

**Reference:** 06/20/0521/F

**Ward:** Gorleston

**Officer:** Mr R Tate

**Expiry Date:** 26/02/21

**Applicant:** Mr & Mrs Ainslie

**Proposal:** Demolition of existing dwelling and replacement with one new dwelling

**Site:** 45 Marine Parade, Gorleston, GREAT YARMOUTH, Norfolk, NR31 6EX

## **1. Background / History :-**

- 1.1 The site is roughly rectangular in shape and comprises of 740 square metres. It is located to the western side of Marine Parade, Gorleston. There is currently a two-storey dwelling located on the site. The application site is located within the settlement limits of Gorleston and measures 18 metres wide and, at its maximum, 44.2 metres back from the road.
- 1.2 The site lies adjacent to the No 17 Gorleston Conservation Area Extension and therefore this proposal will have an impact on the setting of the conservation area. Members therefore must have special regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act when determining this application to ensure no harm is caused to the historic environment.
- 1.3 The application site is located outside of Flood Zones 2 and 3 and is not identified as being at risk to surface water flooding.
- 1.4 There is no relevant planning history on the site.

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

- 2.1 Neighbours: - There have been 9 letters of representation received as part of the public consultation process, 8 objecting to the application and 1 in support.

The objections cover the below issues:

- Larger than the existing dwelling / scale is too large

- Loss of sea views
- Loss of sunlight (and resulting impact on solar panels)
- Overlooking (to the front and rear)
- Out of character with the area
- Use of flat roof
- No need to demolish existing dwelling
- Overshadowing
- Materials out of keeping
- Can't scale the plans on the website
- Owners will sell property on for a profit
- 3 stories tall
- Highway safety
- Noise coming from balconies
- Impact on the Conservation Area
- Doesn't follow building line

The letter in support notes that the proposal would enhance the area.

2.2 Local Highways Authority (NCC): - No objections subject to the following conditions:

SHC 21 - Prior to the first occupation/use of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.  
Reason: To ensure the permanent availability of the parking / manoeuvring areas, in the interests of satisfactory development and highway safety.

2.3 Conservation: - Thank you for forwarding – the proposed appears to be an improvement. There wouldn't be further objections on behalf of Conservation.

The only additional comment would be on the material palette and we would leave this to your judgement whether to address it or not. The palette appears to be quite diverse and now the front elevation includes buff brick, metal cladding, 'stone feature' walls as well as timber cladding and glazing. We don't have more detailed specification of these materials and it is worth mentioning it whether as part of a condition or perhaps better as a request at this stage? More specifically, this refers to the feature stonework, bricks, metal cladding.

Our main concern has been the integration of the unit within the context. As it would stand out as a contemporary building with scale, design and features differing from the neighbouring properties, it would be advised that the chosen palette of materials is moderate/ less intense. It appears acceptable on drawings as all is presented in the same colour palette; the comment above would be only to get a further confirmation.

### **3 Local Policy :-**

#### **3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):**

3.2 Paragraph 213 of the National Planning Policy Framework (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.

3.3 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.

### **4 Core Strategy – Adopted 21st December 2015**

4.1 Policy CS2: Achieving sustainable growth. This policy identifies the broad areas for growth, sets out the sustainable settlement hierarchy for the borough and two key allocations. Fritton is identified as a Secondary Village and is expected to receive modest housing growth over the plan period due to its range of village facilities and access to key services.

4.2 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 (extract only):

- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
- Ensuring the efficient use of land/sites including higher densities in appropriate locations

d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites.

- 4.3 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.
- 4.4 Policy CS10: Conserving and enhancing the significance of the borough's heritage assets and their settings, such as Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, archaeological sites, historic landscapes including historic parks and gardens, and other assets of local historic value
- 4.4 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species.
- 4.5 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: (a to f)
- e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures.

## **5 Draft Local Plan Part 2**

- 5.1 The Local Plan Part 2 has been submitted for inspection and is therefore at a very advanced stage. In accordance with paragraph 48 on submission, those policies of the plan which have no unresolved objections could be given more significant weight. The below policies of the plan have no unresolved objections to them and therefore can be given considerable weight:
- 5.2 Policy A1: Amenity

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

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

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

- a. overlooking and loss of privacy;
- b. loss of light and overshadowing and flickering shadow;
- c. building and structures which are overbearing;
- d. nuisance, disturbance and loss of tranquillity from:

- waste and clutter
- intrusive lighting
- visual movement
- noise
- poor air quality (including odours and dust); and
- vibration.

