

Reference: 06/20/0566/F

Parish: Bradwell

Officer: Chris Green

Expiry Date: 10-02-21

Applicant: Great Yarmouth Borough Council

Proposal: Residential development of 10 modular single bedroom dwellings

Site: Crab Lane.

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 Following discussions there have been architectural alterations to the proposals recently and a re-consultation made with residents and ward councillors. Not all objectors have been sent invitations to view the revisions as the revisions are of a minor nature where only neighbours are reasonably expected to express any different opinion to that originally expressed.

2. Site and Context

- 2.1 The site is situated within physical limits and with good access to shops, and other facilities. This particular site is of .294 hectares (red-lined area) and has no back history and is a broad grassed strip retained alongside the Crab Lane perhaps in the past intended for road widening. There is no footway to the highway edge, instead this is set inwards and north from the highway along the gable flank walls of the existing two storey terraced housing. Density would represent 39 dwellings to the hectare
- 2.2 The strip is devoid of planting and there is 3 storey flat roofed flat development on Laburnum Road opposite to the south for much of the

frontage and to the eastern end part of the well planted cemetery opposite, which has Open Amenity Space status.

- 2.3** Crab Lane is a C class road. It is on bus route 6 Great Yarmouth to Bradwell with an hourly service and service 6B Gorleston to Bradwell, twice a day

3. Proposal

- 3.1** This is a full application for the erection of ten one bedroom self-contained modular flats, in two groups of four on two storeys around a central stair (plot 3 to 6 and 7 to 11) and one group of two in two storeys (plot 1 and 2) with the stair at one end. Parking is shown between plots 1-2 and 3-6 in a court for 8 vehicles and to the east of plots 7-10 for another eight vehicles. Given these are one-bedroom dwellings this level of provision meets County Highway standards. Forsythia Road is between plots 3-6 and 7-10.
- 3.2** The revised scheme submitted in March features a steeper better proportioned roof pitch and a lower roof to the stair access, helping to break up the roof line of the four unit blocks.
- 3.3** Unit size is 50m square, compliant with the national standard for a one bedroom two-person home.
- 3.4** The proposal scheme is set footway width from the Crab Lane highway and north of it. This leaves approximately half of the existing grass strip in situ and introduces some hedging and planting into the grassed area. The reason for the layout is derived from the presence of underground services within the grass strip.
- 3.5** 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; (and subsequent phase 2 testing and mitigation recommendations)
 - 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.

The development is too small to require a Transport Statement.

4. Relevant Planning History

4.1 There is none for this site

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

5.1 Approximately 100 neighbours and residents have objected, on the following summarised points:

- Oppose the removal of green space which is used by dog walkers and children
- Children can play on the green in sight of the housing.
- Other local green space is used by teenagers making this strip the only place for younger children to go.
- Open land is precious in the pandemic
- Requests for parking on the land made by residents were earlier rejected by the Council making this proposal unreasonable
- Brown land should be developed
- The land forms an ecological link corridor
- Should be tree planted for carbon capture
- Loss of views from the existing housing area.
- Memories are made on the green
- Local flat dwellers have little amenity space.
- Loss of the open strip forming a characteristic openness for the area
- Large amount of social housing in the area;
- Increased anti-social behaviour, especially if the future tenants are persons hard to place.
- The area will be more dangerous
- Forsythia Road and Coronilla Green will be dangerous to exit.
- The extra junctions created by the parking access will be dangerous
- Walking the narrow footpath late at night will become more dangerous.
- Reducing sunlight into resident gardens;
- Overlooking of existing properties;
- Current lack of car parking provision for residents in the area;
- Lack of space to provide EV charging points locally
- Lack of parking if residents have two cars
- Emergency services access will be prejudiced
- Increased traffic, and busy bus route
- The design of the buildings is hard and industrial
- Decreased value of properties adjacent
- Overdevelopment in a densely populated area; claustrophobic in character
- Additional pressure on doctors, dentists and schools
- Potential issues with drainage
- The ground is contaminated with asbestos and unsuitable for building. Piling will be needed.
- Harm to future residents from traffic noise given proximity to the road, only reason for this being to avoid buried service routes.
- Other sites are available and preferable (Pre-casters site) There are old allotments on East Anglian Way that could be used.

