

Reference: 06/17/0152/O

Parish: Filby

Officer: Mr G Clarke

Expiry Date: 23-06-2017

Applicant: Mr & Mrs Green

Proposal: Erection of three dwellings

Site: land north of Philmar Lodge
Ormesby Lane
Filby

REPORT

1 Background / History :-

- 1.1 The site involved in the application is an area of grass land, that is currently used as a paddock, to the north of a bungalow known as Philmar Lodge. The site has frontage to Ormesby Lane and is currently enclosed by a hedge along the roadside boundary.
- 1.2 The proposal is an outline application for the erection of three dwellings with means of access to be considered at this stage and all other matters such as siting and design to be submitted as part of a detailed application if outline consent is granted.
- 1.3 The site is outside the Village Development Limit as shown on the Local Plan Policies Map.

2 Consultations :-

- 2.1 Highways – No objections subject to conditions regarding access, visibility splays and provision of a footpath across the site frontage.
- 2.2 Parish Council – Objection, the site is outside the Village Development Limit and as the parish has already in the last two years accommodated more than the 5% Core Strategy target then this is unacceptable to permit more residential development within this parish. The slowing, stopping and turning traffic generated at this location by three accesses on this busy sub-standard class 3 road would be detrimental to the free flow of other road users.

- 2.3 Strategic Planning - The site is an existing dwelling width away from the defined Village Development Limits of Filby. The adopted Core Strategy Policy CS2 identifies Filby as a Secondary Village that will contribute (along with the other Secondary and Tertiary Villages) to approximately 5% of the Borough's housing growth over the plan period. The site is not isolated and is located next to part of the existing built up settlement and is within close proximity to the bus stop facilities provided along Main Road.

The broader context in which the application should be judged includes its potential contribution to overall housing delivery set out in the Core Strategy and the Council's five housing land supply; national planning policy 'to boost significantly the supply of housing' and Housing White Paper's (Feb 2017) central aim to increase the supply of housing.

In Strategic Planning terms, I therefore recommend approval of the application unless there are specific reasons for not doing so.

- 2.4 Anglian Water – comments awaited.
- 2.5 Environmental Health – no objection subject to conditions regarding contaminated land and hours of work.
- 2.6 Neighbours – one letter of objection has been received from the occupier of Philmar Lodge, a copy of which is attached, the main reasons for objection are that the site is agricultural land, too many homes have been built in Filby, highway safety and a sewer runs through the site.

3 Policy :-

3.1 POLICY CS1 – Focusing on a sustainable future

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

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

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

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

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

3.2 POLICY CS2 – Achieving sustainable growth

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

- a) Ensure that new residential development is distributed according to the following settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements:
- Approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth
 - Approximately 30% of new development will take place in the borough's Key Service Centres at Bradwell and Caister-on-Sea
 - Approximately 30% of new development will take place in the Primary Villages of Belton, Hemsby, Hopton on Sea, Ormesby St Margaret, Martham and Winterton-on-Sea
 - Approximately 5% of new development will take place in the Secondary and Tertiary Villages named in the settlement hierarchy
 - In the countryside, development will be limited to conversions/replacement dwellings/buildings and schemes that help to meet rural needs
- b) To ensure compliance with Policy CS11, the proportions of development set out in criterion a) may need to be further refined following additional work on the impact of visitor pressures on Natura 2000 sites
- c) Ensure that new commercial development for employment, retail and tourism uses is distributed in accordance with Policies CS6, CS7, CS8 and CS16
- d) Promote the development of two key strategic mixed-use development sites: the Great Yarmouth Waterfront area (Policy CS17) and the Beacon Park extension, south Bradwell (Policy CS18)
- e) Encourage the reuse of previously developed land and existing buildings

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

3.3 Interim Housing Land Supply Policy

This policy only applies when the Council's Five Year Housing land Supply utilises sites identified in the Strategic Housing Land Availability Assessment. New housing development may be deemed acceptable outside, but adjacent to

existing Urban Areas or Village Development Limits providing the following criteria, where relevant to the development, have been satisfactorily addressed:

