

Reference: 06/20/0618/F

Parish: Great Yarmouth

Officer: Gordon Sutherland

Expiry Date: 11-02-21

Applicant: Minster Property Group

Proposal: Development of 30 affordable homes

Site: Land east of Churchill Road & north of Estcourt Road, Great Yarmouth

REPORT

1. Background

- 1.1 This is a full planning application for a “major” residential development (greater than 10 dwellings).
- 1.2 The application was submitted in 2020; in dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner, to achieve a suitable and viable development of the site which has a number of constraints.

2. Site and Context

- 2.1 The application site extends to approximately 0.93 hectares (2.3 acres) in area and comprises previously developed land with a historic use as a hospital in the ownership of the NHS. Historic mapping demonstrates that a number of buildings have been removed from the site since 1900, and it now hosts a single building previously used for administrative purposes. The NHS has confirmed that the site is now underutilised and surplus to requirements, and therefore suitable for redevelopment.
- 2.2 The site is located partly within Flood Zone 2 and Flood Zone 3a (approximately 50% of the site is in each zone). Accordingly, a Flood Risk Assessment and Sequential and Exception Test Assessment have been provided in support of the proposals. Technical reports have been consulted on at length with the Environment Agency and the Lead Local Flood Authority to demonstrate that the proposals are designed to address and mitigate flood risk. Evidence has been provided to demonstrate that the National Planning Policy Framework (NPPF) sequential and exception tests are passed.
- 2.3 The site includes a protected tree in the north-east corner: an Alder TPO ref No.3 1998.

- 2.4** The application has been accompanied by the following technical assessments in respect of design, drainage, ecology and noise considerations and in relation to financial viability:
- Financial Viability Assessment,
 - Design and Access Statement,
 - Habitats Regulations Assessment,
 - Heritage Statement
 - Environmental Noise Assessment
 - Arboricultural Survey and Implications Statement
 - Phase 1 and 2 Site Contamination Investigation Report
 - Soakaway Test Report
 - Flood Risk Assessment
 - Drainage Strategy Report
 - SUDS Maintenance and Management Plan
 - Preliminary Ecological Appraisal
- 2.5** One of the key material considerations in this case is the current need for affordable housing in the Borough; because the application proposes all 30 dwellings as affordable housing, this lends significant additional weight in favour of the proposals.
- 2.6** The site is located beyond Great Yarmouth Town Centre and is to the north of a row of workshops on the south side of Escourt Road behind which lies Conservation Area No 5 St Nicholas/Northgate Street Extension. The application site comprises previously developed brownfield land. There is a single existing building on the application site which will be removed to accommodate the proposals.
- 2.7** In its immediate context the application site is bounded to the east by existing residential development, to the west by the NHS Northgate Hospital site, and to the north by a commercial site currently in use as a depot operated by GYB Services. The Great Yarmouth New Cemetery site is located to the south, behind the workshops across from the site on Estcourt Road.
- 2.8** Beyond these areas, the wider context of the site is predominantly residential, with areas of public open space and recreational facilities including Beaconsfield Recreation Ground and Beaconsfield Play Park located in close proximity to the site. The seafront is located approximately 400m to the east. Great Yarmouth Town Centre is located approximately 700m to the southwest, providing a wide range of shops and services and national bus and rail connections within a 10-minute walk of the application site.
- 2.9** The site is located in the Orange Habitat Impact Zone more than 400m but less than 2.5Km from an internationally protected wildlife site and for developments greater than 10 dwellings a bespoke Shadow Habitat Regulations Assessment (HRA) is required.

3. Proposal

3.1 The application proposes a development of 30 affordable homes served off an adoptable access road from Churchill Road, with private drives off that. The 30 dwellings comprise:

- 14 two bed 4 person houses,
- 2 three bed 6 person houses,
- 2 four bed 7 person houses,
- 8 three bed 5 person houses, and
- 4 one bed 2 person flats.

An acoustic barrier is proposed along the northern boundary and part of the eastern boundary adjoining neighbouring commercial uses (Great Yarmouth Borough Services depot) at Churchill Road. Each plot including the flats is provided with private external amenity space, and new tree planting and soft landscaping is proposed throughout. The layout includes open space and a surface water drainage attenuation basin. Private parking provision for each dwelling and visitor parking spaces are provided throughout.

3.2 A range of five house types and two material combinations are proposed. The proposed house types provide floor areas which meet the national guidance of minimum standards for house design.

3.3 The proposed development comprises 100% affordable housing. The housing mix, type and tenure of the proposed development has been developed in accordance with local requirements.

4. Relevant Planning History

4.1 The site itself has a long history of alterations and ancillary development related to its former use by the NHS. The land to the east adjoining site was also formerly part of the hospital, it has been successfully developed as sheltered housing. Ref 06/10/0351/F - Construction of 20 flats for sheltered housing and 5 general needs housing (all affordable) and associated access road and external works. Approved 13th October, 2010.

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

5.1 At the time of writing no representations have been received from members of the public.

Consultations – External

5.2 Norfolk Fire and Rescue Service. No objection provided the proposal is constructed in accordance with the Building Regulations.

- 5.3 Local Highways Authority** – The point of access was determined in consultation with the Highway Authority (HA). The HA raise no objection subject to conditions specifying the dimensions required for various aspects of the internal road layout.
- 5.4 Historic Environment Service - Archaeology** – The NCC Historic Environment Service (HES) considers that the proposal will not have a significant impact on the historic environment. In response to concerns relayed by the Council's Conservation Officer from the Great Yarmouth Local History and Archaeology Society, regarding the demolition of the former hospital building, HES has provided a condition that requires the recording of the building prior to demolition and the provision of those records to the County for archival.
- 5.5 Lead Local Flood Authority (LLFA)** – The applicant has worked with the LLFA on the design of the proposed surface water drainage system in line with SuDS features and the LLFA raises no objection subject to the development being carried out in accordance with the drainage scheme shown in version 9 of the flood risk assessment.
- 5.6 Ecology** – The Natural Environment Team (NETI) at Norfolk County Council have reviewed the Preliminary Ecological Appraisal and the Bespoke Habitats Regulations Assessment submitted with the application. The National Planning Policy Framework (NPPF) and Policy CS11 of the Councils adopted Core Strategy states that developments should avoid harmful impacts on biodiversity, priority habitats and species, and take measures to create biodiversity features. The HRA concludes that there would be associated recreation pressure on proximate sites important for nature conservation and that mitigation in the form of an impact payment would be an appropriate way to address that impact.
- 5.7** The application site is a brownfield site which has been vacant for several years. Surveys have identified that site has occasionally been used as a secondary habitat for a protected species; and based on this a licence has been granted for measures to be put in place to prevent occupation by protected species during construction. Conditions are also recommended to enhance the site for biodiversity (bird boxes) in accordance with Core Strategy policy 11.
- 5.8 Infrastructure Requirements [Updated 19th November, 2021]** - In accordance with the County Councils planning obligation standards for provision of infrastructure, NCC request contributions to library service and schools, this is discussed further under the section of the report regarding planning obligations and viability. NCC advise based on planning permission at Northgate Hospital (76 dwellings ref 06/18/0582/F) there is spare capacity in the Early Education sector and Secondary School sector, however, it is advised there are insufficient spaces at Northgate Primary School for this development and NCC therefore seeks a contribution for a projected 7 spaces

(age 4-11) of 7 x £14,022 = £98,154. For increased pressure on the library service NCC seeks £75 per dwelling (75 x 30) = £2,250.

