

Reference: 06/20/0568/F

Parish: Great Yarmouth

Officer: Chris Green

Expiry Date: 31/3/21

Applicant: Great Yarmouth Borough Council

Proposal: Residential development of 8 modular single bedroom dwellings

Site: Great Northern Close.

REPORT

1. Background

1.1 This proposal is presented to members because the site is owned by the Borough Council and the proposed affordable modular housing promoted by the Council in partnership with Broadland Housing Association and with Bidwells providing technical services.

1.2 The plans have been revised recently following discussions with designers at the Borough, a re-consultation is underway and will end before the committee meeting but after the completion of this report. Any further representation letters received will be reported either in an update sheet or verbally at committee.

2. Site and Context

2.1 The site is part of the former land associated with the approaches to Yarmouth Beach Railway Station closed in 1959, close to the junction with the line that linked this station to the quay and Breydon viaduct.

2.2 To the north of this site is open playing fields associated with the Charter Academy, formerly the High School.

2.3 The land intrudes into flood zone two, though the land levels all around this site appear very close to level and land to the north and south is shown as being in zone one.

- 2.4 It is situated within physical limits and with good access to shops, and other facilities. This particular site is of 0.11 hectares (red-lined area). Although the Borough's system shows no significant back history, this is because the flats now occupying the land date to the late 1960s following closure of the railway. These flats are owned by the Borough Council.
- 2.5 The proposal is on land forming a parking court associated with the other flats on this site. There are two parking areas in this vicinity, one closer to the flats which appears well used and the larger parking area that serves as the site for the proposal immediately to the south of the playing field which appears less well used, but has capacity for up to 36 vehicles (50m x 20m approx.)
- 2.6 The land features some small ornamental trees planted as landscaping when the housing was built.
- 2.7 The character of the area is relatively open to the north and east with large recreation spaces, with terraced development to the west fronting North Denes Road.

3. Proposal

- 3.1 This is a full application for the erection of eight one bedroom self-contained modular flats, in amended form as all two storey. This comprises a group with four flats around a common stair in an L shape at the west of the site and a group of four flats in an H shape around a common stair. This creates a courtyard.
- 3.2 Parking is shown for the flats created in a small parking area to the west side with capacity for six vehicles and bin storage. Over the whole site therefore this represents a loss of 30 parking spaces.
- 3.3 Unit size is 50m square, compliant with the national standard for a one bedroom two-person home.
- 3.4 Accompanying the proposal are the following documents:
- Planning Application Forms and Certificates of Ownership;
 - Application drawings as detailed on the Drawing Register prepared by Ingleton Wood;
 - Design and Access Statement, prepared by Ingleton Wood;
 - Planning Statement (including Statement of Community Involvement), prepared by Bidwells LLP;
 - Preliminary Risk Assessment (Contamination), prepared by 4D Geo;
 - UXO Report, prepared by MACC;
 - Topographical Survey, prepared by Rigour Surveys;
 - Ecology Report, prepared by Small Ecology; and

- Arboricultural Impact Assessment, prepared by CJ Yardley Landscape & Design.
- Sequential test for flood risk

The development is too small to require a Transport Statement.

4. Relevant Planning History

- 4.1 Various applications for satellite dishes on the existing flats dating to the mid-1990s (before pd rule changes).

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

5.1 The ward councillor has objected:

- Impact on parking for the current residents and properties nearby. County Highways have objected that there are insufficient spaces for new residents. When Beaconsfield park is being used parking needs increase.
- The proposed housing development on Estcourt Road might not provide enough parking, adding to the local parking pressures.
- Site notice was removed and no replacement provided
- Covid restrictions make engagement with residents difficult. More time is required notwithstanding the pre-application consultations made by the developer.

5.2 Neighbours and residents have objected, on the following summarised points:

- Notification has been poor as the site notice was removed on the next day
- The council have underestimated the displacement of parking facility at 22 vehicles. There are 60 flats in the estate.
- The surveys carried out during covid are not representative.
- The car park is used by residents, council contractors doing repairs and grounds maintenance, paramedics, home delivery drivers and sports teams using the Beaconsfield recreation ground.
- The emergency services struggle to negotiate the on-road parking in the Close
- Registered disabled drivers struggle to find accessible parking spaces.
- Carers and people with children often cannot find space to park
- Delivery drivers will find it difficult to park especially during covid
- There are restrictions on the North Denes Road
- There are no details for electric car charging points or consideration of what the end of petrol cars will mean.
- As the new tenants will have designated parking spaces there will be resentment from existing tenants will have no allocated provision.
- There are no disabled spaces and five are required on the whole site.
- By 7pm all spaces are occupied
- The poor condition of the existing car park limits its use
- The area is used for drug dealing and is poorly lit and the lights not maintained

- The proposal creates a good place for drug dealing
- This will lead with other schemes to overdevelopment of the area.