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

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

## **6 National Policy:- National Planning Policy Framework (NPPF), February 2019**

6.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

6.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

6.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe

built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 6.4 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 6.5 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.
- 6.6 Paragraph 78. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 6.7 Paragraph 84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.



- 6.8 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.9 Paragraph 124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
- 6.10 Paragraph 127. Planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 6.11 Paragraph 130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).
- 6.12 Paragraph 170 (partial). Planning policies and decisions should contribute to and enhance the natural and local environment by:

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

- 6.12 Paragraph 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

## **7 Local finance considerations:-**

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

## **8 Shadow Habitats Regulation Assessment**

- 8.1 The site sits within the Blue Over 5km Zone and therefore, as per the Threshold table, no contribution is required and there is no requirement to provide a HRA as part of this application.

## **9 Assessment**

- 9.1 The proposal seeks the replacement of the existing 2 storey detached dwelling with a modern three storey property. The proposal is larger in scale than the existing although it is proposed to be the same height as the ridge height of no.44 Marine Parade – 8.5m.
- 9.2 The site is roughly rectangular in shape being approximately 18 metres wide and extends at its maximum 44 metres back from the pavement edge. The proposed



replacement dwelling will be 15 metres wide and 29 metres in depth. The proposed dwelling is an 'L' shape with a 3-storey section fronting Marine Parade, which will be 10 metres in depth, and a single storey projection extending back along the northern boundary on the plot. This single storey section will be at a 1 metre distance from the boundary with no.44 Marine Parade; it will have a flat roof which will be 3.65 metres high.

- 9.3 The proposal is a modern, flat roofed design with an integrated double garage. Living accommodation is spread across all three floors with a study, utility room and open plan living/kitchen/dining area on the ground floor, four bedrooms on the first floor, and a bedroom and living room on the second floor with balconies looking out to the east.
- 9.4 Marine Parade is predominantly characterised of detached dwellings consisting of two/two and a half stories with pitched roofs; although it should be noted that Marine Parade does not exclusively consist of these types of dwellings and there are examples of flat roofed properties on Marine Parade. When considering the appropriateness of flat roofs in this area, careful consideration has to be given to the integration of the proposal into the area and the impact of the bulk and scale on the setting of the Conservation Area. A well-integrated proposal could contribute to the local distinctiveness of the area.
- 9.5 Negotiations have been had between the applicants and the Local Planning Authority to mitigate the impact proposal, by virtue of its scale and mass would have on the conservation area. Not all suggestions were implemented, but the revised scheme is considered to be an acceptable compromise. The proposal now being assessed has a reduced second storey and utilises interlocking planes to break up the volumes of the proposal and to reduce the impact of the bulk. The Conservation Section has noted that this design is an improvement over previous iterations although noted concerns about the broad material palette. The agent has agreed that the proposed materials can be agreed as part of any grant of permission to secure a less intense material palette.
- 9.6 Another feature of Marine Parade is the spacing between the detached dwellings. This proposal would have a 2-metre distance between the proposal and the boundary with no.46 and a 1 metre distance to no.44. It is noted that the single storey garage does extend all the way to the northern boundary. When considering the pattern of the development, the inset of the second storey and the extension to no.46 to the boundary, the proposal is not considered to be harmful to the character of the area.
- 9.7 A number of objections have been received as part of the public consultation process, detailed at paragraph 2.1. A number of these concerned the impact that the proposal would have on the level of their amenity.