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

important landscape area, such as the Broads or the Norfolk Coast Area of Outstanding Natural Beauty. It is advisable that schemes in close proximity to the Broads also seek pre-application design advice from the Broads Authority

- j) The proposed development creates a safe and accessible environment that offers convenient access to key facilities and public transport
- k) The strategic and local road network can accommodate the proposed development without obstructing existing pedestrian and vehicular movements or negatively impacting upon public safety
- l) The development, having regard to other committed developments, would not be constrained by the need for significant off-site infrastructure which is not planned or funded
- m) The proposed development fulfils the day-to-day needs of residents and visitors including the provision of suitable private and communal open space, provision of sufficient car parking, planning for cycle storage and ensuring appropriate waste and recycling facilities are provided
- n) The proposal is demonstrated to be deliverable and viable, having regard to necessary contributions towards infrastructure, service provision and affordable housing, and the intention to develop is demonstrated by the applicant. To maximise housing delivery the Council will seek to ensure that the development commences within 2 years of planning permission being granted

4 Assessment :-

- 4.1 The southern boundary of the application site is approximately 15 metres to the north of the side elevation of Philmar Lodge, there is a mature hedge along the northern boundary of Philmar Lodge which screens that dwelling from the site. The site is currently open grass land used as grazing paddocks with a hedge along the road frontage. The proposal is to divide the site into three plots with each plot having its own access from Ormesby Lane, the means of access is part of the outline application. An indication of possible siting and design has been submitted with the application but these are not matters that are to be considered at this stage.
- 4.2 Concerns have been raised by the Parish Council and the occupier of Philmar Lodge regarding the vehicular access but the Highways Officer has considered the proposal and has no objection on the grounds of highway safety subject to the provision of suitable visibility splays and a 1.8 metre wide footpath across

the site frontage. This will involve the removal of the existing hedge but there will be new hedges around the sides and rear of the site.

- 4.3 The site is outside the Village Development Limit as is Philmar Lodge, the Interim Housing Land Supply Policy (IHLSP) allows new housing outside but adjoining the Development Limit subject to meeting the criteria of the Policy. The site does not strictly speaking adjoin the Development Limit but it is close and the IHLSP is a material consideration when deciding the application.
- 4.4 Filby is identified as a Secondary Village in Policy CS2 of the Core Strategy where approximately 5% of new development will take place, there have been several new developments within the village that have been constructed recently or are under the course of construction but this does not automatically preclude further development and each site has to be considered on its merits taking into account the location, possible adverse effects on neighbouring dwellings and the landscape.
- 4.5 The only adjoining dwelling is Philmar Lodge and this is screened from the site by the existing hedge so the proposed dwellings will not have any adverse effect on the residential amenities of that property. There is a line of semi-detached houses further to the north along Ormesby Lane, the application site is closer to the village than those dwellings and will be a partial infilling of the gap between the existing development. Providing the site is suitably landscaped it is not considered that it would have a significant adverse effect on the character of the village.
- 4.6 There is a sewer running diagonally through the southern half of the site, the agent for the application is aware of this and it is marked on the submitted drawing. Anglian Water have been consulted to see if they have any concerns regarding the proposal but no response had been received at the date of writing the report.
- 4.7 Taking the above into account it is considered that it would be difficult to justify refusal of the application and the recommendation is to approve subject to there being no adverse comment from Anglian Water regarding the sewer that runs through the site.

5 RECOMMENDATION :-

- 5.1 Approve – the proposal conforms with the aims of Policies CS1 and CS2 of the Great Yarmouth Local Plan: Core Strategy and the Interim Housing Land Supply Policy.

Ack 28/3/17

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Philmar Lodge,
Ormesby Lane,
Filby, Great Yarmouth,
Norfolk NR29 3HX
26th March, 2017.

