

Reference: 06/18/0340/F

Parish: Hopton
Officer: Mrs G Manthorpe
Expiry Date: 13/12/2018

Applicant: Mr P Penfold

Proposal: Subdivision of site – New 3 bedroom chalet bungalow and vehicular access. Amended plan shows single store dwelling.

Site: 4 Barn Close Hopton Great Yarmouth

REPORT

1. Background / History :-

- 1.1 The application site is 0.03 hectares of land currently used as the garden for no.4 Barn Close. The application as originally submitted was for a chalet bungalow which was proposed to be 6.9m in height with two bedrooms and a bathroom at first floor level. The ground floor comprised living areas and a third bedroom. The plans have subsequently amended following discussions with the planning department. The application that is to be considered is for a two bedroom bungalow with access and curtilage.
- 1.2 The amended plans show a bungalow to a height of 4.2m with garden, access, turning and parking. There is planning history for the area but no history that directly relates to the application site.
- 1.3 The donor dwelling is a detached bungalow accessed off Barn Close and is one of four bungalows with the rear gardens facing Warren Road. 4 Barn Close benefits from a larger rear garden than the other three with a large boundary to Warren Road. The access as proposed is off Warren Road leaving the donor dwelling accessed off Barn Close.

2 Consultations :-

- 2.1 Neighbour Consultations – There have been 3 objections to the application from neighbours, the objections received prior to the changes are summarised below:

- Loss of views.
- Overlooking.
- Noise and dust during building.

Summary of objections since amendments:

- The development is still too high.
- Loss of daylight.
- Loss of view.

2.2 Highways – No objection the application, conditions requested. Full comments are attached to this report.

2.3 Parish Council – objects on the following grounds:

4 Barn Close Hopton on Sea Ref: 06/18/0340/F

Further to my e-mail of 14 July 2018, setting out the objections as listed below, the Parish Council has considered the revised plan which does not address any of the issues. The Parish Council therefore continues to object as below:-

1. Access to the proposed dwelling crosses a piece of land between the red-marked boundary of the site and the public footpath which is of unknown ownership.

2. This access / egress point is located between a telegraph pole and lamp post amidst mature hedging. No mention is made in the application as to a visibility splay nor the ongoing maintenance of this hedge which is not owned by the applicant.

3. The access / egress point is on Warren Road, the main feeder route for the Hopton Holiday Village, and is a particularly busy road during the holiday season. It is also in close proximity to the sole access to the Watsons Close development.

4. Approval of this development shall set a precedent whereby other occupants of Barn Close and Watsons Close may request vehicular access to their land from Warren Road.

5. The application includes two flooding assessments, one by an independent company and the other by the Environment Agency. Both suggest that the risk of coastal or river flooding are low but further investigation is necessary if surface drainage flooding is suspected. The inclusion of these two reports is telling since this acknowledges that flooding due to rainwater is a regular occurrence close to this site and the proposed soakaways on the site do not appear to adequately mitigate the removal of what at present is predominantly overgrown grass land. It is noted that when the barn stood at the site of Barn Close there was an adjacent pond and the surface water drainage for the area has never been effective since the pond was filled in.

6. The description of the proposed dwelling as a “Chalet Bungalow” is stretching the definition to the limit since the upper story has a very similar floor area to the footprint. A more credible description would be a 2/3 bedroom house. As such it shall dominate the extant bungalow at 4 Barn Close. It is noted that the floor plans contain detailed dimensions but no heights are mentioned anywhere.

7. The proposed style appears to be of a “barn conversion” which is out of keeping with the surrounding 1980’s 2 storey houses and single storey bungalows.

We have asked our Borough Cllrs to bring this matter to the Development Control Committee, and we await a hearing date.

2.4 Strategic Planning - Although the adopted Habitats Monitoring and Mitigation Strategy (July, 2018) seeks a Borough-wide contribution which would include new dwellings at Hopton; we are currently reviewing the extent of this charge and would recommend that at this point in time and for this particular location that a contribution is not sought. Following the completion of the review, we will be taking an amended Habitats Monitoring and Mitigation Strategy to be considered at the Council's Policy & Resources Committee.

2.5 Building Control Officer – No objection.

3 Local Planning Policy :-

3.1 Policy CS3 – Addressing the Borough's housing need

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

- a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by:
 - Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2

3.2 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:

- a) Respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised; making efficient use of land and reinforcing the local identity

3.3 Saved Policy HOU7 of the Borough Wide Local Plan.

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

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

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

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

4. National Planning Policy Framework:-

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

4.2 Paragraph 11 (partial) 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, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

4.3 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.

5 Local finance considerations:-

- 5.1 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. In this case local finance considerations are not considered to be material to the case.

