

## **Development Control Committee**

Date: Wednesday, 09 December 2020

Time: 16:00 Venue: Virtual

Address: [Venue Address]

#### **AGENDA**

## CONTENTS OF THE COMMITTEE AGENDA PLANNING APPLICATIONS & CONDUCT OF THE MEETING

#### **Agenda Contents**

This agenda contains the Officers' reports which are to be placed before the Committee. The reports contain copies of written representations received in connection with each application. Correspondence and submissions received in time for the preparations of the agenda are included. However, it should be noted that agendas are prepared at least 10 Working Days before the meeting. Representations received after this date will either:-

- (i) be copied and distributed prior to or at the meeting if the representations raise new issues or matters of substance or,
- (ii) be reported orally and presented in summary form by the Principal Officer of the Committee especially where representations are similar to, or repeat, previous submissions already contained in the agenda papers.

There are occasions when the number of representations are similar in nature and repeat the objections of others. In these cases it is not always possible for these to be included within the agenda papers. These are either summarised in the report (in terms of numbers received) and the main points highlighted or reported orally at the meeting. All documents are available as 'background papers' for public inspection.

#### Conduct

Members of the Public should note that the conduct of the meeting and the procedures followed are controlled by the Chairman of the Committee or, if he/she so decides, the Vice Chairman. Any representations concerning Committee procedure or its conduct should be made in writing to either –

- (i) The Planning Group Manager, Town Hall, Great Yarmouth. NR30 2QF
- (ii) The Monitoring Officer, Town Hall, Great Yarmouth. NR30 2QF

#### DEVELOPMENT CONTROL COMMITTEE

#### PUBLIC CONSULTATION PROCEDURE

- (a) Thirty minutes only will be set aside at the beginning of each meeting to deal with applications where due notice has been given that the applicant, agent, supporters, objectors, and any interested party, Parish Council and other bodies (where appropriate) wish to speak.
- (b) Due notice of a request to speak shall be submitted <u>in writing</u> to the Planning Group Manager two days prior to the day of the Development Control Committee meeting.
- (c) In consultation with the Planning Group Manager, the Chairman will decide on which applications public speaking will be allowed.
- (d) Three minutes only (or five minutes on major applications at the discretion of the Chairman) will be allowed to (i) objectors together, (ii) an agent or applicant and (iii) supporters together, (iv) to a representative from the Parish Council and (v) Ward Councillors.
- (e) The order of presentation at Committee will be:-
- (1) **Planning Officer presentation** with any technical questions from Members
- (2) Agents, applicant and supporters with any technical questions from Members
- (3) **Objectors and interested parties** with any technical questions from Members
- (4) Parish Council representatives, Ward Councillors and Others with any technical questions from Members
- (5) Committee debate and decision

#### Protocol

A councillor on a planning or licensing decision making body should not participate in the decision and / or vote if they have not been present for the whole item.

This is an administrative law rule particularly applicable to planning and licensing - if you haven't heard all the evidence (for example because you have been out of the room for a short time) you shouldn't participate in the decision because your judgment of the merits is potentially skewed by not having heard all the evidence and representations.

It is a real and critical rule as failure to observe this may result in legal challenge and the decision being overturned."

#### 1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

#### 2 <u>DECLARATIONS OF INTEREST</u>

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- · that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

3 <u>MINUTES</u> 5 - 11

To confirm the minutes of the meeting held on the 11 November 2020.

4 APPLICATION 06-18-0707-O - EMERALD PARK, GORLESTON 12 - 32

Report attached.

5 <u>APPLICATION 06-20-0390-F - LAND NORTH OF HEMSBY ROAD,</u> 33 - 47 <u>MARTHAM</u>

Report attached.

6 <u>APPLICATION 06-20-0190-O - THE CONGE/BREWERY</u> 48 - 73 <u>STREET/GEORGE STREET, GREAT YARMOUTH</u>

Report attached.

7 <u>DELEGATED DECISIONS MADE BETWEEN 1 AND 30</u> 74 - 83 NOVEMBER 2020 Report attached.

#### 8 ANY OTHER BUSINESS

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.



# Development Control Committee

### **Minutes**

Wednesday, 11 November 2020 at 16:00

PRESENT:-

Councillor Annison (in the Chair); Councillors Bird, Fairhead, Flaxman-Taylor, Freeman, Lawn, P Hammond, Mogford, Myers, Wainwright, Williamson, A Wright & B Wright.

Mr D Glason (Director of Planning & Growth), Mr D Minns (Planning Manager), Ms C Whatling (Monitoring Officer), Mr C Green (Planning Officer), Mr R Tate (Planning Officer), Mrs C Webb (Executive Services Officer) & Mrs S Wintle (Corporate Services Manager).

#### 1 APOLOGIES FOR ABSENCE

There were no apologies for absence given at the meeting.

#### 2 DECLARATIONS OF INTEREST

Councillors Fairhead, Freeman & Mogford declared a personal interest in application number 4, Land off Scratby Road, Scratby, Great Yarmouth, as they all sat on the Broads Internal Drainage Board. Councillor Freeman was also Ward Councillor for Ormesby St Margaret & Scratby Ward.

However, in accordance with the Council's Constitution, they were all permitted to both speak and vote on the item.

#### 3 MINUTES

The minutes of the meeting held on 14 October 2020 were confirmed by assent.

However, it was noted and the minutes would be subsequently amended, that Councillor G Carpenter had substituted for Councillor Plant at the meeting, not Councillor G Plant.

## 5 APPLICATION 06-20-0423-F - LAND OFF YARMOUTH ROAD, ORMESBY, GREAT YARMOUTH

The Committee received and considered the report from the Planning Officer.

The Planning Officer reported the salient areas of the application. The site was 2.9 hectares and was outside the development limits for the village. There was a continuous footway between the site and the village on the north side of Yarmouth Road. The proposal was for 71 dwellings with 7 shared equity and 7 affordable rented. The applicant had offered to convey land to the Council to provide access to the rear of the existing houses which would be adequate for vehicular access and to fund traffic regulation orders for speed reduction on Yarmouth Road, if required.

The Planning Officer reported that no formal pre-application discussions had been held but a consultation access had been held with the Parish Council and local residents/neighbours. All the consultation responses were available to view online or by appointment at the Town Hall.

Mr Harper, applicant's agent, reported that the DEFRA grading of the land was indicative only and that the Head of Savills, who managed large areas of land in the County, had informed him that the application site was Grade 3 and not Grade 1 agricultural land and this had been confirmed by Savills. Mr Harper

reiterated that the Council currently only had a demonstrable 5 year housing land supply and could not determine the application otherwise. The Government will be releasing a new White paper on housing shortly which will increase housing needs and Ormesby had not seen a significant housing development within the last 25 years. Mr Harper asked that the Committee approve the application.

Councillor A Wright reported that the Committee must abide by the information provided by DEFRA regarding the grading of agricultural land. Mr Harper reiterated to the Committee that Savills, the main land agent for the County and who knew the area well, had assured him that the land in question was not Grade 1 agricultural land.

Mr Brown, objector, reported that it was dangerous to walk into the centre of Ormesby using the footpath as it was extremely narrow and you had to walk in single file to ensure you were not clipped by oncoming vehicles. The entrance to the proposed development would cause residents who lived opposite difficulty entering and existing their homes as they were situated on a blind bend. Mr Brown informed the Committee that his daughter had recently been hit by a car whilst cycling along Yarmouth Road as the traffic often exceeded the speed limit and there was a high traffic flow in and out of the village. The local schools and medical centre were also at capacity and residents often had to visit other medical centres in the Northern parishes due to lack of available doctors appointments.

The Chairman reported that no Parish Council representative had registered to speak.

Councillor Freeman, Ward Councillor, reported that the main concern of local residents and the Parish Council was speeding and the safety of pedestrians and road users coming in and going out of the village along Yarmouth Road which was a very busy road and prone to speeding motorists.

Councillor Wainwright reported that speeding was an issue throughout the Borough and was not confined to the Northern Parishes. He felt that Ormesby should take its fair share of development especially as the last major development in the village had been over 25 years ago. Young people needed affordable homes to be able to stay in the villages in which they were born and with 30% affordable housing units offered as part of the application, he felt he had no option but to support the application.

Councillor A Wright reiterated the need for the Committee not to approve the building of housing developments on Grade 1 agricultural land and as the application site was also outside the village development limits, he proposed that the Committee should support the officer recommendation for refusal of the application.

Councillor P Hammond reported that he could not see a valid reason to refuse this application as it would provide the Borough with 30% of much needed affordable housing units. The recent Pointers East development had resulted

in the near coalition of the villages of Caister and Ormesby. Councillor Hammond felt that the Committee should take note of the advice offered by Savills in respect of the grading of the agricultural land as they were the main land agents in Norfolk. He was therefore minded to support the application.

Councillor Williamson reported that the application was contrary to the development plan, was not a sustainable development and would intrude into the countryside to the south of the proposed development site. The Committee should adhere to the grading of the agricultural land as supplied by DEFRA and he would support the officers recommendation for refusal.

Councillor A Wright proposed that the application be refused as per the officer recommendation. This was seconded by Councillor Williamson.

#### **RESOLVED:-**

That application number 06/20/0423/F be refused as it was contrary to Policies HOU10, CS1 and CS2 and the NPPF as being outside the development limits and unsustainable location for scale of development, notwithstanding the tilted balance where the numerical assumptions underlying this apparent shortfall are considered out of date.

The proposal was also contrary to CS11, Cs12 and the NPPF as it harms the qualities identified for this area in the Landscape Character Assessment and uses Grade 1 (best and most versatile) agricultural land.

## 4 APPLICATION 06-20-0313-F - LAND OFF SCRATBY ROAD, SCRATBY, GREAT YARMOUTH

The Committee received and considered the report from the Planning Officer. The Corporate Services Manager reported that Councillors Bird and Myers could not take part in the determination of this application as they had not been present when the application was first heard on 14 October 2020. Councillor Lawn had now joined the online meeting and could therefore take part in the determination of this application.

The Planning Officer reported that this application had been deferred at the Committee meeting of 14 October 2020 as Members had requested more time to consider the highways improvements offered by the applicant. The site was an open field, just over 3 hectares in size and was classified as Grade 1 agricultural land.

The Planning Officer reported the salient areas of the application to the Committee. The proposal was for 67 dwellings including an increased offer of 30% of affordable housing units.

The Planning Officer reported that the application included the following

information:-

Topographical Survey Site Layout Plan House and garage plans/elevations, Tree Survey/Arboricultural Method Statement Landscaping Details Ecological Report

Shadow HRA

Design & Access Statement/Planning Statement (incl. Statement of Community Involvement)

Landscape Assessment Site Investigation/Contamination Risk Assessment Transport Statement (incl. Safety Audit) Off Site Highway Improvements Flood Risk Assessment and Drainage Strategy Utility Assessment.

The Planning Officer reported that all consultation responses received in connection to this application were available to view online or by appointment at the Town Hall. The Planning Officer reported that County Highways had commented further by an email received on 15 October 2020 that they would not support a reduction in the speed limit from 40mph to 30mph along this stretch of Scratby Road and therefore, the application should be considered on the basis of the existing 40mph limit. off-site highway works would need to be delivered by the developer and a financial contribution to NCC to devise a scheme was not acceptable and the proposed £25k would cover very little highway improvement works.

The Planning Officer read out further correspondence in full which had been received from Mr Harper (applicants agent), local residents and the parish clerk since the application had been deferred on 14 October 2020 and reported that an online petition containing 100 signatures had been submitted for Members' consideration.

Mr Harper, applicants agent, had conveyed in writing that the highways issues had been overcome and that the application should be judged against the Council's current 5 year housing land supply and not the projected 7 year housing land supply which the Council would shortly be able to demonstrate. The land had been confirmed as Grade 3 agricultural land and there were no coastal views from the site.

The Planning Officer reported that the application was still recommended for refusal and as the application was being heard following deferral on 14 October 2020, no further public speaking would take place.

Councillor Williamson was concerned regarding the grading of the agricultural land of the application site and requested that in future, soli analysis and data was presented to Members.

Councillor Wainwright reported that new homes were desperately needed in the Northern Parishes and this application contained 30% affordable housing which was even more in demand. Unfortunately, even though the site was Grade 1 agricultural land, he felt that the need for housing outweighed the need to retain Grade 1 agricultural land and was in favour of approving the application. Councillor Freeman reported that Members had considered this application at great length at the meeting of the 14 October 2020 and as the Ward Councillor, he felt it was his duty to reiterate that speed kills, and that if the development was to be approved, a speed reduction to 30 mph should be introduced along that stretch of Scratby Road, as road safety must be the top priority of this Committee.

Councillor A Wright proposed that the Committee should refuse the application in line with the officer recommendation. this motion was seconded by Councillor Fairhead.

#### RRESOLVED:-

That application number 06/20/0313/O be refused as it was contrary to policies HOU10, CS1 and CS2 and NPPF as being outside the development limits and unsustainable location for scale of development, notwithstanding the "tilted balance" where the numerical assumptions underlying this apparent shortfall are considered out of date.

The proposal is also contrary to CS11, CS12 and NPPF as it harms the qualities identified for this area in the Landscape Character Assessment and uses Grade 1 (best and most versatile) agricultural land.

The proposal is contrary to policy CS9 and NPPF on design in that it shortfalls in places on amenity and fails to create distinctiveness, and connectivity within the scheme.

## 6 APPLICATION 06-20-0156-O - LAND OFF FOSTER CLOSE, ORMESBY ST MARGARET

The Committee received and considered the report from the Planning Officer.

The Corporate Services Manager reported that Councillor B Wright would not be able to take part in the determination of this application as she was not present when the application was first heard at Committee on 16 September 2020.

The Chairman reported that new information had come to light that the officer's recommendation had changed since the application was heard by the Committee on the 16 September 2020 and therefore requested that the application be deferred.

The Monitoring Officer advised that deferring the application would be the correct course of action and give the opportunity for public speaking to take place when it came back to Committee, given that the applicant and objectors had indicated that they wished to address the Committee in regard to this application. This would ensure transparency and openness of debate as laid

down in the Council's Code of Conduct was adhered to.

**RESOLVED:-**

That application number 06/20/0156/O be deferred.

#### 7 DELEGATED DECISION CLEARED BETWEEN 01 TO 31 OCTOBER 2020

The Committee received and noted the delegation decision list determined by planning officers and the Development Control Committee between 1 to 31 October 2020.

#### 8 ANY OTHER BUSINESS

The Chairman informed the Committee that he had agreed that an additional Development Control Committee meeting would be held on Wednesday, 25 November 2020 at 4 pm.

The meeting ended at: 18:00

**Reference:** 06/18/0707/O

**Parish: Gorleston** 

Officer: Gordon Sutherland

Committee Date: 09 December 2020

**Expiry Date: 15-03-19** 

**Applicant: Pleasure and Leisure Corp PLC** 

**Proposal:** Proposed residential development of up to 97 dwellings. Including open space, new and enhanced pedestrian, cycle and vehicular access, associated infrastructure, landscaping, and ancillary development. Demolition of existing football stadium and grounds, club house, associated buildings, structures and infrastructure. ref: 06/180/0707/O

#### **REPORT**

#### 1. Background

1.1 This is an outline planning application for a major residential development. Permission in principle is being sought including the point of vehicular access which is shown taken off Woodfarm Lane. Reserved matters of Appearance, Landscape, Layout and Scale would require approval in future if outline permission is granted. An indicative layout for 97 dwellings has been submitted as part of the application.

#### 2. Site and Context

- 2.1 This site is 2.4 hectares (5.9 acres) in an area. It is located to the south-west of the built-up area of Gorleston-on-Sea. Land immediately to the north and east of the site is currently used as the Magdalen Recreation Ground with residential and commercial development beyond. To the south lie allotments, beyond which is the James Paget University Hospital. Westwards the land comprises major new residential development that is currently being built as part of the South Bradwell urban extension (Wheatcroft Farm), with the rest of the Beacon Business Park area located beyond to the south. The site is currently in use as the ground for Gorleston Football Club.
- 2.2 The site is well related to existing services and facilities in Gorleston-on-Sea. It is within walking distance of primary and secondary educational facilities, the James Paget University Hospital, as well as other facilities and amenities accessible by regular public transport. New community and retail facilities are also planned nearby as part of the South Bradwell urban extension and proposed Beacon Park District Centre.

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#### 3. Proposal

3.1 The proposal is for the demolition of the football stadium, clubhouse and associated structures and for the development of the property for housing. An illustrative site plan shows a typical mix of 1 and 2 bed flats and 3 and 4 bed houses that have been used to the model the financial viability of developing the site. Supporting information provided with the application which can be viewed on-line includes:

Topographical Survey; Design and Access Statement; Habitats Regulation Assessment (HRA); Preliminary Ecological Appraisal (PEA); Noise Impact Assessment; Flood Risk Assessment and Surface Water Drainage/SUDS Strategy; Ground Investigation Report; Transport Assessment; Travel Plan; Landscape and Visual Appraisal Statement; Air Quality Impact Assessment; and Planning Statement incorporating a Statement of Community Involvement.

- 3.2 A key consequence of this proposal is that should permission be granted the applicant has undertaken to help facilitate the provision of a significant piece of community infrastructure; that is the provision of a multi-sports pitch and ancillary facilities, which is proposed to be located at the East Norfolk Sixth Form College and for which planning permission was granted (15<sup>th</sup> January 2020, 06/18/0533/F).
- 3.3 The Norfolk Football Association advises that Gorleston Football Club (GFC) play at Step 5 of the National League System, and therefore have a specific stadia requirement they must meet in order to comply with league rules. GFC are unable to relocate to a typical 11x11 grass pitch located on a playing field. For example, it must meet stadia requirements which include floodlights, access to a clubhouse with FA compliant changing provision for the players and match officials, grandstands, turnstiles and pitch surrounds; also, their stadium must be enclosed.

