

Development Management Committee Report



Committee Date: **20 March 2024**

Application Number: **06/22/1026/D** - Click [here](#) to see the application webpage

Site Location: Land off Foster Close, Ormesby St Margaret, Great Yarmouth, NR29 3PP

Site Location Plan: See Appendix 1

Proposal: Details of Reserved Matters of appearance, landscaping, layout and scale pursuant to outline planning permission 06/20/0156/O (Residential development of up to 33 dwellings with access road and public open space)

Applicant: Great Yarmouth Borough Council

Case Officer: Myles Joyce

Parish & Ward: Ormesby St Margaret Parish and Ormesby Ward

Date Valid: 23rd November 2022

Expiry / EOT date: 5th April 2024

Reason for Committee: This is a major planning application of more than 25 dwellings

RECOMMENDATION: DELEGATE AUTHORITY TO THE HEAD OF PLANNING TO GRANT RESERVED MATTERS APPROVAL SUBJECT TO: THE RESOLUTION OF SURFACE WATER DRAINAGE MATTERS; AND CONDITIONS

P1. Preliminary Matter

P1.1 Outline Planning Permission 06/20/0156/O expected Conditions 8 (details of electric vehicle charging points) and 9 (surface water drainage strategy) to be submitted for approval 'in conjunction with the reserved matters application. Those conditions must be discharged prior to commencement of development, and the development must be undertaken in accordance with those details. The details required for condition 8 have now been approved, but condition 9 remains outstanding. If condition 9 is discharged after the reserved matters have been approved there is a small risk that the reserved matters may need to be amended to accommodate the drainage scheme requirements if there are further amendments required to the layout, landscaping etc. The applicant has been made aware that the scope of changes that can be made to a reserved matters application is very limited when the time period for submission of reserved matters has already lapsed. The applicants accept that this reserved matters application is to be considered now at their risk.

1. The Site/Background

- 1.1 Outline Planning Application 06/20/0156/O was considered and members resolved to grant planning permission subject to conditions and a s106 agreement by the Development Control Committee on 25th November 2020. The application was “residential development of up to 33 dwellings with access road and area of public open space all other matters reserved”. The decision notice was issued on 9th December 2021, and the permission is subject to planning obligations within a Section 106 Agreement dated 15th October 2021.
- 1.2 The site should be appraised in conjunction with the site immediately to the north of this application site which provides access via Foster Close to both the smaller northern site and the subject site.
- 1.3 The northern site was subject to an Outline planning application for 7 dwellings under Ref. 06/17/0028/O and the related reserved matters under Ref 06/19/0161/D and approved discharge of conditions Ref 06/21/0290/CD.
- 1.4 More recently, the northern site remains subject to a full planning application for: 7 dwellings (Use Class C3); vehicular and pedestrian access from Foster Close; internal access road; public open space; car and cycle parking; landscaping; Sustainable Urban Drainage Systems; and associated infrastructure including highway works, which was recently approved (Application 06/22/1027/F).
- 1.5 In addition, at the northern site, a Certificate of Lawful Existing Use or Development (CLEUD) application has been approved which sets out the LPA’s formal position that the permission granted under 06/17/0028/O has been lawfully implemented (see application ref. 06/22/0695/EU). The outline planning permission for development of 7 dwellings to the north and its associated reserved matters within application 06/19/0161/D is therefore considered extant.
- 1.6 The subject site and the site to the north are herein referred to as the Southern Site and the Northern Site respectively. The sites are at the residential edge of Ormesby St Margaret, which is designated as a Primary Village under policy CS2 of the Core Strategy. Presently, the Northern Site is located within the defined village Development Limits set out by policy GSP1. The Southern Site is adjacent but outside the village Development Limits.
- 1.7 The Northern Site is currently residential curtilage within Beechcroft, 74 Station Road, Ormesby St Margaret, and is a predominantly lightly vegetated grassed area but includes many stands of important and valued trees protected by Tree Preservation Order (TPO No.4 1989). The Southern Site is an arable agricultural field enclosed by mature hedges and tree belts.
- 1.8 As previously stated, access is proposed to be provided via Foster Close, an adopted road maintained by Norfolk County Council. The subject or Southern Site is outside of, but adjacent to, the settlement boundary of Ormesby St Margaret. The western boundary is largely composed of the dwellings and associated boundary treatments of Symonds Avenue including mature trees. Abutting the south-west corner of the Southern Site is the group of 8 dwellings under construction at the site of the former Dairy Farm, Yarmouth Road (applications 06/23/0318/VCF and 06/23/0459/F), which also forms part of the No. 11 Ormesby St Margaret Conservation Area. Beyond this application site’s southern boundary is an area of woodland and beyond that a significant run of housing fronting Yarmouth Road.

The eastern boundary of this Site is hedged and approximately 600metres beyond that is Scratby Road, with the areas between consisting of fields. There is a significant change in levels, with the land sloping down to the southern end of the site.

- 1.9 This site is within a Nitrate Vulnerable Zone and a Drinking Water Safeguard Zone (Surface Water). There are no sites of designated ecological significance (at international, national or county level) within 1km of either Site. There are a number of priority habitats in the surrounding area.
- 1.10 This sites is located within Flood Zone 1, the lowest category of flood risk, on the Environment Agency's flood risk mapping. It is not in a Conservation Area, although the southwest corner abuts a Conservation Area. There are no statutorily designated listed buildings in close enough proximity to be likely to be impacted by the development.

2. The Proposal

- 2.1 This is an application seeking approval of the reserved matters details of appearance, landscaping, layout and scale, following outline planning permission having already been granted for residential development of up to 33 dwellings.
- 2.2 The application site is accessed from the Northern Site whose access is via Foster Close. This Reserved Matters application takes this into account and is closely related to the site. Many of the supporting documents relate to the northern site and the full planning permission granted under permission ref 06/22/1027/F.
- 2.3 Condition 4 of Outline Planning Permission ref 06/20/0156/O firms up this access as needing to be in accordance with site location plan drawing ref: 18/230/01 received by the Local Planning Authority on 30th April 2020 and explains its sole purpose is as details of 'access', which is defined within the Town and Country Planning (Development Management Procedure Order) (England) 2015, as "the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted".
- 2.4 This application for the above Reserved Matters was submitted in a timely fashion in accordance with condition 1, is within the scope of the permitted quantum of development in condition 2, and provides details as set out in condition 3 of Outline Planning Permission ref. 06/20/0156/O.
- 2.5 Members are reminded that a number of conditions remain to be discharged from the related Outline Planning permission under Ref 06/20/056/O, several prior to the commencement of development at the Southern Site, related to matters as diverse as details needing to be submitted to the LPA for approval of a temporary haul road, Ecological Mitigation and biodiversity strategies, Aboricultural Impact Statements, Surface and Foul Water Drainage, Construction Worker on-site car parking, Construction and Environmental Management Plans, Schemes of Archaeological and Contaminated Land investigations/desktop studies, provision and location of fire hydrants, and land and finished floor levels. It is not unusual for these to be determined after Reserved Matters are agreed.

