 Policy CS14 states that all developments should be assessed to establish whether or not any infrastructure improvements are required to mitigate the impacts of the development. This includes seeking contributions towards Natura 2000 sites monitoring and mitigation measures.
- 9.22 In consideration of the application against that Policy CS9, CS11 and CS14 my conclusion is that they can all be accorded appropriate weight in the decision making process and are relevant to the application.
- 9 22 Within the report it is evident that subject to condition and Section 106 planning Obligations that the impact of the development can be mitigated as identified.

## **Design**

- 9.23 Since the original submission the residential element has been subject to a number of design amendments and is considered to be more in keeping with the aims of Policy CS9 of the Core Strategy which requires that design that enhances the local character and to conserve and enhance landscape features and townscape quality.

- 9.24 This has resulted in the removal of flat roofs and introducing a pitch roof form which is considered to be more in keeping with the local character. The pitch roofs are shallower than a conventional pitch so that PV panels that will be incorporated into the roof will be more effective .but also prevents them being dominant in the street scene according to the submission. In addition more brick has been added to the material pallet in place of timber boarding. Again this is more reflective of building and the materials use in the locality.
- 9.25 Additional landscaping has also been introduced and the concerns of the green infrastructure officer have been addressed including access to the development from/to the public footpath Martham 3 abutting the site. .

## **Highways**

- 9.26 Highway concerns within the proposed development have been addressed as have the both in terms of the internal lay and junction revisions have been addressed to the satisfaction of the highway authority.

## **Drainage and Flood Risk**

- 9.27 The site is not located as at risk of flooding as shown on the relevant maps. In accordance with application requirements for a development of this scale the application submitted a Flood Risk and drainage assessment. The drainage bodies have stated that there is capacity in the system (Caister) to accommodate the foul flows associated with this application. Surface water has been addressed by an onsite sustainable drainage system. Subject to conditions regarding the final details and compliance with the drainage strategy along with appropriate management strategy as part of the Section 106 agreement there are no objections by the statutory drainage bodies.

## **Sustainability**

- 9.28 The site is located in a sustainable location being close to the village centre. Martham is the identified in the local plan as the largest village in the Borough with a range of facilities. The County Council have stated that there is existing capacity in the local schools.

## **Local Residents**

- 9.29 Local residents have a raised strong objection to the principle of the development and the ability of the village to accommodate and absorb further dwellings pointing to the fact that a considerable number of dwellings having already been granted planning permission in Martham.



- 9.30 Of particular concern is the means of access to the development along with concern on highway safety grounds and highlighting the fact that the site is in proximity to existing schools.
- 9.31 These concerns are clearly material consideration in the determination of the application and it is for committee to accord appropriate weight as it sees fit in these matters. It is clear however given the views of the highway authority should be accorded substantial weight in consideration of the applications.

## 10.0 Planning Balance

- 10.1 As there is no five-year housing land supply, the tests of paragraph 11 of the NPPF need to be considered. As detailed above in the report, as the case officer I have undertaken a careful analysis of all the Development Plan policies, assessing firstly, as a matter of my planning judgement, which are the most important policies for the determining the application.
- 10.2 I have concluded, as a matter of my planning judgement, that Policy CS2 (Achieving Sustainable Growth) is out-of-date. Notwithstanding that the Local Plan Part 2, which will allocate non-strategic housing sites to try to meet the overall housing need using the settlement hierarchy apportionment, is not yet adopted, with a 3.42 as opposed to a 5-year housing land supply (a very significant shortfall) I do not believe that this policy can be concluded to be up-to-date. Irrespective of the emerging local plan Part 2.
- 10.3 Similarly, I have concluded that 'saved' Policy HOU10 (which says that new residential will not be permitted outside boundaries) is out-of-date because there is only a 3.42 - year housing land supply. The age of this policy (dating from 2001) also militates against this policy being in-date, but the lack of housing land supply alone is sufficient to justify this, in my judgement.
- 10.4 In my overall professional judgement, the most important policies for the determination of this planning application overall are all out-of-date and therefore the "tilted balance" applies – for a refusal to be justified, the harms of the development must significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 10.5 It is evident from the consultation responses from the statutory bodies that, subject the various conditions requested by the various parties, there is little planning reason to recommend refusal of the current proposal on any technical grounds.
- 10.6 In terms Conservation of Habitats and Species Regulations 2017, the assessment of the Local Planning Authority, as Competent Authority, is that the application, if approved, will not adversely affect the integrity of Natura 2000 sites provided that the



mitigation put forward in the Shadow HRA report and as set out above is secured. To meet the mitigation requirements the appropriate contribution is required to be secured by a legal obligation (S.106 agreement) and conditions for both on- and off-site improvements.

- 10.7 It is important in the context of this application to acknowledge and reiterate that the tilted balance in favour of development of the site as set out in Para 177 therefore does apply to the development.
- 10.8. The site is considered to be located in a sustainable location adjacent to residential properties and subject to the reserved matters being submitted as part of a further application it is considered that the site can be developed without adversely impacting about the character and visual amenity of the area.
- 10.9 However, in applying the “tilted balance” (the presumption in favour of sustainable development), very few harms have been identified against the policies in the NPPF taken as a whole (see above in the report). There is general conformity with those policies covering (for example);
- • transport/traffic;
  - • housing need, including affordable housing;
  - • ecology generally, including impact on internationally designated nature conservation sites;
  - • impact on trees;
  - drainage and flood issues

In summary, no significant harms have been identified, and where harms exist, it is concluded that they can be satisfactorily controlled through planning conditions or the S106 legal agreement.

12.0 Section 106 of the Town and Country Planning Act 1990 Planning Obligation proposed Heads of Terms to mitigate the impacts of the development in accordance with Local Plan policy

- Affordable Housing;
- Library Facilities; contribution
- Fire Service;
- Open space provision/contribution
- Habitats Mitigation payment per dwelling
- Management plan for surface water drainage and open space
- On and offsite green infrastructure

### 13.0 Conclusion

- 13.1 The proposal is considered to comply with policy HOU9 of the Great Yarmouth Borough-Wide Local Plan 2001 and policies CS1, CS3, CS4, CS9 CS11 and CS14 of the Core Strategy and the National Planning Policy Framework. Notwithstanding the recommendation to approve the application given the objection to the

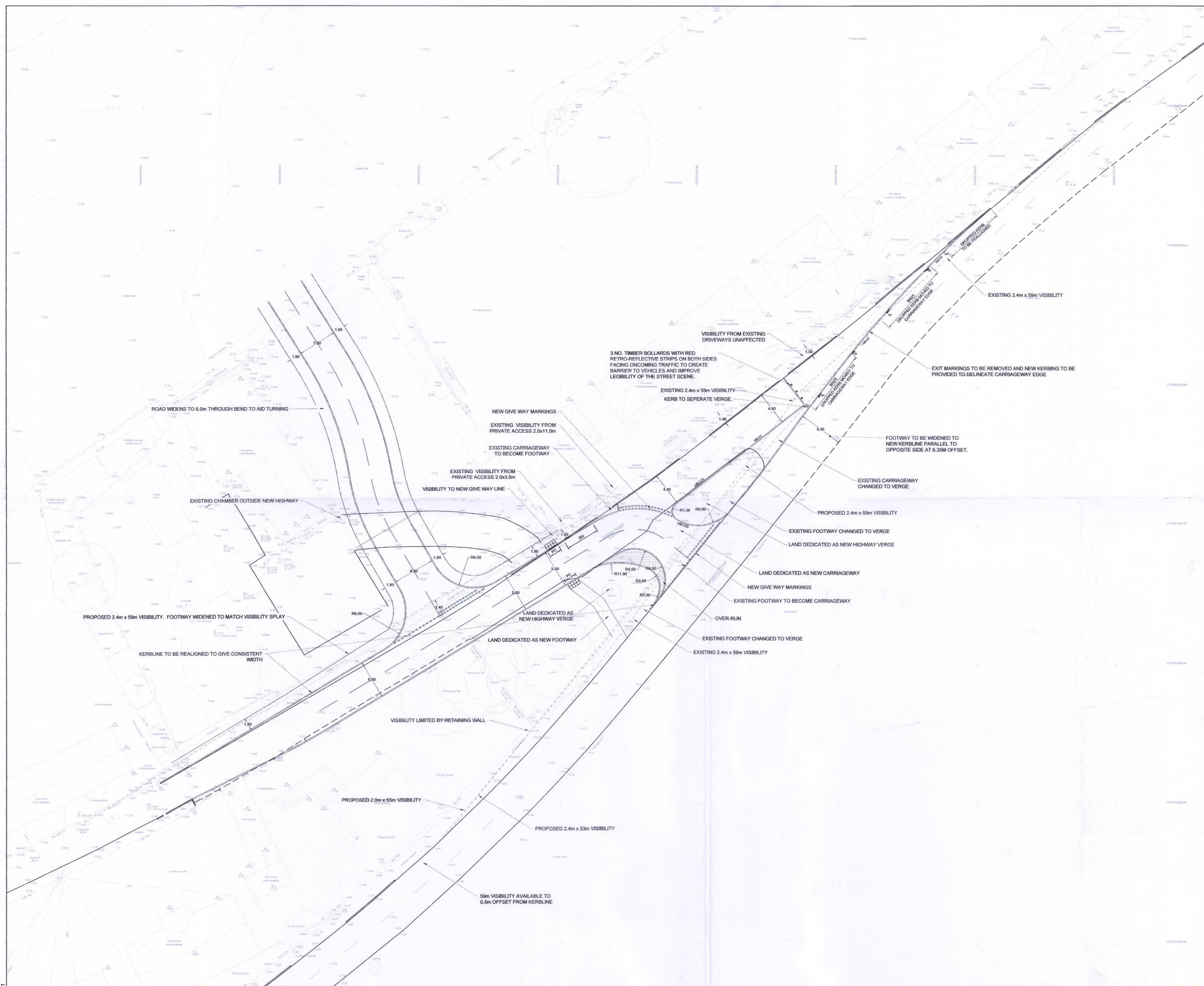
application on particularly highway grounds it may be advantageous for the committee - in this instance to - visit the site.


#### 14.0 **RECOMMENDATION:-**

- 14.1 **Approve** – a) application 06/19/0071/F to a s106 agreement securing Local Authority requirements of children's recreation, public open space, affordable housing and Natura 2000 payment as outlined above subject to referral to Natural England and no objection be raised as required by legislation and
- 14.2 **Approve** - b) 06/19/0606/F subject to being linked application 06/19/0071/F as outlined above in the report and subject to the appropriate condition to secure a properly planned development. The proposal complies with the aims of Policies CS2, CS3, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.

Background Papers 06/19/0071/F & 06/19/0606/F





 **SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION BOX**  
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P7	RETROREFLECTIVE STRIPS ADDED TO BOLLARDS. FOOTWAY REMOVAL CLARIFIED.	20.01.20	NH	LF
P6	GIVE WAY MARKINGS ADDED	16.01.20	NH	AH
P5	EASTBOUND CARRIAGEWAY AMENDED TO REMOVE SECONDARY ACCESS	15.01.20	NH	AH
P4	SCHEME AMENDED TO USE ADDITIONAL LAND TO BE DEDICATED AS HIGHWAY	23.10.19	NH	LF
P3	NCC COMMENTS	04.04.19	NH	LF
P2	SCHEME AMENDED TO EXCLUDE OFFSITE 3rd PARTY LAND	12.12.18	NH	LF
P1	PRELIMINARY ISSUE.	31.10.18	NH	LF
REV	DESCRIPTION	DATE	BY	AUTH



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CLIENT \_\_\_\_\_

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNIT 2, YALE BUSINESS PARK, IPSWICH

PROJECT \_\_\_\_\_

DAMGATE BACK LANE MARTHAM

GREAT YARMOUTH, NORFOLK

GREAT YARMOUTH, NORFOLK

---

**TITLE** \_\_\_\_\_

PROPOSED ACCESS

### GENERAL ARRANGEMENT

## GENERAL ARRANGEMENT

DRAWN NH	AUTHORISED LF	DATE 31.10.18	SCALE AT A1 1:250
PROJECT NO. 181202		DRAWING NO. CL-01	REV P7

STAGE:-  
**PRELIMINARY**



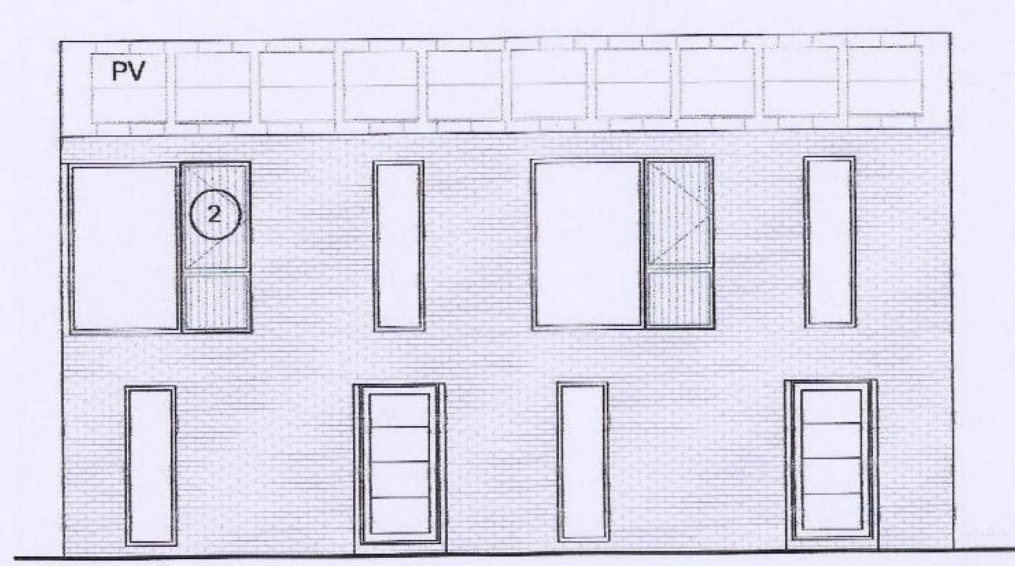
App. No. 06/19/0071/5  
REVISED PLAN  
Received 25.10.19



