

Reference: 06/20/0423/F

Parish: Ormesby St Margaret with Scratby

Officer: Chris Green

Expiry Date: 13/11/20

Applicant: Badger Builders

Proposal: Residential development of 71 dwellings, vehicular access, landscaping, open space and associated infrastructure

Site: Land off Yarmouth Road Ormesby, Great Yarmouth.

REPORT

1. Background

- 1.1** This land is beyond the development limits for the village. Recommendation is for refusal. The applicant has requested that this item be determined swiftly.

2. Site and Context

- 2.1** This site, of 2.885 Hectare area, is outside but adjacent to the sporadically applied physical limits on Yarmouth Road shown in the current local plan. There is a continuous footway between this site and the village of Ormesby on the north side of Yarmouth Road. The site is near the point where the current 40mph speed limit reduces to 30mph before entering Ormesby. The site is Grade 1 Agricultural land. In the current local plan, there are physical limits shown around existing property on Yarmouth Road. In the emergent plan the physical limits along Yarmouth Road in the vicinity of the site are removed entirely placing the site in open countryside
- 2.2** The site is currently open farmland to the west of the access from Yarmouth to Ormesby once the main road. The new bypass is to the west by approximately 500m. There are two good specimen trees on the site, both shown as retained and subject to a process underway to place Preservation Orders on these trees.
- 2.3** No formal paid pre-application discussion was held. A consultation exercise with the parish council and neighbouring residents has been held

3. Proposal

3.1 The proposal is for 71 dwellings with 7 shared equity and 7 affordable rented

3.2 Open Market schedule

- 8 - Starston 2 bed semidetached or terraced
- 6 - Hales 3 bed semi detached
- 1 Flixton 3 bed detached bungalow
- 1 Wangford 3 bed detached bungalow
- 9 Hulver 3 bed semi detached house
- 8 Thurlton 3 bed detached house
- 4 Ellingham 4 bed detached houses
- 6 Redgrave 4 bed detached houses
- 6 Yoxford 4 bed detached houses
- 2 Glemham 4 bed detached houses
- 2 Blyburgh 4 bed detached houses
- 4 Brundall 4 bed detached houses

Open market proportions of accommodation: 2 bed 8, 3 bed 25, 4 bed 24

3.3 Shared equity schedule

- 3 Haddiscoe 3 bed detached house
- 4 Starston 2 bed semi detached houses

3.4 Affordable rented schedule

- 2 "2BB" semi detached 2 bed bungalow
- 3 "2B4" terraced 2 bed houses
- 2 "3B5" semi detached 3 bed houses

3.5 The application includes the following information:

- Topographical Survey Site Layout Plan House and garage plans/elevations Tree Survey/Arboricultural Method Statement Landscaping Details
- Ecological Report
- Arboriculture Impact Assessment
- Shadow HRA
- Design & Access Statement/Planning Statement (incl. Statement of Community Involvement)
- Landscape Assessment
- Site Investigation/ Phase 1 Contamination Risk Assessment
- Transport Statement (incl. Safety Audit) Off Site Highway Improvements
- Flood Risk Assessment and Drainage Strategy, permeability and soil logs
- Utility Assessment
- Heads of Terms for s106
- Affordable housing cascade and eligibility criteria

The applicant has in addition offered to convey land to the Borough Council to provide access to the rear (south) side of the existing houses sufficient for vehicular access. A further offer to fund traffic regulation orders for speed reduction on Yarmouth Road is also made.

4. Relevant Planning History

- 4.1 Back-land site adjacent at 46/46a Yarmouth Road approved at appeal in 1990 reference 06/90/0597/O

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

- 5.1 The parish council for **Ormesby St Margaret with Scratby Parish Council** do not object but make observations and were consulted by the developer

- 5.2 A substantial number of neighbours and residents of the village have objected, on the following summarised points:

- There are many development proposals in this area.
- This is Grade 1 Farmland
- Loss of privacy and view over field. Particular impact on annex in the garden
- Resident with family with asthma and autism will be harmed.
- There will be impact on shift workers during construction.
- The garden where a person with disabilities enjoys unusually significant benefit will lose privacy and create anxiety
- Resident who keeps bees and chickens fears new development will lead to conflict with rural activities such as these.
- Infrastructure inadequacy, schools and doctors
- Sewers and surface water problems at present.
- The jobs promised will not materialise.
- Traffic and difficulty for existing owners to access their properties, associated noise. When the Acle straight is closed traffic is displaced onto this road. Bikers attending the Grange and other motorists speed, a speed survey is needed. The access should be to the north in the 30mph zone.
- Cars parked illegally in front of the Council houses make any access hazardous here.
- The developer had promised access to be provided to the rear of existing housing, but this is not on the plans submitted.
- A new road is needed north of Yarmouth to take the traffic.
- There is some informal parking on farmland at the end of the terrace that will be lost.
- The character of the village will be lost
- The proposal will coalesce the settlements of Ormesby and Caister
- Construction traffic will cause harm
- These are big expansive homes that do not address the housing crisis.
- Property will lose value.