3. Site Constraints

- 3.1 The site lies adjacent to but outside the development limits of Ormesby St Michael and lies within affordable housing sub market area 1 (Policy CS4).
- 3.2 Provision of affordable housing has already been accounted for through the Section 106 Agreement associated with the outline planning permission.

4. Relevant Planning History

The adjoining North Site (7 dwellings)

- 4.1 06/14/0330/F
Erection of seven two-storey detached houses with private drive access
Approved 14.11.2014
- 4.2 06/17/0028/O
Residential development of seven detached dwellings accessed by extension of Foster Close
Approved 24.03.2017
- 4.3 06/19/0161/D
Approval of reserved matters application. 06/17/0028/O - for appearance, landscaping, layout & scale.
Approved 12.11.2019.
- 4.4 06/21/0290/CD
Discharge condition 5 of pp 06/17/0028/O (7 dwellings) and condition 3 of pp 06/19/0161/D (reserved matters).
Approved 23.09.2021.
- 4.5 06/22/0695/EU
Proposed application for Lawful Development Certificate for a proposed use or development - works as approved under applications 06/17/0028/O, 06/22/0161/D & 06/21/0290/CD.
Certificate Issued 11.03.2024
- 4.6 06/22/1027/F
Erection of 7 no. dwellings (Use Class C3); vehicular and pedestrian access from Foster Close; internal access road; public open space; car and cycle parking; landscaping; Sustainable Urban Drainage Systems; and associated infrastructure including highway works.
Approved 08.03.2024

South Side (Subject Site)

- 4.7 06/20/0156/O
Outline planning permission for vehicle access to and egress from the site - for the residential development of up to 33 dwellings.
Approved 9.12.2021.
- 4.8 06/22/1025/CD
Discharge of condition 8 of Permission 06/20/0156/O. Details of EV charging points.
Discharged in part 08.03.2024.

- 4.9 06/22/1024/CD
Discharge of condition 9 of pp 06/20/0156/O - Surface water drainage strategy and flood risk assessment.
Currently pending consideration.

5. Consultations

- 5.1 A site notice was erected on 22nd December 2022. When the intention of the application and the description of the development was clarified it required additional public consultation by advertisement on 6th October 2023. The second consultation expired on 27th October 2023.

5.2 Designing Out Crime officer

- 5.2.1 No concerns over the proposed layout in general. Recommend adding windows to ground floor for increasing surveillance. (Plots 8,12,13,14,15,21,31,32,33,34,35,37,38).

5.3 County Ecologist

- 5.3.1 Further information was requested including that the HRA should be updated and clarified, and that further information is provided with regard to the arboricultural implications, the site's bat roosting potential, and proposed strategy for assessing and accommodating the possibility that there are great crested newts at the site.

5.4 Natural England

- 5.4.1 Confirmed no objection subject to receipt of appropriate GIRAMS payment.

5.5 Local Highway Authority

- 5.5.1 The Highway Authority were consulted on 06/12/2022 but no comments were received until 08/02/2024. Some concerns over aspects of layout.
- 5.5.2 Revised plans have been submitted and objections have been removed apart from there still being concerns about the proposed link between dwelling units in the south-east corner of the site (which are discussed in section 10 of this report).
- 5.5.3 Any approval must still be subject to requirements of outline planning permission and imposition of a standard condition relating to the layout of the access roads, parking and drainage prior to occupation.

5.6 Lead Local Flood Authority (LLFA)

- 5.6.1 Holding objection awaiting further information being provided.
- 5.6.2 The LLFA request (amongst other matters) further infiltration testing and finished floor levels and flood resilience and level of infiltration features in relation to groundwater levels. A follow up consultation response also noted the lack of an infiltration basin, lack of justification for why deep infiltration would be necessary for surface water drainage in this development and lack of exploration of alternative options.

- 5.6.3 Parts of the FRA – Addendum suggest that surface water is intended to be discharged into a watercourse. As this is not part of the drainage strategy, these statements should be amended to avoid confusion. In addition, the applicant should contact the Environment Agency to establish whether consent would be given to using deep infiltration in this location.
- 5.6.4 Additionally, the LLFA advise that as advised in a letter dated 13 January 2022 (LLFA ref: FW2022_1163) that they cannot recommend the discharge of conditions until reserved matters have been approved, as they believe that there is greater scope to address any potential issues with the drainage strategy at this stage of planning.
- 5.6.5 Further updates and information were submitted on 6 March 2024 and were referred to the LLFA for their consultation response within the normal 21 day statutory period, which will extend beyond this Committee date. If further comments are received from the LLFA prior to the meeting the Committee will be updated by Addendum Report or verbal update at the meeting.
- 5.7 GYBC Arboricultural Officer
- 5.7.1 No objection provided the AIA / Tree Report is adhered to including any Tree Protection methods detailed.
- 5.7.2 Notes that the TPOs that are situated upon the site are no longer accurate – a number of trees have been removed or died since its inception eg. T1 and T4 (1985 TPO) and T4 (1989 TPO). For example, TPO group G2 may not exist on site anymore based upon comparing the tree species detailed upon the TPO Group details against the Site Arboricultural Survey.
- 5.7.3 The retention and protection measures afforded to trees T018 in the AIA (TPO tree T2) and T017 (TPO T3) are suitable and adequate to ensure their retention during the development process.
- 5.7.4 Request confirmation that *quercus robur*, *Prunus padus* and *Acer campestre* will be planted as part of the landscaping plan in various locations to replace the tree species removed.
- 5.8 GYBC Strategic Planning
- 5.8.1 In principle, the development density has already been accepted through grant of Outline planning permission. Provision of water efficiency measures and EV charging points required. GIRAMS contribution payable. Key concerns are design and layout in terms of an over-complication of material pallettes, too many blank walls, lack of screening where significant south facing fenestration is proposed and lack of a linkage SW outside of the site as well as lack of permeability within the site. Other matters raised were suggestions with regard to the avoidance of clustering of the Affordable Housing and re-orientation of some plots and grouping of housing types to better reflect the established development pattern in the area and legibility of site layout.
- 5.8.2 Officer comment: Revised plans were submitted and whilst the materials proposed should be simplified with a smaller number of pallettes are used across the development, the additional planting of trees along the street scene, their placement of trees forward of the principal elevations provides some unifying consistency to the street scene. The rotation of plots 39 and 40 provide connectivity through the site.