5.3 Consultations – External

Norfolk County Council

- 5.4 Highways** – No objection. The amended plans show a technical shortfall of one space, however, in an email dated 18.3.21, the Highway officer agrees that if spaces are not hypothecated to this scheme then that is not objectionable, subject to a condition requiring that prior to the first occupation of the development the proposed access, on-site car and cycle parking and turning area shall be laid out in full, to ensure the availability of this space.
- 5.5 Historic Environment Service** – No objection, or recommendation for archaeological conditions.
- 5.6 Local Lead Flood Authority:** Minor development below threshold for comment.
- 5.7 Norfolk Fire and Rescue.** No objection and standard comments regarding provision for firefighting to accord with the Building Regulations.
- 5.8 Norfolk Police:** CCTV is required to maximise surveillance at access points. The footpath is close to an area known for anti-social behaviour and should be gated with access for occupants only. Ideally the entire site will be fenced to 1.8m height. Access to the stairs should be by electronic key. Bin stores should be gated and key fob access to prevent arson. Good lighting combined with CCTV is recommended. Robust, secure lit cycle storage is required. Private residents only signage needed. Access control to parking might be required.
- 5.9 Norfolk Environment Team.** A Preliminary Environmental Assessment PEA has been produced, comments awaited.

Consultation - Internal GYBC

- 5.10 Head of Housing:** Normally no affordable housing would be required on this site by policy. The proposal is however for a 100% affordable scheme, designed to meet the increased need for childless couples and single persons created by the pandemic. The application is supported.
- 5.11 Tree Officer:** No objections. Trees within the Beaconsfield park need to be protected during the development with their Root Protection Area fenced off (measured 4m from stem location) as shown in the submitted Arboriculture statement. No dig construction techniques shall be used for the new pedestrian footpath within the RPA with timber edging and a permeable surface laid to allow for water to access tree roots underneath.

5.12 Resilience officer: No objection.

5.13 Environmental Health – (contaminated land, noise, air quality)

No objections: A condition is required for contaminated land matters to be mitigated on site and validated before construction proceeds further, as the phase 1 and 2 studies showed some asbestos particles in one location. Construction work period should be restricted to protect adjacent residents and air quality maintained during construction works.

5.14 Building Control – Are critical of the design showing open balcony access and require the enclosure of this. Distances for fire hoses are limited to 45m which will require pump access close to the bottom of the stairs.

5.15 Natural England – No comments as below threshold so refer to standing advice and local ecology service.

5.16 Anglian Water- Below threshold for comment

6. Assessment of Planning Considerations: Policy Considerations:

National policy

6.1 Paragraph 47 of the National Planning Policy Framework states: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Local Policy Adopted Core Strategy

6.2 Great Yarmouth Borough adopted Local Plan Policy CS1 - "Focusing on a sustainable future" seeks to create sustainable communities where growth is of a scale and in a location that complements the character and supports the function of individual settlements. This is a small-scale development on allocated land in a sustainable location, with excellent access to goods and services.

6.3 This site is within Great Yarmouth. Policy CS2 is considered to support the proposal in that it identifies that approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth and 30% of new development in the borough's Key Service Centres at Bradwell and Caister-on-Sea.

6.4 Policy CS3 - Addressing the borough's housing need paragraph e) supports the provision of housing for vulnerable people and specialist housing provision, where there is an identified need. This policy also supports accessible accommodation. It is accepted that without lifts, half of the units

are no adaptable for the disables, however sufficient is to allow for allocations without shortfall.