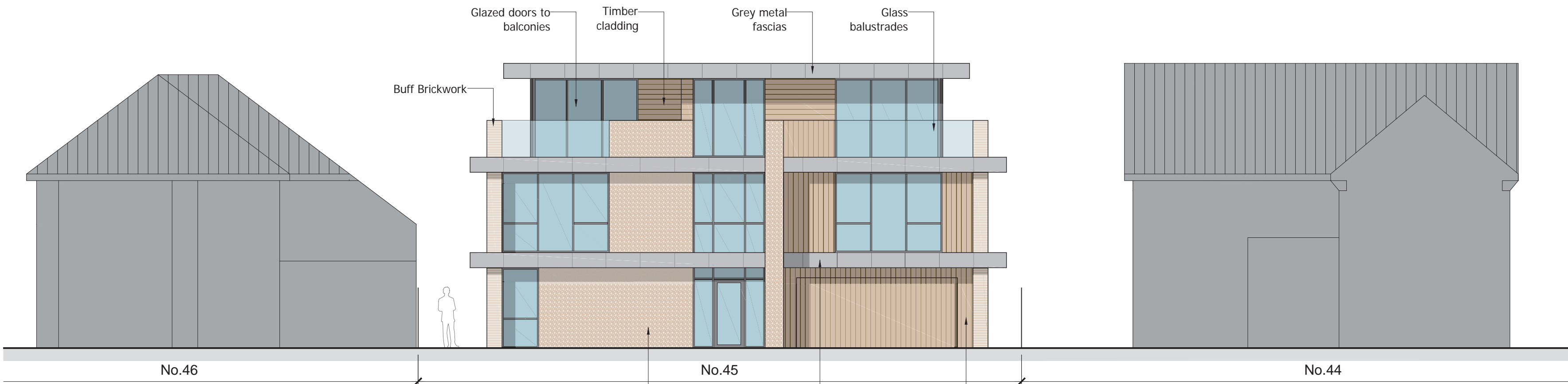
- 9.8 The proposal would have a minimal impact on the level of amenity for the occupiers of no.46. The property is located to the south of the proposal and therefore, by virtue of the path of the sun, any impact on loss of light or overshadowing will be minimal. Concerns have also been raised about overlooking into the velux window on the northern elevation which provides light to an en-suite. As part of the revised plans the balconies now have solid walls to the side which mitigates this; whilst it is noted that some level of overlooking could occur, it would have to be so deliberate it would be unlikely to happen. Moreover, whilst concerns have been raised about levels of overlooking into the rear gardens due to the additional storey, the level of additional overlooking is not considered to be significantly adverse when considering the existing level of overlooking that occurs to the rear gardens.
- 9.9 As discussed earlier, the proposal will be located 2 metres away from the boundary with no.44 Marine Parade. The neighbouring property has ground floor windows on its southern elevation and therefore would experience some levels of overshadowing. Although, by virtue of the existing garage and as these windows appear to be secondary windows there is not considered to be significant harm to the neighbouring amenity. The rear projection does extend along the majority of the boundary between the two plots and will be 3.6 metres in height. Although when considering the distance to the rear of no.44 no significant levels of overshadowing should occur.
- 9.10 Occupants of no.69 Victoria Road has objected to the loss of outlook and loss of sea views. Views are not a right, but by virtue of the inset top floor and the gap between the dwelling to the south, there should not be a significant change in the outlook out to the east.
- 9.11 The application is for a replacement dwelling and therefore there is no net change in the number of dwellings; consequently, a HRA or HMMS payment is not required as part of this application. However, biodiversity enhancement measures, such as bird boxes and bee bricks should be conditioned to ensure that the proposal complies with the aims of the NPPF and Core Policy CS11 from the adopted Core Strategy.
- 9.12 The proposal would cover a large portion of the plot and therefore it is recommended to remove permitted development rights for outbuildings and further extensions should members be minded granting approval. Furthermore, it is recommended to remove permitted development rights for future windows or openings. A number of neighbours had concerned that occupants would use the flat roof as living space, and whilst it is unlikely, by removing these PD rights it removes this possibility.

9.13 The proposal is a modern design and the revised plans provides a more successful integration into the area which could contribute to the distinctiveness of Marine Parade. No significant impacts on neighbouring amenity has been identified and therefore the proposal is considered to be acceptable. Concerns about the massing and scale of the proposal have been sufficiently overcome and the proposal would contribute to the character of Marine Parade.