6 Assessment:-

- 6.1 The application as originally submitted was for a chalet bungalow which measured, following revised plans, 6.9m in height. The height as proposed was deemed to be out of character with the surrounding area and would have a significant adverse impact on the character. Following discussions the application was revised to seek to provide a single storey dwelling to a height of 4.20m. The revised height is more in keeping with the character of the area and sits more appropriately on the site.
- 6.2 The reduction in height by the loss of a floor removes overlooking and makes the proposed dwelling in keeping with the character of the area. Although the proposed garden is not large there are no set criteria for garden sizes within Local or National planning policy and as such this is not a reason for refusal.
- 6.3 The Parish Council have objected on a number of grounds, the access to the site is not objected to by the highways officer and therefore there are no grounds for refusal on highways grounds. The Parish note that the that there is no mention of visibility splay or maintenance of the hedge however the highways officer has recommended that the visibility splay be provided prior to occupation and thereafter maintained free of obstruction over 0.6m. This condition should alleviate the Parish Councils concerns over the visibility splay as it can be adequately provided and conditioned.
- 6.4 The Parish Councils concern over the design is noted however the revised design is in keeping with the character of the area. The Parish refer to the 'barn style' of the dwelling, it is assumed these comments are in relation to the previous design as opposed to the modest two bedroom bungalow.

- 6.5 The access crossing the public footpath and land which is in unknown ownership have also been noted by the Parish Council as a reason to object. These points are not reasons to recommend refusal of the application on highways grounds in the absence of a highways objection. The access over unknown land is noted however the grant of planning permission does not extinguish private rights.
- 6.6 The Parish raise the issue of flooding within the objection. The applicant has supplied sufficient information to demonstrate that the application site is within flood zone one, this has been verified by looking at Great Yarmouth Borough Councils mapping system. As such it is noted that no flood risk assessment is required nor should the application be refused on flood grounds.
- 6.7 The Parish Council also note the independent report which states that there is no contamination but the site is within 250 of surface water flooding. The site is within the build-up area of Hopton and soakaways are shown on the application as a means of sustainable drainage. The applicant being aware of the potential for surface water flooding nearby is beneficial to future occupiers and the developer so that they can ensure that adequate drainage is provided.
- 6.8 The application site is a sustainable one and the size of the dwelling, as revised is acceptable and provides a good use of the site. The concern over a precedent being set for accesses off Warren Road was raised however this is not a concern that can have bearing on this application. Should other properties apply (where required) for access these will be assessed on merit.
- 6.9 The consultation response from Strategic Planning note that the site is not screened as having the potential for having an impact on a Natura 2000 site and as such there is no need to progress to the appropriate assessment stage. This also means that the applicant is not required to pay the Natura 2000 contribution for the development proposed. At present there is a requirement that all sites that have the potential to have an effect on a Natura 2000 site undergo an assessment as to the effect and, where necessary, the Council as Competent Authority carry out the appropriate assessment to determine the effect. At present a draft document is being prepared which will, as per the comments from Strategic Planning, remove developments of this size and location from the need for a Habitats Regulations Assessment. Although the document is not adopted and still in draft form, Strategic Planning are confident that proceeding with this application is not premature and that there will be no direct or in combination effect resulting from the development on a designated site and the application can therefore be determined.
- 6.10 The application site is a sustainable location within the village of Hopton. The subdivision of the garden provides adequate amenity space for the proposed dwelling and the donor dwelling and is an acceptable subdivision of the site. There are no impacts by virtue of the proposed development that significantly nor demonstrably outweigh the presumption in favour of sustainable development.

7 RECOMMENDATION :-

- 7.1 Approve - subject to conditions as requested by highways, no more than a single storey development and any other conditions to ensure a satisfactory form of development.

Jack Ibbotson
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

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

Your Ref: 06/18/0340/F
Date: 18 July 2018

My Ref: 9/6/18/0340
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Jack

Hopton on Sea: Sub-division of site - New 3 bedroom chalet bungalow and vehicular access
4 Barn Close (Rear of) Hopton GREAT YARMOUTH NR31 9ET

Thank you for your recent consultation with respect to the above.

In highway terms only I have no objection to the proposal, but I would recommend the following conditions and informative note be appended to any grant of permission your Authority are minded to make.

- SHC 08 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 1805:191:01) in accordance with the highway specification (Dwg. No. TRAD 1) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- SHC 12 The gradient of the vehicular access shall not exceed 1:12 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway.
- Reason: In the interests of the safety of persons using the access and users of the highway.

Continued/...

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Jill K. Smith

From: Hopton Parish Council <hoptonparishclerk@hotmail.com>
Sent: 11 October 2018 13:09
To: plan
Subject: 06/18/0340/F Land to the rear of 4 Barn Close Hopton on Sea Revised Plans

Hello Planning

4 Barn Close Hopton on Sea Ref: 06/18/0340/F

Further to my e-mail of 14 July 2018, setting out the objections as listed below, the Parish Council has considered the revised plan which does not address any of the issues. The Parish Council therefore continues to object as below:-

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We have asked our Borough Cllrs to bring this matter to the Development Control Committee, and we await a hearing date.