5.9 Housing Enabling and Strategy Manager

- 5.9.1 Notes correct tenure split and amount of proposed affordable housing and that the affordable housing meets the internal space standards of the Nationally Described Space Standards. Whilst there would be some preference for the provision of a 3 bed/6 person housing and the parking at plot 20 to be to the front of the property, or perhaps next to plot 21 to assist with management of the Shared Ownership unit, these shortcomings are not fatal to the overall application.

6. **Publicity and Representations**

- 6.1 Consultations undertaken: Site notices erected 22 December 2022, Initial Consultation Period expired on 16 January 2023. Further information received was advertised by site notices and press advertisement posted 6 October 2023 and that consultation period expired on 27 October 2023. Reasons for consultation: Major Planning Application

6.2 Ward Members – Cllrs Freeman and Rundle

- 6.2.1 No representations made.

6.3 Public Representations

- 6.3.1 6 public comments have been received; including 5 objections. The representations raised are summarised below.

Objections / Concerns

- 6.3.2 Parking pressure in Foster Close, Construction Traffic noise and disturbance, poor manoeuvrability, highway safety in Foster Close and beyond including near the school. Plot 14 could cause lack of privacy due to proximity. Lack of clarity in the proposed development and whether it addresses all issues raised during grant of outline planning permission.
- 6.3.3 Officers would note that with regard to parking and Highway safety, the County Highway Authority has no objections to this proposal. Officers would also advise that this application is for reserved matters and would not cover all points raised with regard to the Outline planning permission which officers consider are covered by the attached conditions and Section 106 agreement.

7. **Relevant Planning Policies**

7.1 The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS1: Focusing on a sustainable future
- Policy CS2: Achieving sustainable growth
- Policy CS9: Promoting high quality of design
- Policy CS11: Enhancing the natural environment
- Policy CS13: Protecting areas at risk of flooding and coastal change
- Policy CS14: Securing essential new infrastructure
- Policy CS16: Improving accessibility and transport

7.2 The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy GSP1: Development Limits
- Policy GSP 5: National Site Network Designated Habitat Sites species impact avoidance and Mitigation
- Policy A1: Amenity
- Policy A2: Housing Design Principles
- Policy E4: Trees and Landscape
- Policy E6: Pollution and hazards in development
- Policy E7: Water Conservation in New Dwellings and Holiday Accommodation
- Policy H2: Delivering Affordable Housing
- Policy H3: Open Space Provision for New Housing Development
- Policy H4: Housing Density
- Policy I1: Vehicle parking for developments

8. **Other Material Planning Considerations**

Great Yarmouth Design Code, adopted February 2023

National Planning Policy Framework (December 2023)

- Section 2: Achieving sustainable development
- Section 4: Decision Making
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well designed places

9. **Planning Analysis**

9.1 Legislation dictates how all planning applications must be determined. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

9.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states:

In dealing with an application for planning permission the authority shall have regard to—

- (a) the provisions of the development plan, so far as material to the application,*
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,*
- (b) any local finance considerations, so far as material to the application, and*
- (c) any other material considerations.*

Main Issues

9.3 The main planning issues for consideration include:

- Principle of development
- Design (appearance, layout and scale)
- Amenity: Existing occupiers
- Amenity Future occupiers
- Landscape Impact and Trees
- Ecology and Biodiversity
- Condition 8 EV charging
- Condition 9 Surface Water Drainage
- Other: Services, car and cycle parking, water efficiency, accessibility

10. Assessment

Principle of Development

- 10.1 The principle of the development was established through the grant of planning permission under reference 06/20/0156/CU, which Members resolved to approve at the Development Control Committee. The decision was issued on 9th December 2021.
- 10.2 Policy GSP1 sets out that development will be supported in principle within the development limits subject to compliance with other relevant policies in the development plan. The proposal for 7 dwellings on the Northern Site is located within the development limits so development there is compliant with Policy GSP1. The scheme of 33 dwellings on the Southern Site is outside the development limits, though adjacent to, and relies on having an extant outline planning permission to be considered acceptable in principle.
- 10.3 Core Strategy (2015) policy CS1(e) seeks to ensure that development is located in 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. Core Strategy Policy CS2 builds upon this by ensuring that new residential development is distributed according to the Policy's Settlement hierarchy which seeks to balance the delivery of homes with resilient, self-contained communities and reducing the need to travel. The settlement hierarchy identifies Ormesby St Margaret as a 'Primary Village' due to the small range of services and opportunities for employment, retail and education. They serve a limited local catchment and contain a lower level of access to public transport. Therefore, approximately 30% of the Borough's future housing growth is directed to the Primary Villages.
- 10.4 This application was submitted in a timely fashion to ensure the outline permission remains extant, was for the correct quantum of development and the density is considered acceptable, and as such is in accordance with the general aims of Policies CS1, CS2 and H3.

Design, Layout and Scale

- 10.5 The Design Code augments the aims and objectives of Policies CS9 and A2 in seeking to protect and enhance the distinctive built and landscape character of the settlements in the borough. New developments must be of a quality that will be enduring and can become the

civic heritage and lifestyles of the future, be resilient to a changing climate and minimise carbon emissions and waste, including through reducing car use.

- 10.6 The National Planning Policy Framework advocates good design and recognises that poor design creates environments that are not attractive to live in, work in, or to visit. This causes harm to local pride in place and erodes the distinctive identity of our built heritage and landscapes. It also erodes prospects for economic growth as liveable, attractive environments are an important factor in attracting and retaining businesses and residents.
- 10.7 Poor design can also lead to increased maintenance and long-term management costs, as well as the indirect costs from ill-health caused by inactive lifestyles, poorly designed and constructed building fabric or overheating; from the need to police poorly laid out spaces without natural surveillance; and from many other causes.
- 10.8 Policy CI1 of the Design Code requires site layout to complement the existing landscape and built environment, including the pattern of development, landscape and townscape.
- 10.9 Policy CI3 of the Design Code encourages the inclusion of a range of house types on larger developments, with a clear design-led rationale for their usage and placement. Standard house types must not be used without being adapted to create a distinct local identity. In addition, Policy CI4 of the Design Code prompts the use of external materials and detailing which complement the local context and are appropriate for the local climate. Policy SM1 of the Design Code encourages the creation of a walkable and integrated network of streets and pedestrian/cycle routes.
- 10.10 The access road into this application site is a continuation of the road approved for accessing the 7 dwellings of the Northern Site. Immediately within the Southern Site there is a spur off the access road where there are 6 dwellings of various types proposed, comprising two semi-detached 2-bedroom homes and the rest as 3-bedroom detached houses. In layout these are positioned around the established trees to create a small 'green' between the north and south sites. The pattern is not dissimilar to that proposed in the eastern side of the northern site and as such serves as a rough mirror image.
- 10.11 Further south a further spur to the east continues south to oppose the access road as it turns down towards the south-east of the site, serving 20 dwellings off the spur road cul-de-sac in a higher density arrangement of detached, semi-detached and terrace dwellings, including all 8 affordable houses. The revised plans add a pedestrian link here significantly increasing the permeability of the site. The remaining 7 dwellings are all detached houses and bungalows positioned on the north side of the continued spur road, overlooking the drainage basin and landscaping to the south of the site.
- 10.12 Elevationally, with the exceptions of plots 39-40 which are bungalows and the garages and plot 13 which is part 1.5 storey (with dormers) the dwellings are two storey and of a scale not out of keeping with the site and surrounding area. The larger units are located at the junction of the spur road to provide presence and identity and towards the south-east of the site, and the smaller and affordable units are located to the east and south-west of the site.
- 10.13 The Strategic Planning Officer's key concerns are design and layout in terms of an over-complication of material palettes, too many blank walls, lack of screening where significant south facing fenestration is proposed and lack of a linkage south-west to outside of the site as well as lack of permeability within the site.

