

Schedule of Planning Applications

Committee Date: 18 January 2023

Application Number:	06/21/0857/F - Click here to see application webpage
Site Location:	Land between Alpha Road & Common Road, Gorleston, Great Yarmouth
Site Location Plan:	See Appendix 1
Proposal:	Residential development of 8no. dwellings with associated open space, highway works and landscaping
Applicant:	Craig Atkinson
Case Officer:	Robert Parkinson
Parish & Ward:	Claydon Ward
Date Valid:	11 October 2021
Expiry / EOT date:	Extension of time requested (not yet confirmed at time of writing)
Committee referral:	At the request of Cllrs R. Price and C. Borg in response to the public concerns raised.

RECOMMENDATION:

APPROVE subject to first completion of a Section 106 Agreement and subject to proposed conditions.

REPORT

1. The Site

- 1.1 The site is located on the south side of Alpha Road between 33 and 38 Alpha Road, and the north side of Common Road between 4 and 4a Common Road. It is currently a vacant site, previously a former warehouse premises accessed from Common Road, and before that was a builder's yard with two-storey workshop building across the frontage of Alpha Road.
- 1.2 The site measures 0.07 hectares (700 square meters). It is located within Northern Gorleston and is in a residential area which is characterised by 2 storey semi-detached and terraced dwellings with pitched roofs along both Alpha Road and Common Road. There are also a number of flats which are located to the south of Common Road which are 3 storeys in height.
- 1.3 The proposal would 'infill' an area which was previously occupied by a 3 storey warehouse which burned down and has since been demolished. There is currently one single storey height brick wall which used to be part of the building but which now forms part of the western boundary of the site, and which is understood to be intended to be demolished as part of the proposal.
- 1.4 Except for a small landing or bathroom window on the gable end elevations of each of No.4 Common Road and 33 Alpha Road there are no first floor windows in the gable ends of the adjoining dwellings. There are two larger side windows facing towards the site from the two-storey outshot of 33 Alpha Road, but these are set back from the

boundary by approximately 2.5m and these are not primary habitable rooms, most likely bedrooms or a linking passage to a rear bedroom. All primary elevations and windows on the adjoining dwellings front to the north on Alpha Road and the south on Common Road. The proposed dwellings are oriented to match this existing layout.

2. The Proposal

- 2.1 The proposed development of 8 homes is proposed in a layout which will create two terraces each of 4no. three storey houses on each street, with private gardens to their rear. Pedestrian access is provided each side of the terraces, giving access to the gardens and for bicycle parking (10 spaces) and refuse/recycling bins. The gardens are to be enclosed by 1800mm vertical board fences. The gardens will have a small patio area with French doors to kitchen diners at ground floor.
- 2.2 The Common Road terrace is set back 6m from the back of the footpath with 4no. off street car spaces provided in front of the terrace (1 per dwelling). The Alpha Road dwellings are set on the existing Alpha Road building line with no provision for off street parking. The width of the site frontage is 18m so there is space for 3 cars to park on the street.
- 2.3 The accommodation proposed is a kitchen/diner, wc and storage at ground floor, a living room, store and bathroom on the first floor and 2 double bedrooms on the second floor. The elevations show a mid-eaves level dormer window on the front elevation to the bedroom and a roof light on the rear elevation. The floor area of the units is 92m², this exceeds the nationally described space standard of 79m² for a 2 bedroom 3 storey dwelling.
- 2.4 The proposed external materials are red facing brickwork with rubbed brick arches and a black smut pantile roof.
- 2.4 The application is accompanied by a Planning Statement, a Design and Access Statement and a Flood Risk Assessment (FRA) and evidence to address the sequential and exceptions test for housing development located in a flood risk area.

3. Site Constraints

- 3.1 The site is located in Flood Zone 3 (tidal and river flooding) where residential use on non-allocated sites is usually not supported.
- 3.2 Both Alpha Road and Common Road are at identified risk of Surface Water Flooding (both 1 in 100 year, and 1 in 1000 year, risk events).
- 3.3 Both Alpha Road and Common Road are unclassified but adopted highway.
- 3.4 Although a brownfield site and previously developed land, this is not a formally-recognised area of contamination concern.
- 3.5 The site is within the development limits of Gorleston-on-Sea.
- 3.6 The site is within the Orange 400m to 2.5km zone Indicative Habitats Impact Zone.

4. Relevant Planning History

4.1 The relevant Planning History at the property is:

06/98/0781/F – Convert builders workshop to 4 starter homes (Alpha Road) – Approved 18th February 1999.

- If there was any implementation of this permission it is no longer extant as the buildings to which it related have since been demolished.

06/08/0305/F - Demolition of existing buildings and erection of eight residential dwellings - Withdrawn.

The proposal was also subject of successful pre-application discussions with officers.

5. Consultations

Local Highway Authority (Norfolk County Council)	Response: No Objection
Raise no objection subject to the closure of the existing access on Common Road and the laying out of the proposed accesses to the dwellings as shown on the revised layout plan Drawing No. 1420/20 Rev. E, and also that parking areas shown thereon are laid out and maintained thereafter for such use.	
Officer comment / response:	These requirements are proposed to be secured by conditions.
Any relevant Condition / Informative note?	See proposed conditions.