- 5.9** The NCC infrastructure team's consultation responses are valid for only 6 months due to the changing nature of school rolls and other commitments through funding from other permissions. So long the application is determined within 6 months of that advice, the recommendations and implications for viability will be as presented within this report. As stated above the response was refreshed on 19th November.
- 5.10 Natural England (NE)**– No objection - NE considers that the proposed development will not have any significant adverse impacts on statutorily protected nature conservation sites or landscapes (assuming the relevant per-dwelling HMMS payment is made).
- 5.11 Environment Agency** - The site is located partly within Zone 3a as such having a high probability of flooding. The agency requires that the finished floor level of the development shall be 300mm higher than the projected 1 in 200-year flood event allowing for climate change, as such the finished floor levels at ground floor will need to be 3.24m above datum (AOD). The existing levels of the site range between 2.65m AOD at the southern end and 2.73 at the northern end. Revised plans have been received which comply with these dimensions.
- 5.12** The Agency advises consideration of the sequential and exceptions test is a matter for the local planning authority. This is discussed later in the report.
- 5.13** The Agency has reviewed the submitted phase 1 and 2 site investigation report regarding potential for contamination of groundwater from the redevelopment of this brownfield site and recommend conditions to further investigate and mitigate any contamination that may be present on the site, and for conditions to prevent use of piled or penetrative foundations, without prior agreement (which overlap with conditions recommended by the Environmental Health Officer).
- 5.14 Water Management Alliance** - advise that the site is downstream of the watershed and make no comment.
- 5.15 Statutory Undertakers – Anglian Water** confirm with regard to wastewater treatment and foul drainage that the Caister Pump Lane water recycling centre will have capacity for the flows, and defers to the Lead Local Flood Authority in consideration of the design of a suitable system to address surface water associated with the proposal. **Cadent Gas** confirms that there are gas services in the vicinity.
- 5.16 Norfolk Constabulary – Designing out Crime** – Provides various advice that has been shared with the applicant regarding secure design and the provision of lockable access gates.

Consultation - Internal GYBC

- 5.17 Environmental Services – Resilience Officer** raises no objection based on the submitted Flood Risk Assessment.
- 5.18 Trees** – There are a number of trees on the site and where possible these are retained within the proposed layout such as at the northern boundary of the site. The tree officer has reviewed arboricultural assessment, is familiar with the site and has no objection to the proposed development. It is noted that tree loss is disappointing however the trees on site are not of good condition and have limited retention span – including the protected Alder (TPO ref No.3 1998). The tree officer advises that replacement planting would be the best course of action.
- 5.19 Affordable Housing** – The Housing Service notes that the development is for 100% affordable housing and advises that the mix has been discussed and accepted, the requirement for 8 shared ownership properties provided a tenure mix on the site while meeting the borough's highest need of affordable rent. The inclusion of 4 bed properties is very welcome given the increasing need for 4 bed properties in the borough. Discussions have taken place with the applicant to achieve the size as per the national design space standard for each unit.
- 5.20 Conservation** - The Conservation Officer notes the site is located outside the borders of a Conservation Area; however, it has local historic value and accommodates the following non-designated heritage assets: - Cobble and brick boundary wall towards Estcourt Road and Churchill Road. - Former Ward Block originally dating from 1894.
- 5.21** Whilst the Conservation section do not raise objections against the proposed housing development, it has expressed concern regarding a potential loss of a non-designated heritage asset which has a local historic significance. It notes a blue plaque was erected on its boundary wall by the Great Yarmouth's Local History and Archaeological Society to commemorate the site of the former Isolation Hospital.
- 5.22 Environmental Health** - The Environmental Health Officer (EHO) has steered the applicant to ensure the proposal will comply with acoustic standards for amenity and wellbeing, to mitigate noise (from the GYBS depot, and the garage on Estcourt Road). The EHO recommends the mitigation measures set out in the acoustic report supporting the application as detailed below:
- The provision of a 4 metre high acoustic barrier constructed along the northern boundary and partly along the eastern boundary of the site to reduce noise emissions from GYB Services. The minimum specification of the barrier is given in Appendix 4 of the submitted Acoustic Report.
 - The existing 1.8 metre high perimeter wall along Churchill Road and Estcourt Road shall be retained.
 - The gardens should be surrounded by standard 1.8m close-boarded fences.
 - Installed windows shall achieve a minimum sound reduction index of 30 dB Rw.

- 5.23 A condition requiring that the development is carried out in accordance with the acoustic report is recommended. Conditions are also requested to require further investigation and mitigation of any contamination identified within this brownfield site, with standard informatives regarding the protection of air quality during construction and hours of working.
- 5.24 **Property Services** - Have been requested to review the assumptions of the financial viability assessment submitted with this application. A verbal update will be provided at the committee meeting.

6. Assessment of Planning Considerations: Policy Considerations:

Relevant policy

- 6.1 Planning law at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reiterated at paragraphs 2 and 47 of the National Planning Policy Framework (NPPF).
- 6.2 At the time of this DC Committee meeting the local development plan comprises the adopted Local Plan (2001) policies and the Core Strategy (2015). The emerging Local Plan Part 2 (LPP2) has received support from the Planning Inspectorate and is due to be considered for adoption on 09th December 2021, and those policies will replace the Local Plan 2001 and modify some policies of the Core Strategy. The NPPF states at paragraph 48 that weight should be applied to emerging policies commensurate with the progress made towards adoption. As such it is considered that significant weight should be given to the policies within Local Plan Part 2 in the determination of this application.
- 6.3 Whilst the Council has an up-to-date development plan and 5-year-housing land supply the National Planning Policy Framework remains a material consideration but the development plan retains primacy.

Adopted Core Strategy 2013-2030

- 6.4 Great Yarmouth Borough adopted Local Plan Policy CS2 "Achieving sustainable growth" in the Core Strategy (2015) ensures that new residential development is distributed according to the policy's settlement hierarchy which seeks to balance the delivery of homes with creating resilient, self-contained communities and reducing the need to travel. The settlement hierarchy identifies Great Yarmouth as one of the Borough's 'Main Towns' due to wide range of services, opportunities for employment, retail and education and large catchment area that it serves. Therefore, a greater proportion of the plan future housing requirement is directed to it.

- 6.5** The proposal is located within a 10-minute walk of the town centre, schools and a large range of services within it. It is adjacent the Northgate Street local centre and close to the seafront area and recreation facilities, and the proposal is therefore considered to be in a sustainable and accessible location.
- 6.6** Policy CS2 (e) encourages the reuse of previously developed land and existing buildings. The proposal is therefore seen to aid the delivery of the local plan in this respect.
- 6.7** Policy CS4 “Delivering affordable housing” – The site lies within Affordable Housing Sub-market Area 1. Ordinarily a scheme of 30 dwellings in this location would be required to provide 20% affordable housing (6 dwellings) but the proposal is for 100% affordable homes which attracts significant weight in the determination of this application.
- 6.8** Policy CS9 – “Encouraging well-designed, distinctive places” and Policy CS10 “Safeguarding local heritage assets” - The site is vacant, the building on site has been much altered. While of some local interest, a view must be taken on whether the value of the existing building justifies retention or whether the provision of affordable housing provides sufficient benefit to outweigh the need to require retention on site.
- 6.9** Policy CS11 “Enhancing the natural environment” requires the authority to assess the impacts of development on natural assets. In this case in accordance with Habitats Regulations a bespoke Habitats Regulation Assessment is required. NETI have recommended conditions for the provision of bird boxes within the development.
- 6.10** Policy CS13 “Protecting areas at risk of flooding or coastal change” (a) directs new development proposals away from areas of highest risk of flooding unless the requirements of the Sequential Test and Exception Test (where applicable) are met, and a satisfactory Flood Response Plan has been prepared.
- 6.11** The proposal also needs to demonstrate that the development will be safe for its lifetime, taking into account the vulnerability of its users, without increasing flood risk elsewhere.

Local Plan (2001)

- 6.12** Of the outgoing saved policies of the Great Yarmouth Borough-wide Local Plan (2001), the proposal predominantly engages policies HOU7 (New residential development), HOU9 (Developer contributions) and HOU16 (Layout and design of housing proposals).