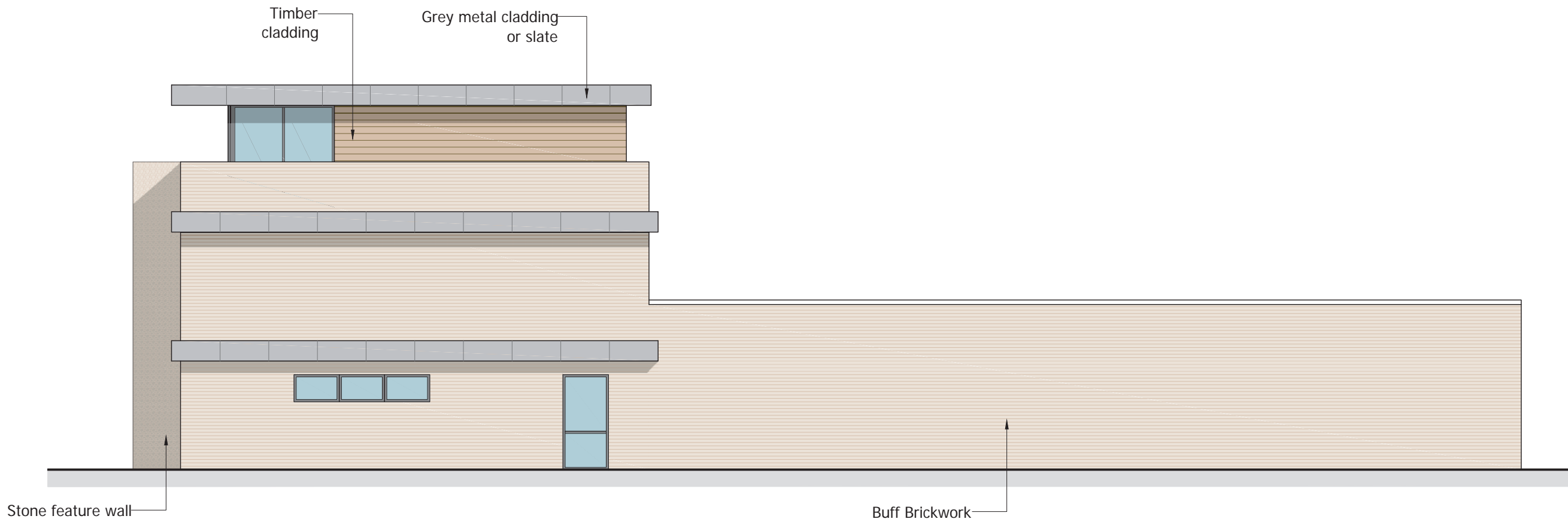
## 10 RECOMMENDATION:-

10.1 **Approve** subject to the conditions raised in the report.

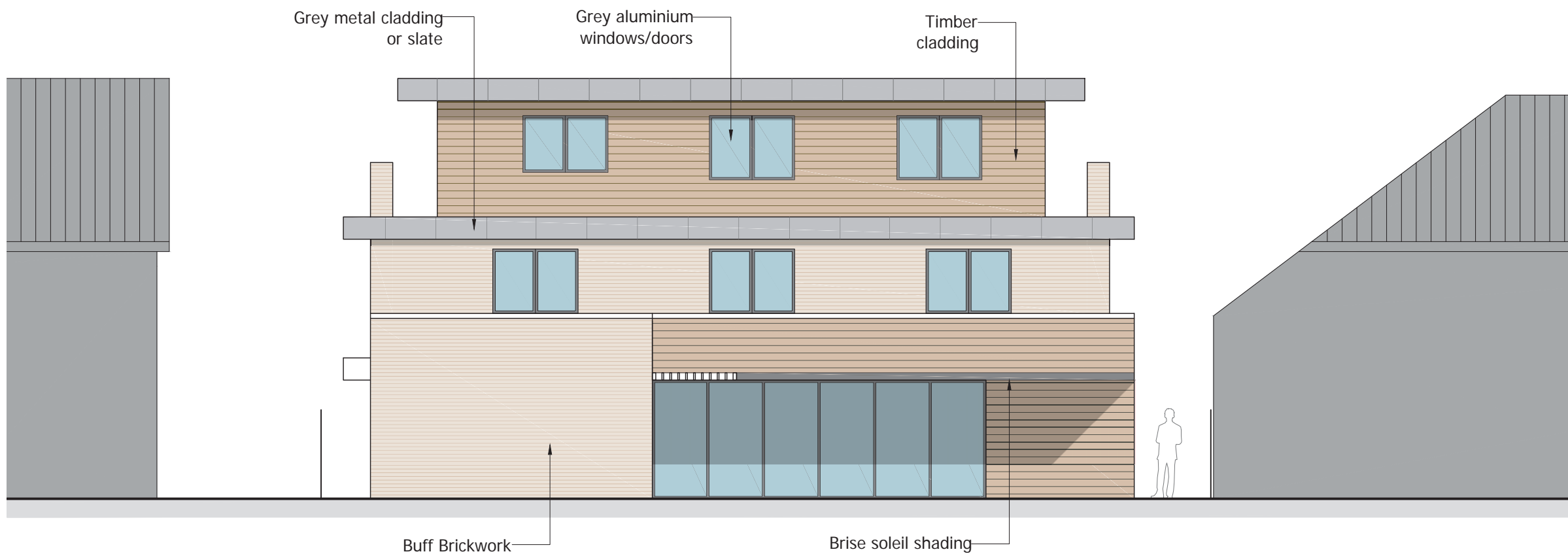
- 3-year time condition
- In accordance with plans
- All demolition materials removed prior to commencement of new dwelling
- Agreement of materials
- Access / parking levelled, surfaced and drained
- Removal of PD rights for extensions, further windows, and outbuildings
- Bird boxes / bee bricks provided