Environmental Health Officer	Response: No Objection
During consideration of the application the applicant has undertaken an intrusive investigation which has been submitted to the EHO. The EHO raises no objection subject to the following conditions: - requiring the replacement of top soil within the site, - a standard condition which requires the LPA to be notified if any contamination not previously identified is encountered during the development along with details to be provided of mitigation, and - a standard condition limiting the hours of construction with power tools and a standard informative re maintaining air quality during construction.	
Officer comment / response:	These requirements are proposed to be secured by conditions and are appropriate given the adjacent neighbouring dwellings.
Any relevant Condition / Informative note?	See proposed conditions.

Norfolk Constabulary Designing out crime team	Response: No objection - advice provided
The Norfolk Constabulary Designing Out Crime Officer has provided lengthy detailed generic advice which has been provided to the applicant for consideration. The submitted layout was subsequently revised to include a shared access gate to the rear gardens of each terrace.	
Officer comment / response:	The designs have responded to the proposals as much as it is able to do so, with additional measures to be secured by conditions.
Any relevant Condition / Informative note?	See revised layout and proposed conditions.

GYBC Enabling and Empty Homes Officer	Response: Support application
The proposal will provide in-demand affordable homes and the proposed terms of the section 106 agreement are suitable for securing homes to meet the known demand.	
Officer comment / response:	The development is suitable for approval in the form of the ready-prepared draft section 106 agreement.
Any relevant Condition / Informative note?	The draft section 106 agreement has been agreed by all parties.

6. Publicity & Representations received

Consultations undertaken: Site notice and letters written to adjoining dwellings.

6.1. Ward Member – Cllr(s) C. Borg; R. Price; B. Williamson

Representation	Officer Comment	Relevant Condition/Informative
<p>Cllr Robert Price MBE –</p> <p>I have considered the implications and on the face of it seems a needed scheme.</p> <p>My advice taking into account the amount of objections is that this goes to Committee for approval so it gives the applicant and objectors full transparency and indeed on this</p>	<p>The need for affordable housing is a fundamental aspect of the principle of development in the face of the greatest level of flood risk – see section 10.</p> <p>Public concerns are raised at section 6.2, with responses in the following paragraph, and throughout this report.</p>	n/a

occasion protects the officers from any undue criticism.		
Cllr Carol Borg – This application should be assessed by Committee please.	n/a	n/a
Cllr Bernard Williamson – No comments received.	n/a	n/a

6.2. Public Representations

9 representations have been received objecting to the proposals.

Matters of concern raised include:

- there is sufficient affordable housing being provided elsewhere in the borough.
- the number of houses is excessive.
- not enough facilities & services in the area.
- impacts on and from car parking.
- 3 two storey houses with larger gardens and off street parking would be better than 8x 2beds.
- noise and disturbance during construction and potential damage to their property.
- the dwellings are 3 storey, tall, with small gardens.
- impact on sunlight.
- impacts on party wall.

Officer Response to these points -

There is a recorded shortage of affordable housing provision in the borough. The proposed development comprises 100% affordable housing. There is currently an acute and urgent need for affordable housing to be consented and delivered within the Great Yarmouth plan area. This need has been established in detail in the Council's Annual Monitoring Report (AMR) which identifies there is an estimated annual requirement of 400 units.

In term of density and height of the dwellings, the area is one characterised by 19th and 20th century two and three bed terraced dwellings that front Alpha Road and Common Road backing onto each other. The units on Alpha Road are proposed to be on the same line as other dwellings on the road, the units on Common Road are set back. The units have a small footprint and the back to back distances will be similar to those already existing on adjoining plots. The height is a consequence of the proposed small building footprint which provides living accommodation on the first and second floors above potential worst case flood levels. Having pitched roofs it is not considered that the dwellings would have a significantly worse impact on the sunlight and daylight enjoyed by the adjoining dwellings than when the site was occupied by a three storey warehouse.

Off street parking has been provided off Common Road, providing off street parking from Alpha Road would have reduced the back to back distances between the terraces to a lesser amount than the adjoining houses and reduced the size of the proposed private gardens. The absence of off street parking is the same parking situation along each road. The location does benefit from being alongside a frequent bus service with a stop at the end of Common Road/Alpha Rd. Space for secure bicycle parking is provided with each dwelling.

Disturbance during construction is inevitable during working hours. A standard condition is recommended to limit the working hours with powered equipment weekdays and weekends.

Any damage of adjoining property during construction would be a civil matter between the parties concerned.

7. Relevant Planning Policies

The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS2: Achieving sustainable growth
- Policy CS3: Addressing the borough's housing need
- Policy CS4: Delivering affordable housing
- Policy CS9: Encouraging well-designed, distinctive places
- Policy CS11: Enhancing the natural environment
- Policy CS13: Protecting areas at risk of flooding or coastal change
- Policy CS16: Improving accessibility and transport

The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy UCS3: Adjustment to Core Strategy Housing Target
- Policy UCS4: Amendments to CS4 - Delivering affordable housing
- Policy GSP1: Development Limits
- Policy GSP5: National site network designated habitat sites and species impact avoidance and mitigation
- Policy GSP8: Planning obligations
- Policy A1: Amenity
- Policy A2: Housing design principles
- Policy H1: Affordable housing tenure mix
- Policy H3: Housing density
- Policy H4: Open Space provision for new housing development
- Policy E1: Flood risk
- Policy E4: Landscape and trees
- Policy E6: Pollution and hazards in development
- Policy E7: Water conservation in new dwellings and holiday accommodation
- Policy I1: Vehicle parking for developments
- Policy I3: Foul Drainage

8. Other Material Planning Considerations

National Planning Policy Framework (July 2021)

- Achieving sustainable development - Para 7-14
- Decision Making - Para 38-59
- Delivering a sufficient supply of homes - Para 60-80
- Promoting healthy and safe communities – Para 92-103
- Promoting sustainable transport Para – 104-113
- Making effective use of land - Para 119-125
- Achieving well designed places – Para 126-136
- Meeting the challenge of climate change, flooding and coastal change – Para 152-173

9. Planning Analysis

- 9.1. Legislation dictates how all planning applications must be determined. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 9.2. Section 70(2) of the Town and Country Planning Act 1990 (as amended) states: *In dealing with an application for planning permission the authority shall have regard to–*
- (a) the provisions of the development plan, so far as material to the application,*
 - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,*
 - (b) any local finance considerations, so far as material to the application, and*
 - (c) any other material considerations.*

This is reiterated at paragraphs 2 and 47 of the National Planning Policy Framework.