#### 4. Relevant Planning History

**06/80/1066/O** - Sports facilities, including social club, football pitch, sports hall and squash courts – Section 52 **Approved** 10/07/1981

**06/81/0876/D** – Laying out of football pitch and provision of terracing for spectators; highway improvements to Cemetery Road and Woodfarm Lane – **Approved** 11/09/1981

**06/20/82/0141/D** – Changing facilities, seating and clubroom **Approved** 23/03/1982 Formal variation of Planning Permission 05/071985

**06/20/0562/F** – Temporary social facilities, permanent changing facilities, offices, refreshment bar, toilets and floodlights. (C) 24/06/1982

**06/82/674/SW** – Construction of a pole mounted transformer supporting underground electricity cables – (see letter 16/09/1982)

**06/82/1060/F** – Five-a-side training pitch **Approved** 06/12/1982

**06/83/0333/F** – Site for weekly market **Refused** 05/05/1983

06/83/0442/F - Club house and offices (C) 05/05/1983

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**06/85/0362/F** – Renewal of permission for temporary office, changing rooms and tea stall (C) 22/07/1985

**06/87/0699/F** – Clubroom and office accommodation, one building single storey (C) 21/07/1987

**06/88/0035/F** – To build between existing building a beer cellar and storeroom (C) 09/02/1988

**06/89/1065/O** – Residential development and associated roads, garages, and ancillary works. **Refused** 17/10/1989

**06/90/0719/F** – Renewal of planning permission no. 06/88/0035/F for beer cellar and storeroom between existing buildings. (C) 26/07/1990 **06/90/1268/F** New Football and Social Club. **Approved** 11/02/1991

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

- 5.1 At the time of writing nine letters of objection and one copied letter signed by 11 residents of Edinburgh Avenue have been received with concerns summarised as follows:
- Cumulative impact on services along with other development nearby, on schools, GP, shops
- Loss of open space
- Loss of sports infrastructure for children and adults, a community facility, social amenity, local heritage site
- Loss of football stadium, replacement not guaranteed
- Where will the football ground go? Will there be a stadium elsewhere? Who will pay?
- Sets a precedent for similar proposals
- Report says need an archaeology study before development starts
- Extra traffic, there is congested parking on the Magdalen Estate, poor public transport means travel by car
- Traffic will conflict with cyclists and pedestrians that use Woodfarm Lane
- Layout and density inappropriate

#### **Consultations – External**

#### **Norfolk County Council**

- **5.2 Fire and Rescue.** No objection provided the proposal is constructed in accordance with the Building Regulations
- 5.3 Highways –The Highways Authority (HA) requested that the applicants demonstrate adequate forward visibility is available for vehicles turning right into the site. Amended plans have addressed this matter. The HA also requested that footway improvements be provided in the vicinity to the north along connecting to Woodfarm Lane beyond the road closure. The HA considered that the shortest and most direct route from the site to the primary school will be via Woodfarm Lane and Oriel Avenue and that this development should provide a footway along the southern side of Oriel Avenue to the school entrance so that pedestrians are not crossing over to and then crossing back from the footway. The applicant is not agreeing to this and this

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- matter is considered in the assessment section of the report. The HA provides further general comments for consideration when the development layout is designed as part of any reserved matters application.
- 5.4 Archaeology Advises that based on records there is the potential of buried archaeologic remains on the site which would be affected by the development. If permission is granted a condition is recommended for site investigation analysis and recording in accordance with an approved programme of works.
- **Flood** Norfolk County Council as Lead Local Flood Authority raise no objection subject to detailed designs of surface water drainage to be submitted, agreed and implemented prior to first occupation of any development. Matters to be addressed in the design are specified.
- 5.6 Infrastructure Requirements- No education contribution currently as there is enough spare capacity within schools. One fire hydrant per 50 houses will be required at the cost of £843 per hydrant. A contribution of £7,275 (£75 per dwelling) for stock to increase the capacity of the library. A green infrastructure payment of £200 per dwelling has been requested for resurfacing works being undertaken on Public Rights of Way within the vicinity, primarily Bradwell Bridleway 7 (known as Jews Lane) to the north of Woodfarm Lane. Works are recommended to ensure surfaces are more sustainable and to withstand usage of new developments in the area. Bridleways 7, 10 & 16 and Footpath 20 when combined with minor roads provide a local, short, circular walking or cycling route for residents.
- 5.7 Health Authority Has assessed that the development will have an impact on the delivery of healthcare in the catchment area of the development and seeks a contribution of £155,676 towards capital funding to increase capacity in the form of bed-spaces and floorspace at primary care facilities at the local medical centre(s) and at the acute hospital (James Paget University Hospital) approximating to 170 residents.
- **5.8 Anglian Water –** Advise the sewerage system has capacity via gravity connection to the existing public sewer, Surface water should be to a sustainable drainage system (SuDS)
- **5.9** Essex and Suffolk Water no objection, water connection should be made to its company network
- 5.10 Cadent Gas and Electricity Networks no objection
- 5.11 Norfolk Constabulary Designing out Crime Considers that the indicative layout provides excessive footpath permeability through the site from Woodfarm Lane, along and between dwelling into the recreation ground that will encourage criminal access and anti-social behaviour. Advice is given to provide secure boundary treatments and in relation to provide over-looking in the design of the open spaces shown in the indicative layout. As noted, layout is a reserved matter and not the subject of this outline application.

- 5.12 Natural England Recommend a financial contribution of £110 per dwelling to Great Yarmouth Borough Council's adopted Habitats Monitoring and Mitigation strategy to mitigate in-combination impacts of recreational disturbance to designated sites, as advised in the HRA submitted with the application. It also provides advice how to enhance the environment as part of any development including provision of onsite recreational space where possible.
- 5.13 Sport England (SE) Where a development prejudices or leads to the loss of land being used as a playing field consultation with the SE is a statutory requirement. SE considers proposals in accordance with National Planning Policy Framework (NPPF) paragraph 97 and would oppose the granting of planning permission for any development that would lead to the loss of a playing field unless it meets one or more of five exceptions. In this case exception 4 states: "The area of the playing field to be lost ....will be replaced, prior to the commencement of development by a new playing field:
  - of equivalent or better quality, and
  - · of equivalent or greater quantity, and
  - is a suitable location, and
  - subject to equivalent or better accessibility and management arrangements"
- 5.14 In this case the playing field to be lost would be one which meets Football Association stadia requirements which include floodlights, access to a clubhouse, FA compliant changing provision for players and match officials, grandstands, turnstiles and a pitch surround also their stadium must be enclosed.
- 5.15 While the applicant does not accept that a replacement facility is necessary, in order to enable a suitable replacement, the applicant has been working with SE and the East Norfolk Sixth Form College to provide a 3G facility at the college. SE therefore support this application subject to the condition that development shall not commence prior to development commencing at East Norfolk College.
- 5.16 In this case SE deem that the loss resulting from the proposed development should be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

#### **Consultation - Internal GYBC**

- 5.17 Trees Following receipt of this application a tree preservation order was placed on two groups of trees running along the western boundary of the site with Woodfarm Lane because of their high amenity value as groups. The trees are assessed to have a lifespan of 20-30 years. Measures should be put in place to protect the trees during construction.
- **5.18 Affordable Housing** The site is within south west rural affordable housing submarket. Therefore, in accordance with Policy CS2 a 10% contribution is

normally required equating to 10 units when rounded up. The applicant has submitted a viability assessment, which makes the case that the development would not be viable and for dispensation of this requirement.

5.19 Strategic Planning – Advise that redevelopment of the site will lead to the loss of a community facility which provides welcome sport and recreational benefit to residents. The content of paragraph 97 of the NPPF outlined above by Sport England is reiterated. Proposals which seek the loss of community facilities will be principally judged against Local Plan Core Policy CS15, specifically criteria a) which:

"Resist the loss of important community facilities and/or green assets unless appropriate alternative provision of equivalent or better quality facilities is made in a location accessible to current and potential users or a detailed assessment clearly demonstrates there is no longer a need for the provision of the facility in the area"

**5.20** The advice contends that the facility is not surplus to requirements (subject to paragraph 97a) of the NPPF because:

The current permitted use of the land at Emerald Park is as a football stadium. The stadium has been used by Gorleston Football Club, though it is understood that the football club has limited funds to continue to rent the facility. This, however, does not mean that a football stadium facility is not required, as the football club is still in existence and requires a facility to play.

- 5.21 The advice continues that the proposed alternative use, for a residential development, should help to provide a suitable replacement football facility for the club. Whether this is achieved by direct re-provision of the site and the facility or by a financial contribution, this should be secured prior to the loss of the Emerald Park facility. A more proportionate response to this issue could be to better align the replacement facility or financial contribution to the financial circumstances of the football club, i.e. that the replacement facility should not necessarily be of equivalent quality (particularly as the football club cannot pay the rent for current the facility), but should be an appropriate alternative facility or a sufficient contribution to provide a facility, either way so that the club can viably make use of.
- 5.22 In accordance with policy CS9(d) Encouraging well designed places and CS16 Improving accessibility, the consultation response also recommends seeking improvement to the bicycle and footway network and considers that the development should be viable to provide developer contributions for other community infrastructure including affordable housing as per policy CS4.
- 6. Assessment of Planning Considerations: Policy Considerations:

National policy

6.1 Paragraph 47 of National Planning policy Framework (NPPF) states: Planning law requires that applications for planning permission be determined in

accordance with the development plan, unless material considerations indicate otherwise. In this case paragraph 63 of the NPPF applies in relation to affordable housing and development viability and paragraph 97 of the NPPF applies in relation to the loss of playing fields.

6.2 At present the Council is unable to demonstrate a 5-year supply of deliverable housing sites. Paragraph 11(d) of the NPPF, the lack of five-year supply should weigh heavily in favour of the application unless any adverse impacts of doing so would significantly and demonstrably outweigh benefits when assessed against the policies in the Framework taken as a whole.

#### Local Policy Adopted Core Strategy 2013-2030

- 6.3 The most relevant policies to this proposal from the Core Strategy are summarised below and the key ones CS14 "Securing appropriate contributions from new developments" and CS15 "Providing and protecting community assets and green infrastructure" are set out in full.
- 6.4 Great Yarmouth Borough adopted Local Plan Policy CS1 "Focusing on a sustainable future" seeks to create sustainable communities where growth is of a scale and in a location that complements the character and supports the function of individual settlements. This is a major development within an established settlement. In Policy CS2 "Achieving sustainable growth" Gorleston-on-Sea and Great Yarmouth is defined as a Main Town where 35% of new borough wide development is anticipated to be provided in the development plan period to 2030.
- 6.5 As a Main Town, Gorleston-on-Sea is identified in the Core Strategy as a settlement with a wide range of services and opportunities for employment, retail and education. It serves a wider catchment area with high levels of accessibility and public transport provision. In this case the site is located off the sea front adjacent to the town centre having a full range of shops and services.
- 6.6 Policy CS3 "Addressing the boroughs housing need" which identifies that 7,140 homes need to be delivered in the plan period focussing on accessible areas in line with CS2 it states in subparagraph g) that the Council and partners will seek to promote design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas and make efficient use of land, in accordance with policy CS9 and CS12 (Utilising Natural Resources).
- 6.7 Policy CS4 "Delivering affordable housing" In the affordable housing submarket area 2 (South West Rural) requires schemes to deliver 10% affordable housing which is well integrated with the site.
- 6.8 Policy CS9 "Encouraging well designed distinctive places" which requires proposals to take inspiration form the local character, creating positive relationships with the surrounding area.

- 6.9 Policy CS11 "Enhancing the natural environment" which requires proposals to conserve and enhance the natural environment and biodiversity
- **6.10** Policy CS12 "Utilising natural resources" which requires proposals to maximise energy efficiency, reduce waste and minimise the loss of the most fertile agricultural land
- **6.11** Policy CS13 "Protecting areas at risk of flooding" which requires proposals not to increase flood risk elsewhere and to incorporate SuDS
- **6.12** Policy CS14 Securing appropriate contributions from new developments

New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will:

- a) Ensure that the Council's Infrastructure Plan is appropriately updated as part of the plan making process
- b) Prepare a Supplementary Planning Document on Planning Obligations to set out the appropriate range and level of contributions, and matters for which they will be sought
- c) Assess all development proposals and encourage early engagement with service/utility providers to establish whether any infrastructure or infrastructure improvements are needed to mitigate the impacts of the proposed development
- d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought
- e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures
- f) Make certain that new developments for which a planning obligation is necessary does not take place until a planning obligation agreement has been secured and approved. Payments should be made in a timely and fair manner to minimise the impact on existing services and infrastructure
- **6.13** Policy CS15 Providing and protecting community assets and green infrastructure

Everyone should have access to services and opportunities that allow them to fulfil their potential and enjoy healthier, happier lives. The effective planning and delivery of community and green infrastructure is central to achieving this aim. As such, the Council will:

a) Resist the loss of important community facilities and/or green assets unless appropriate alternative provision of equivalent or better quality facilities is made in a location accessible to current and potential users or a detailed assessment

clearly demonstrates there is no longer a need for the provision of the facility in the area

- b) Ensure that all new development is supported by, and has good access to, a range of community facilities. In some circumstances developers will be required to provide and/or make a contribution towards the provision of community facilities. The process for securing planning obligations is set out in Policy CS14
- c) Take a positive approach to the development of new and enhanced community facilities, including the promotion of mixed community uses in the same building, especially where this improves choice and reduces the need to travel
- d) Work with our partners to deliver essential strategic community facilities, including supporting projects, such as the continuing development of the James Paget University Hospital, to meet current and future needs
- e) Promote healthy lifestyles by addressing any existing and future deficiencies in the provision and quality of sports facilities, including access to these facilities, playing pitches, play spaces and open spaces throughout the borough
- f) Ensure that all new developments contribute to the provision of recreational green space and incorporate improvements to the quality of, and access to, existing green infrastructure in accordance with local circumstances
- g) Safeguard the natural beauty, openness and recreational value of the borough's beaches and coastal hinterland
- **6.14** Policy CS16 "Improving accessibility and transport" seeks to make best use of existing transport infrastructure and promotion of sustainable forms of travel by directing development to locations towards the most sustainable locations

#### Final Draft Local Plan Part 2

- **6.15** The Local Plan Part 2 includes the site within the settlement limits for Gorleston-on-Sea and Great Yarmouth. Policy GSP1: "Development Limits" repeats and reinforces existing spatial policy stating "development will be supported in principle within the Development Limits except where specific policies in the Local Plan indicate otherwise.
- 6.16 Policy UCS3: "Adjustment to Core Strategy Housing Target" recognises that the housing requirement over the plan period needs to be reduced to reflect the objectively assessed need as updates from 7140 units to 5303 new dwellings, this has the effect of giving the Borough a five year housing supply reinforced by recent approvals for outline permission on housing land allocations within the emergent plan and therefore removing the lack of supply argument, upon adoption. This remains to be tested by the Planning Inspectorate early next

year and in this case the site is one that is being promoted by the Local Plan Part 2 and would deliver 97 homes towards this target.

6.17 The Draft Local Plan part 2 contains the site specific policy, Policy GN2: Emerald Park, Gorleston-on-Sea which sets out the policy position for a housing allocation at Emerald Park which has been prepared as part of the plan making process in consultation with the community. It should be noted that the draft policy is the subject of outstanding objections and does not have the weight of the aforementioned adopted policies of the core strategy. Nevertheless, the draft policy provides useful context for consideration of the application and is set out in full below. How the application responds to it and the supporting text of the final draft plan is set out in the assessment section of this report.

Policy GN2: Emerald Park, Gorleston-on-Sea

Land at Emerald Park Football Ground (2.3 Hectares) as identified on the draft Policies Map, is allocated for approximately 100 dwellings. The site should be developed in accordance with the following site-specific criteria.

- a. Provision of safe and appropriate vehicular access, to the satisfaction of the local highways authority with appropriate access from the improved section of Wood Farm Lane to the south with appropriate improvements to the surrounding road network, including footpaths.
- b. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and demands of the local area.
- c. Re-provision of an appropriate equivalent recreational facility, at a minimum equaling the quality of facility currently available at Emerald Park. The full funding or re-provision to be secured and demonstrated by legal agreement (i.e. Section 106 agreement) prior to the loss of any facility at Emerald Park.
- d. Submission of an archaeological field evaluation prior to development, in accordance with the NPPF
- e. Retain existing trees along the south western border of the site in accordance with the Tree Preservation Orders.
- f. Where further trees may be removed which are not protected, replacements are provided in suitable alternative locations and remain for the amenity of future residents.
- g. Financial contributions will be required towards enhanced library provision to serve the development.
- h. Financial contributions will be required towards the improvement of local healthcare facilities.
- i. Provide a financial contribution for off-site open space.
- j. Submission of a site-specific Flood Risk Assessment.
- k. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.
- I. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- m. Submission of a Transport Assessment and Travel Plan and provision of measures necessary to mitigate impacts and encourage sustainable travel.
- n. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.

#### Saved Policies of 2001 Borough Wide Local Plan

- **6.18** Policy HOU7 New Residential Development provides a presumption if favour of development within settlement boundaries where the following criteria are met:
- (A) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE FORM, CHARACTER AND SETTING OF THE SETTLEMENT;
- (B) ALL PUBLIC UTILITIES ARE AVAILABLE INCLUDING FOUL OR SURFACE WATER DISPOSAL AND THERE ARE NO EXISTING CAPACITY CONSTRAINTS WHICH COULD PRECLUDE DEVELOPMENT OR IN THE CASE OF SURFACE WATER DRAINAGE, DISPOSAL CAN BE ACCEPTABLY ACHIEVED TO A WATERCOURSE OR BY MEANS OF SOAKAWAYS:
- (C) SUITABLE ACCESS ARRANGEMENTS CAN BE MADE;
- (D) AN ADEQUATE RANGE OF PUBLIC TRANSPORT, COMMUNITY, EDUCATION, OPEN SPACE/PLAY SPACE AND SOCIAL FACILITIES ARE AVAILABLE IN THE SETTLEMENT, OR WHERE SUCH FACILITIES ARE LACKING OR INADEQUATE, BUT ARE NECESSARILY REQUIRED TO BE PROVIDED OR IMPROVED AS A DIRECT CONSEQUENCE OF THE DEVELOPMENT, PROVISION OR IMPROVEMENT WILL BE AT A LEVEL DIRECTLY RELATED TO THE PROPOSAL AT THE DEVELOPER'S EXPENSE; AND,
- (E) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE RESIDENTIAL AMENITIES OF ADJOINING OCCUPIERS OR USERS OF LAND.