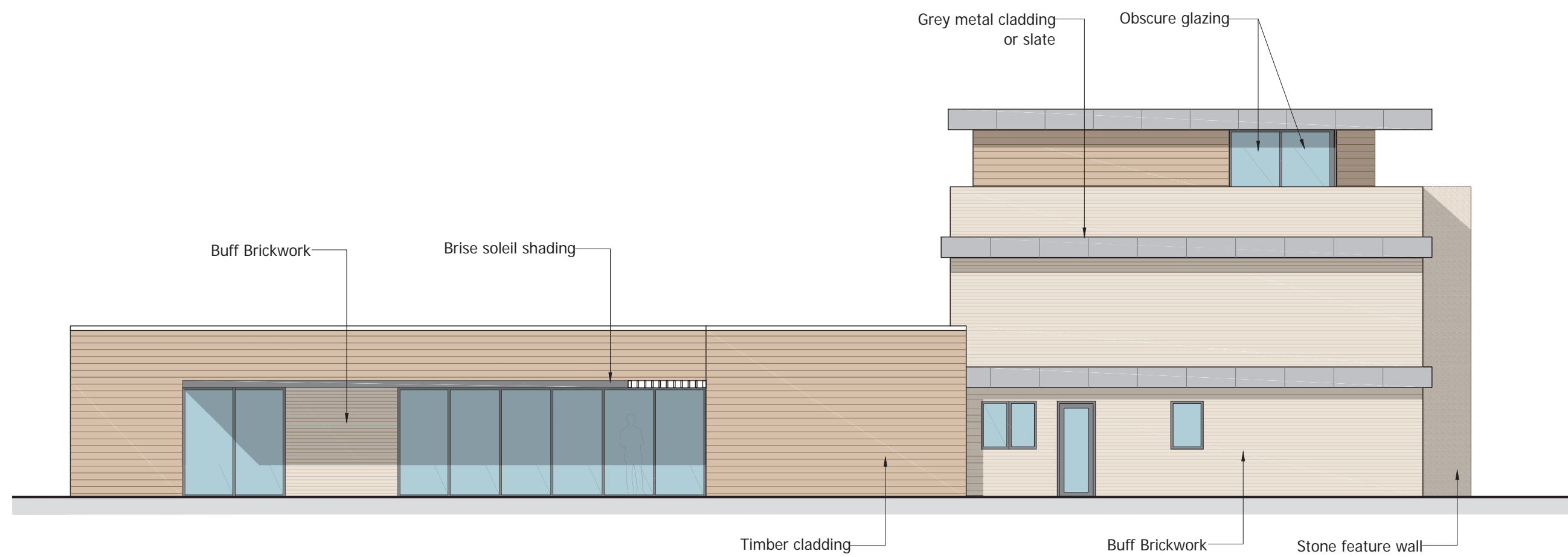
FRONT ELEVATION (EAST)  
1:100



SIDE ELEVATION (NORTH)  
1:100



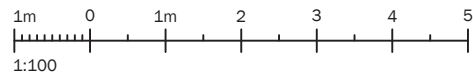
REAR ELEVATION (WEST)  
1:100



SIDE ELEVATION (SOUTH)  
1:100

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C	18.12.20	Elevations amended following planner comments	RB
B	15.12.20	Second floor reduced in width	RB
A	2.12.20	Second floor reduced in width	RB
rev:	date:	description:	by:



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PLANNING

client:  
**MR & MRS AINSLIE**

location:  
**45 MARINE PARADE  
GORLESTON, GY, NR31 6EX**

title:  
**PROPOSED ELEVATIONS**

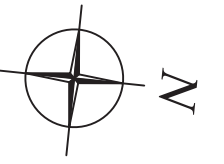
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date:  
**Sept 2020**  
project no:  
**8175**

drawn by:  
**RB**  
approved:  
**RB**  
dwg no:  
**P04**

revision:  
**C**



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date:  
Sept 2020

project no:  
8175

drawn by:  
RB

approved:  
RB

dwg no:  
P03

revision:  
C

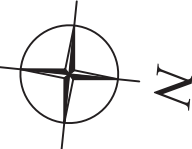
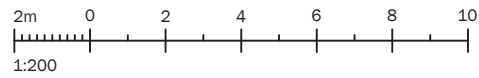
# PLANNING





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A	18.12.20	Floor plan amended following planner feedback	RB
rev:	date:	description:	by:



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location:  
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GORLESTON, GY, NR31 6EX**

title:  
**PROPOSED SITE PLAN**

scale @ A1:  
**1:200**  
date:  
**Sept 2020**  
project no:  
**8175**

drawn by:  
**RB**  
approved:  
**RB**  
dwg no:  
**P02**

revision:  
**A**

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