

**Reference:** 06/17/0339/O

**Parish:** Hopton

**Officer:** Mrs Gemma Manthorpe

**Expiry Date:** 23<sup>rd</sup> November 2017

**Applicant:** Norfolk County Council

**Proposal:** Proposed residential development (up to 200 dwellings) and open space/associated works including allotments.

**Site:** Lowestoft Road (Land East of) Hopton.

## **1. REPORT**

1.1 The application is an outline application for the erection of up to 200 dwellings with associated works, open space and allotments. The site comprises approximately 9.3 hectares of agricultural land with only the means of access to be considered as part of this application. To the north of the site is an existing residential development; to the east is existing residential development and part vacant land. To the south of the site, separated by existing highway is agricultural land and to the west lies the A47 (formally A12).

1.2 There is no planning history for the site.

## **2. Consultations :-**

2.1 **Parish Council-** The Parish Council do not object to the application and have requested a number of conditions. The Parish Council have at the time of writing, provided two consultation responses to the application, following a second consultation should an additional response be received prior to the Development Control Committee meeting this will be verbally reported. The response received from Hopton Parish Council is extensive and the full copy is attached to this report. A summary of requested conditions are below:

- No buildings to be higher than two storeys.
- Open plan frontages.
- A maximum of 200 dwellings.
- Adoption of roads.
- Permitted development rights removed.
- Management of market flats.
- Traffic Assessment.
- Notice boards at site entrance.
- Water bowers used during dry weather.
- Wheel cleaning on site and off road parking for workers.

- All trees that are protected by TPO to be retained and protected throughout development.
- No development to commence until all conditions have been met.

The second part of the first response from Hopton Parish Council raises matters regarding the s106 agreement, the points raised are summarised below:

- Education Provision Contribution – query as to why there is no contribution for secondary education.
- Environment/Green Infrastructure, compost bin and fitted water butt for all properties together with a grit bin and sufficient waste bins with an agreement to empty the litter bins.
- Play and Open Space Contribution – Open space should have multi-purpose games area with commuted sum for ongoing maintenance. Consultation on allotments will need to be undertaken.
- Utility Provision – Broadband from the start.
- Employment Provision – Apprentices should be secured by 106 agreement.

In addition Hopton Parish Council are in talks with the agent for the development regarding restrictive covenants to be placed on properties to prevent caravans, fences and boats in front gardens, no businesses to be run from the properties, no vehicles 3.5 tonne or over to be parked and no keeping of pigs, poultry, pigeons or other livestock except for domestic pets.

The second response received from the Parish Council on the 31<sup>st</sup> July 2017 states that there is no objection to the application.

**2.2 Neighbours** – One neighbour consultation response has been received following consultation on the application. The consultation response requested conditions which are summarised below:

- Open space is fixed in the location given on the indicative plan and not altered at reserved matters stage.
- Existing boundary hedge adjacent to no.52 Church Road is preserved and potentially enhanced by further planting.
- Potential to increase the land allocated to allotments.
- A condition limiting the number of access points from Lowestoft Road.

**2.3 Norfolk County Council as Highway Authority** – The consultation response on the application prior to the amendments did not generate any objections to the application. At the time of writing no response had been received on the amended layout which includes a potential additional access to Longfulans Lane. The conditions requested by the Highways Authority would be placed on any grant of permission and should there be a need to amend the scheme in relation to the additional access which is marked as closed pending a future

application this can be carried out through negotiation prior to the issue of a decision.

2.4 **Police Architectural Liaison Officer** – Full and complete comments submitted. ( attached to report)

2.5 **Highways England** – No objection to the application provided requested conditions placed upon any grant of planning permission. Condition as follows:

- A Travel Plan will be implemented for the site and monitored by Norfolk County Council. The Travel Plan will be approved by both Norfolk County Council and Highways England.
- The development shall not commence until a site wide travel plan has been submitted to and approved by Highways England and Norfolk County Council.
- The Travel Plan shall remain in place until it is reviewed by Norfolk County Council and Highways England and the condition can be discharged if all parties agree.

2.6 **Norfolk County Council Green Infrastructure** – General Comments

As outlined in the Norfolk County Council Planning Obligations Standards (2017), the scope of the County Council's green infrastructure responsibilities include:

- Public Rights of Way (PRoW)
- Norfolk Trails
- Ecological Networks

Green infrastructure should be included within the proposed site in line with local policy. Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. We would advise the Local Planning Authority that a maintenance/mitigation contribution or commuted sum for new and existing GI features may be required in addition to the County response, in order to comply with local policy. Thus allowing the local GI network to facilitate the development without receiving negative impact and equally, allow the development to integrate and enhance the existing network.