- 6.5 Paragraph CS3g) promotes design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas, and in this the layout while set at right angles mirrors the layout to the north of the terraces immediately north of this site and therefore the pattern and scale of the estate.
- 6.6 Policy CS4 - Delivering affordable housing requires 20% of housing on this site be provided as affordable, all the housing is to be affordable and given the demand to provide both affordable homes and smaller dwelling units this additional benefit is of considerable weight.
- 6.7 Policy CS9 - "Encouraging well-designed, distinctive places": also considers matters of amenity both for existing and future residents. The properties to the immediate south of the proposal have larger overlooking windows of some significance, but these are 22m from the larger overlooking windows on the central block with a direct relationship. This is considered just acceptable but could readily be adjusted. Other windows within the proposal are either at 90 degrees relationship to the flats to the south where privacy impact is reduced to a degree where it is not considered material or are narrow windows with limited privacy implications and set in the gable ends with an angular relationship to the existing rendering them of no material impact.
- 6.8 The street-scene is not considered harmed, these properties are set back from adopted highways and form a continuation of the development pattern.
- 6.9 It is considered that the introduction of the new housing will add natural surveillance at the gable ends of the properties existing and that within the estate there will be good surveillance overall of the new parking areas.
- 6.10 Policy CS12 - Utilising natural resources e) suggests working with water utility providers to ensure that new developments match the provision of water supply and wastewater/sewerage treatment capacity. This is a small-scale development in a highly populated area where the marginal increase effects will not be felt.
- 6.11 Saved policy REC8 "Provision of recreational, amenity and play space" requires all schemes with over 20 children's bed-spaces to provide recreational and amenity space or play space, in proportion to the scheme, while this does not define the contribution the emergent policy H4 below does.

The Emergent Local Plan

Emerging policies of relevance include:

- 6.12 Policy A2 - Housing design principles, has limited weight as objected to, the government have however also published national design guidance, it is

considered however that the design of these units and the materials chosen are of a good standards and will compliment the existing setting.

- 6.13 Policy H3 - sets a minimum housing density of 30 dwellings per hectare - the proposal is 35 dwellings per hectare and includes some retained open space.
- 6.14 Policy H4 - Open Space provision - this policy would require more open space provision, but the lack of children's bedroom space in the flats means the demand will not arise.
- 6.15 Policy E4 - Trees and Landscape - requires retention of trees and hedgerows.
- 6.16 Policy E7 - Water conservation - requires new dwellings to meet a higher water efficiency standard, than prescribed in Building Regulations.

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.
- 7.2 It is assessed that the provision of affordable housing, render the impacts of the development upon the services locally will be sufficiently mitigated for the purposes of planning. Financial gain does not play a part in the recommendation for the determination of this application.

8. Shadow Habitats Regulation Assessment

- 8.1 The applicant has submitted a bespoke Shadow Habitat Regulations Assessment (HRA). It is confirmed that the shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.
- 8.2 The report rules out direct effects in isolation; but accepts that in-combination likely significant effects cannot be ruled out from increased recreational disturbance on the Broads SPA and recreational access (and potential for disturbance) is extremely limited. An Appropriate Assessment (AA) has been carried out. The AA considers that there is the potential to increase recreational pressures on the Broads SPA, but this is in-combination with

other projects and can be adequately mitigated by a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per six non-dwelling bed-spaces) to ensure that there will be no adverse effects on the integrity of the internationally protected habitat sites.

- 8.3** The Local Planning Authority as “competent authority” agrees with the conclusions of this assessment. To meet the mitigation requirements, it is recommended that the appropriate contribution is secured by either S.111 or S.106 agreement. In this case as the Council is developer the County is taking on the monitoring role for this purpose.

9. Assessment

- 9.1** There will be short term construction jobs with little long-term economic benefit associated with the proposal.
- 9.2** The delivery of an all affordable housing scheme however provides considerable material benefit and weight in the consideration.
- 9.3** This scheme in association with the other two being brought forward at this time will very rapidly deliver a significant contribution to smaller housing accommodation, tailored to specific needs.
- 9.4** The design offers a form which while of little architectural pretention, is well detailed, and of a type not found elsewhere in the borough and the amendment to the roof profile provides a stronger roof aesthetic, at the cost of needing to bring the roof to site as a separate component. The revised layout also eliminates the external landings linking the stairs to the front door in the earlier iteration of the scheme.
- 9.5** The encouragement of modular housing delivers on the aims of recent government reports and will further the adoption of offsite manufacture of housing, where lack of scale has been shown to act to discourage general adoption.

Amenity

- 9.6** This amended proposal places the flats across the north boundary in an east west direction slightly further from the existing north windows of the existing flats and achieves close to the 24m normally accepted as good practice for overlooking where direct. It is considered acceptable. The revised proposal does make the gable end of the westernmost flat pair more architecturally satisfying by arranging the four principal windows on this façade. This does occur at a relatively close distance to the closest existing neighbour, it is not considered however to materially harm privacy as the relationship is oblique, so someone standing close to those windows would only see a tiny sliver of the neighbour's room. This is considered acceptable. Similarly the H block to the east faces towards a part of the neighbouring existing properties where

there are no windows directly within view and those that are, have an oblique relationship.