- The governments push for more housing makes objection pointless.
- There was refusal for backland development here.

5.3 Consultations – External

Norfolk County Council

5.4 Highways – In an email received 26.10.20 the County Council confirmed they are the only body that can promote a Traffic Regulation Order, and any financial contribution would need to be paid to the County. A team meeting confirmed on the date of the email that an extension of the 30mph speed limit on Yarmouth Road, Ormesby would be supported, but only to include the site frontage and adjacent houses.

5.5 No other formal response has been received from the County at the time of writing. Any conditions suggested by the County will be provided to members at the time of the committee meeting.

5.6 Rights of Way Officer – no comment

5.7 Historic Environment Service – The proposed development site features cropmarks, dating back to the Bronze Age, Iron Age to Roman enclosures and trackways and ring-ditches, probably Bronze Age burial mounds. To the west are the medieval parish church of St Margaret, a part of a surviving medieval moat and post-medieval houses and settlement earthworks. There is potential that buried archaeological remains will be present and will be adversely affected by the proposed development.

5.8 If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigation work and the three-part condition be imposed.

5.9 Local Lead Flood Authority: No comments or observations as site is below size and 100-unit threshold for comment

5.10 Norfolk County Council Minerals Planning: mineral planning conditions are needed

5.11 Norfolk Fire and Rescue. No objection, providing the proposal meets the Building Regulations

5.12 Norfolk Police: (and traffic officer). No objection to the layout as the lack of permeability will engender community oversight. The traffic officer does not object providing the 30mph zone is extended.

5.13 Norfolk CC Infrastructure: requirements are for £1000 in legal fees and £5325 for library contributions and £843 per hydrant with two needed

5.14 Norfolk County Ecologist Ecology: The application is supported by a Preliminary Ecological Appraisal (NWS, 2020). The site was surveyed on the 3/03/2020. Great crested newts surveys were undertaken in May and June 2020.

- 5.15** Habitats onsite were considered to be of low ecological value, with the loss of agricultural land considered to have a minor negative impact on ecology, other than ground nesting birds (e.g. skylarks). 90m of hedge will be lost to access and will have a minor negative impact. Hedgerows onsite will provide nesting habitat for birds.
- 5.16** Although no great crested newts were found within ponds 2 and 3, because access was not granted to pond 1 where a medium population was surveyed in 2017, a Great Crested Newt EPS license **will be required**. Enhancement offered includes provision of 8 bat boxes and 8 bird boxes and hedgehog gaps, greenspace enhancements and enhancement of Pond 2 (offsite).
- 5.17** Because that the application site is one of three planning applications located within a 250m of Pond 1, where Great Crested Newts breed there will be cumulative impact to further examine and mitigate, partly by an EPS and by District Level License (DLL).
- 5.18** In accordance with the NPPF and CS11 development should provide net biodiversity gain/enhancement. Ideally, this should be demonstrated using the Defra Biodiversity Metric. In addition to habitat enhancements that take the local environment and Green Infrastructure and B-lines into account. Mitigation/enhancement measures are proposed in the PEA although it is unclear where 'under planting of woodland' will be achieved given the lack of any onsite and in the landscaping proposals. This should be clarified.
- 5.19** ODPM 06/2005 states that the extent to which protected species may be affected by the proposed development, should be established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.
- 5.20** Within the PEA it is proposed to enhance Pond 2 and adjacent terrestrial habitat for GCN, as part of the mitigation proposal for the EPS license. However, this pond is located off site. The applicant has clarified this land is within the control of the applicant.
- 5.21** In mitigation the infiltration basin on the western side of the development could be designed for Great Crested Newts and potential for a small wooded area between the Yarmouth Road and plot 1 (and potential for hibernacula). Other measures (such as wildlife kerbs and gully ladders) to prevent GCN (and other amphibians) being trapped should be incorporated into the scheme.