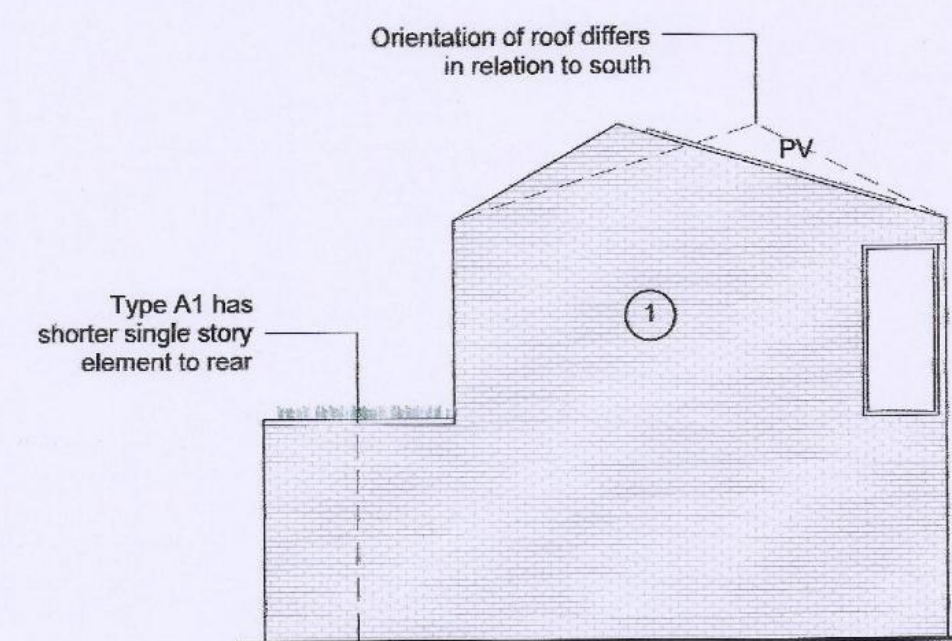
Plots 6&7 (Type B1/D1)



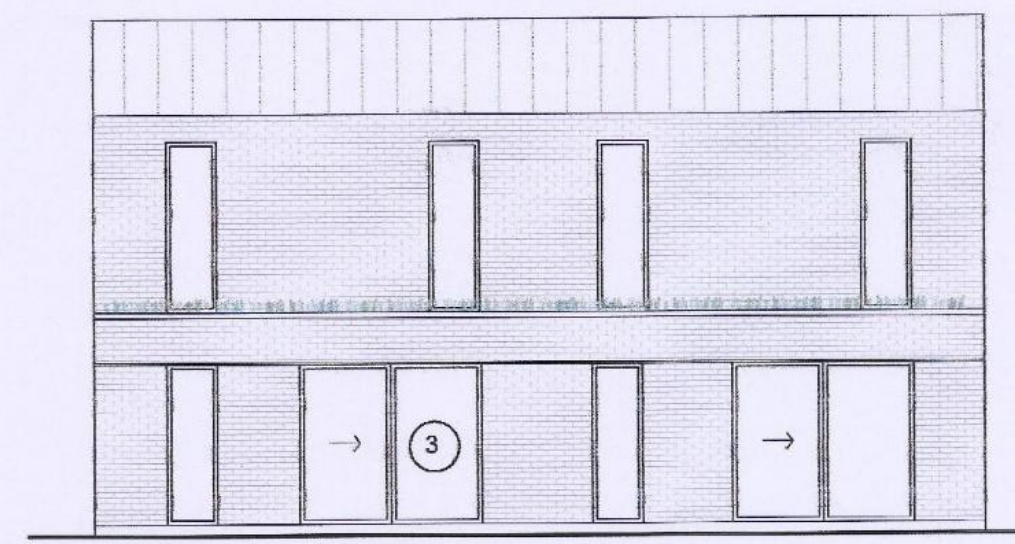
App. No. 06/19/0071/r  
**REVISED PLAN**  
 Received.....



FRONT ELEVATION

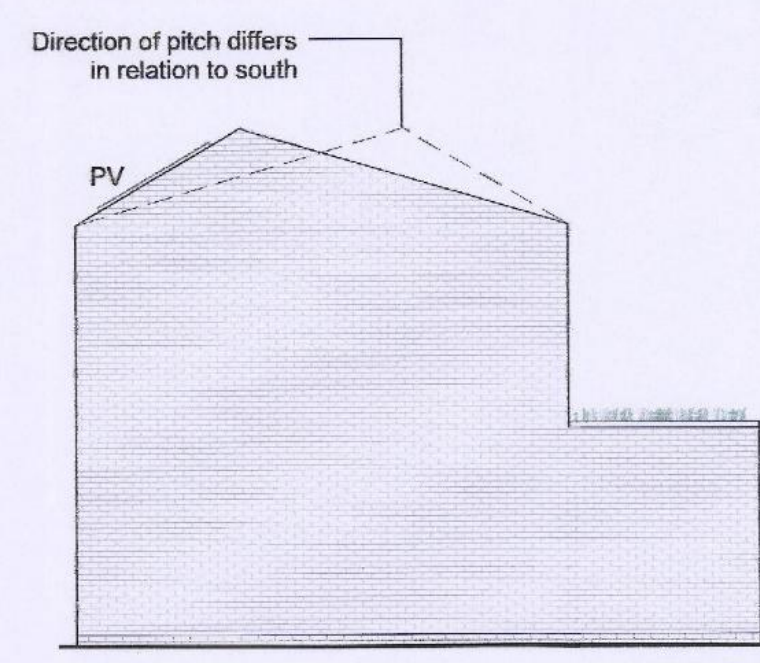


LEFT ELEVATION

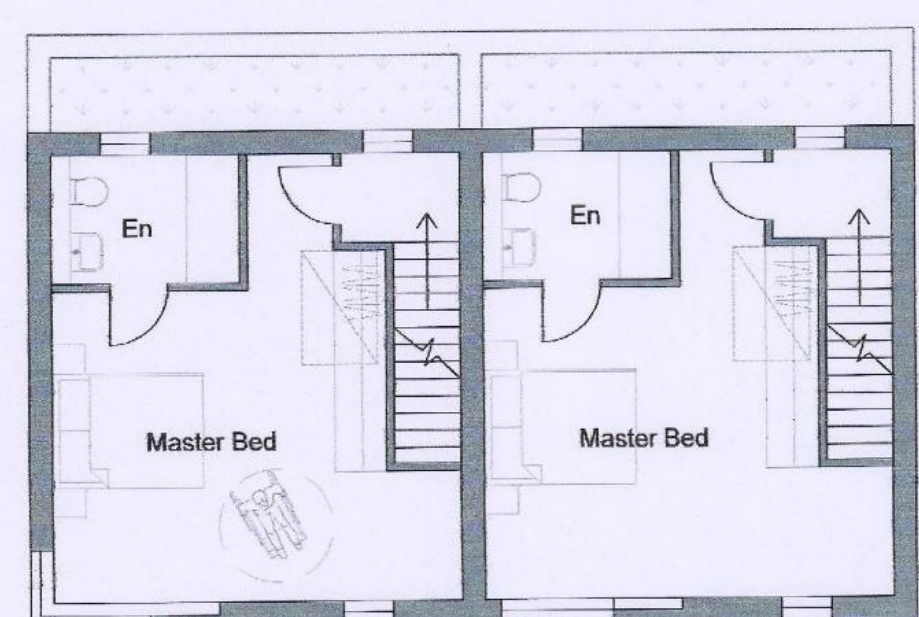


REAR ELEVATION

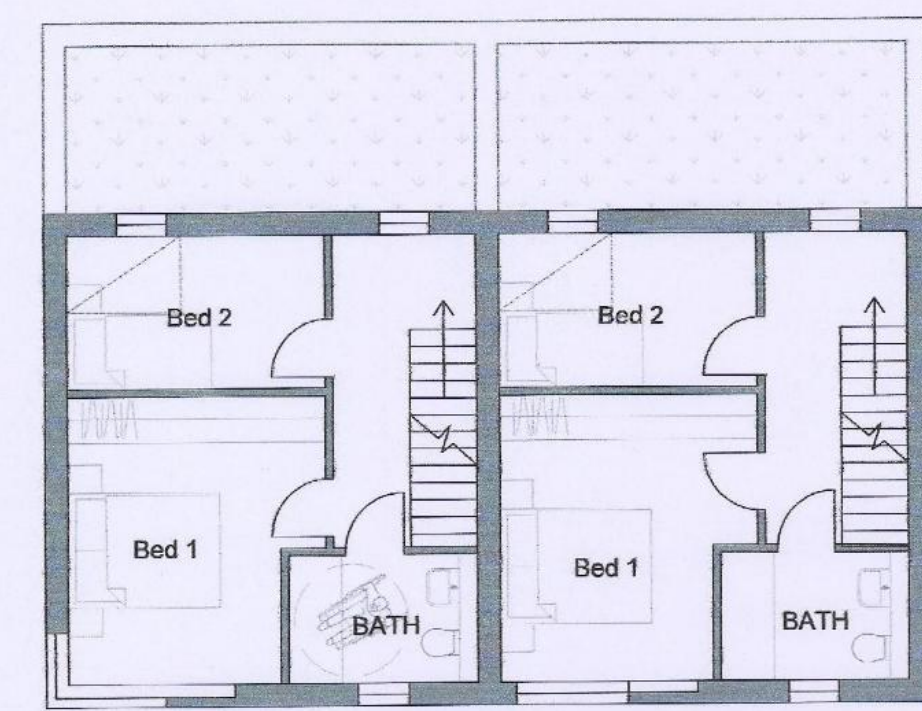
- ① Facing Brick
- ② Openable window set behind louvered screen
- ③ Composite windows & doors