Parking:

- 9.7** At public consultation a considerable number of respondents cited concerns over car parking capacity being lost to the area. The submitted planning statement at Appendix 3 contains a parking survey conducted in October this year. This identifies the site as having capacity for 44 vehicles, at all times of survey 23 spaces were shown as being unused, so development here would be expected to displace 21 vehicles, given that the eight spaces shown in the amended drawings are likely to be occupied by residents of the new scheme. The survey provided details of other parking available and taking the figures for the six other sites analysed there are 31 free spaces in the evenings at minimum. Some of these alternative sites which are located on the course of the old link line between Yarmouth Beach and the Breydon (railway) Viaduct (as was), are some distance from this site, however the nearer one is only 75m to the north and well overlooked by other property and offers space for around 50 vehicles.
- 9.8** The County Highway consultation response to the scheme as initially presented criticised the shortfall of parking dedicated to the proposal scheme's car park but did not consider the loss of spaces for current users to be a problem, given other available parking in the locality. The updated amended plans however reduced the shortfall to one space and allowed space for disabled access to one bay, on the basis that the spaces be made available to all in a flexible manner.
- 9.9** Although the police suggest the spaces should be hypothecated to the development, in this case it is considered entirely appropriate to leave the spaces flexible and communal, so as to not offer the new resident's special treatment.
- 9.10** Objection letters make the point that there are other users of the parking spaces, however, those listed, where trade related are daytime rather than overnight users in the main and the use by persons visiting sports facilities could be controlled.
- 9.11** One contributor notes the lack of disabled parking within the whole estate. It is axiomatic that planning proposals cannot be expected to correct problems already arising outside site boundaries, however in the context of this proposal one wider 3.3m bay is available and the County Highway officer has supported this level of provision in relation to this scheme.
- 9.12** Objection has referenced another proposal locally (recently received) which might under provide parking. There are two reasons why no weight can be accorded to this, firstly there is no certainty that the proposal would under provide or that such under provision would lead to harm and secondly unless approved at the time of decision making could not receive consideration within the determination process for this application. It has been confirmed that this

other scheme provides 2 parking spaces to each two- and three-bedroom dwelling.

- 9.13** For these reasons parking provision is considered in the balance as acceptable both for existing and new users and not offer a sound reason for refusal of the proposal.

Trees and Ecology

- 9.14** An Arboricultural impact assessment has been produced for all three sites, and the Tree Officer is content with the proposals, subject to the fencing shown being used to protect trees on the adjacent playing field during the works.
- 9.15** A Preliminary Environmental Assessment (PEA) has been prepared, given the low sensitivity identified this has been carried out as a desk-based study. Comment awaited from County. No on-site mitigation was suggested. The usual (cumulative based) indirect Habitat Regulations impacts do require mitigation payment. At the time of writing we await the County Ecologist's view as while it is evident little harm will occur, it is now desirable to provide habitat enhancement of modest expense with all schemes. As these are usually modest additions, their agreement need not delay commencement.
- 9.16** As this site is at increased risk of flooding (zone 2) it is the duty of the Council to consider other sites when determining the application. As the agent in the analysis submitted makes it clear, the need to achieve rapid delivery defines the criteria for testing the availability of other land in lower flood risk and rules other sites out. Although not mentioned in the analysis another site in private hands was examined but the complexities in securing this swiftly led to its rejection, so the submitted test is convincing and so mitigation rather than rejection is considered as indicated.
- 9.17** The Environmental Health response reflects the completion of intrusive survey and laboratory work so that the existing area of contamination within the site is fully understood and a remediation proposal is in place. This means the only pre-commencement work required is the carrying out of the agreed mitigation, in advance of other works that might give rise to risk to building operatives. This is as minimal a pre-commencement requirement as can be arrived at when there is some contamination on site and should allow the swift delivery of the accommodation that is so needed at this time. A further standard condition that requires the notification of the LPA should further unexpected sources of contamination be detected is suggested and entirely usual.
- 9.18** Housing delivery in the context of Covid 19: It is considered that Covid 19 may impact on the delivery of housing, however any impacts have yet to be realised. The Government has taken various steps such as extending commencement dates for planning permissions. In the context of the responses to submissions made to the Part 2 Local Plan at Public

Examination, the planning team responded that “The Borough Council will also play a role in supporting housebuilders to ensure that its housing targets are met. In any case changes to housing targets and land availability on the plan are unlikely to mitigate any effect. No change required”. (to the local plan part 2). Because the recommendation is for approval, in this case the matter is considered moot, though it is noted that permitted rights for temporary modular housing have been introduced by the Government in response to the crisis, and were these modular homes being proposed as temporary they would be within those permitted limits.