- Impact of other large-scale sites being built out currently.
- The existing open space is abused and dumped on
- A full 3m wide pedestrian cycle shared route is needed, in a landscaped area.
- This will act as precedent for development of the rest of the Crab Lane green strip.
- Construction activity will frighten disabled children
- Loss of open space will cause mental distress
- The motive is just to make the Council more money.
- A public meeting is needed
- The site notice is insufficient.
- A petition against the loss of the “Green Mile” has been received with 150 signatures

5.2 Two letters of support

- More one-bedroom property is needed

5.3 Consultations – External

Norfolk County Council

5.4 Highways – No objection subject to conditions. A traffic regulation order is considered to be advisable between the existing double yellow lines at the street corners on Crab Lane to deter parking and pavement parking on the proposed footway to the south side of the proposed flats. In this there is a slight paradox in that the reason to pursue a TRO only exists once this proposal is permitted in planning terms, yet certainty that a TRO can be put in place cannot be assured at this time as such orders also have to go through a democratic process. That said there are unlikely to be compelling objections put forward. The Head of Housing of the Borough Council has however agreed to facilitate the scheme by agreeing to fund the County Council’s reasonable costs in preparing a no waiting TRO, running between the existing yellow lines at the highway junctions, this being to the satisfaction of the County Highways team.

5.5 Update response to revised scheme: County Highways 18.3.21. No changes to advice but additional condition for stopping up existing footways by legal agreement requires to be added.

5.6 Historic Environment Service – No objection or conditions required.

5.7 Local Lead Flood Authority: The Local Lead Flood Authority offers no comment as the site is below the threshold for comment. The LPA has the duty to satisfy itself that there will be no flooding arising elsewhere as a result of development.

5.8 Norfolk Fire and Rescue. No objection and standard comments regarding provision for firefighting to accord with the Building Regulations. The internal layout of some flats should be rearranged to improve escape.

5.9 Norfolk Police: No objection subject to condition requiring further details for CCTV, access control by key fob, to both the building and bin store, improved

lighting levels, secure doors, “resident only” signage, access control to the car park.

5.10 Norfolk Environment Team. A Preliminary Environmental Assessment PEA has been produced. The land is not part of the strategic north to south Yare Green Infrastructure corridor. The strip of mown amenity grassland running north of Crab lane will be used currently by garden birds for foraging, and hedgehogs and will have some value connecting the cemetery to the allotment. This is much reduced however by the presence of dogs, cats and people and the grass cutting carried out. It is also lit at night. Bats will probably fly along it but only common species like pipistrelles. The grass strip is of low ecological value. The shadow HRA template is accepted.

5.11 Norfolk CC Infrastructure: No contributions required

5.12 Natural England – No objection subject to RAMS mitigation payments.

Consultation - Internal GYBC

5.13 Head of Housing: This site is within the Bradwell area where a 10% affordable housing contribution would normally be expected. This scheme is supported as it is all affordable and one bedroom to reflect a pressing current need.

5.14 Environmental Health – (contaminated land, noise, air quality)
No objections: The remediation reports, confirm that both Beach Coach Station and Crab Lane remediation strategies are acceptable with the contamination during construction condition, and the informative notes on noise and air quality will suffice.

5.15 Tree Officer – The arboricultural impact assessment is agreed. There is very slight intrusion by the car park into the root protection area of one tree, but this is negligible in extent.

5.16 Building Control – Access for firefighting pumps up to the front door is required and the open access to the first floors should be enclosed.

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 Gorleston, very close to the boundary of Bradwell, with the two places undivided by any gap. 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 not adaptable for the disabled, however sufficient 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. The density is considered appropriate to the locality, and notwithstanding that these are flats, the density is quite low for a flat development, because of the areas of the land left undeveloped.
- 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 are aligned at right angles to the existing terraces and at a distance of 18m from façade to flank wall, so that the rear gardens of the existing properties closest to the back doors are overlooked to a minimal degree and at a reasonable distance so no privacy loss is considered to occur. The right angular relationship means that there is no direct overlooking from room to room. Separation distances mean that light and outlook are not considered materially harmed.
- 6.8** The street-scene is not considered harmed, the presently spacious feel created by the wide grassed area is only partially lost as a result of the spaces between buildings and the setting back with a footway between the carriageway and housing creates a more traditional street feel on what, while a bus route is not a major link road within the Gorleston and Bradwell urban area, especially now, following the completion of the link road between the

A47 and A143. In terms of the form of the local built environment this row at east-west axis will mirror the row on the east-west axis to the north of those properties on the north-south axis immediately to the north of this site

- 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. This proposal does not create children's bed space.