Emerging Local Plan Part 2 (draft 2021)

- 6.13 The emerging Local Plan Part 2 is close to adoption following the Inspectors consideration on Main Modifications as such, substantial weight can be afforded to the policies therein, and in particular:
- 6.14 Policy GSP1 (Development limits) – retains the emphasis on development in sustainable locations within development limits.
- 6.15 Policy A1 (Amenity) – requires particular consideration on the form of development and its impact on the local setting in terms of scale, character and appearance.
- 6.16 Policy A2 (Housing Design Principles) – requires dwellings to meet optional building regulations and be designed with regards to the local context such as local townscape and urban grain and other detailed design requirement.
- 6.17 Policy E1 (Flood Risk) – the proposal is for residential development within the town of Great Yarmouth, therefore for the purposes of the sequential test, the search for alternative sites can be limited to Great Yarmouth town.
- 6.18 Policy GSP8 (Planning Obligations) – development viability with respect to planning obligations will be considered at the planning stage under limited particular circumstances where the scheme is on previously developed land.

Main issues:

The main issues in the assessment of this application are:

- Principle of development
- Housing mix, type and tenure
- Flood risk and mitigation
- Design and heritage
- Residential amenity & noise protection
- Ecology
- Planning obligations
- Viability

Principle of development

- 6.19 The site lies within the Great Yarmouth Development Boundary wherein development will be supported in principle unless material considerations outweigh that principle. In this case those would be matters of the character and appearance of the locality, amenity, highway safety, and flood risk. In this case the issue of viability is also a consideration.

Housing mix, type and tenure

- 6.20 A range of five house types and two material combinations (brick and brick/render walls) with roof tile are proposed to provide variety in respect of appearance, materials and detailing throughout the site. The two material combinations are interspersed throughout the site to maintain visual interest

and create an attractive street scene. The proposed house types provide floor areas which meet the minimum standards for house design.

- 6.21** 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). 30 affordable homes are more than the average annual delivery of affordable housing for the whole Borough since 2013, which represents only 7.5% of the estimated annual requirement of 400 units.
- 6.22** The housing mix, type and tenure of the proposed development has been developed in accordance with local requirements and is considered acceptable.
- 6.23** If there are material considerations which otherwise suggest that residential development on this site's Flood Zone 3a area would be inappropriate, the proposed provision of all 30 dwellings as affordable housing would be a significant public benefit to justify the conflict with policy.

Flood risk

- 6.24** Local policy sequential test requirements direct new development proposal away from areas of highest risk of flooding unless the requirements of the Sequential Test and Exception Test (where applicable) are met, and a satisfactory Flood Response Plan has been prepared.
- 6.25** The site is located almost equally across Flood Risk Zones 2 and 3a and therefore considered as having a high probability of coastal and fluvial flooding. The planning practice guidance expects site-specific flood risk assessments to provide the evidence for the local planning authority to apply the sequential test. The applicant provided an assessment of currently available sites within the vicinity, that concludes there are no sites less at risk of flood in the vicinity that could accommodate the number of dwellings proposed. The Local Plan Part 2 makes clear that within the town of Great Yarmouth there are very few sites that are not at risk from flooding (particularly when allowing for climate change over the next 100 years) and so the Local Plan has a housing supply windfall allowance for the town meaning the Sequential Test will only need to consider whether at the time of the application there are any suitable and available sites within Great Yarmouth at a lower risk of flooding than the application site. As such it is considered that the sequential test has been passed.
- 6.26** Having met the sequential test, as set out under paragraph 164 of the NPPF it is necessary for the proposal to pass the Exception Test (being a 'more vulnerable use' within Flood Risk Zone 3a).
- 6.27** For the Exception Test to be passed the development will normally need to demonstrate that the wider sustainability benefits emanating from the proposal would outweigh the flood risk. This takes into consideration relevant factors

including the highly sustainable location (as indicated by its compliance with Policy CS2) and that the development is for 100% affordable housing.

- 6.28** The proposal also needs to demonstrate that the development will be safe for its lifetime, taking into account the vulnerability of its users, without increasing flood risk elsewhere.
- 6.29** It is noted that the finished floor level of the units will be 300mm higher than the 1 in 200-year worst case flood event allowing for climate change and that the first-floor level would provide safe refuge in the 1 in 1000-year coastal flood event.
- 6.30** It is considered that the proposed finished floor level of 3.24m is compatible with the existing levels of adjoining developments, not giving rise to any issues of overlooking or being out of character with the locality. Safe refuge will be available within upper floor levels of the new dwellings which will be set at a minimum of 5.64mAOD, in the event of a 1 in 1000 + plus climate change and/or breach event. A condition is recommended to provide a Flood Warning and Evacuation Plan to be implemented onsite.
- 6.31** It is proposed to dispose of surface water drainage via infiltration on the site including the provision of a detention basin.

Design, layout and heritage

- 6.32** The surrounding neighbourhood has a mixture of ages and styles of residential dwellings, mainly two storey including terraces and an apartment block to the east. The traditional design of pitched roof house in brick and brick and render in semi-detached and terraces is compatible with the local character. The proposed dwellings are of a traditional form using materials compatible with the character and appearance of the locality.
- 6.33** The layout makes best use of the established boundary wall to provide private garden areas. The wall will be retained and will help to blend the new with the existing buildings.
- 6.34** Parking provision and space within the highway is provided throughout the site to allow for safe and convenient parking and manoeuvring.
- 6.35** Notwithstanding the presence of trees including a protected tree on site, their value is limited and the Tree Officer advises that replacement planting would be the best course of action within a successful scheme. A landscape scheme condition is recommended to secure this.
- 6.36** The row of workshops on the south side of Escourt Road lies between Conservation Area No 5 St Nicholas/Northgate Street Extension and the application site. The intervening buildings are a continuous row of two-storey buildings with steep roof, which means there is no inter-visibility between the application site and the conservation area so the proposal will not affect the character and appearance of the Northgate Cemetery and conservation area.

- 6.37** The applicant has considered the integration of the existing historic building and boundary wall within the new development. Excepting for a new access that will be created in a modern section of the boundary wall on Churchill Road, the proposal will retain the distinctive boundary wall and will extend it where it is missing at the south eastern corner of the site.
- 6.38** The existing building (former Ward Block) has suffered several later (post WWII) alterations and while the original design is distinctive, it is not considered sufficiently exceptional that its retention outweighs the benefit of the development. The applicants undertook a heritage statement and in response to the Local History and Archaeology Society a condition is recommended to record the building prior to demolition.

Residential amenity

- 6.39** The buildings are oriented to protect the privacy and amenity of the houses to the east. For new residents, an acoustic barrier is proposed along the northern boundary and part of the eastern boundary adjoining neighbouring commercial uses (Great Yarmouth Borough Services depot) at Churchill Road, to ensure acceptable noise levels within the development.
- 6.40** To secure these protection measures, the measures recommended by the Environmental Health Officer have been incorporated into the designs of the development, and shall be required by conditions. A condition requiring that the development is carried out in accordance with the acoustic report and will include those aspects discussed at paragraph 5.22:
- The provision of a 4 metre high acoustic barrier constructed along the northern boundary and partly along the eastern boundary of the site to reduce noise emissions from GYB Services. The minimum specification of the barrier is given in Appendix 4 of the submitted Acoustic Report.
 - The existing 1.8 metre high perimeter wall along Churchill Road and Estcourt Road shall be retained.
 - The gardens should be surrounded by standard 1.8m close-boarded fences.
 - Installed windows shall achieve a minimum sound reduction index of 30 dB Rw.
- 6.41** Conditions should also be used to require further investigation and mitigation of any contamination identified within this brownfield site, with a condition requiring a construction management plan to be agreed, regarding the protection of air quality, noise and dust during construction, as well as controlling hours of working.
- 6.42** Each plot is provided with suitably sized private external amenity space, and new tree planting and soft landscaping is proposed throughout the scheme to provide an attractive green neighbourhood environment.

- 6.43** The Environment Agency has specified conditions to protect the groundwater environment and aquifers which shall be required by conditions.

Ecology

- 6.44** The site is located in the Orange Habitat Impact Zone more than 400m but less than 2.5Km from an internationally protected wildlife site and for developments greater than 10 dwellings a bespoke Shadow Habitat Regulations Assessment (HRA) is required. If minded to approve the application, planning permission would be subject to the completion of a S106 Agreement including a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling, £3,300 total).
- 6.45** Evidence of protected species has been found within the site, but conditions shall be able to address these and provide suitable mitigation.
- 6.46** A condition will be attached to any permission for a Biodiversity Enhancement Plan securing provision of bird box enhancement. It is suggested a minimum of 30 bird boxes (including swift).