#### Specific Comments

The Natural Environment Team require a new PRoW connection from the development to Hopton-On-Sea FP4 alongside the securing by agreement that access will be provided by dedication onwards to the next phase of the England Coast Path across land in the applicants control. The next phase of the England Coast path is expected to come online during the 2018/19 financial year and so would be timely with this development.

Availability of sustainable informal recreation is an important consideration and developments should seek to ensure that relevant forms are made available.

By providing new PRow connections in this location, the development will integrate with the existing PRow network whilst providing prospective residents with an attractive local circular route for day-to-day recreation purposes. The PRow network in this area is relatively poor, with majority of routes being linear and following the edge of the coastline or severed by the A12 trunk road. Improved connectivity between development and the existing network would therefore enable circular network movements. Provision of this infrastructure locally can also aid in mitigating the potential recreational impacts on sites of ecological interest and reduce regular car journeys for regular activities such as running or walking a dog.

- 2.7 **Norfolk County Lead Local Flood Authority** – Following the submission of additional information, a revised flood risk assessment which addresses our objection by lowering the base of the infiltration basin to 2.0 mbgl (to reflect test pit depth), and revising calculations based on base only soakage (to address the shallow clay layer in the vicinity of the basin). The applicant has also shown that should the shallow clay layer present in the southern section of the site prevent the successful implementation of permeable paving, these properties can be drained effectively via the infiltration basin if required.

The revised flood risk assessment has also considered general principles of exceedance flow management on site and the future management and maintenance of the drainage system.

The Lead Local Flood Authority therefore removes their objection subject to conditions being attached to any consent.

- 2.8 **Anglian Water** - Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate these assets within either prospectively adoptable highway or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Foul Sewerage Network:

The development will lead to an unacceptable risk of flooding downstream. However a drainage strategy has been agreed with Anglian Water to determine the required mitigation measures. We will request a condition requiring the drainage strategy covering the issue(s) to be agreed.

Surface Water Disposal:

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets.

- 2.9 **Historic Environment Service** - An archaeological evaluation comprising a geophysical survey and trial trenching has been carried out at the proposed development site and the results submitted in support of the current planning application. The trial trenching identified localised areas of late prehistoric activity at the site in the form of pits and ditches containing pottery and worked flints. Consequently there is potential that further heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological migratory work in accordance with National Planning Policy Framework para. 141. 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 and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).

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.

In this case the programme of archaeological mitigatory work will comprise areas of targeted archaeological excavation for which a brief can be obtained from Norfolk County Council Historic Environment Service.

- 2.10 **Natural England** – No objection to the application subject to appropriate mitigation being secured as per below:

- Pro Rota contribution in accordance with the Mitigation and Monitoring Strategy.

- Open space design should include safe off lead dog walking areas walking routes sufficient length, suitable street furniture and minimise conflict with other open space uses. We advise that the development include notice boards pointing residents to suitable places to walk, whilst highlighting sensitive sites and features of interest that may be easily disturbed and appropriate codes of conduct.
- Confirmation that sewerage and drainage from the site will not impact on water quality of designated sites.

Full consultation response is available on file.

2.11 **Great Yarmouth Borough Council Tree and Landscape Officer** – There are trees on site that are worthy of retention and they are located on the boundary of the development and do not require a Tree Preservation Order.

2.12 **Norfolk County Council Education Requirements** – Education The County Council expects the following number of children to arise from any single new dwelling:

- Early Years Education (2-4) – 0.096 children;
- Primary School Age (4-11) – 0.261 children;
- High School Age (11 – 16) – 0.173 children; and
- College/Sixth Form School Age (16-18) – 0.017 children.

These figures are used as demographic multipliers to calculate the education contribution arising from a development. The County Council does not seek education contributions on 1-bed units and only seeks 50% contributions in relation to multiple bedroom flats. Therefore, two multi-bed flats would attract the same contributions as one family house equivalent.