#### **6.19** Policy HOU9 Developer Contributions

POLICY HOU9 A DEVELOPER CONTRIBUTION WILL BE SOUGHT, AS A PLANNING OBLIGATION UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 TO FINANCE THE EARLY PROVISION OF FACILITIES REQUIRED AS A DIRECT CONSEQUENCE OF NEW DEVELOPMENT.

#### 7. Local Finance Considerations:

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the

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development to raise money for a local authority. In this case it is assessed that financial gain does play a part in the recommendation for the determination of this application in relation to the provision of community infrastructure.

#### 8. Shadow Habitats Regulation Assessment

- 8.19 The site lies within the Green Habitat Impact Zone over 2.5km but less than 5km from an internationally protected wildlife site and for developments greater than 10 dwellings a bespoke Shadow Habitat Regulations Assessment (HRA) is required. It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.20 The report rules out direct effects in isolation; but accepts that in-combination likely significant effects cannot be ruled out from increased recreational disturbance on the Winterton and Horsey Dunes Special Area of Conservation, the North Denes Special Protection Area, the Breydon Water Special Protection Area, the Broadland Special Protection Area and the Broads Special Area of Conservation, but this is in-combination with other projects can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling). Impact payments. If planning permission is granted mitigation payment can be a provision of any associated legal agreement required to run with the permission.

#### 9. Concluding Assessment

- 9.19 The site is situated between the settlements of Gorleston and Bradwell and outside the saved 2001 Borough-Wide Development Limits. The site is also outside but adjacent to the emerging developments limits as identified in the Draft Plan Part 2 wherein it but has been identified as a strategic allocation to deliver the vision set out in the Core Strategy including the provision of a range of homes, affordable housing, as well as local services, open space and community facilities.
- 9.20 The site is adjacent the South Bradwell Urban extension that is currently under construction and will eventually provide up to 1,000 new homes and community facilities including a primary school. It is also close to the Beacon Park employment area as well as James Paget University Hospital and Ormiston Academy. The location is considered as sustainable in terms of accessibility to services and facilities.
- **9.21** Planning Policy Policy GN2: Emerald Park sets out site specific criteria for the development of the site. The policy can only be given limited weight at this

point as the Draft Plan has not been adopted and there are unresolved objections to the policy including ones from the applicant. For the purpose of considering this application it remains useful to assess the proposal against the criteria of the policy taking a view on where it accords and where it varies and taking account of information provided by the applicant in support of the application.

#### Criteria

a. Provision of safe and appropriate vehicular access, to the satisfaction of the local highways authority with appropriate access from the improved section of Wood Farm Lane to the south with appropriate improvements to the surrounding road network, including footpaths.

The application shows access for the development would be taken of Woodfarm Lane. The Highways Authority had sought improvements including the provision of a footway along the south side of Oriel Avenue where it meets Woodfarm Lane. A footway will be provided on the north side of Oriel Avenue as community infrastructure being provided by the larger housing development in Bradwell. The applicant considers that the requested improvement does not meet the planning test of being necessary as there is an existing footway running across the recreation ground at the Northern end of the site which provides a suitable alternative route to the schools. The Highways Authority has now conceded this.

b. Provide a mix of housing types and sizes, including a minimum of 10% affordable dwellings to reflect the needs and demands of the local area.

The applicant has provided a viability assessment that demonstrates the development would not be viable if 10% of the dwellings are affordable. This is discussed further below.

c. Re-provision of an appropriate equivalent recreational facility, at a minimum equaling the quality of facility currently available at Emerald Park. The full funding or re-provision to be secured and demonstrated by legal agreement (i.e. Section 106 agreement) prior to the loss of any facility at Emerald Park.

The applicant holds the position that a replacement facility is not necessary. It considers that without the financial and support in kind it has received from the applicant over many years that the football club would not be operating today, further that there are no other football clubs that would need this facility if Gorleston FC was not in existence. Nevertheless, the applicant has been working with Sport England to facilitate the provision of a 3G pitch and associated facilities at the East Norfolk Sixth Form College and is willing to undertake an agreement to secure a financial contribution. However, the applicant does not accept based on its' agents interpretation of the National Planning Policy Framework (NPPF) of section 97 (open space and playing fields) and the use of conditions and obligations sections 55 and 56 (in order to make developments acceptable where they would not otherwise be) that

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planning permission for the proposed development should be conditional or obligatory on there being a replacement.

The applicant has reviewed and sought to update the data used in the Council's Sport, Play & Leisure Strategy 2015-2029. The applicant logically interprets that the number of playing pitches continues to be greater than the number of teams existing in established leagues in the area. However, in this case officers consider that this is a flawed approach as the playing field affected is not a standard 11x11 grass pitch; it is a stadia and associated infrastructure. Further, it is currently the home ground of Gorleston Football Club so is not vacant. Additionally, the Norfolk FA have advised that the only other facility in the Great Yarmouth Borough that meets National League System Step 5 ground grading compliance is The Wellesley, which is currently at capacity and unable to cater for additional matches due to the Great Yarmouth Town Football Club's usage of the facility.

Therefore, it is considered that notwithstanding the applicant's assertion of Gorleston FC's reliance on external funding and in-kind support, that a replacement facility equal to or better than the proposed facility should be provided if redevelopment is to be permitted. This endorses the position taken by Sport England provided as a statutory consultee. Further, the financial arrangements between the club and the applicant do not have a bearing on the established use of the land. It is clear from the extensive planning history of the site set out at the start of this report that there has been substantial investment made over decades to provide the stadia infrastructure on the site.

- d. Submission of an archaeological field evaluation prior to development, in accordance with the NPPF.
- e. Retain existing trees along the south western border of the site in accordance with the Tree Preservation Orders.
- f. Where further trees may be removed which are not protected, replacements are provided in suitable alternative locations and remain for the amenity of future residents.

The above criteria can be addressed as a condition of outline planning permission

g. Financial contributions will be required towards enhanced library provision to serve the development.

A contribution of £7,275 has been requested by the Library Service. This can be secured within a legal agreement to run with planning permission.

h. Financial contributions will be required towards the improvement of local healthcare facilities.

The Health Authority has assessed that the existing healthcare services would

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be impacted and seek a developer contribution of £155,676 towards additional bed spaces and floorspace for primary healthcare and acute healthcare facilities. The applicant questions how this contribution has been calculated and notes that the James Paget University Hospital has been awarded significant amounts of funding to re-build as part of a recent Government announcement on Hospital infrastructure and therefore questions the necessity of a contribution for acute care. Further the applicant points out that such contributions were not requested for the development agreed in the vicinity namely, the Lovells Site 25 development to the west (ref:06/16/0391/SU), which was given outline permission for 230 dwellings in 2018.

In response to the applicant's argument, members will be aware that all applications are judged on their merits and take account of the material circumstances. It should be noted that since 2018 the Health Authority has a policy of seeking contributions on sites of over 50 units which it has put in place since this application was submitted at the end of 2018.

Notwithstanding the above and in this case as stated previously in this report the applicant has undertaken a viability assessment and a contribution towards healthcare facilities would further decrease the viability of development.

#### i. Provide a financial contribution for off-site open space.

The indicative layout shows the provision of open space on site. It is also located next to a recreation ground and allotments. The applicant also proposes to facilitate the provision of a 3G pitch and associated facilities at the college.

- j. Submission of a site-specific Flood Risk Assessment.
- k. Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system could contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the sustainable drainage measures should be included with the submission.
- I. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.
- m. Submission of a Transport Assessment and Travel Plan and provision of measures necessary to mitigate impacts and encourage sustainable travel.
- n. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical

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#### and environmentally feasible.

A Flood Risk Assessment with a Surface Water Drainage/SUDS Strategy, a Transport Assessment and a Ground Investigation Report was provided in support of this application, the Lead Local Flood Authority have recommended conditions requiring approval of details prior to any development.

- 9.22 Objectors concerns. This section addresses any objector concerns not addressed elsewhere in the report. In this case the development density would be 16 units per acre, which is similar to the surrounding neighbourhoods and new developments in the area. The schools have capacity to accommodate the development. The existing section of Woodfarm Lane from Beaufort Way to the site has been improved including the provision of a footway and off-road cycleway. Highway safety has been improved and the Highways Authority have confirmed the development can be accommodated safely.
- **9.23 Key Considerations.** Given that the site is deemed a sustainable location for development the key considerations with this application are the developments viability and its impact on open space/a sports facility.
- 9.24 Viability The applicant has provided a viability assessment with the application which has been shared with the committee. This shows that when calculating the residual value of the development that the house sale values minus the costs of development will produce a yield of 8.3%. The industry accepted yield for development is between 15% and 20% to be deemed viable. The applicant has therefore made a case for dispensation with a requirement to provide affordable housing in this development. Additionally, paragraph 63 of the NPPF provides for the application of a vacant buildings credit to be applied against a requirement to provide affordable housing. The credit is applied proportionally when measuring the area of the vacant buildings being replaced. In this case the floor area of the stands, club house and ancillary buildings add up to 1,902sqm Gross External Area (GEA). whereas 10 dwellings that would need to be made affordable according to planning policy would measure approximately 959sqm GEA (with a total GEA of 9,584 for 97 dwellings). This is well below the amount of floorspace which can be offset according to the National Planning Policy Framework. The buildings are not currently vacant but will become so should the football club relocate to the college and therefore it is not considered appropriate to require the provision of affordable housing in this case.
- 9.25 The Council's Property Services have reviewed the applicant's viability assessment and concurs that the development as submitted, (costs to yields) would not be viable. It is considered that the construction costs appear to be high in comparison with current The Building Cost Information Service (BCIS) data of the Royal Institute of Chartered Surveyors. Also, the end sale values, of the 3 & 4 bedroom houses may be undervalued particularly in comparison with the prices being achieved at East Wood, opposite. However, the 2 bedroom-flat values are considered optimistic at £150,000. Other inputs are considered reasonable.

- 9.26 A residual valuation calculation has been made based on the figures provided but adopting the mean BCIS construction costs, and adjusting sale values to; £140,000 -2 bed flats, £240,000 3 bed houses and £260,000 4 bed houses. Allowing for a standard 18% developers profit with no affordable provision, the calculations produce a residual land value of just £119,000 for a residential site. The scheme as proposed therefore appears to be unviable. However, the calculations suggest that the position is likely to be significantly improved if consideration would be given to an alternative scheme replacing the blocks of flats with houses.
- 9.27 In conclusion the applicant has committed to making contributions to community infrastructure that it considers are reasonable and necessary to enable the development. In this case the payment for the provision of two fire hydrants as required by the Building Regulations, £843 per hydrant to Norfolk County Council Libraries £7,275 and as required by the Habitats Regulations £10,670. These can be secured by legal agreement.
- **9.28 Open Space/Sport Facility –** The Council's Open Space Study, published in 2013 concluded that the borough had a surplus of football pitches for adult and junior teams during peak times. For adults alone this was estimated to be approximately 42-44 pitches not being used for adult games.
- 9.29 The Council's Sport, Play & Leisure Strategy 2015-2029, published in 2015 re-evaluated the current provision of open space types in the borough. It concluded that whilst adult pitches continue to be underutilised, the surplus had reduced from 42-44 pitches in 2013 to 23-24 pitches in 2015. The strategy also concluded that there remains a significant under provision of junior football pitches, recommending that some surplus adult pitches being converted to junior pitches to help redress this imbalance. Overall, the strategy recommended that the overall stock of outdoor sports and recreational facilities should be protected and improved. As reported above in relation to paragraph (c) of the emerging policy GN2, the applicant sought to update the data of playing field supply versus demand which is in this case is considered to be a flawed argument.
- 9.30 In this case the playing field that would be removed by the development is not an ordinary grass pitch facility, it is a stadia which include floodlights, access to a clubhouse, FA compliant changing provision for players and match officials, grandstands, turnstiles and a pitch surround also their stadium must be enclosed. The applicant has taken a position based on paragraph 97 (open space and recreation) of the National Planning Policy Framework that it is not necessary to replace the football facility. However, officers take a contrary view that planning permission should be dependent on the provision of equal or better facilities safeguarded by planning condition or appropriate legal agreement. Notwithstanding this difference of position between the applicant and officers of the Council, the applicant is proposing to help facilitate the provision of an improved recreational facility that would compensate for the loss of this facility. The applicants have included the sum of £400,000 in the development cost calculations to help bridge any gap in funding to construct a

Committee Date: 9 December 2020

3G (third generation) all weather pitch at the East Norfolk Sixth Form College. The applicant has been working with Sport England (SE) to support the provision of this facility, where SE have been working with the National Football Association to secure a grant of £1million towards this facility. Planning permission for the facility was granted 15<sup>th</sup> January this year (06/18/0533/F).

9.31 Conclusion - In this case the site is in a sustainable location and will help to deliver the Councils development plan housing target. It is for the committee to decide whether it is minded to approve this planning application that will facilitate the provision of the 3G facility at the college. The financial contribution from the applicant will close the gap in the funding required in addition to releasing a grant of £1million which is on offer from Sport England towards the cost of its provision. On balance it is considered that the social, health and educational benefits to the community from the provision of the facility are significant and in this case the provision of affordable housing is not achievable on this site.

#### 10. RECOMMENDATION: -

10.19 Approve. Subject to the following conditions outlined below and the completion of a legal agreement and a unilateral undertaking in accordance with S106 of the Town and Country Planning Act 1990. The proposal is deemed in compliance with the aims of Policies CS2, CS3, CS14 and CS15 of the Great Yarmouth Local Plan Core Strategy, also to Policy E3 of the Emerging Local Plan Part 2 and saved Policies HOU7, and HOU9 of and the Great Yarmouth Borough-wide Local Plan (2001) (LP). Conditions: That development shall not commence prior to development commencing at East Norfolk College; reserved matters to be submitted within 2 years. Access to be in accordance with approved plans, approval for up to 97 dwellings, tree retention and protection during construction, details of surface water drainage and foul drainage systems to be submitted and agreed, and an archaeological programme of investigation, analysis and recording prior to development.

Background Papers 06/18/0707/O

#### Gorleston – Emerald Park Financial Appraisal Executive Summary 13<sup>th</sup> August 2020

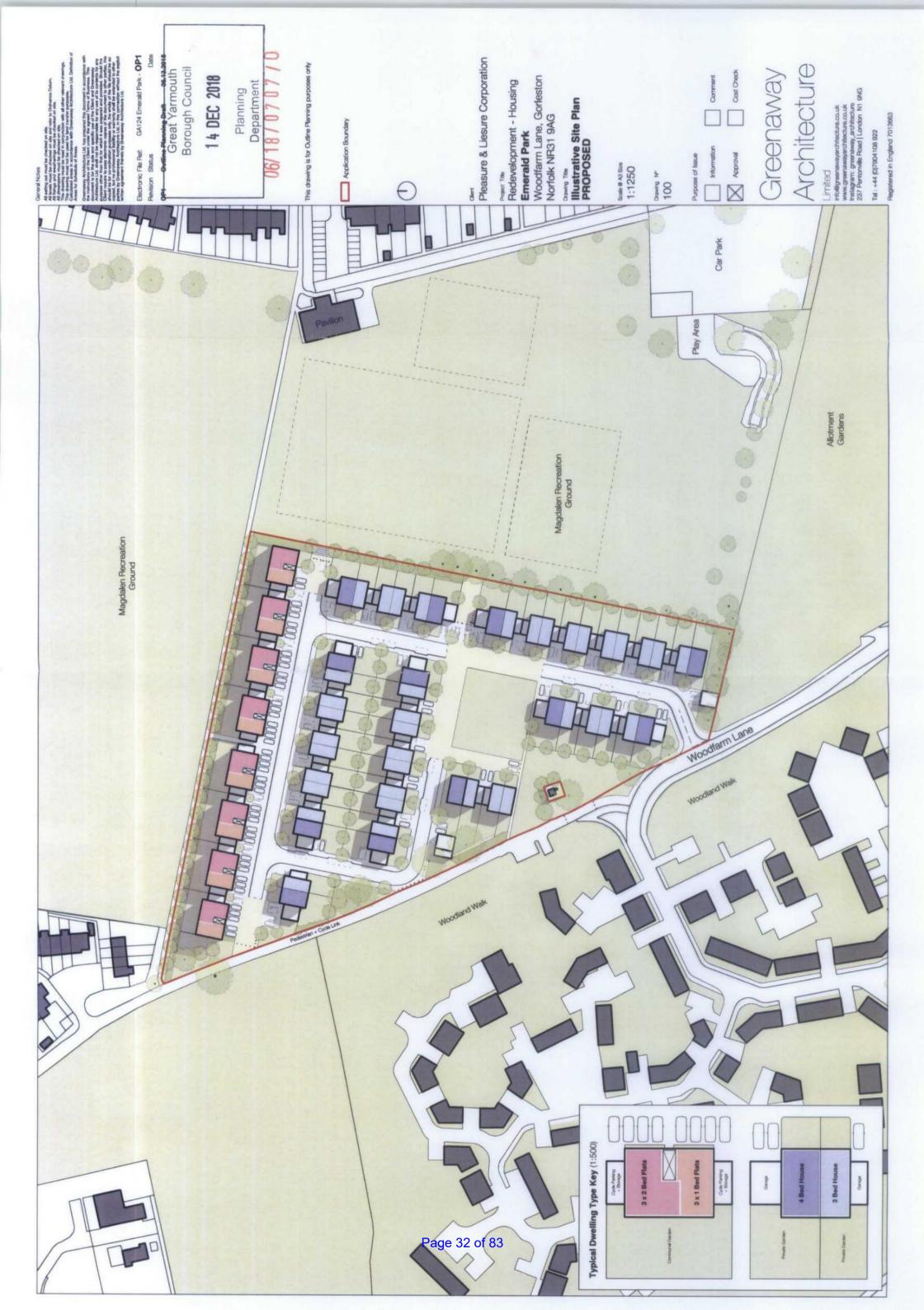
	Income (£)	Cost (£)	Profit (£)
Sales Values (based on 97no. dwellings)	£17,625,000.00		
Construction Costs		£13,010,000.00	
Fees (Note 1)		£1,207,498.00	
Planning Application Costs		£29,345.00	
Planning Application Surveys		£15,000.00	
Football Club Premium		£400,000.00	
Section 106 Payment		£155,383.00	
Section 106 Legal Fees (Council)		£5,000.00	
Section 106 Legal Fees (P&L)		£2,500.00	
Construction Legal Documents		£15,000.00	
Finance Costs		£737,172.00	
TOTAL	£17,625,000.00	£15,576,898.00	
Estimated Net Profit			£1,347,671.00
Profit on Cost			8.28%

#### Notes:

• Note 1 – Includes Architect, Quantity Surveyor, MEP, Project Manager, Principal Designer, Highways, Planning Consultant, Building Regulation, Sales Agent & Legal Fees

#### END.





**Reference:** 06/20/0390/F

**Parish: Martham** 

Officer: Gordon Sutherland

Committee Date: 9 December 2020

**Expiry Date: 03-11-20** 

Applicant: Mr A Beck

Proposal: Residential development of 112 dwellings, associated open space

and infrastructure ref: 06/20/00390/F)

Site: Land north of Hemsby Road, Martham

#### **REPORT**

#### 1. Background

1.1 This is a full planning application for a major residential development.

#### 2. Site and Context

2.1 This site is on the north side of Hemsby Road; the road links Martham to Hemsby to the east. It is located outside but adjoining the adopted development boundary of Martham. To the north is a residential development under construction at the former mushroom farm, to the east is agricultural land, to the south along Hemsby Road moving east to west is agricultural land, the medical centre and a residential neighbourhood. To the west is residential development accessed off Back Lane, an industrial unit and a yard of small workshops accessed off Hemsby Road. The site is 4.7 hectares (11.6 acres) it comprises a field and a woodland at its eastern end. The site wraps around the industrial building.

