

Reference: 06/13/0226/F

Parish: Winterton-on-Sea
Officer: Mrs M Pieterman
Expiry Date: 12/07/2013

Applicant: Mr & Mrs Tweed

Proposal: Proposed residential development of site to comprise 2 no. bungalows and 2 no. chalet style bungalows.

Site: Bulmer Lane (site off), Winterton-on-Sea, Great Yarmouth

REPORT

1. Background / History :-

- 1.3 The land subject to this application is located at the southern entrance to the village from Hemsby and associated villages, and the plot forms an infill parcel of land situated between 78 Bulmer Lane (formerly Downing Farm house) and relatively new dwellings of single storey construction immediately adjoining the site, which is located to the north west of The Craft.
- 1.2 The immediate area is characterised by residential properties of varying sizes, styles and ages, with the wider village is a traditional seaside/fishing village with some degree of holiday accommodation and agriculture.
- 1.3 The land subject to this application, although previously developed with hard-standing and agricultural buildings is not classed as a brownfield site due to its agricultural use. The land is also outside, but immediately adjacent to village development limits as defined in the adopted Great Yarmouth Borough Wide Local Plan. However the site may be classed as a windfall site and the definition of this, along with further assessment is contained within the main report

2. Consultations :-

- 2.1 Article 8 notice/neighbours: 1 letter of objection received (full copy attached)
- 2.2 Parish Council: No objection to development but concerns over demolition of buildings which may contain asbestos
- 2.3 Environmental Health: No objection subject to the imposition of conditions concerning hours of construction, construction noise and contaminate land.
- 2.4 Norfolk County Highways: No objection subject to the imposition of conditions

3. Policy :-

- 3.1 POLICY BNV20

IN CONSIDERING PROPOSALS FOR NEW DEVELOPMENT IN RURAL AREAS, THE COUNCIL WILL REQUIRE A HIGH STANDARD OF DESIGN.

(Objective: To protect the rural scene.)

3.2 POLICY HOU15

ALL HOUSING DEVELOPMENT PROPOSALS INCLUDING REPLACEMENT DWELLINGS AND CHANGES OF USE WILL BE ASSESSED ACCORDING TO THEIR EFFECT ON RESIDENTIAL AMENITY, THE CHARACTER OF THE ENVIRONMENT, TRAFFIC GENERATION AND SERVICES. THEY WILL ALSO BE ASSESSED ACCORDING TO THE QUALITY OF THE ENVIRONMENT TO BE CREATED, INCLUDING APPROPRIATE CAR PARKING AND SERVICING PROVISION.

(Objective: To provide for a higher quality housing environment.)

3.3 POLICY HOU17

IN ASSESSING PROPOSALS FOR DEVELOPMENT THE BOROUGH COUNCIL WILL HAVE REGARD TO THE DENSITY OF THE SURROUNDING AREA. SUB-DIVISION OF PLOTS WILL BE RESISTED WHERE IT WOULD BE LIKELY TO LEAD TO DEVELOPMENT OUT OF CHARACTER AND SCALE WITH THE SURROUNDINGS.

(Objective: To safeguard the character of existing settlements.)

3.4 POLICY NNV7

THE COUNCIL WILL PROTECT THE REMAINDER OF THE COUNTRYSIDE OUTSIDE THE AREAS SHOWN ON THE PROPOSAL MAP AS BEING OF LANDSCAPE INTEREST BY PERMITTING ONLY THOSE PROPOSALS THAT ARE IN KEEPING WITH THE RURAL CHARACTER OF THE AREA.

(Objective: Protection of the countryside for its own sake).

4. **Assessment :-**

- 4.1 The submitted application seeks approval for the residential development of the site to comprise two three-bed bungalows and two four-bed chalet bungalows.
- 4.2 The site is currently unused, and is no longer associated with the adjacent former farmhouse, it has been used previously for agricultural purposes and contains 3 barn style buildings constructed from brick and asbestos roofing which are currently screened by 'Herras' type fencing. The land lies immediately adjacent to the village development limit and does, it is

suggested, form an 'infill' plot between the former farmhouse and the start of the built form of the village at the southern end.