School Capacity including numbers on roll:

Early Education sector (2-4) Capacity: 27 Numbers on roll January 2017: 20  
Spare capacity No. of places: +7

Hopton CE VA Primary (4-11) Capacity:210 Numbers on roll January 2017:  
179 Spare capacity No. of places: +31

Cliff Park Ormiston Academy (11-16) Capacity (excluding mobile):1049  
Numbers on roll January 2017:879 Spare capacity No. of places +170

When the permitted developments in Table 3 (see full consultation response) are taken into account there is still spare capacity at High school level, and Hopton CE VA Primary school will still have some spare capacity. Therefore at this period in time the proposed development at Land east of Lowestoft Road would be gifted 20 of the 31 primary spare places (4- 11 places required from the planning applications in table 3, i.e. 31 spare places minus 11 pupils from permitted sites). Norfolk County Council will seek Education contributions as set out in table 2 above (see full consultation response for tables) but no contributions will be sought for Hopton CE VA primary school on the first 80 multi-bed dwellings (i.e. 20 spare places x 4 = 80, as shown in

table 5). Although there is a small amount of spare capacity at Early Education level, from September 2017 additional places will be needed due to the introduction of 30 Hours Free Entitlement for eligible families. These places will need planning for now, so Early Education contributions are being sought in this instance, as set out in table 2 above (see full consultation response for tables).

The above contributions will be used to fund the following projects:

- Early Education - to develop childcare places within Hopton Primary School (new Nursery class)
- Hopton CE VA Primary School – contribute to internal remodelling

2.13 **Norfolk County Council Libraries** – A development of 200 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 £15,000 (i.e. £75 per dwelling). This contribution will be spent on Books and other material for mobile service CEN3411.

2.14 **Norfolk County Council Fire** - With reference to the proposed development, based on the location and distance from existing infrastructure our requirements remain the same. We will require 4 hydrants (on a minimum 90mm main) at a cost of £577.23 each.

Condition requested:

No development shall commence on site until a scheme has been submitted for the provision of the fire hydrant on the development in a location agreed with the Council in consultation with Norfolk Fire and Rescue Service

Informative: With reference to the condition, the developer will be expected to meet the costs of supplying and installing the fire hydrant.

2.15 **Great Yarmouth Borough Council Affordable Housing** – The application would be subject to a 10% affordable housing contribution on site. Should planning permission be granted.

2.16 **Great Yarmouth Borough Council Local Authority s106** - The policy requirement for public open space is 40 square metres to be provided per dwelling. As the application is an outline application, notwithstanding the indication plan, the s106 agreement shall be worded to require 40 square metres of open space per dwelling and a payment in lieu equalling £12 per square metre for should there be an agreed shortfall in meeting this provision.

Children's recreation may be agreed to be provided on site at the absolute discretion of the Local Authority. A payment in lieu of the provision is required at £920 per dwelling should none be provided on site. This payment can be adjusted should onsite provision be agreed.

The Local Authority will not take liability nor ownership of public open space or children's recreation equipment. The applicant and successors in title will be required to ensure management of public open space and children's recreation and, where applicable, drainage provision, through the creation of a management company or nominated body with the full understanding that the Local Authority will not accept liability at this time or any in the future.

## **2.17 Strategic Planning**

The application is strongly supported from a Strategic Planning perspective. Hopton is one of the six Primary Villages identified by the adopted Core Strategy to provide, between them, around 30% of the housing growth (amounting to circa 2140 dwellings) in the Borough over the period to 2030. As one of the least constrained of the Primary Villages Hopton will likely need to accommodate more than the Primary Villages' average growth of around 360 dwellings.

The Borough Council's Local Plan Working Party has agreed the application site should be a draft allocation in the forthcoming Consultation Draft Local Plan Part 2 (Site Allocations and Development Management) for housing, as should another site Longfulans Lane to the south, in order to deliver local highway improvements.

I note that the application has been revised to facilitate the Local Plan Working Party's ambitions, and in addition to housing provision has been redesigned to ultimately provide a significant upgrading of much of Longfulans Lane in concert with the development of the other potential housing site to the south. As such it would be very helpful in delivering the Local Plan Working Party's intentions.

Note that confirmation of these sites as a Draft Allocation is subject to the agreement of the Council's Policy and Resources Committee, and whether these were actually carried forward as allocations in the development plan will depend on both the results of consultation on the Draft Local Plan Part 2 and the independent Examination of that Plan. However, given the constraints, opportunities and other considerations, it does seem to me highly likely that this site would ultimately be allocated for housing development.

Ideally, decisions on significant housing sites would follow completion of the Local Plan process, in order to allow all competing considerations and interests to be properly aired and independently judged. However, housing delivery is currently very substantially below the Core Strategy target, and the Borough area faces very significant adverse effects if this is not urgently redressed. Therefore deferring a decision until the Local Plan process is completed cannot be justified in this instance.

From a strategic perspective the proposed development has significant advantages, would deliver much needed housing, and in a location consistent with the Core Strategy. It would facilitate the pattern of growth for Hopton and local highway improvements sought by the Local Plan Working Party. I am



not aware of other reasons why eventual development of this site would be inappropriate. I therefore strongly support the proposed development from a Strategic Planning perspective.