#### 3. Proposal

- 3.1 The proposal is for 112 dwellings made up of 35 two-bedroom houses, 8 two-bedroom flats/maisonettes, 45 three-bedroom houses and 24 four-bedroom houses. Each house has a garage and parking spaces, the flats/maisonettes have parking spaces. The units would be served by an estate road with a loop and private drives. The flats/maisonettes are formed around an area of open space; open space is also proposed at the centre of the development at the south west corner fronting Hemsby Road and within the woodland at the south east corner also fronting Hemsby Road.
- 3.2 The following supporting information has been submitted with the application: Planning Supporting Statement, Arboricultural Impact Assessment, Quantitative Risk Assessment (for any contamination of the site) including Site

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Application Reference: 06/20/0390/O Committee Date: 9 December 2020

Investigation, A review of Primary Care Provision in Martham, Ecological Report, Shadow Habitats Regulation Assessment, Employment Land Viability, Deliverability and Marketing Assessment, Transport Statement, Soft Landscaping Specification, Design and Access Statement, Statement of Community Involvement, Topographical Survey, Utilities Assessment, Flood Risk Assessment and Drainage Strategy, Hydraulic Modelling Report (Surface Water Flood Flooding), Geophysical Survey (underlying archaeology) and written scheme of Investigation for a Programme of Migratory Work (trial trenching).

#### 4. Relevant Planning History

4.1 In November 2016 outline planning permission 06/14/0817/O was granted for residential development, access, public open space, associated works and B1 employment land. That permission retained 0.92 hectares for B1 employment use and 3.1 hectares for residential use totalling no more than 108 dwellings.

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

- 5.1 Martham Parish Council. No response at time of writing. The applicants carried out a public consultation in the form of a survey at the end of January this year. Letters were hand delivered to 120 properties and businesses in the area surrounding the site. 22 feedback forms were received and are responded to in the Statement of Community Involvement with changes made summarised as follows: Reduced the number of dwellings from 125 to 112, moved dwellings from the NW boundaries to provide greater separation, confirmation of principle to retain boundary features as far as possible, with planting to enhance the current hedgerows, planting to provide amenity and wildlife habitat, assessment undertaken of GP service, provision of a flood risk assessment, drainage strategy and utilities assessment with this application, and finally designs using vernacular materials and a range of house types.
- 5.2 At the time of writing six representations have been received which raise the following general and specific concerns summarised as follows:

#### **General Concerns**

- Impact on utilities to the village water and electricity
- Impact on doctor's surgery
- Impact of the proposed buildings and landscaping adjacent to the Conservation Area

#### **Specific Concerns**

- Loss of views and privacy from property on Back Lane and Repps Road
- Loss of privacy and property value if trees are removed at NW corner of the site.

- If a hard border is constructed adjacent to the private drive at the rear of Nos 4 and 5 Manor Farm Barn this would restrict access for oil deliveries and clearing septic tank
- Proximity of the proposed development to No1 Honeysuckle Barns in particular the flats 31-34. Honeysuckle Barns are not shown on the proposed plans. Impact from overlooking and lack of screening.

#### **Consultations – External**

#### **Norfolk County Council**

- **5.3 Highways** The development layout and access has been designed based on the outline permission granted in 2016
- **5.4 Flood -** Norfolk County Council as Lead Local Flood Authority The site is not as risk of flooding. Any comments received with be reported at the committee meeting.
- 5.5 The Natural Environment Team Advise that being largely arable and semiimproved grassland the site has low ecological value. Surveys were negative
  with no evidence of protected species. Trees and hedgerows should be
  retained where possible and if removed would need to be mitigated and
  enhanced. Through proactive engagement the applicant has provided a
  biodiversity enhancement plan and a landscape and ecological management
  plan, which will provide enhancement measures for birds, bats and
  hedgehogs. No objection is raised provided the development is carried out in
  accordance with specified drawings detailed within those plans which include
  a minor adjustment to the size of the proposed hedgehog gaps.
- 5.6 Natural England have reviewed the Habitats Regulation Assessment and agree that the mitigation proposed of a financial contribution £110 per dwelling to the GYBC Monitoring and Mitigation Strategy will mitigate the impacts of recreational disturbance to designated site in combination. It also provides general advice and suggestions about the design of green infrastructure and biodiversity net gains.
- 5.7 Norfolk Constabulary (Designing Out Crime) considers the layout provides good active surveillance over the street scene. The mixed housing stock will assist to provide a varied community and enable a greater potential of homes to be occupied throughout the day, these assist with natural surveillance, community interaction and environmental control. The constabulary is not supportive of a pedestrian link to the north if this would make any parking areas adjacent vulnerable. The applicant has adjusted the house types to provide observation from the houses. Additional landscaping has been suggested to close of a potential passage along the eastern boundary of the industrial unit. Several enhancements are suggested, and these can be referred to the applicants as an informative to any permission. The applicant has sought to balance the recommendations of the constabulary with the desire to provide facilities for residents to walk and bicycle.

- 5.8 Norfolk County Council Infrastructure Requirements advise that although Martham Academy and Nursery School appear to have insufficient capacity to accommodate the potential children from the development the school catchment is showing slight demographic decline and therefore will have sufficient capacity to accommodate all the children from the new development. The Fire Service raises no objection subject to the provision of fire hydrants in accordance with the Building Regulations, and the Library Service require a total contribution of £8400 to increase the capacity of the service from the development. This requirement would be specified in a Section 106 Agreement if the local planning authority is minded to grant planning permission.
- 5.9 Norfolk County Council Minerals and Waste advise that the site is underlain with mineral resource (sand and gravel) which is safeguarded and objects to the development unless a condition is added to require site investigations to assess if the site contains a viable mineral resource for prior extraction and use in construction phases of the development or for processing at an aggregate plant of site. The applicant has undertaken investigation which shows that material undelaying the site is predominantly sand and silt with areas of clay and would be suitable only for use as general fill Class 1 or Class 2 in accordance with the Specification of Highways Works Series 600. Whilst material potentially could be used as general fill during the construction phase, due to variability of the material it would be more appropriate for it to be classified at the time of excavation rather than in advance.
- **5.10** The Broads Drainage Board considers that a drainage strategy reliant on infiltration is likely to be achievable on the development or kept to greenfield drainage run off rates if this is not.
- **5.11** Norfolk County Archaeology A geophysical survey has been carried out indicating some likely buried archaeological remains. Therefore, a condition is recommended that any permission be subject to a programme of mitigatory work.
- **5.12** Health Authority No comment

#### **Consultation - Internal GYBC**

5.13 Housing – The site is within the Northern Rural sub-market area wherein a 20% affordable housing contribution is required. The tenure split offered is 55% affordable rented and 45% affordable homeownership. The precise number of each type of unit has not been agreed at this point and can be finalised as part of any Section 106 Legal Agreement that would be attached to a planning permission. The affordable homeownership would be shared ownership which reflects the highest need in the Homebuyer register. At this point the prospective developer would retain the affordable properties with the Council having nomination rights for the affordable rented units. In accordance with Core Strategy Policy CS4 the affordable home ownership is integrated into the site with the affordable housing grouped in a corner of the site.

- **5.14** Environmental Services Confirm the site is at low risk of flooding and raises no concerns
- 5.15 Trees The Tree officer has been in dialogue with the applicant to provide mitigate the impact of development to existing trees and hedges on the property. At the eastern corner of the site bounded by Pratt's Loke and Hemsby Road there is a former brickworks in which a copse of poplar trees has grown and on which there is a Tree Preservation Order (TPO). The officer is opposed to the loss trees within the copse considering them to be in good condition with high value and long retention plan.
- 5.16 The tree officer considers the dwellings to Prat's Loke should be moved away from the existing trees as the proximity may cause issue with the residents ultimately demanding for their removal. The trees are upon a raised bank making them seem taller, overbearing and blocking more light than they would.
- 5.17 There are a small number of removals including a section of hedgerow required for the formation of the entrance to the development. The officer considers them to be acceptable as they will be off set elsewhere through the soft landscaping scheme submitted with the application. The trees specified are suitable species variety and UK native planting. Further the considerations for tree protection detailed in the submitted plans are deemed enough.
- 5.18 Property Services Have reviewed the viability assessment and broadly agree with the key inputs of the valuation, although the construction costs are above the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors figure Property Services adopted in its own valuation. Notwithstanding this Property Services own calculations also suggest that industrial development would prove unviable in this location. Consideration could be given to a reduced employment element for retail use, for which a demand may exist in the market from a national grocery retailer. However, whilst this could prove viable, Property Services accept the valuer's comments with regard to the sustainability of existing retail uses within the village centre, and therefore this may prove counter-productive in planning terms.
- **6. Assessment of Planning Considerations:** Policy Considerations:

### National policy

6.1 Paragraph 47 of National Planning policy Framework states: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise

# <u>Local Policy – Great Yarmouth Adopted Core Strategy</u>

- 6.2 Policy CS1 "Focusing on a sustainable future" seeks to create sustainable communities where growth is of a scale and in a location that complements the character and supports the function of individual settlements.
- 6.3 Policy CS2 "Achieving sustainable growth" seeks to create resilient communities. Martham is defined as a Primary Village where 30% of new borough wide development is anticipated to be provided in the development plan period to 2030.
- 6.4 Policy CS3 "Addressing the boroughs housing need" which identifies that 7,140 homes need to be delivered in the plan period focussing on accessible areas in line with CS2 it states in subparagraph g) that the Council and partners will seek to promote design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas and make efficient use of land, in accordance with policy CS9 and CS12.
- Policy CS4 "Delivering affordable housing" requires schemes to deliver 20% affordable housing which is well integrated with the site.
- 6.6 Policy CS6 "Supporting the local economy" which states that existing employment sites should be safeguarded. With alternative uses considered only where employment is demonstrated non- viable and where it would have no detrimental impacts on amenity.
- 6.7 Policy CS9 "Encouraging well designed distinctive places" which requires proposals to take inspiration form the local character, creating positive relationships with the surrounding area.
- 6.8 Policy CS10 "Safeguarding local heritage assets" which requires proposals to conserve and enhance heritage assets.
- 6.9 Policy CS11 "Enhancing the natural environment" which requires proposals to conserve and enhance the natural environment and biodiversity
- **6.10** Policy CS12 "Utilising natural resources" which requires proposals to maximise energy efficiency, reduce waste and minimise the loss of the most fertile agricultural land
- **6.11** Policy CS13 "Protecting areas at risk of flooding" which requires proposals not to increase flood risk elsewhere and to incorporate SuDs
- **6.12** Policy CS14 "Securing essential new infrastructure" which requires proposals to contribute suitably to the provision of infrastructure
- **6.13** Policy CS15 "Providing and protecting community assets and green infrastructure" which requires proposals to provide good access to a range of community facilities including play and open space

6.14 Policy CS16 "Improving accessibility and transport" seeks to make best use of existing transport infrastructure and promotion of sustainable forms of travel by directing development to locations towards the most sustainable locations

# Saved Policies of 2001 Borough Wide Local Plan

- 6.15 Policy HOU7 "New residential development" provides a presumption if favour of development within settlement boundaries where proposals would not be significantly detrimental to the form character and setting of the settlement, public utilities are available, suitable access can be made, there is an adequate range of public transport, community education, open space, play space and social facilities available in the settlement or where lacking can be provided for at the developers expense
  - **6.16** Policy HOU9 "Developer contributions" states contributions will be sought to provide infrastructure resulting from proposals
  - **6.17** Policy HOU16 "Layout and design of housing proposals" require a high standard with a landscaping scheme required for proposals over 10 dwellings
  - **6.18** Policy HOU17 "Housing density and subdivision" requires proposals to have regard to the design of the surrounding area
  - **6.19** Policy REC8 "Provision of recreational, amenity and open space" requires development resulting in over 20no. children bed-spaces to provide recreation and/or play space

#### The Emergent Local Plan - Local Plan Part 2

- 6.20 This has unresolved representations and carries less weight unless or until the Local Plan Part 2 is adopted in the Spring/Summer of 2021.
- 6.21 Policy GSP1: "Development Limits" states "development will be supported in principle within the Development Limits except where specific policies in the Local Plan indicate otherwise.
  - 6.22 Policy UCS3: "Adjustment to Core Strategy Housing Target" recognises that the housing requirement over the plan period needs to be reduced to reflect the objectively assessed need as updates from 7140 units to 5303 new dwellings, this has the effect of giving the Borough a five year housing supply reinforced by recent approvals for outline permission on housing land allocations within the emergent plan and therefore removing the lack of supply argument, upon adoption. This remains to be tested by the Planning Inspectorate early next year and in this case the site is one that is being promoted by the Local Plan Part 2 and would deliver 112 homes towards this target.

- **6.23** Site-specific policy MA1 Land North of Hemsby Road. The full policy is reproduced below:
  - Land north of Hemsby Road (4.08 Hectares) as identified on the Policies map is allocated for approximately 95 residential dwellings and employment development. The site should be developed in accordance with the following site-specific criteria.
  - a. Provide a mix of house types and sizes, including a minimum of 20% affordable dwellings, to reflect the needs and demand of the local area.
  - b. 1.32 hectares of the site should be developed for employment use (use class B1). This land should not be developed for residential uses unless evidence is provided that the land has been marketed for an appropriate length of time and there has been no reasonable interest in the land for employment purposes.
  - c. Safe and suitable access to be provided to the satisfaction of the local highway authority, with appropriate integration in the existing pedestrian and cycling networks, including:
  - development layout to include a highway link to the north-west and provide a connection to Back Lane; access to be from Hemsby Road; and frontage footway to be improved to 2.0m minimum width.
  - d. An active frontage should be provided along Hemsby Road.
  - e. The existing hedgerow surrounding the site should be protected where possible.
  - f. Pedestrian access should be provided to the residential development to the north.
  - g. It can be demonstrated that:
  - an approved contamination remediation scheme has been carried out in full; and a validation report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the Local Planning Authority.
  - h. Conserve the adjacent Martham conservation area and take opportunities through design to enhance its setting.
  - i. Provide a financial contribution for off-site open space.
  - j. Financial contributions will be required towards the improvement of local primary schools and early education.
  - k. Financial contributions will be required towards enhanced library provision to serve the development.
  - I. Financial contributions will be required towards the improvement of local healthcare facilities;
  - m. A planning application should be supported by evidence which assesses the quantity and quality of mineral resource. Extraction of minerals prior to development of this site is encouraged where practical and environmentally feasible.
  - n. Details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the drainage measures should be included with the submission.
  - o. Submission of a foul drainage strategy, demonstrating how the foul drainage generated by the development can be accommodated appropriately.

- p. Submission of an archaeological field evaluation prior to development.
- q. Submission of Transport Assessment and Travel Plan and implementation of any identified highway mitigation measures and measures to encourage sustainable transport. The Transport Assessment should include a comprehensive walk to school assessment.
- r. Submission of a site-specific Flood Risk Assessment demonstrating how the site can be developed and occupied safely.
- 6.24 Policy UCS3: "Adjustment to Core Strategy Housing Target" recognises that the housing requirement over the plan period needs to be reduced to reflect the objectively assessed need as updates from 7140 units to 5303 new dwellings, this has the effect of giving the Borough a five year housing supply reinforced by recent approvals for outline permission on housing land allocations within the emergent plan and therefore removing the lack of supply argument, upon adoption.
- 6.25 Policy A1 Amenity has no unresolved objections and as such can be given considerable weight. It states:

Development proposals will be supported where they contribute positively to the general amenities and qualities of the locality.

Particular consideration will be given to the form of development and its impact on the local setting in terms of scale, character and appearance.