- 4.3 There were some issues with Norfolk County Highways, concerning access but these appear to have been satisfactorily resolved and the highways officer has offered no further comments except to request the imposition of conditions (copy attached).
- 4.4 There has been one letter of objection to the proposed dwellings concerned with the land in question being outside the defined village development limits, access issues, overlooking of his property and potential for future development (full copy of letter attached).
- 4.5 Whilst it is undeniable that the site is located outside village development limits and is not technically designated as previously developed 'brownfield' land by virtue of its former use for agricultural purposes, it is also noted that the development would, it is considered, add a certain sense of completeness to the immediate area.
- 4.6 Nevertheless the site could be construed as being classified as a windfall site. Windfall sites are areas that have come forward unexpectedly and have not been identified for housing within the local plan. They are generally small infill sites within the urban area. The criteria for assessing windfall sites generally include sustainability, capacity of infrastructure to cope with additional pressures generated by housing and the balance of benefits or disadvantages of the proposal.
- 4.7 It is considered that the site would comply with the assessment outlined above as it would complete the form of built development of the village and is close to public transport links and the main road into and out of the village, and there have been no concerns raised about infrastructure capacity. The development is of an appropriate design that would sit well with both the existing properties in the immediate vicinity and the character of the village as a whole. Therefore it is considered that the development would comply with the test for windfall sites.
- 4.8 The adjacent resident who has raised concerns with the application, and in particular, its location outside development limits has, it would appear, taken some of his facts from the Strategic Housing Land Availability Assessment (SHLAA). However, it should be noted that the SHLAA is a technical exercise and although it does allocate sites for future development, in policy terms, it currently has very limited weight. The comment below should help to clarify the situation:

"The identification of potential sites, buildings or areas for housing development within the Strategic Housing Land Availability Assessment (SHLAA) does not imply that the Council would necessarily grant planning permission for residential development. The SHLAA does not assess sites in terms of planning policy. All planning applications incorporating residential development will continue to be assessed against the appropriate

development plan and material planning considerations. For example, a site in the SHLAA may currently be in use for employment and any planning application to change the use of this site to residential would be assessed against planning policy that seeks to protect employment land and other material planning considerations”

- 4.9 However it is important to note that although the land was put forwards as part of the SHLAA assessment, as it is for below 10 dwellings it has not been assessed for future development, nevertheless this does not mean that it is unacceptable and undevelopable. Smaller sites will be assessed as part of a village development review which will inform the emerging site allocation and development management policy document. Winterton-on-Sea is classed as a Primary village in settlement hierarchy as defined in the emerging core strategy, which will be allocated some land for new development in the future, although this land has not been definitively defined. Nevertheless, as stated previously it is considered that the site could be classed as a windfall site which would create completeness to the immediate street-scene and would enhance the visual aesthetics of the area by removing old and unsightly buildings from the village entrance and exit.
- 4.10 In addition to the above The National Planning Policy Framework (NPPF) states that every effort should be made to objectively identify and meet the housing needs of an area and respond positively to wider opportunities for growth and encourage the effective reuse of land. Paragraph 55 of the NPPF states that sustainable development should be promoted in rural areas and housing should be located where it would enhance or maintain the vitality of rural communities.
- 4.11 The remaining issues of access across land and overlooking would appear to have been resolved and regardless of this access rights are a civil matter and agreement should be reached between the applicant and the adjacent resident. The roof-lights associated with the store have been moved to the northern elevation, although there is one remaining roof-light in the southern elevation this is for escape purposes, and it is considered that due to its positioning and distance this will not impact on the amenities of adjacent residents to a significantly detrimental degree. However, if members feel it so harmful to the amenities of adjacent residents a condition could be attached requesting that it be obscure glazed.
- 4.12 It does remain however that there may be some issues with contamination, considering the sites former use for agricultural purposes, however a contaminated land survey will be added as a condition and at the request of Environmental Health, if members are minded to grant permission, and mitigation of any contamination found can be implemented prior to the commencement of construction.
- 4.13 Overall it is considered that the scheme is well thought out and will enhance the visual amenities of the area by removing an old agricultural building and will complete the built form of the village by utilising previously developed but

unused agricultural land and the design will complement the existing dwellings and surrounding area.