### **3. National Planning Policy Framework**

- 3.1 The presumption in favour of sustainable development is set out under paragraph 4.
- 3.2 Paragraph 49: Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 3.3 Paragraph 50 states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
  - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
  - where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.
- 3.4 Paragraph 42: The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extension to existing villages and towns that follow the principles of Garden Cities. Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development.
- 3.5 Paragraph 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:
- always seek to secure high quality design and a good standard of amenity For all existing and future occupants of land and buildings;

(extract only)

- 3.6 Paragraph 56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 3.7 Paragraph 112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.
- 3.8 Paragraph 66. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.
- 3.9 Paragraph 75. Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
- 3.10 Paragraph 206. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

#### **4. Saved Great Yarmouth Borough-Wide Local Plan Policies (2001)**

- 4.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):
- 4.2 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.
- 4.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.
- 4.4 HOU10: Permission for new dwellings in the countryside will only be given in connection with agriculture, forestry, organised recreation, or the expansion of settlements.

- 4.5 HOU16: A high standard of layout and design will be required for all housing proposals.

**5. Core Strategy:**

- 5.1 **Policy CS1:** This policy promotes sustainable communities and development which would complement the character of an area.

- 5.2 **Policy CS2:** This policy identifies the broad areas for growth by setting out the proposed settlement hierarchy for the borough. CS2 seeks to ensure that new residential development is distributed according to the following settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements:

Approximately 30% of new development will take place in the Primary Villages of Belton, Hemsby, Hopton on Sea, Ormesby St Margaret, Martham and Winterton-on-Sea

- 5.3 **Policy CS3:** To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:

a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (inter alia a-g.)

- 5.4 **Policy CS4:** The need to provide additional affordable housing is one of the greatest challenges facing the borough. To ensure that an appropriate amount and mix of affordable housing is delivered throughout the borough, the Council and its partners will seek to: (partial)

b) Ensure that affordable housing is either:

- Provided on-site using this contribution to deliver homes of a type, size and tenure agreed by the developer and the local authority based on local evidence and where appropriate, delivered in partnership with a Registered Provider; or
- Provided via an off-site financial contribution, in exceptional circumstances

c) Ensure that new affordable housing, when provided as part of a market housing site, is well integrated into the development in terms of its design and layout.

- 5.5 **Policy CS9:** This policy seeks to encourage well designed and distinctive places, particularly conserving and enhancing biodiversity, landscape quality and the impact on and opportunities for green infrastructure.

5.6 **Policy CS14:** 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: (partial)

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. Interim Housing Land Supply Policy**

6.1 The Interim Housing Land Supply Policy falls outside of the statutory procedures for Local Plan adoption it will not form part of Great Yarmouth Borough Council's Development Plan. The Interim Housing Land Supply Policy will however be used as a material consideration in the determination of planning applications and appropriate weight shall be applied.

6.2 The Interim Housing Land Supply Policy seeks to facilitate residential development outside but adjacent to development limits by setting out criterion to assess the suitability of exception sites. The criterion is based upon policies with the NPPF and the adopted Core Strategy.

6.3 It should be noted that the Interim Policy will only be used as a material consideration when the Council's Five Year Housing Land Supply utilises sites identified in the Strategic Housing Land Availability Assessment (SHLAA).

6.4 New Housing development may be deemed acceptable outside, but adjacent to existing Urban Areas of Village Development Limits providing the following criteria, where relevant to development, have been satisfactorily addressed: inter alia points a to n.

## **7. Appraisal**

7.1 The site was assessed as part of the Strategic Housing Land Availability Assessment (SHLAA) and was found to be deliverable and developable. The SHLAA appraisal follows.

- 7.2 The site is located south of the recent housing development in Hopton, between Lowestoft Road and Longfulans Lane. Large in size with a gentle slope eastwards and the site is currently used for agricultural and grazing purposes. The agricultural land is Grade 2.
- 7.3 The site is adjacent to the village development limits of Hopton and is considered to have a good access to a range of facilities such as local shops, bus services and medical facilities. In terms of highways and access, Norfolk County Council commented that the site is generally acceptable for estate scale development as the site is in an acceptable location for the provision of local services and public transport. The site would require access from Lowestoft Road and frontage should be set back from Longfulans Lane.
- 7.4 In terms of environmental suitability, Anglian Water have indicated that there are major constraints in regard to sewerage infrastructure and that flow attenuation would be required that would need a larger wet well at the pumping station. In addition there is no capacity for surface water sewers therefore alternative drainage measures such as may need to be explored where appropriate.
- 7.5 The site is potentially suitable as a greenfield extension to the south of Hopton and could yield 200 units at 30dph whilst maximising an appropriate range of dwelling types for this area.