- 10.14 Revised plans were submitted and whilst Strategic Planning have ongoing concerns with regard to the materials proposed and the need to simplify these across the development, the additional planting of trees along the street scene, their placement of trees forward of the principal elevations provides some unifying consistency to the street scene. The rotation of plots 39 and 40 and the pedestrian link between the two main spurs of the access road has provided connectivity through the site, and on balance officers consider that a condition attached to any permission could require further details prior to above ground level works, which would in this instance mitigate any potential issues that remain from the design and layout point of view. As such officers consider that the proposal accords with Policies CS9, A1 and A2 and the adopted Design Code.

Materials and Boundary Treatments

- 10.15 The northern area of public open space on the boundary to the east of the access road is part delineated by a Timber post & galvanised chain-link (600mm high). Boundary treatments between the residential plots are 1800mm close boarded fencing. The facing materials for the houses are predominantly brick save for a north facing part of plot 13 which will be rendered.
- 10.16 The proposed access and spur roads are a mix of tarmac and impermeable paving to the adoptable length of the main access road, with pavements, and permeable paving or tar-spray shingle to the non-adopted areas. The final colours of this hard landscaping can be agreed by conditions and required to be provided prior to occupation should permission be approved.

Landscaping Impact

- 10.17 The Landscaping Strategy submitted with this planning application and latterly revised sought to provide landscaping which whilst in accordance with the surrounding area was self-contained for the specific development incorporating street trees, village and linear greens and planting within front gardens and street spaces to soften the hard landscaping necessary for access and car parking.
- 10.18 The existing pond will be retained and the attenuation basin will also serve as an informal 'natural greenspace' with naturalistic edge profile and associated wetland grass mix and pond marginal planting. The eastern boundary will retain the existing hedgerow maintained and enhanced planting is proposed with interspersed feature native (hedgerow) trees. The western boundary will retain the mature trees augmented with further tree planting.
- 10.19 The addition of trees along the street scene and enhanced permeability between the main spine road and lower spur in the south-eastern corner of the site is welcomed by the officers and the tree placement forward of the principal elevations helps to mitigate, in part, the varied approach to the materials used, by providing some unifying consistency to the street scene.
- 10.20 Officers consider that the trees themselves should have a mature height, spread and canopy height that works with its functional setting and to secure this any permission should be subject to a condition that the development is to be carried out in accordance with the submitted revised Landscaping Strategy (revision B) by the Landscaping Partnership in accordance with Policies CS11 and E4.

Development Density and Public Open Space

- 10.21 The affordable housing requirement which is established in the Section 106 Agreement has been calculated based on the total development of the northern and southern scheme combined and is discussed further below. From a design perspective, it is not ideal for all 8 affordable housing dwellings to be positioned together at the south-eastern corner of the site but policy CS4 describes avoiding 'large numbers' of dwellings clustered together which is considered on balance to be acceptable at a maximum of 8 in this instance.
- 10.22 Policy H3 of the LPP2 requires residential development to meet indicative minimum housing densities. The density expected in Ormesby St Margaret is 30 dwellings per hectare, the actual density for this 0.78 site area is 9 dwellings per hectare and therefore is significantly lower than the expectations of this policy in securing an efficient and effective use of land.
- 10.23 When considering the surrounding density of the area, the general density is much lower than 30 dwelling per hectare, though generally around 17 dwelling per hectare but the 33 dwellings are generally in conformity with the existing character and density of surrounding estates. However, it is noted that the layout has had to have regard for the existing TPOs on the Northern Site, which has influenced layout to some degree, and to some extent (with the exception of the tighter south east corner) the lower density helps disperse the appearance of dwellings in views of the fringe of the village from the east.
- 10.24 Officers note that the total density of the northern and southern schemes (the latter's density having already been established by the granting of outline consent) combined is 15 dwelling per hectare and therefore is more reflective of the existing urban grain.
- 10.25 Policy H4 of the LPP2 requires new residential development to make provision for publicly accessible recreational open space where there is an identified deficit in local provision (defined by ward). The Open Space Needs Assessment identifies that proposals of 40 dwellings should provide informal amenity greenspace and play space provision in the Ormesby ward, where there are identified deficits. When considering the open space provision of the north and south scheme combined, the total site should deliver 4,120sqm of open space. The northern scheme provides two pockets of informal amenity green space approximately 1,630sqm and 1,250sqm respectively (2,980 sqm in the southern scheme), owing to the retention of existing TPO trees and landscape features, therefore may warrant the overprovision of green space in northern scheme.
- 10.26 Officers note that there is no provision of children's play space. However, the high degree of green space is considered justified given the site constraints set out above and that the increased degree of informal amenity space would in this instance outweigh the lack of children's play space. It is not possible to seek financial contributions for off-site provision at this stage as the outline planning permission should have set out the requirements for open space and planning obligations were they not to have been accounted for on-site.

Impact upon Amenity

- 10.27 Policy A1 supports proposals where they protect or promote a high standard of amenity, and planning permission will only be granted where the development would not lead to an excessive or unacceptable impact on the amenities of the occupiers of existing and anticipated development in the locality in terms of the outlined criteria, including noise.
- 10.28 A third party concern was raised about the potential impact on the amenity of the existing occupiers to the west of the site. However, plots 14 and 33-35 are approximately 30 metres

form the site's western boundary and there is significant existing and proposed screening between this and the boundary. It is noted the separation distance arises from the layout of the access road between existing gardens and new dwellings, but the level of traffic anticipated is not considered likely to be so significant as to create unacceptable living conditions and the screening and vegetation offers a perceived sense of separation between the two. As the new houses are set well back from the western boundary of the site officers are satisfied that no adverse impacts on the amenity of the occupiers of these properties would arise from the dwellings themselves, nor would they for the occupiers of the properties to the south or south-west of the subject site.