Planning obligations

- 6.47** To address the impact of this development, planning obligations are required for:
- £98,154 for local education to address the primary school impact of this scheme (7 spaces).
 - £2,250 for libraries.
 - £3,300 habitats mitigation and management strategy contribution for mitigation of impacts on internationally important sites designated for nature conservation (Natura 2000 sites).
 - Up to £1,800 per dwelling for public open space = £54,000 total, (dependent on local needs and supply at the time of the decision), or appropriate provision on site (with management thereof), though none is proposed.
 - A minimum of 20% up to 100% affordable housing as proposed.

However, it is noted that the scheme has challenging viability and may not be able to realise all these aspirations.

Viability Assessment

- 6.48** The planning application is accompanied with a site-specific viability assessment. The assessment compares the known costs and expenditures for the proposal (acquisition of the land and build costs compared with social housing grant, and affordable housing funds). There are the challenges to the site's viability because of the extensive costs for the design requirements associated with flood mitigation and remediation of contamination, and the reduced residual land value from an entirely affordable housing scheme. The assessment concludes that the proposals are only marginally viable as a

result of the provision of 100% affordable housing, but there is a surplus of approx. £57k which is available for financial contributions to community infrastructure.

- 6.49** Emerging Policy GSP8 recognises the challenging nature of previously developed land in terms of viability and allows for flexibility for providing planning obligations in specific circumstances as evidenced above. NCC planning obligations service have been appraised of the applicant's viability assessment. They advise the final decision regarding the above application rests with the Local Planning Authority, as well as how much weight to give the Viability Assessment in relation to the County Council's contribution request.
- 6.50** In accordance with the Habitats Regulations there is a legal requirement to make a £3,300 contribution for mitigation of impacts on internationally important sites designated for nature conservation (Natura 2000 sites).
- 6.51** In terms of other contributions, the applicant has requested the Local Planning Authority to indicate its priorities among what has been requested, up to the viable level (£53,700 indicative). Requests for community infrastructure payments from the County Council are described earlier in the report. Other contributions could include £54,000 for play and/or open space facilities.
- 6.52** The accompanying viability assessment demonstrates that it is a not an economically viable site and the applicant has not proposed to include market housing to improve the scheme's viability, instead preferring to offer public benefits (significant) in the form of a 100% affordable housing scheme.
- 6.53** There is a shortfall in the site's ability to satisfy all planning obligations that would ordinarily be required, to the amount of £157,704. Excluding the required £3,300 HMMS payment £53,700 is the figure offered. The applicant is content for the Local Planning Authority to determine the preferred allocation of the restricted funds towards local infrastructure, amounting to a projected £53,700.
- 6.54** As an affordable housing project it is considered a significant public benefit that the application offers 24 more dwellings as affordable housing than a market-led housing application would be required to provide, and so the principle of development should be supported despite not being able to address the full range of impacts that the section 106 would ordinarily be used for.
- 6.55** The allocation of limited section 106 funds must meet the tests for the use of planning obligation contributions, but aside from that it is a matter for the decision maker to determine where the greatest need and benefits lie. A development of 30 affordable dwellings will give rise to pressing needs on both the education services and the local recreation, play and public open space providers, and arguably to a lesser extent the library service.

- 6.56** Public open space and play areas have not been able to be provided on site as to do so would likely reduce site capacity to be fewer than 30 dwellings. Given the proximity to the Beaconsfield Road playing fields and other local areas of informal open space it is considered some of those impacts would be provided for within a relatively short walk, though not ideal for families of smaller children given the distance and roads that need crossing. It would be possible to apportion some of the funding to multiple justified projects, for example if there was a location that could host play facilities for young people closer to the site, but it is the Officer's recommendation that it is more appropriate to use the limited funds towards addressing some of the educational impacts of the development to reduce the shortfall in that respect.
- 6.57** In this case it is considered that the provision of affordable housing is the paramount objective and the amount of approximately £53,700 should be included in a Section 106 Agreement as a contribution towards the Primary Education Sector and monitoring payment(s).

7. Local Finance Considerations:

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

8. Shadow Habitats Regulation Assessment

- 8.1** The site lies within the Orange Habitat Impact Zone more than 400m but less than 2.5Km from an internationally protected wildlife site and for developments greater than 10 dwellings a bespoke Shadow Habitat Regulations Assessment (HRA) is required. The applicant will provide a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling). NETI have confirmed the Appropriate Assessment is fit for purpose and the section 106 agreement will secure the impact payment contribution.

9. Concluding Assessment

- 9.1** **The principle of development** is acceptable if the flood risk concerns are satisfied and the public benefits of redeveloping the brownfield site and providing 100% affordable housing demonstrate enough justification to allow development in the higher flood risk area.

- 9.2 Character and Appearance of the Locality** is improved by the development and it is considered to comply with Policies CS9, CS10, A1 and A2 despite not retaining the existing building on the site. Overall, on balance the provision of affordable housing is considered to outweigh the suggested aspirations to require the existing building's retention. The feature boundary wall will be retained and extended where missing on Estcourt Road at the SE corner of the site.
- 9.3 Amenity** – The site is able to accommodate 26 family dwellings and 4 flats with parking to standard and with private gardens, the buildings are oriented to protect the privacy and amenity of the houses to the east. The development will include measures to minimise noise from existing commercial uses adjoining the site.
- 9.4 Highway Safety** - as stated in the consultation response the County Highways Authority, raise no objection, the proposal has been designed to meet highway standards for access and parking.
- 9.5 Flood Risk** - The site is located Zone 2 and Zone 3a as such having a high probability of flooding. The dwellings have been designed to be flood resilient and will provide safe refuge at first floor level. It is considered that the sequential test and exceptions test are satisfied.
- 9.6 Viability** - The accompanying viability assessment demonstrates that it is a not an economically viable site but a projected £53,700 budget surplus is available to help address some of the contributions that would ordinarily be required.
- 9.7** In this case it is considered that the provision of affordable housing is the paramount objective and the £53,700 available should be used as a contribution towards some of the Primary Education Sector costs and monitoring payment rather than public open space and play enhancements or library contributions.

10. RECOMMENDATION: -

- 10.1 Approve** - The proposal complies with the aims of Policies CS2, CS3, CS4, CS9, CS13 and CS16 of the Great Yarmouth Local Plan Core Strategy, also Policies A1, A2, E1 and E5 of the Emerging Local Plan Part 2 and saved Policies HOU7, HOU9 and HOU16 of the Great Yarmouth Borough-wide Local Plan (2001).

10.2 Subject to:

- (i) the completion of a S106 Agreement to secure:
 - all 30 dwellings as affordable housing,
 - £53,200 financial contributions for school infrastructure
 - £3,300 habitats mitigation payment
 - £500 Norfolk County Council monitoring payment.

and,

- (ii) Conditions including but not limited to:
1. standard time limit;
 2. in accordance with revised plans, flood risk assessment and drainage strategy and protected species precautions;
 3. in accordance acoustic report appendix 4 specifically:
 - The provision of a 4 metre high acoustic barrier constructed along the northern boundary and partly along the eastern boundary of the site to reduce noise emissions from GYB Services.
 - Excepting the new access the existing 1.8 metre high perimeter wall along Churchhill Road and Estcourt Road shall be retained.
 - The gardens should be surrounded by standard 1.8 m close-boarded fences.
 - Installed windows shall achieve a minimum sound reduction index of 30 dB Rw.
 4. provision of biodiversity enhancement scheme (30 bird boxes),
 5. provision of landscape scheme,
 6. details of boundary treatments including of the wall to the SE corner of the site,
 7. provision of evacuation plan and emergency warning as specified;
 8. recording of the building prior to demolition and the provision of those records to the County for archiving
 9. specified Finished floor levels at ground floor will need to be 3.24m above datum (AOD), Safe refuge to be available within upper floor levels at a minimum of 5.64mAOD
 10. provision of Construction Environmental Management Plan
 11. further detail of contamination investigations and mitigation strategy
 12. further details of precautionary contamination measures.
 13. details of foundations to be agreed – preferably no piled or penetrative foundations.
 14. controlled hours of working during demolition and construction