Consultation - Internal GYBC

- 5.22 Head of Housing:** The site is within the rural north submarket area and is required to make a contribution of 20% which has been identified in the application. However, the split is 50% Affordable Rent Tenure (ART) and 50% Affordable Home Ownership (AHO), our viability study requests a 90% ART and 10% AHO, I would like to see the split in tenure to closer meet this provision.

- 5.23** The size of the affordable home ownership properties reflects the current need indicated by the Homebuy register. The intention to provide the homes as shared equity with transfer to Asett Homes Ltd is acceptable however, there will be some minor changes to the paperwork to reflect the cascade within the Borough for AHO products.
- 5.24** The size and mix of the affordable rent homes does not fully meet the need in the area. I have provided a mix below which better reflects the needs of the area and welcome discussion on providing a mix closer to this.
- 2 x 1B2P Flat 50m²(ground floor to be to building regs part m cat 2)
2 x 2B4P House
2 x 3B6P House
1 x 4B8P House
- 5.25** We are also in need of larger homes in the area and would welcome discussion with Badger where they felt they could provide for this need.
- 5.26 Resilience officer:** No objections as flood zone 1
- 5.27 Environmental Health – (contaminated land, noise, air quality)**
- 5.28 Anglian Water:** no objection. Wastewater treatment plant and pipework has capacity for the wastewater flows. Surface water discharge is proposed to be via infiltration so no comments in this regard
- 5.29 Broads Drainage Board:** no objection as infiltration rates are likely to be good
- 5.30 Natural England:** No Objection

6. Assessment of Planning Considerations:

National policy

- 6.1** Paragraph 47 of the National Planning Policy Framework states: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 6.2** At present the Council is unable to demonstrate a 5-year supply of deliverable housing sites. Footnote 7 of the NPPF states that this triggers the presumption in favour of sustainable development (titled balance) as stated in Paragraph 11(d) of the NPPF. There are no specific policies in the NPPF that provide a clear reason for refusing the development in accordance with paragraph 11(d)(i) (for example impact on designated natural or historic assets). Therefore, in accordance with the paragraph 11(d), the lack of five year supply should weigh heavily in favour of the application unless any adverse impacts of doing so would significantly and demonstrably outweigh

benefits when assessed against the policies in the Framework taken as a whole.

- 6.3** It is considered that the public benefit of open market dwellings with the 20% affordable housing does not outweigh the impact on landscape and the openness of the land, loss of best and most versatile agricultural land. The site is more remote than allocated sites in the draft plan, but it is accepted that a route with footway to the village is available and the distance to the local shops similar to other sites which have been recommended as approved. The proposal will lead to settlement coalescence to a sufficient extent for this to carry material weight. The scale and nature of development proposed is therefore not considered sustainable development.
- 6.4** The lack of a five-year supply is principally down to the housing requirement from the Core Strategy which the Council considers to be out-of-date and unrealistic as documented in the emerging Local Plan. In December the Core Strategy will be five years old and therefore the housing requirement in the Core Strategy will no longer be the basis for five-year supply. Instead paragraph 73 requires the five-year supply to be assessed on the basis of the local housing need calculated using the national standard methodology set out in the NPPF. Under this the housing requirement for the five-year supply is 2,142 as opposed to 3,367. The April 2019 Five Year Supply indicates a supply of 2,302 homes over the five-year period. Therefore, against the local housing need figure the Council will have a five-year supply. Alongside the submission of the Local Plan, the Council prepared an updated five-year supply position which demonstrates that on adoption of the Local Plan the Council will have a five-year supply (Document C6 in the Local Plan examination library). This indicates that on adoption the supply will be equivalent of 7.05 years supply. Even without the proposed allocations in the emerging plan, the supply will still be in excess of 5 years.
- 6.5** Given the above, the contribution of the 71 units from this development to meeting housing need should be given less weight in the Section 38(6) balance. This provision also needs to be considered in the context that the Local Plan Part 2 is allocating an additional 222 homes in Ormesby St Margaret.
- 6.6** The applicant's planning statement suggests that the basket of significant local plan policies regarding housing delivery are out of date thus triggering the tilted balance, however, in this instance the direction of housing need is soon to be assessed as being for fewer homes. In addition, the fact that the housing need will be recalculated to the national formula in December is considered to carry considerable and increasing weight as time goes by. Officers argue that this policy context does not function like the turn of a switch.
- 6.7** Paragraph 78 of the NPPF supports rural housing located where it will enhance or maintain the vitality of rural communities. This however is to be achieved through planning policies. There is no evidence that the expansion

of the village will significantly alter the viability of the local shops store for example.