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. While the Council owns the land, Financial gain does not play a part in the recommendation for the determination of this application.
- 7.3 One objector has criticised not being informed at the time of recent purchase of a nearby Council house. This while not material to the planning merits of the case might be construed as relating to decisions being influenced by financial concerns were it not for the scheme arising in a very short time frame to access grants offered by central government to support pandemic relief measures.

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 dwelling) 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.

9. Assessment

- 9.1 There will be short term construction jobs with little long-term economic benefit associated with the proposal, other than the employment of Council staff required to maintain the buildings and grounds.

- 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 simple form which while of little architectural pretention, is well detailed, and of a type not found elsewhere in the borough. The use of brick as a surface finish to some extent seeks to characterise the buildings as more of a traditional type, whereas in reality the use of prefabrication with a thin external weatherproof screen allows more substantial insulation in this type of building and so this is a concession to traditional sensibilities that might not be found once factory produced precision architecture becomes established. The roof pitch has been made steeper following design review by the Council, while this does require the roof to now be a separate module, slightly increasing the cost, this is considered worthwhile in appearance terms.
- 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.
- 9.6** In terms of traffic impact, the proposal adds little traffic by proportion to a well-developed area. The existing footway remains in this proposal and has improved surveillance by the introduction of new housing. A further new footpath by the road edge is created. The creation of a 3m wide shared footway and cycleway has been suggested, the extra footway is considered to go some way to providing duplicated facilities that in part reduce the impact felt from unlawful cycling on the existing footway. While this is an imperfect solution the planning balance indicates an approval recommendation, dictated by the delivery of these needed affordable homes.
- 9.7** It is true that the spacious character of Crab Lane will change, but that characteristic is not considered one that has to be preserved at all costs, given the timely positive provision of affordable housing that this application represents.
- 9.8** The land being utilised is used by residents as informal open space. It is not designated in the local plan as open amenity space (under saved policy REC11), the cemetery and substantial allotment to the west of this site are both designated. There is a small open amenity space 120m to the north of the site off Kalmia Green. The balance of the land to the east forming this open strip is not proposed as developed.
- 9.9** Objection was made that the Council was not prepared to allow further use of this site as parking for residents in the past. This was not a refusal of planning permission. Each application received is assessed in terms of its merits, and delivery of affordable homes is considered in planning terms to carry greater weight than provision for car parking.

- 9.10** Objection has been made that existing flat dwellers will have little space left to enjoy. The properties to the north are not flats and all enjoy front and rear garden space, the smaller measuring around 80 square metres front and rear aggregated. The flats to the south of Crab Lane are three storeys high and set in landscaped grounds, so not entirely devoid of open amenity space.
- 9.11** Some objectors noted that young children play here to escape teenagers using the other local green space. Given the highway proximity and the discontinuous nature of the wire fence this is considered an unsafe practice.
- 9.12** The housing team is considering the provision of a more formal play space in the vicinity, but this is at aspirational stage and cannot be linked in the consideration to this proposal.
- 9.13** While the proposal buildings are set only 2m from the highway, this is not atypical of common urban practice and in this case the use of limited modern double glazed window openings on that side of the building will assist in reducing impact from traffic for occupants. As the layout are single room depth, ventilation openings can be placed away from the road.
- 9.14** The police have suggested a number of measures that can be secured by pre-occupation condition, they also suggest enclosing the car park. This is not considered appropriate, in as much as other parking within the area is not secured in this way and the fencing would be intrusive. The parking area will be relatively well overlooked.
- 9.15** As part of the sequential test for flood risk for the other two sites for modular housing, the Borough and LPA have considered other available land in the Yarmouth and Gorleston urban area. Given timescale constraints only land owned by the Council is available and “deliverable” (in terms of the NPPF definition) in the timescales required to enable this development to proceed.
- 9.16** This green strip does appear to connect other green areas such as the allotments to the cemetery, however, it is not considered to provide an effective wildlife corridor as it is grassed, without other trees and plants to provide cover so its function is limited. Arguably the introduction of some planters and hedging in association with the proposal would be beneficial in this regard.
- 9.17** The Norfolk County Council Green Infrastructure Management Plan (NGIMP) p27-31 shows that the Gorleston area has ready access to large areas of greenspace. While this differs from play areas and general parks and other urban amenity space, it does illustrate that this is an urban area with good access to rural facilities.
- 9.18** A Preliminary Environmental Assessment (PEA) has been prepared, given the low sensitivity identified this has been carried out as a desk-based study. The County ecologist regards the planting offered as providing some benefits in an

otherwise biologically non-diverse area of open grassland next to a busy road and housing area.