Appendices:

1. Site location plan
2. Layout Plan
3. Example plans & elevations of 'House type DD'
4. Example plans & elevations of 'House type AAA'

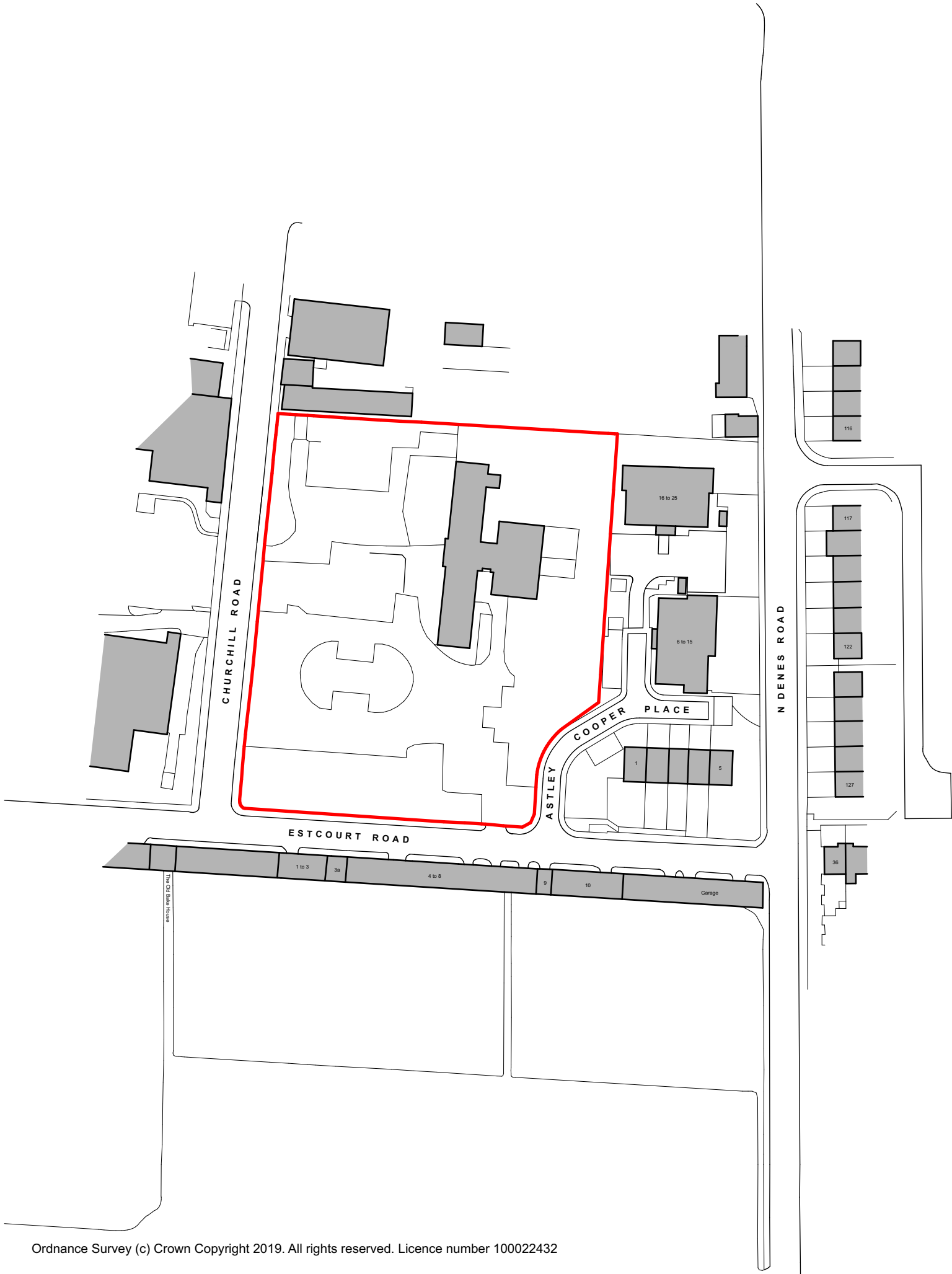
Site Location Plan

Scale: 1:1250

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Source File:
19049 Model.pln

Rev	Date	Drawn	Note
P02	02/10/2020	JKG	Drawing status updated to 'Planning'.



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Client
Minster Property Group

Project Title
Proposed residential development
Land at Churchill Road / Estcourt
Road,
Great Yarmouth

Drawing Title
Site Location Plan

Drawing Status
Planning

Scale(s)
1:1250

Drawn
JKG

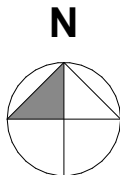
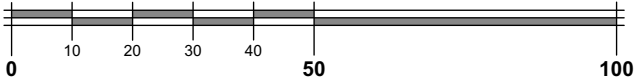
Project Number
19049

Original Paper Size
A3

Date
17.09.20

Revision
P02

Scale (m)



Proposed Site Layout

Scale: 1:500

Key

- Application site boundary
- Proposed Housing
- Existing Surrounding Buildings
- Private Rear Garden Area
- Public Open / Green Space
- Principal Highway / Road
- Private Drive
- Car Parking Spaces
- Pedestrian Footpaths
- Acoustic Boundary Feature
- Existing Brick Wall
Retained / infilled where necessary
- Existing Tree Planting
(approximate locations)
- Existing Trees Removed
- Proposed Tree Planting
(for illustrative purposes only -
subject to detailed design / planting
scheme by Landscape Architect)
- Proposed Hedge / Shrub Planting
(for illustrative purposes only - subject to detailed
design / planting scheme by Landscape Architect)
- Housetypes - Primary
Point of Access
- Primary Site Access



schedule of accommodation			
housetype	code	area	quantity
2B4P House	A	76m ²	14 no. units
3B6P House	B	97m ²	02 no. units
4B7P House	C	110m ²	02 no. units
3B5P House	D	88m ²	08 no. units
1B2P Maisonette	E	50m ²	04 no. units
Total Number of Units		30 no. units	
approximate site area :		0.94Ha / 2.32 acres	
density :		32 dwellings per hectare	
parking provision :		200% / 100%	

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Source File:
19049 Model.pjn

Rev	Date	Drawn	Note
P02	21/09/2020	JKG	Plots 28-30 mirrored.
P03	02/10/2020	JKG	Footpath link to Estcourt Road added. Drawing status updated to 'Planning'.
P04	24/02/2021	JKG	Site access moved. Site updated to suit. Mix / units sizes changed and SoA updated.
P05	25/02/2021	JKG	Access amended.
P06	03/03/2021	JKG	Plots 01-07 updated. Plot 25 parking moved. Visitor parking added. Parking added to Plots 08-09 and 14-17. Rear access to Plot 19 amended.
P07	26/03/2021	JKG	SoA updated.
P08	27/04/2021	JKG	Plots 01-04 updated.
P09	27/05/2021	JKG	Plots 10-1 and 12-13 swapped. Access to Plots 01-09 and 26-27 amended.
P10	07/06/2021	JKG	Access to Plots 01-04 amended.
P11	01/07/2021	JKG	Access and red line amended.
P12	01/07/2021	JKG	Plots 01-04 boundary amended and boundary treatment shown.
P13	08/07/2021	JKG	Major scheme updates following input from Engineer. SoA updated.
P14	11/07/2021	JKG	Updated following feedback from Engineer.
P15	29/07/2021	JKG	Rear access updated, Plots 14-16 amended, visitor parking updated.
P16	10/09/2021	JKG	Updated following comments from Highways. Attenuation Basin updated.
P17	16/11/2021	JKG	Site access relocated and carriageway / attenuation moved.
P18	22/11/2021	JKG	Site access relocated to Churchill Road, and scheme amended.