- 6.8** Paragraph 84 states "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. Given the lack of evidence of community need for development, it is considered that the need to develop this greenfield site is not demonstrated.
- 6.9** Paragraph 170(b) of the NPPF and Core Strategy policy CS6, CS11(j) and CS12(g) seek to recognise the benefits of the best and most versatile agricultural land. The site falls within grade 1 agricultural land.

Saved Policies of the Borough-Wide Local Plan and Adopted Core Strategy

- 6.10** The site is outside of the Development Limits defined by the existing Borough-wide Local Plan. As such the proposal is contrary to Policy Hou10 of the Borough Wide Local Plan. The supporting text to Policy CS1 of the Core Strategy makes reference to the continued approach towards development limits.
- 6.11** 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. Key considerations include ensuring development is of a scale and in a location which contributes and supports the function of individual settlement and creates safe accessible places which promote healthy lifestyles by providing easy access to jobs, shops, community facilities by walking, cycling and public transport.
- 6.12** The site is adjacent to the physical limits of a 'Primary Village' as identified in Policy CS2 of the Core Strategy. Primary villages are expected to deliver approximately 30% of new development. Policy CS2 states that the percentages listed in the policy may be flexibly applied but within the context of ensuring that the majority of new housing is met within the key service centres and main towns. This primary village does benefit from a primary school.
- 6.13** The site was put forward in the call for sites and the sustainability appraisal conducted in selecting sites for inclusion in the new Local Plan part 2 rejected it summarising the site as having "Poor relationship to existing settlement with limited development along southern side of Yarmouth Road. Distant from the

village services and amenities". Paragraph 6.2.68. of the appraisal also notes: "The Great Yarmouth and Waveney Settlement Fringe Study identifies areas to the southeast of Ormesby St Margaret as generally being more sensitive to new development, due its exposed character and contribution to the setting of local heritage assets such as Ormesby Hall and Duncan Hall School".

The Appendix to the appraisal notes in explaining rejection of this site that it is "In Landscape setting area 2 which has moderate landscape capacity, therefore larger scale development would be discouraged. This would infill part of the natural breaks in development which is characterful along Yarmouth Road"

- 6.14** Policy CS9 - "Encouraging well-designed, distinctive places" sets out the Council's strategic expectations in terms of encouraging well-designed places. The development poorly integrates with the existing settlement in terms of connections or context. The development as such would have the appearance of a rather obvious standalone housing estate. The proposed house types are standard house-types used elsewhere in Norfolk and Suffolk and lack local distinctiveness.

Some of the plots do not turn corners well with stretches of blank garden walls. It is however noted that the Glemham type does feature significant windows on 3 sides so does represent a reasonable type in corner situations. It is considered that further detail to the garden walls with some planting to the front could reduce blandness. It is also noted that the turning of the housing on the main entrance route to follow the sweep of the street does help with the turning of the corners.

There is a desire to see more street trees expressed in emergent policy and the Government's own National Design Guide and this scheme does offer the broader green areas around the entrance that would allow more planting close to the highway, but not so close as to create objection from the County Council with regard to adoption. There are some additional opportunities within the layout for increased tree provision.

- 6.15** It is noted that there is one instance of a substandard 20m direct relationship between two storey properties at their rears within the scheme proposed, this could however be addressed easily given the areas of open space within the layout, if members were otherwise persuaded to approve the proposal. There are some other poor standards of privacy amenity at the front of properties where bedroom windows to the front are only 14m apart and some of the ;larger properties at the rear of the site overlooking the ditch and bund drainage interception feature have gardens only 7m deep, albeit overlooking farmland, but these are larger homes where this amenity space size is quite small in proportion to what will be family homes. It is considered that addressing these matters could be achieved if members were minded to overturn the recommendation to refuse.

- 6.16** Policy CS11 of the Core Strategy requires development to safeguard and where possible enhance the borough's wider landscape character. The Landscape Character Assessment places this site in the(G3) "Settled Farmland" category and identifies key sensitivities or positive features: These are (where related to the site) the early "Enclosure" landscape pattern, where

a smaller scale field pattern persists, which has not been lost to later agricultural intensification. The assessment notes compact, nucleated settlements with wooded settlement edges and historic sites represented by a number of scattered minor halls and parklands such as at Ormesby Hall. The coalescence of the coastal strip settlements is noted. The positive containment of agricultural landscapes by wooded skylines is noted.