Main Issues

The main planning issues for consideration include:

- Principle of development linked to flood risk
- Flood risk and flood safety
- Character and appearance of the area
- Residential amenity
- Access and highways
- Other matters: eg. biodiversity, contamination, public open space, habitats

Assessment:

Proposal summary: Proposed change of use of first floor for a temporary period of six years to hostel and ancillary office space

10. Principle of Development

- 10.1 This is an infill site within development limits which is considered an accessible location where windfall residential development would ordinarily be supported, especially if it returns a brownfield site into beneficial use.

- 10.2 However, the key consideration on this site is that it is located in Flood Zone 3 where residential use on non-allocated sites is usually not supported in principle. In such locations, development of housing has to pass both a Sequential Test and a separate Exceptions Test. The Sequential Test is a process required to identify if there are any sites elsewhere in the Borough which are at less risk of flooding than this site. If there are not, the application must address the Exceptions Test, whereby the development must demonstrate its safety despite the risk of flooding, and must demonstrate clear 'wider sustainability benefits to the community which outweigh the flood risk'.
- 10.3 If there are alternative sites available at lower risk of flooding, the development will be contrary to the NPPF and Local Plan Part 2 policy E1. Nevertheless, the development may still be allowed despite being contrary to the plan where there is a sustainable benefit sufficient to justify the conflict with the adopted policy.
- 10.4 Flooding is addressed under policy E1 of the Local Plan Part 2. Policy E1 of the Local Plan Part 2 sets out the requirements for where a sequential test must look for alternative sites:
- “For the purposes of the operation of the sequential test as set out in paragraph a) of Policy CS13 of the Core Strategy, where development is proposed in an area of flood risk....the following will apply for residential development:*
- (c). For sites within Great Yarmouth Town the area of search for alternative sites can be limited to Great Yarmouth Town.*
- (d). For sites outside of Great Yarmouth Town the area of search for alternative sites will need to cover the entire Borough and be considered against the overall supply of housing in the Borough.*
- (e). For sites comprising 100% affordable housing to meet local needs or exception sites under Policy CS4 the area of search for alternative sites will need to cover the area the specific need is arising from.”*
- 10.5 In this case, the development is proposing residential dwellings outside of Great Yarmouth Town. As the LPA can demonstrate a housing land supply of 7.24 years, the local plan is considered up to date and there is no overriding requirement to consider accepting residential development in otherwise-inappropriate or unsustainable locations. In this case the flood risk zone 3 constraint makes the site location undesirable for residential development and the sequential test must be undertaken to consider if alternative locations at lower flood risk can be used instead. Being outside Great Yarmouth Town the sequential test would need to consider the entire Borough where there are known to be sites available that can accommodate up to 8 dwellings; such a sequential test is unlikely to be able to be passed so the development would not be acceptable as open-market housing in this location.
- 10.6 As such the applicant is proposing the development to be for affordable housing which requires a Sequential Test assessment of potential development sites within just the Gorleston area. Should that Sequential Test be passed (ie other development sites not be available), the development of affordable housing in principle would be considered more favourably, but the provision of affordable housing in itself is not

sufficient, it must be affordable housing which is able to address the specific affordable-housing housing-need in Gorleston-on-sea. To meet the tests of the NPPF the development must be appropriately flood resilient and resistant such that it can be put back into use without significant refurbishment, so the development must also demonstrate it will be safe in the event of flooding.

Sequential Test

- 10.7 The applicant therefore has undertaken a sequential assessment of the available sites for residential development in Gorleston. There are 3 larger sites at a lower risk of flooding that would accommodate a larger number of dwellings than proposed in this application. Whilst the 8 dwellings could be accommodated on those sites, the land is not available for development as they are subject to applications in their own right and/or already have permission and are already implemented. Therefore the Sequential Test is agreed with and satisfied.
- 10.8 The NPPF is clear that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, which there are not considered to be for this scale of development.
- 10.9 Even though the sequential test is satisfied because the development cannot be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the Exception Test must still be applied.

Exceptions Test

- 10.10 The Exceptions test must be passed if development is to be allowed. The Exception Test requires a clear demonstration of the advantages of the development which present benefits that outweigh the flood risk and the conflict with the sequential-test orientated aspect of the local plan. For the development to pass the Exception Test it should be demonstrated that:
- (a) the development would provide wider sustainability benefits to the community that outweigh the flood risk;
- and,
- (b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 10.11 In respect of Test criteria (a) - the wider sustainability benefits: the applicant has put the site forward to provide all 8no. dwellings as Affordable Rent tenure affordable housing which is providing a direct benefit through boosting the overall supply of the most in-demand version of affordable housing needed in the Borough. Any development approved will be the subject of a Section 106 planning agreement to ensure the provision of affordable housing in this case. The applicant has a provisional agreement with Orwell Housing Association Ltd to take possession of the dwellings once built, and the section 106 agreement is sufficiently well advanced to provide confidence that the development will proceed as affordable housing which is available to the residents of Gorleston on Sea. Any permission granted will be subject to the s106 agreement, so will satisfy Exceptions Test criteria (a) on that basis.