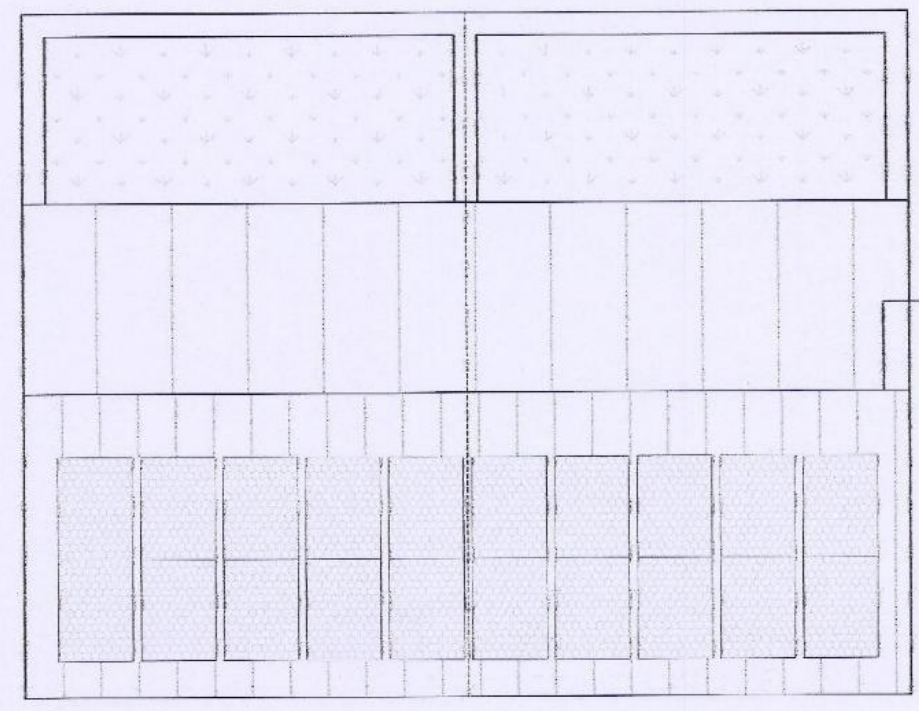
RIGHT ELEVATION



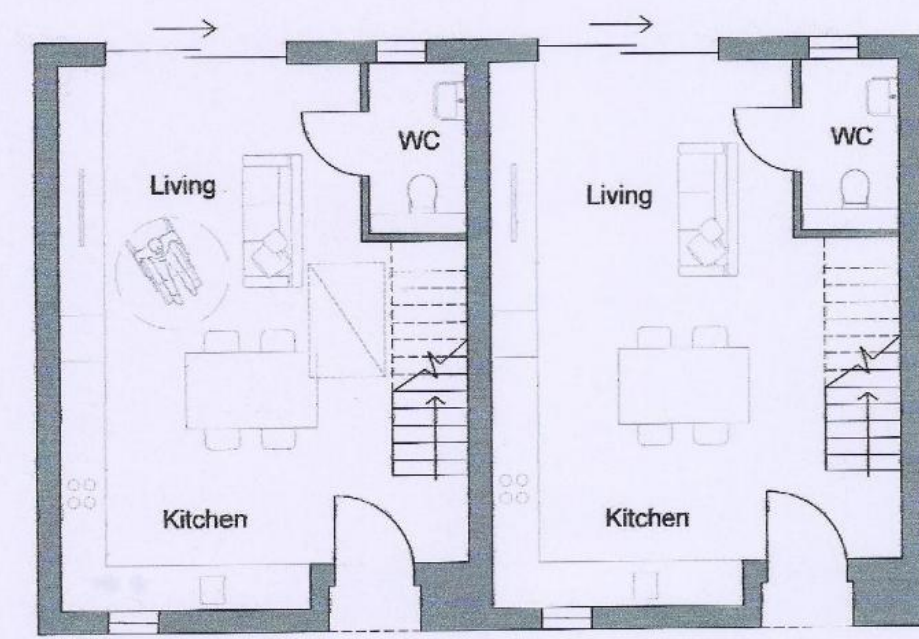
FIRST FLOOR



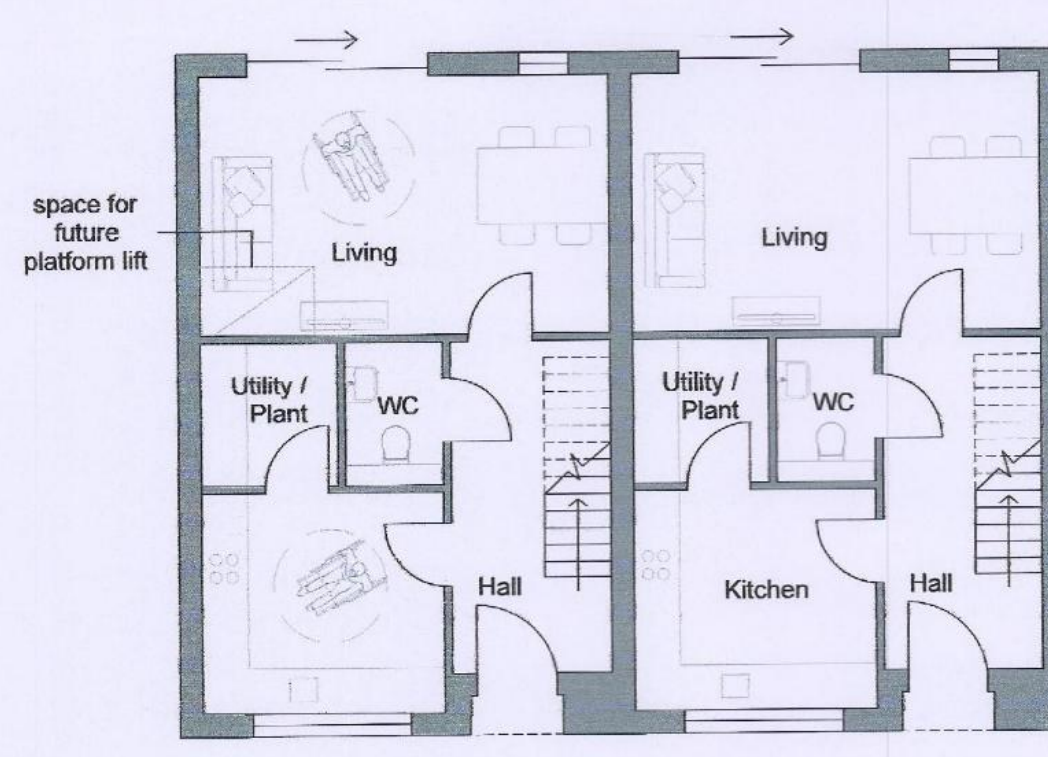
FIRST FLOOR



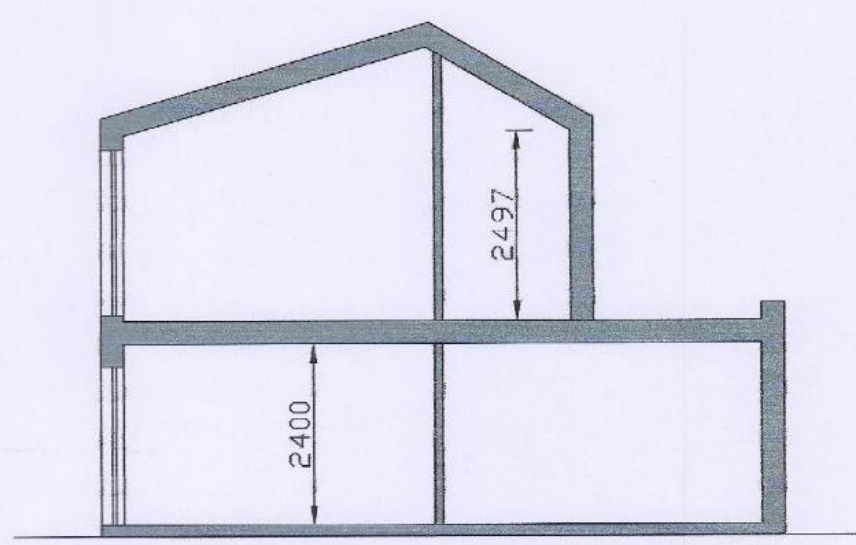
ROOF PLAN



GROUND FLOOR



GROUND FLOOR



SECTION

**TYPE A1**

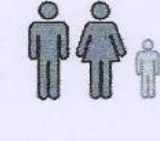
1 BED



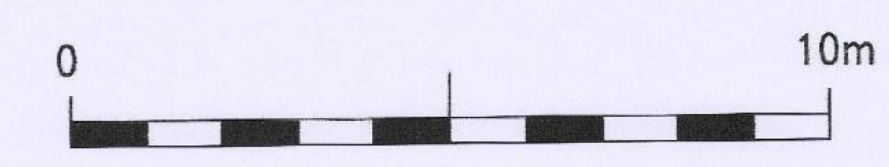
70m<sup>2</sup>

**TYPE A2**

2 BED



76m<sup>2</sup>



REV B 28.03.2019  
 -Primary material to Type A amended to red brickwork  
 -All house types have been amended to incorporate pitched roofs.  
 -House Type A3 (Flat Roof) Omitted

PROJECT DAMGATE BACK LANE MARTHAM, Gt YARMOUTH NORFOLK		
TITLE HOUSE TYPES TYPE A		
CLIENT EPC BUILDINGS LTD		
DRAWING STATUS PLANNING		
NICHOLAS PHILLIPS ARCHITECTS Ltd		
THE GALLERY 85 KING STREET CAMBRIDGE CB1 1LW T: 01223 755 598 W: www.nparchitects.co.uk E: info@nparchitects.co.uk		
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SCALE (@ A1) 1:100	DATE JAN 19	
PROJECT NO. 514	DRAWING NUMBER P01	REV B





## Green Roofs

Green roofs will be specified for all one storey roofs within the development.

These will comprise a mix of wildflowers, annuals and herbs specified to both enhance biodiversity within the development and produce an attractive and colourful feature to the properties.



## 1 Existing Trees and Hedgerows

The Site benefits from an established landscape framework with existing mature trees and hedgerows lining the field boundaries. These will be retained where possible in order to respect the local character and contribute to filter views towards the new housing from the surrounding area. This existing planting will be enhanced with new native tree and hedgerow planting, reinforcing the landscape framework and enhancing the habitat provision of the Site.

The existing vegetation will be augmented by extensive new planting, particularly to reinforce the structure of the existing network of hedgerows across the Site. This will include woodland, thicket and hedgerow planting of native species such as:

- Birch - *Betula pendula*
- Hawthorn - *Crataegus monogyna*
- Hazel - *Corylus avellana*
- Holly - *Ilex aquifolium*
- Oak - *Quercus robur*

## 4 Incidental Green Space and Residential Landscaping

A variety of planting across the Site will achieve a high quality landscape design and help to integrate the new housing into the existing landscape framework. The proposed planting will reflect the character of the area and provide an attractive place to live. Formal, ornamental planting will be used within the front gardens, with more native species introduced within the incidental green spaces and around the public open space.

New tree and thicket planting and landscaping along the boundaries will supplement the existing vegetation and further filter views of the new housing from the surrounding area. These areas will provide ecological benefits as well as creating an attractive landscape. Proposed planting will be easily maintained and complement the setting of the new housing.

Below is a suggested planting list for the ornamental soft landscaping:

- Tree Planting:
- Birch - *Betula pendula*
  - Rowan - *Sorbus aucuparia*
- Hedgerow Planting:
- Hawthorn - *Crataegus monogyna*
  - Hazel - *Corylus avellana*
  - Holly - *Ilex aquifolium*
- Shrub Planting:
- Shubby Veronica - *Hebe 'Midsummer Beauty'*
  - Cherry Laurel - *Prunus laurocerasus 'Otto Luyken'*
  - English Lavender - *Lavandula angustifolia 'Hidcote'*
  - Rosemary - *Rosmarinus officinalis 'Miss Jessop's Upright'*
- Herbaceous and Grass Planting:
- Cranesbill - *Geranium macrorrhizum*
  - Periwinkle - *Vinca minor 'Gertrude Jekyll'*
  - Argentinian Vervain - *Verbena bonariensis*
  - Feather Reed-grass - *Calamagrostis 'Overdam'*



LEAP  
(equipment indicative)

Access point to  
Damgate Back Lane

Landscape buffer  
planting to eastern  
site boundary

LAP  
(equipment indicative)

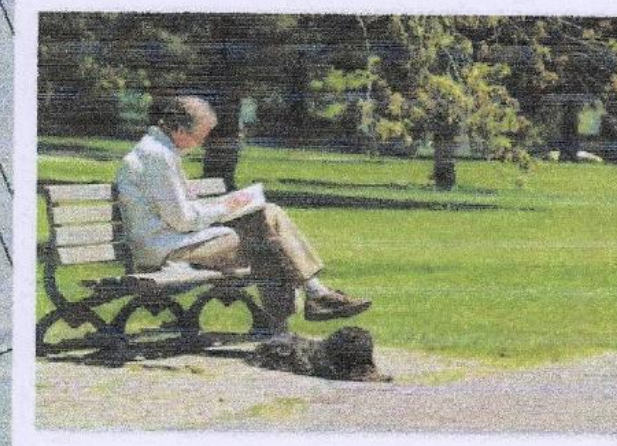
New planting to reinforce  
the site boundary and  
respect the setting of  
existing housing

New car park provision  
for Scout Building

## 2 Central and Northern Public Open Space

The central open space will provide a focal open space for the site, augmenting the landscape framework and will include ornamental planting as well as recreational facilities. The housing which backs on to this area will have direct access to the space from their rear gardens and an informal mown footpath will guide users through the space.

The northern open space will comprise the more formal play facilities, as well as providing access to Damgate Back Lane, which will provide recreation links for new residents as well as integrating the development into the wider settlement. There will be opportunities for seating, as well as some space for more informal play.



## 3 Children's Play Areas and Recreation

Two play areas will be provided within the development, a larger Locally Equipped Area of Play (LEAP) in the northern open space and a Local Area of Play (LAP) containing trim trail equipment through the central open space. These two areas will provide play facilities for children of all ages, as well as recreation opportunities for adult residents and will be easily accessible for residents of this development and existing residents within the vicinity of the site.

An informal recreational route will connect the two areas of open space and link to the existing public footpath on Damgate Back Lane.



## 5 Sustainable Drainage

Sustainable Drainage Systems will be incorporated into the development in order to retain run-off water on site and allow it to infiltrate naturally through a system of swales and basins. These will be sown with a wildflower / grass mix which is tolerant of periodic wet conditions and planted with appropriate wetland species for the benefit of local wildlife as well as to create visual interest.

- Wetland species will include:  
Marginals and Aquatics
- Ragged robin - *Lychnis flos-cuculi*
  - Meadow buttercup - *Ranunculus acris*
  - Devil's-bit scabious - *Succisa pratensis*
  - Meadowsweet - *Filipendula aria*
  - Water avens - *Geum rivale*
- Shrubs
- Goat willow - *Salix caprea*
  - Common Osier - *Salix viminalis*
- Trees
- Aspen - *Populus tremula*
  - Downy birch - *Betula pubescens*

App. No. 06/19/0071/F

REVISED PLAN

Received.....



### LEGEND

- APPLICATION BOUNDARY
- EXISTING TREES / VEGETATION
- WOODLAND PLANTING
- THICKET PLANTING
- TREE PLANTING
- HEDGEROW PLANTING
- ORNAMENTAL SHRUB / HERBACEOUS / GRASS PLANTING
- AMENITY GRASS
- WILDFLOWER MEADOW
- WET WILDFLOWER MEADOW
- LONG GRASS
- RECREATIONAL FOOTPATH
- PLAY AREAS
- EXISTING PUBLIC FOOTPATH
- GREEN ROOFS

B 26/03/19 LG Eastern landscape buffer strengthened  
A 17/12/18 LG Client comments and cross-section

**CSA**  
environmental

Dixies Barns, High Street,  
Ashwell, Hertfordshire SG7 5NT

T 01462 743647  
E ashwell@csaenvironmental.co.uk  
W csaenvironmental.co.uk

Project Damgate Back Lane, Martham

Title Landscape Strategy

Client EPC Buildings Ltd

Scale 1:500 @ A1 Drawn LG / SRW

Date December 2018 Checked BS

Drawing No. CSA/406/100 Rev B

Existing vegetation at  
the site boundary

SuDS pond

LEAP (equipment  
indicative)

Green roof on  
proposed development















LOCATION PLAN 1:1250 @ A3

**Reference:** 06/19/0367/F

**Parish:** Great Yarmouth  
**Officer:** Mr Rob Forrester  
**Expiry Date:** 22-03-20

**Applicant:** Daylight Developments Ltd - Mr Ranns

**Proposal:** Demolition of Europa House and erection of 17 no. 1 and 2 bedroom apartments and ancillary facilities

**Site:** Europa House, 40 South Quay, Great Yarmouth

## REPORT

### 1. Background / History:-

- 1.1 The site comprises 0.07 hectares and contains a flat roof, brick-built office/commercial building dating from the 1950's, which faces on to South Quay and Nottingham Way, and it is a prominent corner building.
- 1.2 The site falls within the urban area of Yarmouth, and is surrounded by a mix of commercial/residential buildings, many being flat roof construction.
- 1.3 There is no relevant planning history for the site.
- 1.4 South Quay contains an eclectic mix of historic buildings (many of which are listed) built around the traditional 'Rows' with more modern developments on infill and re-developed sites.
- 1.5 The area is one where the Council has generally encouraged redevelopment, particularly mixed uses, and those which re-introduce residential development in to the urban centre.
- 1.6 The site falls just outside of the Conservation Area boundary, which runs along the northern side of Nottingham Way, the application site being on the southern side.
- 1.7 The existing building is a modern design of no architectural merit although it has a symmetrical appearance, which sits well on the site and the location within the Historic South Quay.

- 1.8 The proposal is to demolish the existing flat-roof building and to erect in its place, a new flat-roof building of 4-storey proportions, to provide 17 one and two-bedroomed flats comprising:-

Ground Floor	2 No two-bedroomed units and 3 No one-bedroomed units
First Floor	3 No two-bedroomed units and 2 No one-bedroomed units
Second Floor	3 No two-bedroomed units and 2 No one-bedroomed units
Third Floor	2 No two-bedroomed units

- 1.9 The building is an 'L' shaped structure facing both road frontages with a rear courtyard providing refuse bin storage and secure cycle parking. The building provides ramped wheelchair access and a lift to all floors.
- 1.10 No car-parking is provided, and the main access to the building is close to the South Quay/Nottingham Way junction. Revised plans provide the additional cycle storage as required by the Highway Authority and is within the enclosed rear courtyard.
- 1.11 The building would be close to the highway with landscaped borders and the internal floor level is raised up above the flood-level and is to be 700mm above existing ground level.
- 1.12 The building would occupy all the available frontage to both roads and the proposal is for a substantial building of lower brick walls and rendered upper walls – to match the adjacent buildings - and is a similar height to its neighbours, apart from the third-floor, which is a lesser area than the 3 other floors, and the 2 flats at that level are set-back from the front faces of the building.
- 1.13 All of the flats have either a Juliet balcony/French doors or a walk-out balcony, the balconies at the corner of the building next to the road junction, forms an architectural feature on this prominent location, with a different colour for the walls behind the balconies.

- 1.14 The application is accompanied by the following technical documents: -

- Topographic Survey
- Archaeological Investigation/Heritage Statement
- Design and Access Statement
- Phase 1 Contamination Report and Site Check data
- Flood-risk Assessment
- Ecological (Habitats Regulations) Assessment
- Economic Viability Report
- Comments on other available sites/Sequential Test

1.15 The applicant has agreed to Ecology/Open Space contributions amounting to:-

Natura2000 at £110 per Dwelling = 1,870  
£480 per Dwelling in lieu of useable Public Open Space = £8,160  
£920 per Multi Bed Dwellings for children's recreation = £9,200

The Total would therefore be £19,230.00

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

2.1 Strategic Planning – The existing building was previously in use for office space but now remains vacant. It is located within the urban area of Great Yarmouth, adjacent to the town centre and is in a generally sustainable location with regards to accessibility to nearby facilities and amenities.