MINSTER
PROPERTY GROUP

JGA
ARCHITECTURE & PLANNING
e: hello@jg-a.co.uk t: 07429 162 747

Client
Minster Property Group

Project Title
Proposed residential development
Land at Churchill Road / Estcourt
Road,
Great Yarmouth

Drawing Title
Proposed Site Layout

Drawing Status
Planning

Scale(s)
1:500

Original Paper Size
A2

Date
17.09.20

Project Number
19049

Drawing Number
0102

Revision
P18

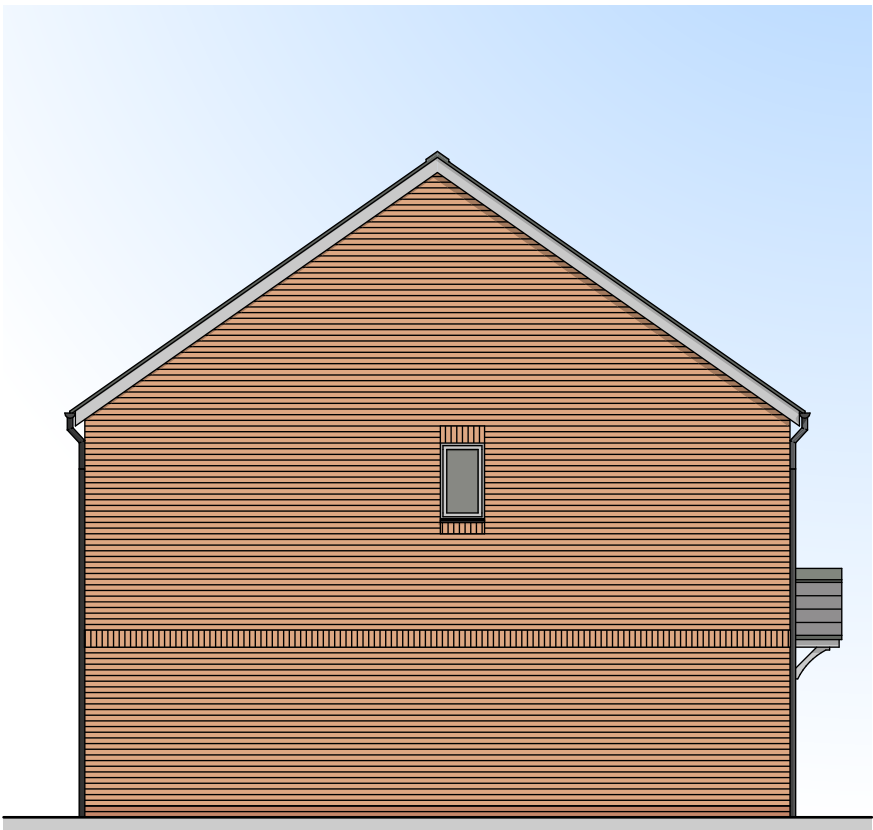
Housetype DD - Plans & Elevations

Scale: 1:50 & 1:100

MATERIAL COMBINATION 01



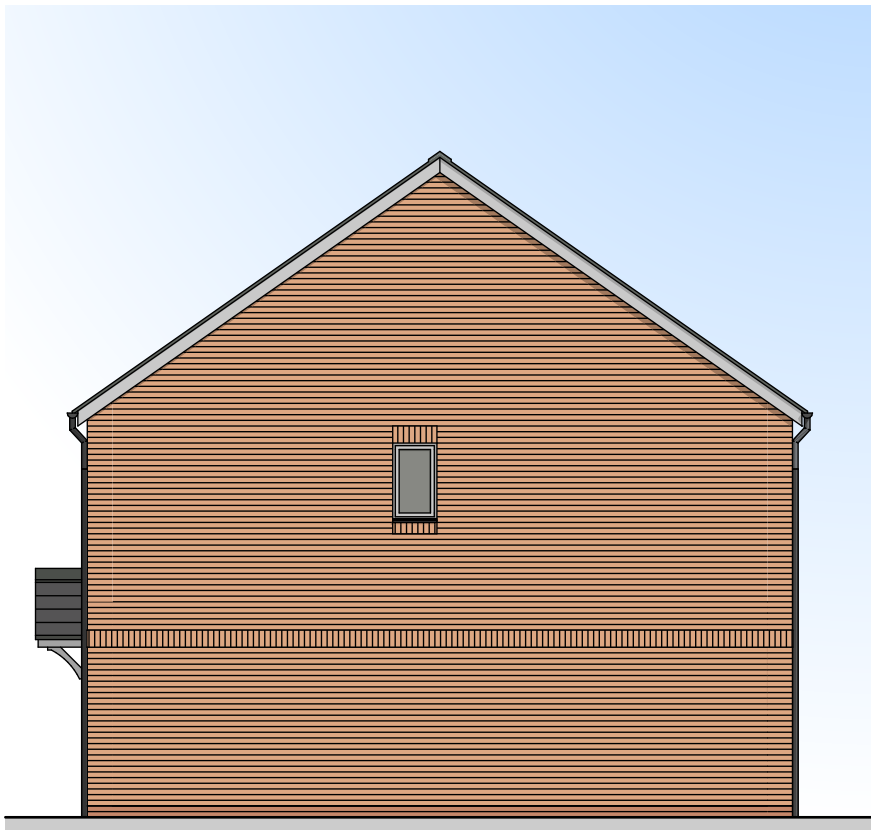
Front Elevation



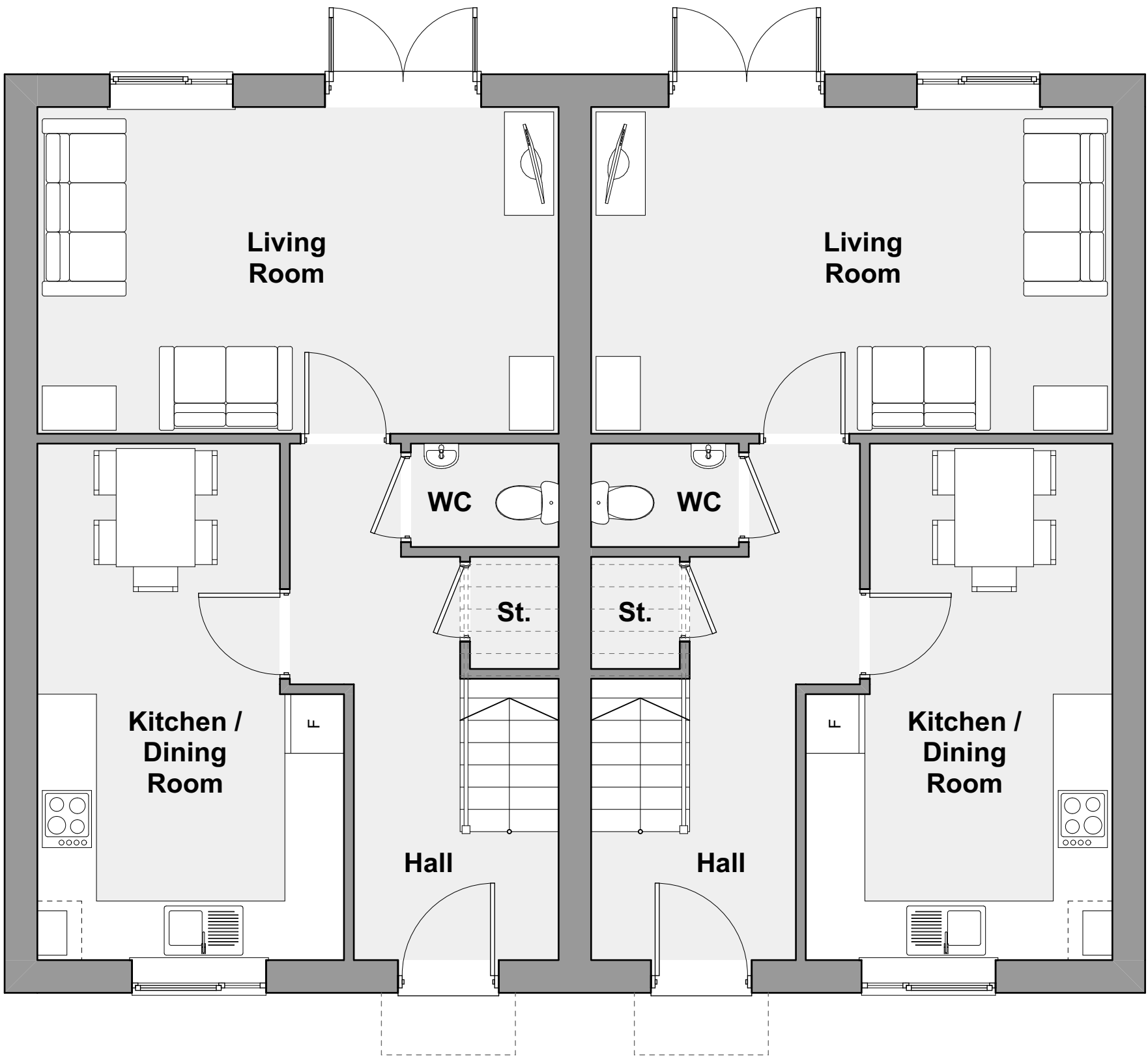
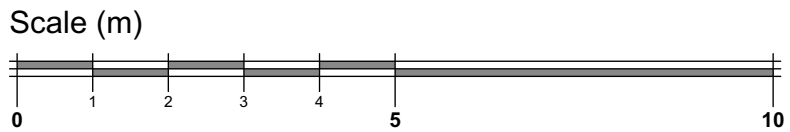
Side Elevation