Mr. Dean Minns,
Great Yarmouth Borough Council,
Planning Services Development Control,
Town Hall, Hall Plain,
Great Yarmouth, Norfolk, NR30 2QF



Dear Mr. Minns,

RE: Planning Application 06/17/0152/O Case Officer Mr G Clarke.

My name is Janice Green, of Philmar Lodge, Ormesby Lane, Filby, Great Yarmouth, Norfolk, NR29 3HX. I own and reside here on approved residential land, Property Reference 0281629.

Following receiving the notice and talking to Mrs E Helsdon, I am writing to formally object to this Planning Application for the following reasons as you list as being relevant issues:

1. Statutory and emergent current planning is that this land is zoned agricultural land and this restriction to my knowledge has not been lifted nor applied for. It is my opinion that too many homes have been built recently in Filby without consideration of services which will be needed to be both funded and provided. I request that the agricultural zoning remains.
2. Without Government Planning on agricultural needs for the local community too many new homes present traffic, pollution and transport problems.
3. Respecting Planning Law my late husband, Philip Green applied to council to have the correct residential zoning applied to my residential property, namely Philmar Lodge, and the permission by council was approved. I have not been advised that the agricultural restriction has been lifted for this Planning Application 06/17/0152/O. Therefore no previous decision has been made either. My late husband willed this agricultural land to his nephew knowing full well that it was zoned agricultural because when he previously applied for housing permission he was refused under flood zoning restrictions.
4. Of particular note is HIGHWAY SAFETY and TRAFFIC. Ormesby Lane in many places is single lane with a few areas where traffic have to park to allow passing traffic. The area in front of this Planning Application is very narrow on a bend and prevents good visibility. Very

importantly Council and Norwich Highway Safety division have recently found it necessary to put a sign saying "NO FOOTPATH FOR 200 YARDS" which includes this section in front of the requested Planning Application. The sign is a warning to adults and children as adults (some elderly) and children find it necessary to use for their way to the bus stop on the Main Road, Filby. I have heard many a screech of breaks even though there are also speed restrictions. Directly outside this proposed sight for more dwellings, there is also a warning about the intersection of Ormesby Lane and the Main Road. Residents and people walking their dogs have to walk on the road. Extra families and large houses would add to problems of safety. Please consider this factor respectfully. Local farmers need to use this road to transport their large farming machines.

5. A sewerage line runs through the middle of the property which was installed by Anglia Water in 2011 and has covenants and restrictions applied to any further development before council could approve this application.
6. The design for three four bedroom houses with garages presents problems for families regarding traffic and entrances onto Ormesby Lane.
7. An Archeological assessment would have to be carried out prior to approval.
8. Residents services would be further disadvantaged till further studies and decisions are made with funding granted to the local Filby Parish Council due to the large volume of homes recently under construction in the village. Transport for school and college students as well as elderly residents is a main concern. College students and young people trying to get to their employment without a car have to walk long distances to Ormesby St.Margaret via Ormesby Lane. Problems would also arise because Powernetworks UK presently have underground electricity lines running under the hedge with deep roots entwined with electrical wires in front of this land which states " the hedge would be removed".

Please consider my objections before carefully making a decision on the above Planning Application. I respectfully request that this reply be read out at your council meeting regarding this Planning Application. I would also like to be notified using my residential address being Philmar Lodge, Ormesby Lane, Filby, Great Yarmouth, Norfolk NR29 3HX as to when and where the meeting will be held to decide the outcome.

Thank you for your assistance. I look forward to your reply within 7 days.