## **8. Assessment**

- 8.1 The application site has been assessed through the SHLAA and has also been to the Local Plan Working Party in June 2017 for the Primary Villages (as identified in the Core Strategy) Housing Allocations Recommendations. The site was recommended to the Local Plan Working Party as recommended site for development within Hopton. The assessment of Hopton in relation to the two recommended sites is as follows:

Hopton overall context:

- Identified as 'Primary Village' in CS with modest range of facilities serving both resident and tourist needs. Served by regular public transport to Great Yarmouth, Gorleston and Lowestoft. Very accessible by car via A47 (formerly A12) trunk road.
- Important and strengthening local tourist industry – £8m spent on Hopton's New coastal defences, funded by Bourne Leisure. Further coastal defences to be funded by Potters Holiday Resort (hosts Bowls World Championship).
- Popular residential location. Recent housing growth i.e. 150 dwellings completed to east of A12. Post 2013 c. 50 completions and c. 200 dwellings in pipeline.
- Parish Council preparing a neighbourhood plan. (Whole parish of Hopton-on-Sea designated as a Neighbourhood Plan Area on 7 March 2017.)
- Relatively unconstrained compared to most other Primary Villages. Significant amount of land has been put forward for development, mainly Norfolk County Council owned agricultural land.

- Challenge to ensure new development successfully integrates to existing village area i.e. appropriate walking and cycling links. Appropriate design measures to reduce cellular development.

- 8.2 The Local Plan Working Party assessed the site and agreed to recommend that the current application site and the site to the south known as site 32 on the Local Plan Working Party documents be recommended for allocation. Following the recommendation of the Local Plan Working Party the agent was contacted to discuss amendments to this current application which would allow for the site to be looked at in conjunction with site 32 to enable a complimentary access between the sites and to look to the required highway improvement works which would allow site 32 to be brought forward. The application being looked at is for the development of up to 200 houses although the amended plans show the provision of additional accesses which may be utilised to bring forward other developments.
- 8.3 Following the submission of the revised details, further consultation responses have been requested and have not currently been received at the time of writing. Any responses received prior to the Development Control Committee can be verbally reported. The application has been brought to Committee in the absence of further consultation responses as the amendments which have been made have been made at the request of the Local Planning Authority. Should the amendments result in objections to the application that cannot be overcome the application will be brought before members again. This is not an envisaged outcome and therefore in the interest of keeping applications moving and not frustrating development the application in current form is the subject of the recommendation.
- 8.4 There has been one consultation response from a local resident. The response requested conditions are placed upon any grant of planning permission. One of the requested conditions was that the public open space is conditioned to be sited where it is located on the indicative plans. Although this is not applied for at this stage and cannot be conditioned the location of the public open space has come about following pre-application discussions and is the preferred option, from a planning perspective, for the open space and would therefore be the preferred option for a reserved matters application. The location of the open space as demonstrated on the indicative plan mitigates the impact of the development on the properties that adjoin the application site and integrates the site to the existing built form of Hopton. The integration into the existing village was one of the points noted by Strategic Planning while making recommendations for future site allocations and this development in the indicative form addresses this issue partially through the geographical location but also by the location of the proposed public open space.
- 8.5 A further condition requested is the retention of and the strengthening of existing hedging which would encourage wildlife. As stated within the planning statement submitted in support of the application this shall be conditioned, as details of landscaping, to be submitted and approved as part of the reserved

matters application. The concern regarding the loss of boundary hedging was also stated in relation to the access requesting that a reduction in accesses off Lowestoft Road should be considered. The access from Lowestoft Road form part of the application and are supported by Norfolk County Council Highways and as such there is not a request to reduce or alter these access points.