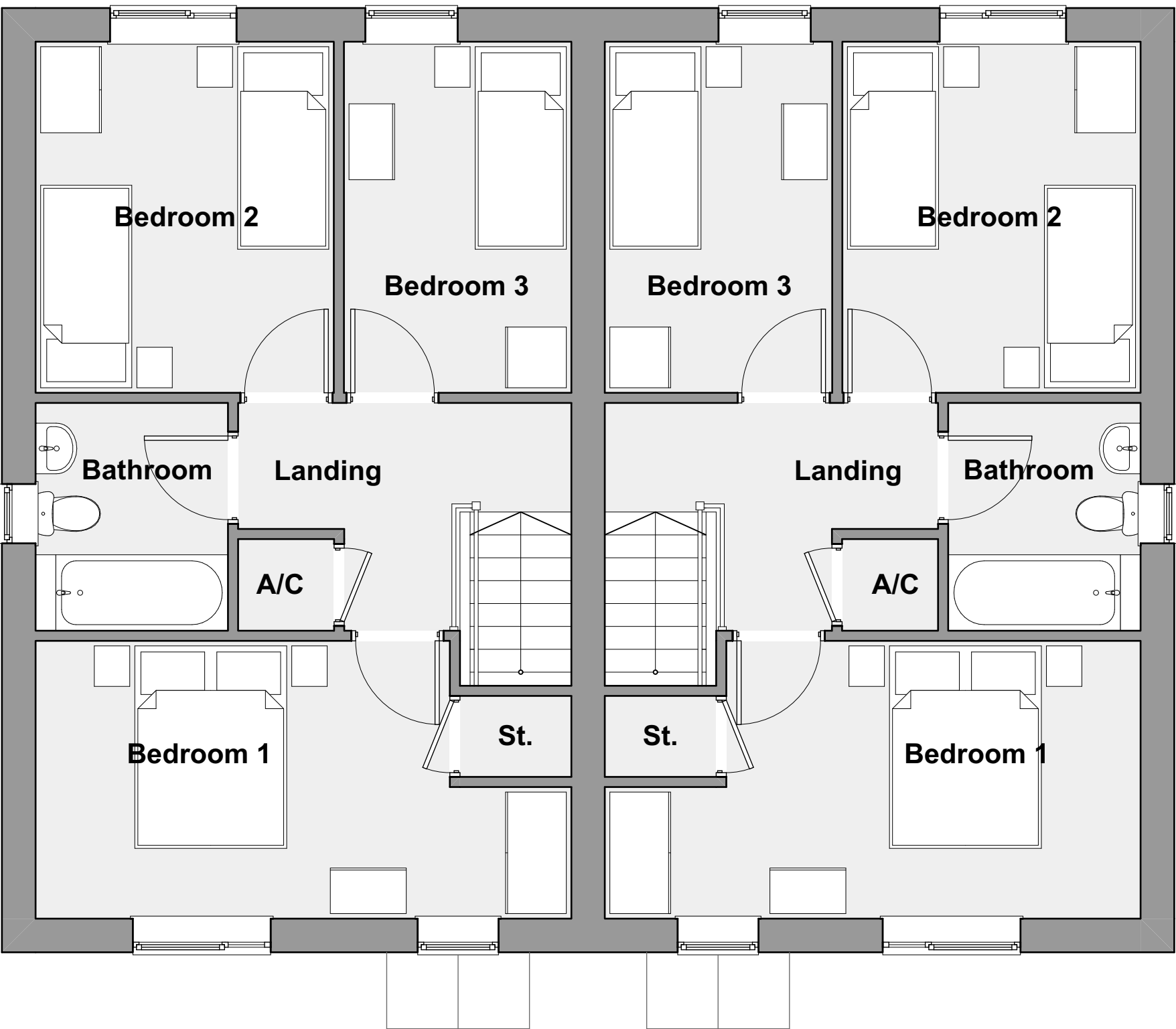
Rear Elevation



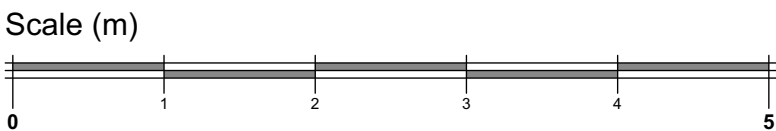
Side Elevation



Ground Floor



First Floor



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Rev	Date	Drawn	Note
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Client
Minster Property Group

Project Title
Proposed residential development
Land at Churchill Road / Estcourt
Road,
Great Yarmouth

Drawing Title
Housetype DD - Plans and
Elevations

Drawing Status
Planning

Scale(s)
1:50, 1:100

Drawn
JKG

Project Number
19049

Original Paper Size
A1

Date
11.06.21

Revision
P01

Drawing Number
0208

Housetype AAA - Plans & Elevations

Scale: 1:50 & 1:100

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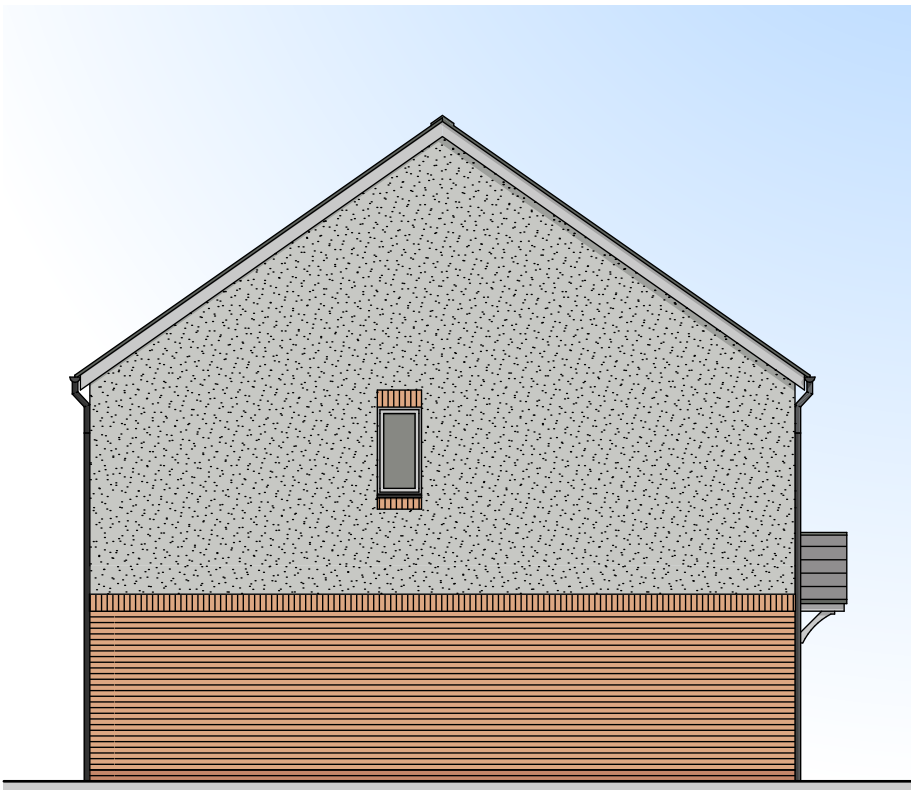
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19049 Model.pln

Rev	Date	Drawn	Note
P02	02/10/2020	JKG	Drawing status updated to "Planning".