The loss of the existing building provides an opportunity to improve the aesthetics of the street scene and the setting of the South Quay conservation area needs to be considered (Core Policy CS10).

The proposal has the potential to contribute 17 new dwelling units to meet housing provision needs within a Main Town (Core Strategy Policy CS2) at a time when the Borough Council cannot demonstrate a 5-year housing land supply.

In strategic planning terms the scale of development would be commensurate with the location and facilities available in Great Yarmouth and I would consider the proposal compliant with Core Policies CS1, CS2 and NPPF118(d).

2.2 Local Highway Authority – Initial concern at insufficient cycle storage.

Given the location of the site is directly accessible to local services, employment, transport provision etc - all of which will reduce the reliance on the private motor vehicle as the primary mode of transport - the site is considered highly sustainable in transport terms. Having regard to current national policy it would be difficult to refuse the application on lack of parking provision alone, or to defend such a recommendation at appeal.

The revised plan addresses my earlier comments – advises 1 condition (Cycle parking to be provided prior to occupation and retention thereafter).

2.3 Neighbours – There has been one objection from a neighbour which states:-

- Strong objection due to a serious lack of parking provision
- Despite it being 2019, we simply do not all cycle
- There is no-where to park in this area, and most people have cars
- Nottingham Way is a very busy main road with double yellow lines for its entire length
- All the side streets are over-capacity with parking problems



- 2.4 GYBC Housing Section - The development is within the Town Centre sub-market area and as such is required to make an affordable contribution of 10% on 15 units and above, this has not been identified in the planning application.

In this instance we would request a commuted sum for this development. I have not had discussions with the site owner regarding this. I will begin discussions with property services so we are in a position to agree the payment amount.

- 2.5 Environment Agency – No objection subject to Sequential and Exception tests being applied and to no objection from Resilience officer in relation to evacuation.
- 2.6 Lead Flood Authority - No response.
- 2.7 Emergency Planning Officer (Resilience) - Having reviewed the FRA and am comfortable that the design, which means that the floor levels are above the projected extreme 1:1000 year event flood level, protects residents against flood events. The route is specified within the FRA but would need to be documented in a Flood Response Plan as recommended in the FRA. It should be a condition on approval, and shouldn't prevent the application going ahead as the risk doesn't crystallise until completion.

Any evacuation would take place in advance of predicted flooding.

- 2.8 Anglian Water – No objections, foul sewers have capacity to accept the flows and advises condition regarding surface water drainage strategy.
- 2.9 Conservation/Design Officer – A site visit confirms the building is of no historic merit. The re-development is well considered and will enhance the area
- 2.10 Archaeology – Site is within a historic priory of dense medieval housing and buried archaeological remains are possible. Requires watching brief and 3 conditions.
- 2.11 Natural England – No comments received.
- 2.12 N.C.C Natural Environment Team (Ecology) – No significant impact - the Shadow HRA predicts some impact on local sites and the amended HRA concludes no LSE on the Outer Thames Estuary SPA. The effects are limited due to the urban location and access to other recreation and can be mitigated with the Monitoring and Mitigation Strategy contribution.
- 2.13 Environmental Health – The submitted documents are satisfactory and the development should be carried out in accordance with the report – a waste acceptance criteria test for any imported soils is required, and a watching brief for

contamination noted during construction. Requires conditions including noise report to demonstrate port-noise will not be problematic.

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

- 3.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise, however in the absence of a 5-year Housing Land Supply, there remains a presumption in favour of sustainable housing developments.
- 3.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development which has 3 arms:-
- a) an economic objective
  - b) a social objective
  - c) an environmental objective
- 3.3 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), however in the absence of a 5-yr H.L.S, the status of the emerging plan is somewhat academic.
- 3.4 Paragraph 84. It will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 3.5 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.
- 3.6 Paragraph 170 - 177. Planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological



value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

- b) recognising the intrinsic character and beauty of the countryside,
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

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

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

- 4.1 Policy CS2: Growth within the borough must be delivered in a sustainable manner in accordance with Policy CS1 by balancing the delivery of new homes with new jobs and service provision, creating resilient, self-contained communities and reducing the need to travel.
- 4.2 Policy CS2 directs the majority of new housing to the larger urban areas particularly Gorleston and Great Yarmouth (such settlements are suitable for 35% of new housing growth across the District).
- 4.3 Policy CS4 – Delivering Affordable Housing : seeks an appropriate level of affordable housing dependant up on the scale of the development and the area of the District where it is located.
- 4.4 Policy CS9 – Encouraging well-designed, distinctive places

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

key features; create functional places; provides appropriate parking and access; conserves bio-diversity.

- 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. This will be achieved by: (partial)

a) Ensures Little Terns and other protected species are adequately protected from adverse effects of new development. Natura2000 Sites Monitoring and Mitigation Strategy to be prepared.

d) Ensuring that the Norfolk Coast Area of Outstanding Natural Beauty (AONB), the Broads and their settings are protected and enhanced

g) Ensuring that all new development takes measures to avoid or reduce adverse impacts on existing biodiversity and geodiversity assets. Where adverse impacts are unavoidable, suitable measures will be required to mitigate any adverse impacts. Where mitigation is not possible, the Council will require that full compensatory provision be made

h) Ensuring that all new development appropriately contributes to the creation of biodiversity and/or geodiversity features through the use of landscaping, building and construction features, sustainable drainage systems and geological exposures

- 4.6 Policy CS13 – Protecting from Flooding: The sequential and exception test should be met.

- 4.7 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)

b) Planning Obligations for a range of contributions is to be sought

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

- 4.8 CS16: Relates to Improving accessibility and Transport directing development to sustainable locations and ensuring no adverse impact on the transport network.

## **5 Local Policy :-**

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

- 5.2 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.
- 5.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.
- 5.4 As the general principles are covered by Adopted Core Strategy Policy CS2, there are no relevant Policies.

## **6 Emerging policy – Local Plan Part 2:-**

- 6.1 In the absence of a 5-year Housing Land Supply, there are few emerging policies that are applicable.

## **7 Habitat Regulations Assessment considerations:**

- 7.1 "European" or "Natura 2000" sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017 and constitute the most important wildlife and habitat sites within the European Union. The Council has an adopted policy approach, the Habitats Monitoring and Mitigation Strategy, prepared alongside the Part 1 Local Plan (and most recently updated at the Policy & Resources Committee meeting on 5th February 2019).
- 7.2 The application is for a re-development and whilst the proximity to designated areas has triggered the need for a bespoke shadow habitat regulation assessment, the impact is not significant due to the urban location and easy access to other recreational sites and can be mitigated by virtue of the Natura2000 contribution to the Monitoring and Mitigation Strategy.
- 7.3 Being a flat-roof modern building, it is unlikely that there would be any protected species present at the site, although the usual 'informative' should accompany any approval.

## **8 Local finance considerations: -**

- 10.1 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. The application has been assessed and there are no financial implications that would impact the determination of the application.

## **9 Assessment**

### Development Plan Policy

- 9.1 The proposal seeks approval for the erection of a building containing 17 modest flats within one of the main urban areas. It is a brownfield (previously developed site) in a highly sustainable location, at a time when the Council is seeking the re-development of the area in general and encourages multi-use sites and those which encourage residents back in to the town centre.
- 9.2 In the absence of a 5-year housing land supply, the proposal is a welcome one which raises no particular policy concerns, and the principle of development is acceptable on 'Policy' grounds.
- 9.3 Whilst there would be a loss of a building previously in commercial/employment use, the protection policies apply only to the larger 'allocated' sites, and permitted development rights exist to change offices to dwellings, so the loss of the use could not be resisted in any event.
- 9.4 The Affordable-Housing policy is discussed below, as are the more 'detailed' issues.

### Design/Impact on the Conservation Area

- 9.5 The Historic South Quay contains a mix of period property and more modern infill, and whilst the site adjoins (but is not within) the Conservation Area, it will nevertheless have an impact and the corner site is a prominent one.
- 9.6 The existing building, whilst have a symmetrical design and window fenestration (that mimics earlier property on South Quay) is a flat-roof modern building of no great architectural merit.
- 9.7 The proposed replacement building is a modern design which reflects the proportions of other South Quay developments and will not appear out-of-place with its neighbours or the surrounding area.
- 9.8 The proposal faces outwards with an active frontage to both roads, and providing high quality materials are used within the construction, it will be an appropriate

design that will not impact on the setting or character of the Conservation Area, and the Conservation Officer supports the scheme.

- 9.9 The N.P.P.F indicates at paragraph 127, that Planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- 9.10 It goes on to state at paragraph 130, that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.
- 9.11 The proposed dwelling is considered to be a high-quality design, and as a result, it takes the opportunity to improve the character and quality of the area as required by paragraph 130 and it therefore complies with Core Strategy Policy CS9 and is visually appropriate.

#### Flood-risk and Drainage

- 9.12 The site falls within Flood-risk Zone 3a although a sequential test shows no lesser -risk sites currently available for a 17-flat development, and this site is one of several being encouraged by the Council. The agent states:-
- *My Client has been looking for a site to develop for quite some time*
  - *They purchased Crown House in March 2018 and started on site February 2019. This is a Permitted Development conversion from Office to Residential and will be completed September 2020*
  - *Another building they purchased was Nelson House which they completed in March 2019. Again, a Permitted Development Conversion*
  - *As there are no sites available for development of 15-20 Units in this area and my Client purchased Europa House. Due to constraints with the ground floor being in the Flood Plain, it was considered inappropriate to convert to residential. Instead,*

*my Client is proposing to demolish and build a new Block of Flats with all floors above the anticipated Flood Zone*

- *Whilst there are a number of small sites available for 1-2 Units, very few larger sites come to the market. Currently there are 9 sites with consent for residential development with only 2 of them for 7 Units and one for 4 Units. The remainder are all either single dwellings or plots for two dwellings*
- *It is not viable to put three sites together to achieve a total of 18 Units.*

On the basis of the above, it is considered that the proposal passes the sequential test on the basis that there are no sequentially preferable sites (in a lower flood-risk zone) currently available that could accommodate the development.

- 9.13 The Environment Agency has not objected in principle (subject to the Resilience-officer being satisfied with the evacuation plan) and they note that:-

#### Actual Risk

- The site lies within the flood extent for a 0.5% (1 in 200) annual probability event, including an allowance for climate change
- We are developing a business case for the Great Yarmouth tidal defences (Epoch 2) project which is seeking approval for capital works to the tidal defences on the Rivers Yare and Bure to manage the risk from tidal flooding. Following this the CFMP Hold the Line policy has changed for this flood compartment. The preferred option is to maintain the current defences but not raise in line with climate change, as this is not cost beneficial
- The site does benefit from the presence of defences. However the defences have an effective crest level of 2.89 m AOD which is below the 0.5% (1 in 200) annual probability flood level including climate change of 3.32 m AOD and therefore the site is at actual risk of flooding in this event
- Finished ground floor levels have been proposed at 3.62 m AOD. This is above the 0.5% (1 in 200) annual probability flood level including climate change of 3.32 m AOD and therefore the floor levels are 0.3m above the flood level and so dry in this flood event
- Flood resilience/resistance measures have not been proposed
- There is refuge within the ground floor with level of 3.62m AOD above the 0.1% (1 in 1000) annual probability flood level of 3.49 m AOD
- The lowest site level is 2.70 m AOD and therefore flood depths on site are 0.62 m deep in the 0.5% (1 in 200) annual probability flood event including climate change with flood level of 3.32m AOD, and 0.79m depth in the 0.1% (1 in 1000) annual probability flood event including climate change with flood level of 3.49m AOD
- Therefore assuming a velocity of 0.5% the flood hazards on the site are danger for most including the general public in the 0.5% (1 in 200) and 0.1% (1 in 1000) annual probability flood events including climate change
- Therefore this proposal does not have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain (up to a 0.5% (1 in 200) annual probability including climate change flood

event). We have no objections to the proposed development on flood risk access safety grounds because an Emergency Flood Plan has been proposed by the applicant but you should determine its adequacy to ensure the safety of the occupants

- Compensatory storage is not required.

9.14 The raised floor-levels within the building means that the development itself would not be at flood-risk, and an escape route from the site would be to higher ground to the north and east along well-made public footpaths, and the Emergency Planning Officer raises no objection in principle subject to a condition requiring the submission of a detailed evacuation plan.

9.15 Sites along South Quay and around The historic 'Rows' within the town centre are part of the Council regeneration programme and the re-development of such sites has significant public benefits that outweigh the residual flood-risk, and as a result, the development would pass the exception test.

9.16 The existing site (built at a lower level) is at greater flood-risk, and the proposed scheme is therefore an appropriate one to develop.

#### Affordable Housing

9.17 The development falls above the 15 dwelling threshold for the provision of affordable housing - as required by Core Strategy Policy CS4 - and 10% (2 dwellings) would normally be expected to be affordable units, either on-site or by appropriate contribution.

9.18 The applicant has indicated that due to the existing use-rights of the site, and the build-costs of the scheme, it is not economically viable to provide any affordable contribution or provision on-site.

9.19 The submitted economic viability report is currently being appraised by the Council Property Section (and a verbal up-date should be available by the date of the Committee) although it is anticipated that the report would demonstrate that it is not economically viable to provide affordable units, as permitted by paragraph 4.4.5 of Policy CS4 and the advice on affordable dwellings within the N.P.P.F.

9.20 Whilst it is regrettable that no affordable units would be provided in this instance, it should be noted that all of the proposed flats are modest 'lower-cost' units and they are suitable for disabled users with appropriate access ramps and a lift to all floors.

#### Impact on Ecology

9.21 The N.P.P.F; The Conservation of Habitats and Species Regulations 2017, and Core Strategy Policy CS11/Natura2000 Monitoring and Mitigation Strategy,



establishes a strict regime for consideration of the impact of a development on both protected species and wildlife habitats and is referred to in section 7 above.

- 9.22 There are 3 separate issues to consider in relation to the above legislation and policy and the current proposal, being the ecology of the site itself, any recreational pressures on Natura2000 sites and impact on protected species off-site.
- 9.23 Being a flat-roof modern building which was until recently in active use, it is unlikely that there would be protected species on-site, nor would any be affected within the immediate surroundings of the site.
- 9.29 The submitted HRA report concludes that there could be some impact on Natura2000 sites arising from visitor pressure, however it would not be significant, and its impact is lessened due to the residents being within the urban area where there is easy access to other types of recreation including local parks and open-space within the urban area.
- 9.30 The County Ecologist confirms that it could be dealt with via the Monitoring and Mitigation Strategy. The appropriate payment is to be made via a Section 106 agreement or Obligation – see below.

