

DEVELOPMENT CONTROL COMMITTEE

ADDENDUM REPORT

22nd March 2023

UPDATES TO PLANNING APPLICATIONS

Item 4 – Application 06/22/0546/F: Land north of Scratby Road, Scratby

1) Additional information from the applicant:

The applicant has sought to address some of the matters raised in the Committee report which were identified as being a requirement to achieve officer support. If the application is considered acceptable in principle, some aspects will be finalised under delegated authority.

An **updated site layout plan** will be presented at the meeting to illustrate the following:

- Landscaping features – a complete hedge around the public open space has now been proposed through an addition on the west boundary.
- Landscaping mitigation – the hedging proposed behind the drainage channel on the east and south of the access road has been complemented with tree planting to try and mitigate the visual impact from Scratby Road. This may require more trees but indicates a willingness to provide a minimum standard.
- Public open space feature has been sketched out to propose additional informal greenspace as wildflower meadow and orchard species trees, with some seating and bins.
- Pumping station enclosure designs have been provided.
- Electric substation building elevations have been provided.
- The pumping station and electricity substation can be reappraised to see if they are able to be swapped in their position, with road layout confirmed also.
- The applicant is investigating the affordable housing need requirements in the village.

2) Corrections / clarifications to Officer Report:

Re: **Off-site footpath access to Station Road, Ormesby.**

The Highway Authority officer has identified a factual inaccuracy in the Committee Report.

In paragraph 12.24 it is stated that all of the verge may not highway as some owners claim to own up to the carriageway. Highway Authority officers point out that land ownership and highway rights are two separate matters that can overlap, even if the adjacent land owners are correct and they do own land to the edge of Station Road it may also still be in the highway boundary and highway rights may subsist across land in third party ownership. Ownership of highway by third parties would not give that landowner a right of veto or ransom, if the highway authority required the land in question.

In response **the Applicant** has stated they believed there was no land in the area in question outside Karumba House that was ever highway land.

In any case there are no proposals to provide any form of path beyond Scratby Road. Members will need to take a view on that as described in the report.

Re: Affordable Housing in the Countryside / outside development limits:

Whilst Members' decision will need to be based on the policies of the adopted development plan, the following information from the National Planning Policy Framework is a material consideration of note:

Officers have provided their own emphasis where underlined.

NPPF Paragraph 69: [re: housing within development limits]

“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

(c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and...”

NPPF Paragraph 72: [re housing outside the development limit]

“Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority’s area. These sites should be on land which is not already allocated for housing and should:

(a) comprise of entry-level homes that offer one or more types of affordable housing as defined in [Annex 2](#) of this Framework; and

(b) be adjacent to existing settlements, proportionate in size to them ³⁵, not compromise the protection given to areas or assets of particular importance in this Framework ³⁶, and comply with any local design policies and standards.”

NPPF Annex 2 confirms that affordable housing will be suitable if it includes Affordable Rent where the landlord is a Registered Provider, and includes provisions to be retained as affordable or where disposed of the income would be recycled into affordable housing stock in the vicinity; or where homes are available with 'affordable routes to home ownership' i.e intermediate tenure shared ownership dwellings.

These are the shared expectations of the applicant.

Officer advice:

The NPPF is a significant material consideration, and is consistent with some general principles of support for 'exception site' affordable housing at policy CS4 as discussed in the report:

“Support proposals for housing on small rural exception sites where there is no conflict with other Local Plan policies and the following criteria are met:

- *The majority of the homes provided are affordable*
- *The site is within, or adjacent to, the existing settlement*
- *A housing need has been identified, either in the parish or in one or more of the adjacent parishes, for the type and scale of development proposed*
- *The proposed development is considered suitable by virtue of its size and scale in relation to the Settlement Hierarchy in Policy CS2.”*

However a development must still be suitable in all other respects including with adequate and safe access to facilities, and be proportionate to the scale of the village and its relationship thereto.

Re: **Affordable housing** and Strategic Housing Officer comments –

At paragraph 5.2 underneath the comments from the Strategic Housing Officer, the officer response has been copied and pasted from the Environmental Health officer section above. With apologies for any confusion caused, the Officer response should read that the affordable housing needs to demonstrate there is an identified local need and (subject to viability) the final tenures and housing mix for affordable units will need to be agreed by officers and confirmed in the terms of the section 106 agreement. This is already set out in report section 12 and the Recommendation to Members.

As yet there is no formal feedback from the Council's appointed viability consultants but this can be ratified through delegated authority, if needs be in consultation with the Committee Chairperson.

3) Additional / Updated Consultee Comments:

Highway Authority officers have confirmed:

- The drainage scheme is acceptable as proposed, but would prefer to see a swale used rather than a filter strip along the east of the access road. This level of detail can be agreed by conditions.
- Highways should be able to adopt the drainage crate system proposed in the public open space area subject to agreeing a wayleave (and confirm through conditions and section 106).
- Highways would not support positioning the Scratby Road paths behind hedges.
- A selection of conditions are requested for use if this is resolved to be approved.