Regards

Julie McNair

FCILEX, Clerk and RFO to Hopton-on-Sea Parish Council

Office at the Village Hall Station Road Hopton on Sea NR31 9BE open Mon, Tues, Thurs, Fri 9.30am to 1.30pm Tel: 01502 730768 Website <http://hopton-on-sea-parish-council.norfolkparishes.gov.uk/>

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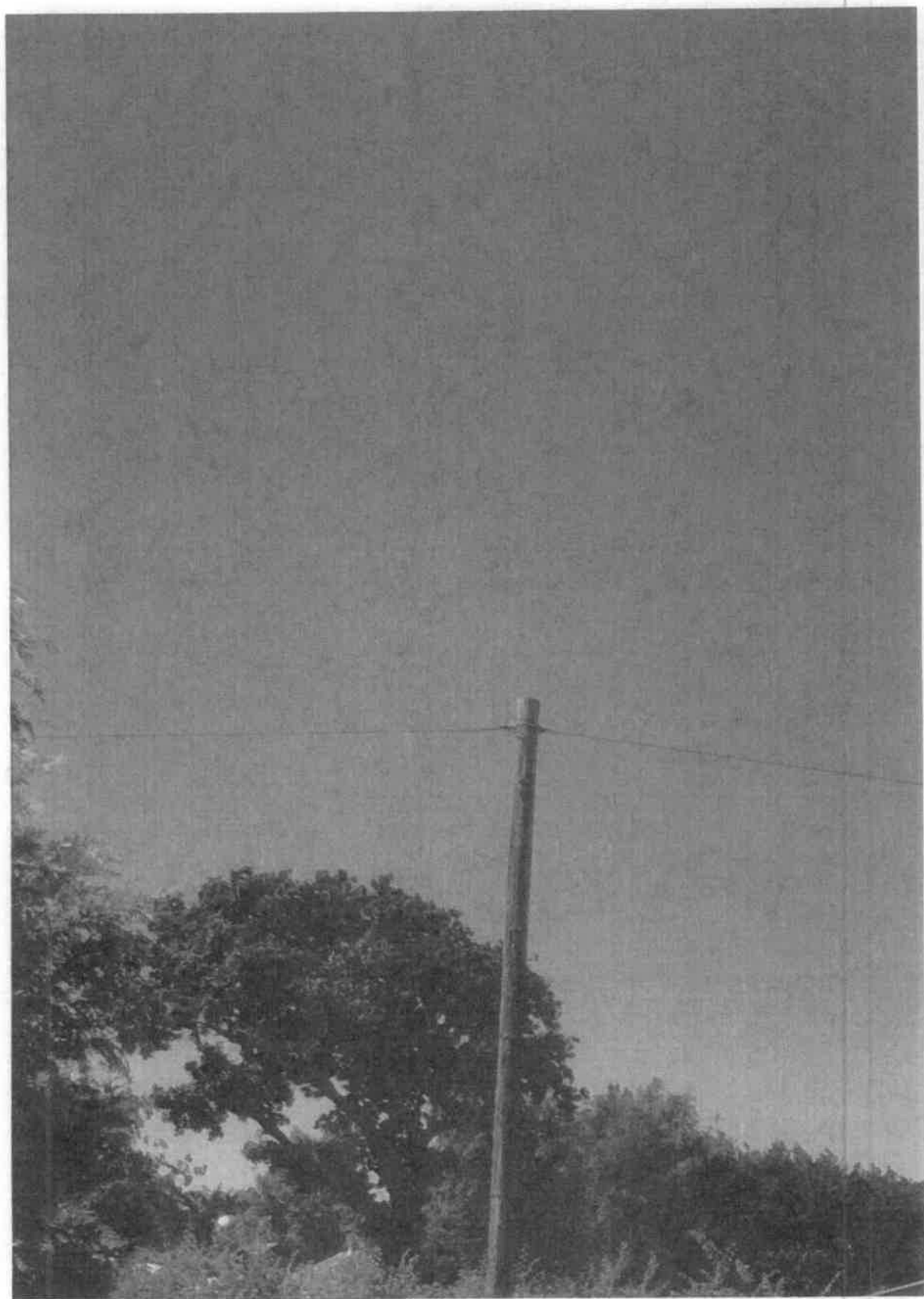
Elaine Helsdon