#### Highway Safety/Parking

- 9.31 A concern has been expressed by a local resident (see section 2) regarding the lack of off-road parking, although many of the schemes recently approved along South Quay have been no-car schemes.
- 9.32 The Local Highway Authority have indicated that the site is a highly sustainable location in highway terms, where residents would have easy access to facilities and services as well as public transport and that a refusal based on a lack of parking could not be justified. The N.P.P.F indicates that permission should not be refused on Highway Safety grounds unless the resulting situation would be 'severe'.
- 9.33 The existing commercial use of the site does not have parking facilities, and there are public car-parks and road-side parking nearby, although there are parking restrictions directly outside the site due to the busy nature of the road.
- 9.34 The revised plans include additional cycle-storage as requested by the Highway Authority and the proposal complies with the guidance within the N.P.P.F and Core Strategy Policy CS16.

#### Contributions

- 9.35 The applicant has agreed to the Public Open Space/play space contribution and to the Natura2000 payment towards mitigating the recreational pressure on sensitive ecology.
- 9.36 The contributions would be advanced by a Section 106 agreement or Obligation, and any permission should be subject to such agreement being signed.
- 9.37 The section above relating to affordable housing is subject to confirmation that such provision is not economically viable,, and therefore no contribution would be needed.
- 9.38 The development does not hit the relevant 'triggers' for other contributions such as education/libraries or N.H.S.

#### Noise and Amenity

- 9.39 The building has been orientated so all habitable rooms look out on to the 2 main road frontages and there would be no appreciable loss of amenity for the neighbours in terms of oppressive outlook, loss of daylight/sunlight or disturbance.
- 9.40 The Environmental health Officer has indicated that there is potential disturbance from operational noise from the port activity on the quayside and a noise-report should be undertaken.
- 9.41 Other developments have been permitted as close to the port and it is therefore anticipated that with appropriate acoustic ventilation and double glazing, that noise could be reduced to an acceptable level. Such matters can be conditioned.

## **10 Conclusion**

- 10.1 The general principle of a modest flat-development within the urban area is acceptable in policy terms, and the proposal relates to a previously developed site in an area where the Council is encouraging re-generation and seeking the returning residents to the centre of the settlement as required by the N.P.P.F and Core Strategy Policy CS2.
- 10.2 The design of the dwelling is appropriate for the location and would not be harmful to the setting/character of the Conservation Area and quality of the area as required by paragraph 130 of the N.P.P.F and Core Strategy Policy CS9.
- 10.3 The site is a sustainable one where a lack of parking is not an over-riding consideration and the site has good access to facilities and services and appropriate cycle-parking is provided and does not conflict with the N.P.P.F or Policy CS16.

- 10.4 The application would not have an unacceptable impact on protected species and Natura2000 habitat and therefore the L.P.A meets its statutory duty to make such an assessment as required by the regulations, the N.P.P.F, Core Strategy Policy CS11 and Circular 06/2005.
- 10.5 Appropriate levels of contributions are to be provided as required by Policy CS14.
- 10.6 No affordable housing is to be provided, but the applicant has demonstrated that it would not be viable as required by the N.P.P.F and Policy CS4, and the development provides modest 'lower-cost' dwellings in an appropriate location, adds to the mix of house-types and aids the 5yr Housing Land Supply.
- 10.7 The site falls within the flood-risk zone, however no lower-risk sites are available, and the raised floor-levels ensure that the building would not be at risk and an appropriate evacuation plans can be produced and the proposal meets the sequential and exception test as required by the N.P.P.F and Policy CS13.
- 10.8 Adequate levels of amenity for new and existing occupants as required by the N.P.P.F can be achieved.

## **11 Recommendation: -**

**11.1 That subject to confirmation that the development is not economically viable to provide affordable housing, and to the applicant entering in to a Section 106 agreement/obligation to provide the stated contributions, that permission be APPROVED with the following conditions:-**

11.2 Appropriate Conditions to cover the following matters:-

Commence within 3 years

Dev in accordance with the approved plans

Dev in accordance with the FRA

Prior to commencement, an Evacuation Plan (flooding) to be submitted

Prior to commencement, a Surface Water Drainage Strategy to be submitted

3 archaeology conditions as advised

Materials to be approved

Landscaping to be approved

Provision of cycle storage prior to occupation

Environmental health advised conditions including - Unexpected Contamination, and

Noise report to be submitted



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Great Yarmouth  
Borough Council

21 JUN 2019

Planning  
Department

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NOTES  
This drawing contains the following:

#### SCHEDULE OF ACCOMMODATION

APT. NO.	NO. OF BEDROOMS	FLOOR AREA
1	2	63.48 SQ.M
2	2	66.88 SQ.M
3	1	49.03 SQ.M
4	1	46.71 SQ.M
5	1	52.00 SQ.M
6	2	63.48 SQ.M
7	2	66.88 SQ.M
8	2	58.00 SQ.M
9	1	46.71 SQ.M
10	1	52.00 SQ.M
11	2	63.48 SQ.M
12	2	66.88 SQ.M
13	2	58.00 SQ.M
14	1	46.71 SQ.M
15	1	52.00 SQ.M
16	2	73.47 SQ.M
17	2	76.65 SQ.M

REV DATE	DESCRIPTION
P1 25/03/19	First issue.
P2 10/04/19	Ramp & entrance steps revised

DRAWING USE  
PLANNING

CLIENT  
Daylight Developments

PROJECT  
Europa House

ADDRESS  
40 South Quay, Great Yarmouth

STATUS  
S4-FOR STAGE APPROVAL

DRAWING TITLE		SIZE
Site Plan As Proposed		A3
DRAWING NO.		REVISION
510		P2
CREATED	CHECKED	APPROVED
n/c	MN	MN

S1 Yarmouth Road,  
Norwich,  
NR7 0ET  
01603 700000  
office@chaplinfarrant.com

Also at:  
Cambridge and Winchester  
www.chaplinfarrant.com

JOB NO.  
5902



**Reference:** 06/19/0341/F

**Parish:** Rollesby

**Officer:** Mr Rob Forrester

**Expiry Date:** 13/03/2020

**Applicant:** Mr B Newson

**Proposal:** Erection of 2 no. 4-bedroom 2 storey houses; 2 no. 3-bedroom semi-detached cottages, and 3-bay detached garage block served from a private drive with associated parking.

**Site:** Land adjacent to The Croft, Martham Road, Rollesby

## REPORT

### 1. Background / History:-

- 1.1 The site comprises 0.14 hectares and proposes the erection of a pair of 3-bedroomed semi-detached cottages on the road frontage, and two 4-bedroomed detached houses to the rear served from a private drive with turning head.
- 1.2 One detached house has an integral garage, the other 3 dwellings have a garage provided within a 3-bay block. The 3-bedroomed units have an additional parking spaces and the 4-bedroomed units have 2 additional parking spaces.
- 1.3 The site is opposite the village pond and is adjacent to a traditional thatched cottage (The Croft) which is on the Martham Road frontage.
- 1.4 The site is outside of the Conservation Area (which is some 250m to the south-west) and most of the site falls within the village development limits.
- 1.5 There is planning history for the part of the site which falls within the village limit, with outline permission - 06/17/0319/F - having been granted for two 4-bedroomed dwellings on 13 October 2017.
- 1.6 The current site is larger than the outline site, including a greater part of the curtilage to The Croft, as well as a strip of paddock land to the east (outside of the village development limits).



- 1.7 There is a substantial industrial estate immediately to the west of the site and other residential development to the east, south and west.
- 1.8 The proposed dwellings are a modern design, with the pair of semi-detached cottages having a hipped roof and simple canopy porch and they have a modest rear garden (with surrounding fence) and garage/parking within the garage block that separates them from the 2 houses to the rear.
- 1.9 The 2 detached dwellings proposed are also modern in appearance, with one incorporating an integral garage, and faces the turning head/drive. The second is lower in height (with an asymmetric pitched roof (incorporating dormers to the front) and they have a larger rear garden.
- 1.10 The amended plans recently received provide the required visibility splays at the access which serves all the dwellings, with the 2 cottages and one of the detached houses sharing a garage block that is situated between the cottages on the front and the houses to the rear.
- 1.11 The access drive and turning head are similar to the approved scheme and incorporate wheelie-bin storage near the main road for collection days.
- 1.12 The application is accompanied by an ecology appraisal report and a shadow Habitat Regulations Assessment (HRA) which conclude that no protected species would be impacted, and there would be no significant effects on Natura2000 sites.

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

- 2.1 The application has been called-in to Committee by Cllr Andy Grant on the basis that the proposal constitutes 'over-development'.
- 2.2 Parish Council – The Parish Council have commented as follows:-
- Over-development of the site – the original approval was for 2 2-storey dwellings, the current proposal is for 2 3-bedroomed bungalows and 2 3-bedroomed houses
  - The speed limit is 30mph, but actual speed in recent surveys is 41mph
  - The entrance is within 100m of a 13-dwelling development recently approved – if both sites are developed this would amount to 68 car movements/day on a busy road where 17,000 car movements were recorded
  - Contrary to the Draft neighbourhood Plan for Rollesby
  - P.C are not against development but feel this development is unsuitable for the location
- 2.2 Neighbours – There have been 5 objections from neighbours which state:-

- Objected in 2017 to development near our boundary and to loss of privacy
- Note the new development is further away, but any development drastically affects our view and will negatively impact on us
- 100 yards away, 13 more dwellings have been approved - 06/18/0315/O - which will put extra pressure on Martham Road, due to extra traffic
- Traffic speeds according to the Parish Council are already too high
- We need assurance that no lorries or construction traffic are likely to wait outside residents homes as it will impact on visibility for residents
- Our daughter has asthma and we want assurances that dust will be controlled
- Over-development as original proposal was for 2 dwellings
- Previously restricted to 2 plots due to the trees and access road position – the trees have been legged and the access moved
- Garages are rarely used for parking and on-street parking will be detrimental to highway safety
- The rapid increase in Martham, extra traffic will use the lane - increased noise and pollution
- We live nearby and were not formally consulted
- We should be separated from the development by a fence agreed on the sale of the land
- Garages can be changed to living accommodation at a later date
- Moving the road has allowed 2 extra plots - whilst there is no need for affordable housing the cottages are so small they will be likely used for transient occupation instead of family homes as intended
- Cottages on frontage look out of place
- Too close to The Croft – challenge the need for 2 dwellings – should be a single dwelling
- Object if these are not executive housing
- Height of dwellings should be reduced
- New development in villages is welcomed providing it is in-keeping and provides adequate facilities
- Inadequate parking and tandem spaces do not work – results in on-street parking
- Will be a dangerous situation near a junction
- There is no shortage of houses, so this is un-necessary

2.3 Local Highway Authority – Access width and turning are appropriate and for the scale of the development, and whilst not dimensioned, I am satisfied that adequate visibility can be achieved. The Local Highway Authority raises no objection to the amended proposal and recommends 6 conditions/2 informatives.

2.4 Strategic Planning – The site is acceptable in principle being within the dev limits as defined in the 2001 saved plan. The Croft is worthy of local heritage but is not listed and should be taken in to account. Development appears cramped and

density should reflect surroundings and it fails to reflect this contrary to Policy HOU17. Highways should comment on the access and other road users. Trees on the boundary should be retained for net biodiversity/gain. Acceptability should be weighed against other issues. Templet HRA suitable for this site within orange zone.

- 2.5 Conservation/Design Officer – There are concerns regarding the design of the dwellings on the front, which should be cottage-style and reduced in height to reflect the rural area.
- 2.6 Environmental Health – No objections subject to 3 conditions and informative regarding dust generation.
- 2.7 Essex and Suffolk Water – no objection.
- 2.8 English Nature – No comments, standing advice applies.
- 2.9 N.C.C Natural Environment Team - The HRA report is acceptable and fit for purpose and only minor cumulative effects shown – readily controlled through the monitoring and Mitigation Strategy.

No ecological constraints following ecology report and no further surveys needed.

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

- 3.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise, however in the absence of a 5-year Housing Land Supply, there remains a presumption in favour of sustainable housing developments.
- 3.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development which has 3 arms:-
  - a) an economic objective
  - b) a social objective
  - c) an environmental objective
- 3.3 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), however in the absence of a 5-yr H.L.S, the status of the emerging plan is somewhat academic.

3.4 Paragraph 84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

3.5 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.

3.6 Paragraph 170 - 177. Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside,

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

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

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

3.7 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone

or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

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

4.1 Policy CS2: Growth within the borough must be delivered in a sustainable manner in accordance with Policy CS1 by balancing the delivery of new homes with new jobs and service provision, creating resilient, self-contained communities and reducing the need to travel.

4.2 Policy CS2 identifies Rollesby as a Secondary Village (such settlements are suitable for 5% of new housing growth across the District) proportionate to the scale of the settlement.

4.3 Policy CS9 – Encouraging well-designed, distinctive places

High quality, distinctive places are an essential part in attracting and retaining residents, businesses, visitors and developers. As such, the Council will ensure that all new developments within the borough reflect the local character; respect key features; create functional places; provides appropriate parking and access; conserves bio-diversity.

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. This will be achieved by: (partial)

a) Ensures Little Terns and other protected species are adequately protected from adverse effects of new development. Natura2000 Sites Monitoring and Mitigation Strategy to be prepared.

d) Ensuring that the Norfolk Coast Area of Outstanding Natural Beauty (AONB), the Broads and their settings are protected and enhanced

g) Ensuring that all new development takes measures to avoid or reduce adverse impacts on existing biodiversity and geodiversity assets. Where adverse impacts are unavoidable, suitable measures will be required to mitigate any adverse impacts. Where mitigation is not possible, the Council will require that full compensatory provision be made

h) Ensuring that all new development appropriately contributes to the creation of biodiversity and/or geodiversity features through the use of landscaping, building and construction features, sustainable drainage systems and geological exposures

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.

4.6 Policy CS16: Improving accessibility and transport – new development should not impact on the safety of the highway network

## **5 Local Policy :-**

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

5.2 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.

5.3 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.

5.4 As the general principles are covered by Adopted Core Strategy Policy CS2, there are no relevant Policies.

## **6 Emerging policy – Local Plan Part 2:-**

6.1 In the absence of a 5-year Housing Land Supply, and as the plan is at an early stage, there are few emerging policies that are applicable.

6.2 The Rollesby Neighbourhood Plan is not sufficiently advanced to carry any weight.

## **7 Habitat Regulations Assessment considerations:**

- 7.1 “European” or “Natura 2000” sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017 and constitute the most important wildlife and habitat sites within the European Union. The Council has an adopted policy approach, the Habitats Monitoring and Mitigation Strategy, prepared alongside the Part 1 Local Plan (and most recently updated at the Policy & Resources Committee meeting on 5th February 2019).
- 7.2 The application is for a modest development of 4 dwellings and whilst the proximity to designated areas is noted this has not triggered the need for a bespoke shadow habitat regulation assessment.
- 7.2 An appropriate Ecology survey has been submitted in relation to the site and reveals no ecological constraints.