Planning permission will be granted only where development would not lead to an excessive or unreasonable impact on the amenities of the occupiers of existing and anticipated development in the locality, in terms including:

- a. overlooking and loss of privacy;
- b. loss of light and overshadowing and flickering shadow;
- c. building and structures which are overbearing;
- d. nuisance, disturbance and loss of tranquility from: waste and clutter intrusive lighting visual movement noise poor air quality (including odours and dust); and vibration.

Where adverse impacts are an inevitable consequence of an otherwise desirable use and configuration, measures to mitigate such impact will be expected to be incorporated in the development.

On large scale and other developments where construction operations are likely to have a significant and ongoing impact on local amenity, consideration will be given to conditions to mitigate this thorough a construction management plan covering such issues as hours of working, access routes and methods of construction.

#### 7. Local Finance Considerations:

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great

Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. It is assessed that financial gain does not play a part in the recommendation for the determination of this application.

# 8. Shadow Habitats Regulation Assessment

- 8.1 The site lies more than 400 but less than 2.5Km from an internationally protected wildlife site. The applicant submitted a Shadow Habitat Regulations Assessment (HRA). It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.2 The report rules out direct effects in isolation; but accepts that in-combination likely significant effects cannot be ruled out from increased recreational disturbance on the Winterton and Horsey Dunes Special Area of Conservation, the North Denes Special Protection Area, the Breydon Water Special Protection Area, the Broadland Special Protection Area and the Broads Special Area of Conservation, but this is in-combination with other projects can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling). Impact payments.

# 9. Concluding Assessment

- 9.1 The site lies adjoining the Martham Development Boundary in the adopted local plan and within it in the emerging local plan wherein development will be supported in principle unless material considerations outweigh that principle. As a Primary Village Martham is identified in the Core Strategy as a settlement with a small range of services and opportunities for employment, retail and education. It serves a limited local catchment and contains a lower level of access to public transport. In this case the site is located on a road having bus service it is adjacent the Doctors surgery and is within walking distance of the Coop store, primary and secondary schools.
- **9.2** Supporting information has been provided which addresses the matters listed under site specific policy MA1 "Land North of Hemsby Road.
- **9.3 Amenity** In this case it is considered that the proposed layout would safeguard the amenity of adjoining property, the siting of the dwellings does not overshadow, also privacy is protected by back to back distances. Specifically at the north west corner of the site an existing scrub hedge

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- including a cherry tree towards the boundary are to be retained, they will be trimmed to a height of 4m which will encourage them to thicken up and thereby form a more substantial screen in future years maintaining privacy.
- 9.4 A short section of the Conservation Area runs along the rear boundaries of properties fronting Back Lane. The closest new building would be more than 10m from that boundary. There will be limited views of the development from the west between existing buildings within the Conservation Area along Back Lane. The dwellings are set out along the estate road and private drives off. Dwellings front onto areas of public open space which provide focal points and amenity for the future inhabitants.
- 9.5 In respect of No 1 Honeysuckle Barns, the survey plan used for the development preceded its development which is why it is not shown on the submitted plans. However, the proposed flats, plots 31-34 would be oriented at a right angle, to the north west of that property, with a gap of approximately 10m. The building is also stepped away to the west and has a hipped roof, the rear gardens are parallel to the rear elevation of No 1 Honeysuckle Barns. Plots 29 and 30 are proposed as a pair of semidetached houses. The plots are offset to the east of No 1 Honeysuckle Barns. Based on the offset siting and provision of rear garden, this siting and orientation and distance is considered enough to safeguard amenity to No 1 Honeysuckle Barns.
- 9.6 In respect of No5 Manor Farm Barns, the rear access to that property although tight to the development boundary should not be adversely affect by the development. A landscape strip is indicated between it and the rear boundaries of adjacent plots 35 -38.
- **9.7 Services** Studies and assessments submitted with the application demonstrate that utilities can be provided for the development and the doctors surgery can accommodate the potential increase in patients from the development. Utility providers confirm they can service the development.
- 9.8 Trees The applicant prefers to create space within the copse at the eastern end of the site to allow the area to be observed from the adjacent houses. It is considered that this will facilitate surveillance of the area and reduce the possibility of anti-social behaviour. The space is not needed to make up the required provision of open space within the development, compensatory plating at a ratio of 3:1 is proposed elsewhere within the development. In this case the proposal is considered reasonable in order to safeguard amenity of the occupiers and provide for the management of the space, further the compensatory planting will significantly improve the biodiversity of the area.
- 9.9 The applicant advises it could move houses further from the trees along Pratt's Loke; this would reduce the parking available and given the trees are on the northern side of the houses they consider this won't significantly increase the sunlight and daylight enjoyed. In this case it is not considered any change is necessary.

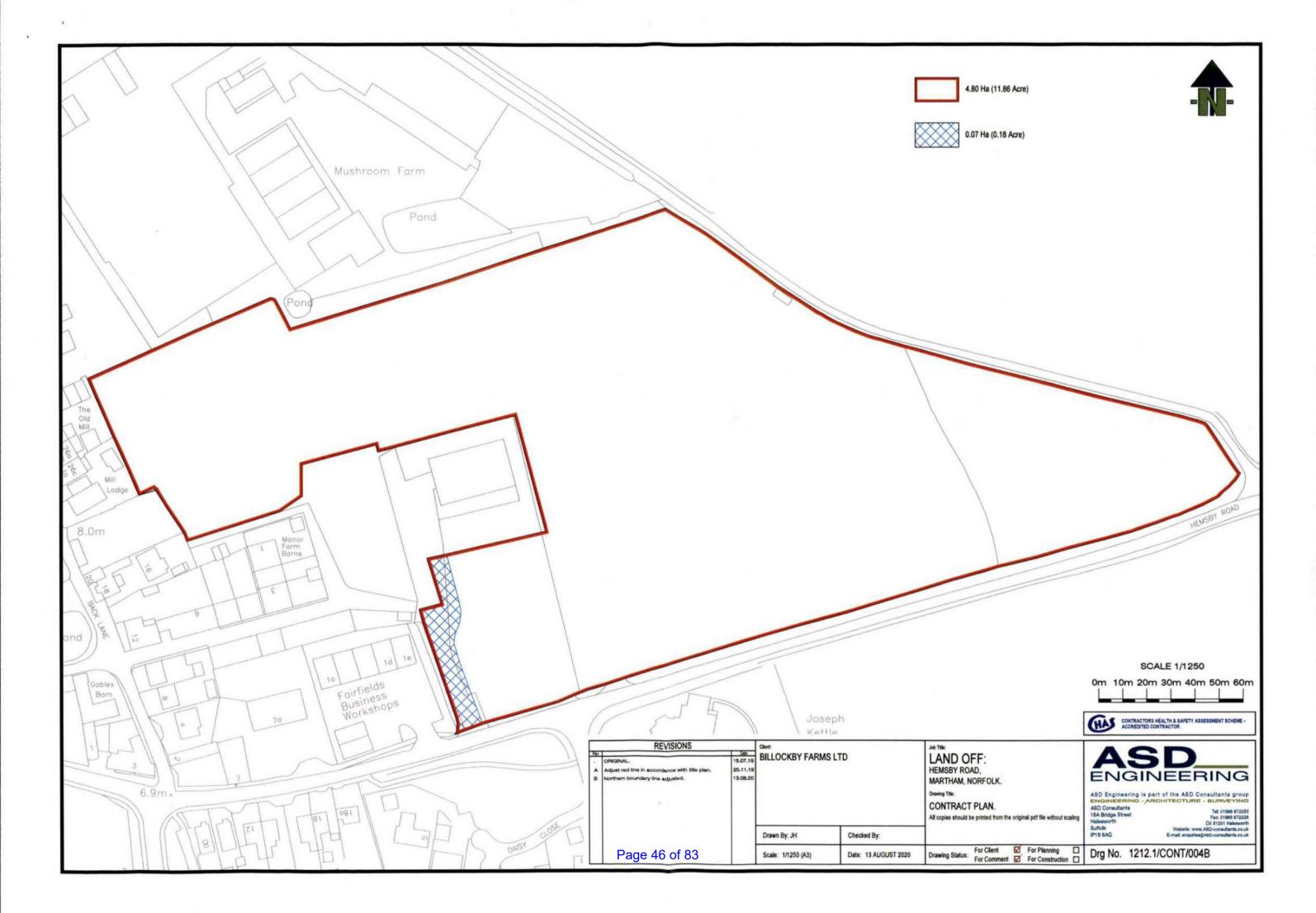
- 9.10 Employment Use The main issue of this application is the proposal for dwellings on the area of the site that has been designated for employment use in the emerging local plan. The emerging development plan shows 1.32 acres of the site for employment use, preferably for uses with B1 of the Town and Country Planning Use Classes Order, that is office and light industrial type uses such as minor manufacture with hours of operation and processes that would not give rise to complaints by way of noise or smell i.e. ones that would be compatible with residential neighbours. The purpose of the designation is to encourage the location of employment opportunities in the village and reduce the need for travel.
- 9.11 Policy MA1 advises that the area could be released for additional housing if it can be demonstrated through marketing at a reasonable price for 18 months that there is no interest in developing it for employment use. In this case the applicant has provided evidence that based on a typical development scenario of erecting buildings on 40% of the site (approximately 40,000sf of floorspace). The assessment identifies the cost to service the site with infrastructure, including roads, parking service yards, drainage, power and to construct business and industrial units on the site would cost just over £6 million. However, based on the market rental incomes possible from those units, or the possible sale values of the units, the property would only achieve a value of £2.7million. A development is clearly not viable in this case.
- 9.12 The assessment advises that there is currently slow growth in commercial property values in the area while construction costs continue to rise. Demand tends to be locally driven rather than speculative or from inward investment, and the local demand tends to be low end in terms of floor space and quality with cost being the key consideration of occupiers.
- 9.13 The applicant advises that they have considered incorporating higher value employment generating uses. For example, the site has been put to care home operators which responded that they require a population area of at least 5,000 and as such the site was not large enough. Retail has been considered, but the applicant believes that like many primary villages, Martham is well catered with retail floorspace and in line with recent trends for in line shopping has seen a reduction in floorspace with former retail space being converted into other, mainly residential uses. Further, providing more retail here would likely causes displacement from existing locations and draw people away from the village centre.
- **9.14** The Council's Property Services have carried out its own assessment and concur with the applicants position that in this case development for employment use would not be viable.

#### 10. RECOMMENDATION: -

10.1 In this case the site is adjoining the existing settlement and to the former mushroom farm which is currently being redeveloped for residential use and is nearing completion. The site is identified for development in Draft Local Plan

- Part 2. The location is clearly sustainable, the layout has been designed to create an attractive living environment with open space to protect the amenity of neighbouring property and to preserve and enhance the character and appearance of the Conservation Area. Affordable housing will be provided and integrated in the development. The only question is whether it is reasonable to hold out for an employment use on part of the site. In this case while there may be a demand if the land price was very low, the cost of service and construction of office and industrial units is way in excess of what the market would bear. Given the well documented need for the borough to meet its' housing allocation targets it is considered that this outweighs the desire to safeguard this part of the property for employment uses that are unlikely to be deliver sin the short, medium or long term. It is recommended that the application is approved as submitted
- 10.2 The proposal complies with the aims of Policies CS1-CS4 and CS9-CS16 of the Great Yarmouth Local Plan: Core Strategy, Policy A1 of the Emerging Local Plan Part 2 and saved Policies HOU9, HOU16 &17 and REC8 of and the Great Yarmouth Borough-wide Local Plan (2001) (LP).

Background Papers 06/20/0390/O





Reference: 06/20/0190/O

Parish: Great Yarmouth
Officer: Mr D Minns
Expiry Date: EOT

Applicant: Mr A Moore Great Yarmouth Borough Council

Proposal: Outline application for demolition of existing buildings and

development of 89 dwellings with some matters reserved

Site: The Conge/Brewery Street/George Street GREAT YARMOUTH

**NR30 1JN** 

#### **REPORT**

# Background / History :-

# The Proposal

- 1.1 The application is an outline planning permission seeking to establish the principle of development on the site for the development of 89 dwellings along The Conge, Great Yarmouth, with some matters reserved. To be considered as part of the current application at this outline stage is means of access and scale of development. The appearance, landscaping and layout are reserved and not to be considered as part of this application and will be addressed at the detailed stage should the application be approved. Also included at this stage is the demolition of the existing buildings on the site. The site is 1.36 hectares (3.26 acres) and is brownfield land in the built up urban area of Great Yarmouth.
- 1.2 The terms "scale" means the height, width and length of each building proposed within the development in relation to its surroundings. "Access", here in relation to reserved matters, means 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
- 1.3 The submitted plans illustrate how a total of 89 dwellings incorporating 1, 2 and 3 bed dwellings can be accommodated on the site. The Design and Access statement submitted with the application states while the detailed proposals will form part of a detailed application, in order to understand and develop the scale of the proposed

Application Reference: 06/20/0190/Dage 48 of Committee Date: 9 December 2020

development a number of criteria have been implemented into the concept design with the future development intended to meet the following:

- that internal areas will meet the current National Space Standards for each type of dwelling
- The proposed houses will be constructed using high quality materials to match surrounding buildings and to a high energy
- The proposed houses will be constructed using high quality materials to match surrounding buildings and to a high energy performance specification to ensure the dwellings perform better than current building regulations.
- The proposed development is split into blocks of different heights, scale and size, creating a familiarity of what a residential development feels like, but also allows for phasing of the construction and provide pedestrian permeability across the site.
- The distances between blocks varies and is based on a typical urban grain. Special consideration has been given to overlooking and ensuring that there is still plenty of natural daylight. The buildings are orientated north -south to maximise the benefits of natural daylight and solar gain based on the principals of passive solar design. These principals will be developed as the design progresses
- Most dwellings will have high level terraces or west facing living spaces and balconies providing long range river views of Breydon Water. All dwellings will have private amenity space.
- The historical rows immediately surrounding the site would be enhanced by new signage, incorporation into public space, and/or resurfacing to make them attractive for pedestrian use
- The proposed development would allow an increase in density of residential properties within the town centre, providing homes in close proximity to retail and leisure facilities. This is at the core of developing sustainable communities that benefit both the communities with a wide range of facilities on their doorstep but also benefit the towns themselves and their futures.

#### SCALE OF DEVELOPMENT

1.4 The surrounding built environment consists of 2-, 3-, and 4-storey structures. As such the proposed development has been informed by this and includes 2-, 3-, and 4-storey houses and 4-storey blocks of flats, over a range of 9 blocks with eaves heights ranging from 6.5m for the houses and 10.5m for the highest 4 storey flats

#### **ACCESS**

1.5 The proposed site is within the Great Yarmouth town Centre area and is within easy walking distance to facilities and public transport. As such the proposed parking

ratio is 1 parking space per dwelling. Vehicular access to the development is shown to be from George Street with pedestrian access from The Conge, Brewery Street and North Quay. All parking will be situated behind the proposed dwellings, ensuring the frontages onto The Conge are free for more inviting landscaping and street furniture. Parking and access to dwellings have been considered in line with flood risk and safe means of escape.

- 1.6 All ground floor dwellings will have a level approach to the main entrance, Cycle parking and bin storage has been considered for each dwelling. Access for servicing and emergency vehicles have been incorporated into the layout of the site with appropriate turning areas shown. The proposals have been subject to discussions with Norfolk County Highways and further amendment since the application was originally submitted.
- 1.7 According to the documents submitted with the application the overall approach to the project has been to combine the research and parameters within the document to develop a conceptual scheme for the site.
- 1.8 The key drivers of the development include:
- New residential dwellings to help housing requirements.
- Linking the railway station to the town centre and seafront.
- Encouraging future investment in Great Yarmouth and the borough by enhancing and making the most of the assets already in place and creating a flagship development to set the benchmark for future projects, in terms of design, aspiration, sustainability and deliverability.
- 1.9 The application is accompanied by a range of supporting documents including
  - Planning Statement
  - Design and Access Statement
  - Flood Risk and Drainage Assessment
  - Ecological Assessment
  - Heritage Area Appraisal (revised)
  - Transport Assessment and Car Parking Strategy
  - Shadow HRA
  - Utilities Review
  - Geoenvironmental Interpretative
  - Baseline Noise Assessment: Constraints and Opportunities
  - Air Quality Constraints Assessment
  - Detailed Unexploded Ordnance Threat & Risk Assessment
  - Archaeological Assessment

#### 2.0 The Site Location and Context

- 2.1 The Conge is a side road located within the town centre of Great Yarmouth. It sits centrally between the railway to the west of the site and the Market Place and seafront to the east of the site. The site is bounded to the west by North Quay, to the north by Brewery Street and an ALDI superstore, and to the south by residential properties on Patterson Close
- 2.2 Great Yarmouth Railway Station is situated to the north-west of the site, on the opposite side of the River Yare. The Conge has a natural view towards this area meaning there is an opportunity to develop links between the railway station and the Market Place and Great Yarmouth seafront
- 2.3 The site currently consists of a mix of commercial and light industrial units on either side of The Conge. The existing units are mid to late 20th century construction with little architectural merit. The Conge links the strategic arrival point for pedestrians and visitors to the town with the Market Place and beyond.
- 2.4 The current area is generally an uninviting space for pedestrians, as a primarily commercial area with the business uses light industrial.
- 2.5 The site is not within a Conservation Area but is adjacent to conservation Area No 2 'Great Yarmouth Market Place, Rows and North Quay' which are close to the eastern and western boundaries of the site. Adjacent the site to the north is conservation Area No 5 'St Nicholas and Northgate Street' areas. On North Quay there is also a number of Listed Buildings with two Grade 2 buildings opposite the site along with the nearby Vauxhall Bridge which is also listed. A Heritage Statement has been produced to support the application.
- 2.6 The site is also located in close proximity to the River Yare with its wildlife and habitat designations and Breydon Water, which is a Ramsar Site and of International Wildlife importance within the Broads Authority Executive Area.
- 2.7 In terms of the consideration of the scale of the existing development in the area the surrounding built environment consists of 2, 3 and 4-storey structures. As such the proposed development has been informed by this and includes 2-, 3-, and 4-storey houses and 4-storey blocks of flats.
- 2.8 Access the site is within the Great Yarmouth town Centre area and is within easy walking distance to facilities and public transport.
- 2.9 The site falls from east to west with the bottom of the site being is located within Flood Zones 3 (highest risk) of the Environment Agency areas at risk of flooding maps with the rest of the site in Zone 2 and 3. A Flood Risk Assessment (FRA) has been carried out and submitted with the application The FRA was prepared in support of the

Supplementary Planning Document to illustrate potential feasibility of the site redevelopment prior to completion of the proposed masterplan. The Environment Agency Flood Maps for Planning (River and Seas) indicates that part of the site located within Flood Zone 3 Risk) with a 0.5% chance of flooding from the seas (tidal flooding) in any given year. According to the EA Product 4 data, the site is protected by flood defences on the River Yare for 1 in every 200 year and inundated for 1 in every 200 year plus climate change.