- 10.12 This is considered a significant public benefit and an acceptable exception providing a sustainable benefit. Officers consider this will be a significant benefit that outweighs the flood risk by boosting affordable housing supply significantly on a site which would not otherwise be required to provide affordable housing had there not been the flood risk constraint.
- 10.13 In addition, the proposal makes beneficial use of an eyesore and possibly dangerous brownfield site in an accessible location close to shops and services.
- 10.14 In respect of Exception Test criteria (b) - the safety of the development: the proposed design includes a water entry strategy and construction would include flood resilience techniques, to help reduce flood risk overall (or at least avoid spreading the risk elsewhere). This is details further under 'flood risk and flood safety' below.
- 10.15 It is therefore considered that the application has satisfactorily addressed the sequential and exceptions requirements of the NPPF and policy E1, and can therefore be considered acceptable in principle.

11. Flood risk and flood safety

- 11.1 The submitted Flood Risk Assessment (FRA) details the flood levels and escape procedures in the event of flooding. The FRA draws the following conclusions:
- 11.2 The site is located with NPPF flood zone 3a from a tidal surge event within the River Yare. The "actual risk" to the site from overtopping is high.
- 11.3 Applying the Upper End Climate change of 0.32m results in a defended 200yrCC flood level of 3.04m AOD and 1000yrCC flood level of 3.57m AOD.
- 11.4 The proposed ground floor level will be set at 1.80m AOD and will comprise non-habitable uses with habitable areas across upper floors. The first floor level will be set at 4.50m AOD.
- 11.5 A Water Entry Strategy should be adopted across the ground floor area of the building to reduce the differential depth to safe limits during the design and extreme event and to protect property.
- 11.6 A warning and evacuation strategy has been developed with the assessment. It is proposed that the occupants should register with the Agency's Flood Warnings Direct and prepare a Family Flood Plan.
- 11.7 Safe Access/Egress cannot be achieved during the peak of the design event and extreme event, however, it is recommended that the occupants evacuate the site during the early warning stages. Safe refuge is available during the peak of the flood across the upper floors if necessary.
- 11.8 It is considered that there is a low risk of groundwater flooding at the site from underlying deposits. There is a very low surface water flooding risk.
- 11.9 Planning Conditions can therefore be used to secure these flood risk protection measures prior to occupation. It is noted that the dwellings do have kitchen diners on the ground floor. However, safe refuge is available during the peak of the flood across

the upper floors. These measures, if secured by condition, ensures the development satisfies the NPPF and policy E1.

12. Design, character and appearance of the area

- 12.1 The area is a terraced street with properties fronting the highway with no residential parking off-street and small garden residential amenity spaces to the front.
- 12.2 The proposal seeks terraced properties which are similar to those in the area. The proposal also seeks 3 stories in height of which there are others in the vicinity if not those immediately adjacent. Whilst the height of properties is dictated by the need to address flood risk concerns, it is nevertheless considered that the height to the roof eaves of 6.8m and height to the ridge of 10.25m would not be wholly out of place and is considered to be in general conformity with policy CS9 of the core strategy and policy A2 of the LPP2. The materials propose using facing brick and tile which are consistent with the local area and the proposals include two chimneys per terrace which is in keeping with the street scene, so the proposed development has been designed to ensure that the street scene and character of the area are maintained in accordance with policy CS9.

13. Residential amenity

- 13.1 In terms of amenity of existing neighbours in the immediate locality the proposal is assessed against the criteria in relation to Policy A1. It is noted that the proposed back-to-back distances are tight, but these are similar to those of the adjoining dwellings, and the approach is accepted as a minimum level of amenity provision in the interest of securing affordable housing. The adjoining properties do have small rear gardens with a short back-to-back distance; in one case 10 m and 12m and 13m in others. The back-to-back distance of the development will be 11m, so is not out-of-character to the area and is suitable in the interests of achieving optimum levels of affordable housing and a design which addresses both street scenes and minimises the need for on-street parking. During construction, suitable protections can be put in place through condition.
- 13.2 In terms of amenity of the proposed occupiers, again Policy A1 applies. The proposal includes a small amount of residential amenity space including bin storage to the rear of the dwellings. Access is provided at the end of each terrace to the gardens, but the accesses will be secured with locked gates as requested by the Designing Out Crime Officer.
- 13.3 A condition is recommended if approved, which removes permitted development rights for extensions in order to safeguard the future level of privacy and amenity, given the gardens are on the small size and, in the case of properties on Common Road, likely to be overshadowed being on the north side of the 3-storey dwellings.
- 13.4 Given the above constraints and the anticipated use of the development for affordable housing it is considered that the standard of accommodation proposed is considered acceptable on balance, and the proposal can be considered compliant with Policy A1.