## **8 Local finance considerations:-**

- 10.1 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. The application has been assessed and there are no financial implications that would impact the determination of the application.

## **9 Assessment**

### Development Plan Policy

- 9.1 The proposal seeks approval for the erection of a modest development of 4 dwellings on the countryside edge of the settlement of Rollesby, which is identified in Core Strategy Policy CS2, as one of the Secondary Settlements, which are to absorb 5% of the Districts Housing requirement as minor developments within the settlement, appropriate in scale to the settlement.
- 9.2 There has been a recent housing development approved nearby - 06/18/0315/O – an outline approval of 13 dwellings outside but adjacent to the village development limit further to the north-east. The current application site falls within the development limits apart from the modest strip of land that allows for the access road, however given the lack of a 5year Housing land Supply, such development would be difficult to resist on Policy grounds.
- 9.3 The extent (outline) permission for 2 dwelling units in a backland form establishes the principle of development of the land and as a result, it is not considered that the erection of another four dwellings raises any particular ‘policy’ objections to the principle, the main concern being the position/design of the proposed dwelling in relation to the character and form of the settlement.



- 9.4 Rollesby is an unusual settlement in 3 parts, with a nucleated grouping of dwellings based around the church (the Conservation Area – at the western end on Heath Road; and a second larger grouping of dwellings further east, around the A149 on both the north and south side. The application site forms a further centre grouped to the north of the A149 where the village pub and pond are situated along with a small industrial complex.
- 9.5 The site is at the northern edge of the settlement directly opposite the pond – a recognised open amenity space, and most of the site falls within the defined development limit. The modest encroachment is not considered to be harmful to the character of the surrounding area or the countryside.
- 9.6 The proposed dwellings are a backland form (served from a private drive) in the same backland situation as the outline approval, although the enlargement of the site has allowed the inclusion of a pair of semi-detached cottages on the road frontage.
- 9.7 This form of development is not out-of-character with the established character and pattern of development within the settlement and was established by the outline approval.
- 9.9 The addition of the 2 cottages on the frontage is a more efficient use of land as advocated by the N.P.P.F and the density is similar to the other approved site further to the north-east and adds to the mix of dwellings within the locality as advocated by the N.P.P.F. and as such, is considered to comply with Core Strategy Policy CS2.

#### Design of the Development

- 9.10 The Martham Road area of Rollesby has a very eclectic mix of dwelling types, with numerous architectural styles and ages of construction – to the extent that there is no readily definable character – although the village still has a rural charm and a very simple architectural form to most dwellings.
- 9.11 The adjacent dwelling is a vernacular cottage with thatched roof, although elsewhere, the dwelling types are very mixed, including modern infilling of houses and bungalows.
- 9.12 The proposed development will not therefore appear out-of-place.
- 9.13 The N.P.P.F indicates at paragraph 127, that Planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

9.14 It goes on to state at paragraph 130, that “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.

9.15 The proposed dwellings are of a modern design but are not at odds with the local rural character, and as a result, it does not conflict with Core Strategy Policy CS9.

#### Intrusion in to the Countryside

9.16 Whilst the development extends to a modest degree beyond the current village development limits, it is not considered that the proposal represents an unwarranted intrusion in to the countryside beyond the obvious visual limits of the settlement and the proposal includes a new boundary hedge to define the north-eastern edge.

9.17 It is considered that the proposal represents an appropriate addition to the dwelling at its outer edge.

#### Impact on Ecology

9.18 The N.P.P.F; The Conservation of Habitats and Species Regulations 2017, and Core strategy Policy CS11/Natura2000 Monitoring and Mitigation Strategy, establishes a strict regime for consideration of the impact of a development on both protected species and wildlife habitats.

9.19 There are 3 separate issues to consider in relation to the above legislation and policy and the current proposal, being the ecology of the site itself, any recreational pressures on Natura2000 sites and impact on protected species off-site.

9.20 An ecology report has been submitted that concludes that there is little potential for wildlife to be present at the site, and with appropriate additional bio-diversity enhancement the development would not harm wildlife. The County ecologist confirms that the report is fit-for-purpose and that ecology on-site does not constitute a constraint on development.

- 9.21 The submitted HRA report concludes that there could be some impact on Natura2000 sites arising from cumulative visitor pressure, however it would not be significant and the County Ecologist confirms that it could be dealt with via the Monitoring and Mitigation Strategy payment.
- 9.22 The appropriate payment has been made.
- 9.23 Another concern relates to the potential impact on protected species off-site, although there is only surface water drainage that has such potential. The agent has indicated that there is no surface water sewer available and the site is unsuited to soakaways and so surface water will need to be attenuated on site and released at a controlled rate to the public foul/combined sewer. Such details can be conditioned and, in that form, would be unlikely to impact on any nearby sites or species.

#### Parking and Highway Safety

- 9.24 The proposed development provides for the level of parking normally expected for dwellings of the size proposed and as a result, a refusal on car-parking grounds would be unlikely to be defensible.
- 9.25 The proposal is for a private drive similar to the one already approved in relation to the 2-dwelling scheme, and an appropriate level of visibility can be achieved.
- 9.26 The amended plans do not significantly change the proposal from a highway aspect (although the parking/garaging are more organised) and no objection to the amended plans are anticipated. As a result, the proposal would not seriously impact on highway safety and paragraph of the N.P.P.F 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”.
- 9.27 It is not considered that the proposal represents a severe highway danger and therefore complies with the above N.P.P.F guidance and Policy CS19.

#### Levels of Amenity

- 9.28 The proposed development would provide for appropriate levels of amenity for both existing and proposed residents as required by the N.P.P.F, and the normally expected distances between dwellings is achieved.
- 9.29 It is noted that concern is raised by some of the objectors that the new dwellings adjacent to their property would have a negative impact (although the loss of view mentioned is not a material Planning consideration), however given the separation distances, the proposed dwellings would not adversely impact on the outlook of

adjacent dwellings, nor cause a loss of privacy such that refusal of permission could be justified.

## **10 Conclusion**

- 10.1 Whilst the general principle of a modest housing development in a secondary village is appropriate in policy terms, and the previous approval established the acceptability of a backland development at this location, along with the use of a private drive for access, the proposal whilst being a greater number of dwelling on a larger site, therefore represents an acceptable infill, that would not appear out-of-character with the established form of the settlement, and represents an appropriate density which adds to the mix of dwelling types in the locality. It complies with the guidance within the N.P.P.F and Core Strategy Policy CS2.
- 10.2 The design of the dwellings is appropriate for the location and would not be harmful to the rural character, as required by paragraph 130 of the N.P.P.F and Core Strategy Policy CS9.
- 10.3 Whilst the development constitutes a minor encroachment in to the countryside beyond the defined limits of the settlement, however given the lack of a 5-year housing land supply, the principle of sustainable housing development as defined in the N.P.P.F takes precedence.
- 10.4 The application complies with the usual parking and amenity standards and complies with the N.P.P.F and Core Strategy Policies CS 9 and16.
- 10.5 The development would not impact on the ecology of the area, and any cumulative affects on Natural2000 sites would be limited and can be mitigated.

## **11 Recommendation: -**

### **11.1 That permission be APPROVED for the following conditions:-**

#### **11.2 Suggested conditions:-**

Commence within 3 years

Dev in accordance with the amended plans

Surface water drainage strategy to be submitted

Materials to be approved

Landscaping to be approved

3 Environmental Health conditions as advised

Visibility Splay to be provided prior to occupation

Parking to be provided prior to occupation and retained

Other highway conditions as advised (prior to occupation)





E	Client requirements	grc Feb 20
D	Layout amended re planning comments	grc Jan 20
C	Hedging & grassed areas	grc Nov 19
B	Site extended onto adjoining land + additional plot	grc July 19
Rev A	Clients comments	grc June 19

**Graham Craske** MCIAT  
 Chartered Architectural Technologist

Ferndale, Croston Road, Fulmeston, Fakenham, Norfolk, NR21 0NU  
 Tel: 01328 878340 E: grahamcraske121@btinternet.com