- 9.19** Development of the former allotments off East Anglian Way was refused in 2017 on highway access grounds, this site has been cited as appropriate by contributors, but is not considered deliverable given the timing and physical constraints.
- 9.20** The assumed character of future occupants cannot be prejudged so as to lend weight in planning terms to concerns expressed by objectors, and anti-social behaviour has to be a matter for police should it arise. This site will be managed by the Borough Council after construction.
- 9.21** An Arboricultural impact assessment has been produced for all three sites, and the surveyor identified ten trees around the boundary of the red lined area but not within it. The report concluded: no trees are required removal or canopy alteration to facilitate development. Service connections are possible outside the root protection areas. Proposed construction works are sufficiently distant from trees not to cause harms, with the exception of one parking area where care will be required to avoid harms to tree roots, by hand digging in that limited area and use of geotextile protection. No significant shading arises so there is no threat to the existing trees arising from pruning. Construction access is good, and temporary fencing can provide full protection during works.
- 9.22** The site is not in a high-risk flood zone or an area with recorded surface water flooding. The building regulations prefer smaller domestic developments to discharge to ground via soakaways or sustainable drainage features, such as retention tanks and sufficient space around the site exists for these features. The submitted drainage strategy provides for retention tanks discharging to the public surface water drainage system and attenuating rate of discharge therefore to the undeveloped rate. While ground conditions would accept infiltration, the buried services require this strategy.
- 9.23** The Environmental Health response now reflects the findings of the intrusive phase 2 testing, which found no contamination requiring remediation. No pre-commencement conditions are required.
- 9.24** There is no reason to expect piling to be required, a matter raised by an objector, as the proposed two storey modules impose no unusual loads on the ground.
- 9.25** 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 housing have been introduced by central government in response to the crisis, and this scheme, if temporary would be permitted development.

10. Conclusion

10.1 The site offers a contribution to housing supply and is well located in relation to the pattern of the settlement

10.2 This has to set against the informal use of the area for walking dogs and children's play, though it should also be noted that the provision of another footway along the roadside will act to improve walking opportunity and considerable retained elements of the current green strip will remain. The site is not ideal for play use.

11. RECOMMENDATION: -

11.1 Approve subject to the conclusion of a section 106 agreement for Habitat Regulations mitigation and with conditions for:

- Timing
- Compliance
- 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)
- Condition to reflect the Police comments with regard to "Designing Out Crime"
- Unexpected contamination during construction
- Informative notes on noise (timing of works) and air quality during construction

some of these will need to be agreed relatively early in the process as the positioning of lighting CCTV and EV provision for example will involve buried services within the groundworks.

Background Papers 06/20/0566/F

Site Legend

- Public Footpath
Asphalt to match existing
- Entrance Paths & Patios
Duff Bronte Weathered Stone
600x600 and 600x300 slab sizes
- Hedge - New
- Existing grass
- New planting area
- New grasscrete
- Vision Splay
- Existing/Proposed tree
- PW1.2m 1.2m post & wire
P&WB1.8m 1.8m post & wire with timber battens
BW1.5m 1.5m high brick wall
BW1.8m 1.8m high brick wall
H1.2m 1.2m hedge
H1.8m 1.8m hedge
- **Refer to Material Specification document for further details**

Landscape shown indicatively,
refer to landscape plans

Site Area: 2940m²



Proposed Site Plan
1 : 200

P11 Update issued for planning	18.03.21	JK
P10 Issued for Planning	10.03.21	JK
P9 Issued for information	09.03.21	JK
P8 Issued for information	08.03.21	JK
P7 Issued to GPC	07.03.21	JK
P6 Issued for design update	06.03.21	JK
P5 Issued for Planning	05.11.20	BR
P4 Issued to project team	05.11.20	JK
P3 Issued to GPC	05.11.20	JK
P2 Issued for Planning	05.10.20	JK
P1 Issued to ModPro	15.10.20	JK
Rev Comment	Date	Drawn By
304886	1 : 200	JK

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Vision, form and function

Project:
Crab Lane
Gorleston
Norfolk

Client:
Broadland Development Services

File:
Proposed Site Layout

Drawing Number:	CRABLN-IW-SA-XX-DR-A-1000
Status:	Purpose of issue: PLANNING
Revision:	P11