MATERIAL COMBINATION 02



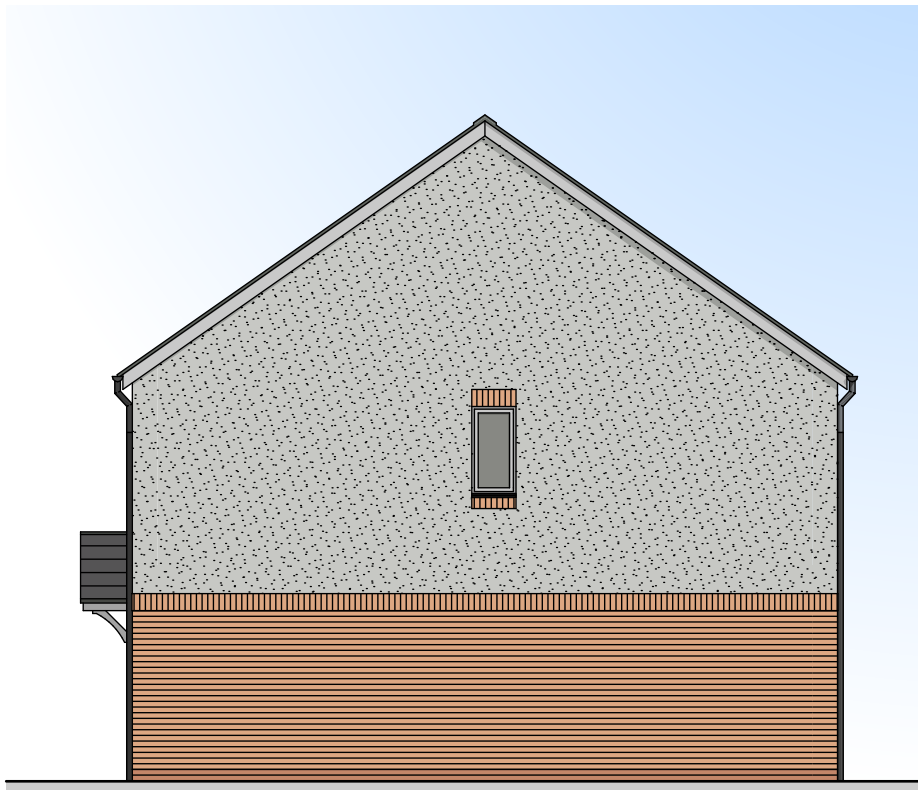
Front Elevation



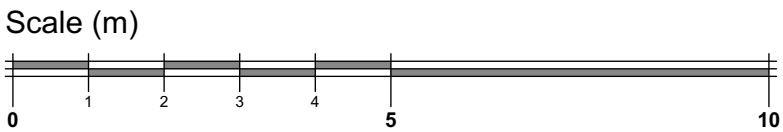
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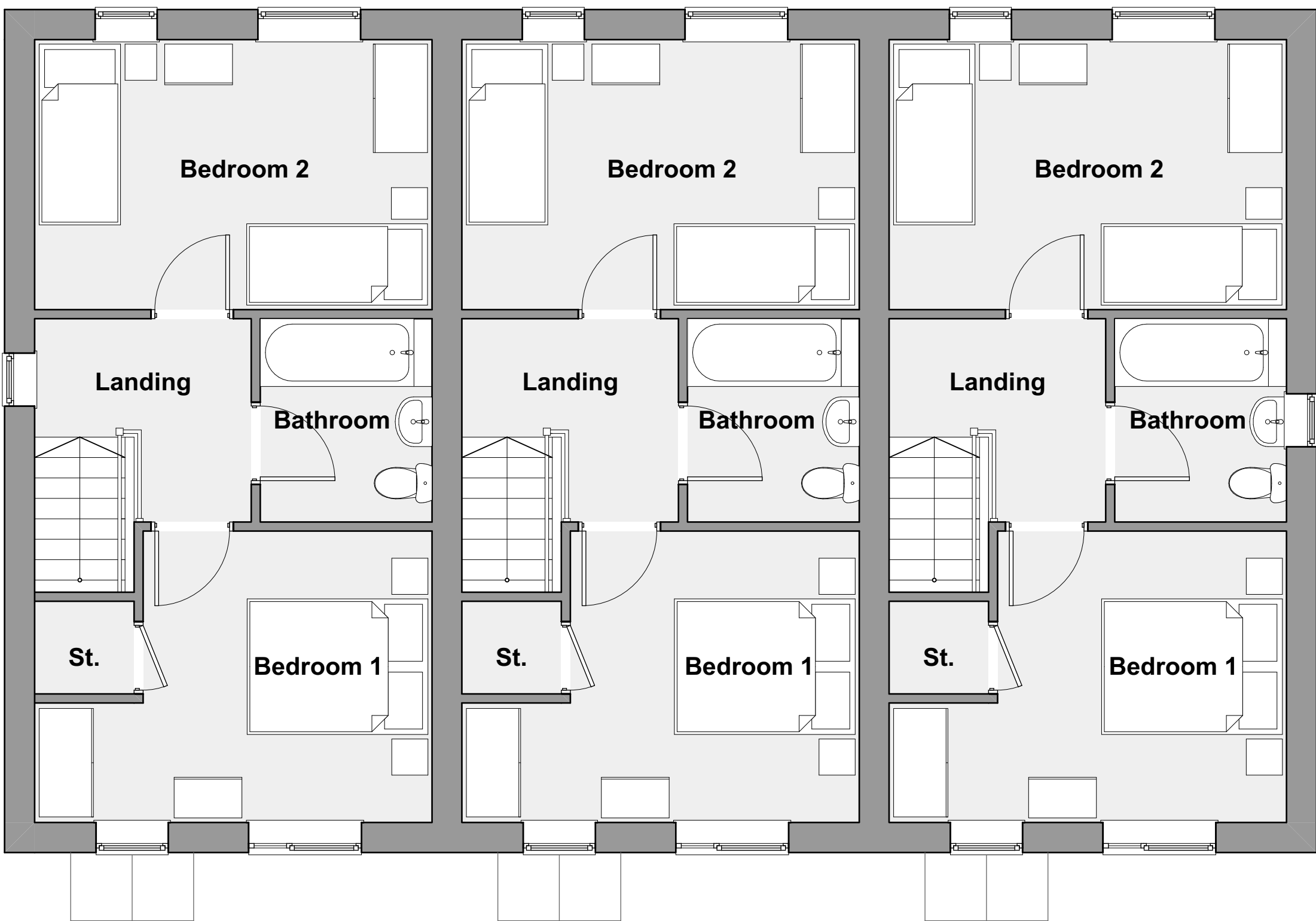
Rear Elevation



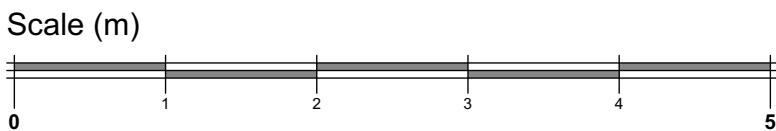
Side Elevation



Ground Floor



First Floor



Client
Minster Property Group

Project Title
Proposed residential development
Land at Churchill Road / Estcourt
Road,
Great Yarmouth

Drawing Title
Housetype AAA - Plans and
Elevations

Drawing Status
Planning

Scale(s)
1:50, 1:100

Drawn
JKG

Project Number
19049

Drawing Number
0201

Revision
P02

Original Paper Size
A1

Date
21.09.20

Revision
P02