Council's Tree Officer - has provided more descriptive comments, stating:

Re: value of the TPO trees:

- The Lombardy Poplar Trees adjoining Woodlands Close remain worthy of TPO protection due to the tree group's public visibility. This is despite the group being of only satisfactory condition and a limited retention span overall, which corroborates the findings of the submitted Arboricultural Assessment.
- The trees contribute heavily to the wider area and landscape with the proposed development infringing upon them.
- There are construction techniques/methods suggested so that the trees and planned development can coexist however the characteristics of the tree species concerned will only become an 'issue' to the residents who live in the new dwellings (as detailed above).

And,

Re: impacts from the development:

- Plots 10, 11, and 12 will be in a lot of shade due to their proximity to the line of TPO'd Poplar trees (G1).
- The housing plot's foundations are out with the RPA so will not be damaged by the development and a no dig surface is proposed to be implemented in close proximity to the trees.
- However the tree's heavy impact upon the houses will lead to many TW applications and calls for the preserved trees to be removed in the future.
- Poplar trees are also very brittle and susceptible to drop branches as part of their life cycle (also the seeds are wind dispensed)– the proximity of these trees to the proposed properties will cause issue with residents again leading to requests for the trees removal.

These concerns will be raised in the Committee presentation. The applicant has suggested one of the 17 is dead and others are struggling but no updated evidence is provided.

At this moment in time there is no proposed replacement planting strategy for this part of the site. As such, any pre-emptive removal would not be followed up with appropriate screening or landscape feature in this location, within this application. Any future tree work applications would need to be considered on their own merit.

4) Additional Public Representations received:

Although no additional written comments have been received the case officer has received 4-5 telephone calls in the intervening week which express concern and raise matters missing or overlooked in the report. These include:

- Reiterated concern that without a footpath pedestrians will be unsafe.
- Affordable housing is isolated from the village without direct connection to Beach Road.
- There is no streetlighting which will make the Scratby Road verge-side paths unsafe.
- There is no justification for housing outside the village envelope.

One additional written letter of objection has been received, summarised:

- A precedent could be set by this development that impacts the whole Borough.
- The Highway Authority requirements should be clarified.
- A 6m high fence to the public open space along Scratby Road will be required.
- Highway access, path access, sewage connections have all been offered to the applicant through the land in separate ownership to the north but the offer has not been taken up.
 - o Officer note: this is a private arrangement and cannot be guaranteed to be possible: this application must be determined on its own merits.
- The adjoining land owner claims there is no obstacle on their part to completing the legal agreement for the 19 bungalows which have a resolution to approve.
 - o Officer note: there is nothing to stop that application proceeding and a landowner / developer undertaking either proposal but only one would be able to proceed as it is the same site.
- Someone will need to take responsibility for additional road traffic accidents.
 - o Officer note: Highways have confirmed there is capacity and access is sufficiently safe and there are no highway safety grounds to object to this.

Officer Response: All these points are addressed in the original Committee Report, with the exception of the suggested fence alongside Scratby Road but this would not be supported due to the visual impact it could create which the scheme and its layout and landscaping measures are trying to minimise, as described in the report.

One letter of support has been received, stating there is a need for affordable housing and 34% provision is significant.

5) Recommendation:

The recommendation remains as proposed in the written report, but with the addition of these conditions:

1. Standard time limit – commence in 3 years
2. Development to be in accordance with the approved plans and details

Pre-commencement:

3. Archaeological Written Scheme of Investigation details and undertake trial trenching
4. M4(2) building design standard details to be agreed
5. Water conservation and efficiency measures to be agreed
6. Details of surface water drainage scheme
7. Foul drainage details to be confirmed (capacity and flow rates)
8. Details of pumping station and electric substation layout and appearance
9. Existing vehicle access to be closed from Scratby Road – detail & provide
10. On-site parking for construction workers, loading and delivery areas to be agreed
11. Off-site highways scheme to be agreed
12. On-site highways details to be agreed
13. Fire hydrants scheme layout to be agreed
14. Tree protection measures to be installed prior to commencement
15. Construction management plan to be agreed and followed: inc. avoid the open space area (a) being delayed in its provision, and (b) being compromised by the

construction process/squashed and unable to drain, and include dust, noise, air quality, hours of work measures, phasing sequence

During construction

16. Contamination precautions
17. Construct in accordance with the submitted Arboricultural Method Statement

Prior to constructing beyond DPC / slab levels

18. Hard landscaping scheme details
19. Soft landscaping scheme details - Planting plan, landscaping schedules & protection
20. POS details
21. Recreational Avoidance Strategy details to promote PROW and minimise visiting designated sites
22. Biodiversity Method Statement
23. Lighting design strategy and ecology mitigation
24. Cycle parking details for each dwelling

Prior to occupation

25. Visibility splays to be in place
26. The off-site highways works to be completed
27. All highways works to be in place and complete – binder course level for first dwelling
28. All highways works to be complete – to adoptable standard before final dwelling
29. Topsoil certification and soil management plan
30. Removal of permitted development rights to the rear of plots 8-11 and / or other alterations to plot 1.