5. RECOMMENDATION :-

- 5.1 Approve: For the reasons given above the proposed development is considered acceptable in this particular location and it accords with the general provisions of both the National Planning Policy Framework and policies BNV20, HOU15, HOU17 & NNV7 of the adopted Great Yarmouth Borough Wide Local Plan and the emerging Core Strategy.

Lesley Penn
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Your Ref: 06/13/0226/F
Date: 25 July 2013

My Ref: 9/6/13/0226
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Lesley

**Winterton on Sea: Proposed residential development of site to comprise 2 no. bungalows and 2 no. chalet style bungalows
Bulmer Lane (site off) Winterton Great Yarmouth NR29 4AF**

Having reviewed the revised plans it is noted that my earlier comment have now been encompassed within the proposals and are duly reflected on the plans.

The proposed footway works will constitute off site highway improvements, as referred to in the recommended conditions below, and could be carried out by the applicant with an approved contractor, using a Small Highway Works Permit. Further details of the permit can be supplied should planing permission be granted.

Accordingly, in highway terms only I have no objection to the revised proposals but I would recommend that the following conditions and informative notes are appended to any grant of permission your Authority is minded to grant.

SHC 08 Prior to the first occupation of the development hereby permitted the vehicular accesses shall be provided and thereafter retained at the position shown on the approved plan (drawing number 805/1 Rev.A 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.

Continued.../

SHC 11 Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.2 metres for its complete length and shall be constructed perpendicular to the highway carriageway for a minimum length of 10 metres as measured from the near edge of the highway carriageway.

Reason: In the interest of highway safety and traffic movement.

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.

SHC 19 Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

SHC 24 Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) the proposed access / on-site car and cycle parking / servicing / loading, unloading / turning / waiting area** shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

SHC 39A Notwithstanding the details indicated on the submitted drawings no works shall commence on site until a detailed scheme for the off-site highway improvement works as indicated on drawing number 805/1 Rev A have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

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

Continued.../

SHC 39B Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

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

Inf. 1 It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact Stuart French on 0344 800 8020

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

If required, street furniture will need to be repositioned at the Applicants own expense.

Yours sincerely



Highways Development Management & Licensing Officer
for Director Environment, Transport and Development



**ESSEX & SUFFOLK
WATER**

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Great Yarmouth Borough Council
Planning Services
Town Hall
Hall Quay
GREAT YARMOUTH
NR30 2QF



Your reference: 06/13/0226/F
Our reference: RB/PA/13/123
Date: 14 June 2013

Dear Sir/Madam,

Planning Application at Bulmer Lane (site off) Winterton, Great Yarmouth.

We have recently checked the weekly planning applications dated 24 May 2013 and we have the following comments to make on the application above.

We have mains, which appear to be, within the vicinity of the proposed development and wish to bring this to the attention of the applicant.

The application, as currently submitted, does not however affect our apparatus.

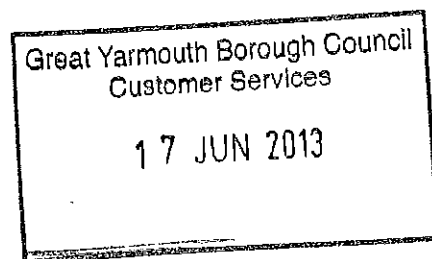
As we wish to protect our apparatus any future applications submitted for this site may prompt us to comment as we cannot accept any buildings or structures within 3 metres either side of our main, which is protected by an easement.

If the applicant/agent requires a copy of our asset record plan we would be happy to supply this upon receipt of their written request quoting the reference number above.

Should you require any further information, please do not hesitate to contact us.