14. Access and highways impacts

- 14.1 The proposal provides a limited amount of car parking spaces on site: 4 spaces, being one space per two bedroomed dwelling for 4 of the dwellings which face Common Road. This falls short of the Norfolk Parking Standards (2007) which would require two spaces per dwelling. However, there is also room for 3 cars to park on Alpha Road outside the 4 dwellings addressing Alpha Road. In addition, there is a bus stop at the end of Common Road/Alpha Road and the proposal includes 10 secure bicycle parking spaces (including some for visitors). The Highways Authority raises no objection.
- 14.2 Overall, given the sustainable and accessible location and the efforts to provide some on-street parking, the potential for highways safety impacts are considered to be low, and to not result in severe harm to highways safety or detriment to the surrounding highway network. The proposal is considered to accord with policy CS16, notwithstanding being slightly below the expectations of policy I1 which expects development to address NCC parking standards.

15. Dwelling access and adaptability

- 15.1 Policy A2 expects all new dwellings to reach M4(2) standards, where practicable, which includes adaptability, some of which is also required to achieve appropriate affordable housing standards.
- 15.2 As per the Design and Access Statement submitted with the application, the finished floor levels of the new dwellings will be set at a height to allow safe entry into the dwelling to accord with part M of the building regulations. Any ramps will have a maximum gradient of 1:12 and a level access threshold. A landing area of a minimum of 1200mm x 1200mm will be provided to comply with the Building Regulations and the relevant criteria for access for the disabled. All doors will have a minimum width of 775mm and comply with part M of the building regulations.
- 15.3 The applicant has stated an intent to include such features and has proposed to provide an indication in advance of the committee meeting. The final assessment and demonstration can be required by condition.

16. Contamination

- 16.1 The submitted contamination report and risk assessment concludes that further investigations are needed to fully establish an appropriate remediation strategy.
- 16.2 The Environmental Health Officer has stated that both: "In accordance with the contaminated land desk study recommendations, the developer should undertake an intrusive site investigation and quantitative risk assessment as described by Section 6 of the report. The findings of the intrusive investigations must be presented to the local planning authority for review.", and that topsoils need providing, certifying and applying in a certain manner.
- 16.3 These shall be secured by planning condition requiring a site investigation, risk assessment, mitigation and remediation strategy and verification report.

17. Biodiversity enhancement

- 17.1 The development avoids a harmful impact on existing ecology, but should make an enhancement towards biodiversity, so planning conditions are proposed to secure bird and bat boxes and other ecology enhancement measures.

18. Habitats Regulations Assessment (HRA)

- 18.1 The site is located within the Orange 400m to 2.5km zone Indicative Habitats Impact Zone and is for the net increase of 8 new dwellings; a template HRA has been provided and there is a requirement for HMMS payment of £185.93 per dwelling (£1,487.44 total). This can be collected as a provision of the S106 agreement. The payment is required to ensure that there will be no adverse in-combination effects on the designated sites within the Borough and to guarantee that the appropriate monitoring and mitigation strategies can be secured, to comply with policy GSP5.

19. Foul drainage and nutrient impacts

- 19.1 Policy 13 Foul drainage sets out that new development will need to demonstrate that foul water treatment and infrastructure already exists. In this case the site is located in an established urban area which drains to the public sewer outside of a nutrient pollution concern area, so the infrastructure exists and the application proposes discharge of foul water to the sewer. Surface water will be discharged to soakaways. Both are to be conditioned.

20. Public Open Space

- 20.1 In accordance with LPP2 Policy H4: Open space provision for new housing development - new residential development must make provision for publicly accessible recreational open space where there is an identified deficit in local provision (defined by ward). As the development is under 20 dwellings, such provision will only feasibly be met off-site. Based on assessment of the current surplus/deficit of each type of open space and an allowance for maintenance in the Claydon Ward, the Borough Council would expect a financial contribution of £14,172.48 (8 x £1,771.56 per dwelling).

- 20.2 As in this case any approval would be subject of a S106 agreement to ensure the provision of affordable housing the required open space payment can be made a separate part of that agreement to secure the payment before first occupation of the dwellings.

21. Water conservation

- 21.1 Policy E7 Water conservation in new dwellings states that new development will only be supported where it meets the higher water efficiency standard requirement of 110 litres per person per day. A condition requiring that the development be designed to meet this standard is proposed.

22. Electric vehicle charging

- 22.1 Policy I1 encourages the provision of electric car charging points on new developments. This is a small urban infill development, and a condition can secure

their provision. A note to the applicant encouraging provision has been included with this decision, and it is hoped to be provided where practicable by assessment through condition.

23. Affordable housing

- 23.1 The proposal provides 8no. 2-bed affordable houses. The applicant has confirmed they will enter into a section 106 agreement between themselves, Orwell Housing and the Council to ensure that the houses would be delivered as affordable rent tenure. This is necessary to ensure the needs of the flood risk sequential test will be met and provide the appropriate level of public benefit to justify development in this location.

24. The Planning Balance

- 24.1 Taking all of the material planning considerations into account the proposal is considered to comply with the objectives of policy in the adopted Great Yarmouth Core Strategy and Local Plan Part 2, as an exceptions case has been substantiated to develop the site for affordable housing in this area at most significant risk of flood. Design will mitigate flood risk, and living accommodation on the upper floors provides safe refuge in the worse case flood situation.
- 24.2 This is a tight urban site, but the size, siting and design of the dwellings and their material finish is compatible with the local character. A proportionate amount of parking can be accommodated and the location has good access to public transport.
- 24.3 A Section 106 agreement is to be made to secure the provision of affordable housing to meet a local need, also to secure the payment of funds to mitigate impact on international sites of nature conservation in the vicinity and finally to provide access to quality open space.
- 24.4 In all other regards the proposal is considered acceptable as assessed in the sections above and is considered to be compliant in relation to development plan policy and other material considerations.