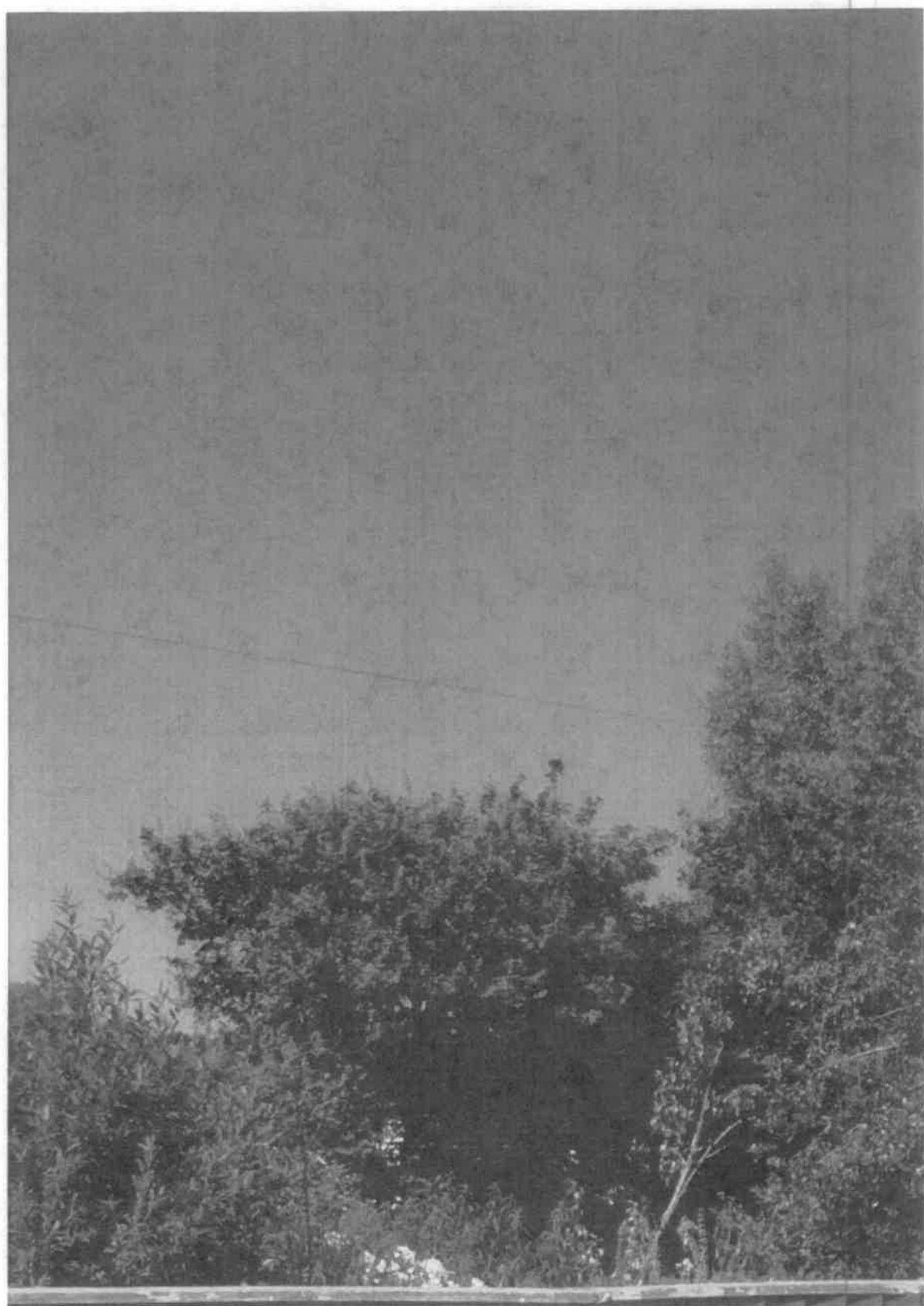
From: Clare Wood [REDACTED]
Sent: 01 July 2018 15:13
To: plan
Subject: 06/18/0340/F 3 bedroom chalet bungalow

Dear Dean

Thank you for the letter dated 26th June 2018 informing us of a planning application, 4 Barn Close.

I personally would not like this to go ahead, please see my views below that I currently have at the end of my back garden, green trees etc, I would not wish to be looking out of my kitchen/bedroom window at a building, my views currently are pleasant and would not like this spoilt as the building would be directly at the end of my garden.





Internet Consultees

Application Reference

06/18/0340/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Sara Jay

Address 7 WATSONS CLOSE

HOPTON

Post Code NR31 9BJ

Telephone

Email Address

For or Against ☐ Object ☐Speak at Committee ☐

My initial objection was the height of the building and although the plans have changed to a 2 bedroom chalet bungalow rather than a 3 the height remains much taller than a one story building. The fact is that no matter how many bedrooms the height of the structure is going right against my back fence which is going to block daylight and views. I still strongly object this proposal as the plans stand at the moment.

Date Entered 11-10-2018

Internet Reference OWPC1976



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