Yours faithfully,

Rachel Blakebrough
Asset Records Technician



Northumbrian Water Limited
Registered in England and Wales No 2066793
Registered office: Northumbrian House
Abbey Road, City Mo, Durham DH1 1AF

MEMORANDUM

From Environmental Services

To: Group Manager - Planning
Attention: Lesley Penn

cc: Chief Building Control Officer

Date: 7 June 2013

Our ref: WI/0011/00000/00000 – RA/WS

Please ask for: Richard Alger



Your ref: 06/13/0226/F

Extension No: 622

DEVELOPMENT AT BULMER LANE WINTERTON GREAT YARMOUTH

I refer to the above consultation.

1. Dust

Every effort should be made to reduce the impact of dust generation to local residential properties and commercial business in the proximity of the development. Where possible a supply of water protected against frost should be available to address this problem; alternatively, erection of hoardings to prevent dust travel must be considered.

2. Construction: Hours of Operation

The following hours of construction should be adhered to:-

Monday to Friday	07.30 to 18.00
Saturday	08.00 to 13.00

Other hours including Sundays and Bank Holidays - no work producing audible noise at the nearest noise sensitive property.

3. Noise Generation

The works have the potential to cause a noise nuisance to local residents living nearby from the construction phases. The applicant should undertake a noise assessment of this aspect. This should address issues surrounding, for example, choice of plant, hours of work and deliveries of materials, with reference to relevant

standards and codes of practice, such as BS 5228 – 'Noise Control on Construction Sites'.

4. Contaminated Land

If the land that is being built on has had any previous industrial uses then a Phase 1 Contaminated Land Assessment should be carried out to highlight areas of the site where contaminative activities could have been carried out and which may require a Phase 2 Assessment. Areas that may require a Phase 2 Assessment include oil storage areas, workshops, maintenance sheds and other similar sites.

An intrusive site investigation should be carried out based on Phase 1 Contaminated Land Assessment findings.

If contamination is identified then Environmental Health will expect a Remediation Plan to be submitted, outlining how the contaminated land will be dealt with.



Richard Alger
Environmental Health Officer

Elaine Helsdon

From: Rees, Stuart R [mailto:stuart.rees@bakerhughes.com]
Sent: 30 May 2013 13:48
To: plan
Subject: Planning Application 06/13/0226/F

Dear GY Planning department

First and foremost on review of the Borough Wide Plan I note that W104 is classified as 'below size threshold'. Please provide detail as to how and why this can be considered as viable in relation to current policy as the 'development' falls out with the current permitted village development limit. In addition and as the occupant /owner of 78 Bulmer lane, Winterton on sea (formerly downing farm) and with reference to reviewing the above mentioned planning application I wish to raise and object on the following points.

- As per title deeds access is to be maintained to the 2.5 metre rear access gate of 78 Bulmer Lane. As illustrated on the plan the access/ entrance of plot 2 appears to bridge / overlap the established rear access by 50% restricting the aperture by half of the original width, this is not acceptable.
- The south facing Velux windows of alleged 'store' located above the garage area of plot 2 over looks and impairs the privacy of my property, this can be avoided by installing the Velux on the opposing roof area facing North, otherwise unacceptable
- The existing side access rights to the rear of 78 Bulmer lane as per the title deeds are to be maintained at no less than 5.5 Meters in width from the centre of established hedge line then from front to rear of the property in length. This needs to be illustrated on drawing 805/3 and detailed within the application, otherwise unacceptable.