- 10.29 Potential noise and disturbance from the construction phase are covered by planning conditions attached to the outline Planning Permission under 06/20/0156/O.
- 10.30 With regard to the living conditions of the future occupiers of the proposed houses, officers consider that the dwellings are of sufficient internal area which meet the Nationally Described Space Standards, have good access to natural light and circulation internally and possess adequate amenity space. The shared areas are sufficiently overlooked without unduly compromising privacy and as such officers consider that the proposal accords with Policy A1.

Design and Security

- 10.31 The Designing Out Crime Officer has no objections but recommends that windows should be added to ground floor active rooms to give surveillance onto the plots' parking provisions. Also utility rooms overlooking parking provisions would contribute to increasing surveillance by being glazed, notably at plots 8,12-15,21,31-35,37-38.
- 10.32 Officers note that whilst some of these have plots windows for snugs and/or doors to utility rooms at ground floor level, all of the units enjoy good overlooking and natural surveillance of the car parking and street as well as private amenity areas. The proposed parking does not detract from this. The green link between plots 27 and 26-40 provides permeability which outweighs any potential reduction in security afforded by this access.

Electric Vehicle charging

- 10.33 Condition 8 of the outline permission required full details for the provision of electric vehicle charging points to be submitted alongside the reserved matters application and then agreed and installed prior to the first occupation of dwellings.
- 10.34 Details submitted have been considered to be acceptable to officers and as such condition 8 of 06/20/0156/O has been part discharged as being acceptable for the purposes of this application and in accordance with Policy I1.

Surface water drainage

- 10.35 Condition 9 of the outline permission requires that, in conjunction with this Reserved Matters application, full details of a Surface Water Drainage Strategy (SUDS) shall be submitted for approval prior to commencement of development. The Lead Local Flood Authority has raised a holding objection requiring further information; although these further details have been provided the LLFA have yet to comment on the latest proposals so Condition 9 currently remains to be resolved.
- 10.36 In relation to the Reserved Matters application, the LLFA notes that the soakaway for Plot 39 (which is in the garden of Plot 38), and the fully-infiltrating permeable paving parking spaces

for Plots 27 and 28, are closer to failed soakaway test TP01 than to any successful soakaway test which might suggest that infiltration may not be successful. It should not be assumed that the use of infiltration drainage is suitable in these locations without further infiltration testing being carried out.

- 10.37 The most up-to-date information submitted to the LLFA, including an amended drainage strategy submitted on 6th March 2024, shows no material change proposed the layout of the site with regard to the drainage strategy. The consultation period to which the LLFA is subject extends to 27th March 2024 and as such goes beyond the date of this Committee. Officers consider that any potential changes in layout to accommodate a further amended drainage scheme may be able to be restricted to the identified plots 38, 39 and 27-28; as such Officers recommend that Committee is able to resolve to delegate powers to allow for the grant of permission subject to receiving further infiltration testing and other drainage requirements for the LLFA, and duly amending the layout of the scheme's reserved matters, prior to any approval being granted.

Ecology, Trees and Biodiversity

- 10.38 The outline permission attaches conditions with regard to protected species and biodiversity enhancement including such details during the construction as well as significant planting and retention of planting on site.
- 10.39 The County Ecologist requested an updated Habitat Regulations Assessment and further ecological information, and this has been provided.
- 10.40 The Arboriculturalist has not objected to the details, provided that the AIA / Tree Report is adhered to, including any Tree Protection methods detailed in the AIA. The Arboriculturalist does note that the TPOs that are situated upon the site are no longer accurate with a number of trees, T1 and T4 for instance, that do not exist on site anymore based upon the tree species detailed upon the TPO Group details and the Site Arb Survey. The retention and protection measures afforded to T018 (TPO T2) and T017 (TPO T3) are suitable and adequate to ensure their retention during the development process.
- 10.41 Officers consider that a condition requiring replanting/planting (including *quercus robur*, *Prunus padus* and *Acer campestre* will be planted as part of the landscaping plan in various locations to replace the tree species removed) as suggested by the arboriculturalist is reasonable and necessary to provide amenity protection and enhanced landscaping to mitigate the impact of the proposed development.
- 10.42 Recently an application to undertake works to group TPOs in the adjoining property has been approved. Given the proximity to the subject site, officers consider that a replanting condition is reasonable to attach with regard to vegetation dying within the next two years and the planting scheme should be augmented to counter loss of trees (along with a replacement condition to be attached to the permission granted for the site to the north under 06/22/1027/F).
- 10.43 Officers consider that for the purposes of this application the proposal is acceptable but note there are relevant conditions in the Outline Planning Permission which requires the proposed planting and retention of trees to be submitted separately for discharge. Any approval will need to take account of these requirements to ensure all relevant conditions can be discharged.

- 10.44 Although the S106 agreement in relation to the Outline Planning permission under Ref 06/20/0156/O required an index-linked contribution, this falls somewhat short of the GIRAMS payment required to the tune (currently) of £80.84 per dwelling, or £2667.72 for all 33 proposed. The applicant accepts that this is subject to further uplifts prior to the commencement of development annually in April but have paid the aforementioned sum on 6 March 2024 prior to the release of any decision to grant planning permission.
- 10.45 A HRA was submitted to Natural England who have confirmed they have no objections subject to the GIRAMS being paid and as such officers consider that the proposal is acceptable subject to standard conditions. Whilst this is a Reserved Matters application this updated information was required as was the uplift in the GIRAMS contribution to £210.84 per dwelling, both of which are necessary to ensure the decision maker can confirm the proposal passes the Appropriate Assessment required by Habitat Regulations.

Access, Car and Cycle Parking

- 10.46 The Local Highway Authority provides a response for both the north and south site and refers to the conditions attached to 06/20/0156/O in relation to highway matters that would ultimately result in adoption under Section 38 of the Highways Act 1980.
- 10.47 The Highways Authority has required that some relatively minor adjustments should be made to the overall designs and has sought clarification in respect of the amount of parking for new dwellings and visitors, for example. Planning Officers consider these have been accommodated through revised plans and should be able to address the requirements prior to the Committee meeting or if not under delegated authority.
- 10.48 Revised Planning Layout, External Works, Landscaping and Vehicular Tracking Plans were submitted and the Local Highway Authority has no objections, subject to pre-occupation conditions requiring their provision, save for the pedestrian link between plots 26 and 39 in the south-east of the site. Officers consider that this pedestrian link is a modest addition that provides significantly enhanced permeability and accessibility and as such should be retained. The Highway Authority appears to be concerned that the pedestrian link between the private access drive would link onto a publicly adopted road, and possibly cause maintenance concerns but this is not a reason to prevent good urban design and accessibility, and should be managed by planning conditions, to require its provision, and the development's management plan obligations in the section 106 agreement re its upkeep.
- 10.49 The proposed development is considered able to provide sufficient car parking spaces to address policy standards and highways concerns, and augments this with garage provision housing the cycle parking. This is supported by the Designing Out Crime Officer and as such officers consider that the proposed accords with Policies CS16 and I1.