25 Conclusion and Recommendation

- 25.1 Having considered the details provided, the application proposal is considered to meet the requirements for new residential development as an exception in a flood risk area and, once the section 106 agreement is completed and subject to the conditions proposed, will comply with Core Strategy Policies CS2, CS4, CS9, CS11, CS13, CS16 and policies GSP1, GSP5, GSP8, A1, A2, H3, H4, E1, E4, E6, E7 and I3 of the Local Plan Part 2. It is considered that there are no other material considerations to suggest the application should not be recommended for approval.

RECOMMENDATION:

It is recommended that application 06/21/0857/F should be APPROVED, subject to:

- (i) prior completion of a section 106 to secure: all 8no dwellings as affordable housing to be let as affordable rent tenure; £1,487.44 towards habitat site impacts

mitigation; and £14,172.48 towards off-site open space provision in the Claydon Ward; and,

(ii) the following conditions:

Proposed Conditions

1. Time limit -

The development must be begun not later than three years beginning with the date of this permission.

The reason for the condition is :-

Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approved plans –

The development shall be carried out in accordance with the following approved plans, drawings and details:

1420/01 - Site location plan

1420/10 Rev E - Common Road - Ground, first and second floor plans

1420/11 Rev C - Common Road - Proposed elevations

1420/12 Rev B - Alpha Road - Ground, first and second floor plans

1420/13 Rev B - Alpha Road - Proposed elevations

1420/20 Rev F - Site layout plan

1420/21 Rev C - Street elevations

1420/22 Rev A - Street view elevations

Contamination Desk Study & Risk Assessment ref 101278 dated December 2020

Site Investigation including Quantitative Risk Assessment, dated January 2022

Flood Risk Assessment report ref: 2649/RE/02-21/01, dated July 2021.

The external material finishes shall be red facing brickwork with rubbed brick arches and a black smut pantile roof as proposed in the submitted details.

The reason for the condition is :-

For the avoidance of doubt.

3. No Permitted Development extensions –

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any amendment revoking or re-enacting that Order) the dwellings hereby permitted shall not be further extended in any way, and nor shall outbuildings be constructed, without first obtaining the express written permission of the Local Planning Authority.

The reason for the condition is:-

To enable the Local Planning Authority to retain control over any further extensions or additions to the dwellings in the interests of protecting the residential amenity of neighbouring dwellings and future occupants.

Pre-Commencement Conditions:

4. Contamination Investigation and Mitigation Report -

Notwithstanding the Site Investigation report dated January 2022, there shall be no commencement of the development hereby permitted until the details of a Contamination Investigation and Mitigation Report have first been submitted to and approved in writing by the Local Planning Authority. The report shall contain the following:

- 1) A Site Investigation and Quantitative Risk Assessment prepared in accordance with the recommendations described at Section 6 of the report: "Contamination Desk Study & Risk Assessment" ref 101278 dated December 2020; and,
- 2) A Mitigation and Remediation Strategy, based on the findings of (1) above, sufficient to prepare the site for residential use; and,
- 3) A Remediation Strategy Verification Report, based on the proposals at (2) above, sufficient to be able to demonstrate that the remediation measures will have been completed and to demonstrate that the site is safe for residential use upon completion of the measures proposed.

The reason for the condition is :-

In the interests of residential amenity.
See also Condition 17 of this permission re topsoil.

5. Construction parking & traffic management plan -

There shall be no commencement of the development hereby permitted until the details of a Construction Environment and Traffic Management Plan including Construction Workers Parking Strategy for the development have first been submitted to and approved in writing by the Local Planning Authority.

The Plan shall detail:

- measures to be used throughout the construction stage of the development to ensure that residential amenity is protected during construction,
- shall show that parking shall be contained within the site wherever practicable, and
- shall demonstrate how delivery vehicles, supplies, plant and machinery shall be managed within the site and in the vicinity of the site during construction.

The development shall thereafter be carried out incorporating the measures presented within the approved details, which shall be provided and made operational prior to the first residential occupation of the development.

The reason for the condition is :-

In the interests of preserving local residential amenity, minimising pressures on already-limited on-street parking and maintaining highways safety.

6. Water Entry Strategy details -

There shall be no commencement of the development hereby permitted until the details of a Water Entry Strategy for the development have first been submitted to and approved in writing by the Local Planning Authority. The Strategy shall detail precautions to be used in the construction of the development in readiness for a 1 in 1000 year + 45% climate change flood event (wherein water levels would reach 3.57m AOD) and shall be provided in accordance with the DEFRA and Environment Agency guidance "Improving the Flood Performance of New Buildings" 2007. The development shall thereafter be carried out incorporating the measures presented within the approved details, which shall be provided and made operational prior to the first residential occupation of the development.

The reason for the condition is :-

To ensure that mitigation measures are undertaken as the property is located within an area at risk of flooding.

7. Accessible & adaptable homes -

There shall be no commencement of the development hereby permitted until a scheme that demonstrates how the dwellings will be built to meet requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings, where practicable, has first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in strict accordance with the details so approved.

The reason for the condition is :-

To ensure that the dwellings are designed to be adaptable and efficient for lifetime occupation and to provide appropriate long term residential amenity.

Construction requirements conditions:

8. Flood protection measures and evacuation plan -

Part (A) -

The development hereby permitted shall be carried out incorporating the measures to mitigate the risk from flooding set out in the Flood Risk Assessment REF: 2649/RE/02-21/01 dated July 2021, and shall specifically include:

- the ground floor level of the development shall be constructed at 1.80m AOD;
- the first floor of the development shall be constructed at 4.50m AOD;
- implementing and adopting the Water Entry Strategy across the ground floor area of the building; and,
- registering the premises with the Environment Agency's Flood Warnings Direct service; and,
- preparing a Family Flood Plan.