- 8.6 The Parish Council have provided extensive comments on the application and have stated that they are liaising directly with the agent to seek to have their requested restrictive covenants placed upon the site. Restrictive covenants do not fall within the remit of the Borough Council and are therefore between the Parish Council and the applicant. Some of the requested conditions by the Parish Council fall within the remit of the Highways Authority. While a further Traffic Assessment has been requested by the Parish without this being requirement of the Highways Authority it is not considered a necessary requirement to enable the development to progress and would therefore fail the tests laid down with the National Planning Policy Framework for conditions on a planning permission.
- 8.7 Planning conditions must be assessed against paragraph 206 of the National Planning Policy Framework which is at 3.10 of this report. The requested condition for all of the proposed dwellings to be no more than two storeys is not in line with paragraph 206 and would not be upheld at appeal as it is not necessary for the development to be approved. There is no current local or national planning policy which restricts developments to specific storeys and this is a matter for the reserved matters application which will look at the design and scale of the development. A development should be well integrated to the existing character and form of the area and this shall be taken into account and appropriate weight allotted to the design and heights of the dwellings at reserved matters stage.
- 8.8 Permitted development rights are afforded by virtue of the General Permitted Development Order 2015 (as amended). These rights grant buildings and land, such as dwellings, permitted rights to carry out works without having to apply for express planning permission. To remove permitted development rights at the outline stage would be an inappropriate use of power and would fail the test under paragraph 206 of the National Planning Policy Framework. If, at reserved matters stage, the removal of permitted development rights is deemed appropriate to dwellings this will be applied.
- 8.9 A restriction on the number of dwellings approved under an outline application is a consistently applied condition although it should be noted that should a full application be submitted or a variation of condition application be submitted this will be assessed on merit and it may be appropriate to vary a condition when assessed on planning merits. The request for an open plan development also fails the test for a condition to be applied to an outline application with all matters reserved apart from access. Although Great Yarmouth does not have a design guide large applications, at reserved matters stage, are looked at and encouraged to be well designed places to live. The Parish Council, while requesting these as planning conditions are

undertaking discussions with the agent for the development about restrictive covenants which is a proactive way of seeking their desired outcome.

- 8.10 The Parish Council have requested the adoption of roads in a phased manner. The adoption of roads as public highway is for the Highway Authority although conditions have been requested by the Highway Authority and shall be on any grant of planning permission that is made regarding the surfacing of the roads and the details required. The management of market flats has been requested. At this stage the type of dwellings is not applied for and therefore a condition relating to a specific type of dwelling is not appropriate. Management of open space and public areas is covered by the s106 agreement.
- 8.11 Wheel cleaning and a site compound for parking are standard conditions as requested by the Highways Authority and shall form part of the conditions of any grant of planning permission. Protected trees shall be protected throughout the development and this can be conditioned as is the norm for protected trees on large application sites. It is noted by the Tree and Landscape Officer that the trees that are worthy of protection and retention are not located within an area of construction and he has not requested a specific condition. This can change as the application is outline only and therefore the exact layout is not known and can be placed on this permission if granted or at reserved matters stage. A request not to start development until all conditions are met is appropriate to pre-commencement conditions which are applied where necessary.
- 8.12 The Parish requests regarding the s106 agreement are useful points of discussion. S106 agreements are based on policy and mitigation and as such are open to some negotiation. Green Infrastructure has been amended following the comments from Natural England and Norfolk County Council to include an additional public footpath which has been shown on the revised drawings. In addition payment will be requested in line with Natural England's consultation response and policy CS14 of the adopted Core Strategy.
- 8.13 The education contribution is requested by Norfolk County Council and is detailed within the full consultation response. Where there is adequate provision of spaces at different levels of education no contribution is sought. The public open space and children's play area is requested in accordance with current policy and is detailed at paragraph 2.16 of this report. The provision of apprenticeships to form part of the section 106 agreement has been utilised by other local authorities in appropriate circumstances and while it can be requested there is no local policy which would support a negotiation on this point.
- 8.14 Members will note the comments in the SHLAA assessment and the response from Anglian Water note the existence of Anglian Water assets and the risk of flooding downstream in relation to the foul sewer networks capacity. In response to this specific application Anglian Water have stated that the foul drainage from this site is in the Lowestoft Water Recycling Centre that will have available capacity for the these flows. In terms of the impact upon the fol



drainage network whilst stating that there the flows from this development will lead to unacceptable risk downstream they have stated that a drainage strategy has already been agreed and that this can be overcome by planning condition. Following the submission of additional information the LLFA are also satisfied that the development can be adequately drained in relation to surface water.

- 8.15 The proposed development lies outside of the village development limits however the Interim Housing Land Supply Policy (IHLSP) has been drafted and adopted in order that developments, specifically those for housing outside of the village development limits can be assessed with a view to meeting housing targets prior to the adoption of the site specific allocations. The IHLSP is a material consideration and as such shall be afforded appropriate weight as a means of assessing development for housing outside of village development limits. The IHLSP is only to be utilised when the Council's five year housing land supply policy includes 'deliverable' sites identified through the Strategic Housing Land Availability Assessment. The site has been assessed as part of the Strategic Housing Land Availability Assessment as site HO05 and therefore the IHLSP is applicable, the objections found during the SHLAA assessment have been overcome and therefore this report finds the site deliverable and developable.
- 8.16 The site has also been assessed through the potential site allocations by the Local Plan working party with the recommendation to allocate the site for residential development at a future date. This was undertaken in the full knowledge, and has been assessed as part of this application against the National Planning Policy Framework. While the development will result in the loss of Grade 2 agricultural land, by bringing forward a large scale development with the potential to facilitate further development the application, on balance, complies with both local and national planning policy.