Lighting

- 10.50 Officers note that no lighting impact assessment has been submitted. Officers are content that this can be addressed by the existing condition 30 on the outline planning permission granted under 06/20/0156/O, and no further condition is required for the development to be in accordance with Policy E6.

Affordable Housing

- 10.51 Policy H2 sets out that where residential sites are proposed adjacent to a recently permitted scheme (within the past 3 years) and identified as phased or cumulative development, as evidenced in addition to one or more of the below criteria, the affordable housing

requirement will be calculated based on the total development of the northern and southern scheme combined. The total number of dwellings to be provided across both sites (north and south) are 40 dwellings and the affordable housing requirement is for 8 dwellings within that (20% as required by policy UCS4); the applicant is proposing 7no. affordable rent properties and 1no., shared ownership tenure to the Strategic Housing officer's satisfaction.

- 10.52 The proposed tenure and overall mix of affordable housing unit sizes and styles is considered acceptable in general terms, although the Housing and Enabling Officer would have had a preference for the provision of 3 bed/6 person housing, but this could have affected the overall design slightly and the interest available from Registered Providers, so the request has not been pursued. However, Officers would like to see a minor amendment to ensure there are no obstacles to the management and uptake of those units.
- 10.53 The Housing and Enabling Officer has identified that the parking of plot 20 should better serve its occupant by being either to be to the front of the property, or perhaps next to plot 21 on the other side of the terrace, to assist with management of the Shared Ownership unit at the end of the terrace property. In its current position, Officers consider that whilst this would be desirable in itself, issue would arise with the need to re-orientate other aspects of this part of the site including the spur road. As such the current scheme is considered to be acceptable overall.

Water Efficiency and Accessibility

- 10.54 Officers note that the outline planning permission does not include standard conditions limiting water use nor ensuring the dwellings meet Part M4(2) of the Building Regulations to ensure accessibility, and as such consider it reasonable to attach such conditions to these Reserved Matters. As such the proposal is considered able to be developed in accordance with Policies A2(f) and E7.

Service Provision

- 10.55 Officers note that condition 3 of the outline permission also covers details of cycle storage and details of refuse storage and collection points and screening thereof. Officers consider the details acceptable and in accordance with Policies CS16 and I1.
- 10.56 Bin storage is set out in the external works layout and is considered to be acceptable subject to a condition requiring the implementation of the approved details prior to occupation of any dwellings.

Local Finance Considerations

- 10.57 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 (which is not applicable to the Borough of Great Yarmouth). 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, for example. There do not appear to be any planning-related local finance considerations linked to this development.

11. The Planning Balance

- 11.1 The application for reserved matters seeks approval for submitted details of layout, scale, design and landscaping, and includes details of electric vehicle charging points to be provided, an indication of the surface water drainage scheme required by condition 9 of the outline permission, details of cycle storage and details of refuse storage and collection points and screening.
- 11.2 The applicant has worked with the Local Planning Authority to provide satisfactory details to flesh out the outline development and in the process discharge conditions 8 and 9 in conjunction with this application.
- 11.3 Overall, it is considered that the proposal is, on balance, acceptable and whilst greater accessibility and permeability could have been achieved consider, it is considered that the proposal has responded to the requirements of the outline permission and provides dwellings of a good standard of accommodation and design and layout of appropriate character and scale and does not cause unacceptable detrimental impact to neighbours.
- 11.4 The design and layout is considered to be slightly positive in planning terms with the neutral impact of surface water drainage able to be addressed by pre-approval amendments and clarification of technical details by conditions, and the provision of accessible, water efficient housing with EV charging provision which can also be secured by conditions.
- 11.5 At wider level the outline planning permission provides positives in terms of housing and affordable housing, public open space, enhanced biodiversity and security, all of which combine to outweigh the loss of the undeveloped agricultural land.

12. Conclusion

- 12.1 Having considered the details provided, the proposal is considered to be acceptable and the conditions will be amended accordingly together with the remaining conditions imposed (and amended where appropriate, for example to reflect that the development commenced under the previous permission).
- 12.2 The proposed details for reserved matters are therefore considered acceptable and to accord with Policies CS2, CS9, A1, A2, E4, E6, E7 H2, H3 and H4 as well as the adopted Great Yarmouth Design Code 2024.
- 12.3 There are some matters which remain outstanding, which are considered necessary to address through additional information and amendments to be secured before any permission is granted. These include:
- clarifying and if necessary amending the size and position of turning head requirement in the vicinity of plot 35; and,
 - additional surface water drainage information and amended drainage scheme details concerning arrangements at plots 38, 39 and 27-28.
- 12.4 Officers are reasonably confident that these are largely technical concerns and the above matters can be addressed within the parameters of the Reserved Matters set out before Committee without requiring further public consultation or further Committee overview.

- 12.5 It is therefore recommended that the Committee delegate authority to the Head of Planning to resolve the outstanding matters and subsequently approve the Reserved Matters subject to the conditions proposed in the list below.

13. Recommendation

- 13.1 It is recommended that the Committee delegate authority to the Head of Planning to subsequently APPROVE the reserved matters details and grant consent subject to:
- i. Resolution of outstanding details in respect of drainage matters, in conjunction with the LLFA;
 - ii. clarifying and if necessary amending the size and position of turning head requirement in the vicinity of plot 35; and
 - iii. appropriate conditions including those listed below (to be modified where necessary).

Conditions

1. The development hereby permitted must be begun not later than the expiration of eighteen (18) months from the date of this decision, being [specific date to be inserted].

Reason: The time limit condition is imposed in order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to achieve consistency with the outline planning permission, and to secure timely and swift delivery of housing in light of the Borough Council's housing land supply situation at the time of the decision being made to grant outline planning permission.