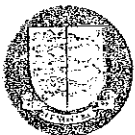
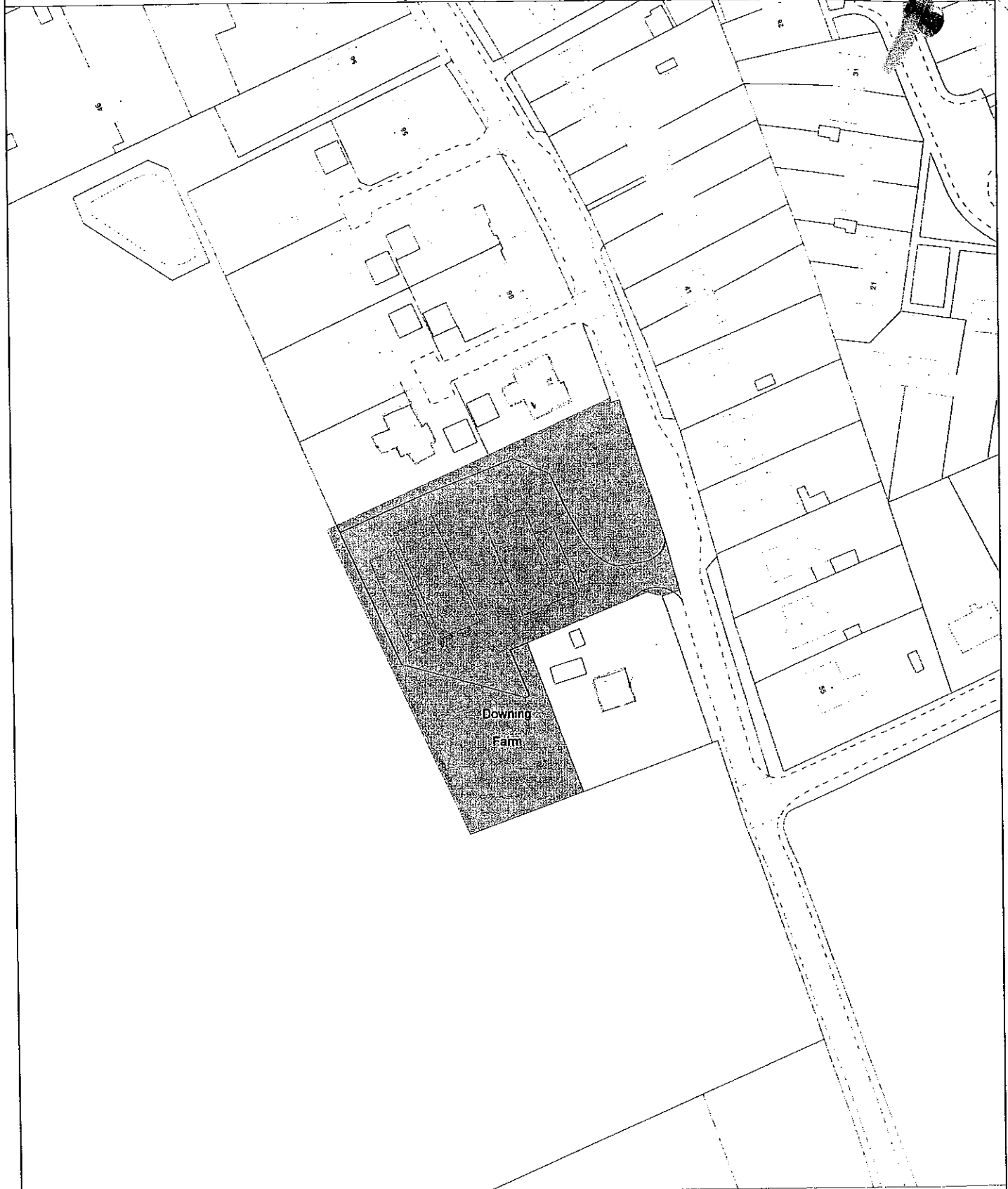
As I am sure you may appreciate I have enjoyed 100% privacy for the past 8 years and whilst in favour of general improvement to the area adjacent to my property, this certainly raises levels of concern for me and fellow villagers with respect to how this example has the potential to open the development floodgates to the other key expressions of interest such as W103, potentially a significant development which faces onto the south aspect of my home. I look forward to a response in the near future.

Kind regards

Stuart Rees | Manager-Great Yarmouth
Baker Hughes | Process and Pipeline Services – Great Yarmouth
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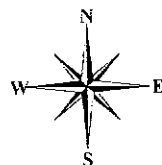


GREAT YARMOUTH
BOROUGH COUNCIL

Planning and Business Services,
Town Hall, Great Yarmouth,
Norfolk. NR30 2QF

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Metres

Scale = 1:1250 @ A4



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