And any other conditions as may be deemed appropriate by the Head of Planning.

Item 5 – Application 06/22/0762/VCU: Car Park to East of 70-75 Marine Parade, Gorleston

1. Press Advert

The Press Advert expired on 17th March after the report was written. However, no further representations have been received since the report was written and all matters are addressed in the officer report.

2. Recommendation:

No changes are proposed. It is recommended that application should be APPROVED, subject to the conditions outlined in the Officer Report.

Item 6 – Application 06/23/0096/F: South Beach Gardens, Marine Parade, Great Yarmouth

1. Recommendation:

It is recommended that application should be APPROVED, subject to the conditions outlined in the Officer Report, subject to the amendments below

Updated Conditions

- **Delete proposed Condition 11** (which relates to the cessation of the use and reinstatement of the land to ensure that the land is left in a satisfactory condition).

The reason for deleting this previously proposed condition is because there is an element of duplication with Condition 3 and it would be clearer to combine the two conditions. This will also be covered verbally in the meeting presentation.

- **Amend proposed Condition 3** (expiry of temporary permission) from that stated in the report, to:

This permission shall expire on 01 March 2026. By this date, the use shall cease and the structure and its associated equipment and infrastructure shall be removed from the site and the site and public land shall be returned to its previous state and restored with replacement landscaping as necessary, sufficient to match the condition and landscaping of the site seen within the photographic record required by Part (a) of Condition 1 to this permission.

The reason for the condition is :-

The time limited restriction is imposed in order to retain control over the use of the site, to ensure that the detrimental impact on heritage assets is temporary and repairable, and in the interest of the amenities of the locality and that the site is left in a satisfactory condition.

The reason for amending this previously proposed condition is to ensure that there is no duplication or conflict between conditions. This will also be covered verbally in the meeting presentation.

Item 7 06-21-0657-F - Land adjacent Raynscourt Lodge 16 Euston Road Great Yarmouth

1. Additional Public Representations received:

Mr J Skinner – 24 Cobbs Place, NR30 2EE

“Please see below my concerns over the development of the Raynscourt Hotel. I am not against the plans per se but something NEEDS to be done about the parking situation.

like many of the people in my immediate local area have severe concerns over the development of the former Raynscourt Hotel on Euston Road.

In 2020, highways recommended they remove all parking, and add 35 cycle bays on safety grounds. Great, but in the real world this just won't happen.

The area is already incredibly difficult to park in, our parking permits recently went up in price and this development has the potential to introduce another 50 odd cars.

There was some talk over allowing part of Beach Coach Station to be let out to immediate residents, for a reduced fee, but this has now been scrapped and even more affordable homes built.

Something really does need to be done. I ask you to try and park anywhere near my house on Cobbs Place on a hot summer's day, when the guest houses are full (these also receive permits). More often than not I'm actually parked up on Kitchener Road! Nearly 3/4 mile from my address.

With other large developments in the pipeline (such as the former garage planned to be turned into the Andover Hotel annexe on Middle Market Road), this parking situation will become even worse.

There are also roads in the area which have no parking bays painted, instead having double yellows which should be considered for alteration as they do not pose any hazard where the Highway Code (parking X distance from a junction etc) is concerned.

One possible thing that could be done is the alteration of seasonal pay and display parking - to residents only parking on the short stretch of Marine Parade immediately next to the cinema. Allowing residents to use these bays would at least alleviate some of the problems caused by this new development.

The under-utilised and mostly derelict garages on nettle hill west could also be flattened and turned into a permit car park. When I checked with property services a few years ago almost half of these were not in a fit state to be let. You'd also struggle to fit a modern car in them anyway.

Car usage isn't simply going to go away overnight. Public transportation simply isn't good enough yet to warrant removal of cars from our streets and I feel like the current situation is being worsened. All it takes is one large development, or a few extra HMOs and the annoying problem becomes a misery.

Two food for thought ideas here, I hope to see them considered.”

Officer Response:

Norfolk County Council as the statutory consultee on highway matters has raised no objections to the proposal as set out in their reasoned comments in section 5.1 of the report on page 101. This matter is further discussed in section 16 of the report on pages 115 and 116.

This is a sustainable location, approx. 800m walk from the Town Centre, with other closer facilities, and promotes sustainable transport modes as a consideration in development proposals as advocated in Section 9 'Promoting sustainable transport' of the National Planning Policy Framework. (NPPF)

It is also worthy of note that paragraph 111 of the NPPF states:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

Recommendation:

No changes are proposed. It is recommended that application should be APPROVED, subject to the conditions outlined in the Officer Report.