Part (B) -

There shall be no residential occupation of any dwelling hereby permitted until:-

- the Water Entry Strategy and flood risk mitigation measures for that dwelling have first been installed and made operational; and,
- the premises have first been enrolled within the Flood Warning Direct Service; and,
- a Family Flood Plan is introduced and made available to all occupants of the dwellings.

The reason for the condition is :-

To ensure that mitigation measures are undertaken as the property is located within an area at risk of flooding.

9. Hours of work -

Construction work shall not take place outside the following hours:-

07:30 to 18:30 Mondays to Fridays inclusive;

08:30 to 13:30 Saturdays;

and no work shall take place on Sundays, Bank or Public Holidays.

(These hours shall only apply to work generating noise that is audible at the boundary of the nearest noise sensitive property)

The reason for the condition is :-

In the interests of the residential amenities of the occupiers of nearby dwellings.

10. Contamination precautions -

In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until:

- 1) a report has been submitted and agreed in writing by the Local Planning Authority which includes results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified and
- 2) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the Local Planning Authority.

The reason for the condition is :-

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Pre-foundations DPC / slab level conditions:

11. Water conservation measures -

There shall be no construction of the development hereby permitted beyond foundations / DPC / slab level until a statement demonstrating how the dwellings will be designed and built to achieve a water consumption rate of no more than 110 litres/person/day has first been submitted to and approved in writing by the Local Planning Authority. All required water conservation measures within the approved details shall thereafter be installed and made available for use prior to the first occupation of the dwelling, and thereafter shall be maintained to achieve this rate to ensure the required water consumption is not exceeded for the lifetime of the development.

The reason for the condition is: -

In the interests of promoting and securing water efficiency improvements to a higher standard than Building Regulations minimum standards require, to accord with adopted Local Plan Part 2 policy E7.

12. EV Charging details -

There shall be no construction of the development hereby permitted beyond foundations / DPC / slab level until details in written and drawn form of the means by which electric vehicle charging shall be made available for the development have first been submitted to and approved in writing by the Local Planning Authority. The charging provision shall be provided and made available for use prior to the first occupation of each dwelling in accordance with the approved details and shall be retained as such thereafter.

The reason for the condition is: -

To ensure provision for the demand for electric vehicle charging within the development.

13. Ecology Enhancement Measures -

There shall be no construction of the development hereby permitted beyond foundations / DPC / slab level until details in written and drawn form of how Ecology Enhancement Measures shall be provided within the development have first been submitted to and approved in writing by the Local Planning Authority. The details shall include those proposed in the Planning Statement paragraph 9.56 (page 22) and no less than 8no. bird boxes. The development shall be carried out in accordance with the approved details, and such measures shall be installed and made available for use prior to the first residential occupation of each dwelling, and shall be retained in perpetuity thereafter.

The reason for the condition is :-

To secure biodiversity enhancements in line with the NPPF and Core Strategy policy CS11.

Pre-occupation conditions:

14. New access details -

Prior to the first occupation of the development hereby permitted the vehicular accesses crossing over the footway on Common Road shall be constructed in accordance with a detailed scheme to be first submitted to and approved in writing by the Local Planning Authority in accordance with an appropriate highways specification, and thereafter shall be retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.

The reason for the condition is:-

To ensure construction of a satisfactory accesses and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.

15. Existing access closure -

Vehicular access into and egress from the adjoining highway shall be limited to the access points shown on Drawing No. 1420/20 Revision E only. Any other access or egress shall be permanently closed, and the footway shall be reinstated in accordance with a detailed scheme to be first submitted to and approved in writing by the Local Planning Authority concurrently with the bringing into use of the new access (no later than prior to the first occupation of any dwelling).

The reason for the condition is:-

In the interests of highway safety.

16. Demarcation of access & parking & cycle parking -

There shall be no residential occupation of the development hereby permitted until the proposed accesses, on-site car and cycle parking, including visitor cycle parking, have first been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan Drawing No. 1420/20 Revision E, and shall be retained thereafter available for that specific use.

The reason for the condition is:-

To ensure the permanent availability of the parking in the interests of satisfactory development and highway safety.

17. Top soil - contamination remediation -

Part (A) -

There shall be no residential occupation of the development hereby permitted until the appropriate provision of gardens and landscaped areas has first been completed and made available for use for that dwelling in accordance with the details of an approved contamination remediation method strategy to be first submitted to and approved in writing by the Local Planning Authority in the form of a contamination remediation mitigation report. Notwithstanding the proposed mitigation scheme, in respect of the use of topsoils, the topsoil to be imported to the site for the gardens and landscaped areas should be certified contaminant free and transported under a conveyance note system. The garden areas should be reduced to 300mm below finished ground level and then be replenished with a minimum of 300mm of topsoil.

Part (B) -

There shall be no occupation of any dwelling until a Validation Report confirming that the works have been carried out for that dwelling has first been submitted to and approved in writing by the Local Planning Authority pursuant to that dwelling.