Yours faithfully,
Janice Green

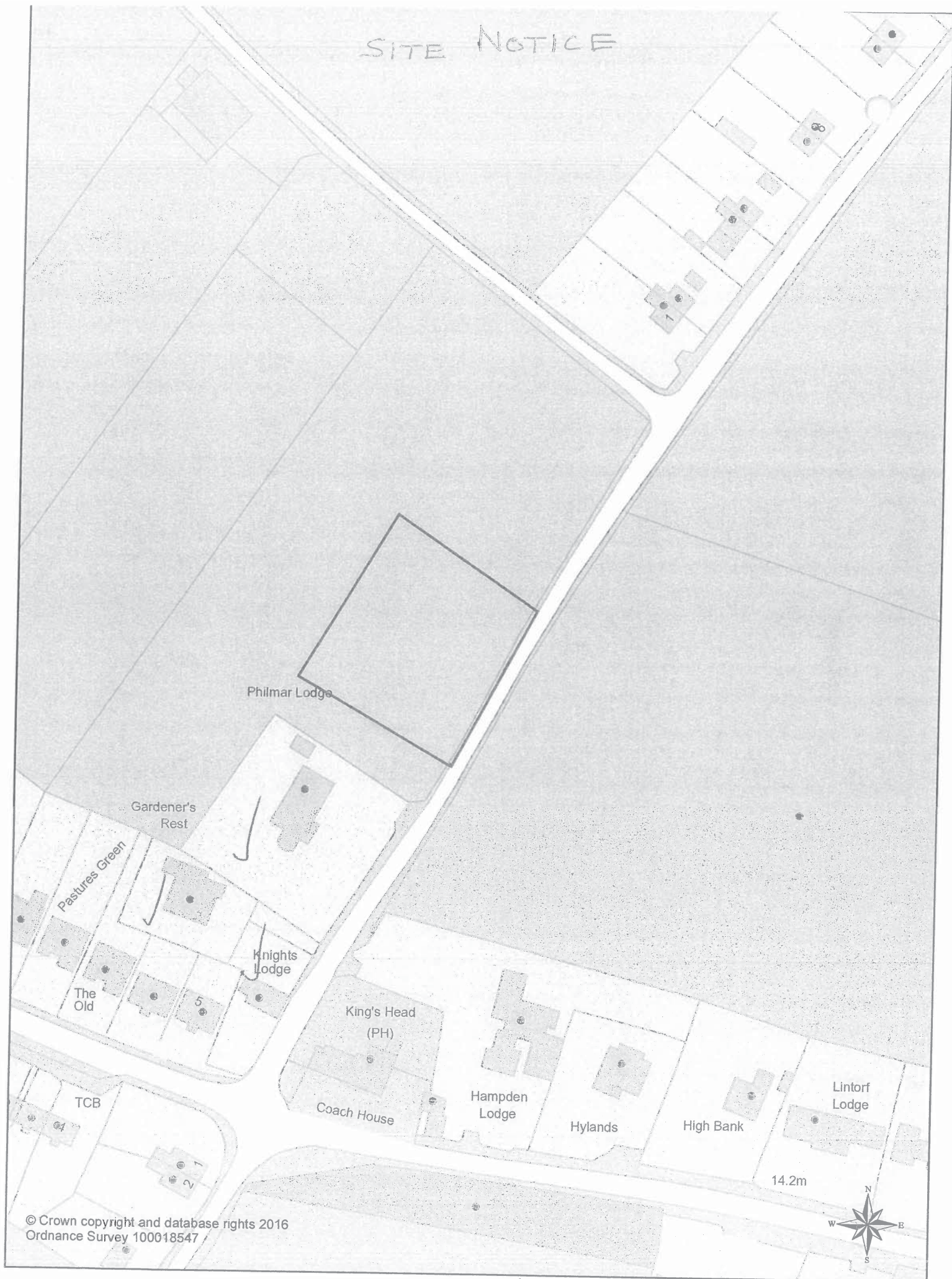


Great Yarmouth Borough Council

28 MAR 2017

Customer Services

SITE NOTICE



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Ordnance Survey 100018547



14.2m

Great Yarmouth Borough Council

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

06/17/0152/0

Mapping Browser Export

Land to the North of Philmar Lodge

250