10. Conclusion

- 10.1** The planning balance in this case is heavily weighted towards an approval recommendation for these vitally needed all affordable form of housing directed at single persons and couples without children, where there is a shortfall of such accommodation and of accommodation of this type that meets good standards of provision, in the Borough. The site offers a contribution to housing supply and is well located in relation to the pattern of the settlement
- 10.2** Against this there will be some impact on existing residents from the reduction in parking provision, however there are alternative sites for parking in the locality, and while these may not be popular with tenants they do shift the planning balance in favour of the proposal. Other matters such as amenity impact are considered adequately resolved.

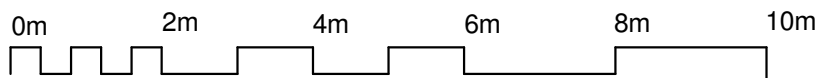
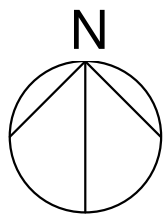
11. RECOMMENDATION: -

- 11.1** Approve subject to the conclusion of a section 106 agreement for Habitat Regulations mitigation and with conditions for:
- Timing
 - Compliance
 - Securing parking and cycling spaces before occupation
 - Passive EV provision
 - Highway conditions including TRO to be in progress at the time of occupation (note the funding of the agreement has been agreed, this will be a Highway agreement between the applicant and the County, not part of the planning agreement)
 - Security condition to reflect the Police comments with regard to “Designing Out Crime”
 - Ecologist’s suggestions regarding mitigation and planting.



Proposed Site Layout

1 : 100



Scale Bar 1:100

Ingleton Wood LLP shall have no liability to the Employer arising out of any unauthorised modification or amendment to, or any transmission, copy or use of the material, or any proprietary work contained therein, by the Employer, Other Project Team Member, or any other third party.

All dimensions are to be checked and verified on-site by the Main Contractor prior to commencement; any discrepancies are to be reported to the Contract Administrator.

This drawing is to be read in conjunction with all other relevant drawings and specifications.

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Site Plan Legend

1 : 200

- Public Footpath**
Asphalt to match existing
- Entrance Paths & Patios**
Brett Bronte Weathered Stone
600x600 and 600x300 slab sizes
- Hedge - New**
- Existing grass**
- New planting area**
- New grass area**
- New wild flower**
- Gravel with geo grid**
- Seeded geo grid**
- Existing/Proposed tree**
- Drying Area**

- BW&T1.8m 1.5m high brick wall with 0.3m trellace
- BW1.8m 1.8m high brick wall with capping detail
- BMF1.8m 1.8m black metal fence
- BMG1.6m 1.6m black metal gate
- BMG1.8m 1.8m black metal gate
- CBG1.5m 1.5m close boarded gate
- H1.2m 1.2m native hedge
- H1.5m 1.5m native hedge
- PW1.5m 1.5m post & wire fence

****Refer to Material Specification document for further details****

Landscape shown indicatively, refer to landscape plans

Site Area: 1140m²

P12 Issued for Planning	10.03.21	-	JK
P11 Issued for information	09.03.21	-	JK
P10 Issued for information	02.03.21	-	JK
P9 Issued to GYBC	23.02.21	-	JK
P8 Issued for Information	19.01.21	-	JK
P7 Issued for Planning	15.01.21	-	JK
P6 Issued for Planning	18.12.20	-	JK
P5 Issued for Planning	06.11.20	BR	JK
P4 Issued to project team	05.11.20	-	JK
P3 Issued for Planning	29.10.20	MM	JK
P2 Issued for team meeting with Mod Pod	27.10.20	-	JK
P1 Issued to ModPod	16.10.20	MM	JK
Rev / Comment	Date	Crk	Apr
Project No:	Scale @ A1:	Drawn By:	
304886	As indicated	MM/JK	

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Vision, form and function

Project:
Great Northern Close
Great Yarmouth

Client:
Broadland Development Services

Title:
Proposed Site Layout

Drawing Number:	GTNORTH-IW-SA-XX-DR-A-1000		
Status:	Purpose of Issue:	Revision:	
D5	PLANNING	P12	