- 2.10 The Environment Agency Risk of Flooding from Surface Water shows that the flood risk ranges from low to very low for the majority of the site. Given the likelihood that infiltration methods will not be practicable to manage surface water due to high groundwater table and potential of coastal tidal action, discharging to the existing watercourse will be the preferred method of surface water disposal in line with the SuDS hierarchy later
- **3.0 Consultations**: All consultation responses received are available online or at the Town Hall during opening hours.
- 3.1 Neighbours There have been no objections to the proposal.

Note of Support - County Councillor Castle - Yarmouth North and Central Division - As the local County Councillor I am very pleased to support what is proposed. The redevelopment of The Conge has long been earmarked in strategic planning documents and it is vital to the wider regeneration of the North Quay and the improvement of the corridor between the Town's Rail station and the Market Place. More housing in the town centre is also very important and residents will benefit from being close to schools, amenities, shops and public transport. The introduction of Residents Permit Parking will be advantageous given the intensification of housing in the area between the Market Place and the Quay.

#### **External Consultees**

3.2 **Norfolk County Highways** - originally whilst having no objection in principle the application the County Council has raised a number of detailed points of concern which is the main have been addressed following submission of revised drawings. The County have a suggested a number of conditions that they would like imposed should the application be approved. They also make the following comment:-

"The proposals retain the potential stopping up of a small area of exiting highway. We still consider this can be avoided by way of amending the layout of the proposed housing within the extent of the application boundary. That said, it would appear sufficient widths of highway are proposed to be retained to provide appropriate footway provision around the north-east corner of block 6, should the proposed stopping up take place.

- 3.3 The applicant should be aware however that to secure formal approval to stop up existing highway an application is made to DfT under Section 247 of the Town & Country Planning Act. As part of this process the DfT would consult on the stopping up application (the Highway Authority being one of the consultees). No works on land intended to be stopped up can begin until formal approval has been given by DfT. Stopping Up under Section 247 of the Town & Country Planning Act cannot be granted in retrospect. "
- 3.4 Norfolk County Council Education and infrastructure The requirements below would need to be addressed in order to make the development acceptable in sustainable terms through the delivery of necessary infrastructure. The funding of this infrastructure would be through Planning obligations / condition.
- 3.5 There is spare capacity in the Early Education and High school sectors to accommodate the children generated from this proposed development should it be approved. However, although there is some spare capacity (9 spare places i.e. less than 1.5% spare capacity) in the Primary Sector there would be insufficient capacity for all of the children generated by this proposed development and these schools are deemed to be at capacity.
- 3.6 Therefore, the County Council will seek the full primary sector contributions based on the costs shown in table 2. The contributions will be used to contribute towards the provision or enhancement of educational facilities required as a consequence of the development
- 3.7 **Fire Service** With reference to the proposed development, taking into account the location and infrastructure already in place, no further fire hydrants are required to be installed.
- 3.8 **Library Provision** A development of 75 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of the library. It has been calculated that a development of this scale would require a total contribution of £6,675 (i.e. £75 per dwelling). This contribution will be spent on increasing the capacity of the library serving the development.
- 3.9 **Norfolk County Historic Environment Officer** Thank you for forwarding the desk-based assessment from 2019 covering most of the proposed development area
- 3.10 The proposed development site lies within the medieval core of the town (ie within the area of the town walls), an area characterised by the topography of the 'rows', narrow east-west aligned alleys leading down to the dockside to the west. Excavations in the adjacent Fuller's Hill site in 1974 and Falcon Brewery site in 1997 produced evidence of dense settlement from the 11th century onwards. Just to the south of the proposed development site lies the site of the former Carmelite Friary, founded in 1276 and dissolved in 1538.

- 3.11 Burials have been found on this site and as the exact boundaries of the friary are unknown, it is possible that human burials will be found within the proposed development area. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be affected by the proposed development.
- 3.12 If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with *National Planning Policy Framework* para. 199. We suggest that the following conditions are imposed: -
- A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation, 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required. and
- B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A) and any addenda to that WSI covering subsequent phases of mitigation. and
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service. Please note that we now charge for our services.

**3.13 Historic England –** Our letter in June 2020 did not raise any objection to the principle of redeveloping the site with residences in a contemporary style but set out the historic significance and context of the application site stated reservations about the scale and massing of the development and in particular requested additional indicative street scenes at street level along The Conge and around North Quay as these would provide a clearer indication of how the development would respond to the surrounding townscape. The additional information is helpful in assessing this impact.

- 3.14 Overall we would not wish to raise any objection to the proposed development which would remove modern industrial buildings of little historic interest and replace it with residential properties which would follow the historic street plan and be of generally traditional form, although of clearly contemporary design. The new information gives a clear indication of the massing and how the taller buildings would appear in the street scene. While buildings of three and four storeys are found in the area and did occasionally appear historically a large proportion of the new building is of that height
- 3.15 The four storey blocks seen in the George Street image are particularly striking. These buildings are not only tall but of considerable scale and could have an overbearing feel which the more modest and varied blocks of town houses do not. We would not object to building with a rhythm of gales facing the street, as suggested, but feel these larger blocks might be excessive for the area.
- 3.16 By way of illustration we note how block 5. While we would not oppose the contemporary design, we would suggest the scale of these larger blocks is reconsidered to see if they could be divided into smaller modules and the height, in least in part, reduced. appears quite bulky and dominant compared to the combination of blocks 2 and 3 which turn the corner opposite more successfully and break up the mass of building.
- 3.17 The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of conservation areas can be harmed or lost by alteration to them. The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of conservation areas irrespective of the level of harm caused (paragraphs 193 and 194).
- 3.18 We have considered this application in terms of this policy and while we would not object to the application consider that the taller and larger blocks of new building could be modified to be more in line with the scale of residential building traditionally seen in the area, as described above.
- **3.19 HE recommendation** Historic England has no objection to the application on heritage grounds, although we consider that the taller and larger blocks of new building could be modified to be more in line with the scale of residential building traditionally seen in the area. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196. In determining this application, you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Your authority should take these representations into account in determining the application.
- **3.20 Natural England** No objection subject to appropriate mitigation being secured. Without appropriate mitigation the application would have an adverse

impact upon the integrity of Breydon Water SPA / RAMSAR site and North Denes SPA and SSI's We recommend a financial contribution of £110 per dwelling to Great Yarmouth Borough Council's adopted Habitats Monitoring and Mitigation strategy to mitigate in-combination impacts of recreational disturbance to designated sites, as advised in the HRA submitted with the application. It also provides advice how to enhance the environment as part of any development including provision of onsite recreational space where possible.

- **3.21 N.C.C Natural Environment Team** The HRA report is acceptable and concludes that there would be no likely significant effects and any cumulative effect of recreational activity can be resolved through the Monitoring and Mitigation Strategy.
- **3.22 Ecology -** The Ecological Assessment is broadly fit for purpose. There are no reasons to object to the proposals on ecological grounds. Should you be minded to grant consent a number of conditions and informative are suggested to protect and enhance biodiversity. Conditions are suggested relating to biodiversity including an ecological management plan be used by breeding birds shall take place between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before (within 48 hrs) of clearance starts and provided written confirmation to the LPA that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority."
- **3.23 NHS** Has assessed that the development will have an adverse impact on the delivery of healthcare in the catchment area of the development and seeks a contribution of £124,693 towards capital funding to increase capacity in the form of bed-spaces and floorspace at primary care facilities at the local medical centre(s) and at the acute hospital (James Paget University Hospital) approximating to 139 residents.
- **3.24 Norfolk Constabulary (Architectural Liaison Officer)** I am delighted to see in the Design and Access Statement that the pre-app consultation advice provided by Norfolk Constabulary has been followed, if these recommendations are to be adopted for this development (please may we have confirmation of this) I would strongly encourage the applicant to make an application for a 'Secure By Design' for a Commercial Development Award.
- **3.25 Cadent Gas** No objection in principle to the proposal and request notes be added to any planning permission notice regarding connection.

# **Drainage Bodies**

- 3.26 **Local Lead Flood Authority** initially raise objection to the proposal on grounds that the information submitted. Have addressed further clarification on surface water drainage. The LLFA further response to submitted details to be reported
- 3.27 **Environment Agency** Initially issued a holding objection to the application on Flood Risk grounds but no objection following further information. Condition required on finished floor levels as recommended in the flood risk assessment.
- 3.28 **Anglian Water** Advise the sewerage system has capacity via gravity connection to the existing public sewer, Surface water should be to a sustainable drainage system (SuDS)
- 3.29 **Essex and Suffolk Water** We have no objection to the proposed development subject to compliance with our requirements. Consent will be given to this development on the condition that a metered water connection is made to our company network for each new dwelling/community and commercial unit for revenue purposes.
- 3.30 **Water Management Alliance –** The site is not within or adjacent to any of our member Boards Areas therefore we have no comments to make
- 3.31 **Emergency Planning Officer -** I have no comments regarding the above application. The Flood Risk Assessment is comprehensive, recommends appropriate risk mitigation measures

#### Internal

- 3.32 **Environmental Health** No objection subject to conditions on potential contamination and amenity
- 3.33 **Building Control** -No comments at this stage
- 4.0 Assessment of Planning Considerations: Planning Policy
- 4.1 Policy National Policy:- National Planning Policy Framework (NPPF)
- 4.2 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise, however in the absence of a 5-year Housing Land Supply, there remains a presumption in favour of sustainable housing developments.
- 4.3 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development which has 3 arms:
  - a) an economic objective

- b) a social objective
- c) an environmental objective
- 4.4 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:
  - a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given),.
- 4.5 Paragraph 84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 4.6 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.7 Paragraph 170 177. Planning policies and decisions should contribute to and enhance the natural and local environment by:
  - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - b) recognising the intrinsic character and beauty of the countryside,
  - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
  - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
  - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air

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- and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 4.8 Para 172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.
- 4.9 Para 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site Local Plan
- 4.10 Para 7, 8, 193, 194 and 196 of NNPF in as far as they relating to the historic environment.

# 4.11 Great Yarmouth Local Plan Core Strategy 2013-2030 Adopted 21st December 2015

- 4.12 Great Yarmouth Borough adopted Local Plan Policy CS1 "Focusing on a sustainable future" seeks to create sustainable communities where growth is of a scale and in a location that complements the character and supports the function of individual settlements.
- 4.13 Policy CS2: "Achieving sustainable growth" Growth within the borough must be delivered in a sustainable manner in accordance with Policy CS1 by balancing the delivery of new homes with new jobs and service provision, creating resilient, self-contained communities and reducing the need to travel.
- 4.14 This is a major development within an established settlement. In Policy CS2 Gorleston-on-Sea and Great Yarmouth is defined as a Main Town where 35% of new borough wide development is anticipated to be provided in the development plan period to 2030.
- 4.15 As a Main Town, Great Yarmouth is identified in the Core Strategy as a settlement with a wide range of services and opportunities for employment, retail and education. It serves a wider catchment area with high levels of accessibility and public transport provision.

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- 4.16 Policy CS3 "Addressing the boroughs housing need" which identifies that 7,140 homes need to be delivered in the plan period focussing on accessible areas in line with CS2 it states in subparagraph g) that the Council and partners will seek to promote design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas and make efficient use of land, in accordance with policy CS9 and CS12 (Utilising Natural Resources).
- 4.17 Policy CS4 "Delivering affordable housing" In the affordable housing sub-market area 3 (Great Yarmouth Town Centre) requires schemes to deliver 10% affordable housing on sites of 15 dwellings and more.
- 4.18 CS6 -Supporting the local economy includes at b) a commitment to safe guard existing employment sites identified in Table 10 (the site is not one of those identified in the policy )
- 4.19 Policy CS9 "Encouraging well designed distinctive places" which requires proposals to take inspiration form the local character, creating positive relationships with the surrounding area
- 4.20 Policy CS11 "Enhancing the natural environment" which requires proposals to conserve and enhance the natural environment and biodiversity
- 4.21 Policy CS12 "Utilising natural resources" which requires proposals to maximise energy efficiency, reduce waste and minimise the loss of the most fertile agricultural land
- 4.22 Policy CS13 "Protecting areas at risk of flooding" which requires proposals not to increase flood risk elsewhere and to incorporate SuDS
- 4.23 Policy CS14 Securing appropriate contributions from new developments

New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will:

- a) Ensure that the Council's Infrastructure Plan is appropriately updated as part of the plan making process
- b) Prepare a Supplementary Planning Document on Planning Obligations to set out the appropriate range and level of contributions, and matters for which they will be sought

- c) Assess all development proposals and encourage early engagement with service/utility providers to establish whether any infrastructure or infrastructure improvements are needed to mitigate the impacts of the proposed development
- d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought
- e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures
- f) Make certain that new developments for which a planning obligation is necessary does not take place until a planning obligation agreement has been secured and approved. Payments should be made in a timely and fair manner to minimise the impact on existing services and infrastructure

Policy CS16 "Improving accessibility and transport" seeks to make best use of existing transport infrastructure and promotion of sustainable forms of travel by directing development to locations towards the most sustainable locations

# 4.24 Policy CS17 – Regenerating Great Yarmouth's Waterfront

The Waterfront area in the heart of Great Yarmouth has the potential to become a vibrant urban quarter that utilises its rich heritage and prime urban riverside location to create a unique and high quality environment for housing, shopping and offices; attractive to investors and visitors as well as new and existing residents. Proposals for new development within the Waterfront Area should seek to:

- a) Transform Great Yarmouth's arrival experience by developing a network of attractive, vibrant and well-connected neighbourhoods to create a new gateway to the town
- b) Identify appropriate development sites within the Waterfront area for approximately: 1,000 new dwellings of a mix of types (of which at least 300 are anticipated to be delivered within the plan period) 16,500m2 of employment floorspace (of which at least 7,700m2 is anticipated to be delivered within the plan period) 14,200m2 of retail and leisure floorspace, promoting the mixed-use regeneration of disused and other under-used sites (of which at least 5,050m2 is anticipated to be delivered within the plan period)
- c) Ensure that the quayside area identified on the Policies Map as port operational land is safeguarded as employment land to serve offshore energy related businesses for the first part of the plan period (2013-2025) unless it can be demonstrated that there is no need for this use. If the land is developed for offshore energy related employment uses during this period then Policy CS17 will no longer apply and Policy CS6 will apply.

- d) Maximise the provision of on-site affordable housing by submitting a site-specific viability assessment at the planning application stage
- e) Provide positive, safe and convenient connections for pedestrians and cyclists throughout the area and to neighbouring areas, served by high quality public transport services
- f) Improve links between the railway station and the market place in Great Yarmouth town centre and maximise public access to the Waterfront area through the use of walkways and open spaces, provided this does not conflict with port activity or safety requirements
- g) Capitalise on the area's prime riverside location by creating a strong urban form with distinctive high quality architecture of an appropriate scale, form and massing that complements the surrounding historic environment
- h) Utilise the heritage assets of the area, such as the historic townscape and important historic buildings, converting buildings to other uses where appropriate i) Promote high levels of sustainable construction and design in non-residential development, including energy and water efficiency, reduced waste production and where possible, the use of renewable energy in accordance with Policy CS12
- j) Enrich the quality of the public realm, ensuring that elements of the street scene contribute to the overall character and identity of each neighbourhood and that the choice of materials and quality of signage adds interest, and aids identity and legibility

# 4.25 **Great Yarmouth Local Plan 2001** – saved policies

Policy HOU7 New Residential Development provides a presumption if favour of development within settlement boundaries where the following criteria are met:

- (A) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE FORM, CHARACTER AND SETTING OF THE SETTLEMENT;
- (B) ALL PUBLIC UTILITIES ARE AVAILABLE INCLUDING FOUL OR SURFACE WATER DISPOSAL AND THERE ARE NO EXISTING CAPACITY CONSTRAINTS WHICH COULD PRECLUDE DEVELOPMENT OR IN THE CASE OF SURFACE WATER DRAINAGE, DISPOSAL CAN BE ACCEPTABLY ACHIEVED TO A WATERCOURSE OR BY MEANS OF SOAKAWAYS;
- (C) SUITABLE ACCESS ARRANGEMENTS CAN BE MADE;
- (D) AN ADEQUATE RANGE OF PUBLIC TRANSPORT, COMMUNITY, EDUCATION, OPEN SPACE/PLAY SPACE AND SOCIAL FACILITIES ARE AVAILABLE IN THE SETTLEMENT, OR WHERE SUCH FACILITIES ARE

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LACKING OR INADEQUATE, BUT ARE NECESSARILY REQUIRED TO BE PROVIDED OR IMPROVED AS A DIRECT CONSEQUENCE OF THE DEVELOPMENT, PROVISION OR IMPROVEMENT WILL BE AT A LEVEL DIRECTLY RELATED TO THE PROPOSAL AT THE DEVELOPER'S EXPENSE; AND,

(E) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE RESIDENTIAL AMENITIES OF ADJOINING OCCUPIERS OR USERS OF LAND.