Paragraph G3.20 sets the strategic objectives for this character area: amongst which the character of the coastal edge settlements should be enhanced, conserving gaps between settlements. Ormesby St Margaret is noted as a more compact nucleated settlement and the allocated sites OT1 and 2 do strengthen this character whereas this site opposes that aim.

Given these issues, the proposal is considered to have conflict with Policy CS11.

The applicant argues in their landscape assessment that their proposal is "porous and transitional" however the impact of scale will contrary to their assertion be exacerbated by the rising levels of the land on this site as one travels west from the road. The appellant notes the permission for six properties opposite around barn buildings. This is a much smaller and visually contained site in landscape terms

6.17 The Emergent Local Plan

The Local Plan Part 2 has recently been submitted and is therefore at an advanced stage. In accordance with paragraph 48 on submission, those policies of the plan which have no unresolved objections could be given more significant weight. The following relevant policies fall into that category include:

- Policy E7 - Water conservation - requires new dwellings to meet a water efficiency standard

Other policies relevant to the application but can only be afforded limited weight due to outstanding objections are:

- Policy GSP1 - Development Limits - the site remains outside of the proposed development limits and therefore contrary to the emerging policy and property adjacent to this site which were shown in the adopted Part 1 plan as being within development limits are now removed from those limits in the Plan Part 2.
- Policy A2 - Housing Design Principles - requires dwellings to meet building regulations standardM4(2) for adaptable homes and sets other detailed design requirements.
- Policy H4 - Open Space provision - sets a new standard for open space provision. The proposal provides 0.3 hectares of open space whereas the new standard would require 0.71 hectares.
- Policy E4 - Trees and Landscape - requires retention of trees and hedgerows

Other material considerations:

- 6.18** It is accepted that the cropped fields are not a biodiverse feature, but field boundaries are. There are three ponds within 250m of the sites where either there is potential for newts, or they have been detected in past studies. The County Ecologist cautions against a conditional approval requiring further information before determination, and as this is a full application, it is not possible to write a condition requiring compliance at reserved matters stage. If members were otherwise prepared to resolve approval, it would be possible to resolve to defer the granting of permission whilst additional detail was negotiated with the Local Planning Authority working with the applicant and the County Ecologist.
- 6.19** The proposal site is beyond the edge of the settlement. Proposed density represents 25 dwellings to the hectare across the site which is low but not unusual in a village context.
- 6.20** The demand for self-build plots is very low in this district but there is no detail to indicate that any specialist housing provision, that said the bungalows would lend themselves to adaption for those with disabilities.
- 6.21** The applicant proposes approximately 0.3 hectare of open space on the site. Whilst this is double the provision required by the existing policy from the Borough-wide Local Plan, it is short of the emerging policy H4 which is based on more up-to-date evidence. The open space proposed provides an amenity function but lacks any functional value. No equipped play space is offered and given this scheme should provide 6 x 71 sq m for this purpose or 426 sq m there is scope to offer onsite play.
This requirement can however be afforded little weight as at present there are objections to the policy requiring the Inspector's review.
- 6.22** County Highways have noted that in this instance the offer to reduce speed limits on the access to the site does carry merit. Some limited weight can be accorded to this offer because while there is no certainty of delivery the highway team are supportive of the reduction of the speed limit across the front of the site. It has been confirmed by the monitoring officer that it would not be appropriate for Great Yarmouth Borough Council to receive monies for Traffic Regulation Order work to be passed to the Parish Council as only the County Highway authority can authorise works in its operational land.
- 6.23** The closest bus stop is approximately 200m to the east of the site on both sides Yarmouth Road, and connected to the site by a footway on the north side of the road. They provide six services a day (X6) between Great Yarmouth and North Walsham via Martham and a dedicated school minibus. There is a more frequent coastal clipper service on the coast road, but this would require a walk to the roundabout.
- 6.24** Housing delivery in the context of Covid 19: It is considered that Covid 19 may impact on the delivery of housing, however any impacts have yet to be

realised. The Government has taken various steps such as extending commencement dates for planning permissions. In the context of the responses to submissions made to the Part 2 Local Plan at Public Examination, the planning team responded that “The Borough Council will also play a role in supporting housebuilders to ensure that its housing targets are met. In any case changes to housing targets and land availability on the plan are unlikely to mitigate any effect. No change required”. (to the local plan part 2). It is noted that housing transactions and building construction operations are sectors less impacted by the lockdown. Officers consider it is too early to lend weight to impacts from the Coronavirus.