**CIAT**

Client: **Brian Newson**

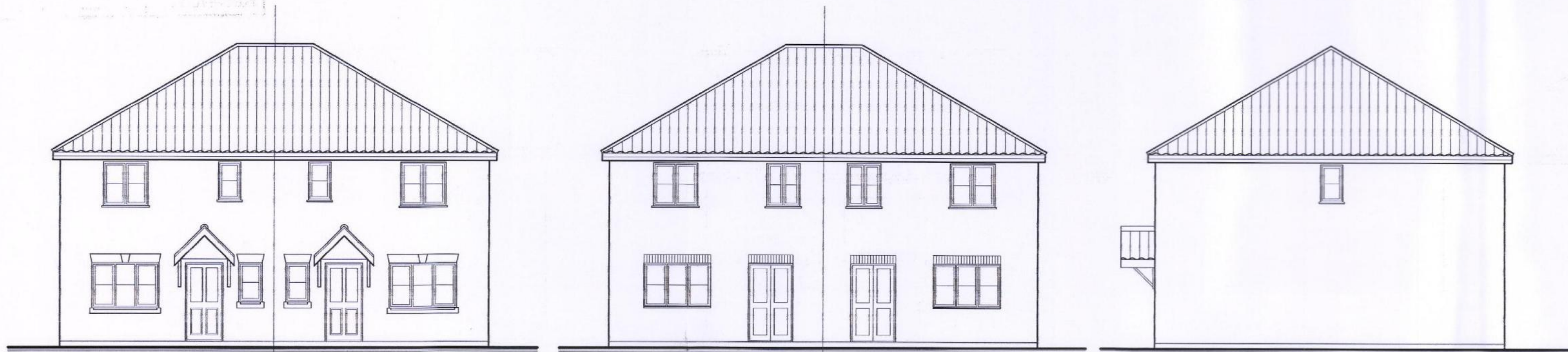
Job Title: **Rollesby**

Drawing Title: **Site Plans**

DATE: **June 19** Scale: **1:100 @ A1**

Drawing No: **GC/222/01** E

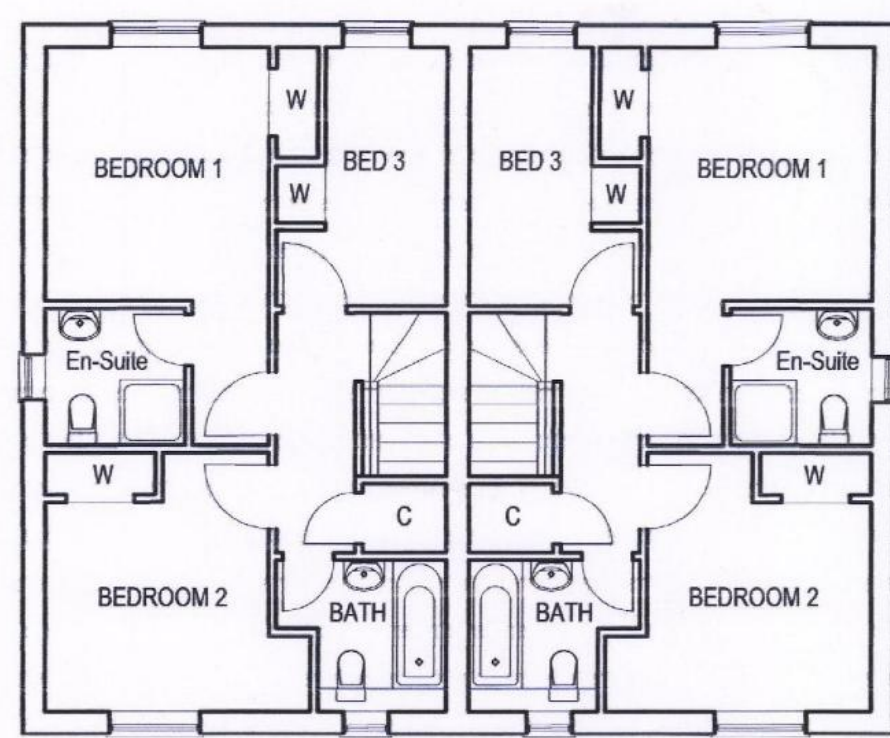




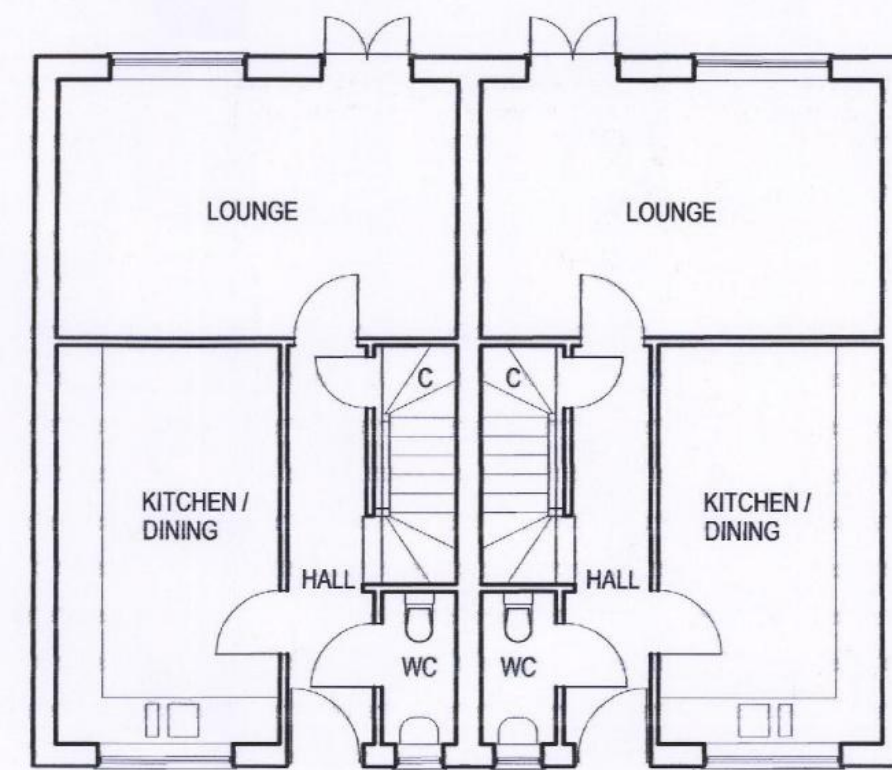
South - East Elevation

North - West Elevation

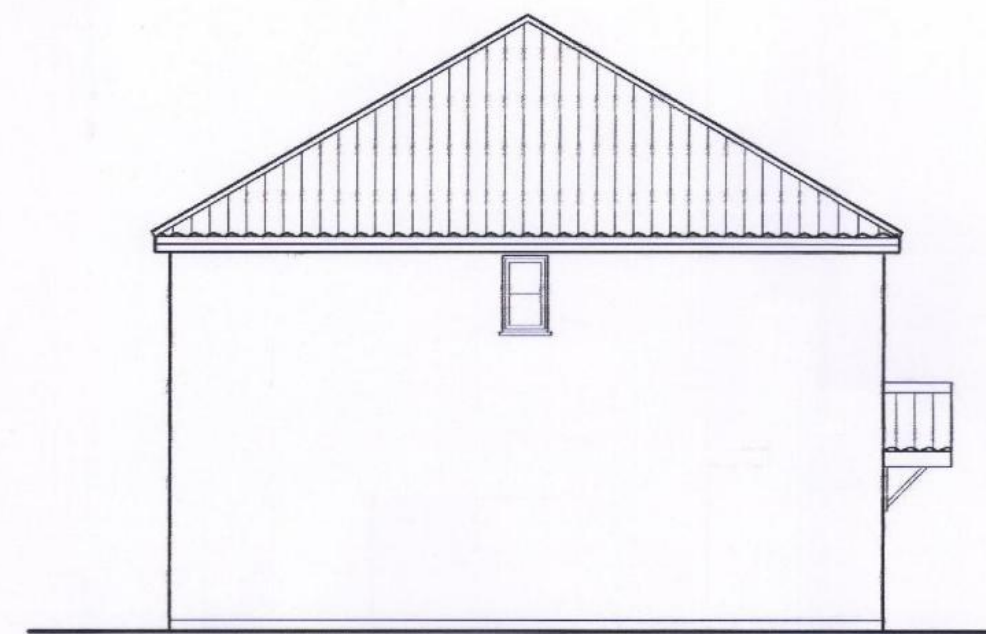
North - East Elevation



Ground Floor Plan



First Floor Plan



South - West Elevation

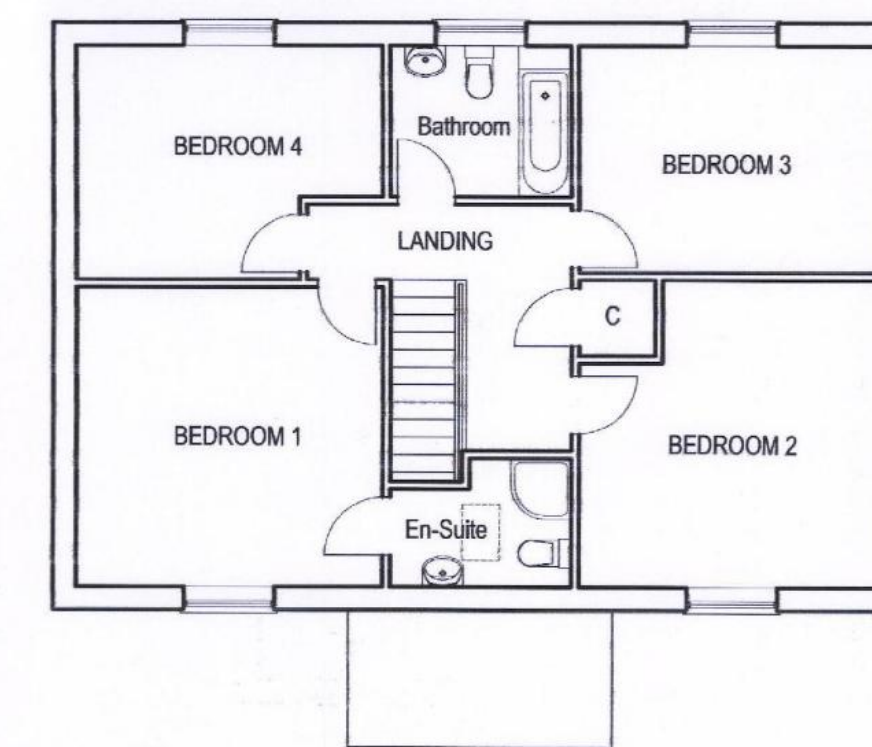
## PLOTS 1&2



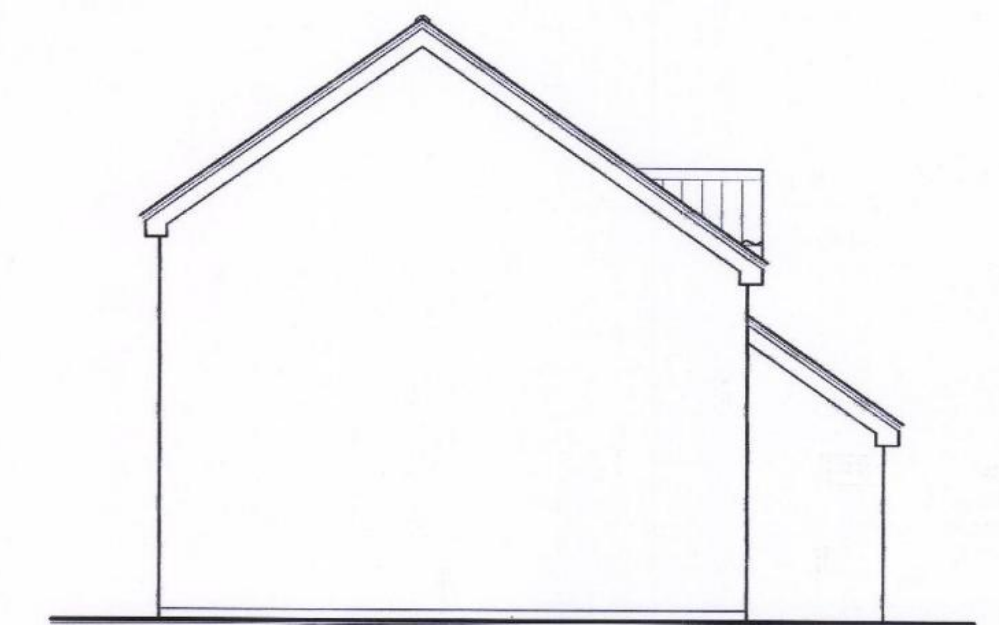
South - East Elevation



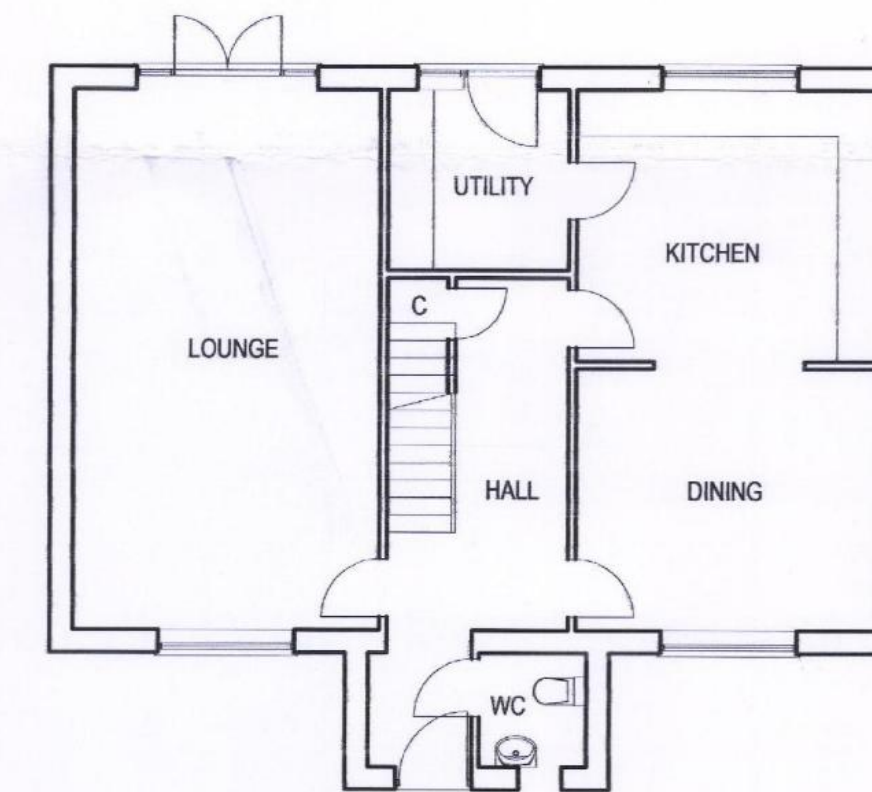
North - West Elevation



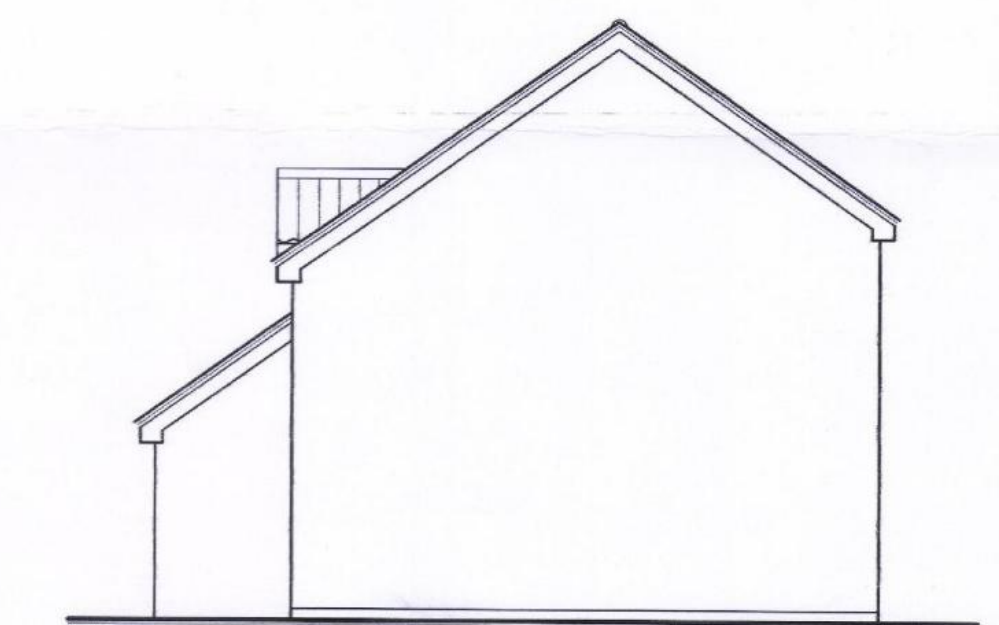
First Floor Plan



South - West Elevation



Ground Floor Plan

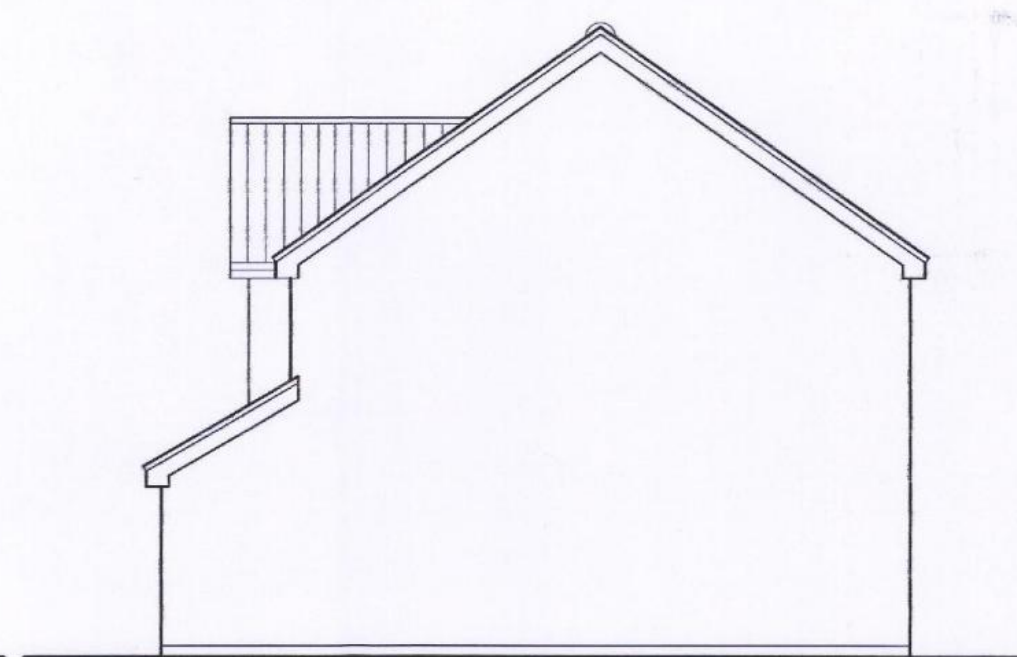


North - East Elevation

## PLOT 3



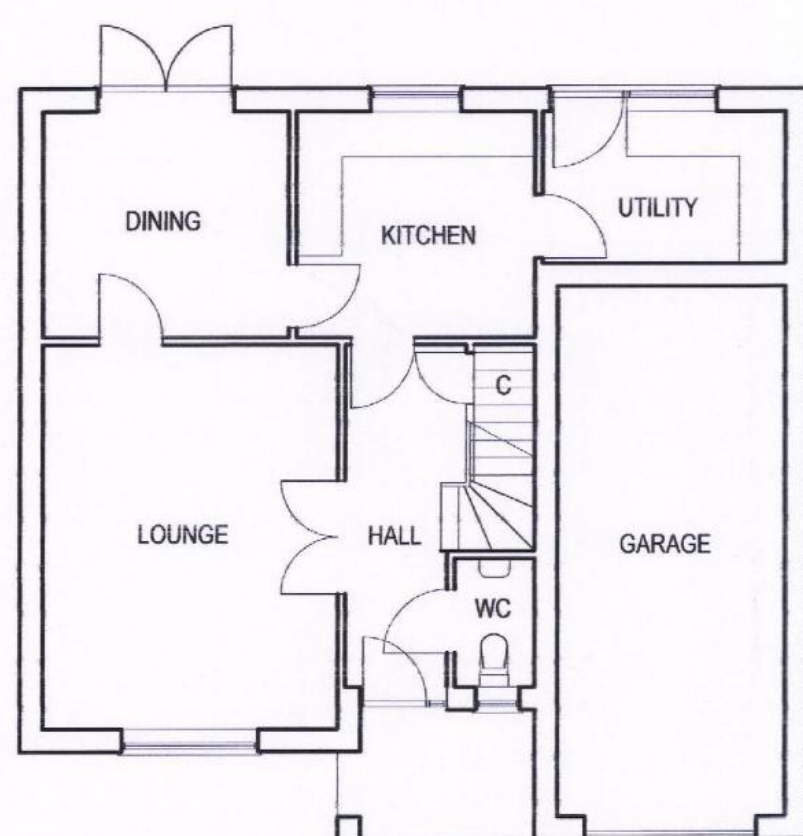
South - East Elevation



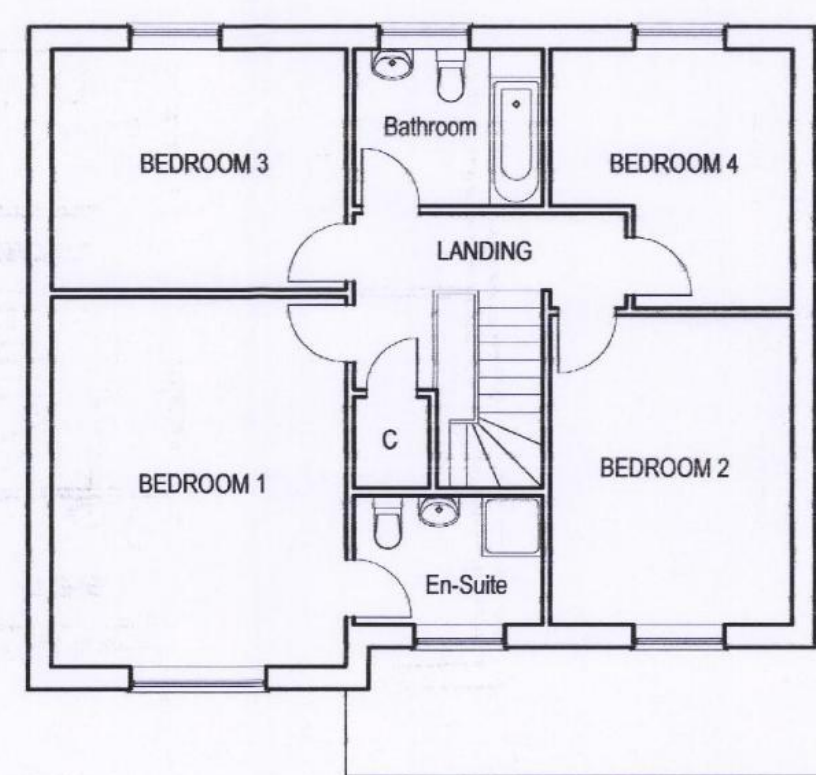
North - East Elevation



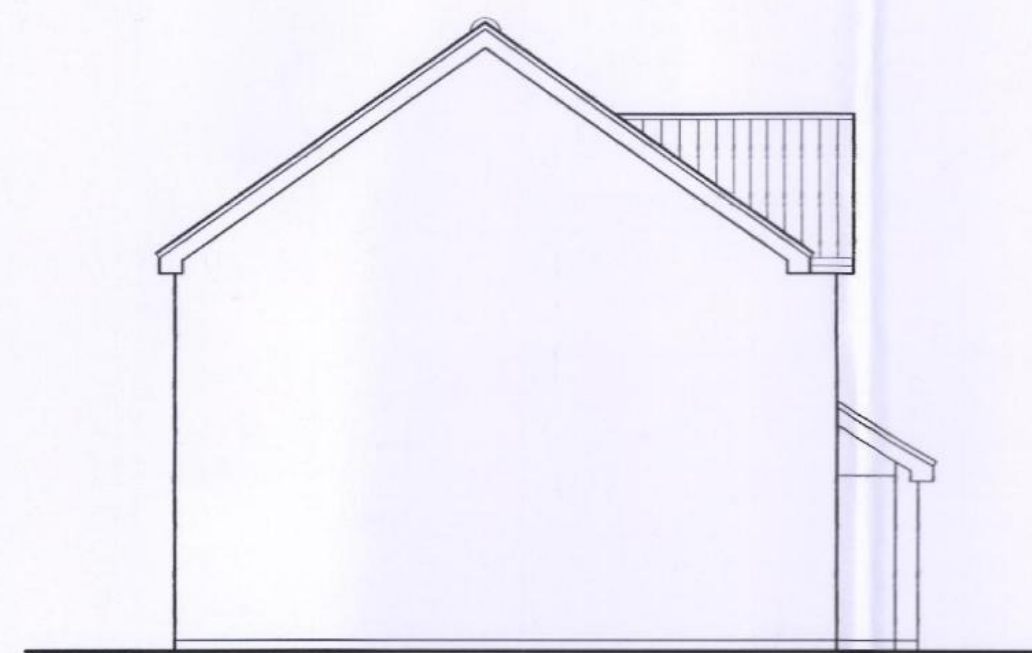
North - West Elevation



Ground Floor Plan



First Floor Plan



South - West Elevation

## PLOT 4



06/19 / 0341/F

Great Yarmouth  
Borough Council

07 AUG 2019

Planning  
Department



Rev A Site Extended

July 19

*Graham Eraste*

MCIAT

Chartered Architectural Technologist



Female, Chertsey Road, Farnborough, Hampshire, UK, PO14 3AU  
Tel: 01253 872345 E: graham@eraste.co.uk

Client:

Brian Newson

Job Title:

Rollesby

Drawing Title:

Location Plan

DATE:

June 19

Scale: 1:1250 @ A4

Drawing No.:

GC/222/03

A



**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-20 AND 29-FEB-20 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/19/0665/F</b>
PARISH	Bradwell S 2
PROPOSAL	Proposed new garage
SITE	7 Clover Way Bradwell GREAT YARMOUTH
APPLICANT	Mr J Brown
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0701/F</b>
PARISH	Bradwell S 2
PROPOSAL	Creation of first floor over existing detached garage for habitable accommodation with link to existing house
SITE	4 Howards Way Bradwell GREAT YARMOUTH
APPLICANT	Mr S Brierley
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/20/0003/F</b>
PARISH	Bradwell S 2
PROPOSAL	Proposed erection of 5 new dwellings
SITE	21 Crab Lane Bradwell GREAT YARMOUTH
APPLICANT	Tredwell Developments Ltd -Mr D Smith
DECISION	<b>REFUSED</b>
<hr/>	
REFERENCE	<b>06/19/0721/F</b>
PARISH	Burgh Castle 10
PROPOSAL	Construction of vehicular access
SITE	The Hatchery Market Road Burgh Castle GREAT YARMOUTH
APPLICANT	P. D. Hook Ltd
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0566/F</b>
PARISH	Caister On Sea 3
PROPOSAL	Reconfigure existing external activity area to enhance and increase available facilities for holiday park guest use
SITE	Caister Holiday Centre Ormesby Road Caister GREAT YARMOUTH
APPLICANT	Bourne Leisure Limited
DECISION	<b>APPROVE</b>
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-20 AND 29-FEB-20 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/19/0661/F</b>
PARISH	Great Yarmouth 5
PROPOSAL	Erection of 2 semi detached houses with garages and off road parking
SITE	Ivy House Burnt Lane Gorleston GREAT YARMOUTH
APPLICANT	Mr Christophi
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0710/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Revised application - 06/18/0728/F - changes from approved scheme - addition of ensuite in roof space, plus
SITE	82 Lower Cliff Road Gorleston GREAT YARMOUTH
APPLICANT	Mr H Jaffer
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0488/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Retain A3 and incorporate A5 use - Ground floor
SITE	57 Marine Parade GREAT YRMOUTH Norfolk
APPLICANT	Mr C Hussain
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0540/LB</b>
PARISH	Great Yarmouth 14
PROPOSAL	Retain A3 & incorporate A5 use - Ground floor
SITE	57 Marine Parade GREAT YARMOUTH Norfolk
APPLICANT	Mr Hussain
DECISION	<b>LIST.BLD.APP</b>
<hr/>	
REFERENCE	<b>06/19/0581/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Change of use of former (vacant) guesthouse and managers flat to create 2 independent dwellings
SITE	5-6 Thornlee Camperdown GREAT YARMOUTH Norfolk
APPLICANT	J & A Building Contractors Ltd
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0582/LB</b>
PARISH	Great Yarmouth 14
PROPOSAL	Retention of 2 frnt drs, & oth works to re-instate int party walls in con with a change of use to create 2 dwellings
SITE	5-6 Thornlee Camperdown GREAT YARMOUTH Norfolk
APPLICANT	J & A Building Contractors Ltd
DECISION	<b>LIST.BLD.APP</b>
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-20 AND 29-FEB-20 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/19/0455/CU</b>
PARISH	Great Yarmouth 15
PROPOSAL	Change of use of office space to 4 apartments
SITE	20 Market Place GREAT YARMOUTH Norfolk
APPLICANT	Swanston Holdings
DECISION	<b>REFUSED</b>
<hr/>	
REFERENCE	<b>06/19/0516/LB</b>
PARISH	Great Yarmouth 15
PROPOSAL	Change of use of office space to 4 apartments
SITE	20 Market Place GREAT YARMOUTH Norfolk
APPLICANT	Swanston Holdings
DECISION	<b>LIST.BLD.REFUSE</b>
<hr/>	
REFERENCE	<b>06/19/0703/F</b>
PARISH	Great Yarmouth 15
PROPOSAL	Retrospective application for the erection of two linked industrial structures.
SITE	Altrad Services UK Trafalgar Yard Paddys Loke GREAT YARMOUTH
APPLICANT	Cape Industrial Services Ltd Mr Wilkinson