Policy HOU9 Developer Contributions

POLICY HOU9 A DEVELOPER CONTRIBUTION WILL BE SOUGHT, AS A PLANNING OBLIGATION UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 TO FINANCE THE EARLY PROVISION OF FACILITIES REQUIRED AS A DIRECT CONSEQUENCE OF NEW DEVELOPMENT.

#### 4.26 Final Draft Local Plan Part 2

- 4.27 Policy GSP1: "Development Limits" repeats and reinforces existing spatial policy stating "development will be supported in principle within the Development Limits except where specific policies in the Local Plan indicate otherwise.
- 4.28 Policy UCS3: "Adjustment to Core Strategy Housing Target" recognises that the housing requirement over the plan period needs to be reduced to reflect the objectively assessed need as updates from 7140 units to 5303 new dwellings, this has the effect of giving the Borough a five year housing supply reinforced by recent approvals for outline permission on housing land allocations within the emergent plan and therefore removing the lack of supply argument, upon adoption.
- 4.29 Policy GY1- Great Yarmouth Town Centre the supporting text states that the managing the future role and direction of the town centre is a priority of the Council and new investment opportunities and initiatives are currently being pursued in the town centre through the Council adopted Great Yarmouth Town Centre Masterplan and Future High Streets Fund. This policy seeks to support the vitality and viability of Great Yarmouth town centre in accordance with the Core Strategy and national policy, and in the context of supporting new development opportunities and currently being pursued by the Council.
- 4.30 Policy GY3 Hall Quay Development Area this area is adjacent to the application site being separated
- 4.31 Local Plan part 2 Proposals map The Conge Development Area

#### 4.32 Other Material Considerations

# 4.33 Great Yarmouth Town Centre Regeneration Framework & Masterplan

- 4.34 This framework and masterplan set out the Council's ambition for the regeneration of the town centre over the coming decade. The study area for this work encompasses the extended town centre area east-west between the seafront and the Yare riverfront, and north south corresponding to the length of the historic town walls. Our vision for the town centre is that, by 2025, new investment and employment in the town centre is generating renewed pride in Great Yarmouth and building confidence for the future.
- 4.35 The following six objectives will enable us to work with partners to bring that vision to life:
  - a. Strengthening the heart of the town centre
  - b. Improving the markets and Market Place
  - c. Transforming The Conge
  - d. Creating a sense of arrival at the town centre
  - e. Unlocking the potential of Hall Quay
  - f. Linking it all together

The objective at c) states the ambition of by 2025, is that The Conge is being transformed, with new mixed-use development lining both sides of the lower half of the street, and the next phase ready for delivery connecting it to the renewed Market Place.

# 4.36 The Corporate Plan 2020-25: – Strategic Priorities for the Borough

4.37 To transform The Conge as the key linkage between the railway station and town centre by delivering a mix of new residential and employment opportunities as well as improving the physical environment

#### 4.38 Local Finance Considerations:

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.

4.39 It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development

acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case it is assessed that financial gain does play a part in the recommendation for the determination of this application in relation to the provision of community infrastructure.

# 4.40 Habitat Regulations Assessment considerations:

"European" or "Natura 2000" sites are those that are designated for their wildlife interest(s) through the Conservation of Habitats and Species Regulations 2017 and constitute the most important wildlife and habitat sites within the European Union.

Shadow Habitats Regulation Assessment

4.41 The site lies within the Green Habitat Impact Zone over 2.5km but less than 5km from an internationally protected wildlife site and for developments greater than 10 dwellings a bespoke Shadow Habitat Regulations Assessment (HRA) is required. It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.

4.42 The report rules out direct effects in isolation; but accepts that in-combination likely significant effects cannot be ruled out from increased recreational disturbance on the Winterton and Horsey Dunes Special Area of Conservation, the North Denes Special Protection Area, the Breydon Water Special Protection Area, the Broadland Special Protection Area and the Broads Special Area of Conservation, but this is incombination with other projects can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling). Impact payments. If planning permission is granted mitigation payment can be a provision of any associated legal agreement required to run with the permission.

#### 5.0 Assessment

5.1 The proposal is seeking outline planning consent, with details of proposed access and layout in relation to the demolition of existing buildings and erection of 89 dwellings. All other matters are reserved.

Local Planning Policy - the Development Plan

Development Principle

- 5.2 The site is within the development limits of Great Yarmouth, as defined by the existing Borough-wide Local Plan. Core Policy CS2 identifies Great Yarmouth<sup>1</sup> as being one of the borough's 'Main Towns', and accordingly directs a greater proportion of the plan's future housing requirement to it, owing to it's size, scale and range of existing services and facilities.
- 5.3 The site is adjacent to, and within close walking distance of, Great Yarmouth's town centre and railway station, in a highly sustainable location with access to a range of services and facility, in particularly via sustainable modes of transport.
- 5.4 Within the 'Main Town' the site is situated in the defined 'Great Yarmouth Waterfront area', a strategic allocation which is critical to delivering both social and economic objectives of the Local Plan. Through Core Policies CS2, CS3 and CS17, the Local Plan seeks to maximise the efficient use of this area, providing at least 300 dwellings in the Great Yarmouth Waterfront area by the end of 2030.
- 5.5 The site is partly within Flood Risk Zones 2 & 3 and would be subject to passing the requirements of both sequential and exception tests, as required by Core Policy CS13. It is agreed with the Flood Risk Assessment (FRA) that the proposal meets the requirements of the sequential text given the paucity of sequentially preferable sites within the Great Yarmouth area and the inability to currently demonstrate a 5 year housing land supply against the Core Strategy 2015 figure. Subject to the identified mitigation measures identified in the FRA, and endorsement from the Environment Agency it is agreed that the development would meet the requirements of the exception test.
- 5.6 The principle of residential development in this location i.e. providing up to 89 residential units in an area of flood risk is supported as the proposal helps deliver on the strategic housing delivery aims of the Local Plan, providing residential development in a demonstrable sustainable and safe location and maximising brownfield land. These deliverables would be consistent with Core Policies CS2, CS3, CS13 and CS17.
- 5.7 Core Policy CS4 and CS17(d) sets out the need to maximise affordable housing provision on site. The current application does not indicate the amount or location of affordable housing. This will need to be adequately demonstrated through the reserved matters application. A minimum of 9 affordable units would normally be expected and well-integrated within the development in terms of layout and design.

# Principle of Access & Layout

5.8 Core Policy CS9 sets out the Council's strategic policy approach to achieving good design, however Core Policy CS17 also provides additional detailed policies to guide the layout, including scale, massing and form of future development proposals in the

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<sup>&</sup>lt;sup>1</sup> Alongside Gorleston-on-Sea, as the other 'Main Town'

Great Yarmouth Waterfront area and will be the key policy determinants against this element of the current application.

- 5.9 The proposal comprises a design layout of predominantly 2, 3 & 4 storey flats and townhouses arranged in a perimeter block design which internalises parking courts and bin collection/storage points within the development blocks.5.10 The general perimeter block layout is supported and helps to provide a positive relationship between public and private space, providing surveillance and visual interest along the principal movement corridors of The Conge, North Quay and Georges Street. The internalisation of the parking courts within the perimeter blocks allows for surveillance from residential properties and (in contrast to front curtilage parking) reduces the potential for an excessive car dominated environment along the principal movement corridors. This helps to reinforce a safe, convenient and attractive pedestrian/cycling link between Great Yarmouth rail station and the Market place, and allows for greater flexibility to improve the street scene from enhanced public realm.
- 5.11 Since submission the application has been amended to address the comments and concerns of Norfolk County the highway authority for the area. The consultation comments above with overall are no objection to the principle subject to highway related conditions reflect the highway officer support for the application.
- 5.12 These layout principles would in the Case Officer's view be considered consistent with Policies CS9 (c) & (d), and Policies CS17 (f) & (j).
- 5.13 The Design and Access (D&A) statement has explored a proposed layout which seeks to balance opportunities for providing key views westwards (towards Breydon Water), maximising solar gain, and maintaining the amenity of existing and future residents. Whilst the detail by which this is to be achieved will form part of the subsequent reserved matters, the general approach is laudable and flows with the transformative regenerations aims of Policy CS17 and, more intently, Policy CS9 (f) & (h).
- 5.14 Policy CS9(e) requires developments to demonstrate how the design has considered car parking, with reference to the Council's adopted parking standards. The D&A statement indicates that the proposed parking ratio is 1 space per dwelling and would be below that currently required by adopted standards. The lower amount has been justified in the D&A statement on the basis that the site is urban and is very accessible on foot and has good transport links.
- 5.15 The submitted plans do not provide detail on the precise mix of dwelling types, but the supporting documents that provision is made for one parking space per dwelling this could mean that the proposal falls short of the County Council parking standards depending on the final details of the development.
- 5.16 Some flexibility in the amount sought could be justified on the basis of the proposal's highly sustainable location and need to actively encourage sustainable

modes of transport, including the provision of adequate and secure cycle parking/storage (as indicated in the D&A statement).

# Emerging local planning policies

5.17 The Local Plan Part 2 has been submitted to the Planning Inspectorate for examination in public which is due to commence in January 2021. In accordance with paragraph 48 (of the NPPF) upon submission, those policies of the plan which have no unresolved objections could be given more significant weight. 5.19 Emerging policies of particularly relevance include:

- Policy A2 Housing design principles. Requires dwellings to meet building regulations standard M4(2) for adaptable homes.
- Policy H4 Open space provision
- Policy H6 Pollution and hazards in development owing to the likely presence of potentially contaminated land, and potential for unexploded ordnance on site.
- Policy E7 Water conservation requires new dwellings to meet a water efficiency standard
- Policy I1 Vehicle parking requires consideration of parking standards and provision of electric charging points

#### 5.19 Other material considerations:

5.20 North Quay Supplementary Planning Document (May 2020)

5.21 The North Quay Supplementary Planning Document (SPD) was adopted in May 2020 with the purpose of setting out the vision, objectives and planning considerations for the regeneration of the North Quay area. The SPD is a material consideration in the determination of relevant planning applications.

5.22 Whilst the development proposal is outside of the SPD's defined area, it does link at it's northern, sharing the strategic pedestrian/cycling connection between the Great Yarmouth Rail Station and Market Place via North Quay and The Conge. This interrelationship forms an integral element in the wider regeneration framework for the waterfront area of Great Yarmouth, as reflected by Core Policy CS17 (f). The movement and land uses proposed by the current application are considered to be in support of the SPDs strategic ambitions.

Great Yarmouth Town Centre Masterplan (May 2017)

5.23 The Great Yarmouth Town Centre Masterplan was endorsed by the Council in July 2017 with the aim of setting out six key strategic objectives to aid the regeneration of the town centre by 2025.

5.24 'Transforming the Conge' was identified as one of the main strategic objectives, with the aim of introduce new mixed-use development along The Conge, as well as

the re-allocation of road space to pedestrian/cycle use to support greater movement between the Market Place and Great Yarmouth Rail Station.

5. 25 The reallocation of road space for pedestrian/cycling use was completed in 2018, therefore the current proposal seeks to complete this strategic objective of the masterplan.

# 5.26 Historic Environment and Scale of Development

- 5.27 The site is located adjacent to Conservation Areas No.2 and No.4. Historic England has no objection to the application on heritage grounds ie on the Conservation Area, they consider that the application meets the requirements of the National Planning Guidance in particular paragraph numbers 7, 8, 193, 194 and 196 which relates to heritage assets and in my view as the Case Officer I concur with this view agree.
- 5.28 In commenting on the application Historic England reminds the Council to bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 5.29 This report has also identified above the Listed Buildings on the west side of North Quay and the Vauxhall bridge. In this regard the Council also has a duty at section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which says that "In considering whether to grant planning permission....... for development which affects a listed building or its setting, the local planning authority......shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
- 5.30 Setting of Listed Buildings and Conservation Area
- 5.31 In my view the development as proposed on the application drawings which support the application details of access and scale preserves and indeed enhances the character and appearance of the settings of the identified Conservation Areas. Whilst Historic England have raised concerns over the scale of development there are a numbers of four story buildings in the immediate locality with higher stored buildings beyond.
- 5.32 In terms of the Listed Buildings Historic England has raised no concern in the regard. My conclusion in this regard is at the most the impact would be modest. The impact of the proposed development on the significance of the designated heritage assets, is my view, less than substantial harm to their significance. In weighing the harm as required by Paragraph 196 of the National Planning Policy Framework I

consider that the harm to the setting of the listed buildings and conservation area is outweighed by the considerable public benefits of the proposal in terms of improving the attraction of the locality and economic benefits and contribution to the regeneration and character of the area that will result.

# 5.33 Drainage

- 5.34 The site is located in Flood Zone 3 (high risk) Due to this and to and to minimise risk of flooding, all habitable accommodation is proposed to have a minimum internal ground floor level of 3.680m above ordnance datum (AOD) (the 1 in 200 +CC flood level + 600mm freeboard) as set out in the Flood Risk and should the application be approved this should be subject to condition.
- 5.35 In addition to the Flood Risk assessment the application is accompanied by a drainage strategy.
- 5.36 Details of sustainable drainage system incorporated as part of the design to ensure is proposed to with the aim of ensuring that flood risk both on the site and elsewhere as a result of the development. Permeable paving for driveways are proposed to be used where possible and areas with impermeable surfaces will be managed using SUDS to ensure that surface water run-off does not increase local flood risk and does not increase flows into the existing watercourse.
- 5.37 It is anticipated that roof drainage could be directed to individual plot soakaways, or to permeable paving subbase structures where suitable. The final details of the surface water drainage is still to be agreed with the local lead flood authority. The applicant has provided a Flood Risk Assessment and Drainage strategy. Anglian Water have stated there is capacity I the Caister system to accommodate the foul water flows subject to final details being submitted which we need to be addressed by condition on any grant of planning permission.

# 5.38 Planning Obligations and Viability

- 5.39 The County Council has stated that there is capacity with the existing schools at all levels but some more than others identifying that provision in the form of a commuted sum should be made to address the capacity issues. Here they have identified that the spare capacity at St Nicolas Primary and St Georges Primary and Nursery have a capacity for +2 and +7 spaces respectively which equates to a less than 1.5% spare capacity in the Primary Sector stating that there would be insufficient capacity for all the of the children generated by this proposal The actual detailed figures are not stated at this stage because the final make up of the development is not known at this stage. In addition the County identifies a requirement and commuted sum for library books.
- 5.40 The Health Authority has assessed that the existing healthcare services would be impacted and seek a developer contribution of £155,676 towards additional bed spaces and floorspace for primary healthcare and acute healthcare facilities.

There are questions how this contribution has been calculated. It should be noted that since 2018 the Health Authority has a policy of seeking contributions on sites of over 50 units which it has put in place since this application was submitted at the end of 2018

- 5.41 In considering this application should be mindful of Policy CS14 -Securing appropriate contributions from new developments as set out the Core Strategy 2015. This states that new development can result in extra pressure can be placed upon existing infrastructure and local facilities. This can include both physical and social infrastructure as set out in the supporting text to the policy.
- 5.42 In this application the requests and requirements are set out in the report along with the requirements of the adopted policies. These in summary in addition to the County Council and NHS amount to affordable housing and open space contribution or provision on site per unit on a pro rata basis along with the Habitat Regulation Mitigation payment.
- 5.43 The Council is mindful as set out in the Core Strategy that development proposals need to be economically viable and in cases where viability is in question the proposed scheme should e subject to viability testing.
- 5.44 In this instance, taking into account different profit scenarios, the scheme is not considered financially viable taking into account the demolition and, construction costs and the constraints of developing this this previously developed brownfield site. It is considered that the additional financial requirements would further decrease the viability of development. The Council also has control over the land.
- 5.45 It is therefore appropriate for the Committee to consider that in order to facilitate the development- if the Committee is minded to approve the application that this application is not subject to planning obligations sought with the exception of the Habitat Mitigation payment which is presently £110 per dwelling. This is because there is a presumption against any new development that will damage the ecological integrity and/ or landscape value of these designated sites either individual or in combination.
  - 6.0 **Conclusion -** In this case the site is in a sustainable location and will help to deliver the Councils development plan housing target and to implement the Council ambition of developing The Conge and the Town Centre Masterplan contributing to the economic, visual and social improvements objectives to the town centre and enhancing the local townscape.
- 7.0 Approve. Subject to the conditions outlined below and in the report and the Habitat Mitigation payment prior to occupation. The proposal is deemed in

compliance with the aims of Policies CS2, CS3, CS13 CS14 CS15 and CS17 of the Great Yarmouth Local Plan Core Strategy, and saved Policies HOU7, and HOU9 of and the Great Yarmouth Borough-wide Local Plan (2001) (LP).

7.2 Conditions: Standard outline for submission of reserved matters, control over outstanding matters; access and scale to be in accordance with approved plans, and approval for up to 89 dwellings, highway conditions, controlling conditions ref contamination, hours of working, details of surface water drainage and foul drainage systems to be submitted and agreed, finished floor levels /EA requirements and an archaeological programme of investigation, analysis and recording prior to development.