Development to Accord with Approved Plans

2. *[Except where the plans are to be amended under authority designated to the Head of Planning, prior to the release of any planning permission:]*

The development shall be carried out in accordance with the following revised documents and drawing numbers listed below received by the Local Planning Authority on:

29th February 2024

L22414-TLP-PA01-B

L22414-TLP-Landscape Strategy-B

20th February 2024

ORM 1-2.101C Revised Site Layout Plan

ORM1-2.102C Revised External Works Plan

ORM1-2.103C Revised Materials Plan

1035.100.001 Refuse Vehicle Tracking

1035.100.002 Fire Tender Vehicle Tracking

The development shall be carried out in accordance with the following revised documents and drawing numbers listed below received on 6 December 2023:

Street Scenes Elevations AA and BB

ORM1-2.305A Floor Plans and Type 859 Plots 25-26

ORM1-2.306A Floor Plans and Type 859 Plots 25-26

ORM1-2.401A Garage 1 Plans and Elevations Plots 11 15 31 36 38
ORM1-2.225B Side Elevations Type 2063
ORM1-2.224A Elevations Type 2063
ORM1-2.223B Elevations Type 2063 Plot 37
ORM1-2.303A Floor Plans Type 631 1029 Plots 22-24
ORM1-2.304A Elevations Type 631 1029 Plots 22-24
ORM1-2.207B Floor Plans Type 1550 Plots 12 15 38
ORM1-2.308B Elevations Type 1550 plots 12 15 38
2.503 External Works Details (received 16.10.23)

The development shall be carried out in accordance with the following revised documents and drawing numbers listed below received on 6 December 2023:

Plan 201 Floor Plans Type 2048
Plan 202 Elevations Type 2048
Plan 2.111 Elevations Type 2048
Plan 2.221 Floor Plan Type 1317
Plan 2.205 Floor Plan Type 1317
Plan 2.206 Elevations Plan Type 1317
Plan 2.222 Elevations Type 1317
Plan 2.226 Floor Plan Type 1197
Plan 2.226 Elevations Type 1197
Plan 2.203 Floor Plan Type 1040
Plan 2.204 Elevation Type 1040
Plan 2.213 Floor Plan Type 919
Plan 2.214 Elevations Type 919
Plan 2.215 Floor Plan Type 832
Plan 2.216 Elevations Type 832
Plan 2.209 Floor Plan Type 1687
Plan 2.210 Elevations Type 1687
Plan 2.211 Floor Plan Type 2101
Plan 2.212 Elevations Type 2101
Plan 2.402 Floor Plan and Elevations Garage Type 2
Plan 403 Floor Plan and Elevations Garage Type 3
Updated Ecological Appraisal (dated 2.2.23)

Reason: For the avoidance of doubt.

Access and Car Parking

3. Prior to the first occupation/use of the development hereby permitted the proposed access, on-site car and cycle parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan (Drg No. *[plan ref to be finalised]*) and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

Surface Water Drainage

4. Prior to the commencement of development and in conjunction with the details required to be submitted with regard to condition 9 of the outline planning permission granted under Ref 06/20/0156/O, the following further details/clarifications of a surface water drainage scheme are to be submitted to and approved in writing by the Local Planning Authority:
- A contributing areas drawing including the infiltration basin;
 - Justification for provision of the necessity for deep infiltration for surface water drainage in this development and evidence of the exploration of alternative options that do not rely on deep infiltration
 - Clarification of what “PERM PAVING” and “PERM PAVING 2” are meant to represent in relation to the drainage strategy drawing.
 - Further infiltration testing around the soakaway for Plot 39 (which is in the garden of Plot 38), and the fully-infiltrating permeable paving parking spaces for Plots 27 and 28
 - Clarification with regard to whether it is intended to discharge surface water into a watercourse.

Reason: In the interests of the satisfactory development of the site, provision of infrastructure, protection from flooding and reduction of flood risk, and protection of residential amenity. To prevent flooding in accordance with National Planning Policy Framework objectives by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

Schedule of External Works

5. Unless otherwise first agreed in writing by the Local Planning Authority all dwellings shall be constructed in accordance with the external works details (Drawing no [final plan ref to be confirmed]), External Works Layout (Drawing no. [final plan ref to be confirmed] and Materials Plan (ORM1-2.103.C), and all dwellings shall be constructed to achieve the following specifications:
- Compliance with Building Regulations Part M4 Category 2 - accessible and adaptable dwellings;
 - Limiting water consumption through installation of water efficiency measures which restrict usage to no more than 110 litres per person per day;
 - Provision of electric vehicle charging points as shown on the plan and in accordance with the details approved under condition 8 of outline permission 06/20/0156/O;
 - Boundary Treatments as shown on the plans; and
 - External Materials as shown on the plans.

Reason: To ensure the proper development of the site in making provision for the demand for electric vehicle charging within the lifetime of the development, to ensure homes are designed to be adaptable to meet current and future needs, and to achieve a higher water efficiency standard all in accordance with Policies I1, A2 and E7 of Great Yarmouth Local Plan.

Landscaping and Tree Planting

6. The soft landscaping as set out in the Landscaping Strategy by the Landscaping Partnership and related Landscaping Ref nos (L22414-TLP-PA01-B, L22414-TLP-Landscape Strategy-B received on 29 February 2024) shall be carried out within the first available planting season following the commencement of the development (or in accordance with a programme of planting to be first agreed in writing by the Local Planning Authority).

Notwithstanding the detail shown on the approved plans, there shall be no commencement of development beyond foundation / DPC / slab level until details of the proposed additional planting and management of the hedge along the eastern boundary of the site have first been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the details as approved.

The planting shall be carried out as approved. If within a period of TEN YEARS from the date of planting any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, (or becomes in the opinion of the Local Planning Authority, seriously damaged or defective) another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of the satisfactory appearance of the development in accordance with Policies CS9 and E4 of Great Yarmouth Local Plan.

Ecology Details and Mitigation

7. In the event that site clearance pursuant to this development is not undertaken before 01 June 2024, no development shall be undertaken after 01 June 2024 without a protected species survey first being undertaken and the results submitted to and approved in writing by the Local Planning Authority, with the details of the survey report including mitigation measures for protection of any protected species present within the site. The development shall thereafter be carried out only in strict accordance with the protection and mitigation measures specified within the approved survey report.

Reason: In the interests of protecting and if necessary relocating protected species, to be undertaken with regard to any district level licence consents at the site pursuant to this development.

Ecology Mitigation

- 8) All ecological mitigation and enhancement measures and/or works undertaken prior to June 2024 shall be carried out in strict accordance with the details contained within the updated Ecological Appraisal (Carter Sustainability Ltd; July 2022) submitted with this reserved matters application.

Reason: To conserve and enhance Protected and Priority species and allow the Local Planning Authority to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

Biodiversity Enhancement

- 9) No development shall take place until a scheme for biodiversity enhancement measures within the development has first been submitted to an approved in writing by the Local Planning Authority. The details of the scheme shall be based on and include as a minimum the Biodiversity Enhancement measures recommended at Chapter 5, contained within the updated Ecological Appraisal (Carter Sustainability Ltd; July 2022) submitted with this reserved matters application. The development shall thereafter be carried out in accordance with the approved biodiversity enhancement scheme which shall be provided in full before the practical completion of the final dwelling to reach practical completion stage within the development hereby permitted

Reason: In the interests of biodiversity protection and enhancement in accordance with the expectations of the NPPF. This condition is a pre-commencement action in order to safeguard the ecological interests of the development in accordance with requirements to protect and enhance biodiversity and to avoid unnecessary costs to the developer.