The reason for the condition is:-

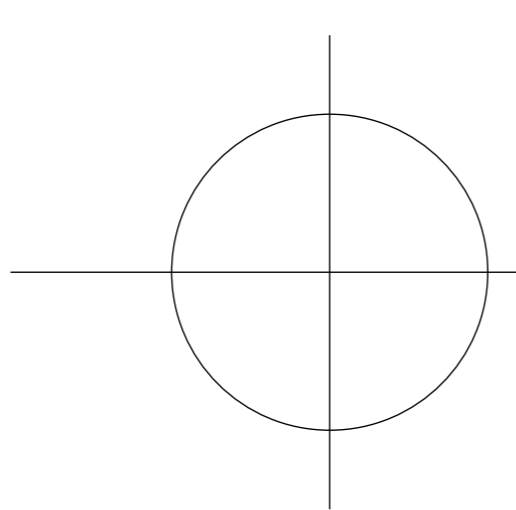
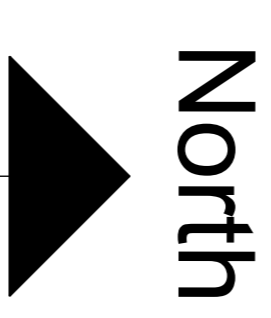
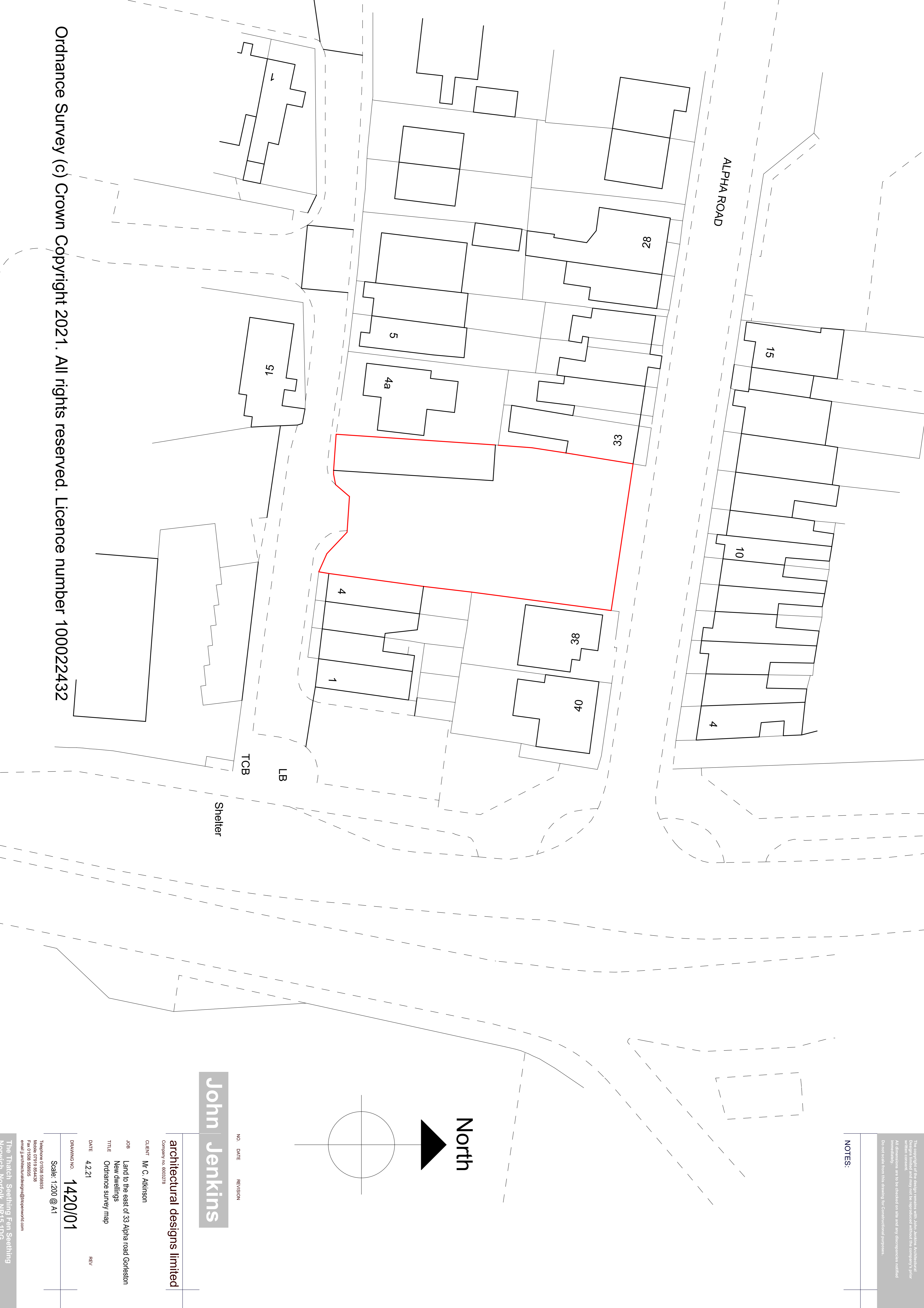
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

Appendices:

1. Site Location Plan

NOTES:

Ordnance Survey (c) Crown Copyright 2021. All rights reserved. Licence number 100022432



John Jenkins

architectural designs limited

Company no. 6002278
CLIENT Mr. C. Atkinson
JOB Land to the east of 33 Alpha road Goleston
TITLE New dwellings
Ordnance survey map
DATE 4.2.21

DRAWING NO. **1420/01**
Scale: 1:200 @ A1

Telephone 01508 568935
Mobile 07919 864438
Fax 01508 568935
email j.jenkins@architecturaldesigns.com
The Tratch Seeing Fen Seeing
Norwich Norfolk NR15 1DG