7. Local Finance Considerations:

- 7.1** Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
- 7.2** It is assessed that the provision of affordable housing, contributions towards impacted local infrastructure of, £843 for fire hydrant installation and £5325 for library provision is required by way of agreement under section 106 of the planning act and furthermore that the final layout makes consideration of green infrastructure such as walking routes. These provisions will render the impacts of the development upon the services locally will be sufficiently mitigated for the purposes of planning. Financial gain does not play a part in the recommendation for the determination of this application.

8. Shadow Habitats Regulation Assessment

- 8.1** The applicant has submitted a bespoke Shadow Habitat Regulations Assessment (HRA). It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.2** The report rules out direct effects in isolation; but accepts that in-combination likely significant effects cannot be ruled out from increased recreational disturbance on the Broads SPA and Winterton Dunes and recreational access (and potential for disturbance) is extremely limited. An Appropriate Assessment (AA) has been carried out. The AA considers that there is the potential to increase recreational pressures on the Broads SPA and Winterton Dunes, but this is in-combination with other projects and can be adequately

mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per six non-dwelling bed-spaces) to ensure that there will be no adverse effects on the integrity of the internationally protected habitat sites.

- 8.3** The Borough Council as competent authority agrees with the conclusions of this assessment. To meet the mitigation requirements, it is recommended that the appropriate contribution is secured by either S.111 or S.106 agreement.

9. Concluding Assessment

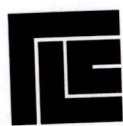
- 9.1** The proposal is contrary the adopted development plan. At present the Council is unable to demonstrate a 5-year supply of deliverable housing sites. Footnote 7 of the NPPF states that this triggers the tilted balance as stated in Paragraph 11(d) of the NPPF. The lack of five-year supply should weigh heavily in favour of the application unless any adverse impacts of doing so would significantly and demonstrably outweigh benefits when assessed against the policies in the Framework taken as a whole.
- 9.2** The site is not considered to be in a sufficiently sustainable location to accommodate the scale of development proposed. The development will also result in loss of best and most versatile agricultural land, harm to the landscape, contrary to local and national planning policies.
- 9.3** Additionally, the weight to be given to the lack of a five-year supply and the tilted balance should be reduced given that the Council should soon be in a position to demonstrate a robust five-year supply and that the existing housing target is out-of-date.
- 9.4** Whilst the development will provide benefits in terms of providing new homes, including affordable homes, together with new open space, these benefits are not considered sufficient to outweigh the harm caused by the fact that the proposal is contrary to several policies of the Development Plan and the fact that it does not represent sustainable development in line with the National Planning Policy Framework. The traffic calming offered by financial contribution is considered deliverable in this instance, but should be carried out as part of the Adoption procedure rather than by offering money to other bodies, if members are minded to approve against recommendation.
- 9.5** Housing delivery in the context of Covid 19: It is considered that Covid 19 may impact on the delivery of housing, however any impacts have yet to be realised. The Government has taken various steps such as extending commencement dates for planning permissions. In the context of the responses to submissions made to the Part 2 Local Plan at Public Examination, the planning team responded that "The Borough Council will also play a role in supporting housebuilders to ensure that its housing targets are met. In any case changes to housing targets and land availability on the plan are unlikely to mitigate any effect. No change required". (to the local plan part 2). It is noted that housing transactions and building construction

operations are sectors less impacted by the lockdown. Officers consider it is too early to lend weight to impacts from the Coronavirus.

10. RECOMMENDATION: -

- 10.1** Refuse as contrary to policies HOU10, CS1 and CS2 and NPPF as being outside the development limits and unsustainable location for scale of development, notwithstanding the “tilted balance” where the numerical assumptions underlying this apparent shortfall are considered out of date.
- 10.2** The proposal is also contrary to CS11, CS12 and NPPF as it harms the qualities identified for this area in the Landscape Character Assessment and uses Grade 1 (best and most versatile) agricultural land.

Background Papers 06/20/0423/f



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PROJECT YARMOUTH ROAD ORMESBY ST MARGARET	DRAWN EG	AUTHORISED ML	DATE 17/04/20	SCALE 1:2000
TITLE LOCATION PLAN	PROJECT NO. 201169	DRAWING NO. SK01	REV P3	