Background Papers 06/20/0190/O

Application Reference: 06/20/0190/6age 72 of 6committee Date: 9 December 2020



 $Date \ Plotted: 30 \ April \ 2020 \ 11:59:37, \ by \ user: \ James \ Watkins \ File \ Path: \ G:\ CF \ Projects \ (6000 - 6499) \ 6040 \ TCGY\_The CongeGreat \ Yarmouth \ (01\_WIP\ A\_Architect\ W2\_2DModel \ File\ V2-XX-M2-A-0103\_6040 \ Proposed \ Outline \ Plan. \ dwg$ 

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APPROVED BY



REFERENCE

06/20/0323/F

PARISH

Belton & Browston 10

PROPOSAL

Proposed five bedroomed dwelling 06/17/0622/F

Conditions(s) 2 and 3

SITE

Land at Heath Liveries Browston Lane

APPLICANT

**Browston GREAT YARMOUTH** Mr Paul Needham

DECISION

**APPROVE** 

REFERENCE

06/20/0406/F

**PARISH** 

Belton & Browston 10

**PROPOSAL** 

Two metre high fence on boundary of 7 Amhurst Gardens

and Bracon Road and removal of hedge

SITE

7 Amhurst Gardens Belton

**GREAT YARMOUTH Norfolk** 

APPLICANT

Mr J Cheeseman

DECISION

APPROVE

REFERENCE **PARISH** 

06/20/0458/D

PROPOSAL

Belton & Browston 10

To vary the development of Plot 2 from a detached chalet style dwelling to a single storey detached bungalow and

SITE

Brentwood Plot 2 St Johns Road Belton GREAT YARMOUTH

APPLICANT

Mr Leighton

**DECISION** 

APP. DETAILS

REFERENCE

06/20/0468/F Belton & Browston 10

PARISH **PROPOSAL** 

Construction of 2 bedroom bungalow.

SITE

Farewell Hales formally Fourwinds Stepshort

Belton GREAT YARMOUTH Mr L Rouse

APPLICANT

DECISION

REFUSED

REFERENCE

06/20/0486/CU

**PARISH PROPOSAL**  Belton & Browston 10 Change of use from Sui Generis land to 'Garden

Curtilage; only for 15 Amhurst Gardens Belton Great

SITE

15 Amhurst Gardens Belton

APPLICANT

GREAT YARMOUTH Norfolk Mrs L Bostan

**DECISION** 

REFUSED

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REFERENCE 06/20/0515/PAD
PARISH Belton & Browston 10

PROPOSAL Proposed agricultural store

SITE Land off New Road Belton

GREAT YARMOUTH Norfolk
APPLICANT Mr P Christophi

APPLICANT Mr P Christophi
DECISION APPROVE

DEFENDING ACRONOLOGY

REFERENCE 06/20/0460/F
PARISH Bradwell N 1

PROPOSAL Proposed first floor bedroom extension over existing

ground floor extension
SITE 7 Martin Close Bradwell

GREAT YARMOUTH Norfolk
APPLICANT Mr K Holland
DECISION APPROVE

REFERENCE 06/20/0474/F

PARISH Bradwell N 1
PROPOSAL Proposed new conservatory

SITE 61 Mill Lane Bradwell

GREAT YARMOUTH Norfolk
APPLICANT Mr R Tyrrell
DECISION APPROVE

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REFERENCE 06/20/0455/F
PARISH Bradwell S 2
PROPOSAL Front and rear extensions and boundary walling

PROPOSAL Front and rear extensions and boundary walling

SITE 8 School Corner Bradwell

GREAT YARMOUTH Norfolk
APPLICANT Mrs S Miller
DECISION APPROVE

REFERENCE 06/19/0409/F

PARISH Burgh Castle 10
PROPOSAL Proposed residential bungalow with garage

SITE Strawlands (land to west of) Mill Road
Burgh Castle GREAT YARMOUTH
APPLICANT Mr G Miller

APPLICANT Mr G Miller
DECISION REFUSED

REFERENCE 06/20/0538/CD

PARISH Burgh Castle 10
PROPOSAL Change of use from horse paddock to storage of touring

caravans, with ancillary

SITE

Mill Farm Mill Road

Burgh Castle GREAT YARMOUTH
APPLICANT Mr T Flaxman

DECISION APPROVE (CONDITIONS)

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REFERENCE 06/20/0483/F
PARISH Caister On Sea 3

PROPOSAL Removal of condition 2 of pp 06/19/0511/F to allow all

year round use of beauty salon in garage

SITE 160 Ormesby Road Caister

**GREAT YARMOUTH** 

APPLICANT Mrs K Perryman DECISION APPROVE

DECISION AFFROVE

REFERENCE 06/20/0485/CD PARISH Caister On Sea 3

PROPOSAL Discharge condition 3 of pp 06/20/0277/F (bungalow) in

respect of materials
21 Ormesby Road Caister
GREAT YARMOUTH

APPLICANT Mr J Davis
DECISION APPROVE

SITE

REFERENCE 06/20/0437/F PARISH Caister On Sea 4

PROPOSAL Proposed installation of upgraded telecommunications

equipment to mast

SITE Telecommunications Site Pump Lane

Caister GREAT YARMOUTH
Wireless Infrastructure Group

APPLICANT Wireless Infrastructur

DECISION APPROVE

REFERENCE 06/20/0481/A
PARISH Caister On Sea 4

PROPOSAL Installation of LCD media screen and two flag posts for

signage

SITE Tesco Superstore Yarmouth Rd

Caister GREAT YARMOUTH

APPLICANT Mr A Horwood DECISION ADV. CONSENT

REFERENCE 06/20/0494/PDE PARISH Caister On Sea 4

PROPOSAL Application for a larger home extension - single storey

rear extension

SITE 7 Lacon Road Caister

GREAT YARMOUTH

APPLICANT Mrs A McCullough
DECISION APPROVE

REFERENCE 06/20/0537/SU
PARISH Caister On Sea 4

PROPOSAL Provision of new stand-alone specialist resource block to provide 2no. classroom store cupboards, practical space,

SITE Caister Infant and Junior School Kingston Avenue

Caister GREAT YARMOUTH Director of Children's Services

APPLICANT Director of Childre NO OBJECTION

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REFERENCE 06/20/0469/F

PARISH Filby

Development of site to create 10 no. dwellings and widening **PROPOSAL** 

of Green Lane to improve access into site.

SITE Philmar Lodge Ormesby Lane

Filby GREAT YARMOUTH

APPLICANT Mr & Mrs Green

**DECISION** REFUSED

REFERENCE 06/20/0531/NMA Filby PARISH

**PROPOSAL** Non material amendment for planning application

06/17/0620/F - replace 1.14m Velux roof lights with 0.55m

SITE 3 York Villa Close Filby

GREAT YARMOUTH Norfolk

APPLICANT Mr J Turrell

DECISION Accept Amend Notice

REFERENCE 06/20/0457/F PARISH Fritton/St Olaves 10

**PROPOSAL** Part demolishing existing conservatory and replacing

with a new garden room.

SITE Firdale Beccles Road

Fritton GREAT YARMOUTH

APPLICANT Mr Lewis Cooper DECISION **APPROVE** 

REFERENCE 06/20/0356/F PARISH Great Yarmouth

**PROPOSAL** Proposed new chalet bungalow with car parking spaces off

SITE Land adjacent to 5 Ferry Hill

Gorleston GREAT YARMOUTH

APPLICANT Ms S Argent DECISION REFUSED

REFERENCE 06/20/0159/F

**PARISH** Great Yarmouth PROPOSAL Demo existing dwelling & associated outbuilding. Erect

new dwelling along with assoc landcaping works and pool

SITE 50 Marine Parade The Links

Gorleston Great Yarmouth

APPLICANT Mr N Buchan **DECISION APPROVE** 

REFERENCE 06/20/0503/F **PARISH** Great Yarmouth

**PROPOSAL** Demolition of existing back extension and re-build rear

extension to include outside W.C. 7 Marine Parade Gorleston

GREAT YARMOUTH Norfolk

APPLICANT Mr J Bedson

APPROVE **DECISION** 

SITE

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REFERENCE 06/20/0512/F

**PARISH** Great Yarmouth

**PROPOSAL** Retro conversion of existing shop & first floor flat into 2

residential houses with assoc alterations & rear extension

SITE 38 Bells Road Gorleston

GREAT YARMOUTH Norfolk

APPLICANT Mr G Clucas

DECISION APPROVE

REFERENCE 06/20/0462/F **PARISH** Great Yarmouth

**PROPOSAL** Retrospective application to site a catering van on car

park at Hydramec, Units G2-4 Boundary Road

SITE Hydramec Offshore Hydraulic Systems Ltd G2-4 Boundary Road

Harfreys Industrial Estate GREAT YARMOUTH

**APPLICANT** Mr D Church DECISION APPROVE

REFERENCE 06/20/0530/NMA **PARISH** Great Yarmouth

**PROPOSAL** Omit the small window to each gable end as the ensuite

bathrooms have been removed internally. The through

SITE 1-24 Horatio Court

Southtown Road Great Yarmouth

APPLICANT Mr P Munnings DECISION **Accept Amend Notice** 

REFERENCE 06/20/0470/F **PARISH** Great Yarmouth 11

PROPOSAL Proposed two storey extension to side with garage and front

porch

SITE 33 Durham Avenue Gorleston

GREAT YARMOUTH Norfolk

APPLICANT Mr D Haziri DECISION **APPROVE** 

REFERENCE 06/19/0587/CU PARISH Great Yarmouth 14

PROPOSAL Change of use from care home to residential HMO - Sui

Generis

SITE 3 Camperdown GREAT YARMOUTH

Norfolk Mr T Dersley

APPLICANT DECISION REFUSED

REFERENCE 06/19/0634/LB PARISH Great Yarmouth 14

**PROPOSAL** Change of use from care home to residential HMS - Sui

Generis

SITE 3 Camperdown GREAT YARMOUTH

Norfolk

APPLICANT Mr T Dersley

DECISION LIST.BLD.REFUSE

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REFERENCE

06/20/0467/F

PARISH

Great Yarmouth 14

**PROPOSAL** 

Proposed construction of 2no. semi detached houses

SITE

Land at Bath Hill Terrace GREAT YARMOUTH

Norfolk

APPLICANT

Mr M Cutajar

**DECISION** 

**APPROVE** 

REFERENCE

06/20/0340/F

**PARISH** 

Great Yarmouth 15

**PROPOSAL** 

Ground floor extension within courtyard to provide welfare

facilities and increase existing communal lounge

SITE 25 North Drive Marine Court

APPLICANT

**GREAT YARMOUTH** 

Mr Patel

DECISION

APPROVE

REFERENCE

06/20/0348/F

PARISH

Great Yarmouth 15 Demolition of bungalow and construction of nine two-

**PROPOSAL** 

bedroomed dwellings and garages

SITE

Tar Works Road GREAT YARMOUTH

APPLICANT

Mr A Pembroke

DECISION

**APPROVE** 

06/20/0385/F

REFERENCE PARISH

Great Yarmouth 15

**PROPOSAL** 

Change of use to B8 storage and erection of B8 storage

building and associated infrastructure North River Road Eurocentre

SITE

Runham Vauxhall GREAT YARMOUTH

**APPLICANT** Mr N Jolley

DECISION

APPROVE

REFERENCE

06/20/0438/F

PARISH

Great Yarmouth 15

PROPOSAL

Removal of condition 1 and variation of conditions 2, 3

and 6 of planning permission 06/19/0180/CU

GREAT YARMOUTH (land adjacent)

SITE

Asda Acle New Road

APPLICANT Mr J Maitland

DECISION

**APPROVE** 

REFERENCE **PARISH** 

06/20/0452/F

**PROPOSAL** 

Great Yarmouth 19

The proposal is a development of a Bungalow Single residential dwelling. The arrangement of residential

SITE

118 Lowestoft Road Gorleston

GREAT YARMOUTH Norfolk

APPLICANT

AME Projects Developments LTD

**DECISION** 

REFUSED

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REFERENCE 06/20/0454/CU PARISH Great Yarmouth

**PROPOSAL** I am applying to change the business class usage of the

property 116 Bells Marsh Road, Gorleston, NR31 6PN. We

SITE 116 Bells Marsh Road Gorleston

**GREAT YARMOUTH** 

Mr Marcos Lopes Guimaraes APPLICANT

DECISION APPROVE

SITE

REFERENCE 06/20/0489/F **PARISH** Great Yarmouth 19

**PROPOSAL** Single storey rear extension

31 Lower Cliff Road Gorleston Great Yarmouth APPLICANT Mr M Cammock

DECISION **APPROVE** 

REFERENCE 06/20/0501/CD **PARISH** Great Yarmouth

**PROPOSAL** Discharge of condition 4 of pp 06/19/0690/CU - Full

details of ventilation system & filters; re-submission of

SITE 12-13 Baker Street Gorelston GREAT YARMOUTH Norfolk

**APPLICANT** Mrs S Robinson

**DECISION** APPROVE (CONDITIONS)

REFERENCE 06/20/0447/D **PARISH** Hemsby

**PROPOSAL** Approval of reserved matters for PP 06/20/0039/O -

appearance of detached 3 bedroom chalet style bungalow

SITE 10 Beach Road (Land at) The Stables

Hemsby GREAT YARMOUTH

APPLICANT Mr J Styles **DECISION** APP. DETAILS

REFERENCE 06/20/0480/F PARISH Hemsby

**PROPOSAL** Rear extension and alterations

SITE 47 Four Acres Estate Hemsby

**GREAT YARMOUTH** 

APPLICANT Mr K Buttle **APPROVE** DECISION

REFERENCE 06/20/0495/CD **PARISH** Hemsby

**PROPOSAL** Discharge conditions 6/8/9 of pp 06/18/0370/F (bungalow) in

respect of landscaping/surface water drainage/materials

SITE The Old Vicarage The Street

Hemsby GREAT YARMOUTH

APPLICANT Mr R Thompson

DECISION APPROVE (CONDITIONS)

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REFERENCE 06/20/0511/F PARISH Hemsby

**PROPOSAL** Single storey rear extension and infilling of covered porch

SITE 32 Bridge Meadow Hemsby GREAT YARMOUTH

APPLICANT Mr A Kemp DECISION APPROVE

REFERENCE 06/20/0459/O **PARISH** Martham 13

**PROPOSAL** Erection of dwelling and associated works

SITE 10 Playing Field Lane Martham GREAT YARMOUTH Norfolk

APPLICANT Landfast Ltd DECISION APPROVE

REFERENCE 06/20/0487/F **PARISH** Martham

**PROPOSAL** Renewal of application 06/19/0394/F - to allow

access to customers into the shop and deliveries of cooked

SITE 9 The Green Martham

GREAT YARMOUTH Norfolk APPLICANT Mr L Gilgil DECISION APPROVE

REFERENCE 06/20/0301/F PARISH Mautby **PROPOSAL** Demolish 6 x free-standing metal Grain Silos, 1 storey

redundant brick barn and seperate grain drying unit, et

SITE Manor Farm Manor Farm (Track)

Mautby GREAT YARMOUTH

APPLICANT Mr E Wharton DECISION **APPROVE** 

REFERENCE 06/20/0444/CU PARISH Mautby

**PROPOSAL** Change of use from agricultural grain store to

butchery

Upper Wood Farmhouse Browns Lane SITE

Mautby GREAT YARMOUTH

APPLICANT Mr C Howes DECISION APPROVE

REFERENCE 06/20/0461/F PARISH Mautby

**PROPOSAL** Single storey front & side extension

SITE 7 Blanks Close Mautby

GREAT YARMOUTH Norfolk

APPLICANT Mrs T Thompson **DECISION APPROVE** 

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REFERENCE 06/20/0291/F

PARISH Ormesby St.Marg 16

**PROPOSAL** Proposed construction of detached bungalow and garage

SITE 27 Station Road Ormesby St Margaret

GREAT YARMOUTH (north of)

APPLICANT Mr L Marsden DECISION **APPROVE** 

REFERENCE 06/20/0466/F

**PARISH** Ormesby St.Marg 16

**PROPOSAL** Proposed single storey rear extension

SITE 13 Tillet Close Ormesby St Margaret

**GREAT YARMOUTH** 

APPLICANT Mrs C Palmer DECISION **APPROVE** 

REFERENCE 06/20/0499/F **PARISH** West Caister

**PROPOSAL** Variation of condition 3 of pp 06/17/0778/O in respect of

boundary wall to front

The Warren (formerly part of Corner Farm) West Road West End West Caister GREAT YARMOUTH SITE

**APPLICANT** Mr M Warren **DECISION** APPROVE

REFERENCE 06/20/0497/F **PARISH** Winterton

**PROPOSAL** Replacement single storey rear extension and formation

of porch, relocation of front door and associated works

SITE 19 The Holway Winterton

**GREAT YARMOUTH** 

APPLICANT Mrs M Carr **DECISION APPROVE** 

End of Report \* \* \* \*

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#### PLANNING APPLICATIONS CLEARED BETWEEN 01-NOV-20 AND 30-NOV-20 FOLLOWING DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE

REFERENCE 06/20/0143/F PARISH Fritton/St Olaves 10

**PROPOSAL** Re-develop former golf drivng range, a part of short 18-hole

golf course for 157 static hol caravan, inc landscaping

SITE Land at Caldecott Hall Beccles Road Fritton

**GREAT YARMOUTH** 

APPLICANT Mr P Spriggins c/o Lanpro services

DECISION APPROVE

REFERENCE 06/18/0582/F **PARISH** Great Yarmouth 15

**PROPOSAL** Erection of 76 No. residential units with

associated parking, site works, drainage, etc.

SITE Northgate Hospital (Site adj) GREAT YARMOUTH

Norfolk

**APPLICANT** G & C Homes Ltd DECISION **APPROVE** 

REFERENCE 06/19/0639/F **PARISH** Martham 13

**PROPOSAL** Erection of 46 residential dwellings, together with

associated highway and landscaping works

SITE Repps Road (Land South of) Martham

GREAT YARMOUTH Norfolk

**APPLICANT** Mr M Burghall DECISION **APPROVE** 

REFERENCE 06/20/0313/F **PARISH** Ormesby St.Marg 16

**PROPOSAL** Erection of 67 dwellings, vehicular access, landscaping,

open space and associated infrastructure

SITE Scratby Road Scratby

**GREAT YARMOUTH** Badger Building (E Anglia) Ltd

APPLICANT **DECISION** REFUSED

REFERENCE 06/20/0423/F **PARISH** Ormesby St.Marg 16

Erection of 71 dwellings, vehicular access, landscaping, **PROPOSAL** 

open space and associated infrastructure Yarmouth Road Ormesby St Margaret

SITE **GREAT YARMOUTH** 

APPLICANT Badger Building (E Anglia) Ltd DECISION REFUSED

\* \* \* End of Report \* \* \* \*

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