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0512/F</b>
PARISH	Great Yarmouth 19
PROPOSAL	Proposed one person one bedroom flat on ground floor in lieu of part previously approved Flat 1
SITE	54 Englands Lane Gorleston GREAT YARMOUTH
APPLICANT	Mr E Fernandez
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0690/CU</b>
PARISH	Great Yarmouth 19
PROPOSAL	Change of use from A1 to A3 (Restaurant)
SITE	12-13 Baker Street Gorleston GREAT YARMOUTH
APPLICANT	Mrs S Robinson
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0466/CD</b>
PARISH	Great Yarmouth 21
PROPOSAL	Discharge of conditions 13 and 17 of Planning Permission 06/18/0683/F
SITE	Great Yarmouth Charter Academy Salisbury Road GREAT YARMOUTH
APPLICANT	Department of Education - T Barker
DECISION	<b>APPROVE (CONDITIONS)</b>
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-20 AND 29-FEB-20 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/19/0580/F</b>
PARISH	Hopton On Sea 2
PROPOSAL	Replacement dwelling following the demolition of an existing bungalow
SITE	12 Cliff Lane Gorleston (Parish of Hopton)
APPLICANT	GREAT YARMOUTH
DECISION	Mr & Mrs Kelsey <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0698/F</b>
PARISH	Hopton On Sea 2
PROPOSAL	Demolition of conservatory and extension to rear of house, small extension to front of house.
SITE	2 Brotherton Way Hopton
APPLICANT	GREAT YARMOUTH
DECISION	Mrs N Conway-laws <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0631/CU</b>
PARISH	Mautby 6
PROPOSAL	Proposed change of use from tea room self contained one bedroom holiday accomodation
SITE	Buttonwick Mautby Lane Mautby
APPLICANT	GREAT YARMOUTH
DECISION	Mrs D Travis <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0386/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Amended siting of bungalow app 06/17/0246/F & retention of portacabin to provide storage ancillary to kennels
SITE	79 Yarmouth Road (Rear of) Ormesby St Margaret
APPLICANT	GREAT YARMOUTH
DECISION	Mr R Samuels <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/19/0706/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Proposed single storey extension with roof terrace to rear.
SITE	Dowe Hill House Scratby Road
APPLICANT	Ormesby St Margaret GREAT YARMOUTH
DECISION	Mr Harrison <b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/20/0025/NMA</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	NMA of PP 06/19/0406/F - 1) remove hedge to increase width f footpath; 2) Increase length of driveway; 3) inc piers
SITE	Whiteacre 21 Station Road Ormesby St Margaret
APPLICANT	GREAT YARMOUTH
DECISION	Miss A Brooks <b>Accept Amend Notice</b>



**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-20 AND 29-FEB-20 FOLLOWING DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE**

REFERENCE	<b>06/19/0593/F</b>
PARISH	Caister On Sea 4
PROPOSAL	Erection of new 4 bedroom dwelling house
SITE	Westaylee West Road (Land adj) West End West Caister
APPLICANT	GREAT YARMOUTH
DECISION	Hammond Property Developments <b>REFUSED</b>
REFERENCE	<b>06/19/0025/O</b>
PARISH	Fleggburgh 6
PROPOSAL	Residential development of 2 chalet style houses with integral garages
SITE	Tretts Lane/Rollesby Road (Land on corner) Fleggburgh
APPLICANT	GREAT YARMOUTH Norfolk
DECISION	Mr Kelly - Toppers <b>APPROVE</b>
REFERENCE	<b>06/19/0565/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Wooden summer house in back garden
SITE	19 Yallop Avenue Gorleston
APPLICANT	GREAT YARMOUTH
DECISION	Mrs L Jones <b>APPROVE</b>
REFERENCE	<b>06/18/0173/F</b>
PARISH	Great Yarmouth 9
PROPOSAL	Erect sgle storey bldg for mixed A3/A5 use, incor.'Drive -Thru', car & cycle parking & ass.landscaping & boundary tm
SITE	Mitchell Drive and Jones (GC) Way (Land off) Plot 3
APPLICANT	GREAT YARMOUTH NR31 0GA/0GB
DECISION	Mr B Vyas <b>APPROVE</b>
REFERENCE	<b>06/15/0441/O</b>
PARISH	Hemsby 8
PROPOSAL	Demo of existing bldgs & redevelop site up to 190 dwell retail development, holiday acc, open space & landscaping
SITE	Beach Road (Former Pontins Holiday Centre)
APPLICANT	Hemsby GREAT YARMOUTH NR29 4HL
DECISION	Northern Trust Company Ltd <b>APPROVE</b>
REFERENCE	<b>06/19/0441/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Sub division of garden to form 4 plots for detached bungalows and garages. Access from approved access off Beach Road
SITE	32 Beach Road Scratby
APPLICANT	GREAT YARMOUTH
DECISION	JCB Developments Ltd <b>APPROVE</b>

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

**PLANNING APPLICATIONS CLEARED BETWEEN 01-FEB-20 AND 29-FEB-20 FOLLOWING  
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

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REFERENCE	<b>06/20/0004/F</b>
PARISH	Ormesby St.Michael16
PROPOSAL	Alterations to the front & rear of the property to provide an additional bedroom and bathroom
SITE	Casa Nuestra Main Road Ormesby St Michael
APPLICANT	GREAT YARMOUTH Mr S Legget
DECISION	<b>APPROVE</b>

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REFERENCE	<b>06/19/0674/D</b>
PARISH	West Caister 4
PROPOSAL	Approval of reserved matters (application 06/18/0716/O) - erection of a four-bedroomed bungalow and double garage
SITE	West Road West End (The Stables Paddock Farm)
APPLICANT	West Caister GREAT YARMOUTH Mr G Colman
DECISION	<b>APP. DETAILS</b>

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