Tree Protection During Construction

- 10) The development hereby approved shall be carried out in accordance with the details provided within the submitted Tree Survey, Arboricultural Impact Assessment- Preliminary Arboricultural Method Statement & Tree Protection Plan dated 18 October 2022 from Hayden's Arboricultural Consultants including protective measures to be implemented during the course of construction to protect retained trees and hedges within and adjacent the site.

The proposed development shall be carried out in accordance with the details of the approved Arboricultural Method Statement. The approved protective measures shall be installed prior to the commencement of the development, including construction of the approved haul road where relevant, and shall be retained in place for the full duration of the construction period.

Reason: To protect the canopies and roots of any trees on site or adjacent trees which have a good amenity value, in the interest of biodiversity enhancement and landscape character and visual amenity. The condition is required as a pre-commencement action because it addresses some of the impacts associated with the construction period of the development

Informative Notes

1. The Outline Planning Permission 06/20/0156/O, contains a number of compliance Conditions that still require discharge and compliance is also required with the following conditions:
- Condition 4 -Site Plan indicative only apart from access roads and drainage as above.
 - Condition 5 -Details of Haul Road for construction traffic access and egress to site
 - Condition 6 – Ecological Mitigation Strategy for GCN submission for approval
 - Condition 9 - Details of SUDS- part of RM outstanding
 - Conditions 10 -Details of foul water drainage submitted for approval
 - Conditions 11 and 12 and 16 – parking for construction workers and CMP to be submitted for approval

- Condition 14 No development shall take place until a Construction Ecological Management Plan – Biodiversity (EMP) has first been submitted and approved.
- Condition 17 – Archaeology-WSI to be undertaken for approval
- Condition 18 -Mineral Management plan to be submitted for approval • Condition 20 – Provide the roads, footways, foul and surface water sewers in accordance with the approved specifications, to the satisfaction of the Local Planning Authority pre occupation
- Condition 21 and 22- Contaminated land survey and requirement to stop all works if during construction contamination discovered ecology enhancements
- Condition 23 -Details of fire hydrants to be submitted for approval
- Condition 24- detail of site levels to be submitted for approval
- Condition 26 -lighting strategy to be submitted for approval s

The following conditions remain in force

- Condition 1- Amended to condition 1 of this planning permission
- Condition 2- limit to 33 houses
- Condition 3- submission of reserved matters
- Condition 7 -Updated Ecological Appraisal required 2022 (superseded) on-site parking for construction workers as approved above
- Condition 13- All ecological mitigation and enhancement measures and/or works undertaken prior to June 2022 carried out in accordance with Preliminary Ecological Appraisal and Impact Assessment report Revision B
- Condition 15. Scheme for biodiversity enhancement measures within the development has first been submitted to an approved in writing by the Local Planning Authority.
- Condition 19- Detailed plans of the roads, footways, foul and surface, water drainage have first been submitted to and approved in writing by the Local Planning Authority.
- Condition 25- No development shall take place until an Arboricultural Impact Assessment has first been submitted for approval
- Condition 27- No dwelling shall be occupied until the roads, footways and any cycleways connecting that dwelling to the adjoining County road have first been constructed to at least binder course surfacing level, in accordance with the details to be approved in writing by the Local Planning Authority
- Condition 28- Replacement planting

2. Advisory Note - Local Air Quality:

The site will potentially generate a significant amount of dust during the construction process; therefore, the following measures should be employed:

- An adequate supply of water shall be available for suppressing dust.
- Mechanical cutting equipment with integral dust suppression should be used.
- There shall be no burning of any materials on site, or burial of asbestos, which should instead be removed by an EA licenced waste carrier, and the waste transfer notes retained as evidence.

The applicant is strongly recommended to advise neighbouring businesses and residential occupiers of the proposals, including any periods of potentially significant disturbance e.g., demolition or piling, together with contact details in the event of problems.

3. Advisory Note - Hours of Construction:

The Hours of Construction shall be limited to the following hours:

- 0800-1800 Monday to Fridays
- 0900-1300 Saturdays and
- No works at all on a Sunday or Public Holiday

4. Disclaimer re contamination:

NOTE: The responsibility for the safe development and secure occupancy of the site rests with the developer. The local planning authority has determined the application based on the information available to it, but this does not mean that the land is free from contamination, or that the land could not be declared Contaminated Land in future.

5. Disclaimer re Conditions Discharge:

Conditions attached to this Reserved matters Approval require details to be submitted. Should further modifications to the appearance, landscaping, layout and scale it is at the applicant's risk that the scheme hereby approved may not be able to be implemented

6. Advice note re Ecological Surveys:

It is acknowledged that results of the Ecological and updated Ecological Surveys in 2020 attached to the outline permission and its update attached to this Reserved Matters application (2022) are valid for only two years and as the survey found protected species within and adjacent to this site the report findings cannot be assumed to be valid for development commencing after the initial two year period, although regard should be had to the principles included therein.

7. Advice note re public sewer connections:

Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

8. Advice note re Protection of existing assets:

A public sewer is shown on the record plans within the land identified for the proposed development. It appears that the development proposals will affect the existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

9. Advice note re Building near to a public sewer:

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team 0345 606 6087.

10. Advice note re drainage system adoption:
The developer should note that the site drainage details have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under S104 of the Water Industry Act 1991), they should contact our Development Services Team 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
11. Advice note re GIRAMS:
It is hereby acknowledged that the applicant has paid appropriate and necessary financial contributions for GIRAMS Habitat Impacts Mitigation amounting to £2,667.72 (33 dwellings x £80.84 uplift per dwelling) on 6 March 2024 prior to the issue of a decision notice related to this resolution to grant. In so doing, the obligation within the associated Section 106 Agreement is satisfied.
12. Planning Obligations: Please be aware this Reserved Matters approval forms part of an overall planning permission that is subject to the planning obligations contained within a Section 106 legal agreement dated 15th October 2021.
13. STATEMENT OF POSITIVE ENGAGEMENT: In dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner.

It is confirmed that this shadow HRA submitted by the applicant was assessed at outline (the planning permission) 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 and the required payment as currently updated has been made enabling this reserved matters decision.

APPENDIX 1: SITE LOCATION PLAN

- Blue line represents the Northern Site and point of access from Foster Close.
- Green line represents the Southern Site and boundary of this Reserved Matters application.