## **9. Recommendation**

- 9.1 Approve the application with requested conditions by consulted parties and appropriate conditions to ensure an adequate form of development. This specifically excludes the conditions that do not meet the requirements of paragraph 206 of the National Planning Policy Framework.
- 9.2 It is recommended that permission is not issued until a s106 agreement has been agreed and signed by all relevant parties. The s106 agreement shall include those provisions requested by consulted parties barring those excluded within this report and those of the Local Planning Authority to include Natura 2000 contribution, affordable housing, public open space or payment in lieu of and children's recreation or payment in lieu of. The s106 agreement will include provision for a management agreement to exclude any liability for open space, children's play space or drainage which shall be managed by nominated body which can include management company.



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CONSTABULARY

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FAO  
Miss G Manthorpe  
Planning Services  
Development Control  
Town Hall  
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Norfolk Constabulary

Community Safety Department  
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Tel: 01493 333349  
Mobile: 07920 878216  
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[www.norfolk.police.uk](http://www.norfolk.police.uk)  
Non-Emergency Tel: 101

Ref: 06/17/0339/O

Date: 20/06/17

### Planning Application

**Proposed res. development (up to 200 dwellings) & open space associated works including allotments at Lowestoft Road (Land East of), Hopton, GREAT YARMOUTH, NR31 9DB**

Dear Miss Manthorpe,

Thank you for inviting me to comment on the above outline Planning Application. In terms of this application I have the following observations and comments:

I believe the provision of two entrance roadways off Lowestoft Road to be appropriate for the needs of this development but I am mindful that should the central roadway connect through to Coast Road (*not part of this application*), this development will suffer from additional vehicular use from estates to the east and become an obvious cut through. I would prefer that any subsequent application to develop the parcel of land to the east onto Coast Road, does not necessarily link the two developments together.

I am pleased to see *criminally* restrictive cul-de-sac's in the design rather than linked and overly permeable roadways and problematic parking courts are I am pleased to note absent.

Because of its distant position, the large Public Open Space (POS) in the north-eastern corner of the site will not be provided with adequate active surveillance from surrounding

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dwellings and the potential for criminality and anti-social behaviour is likely without nearby surveillance. Such a large space should be surrounded by the active frontages of dwellings to provide such beneficial cover. I would be keen to know whether any play facilities are considered likely for this space.

I am uncertain as to the value of the split and centrally located POS's situated adjacent to the main roadway. This split location has the potential to increase danger for younger users crossing between the parcels and consequently drivers using the roadway. I would encourage the parcels to be joined and positioned so that active frontages of dwellings provide beneficial surveillance cover and potential roadway dangers are negated.

I am pleased to note no unnecessary footpath permeability to/from the site and gardens are designed back to back without potential for criminally attractive, lengthy rear access pathways.

Allotment crime is an ongoing issue in the district mostly due to land being isolated from nearby dwellings and thereby vulnerable to attack. Locating the allotment facility along the southern elevation beside Longfulans Lane, screened off by vegetation and without nearby overlooking surveillance will likely bring crime to it. Boundary hedging or other vegetation cannot be regarded as security treatment and must be reinforced by appropriate security features/products as per Secured by Design (SBD), Homes 2016 guidance. As each plot is provided with a garden, I would ask the need for allotment space to be reconsidered.

I look forward to providing further comment and recommendations when additional detail is available.

I recommend the applicant fully embraces the principles of Crime Prevention through Environmental Design (CPTED) and the adoption of the principles contained within SBD, Homes 2016 which can be downloaded from [www.securedbydesign.com](http://www.securedbydesign.com). If the applicant wishes to discuss how Secured by Design could be delivered or requires any further assistance, please do not hesitate to contact me.

Yours sincerely

Mr Dick Wolsey  
Architectural Liaison Officer  
GT Yarmouth Police station  
[www.securedbydesign.co.uk](http://www.securedbydesign.co.uk)





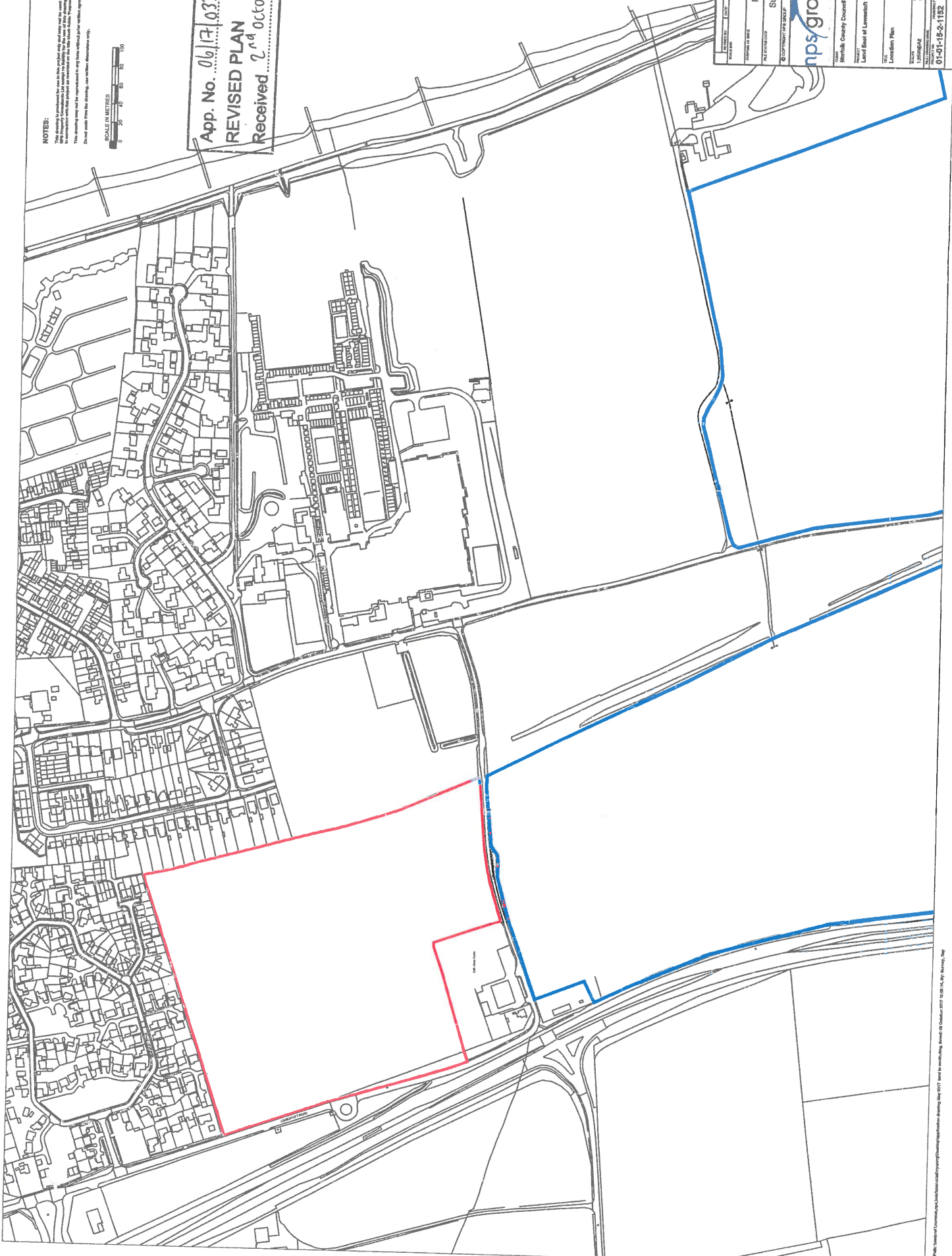


**NOTES:**

This drawing is submitted for use in the application and design to be used for planning purposes.  
 The proposed development is shown in relation to the site and its surroundings as shown on the aerial photograph.  
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App. No. 06/17/039/0  
**REVISED PLAN**  
 Received 2<sup>nd</sup> October, 2017



DATE	17/10/2017	TIME	14:00
PROJECT NO.	06/17/039/0	PROJECT NAME	Land Use of Lonsdale Road
PROJECT TYPE	Planning	PROJECT STATUS	Submission
PROJECT LOCATION	Lonsdale Road		
PROJECT DESCRIPTION	Lonsdale Road		
PROJECT DRAWING NO.	01-01-15-2-1182	PROJECT DRAWING DATE	01/10/2017
PROJECT DRAWING SCALE	1:1000	PROJECT DRAWING SHEET NO.	01
PROJECT DRAWING SHEET TOTAL	01	PROJECT DRAWING SHEET NO.	01
PROJECT DRAWING SHEET TOTAL	01	PROJECT DRAWING SHEET NO.	01