

Reference: 06/20/0020/F

Parish: Great Yarmouth

Officer: Gordon Sutherland

Expiry Date: 14-10-20

Applicant: Mrs K Rokach

Proposal: Redevelopment of site to create 28 self-contained flats

Site: Land adjacent Raynscourt Lodge, 16 Euston Road, Great Yarmouth

REPORT

1. Background

- 1.1 This is a full planning application for a major residential development.

2. Site and Context

- 2.1 This site is a piece of land 0.2 acres adjoining Raynscourt Lodge on the corner Euston Road and Marine Parade off the seafront in Great Yarmouth town centre. Currently used as car parking (25 spaces), the land was formerly the Raynscourt Hotel which was demolished in 2016. It is located in the Seafront Conservation Area designated by the local authority on 10th October, 2003. To the west is the Raynscourt Lodge Bed and Breakfast, to the north Marine Lodge Hotel, residential apartments and the Novaturient Independent School. To the southwest is a terrace of houses and to the east is the former Aquarium now a cinema and nightclub.

3. Proposal

- 3.1 The proposal is for the erection of 28 flats in a four and five storey building with underground parking. The building is an “L” shape turning the corner with frontages on Euston Road and Marine Parade. The layout shows 26 two bed units and 2 three bed units. 6 car spaces are shown adjoining Euston Road and 10 spaces in a basement beneath the building. Access to the underground parking would be from the south with one-way direction exiting onto Euston Road. The building is primarily 4 floors above ground, the upper floor within the roof and rises to 5 stories in the form of a tower at the corner of the two roads. There are projecting balconies proposed on the second and third floors of the tower and recessed balconies on the fourth and fifth floors. The proposed materials are red face brickwork with white mortar, stone style cills, lintels and quoins with concrete interlocking tiles on the upper section of the roof with slate to the mansard lower sections and white PVC-u sash style

windows. Dwarf brick walls are proposed along the road frontages topped with a steel bar and post rail.

4. Relevant Planning History

- 4.1** In November 2015 Conservation Area Consent was granted for the demolition of the Raynscourt Hotel 06/15/0521/CC and in March 2016 planning permission for a change of use of the land for car parking was granted 06/15/0764/CU.

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

- 5.1** At the time of writing two letters of objection has been received with concerns summarised as follows:

- Overdevelopment of the site.
- Prominent position at gateway to seafront,
- Proposal detrimental to character of the Conservation Area
- No green space or trees
- Inadequate parking proposed
- Site is well used for parking
- Contrary to 2001 Local Plan Policy TR12 (Changes of Use in Secondary Holiday Accommodation Area): out of character with neighbouring buildings as building too big; waste facilities look inadequate; and inadequate parking
- Area subject to flooding

Consultations – External

Norfolk County Council

- 5.2 Fire and Rescue.** No objection provided the proposal is constructed in accordance with the Building Regulations
- 5.3 Highways** –No objection to the principle of development however, the proposed parking (16 spaces) is less than minimum standards of 2 spaces per unit (56 total). The underground spaces are constrained and considers it would not be possible to manoeuvre in or out of some of them. The spaces proposed directly off Euston Road given their proximity to the junction with Marine Parade could give rise to conditions detrimental to highway safety. It is considered residents would have motor vehicles and add to existing pressure for on street parking accepting that because public transport is available that demand may be lower. The proposal does not make any provision to encourage sustainable modes of transport for local journeys, such as secure cycle parking. The consultation response concludes a recommendation of refusal on highway grounds could not be sustained for lack of parking alone. Highways recommend amendment of the proposals to remove the parking fronting Euston Road in its entirety and to provide secure parking for 35 cycles in accordance with current standards.

- 5.4 Archaeology** – Advises that this is the location of the ‘Town Battery’ built in 1781 during the American War of Independence, along with earlier fortifications from the 16th century. Therefore there is the potential of buried archaeological remains on the site which would be affected by the development. If permission is granted a condition is recommended for site investigation analysis and recording in accordance with an approved programme of works.
- 5.5 Ecology** – The Natural Environment Team at Norfolk County Council advise that the site lies in the Orange Habitat Impact Zone and will require a shadow Habitat Regulations Assessment to be submitted in support of the application, in accordance with the Monitoring and Mitigation Strategy, to address potential negative impacts on European designated sites (Natura 2000 sites) caused by increased visitor pressure resulting from new development. As the development is for more than 10 dwellings a bespoke HRA would be required. At time of writing this report no HRA has been received.
- 5.6 Flood** - Norfolk County Council as Lead Local Flood Authority object to the application in the absence of an acceptable Flood Risk Assessment and Drainage Strategy. This must be produced in accordance with , but not limited to the following: National Planning Policy Framework; Lead Local Flood Authority Consultee for Planning Guidance (March 2019); the SuDS Manual (CIRIA C753) and recommend Table 2 of the LLFA Statutory Consultee for Planning Guidance (March 2019) is reviewed to see the requirements of the LLFA for a full planning application.
- 5.7 Infrastructure Requirements-** No education contribution at this time as there is sufficient spare capacity within schools. A contribution of £2,100 (£75 per dwelling) for stock to increase the capacity of the library. Green infrastructure £200 per dwelling for mitigation and improvement works to the Norfolk Coast Path and Angles way long-distance trails both of within close-proximity to this development so likely to receive increased usage.
- 5.8 Environment Agency** The site is located partly within Zone 3a as such having a high probability of coastal flooding. The Flood Risk Assessment submitted shows the ground floor apartments would flood internally by 1.22m in a 1 in 200year event and would therefore be unsafe for occupants. To overcome this objection, finished first floor levels would need to be raised to 5.27m above datum. That is, the first-floor level would have to be 1.52m higher than proposed (1.22m +0.3m freeboard).
- 5.9 Water Management Alliance-** no comment
- 5.10 Norfolk Constabulary – Designing out Crime** – Provides the following design advice for consideration by the developer: mail delivery via secure external letter box, use of waste containers with lockable lids, use of a visitor door entry system and access control system, door-sets allowing emergency egress from the underground car park.

- 5.11 Historic England.** Do not object to the principle of development but considers the current proposal would result in harm to the historic significance of the Conservation Area, by means of the scale, bulk, form and detailing of the proposed building.
- 5.12** The site lies in the Seafront Conservation Area which includes the winter Gardens, Britannia Pier and Royal Aquarium. The areas significance is largely in the Victorian and early Edwardian seaside leisure and residential buildings. Standing at a prominent corner of Euston Road and Marine Parade; along Euston Road are a series of Victorian and Edwardian villas and larger residential buildings often detached and set in their own gardens, with elegant architectural details such as Italianate towers and turrets. This contrasts with Marine Parade where adjacent the site is a row of three storey terraced houses. To the east is the flank of the former Royal Aquarium, an impressive large building with a decorated frontage design to be the focal point of the street. Though much changed the Aquarium is part of a group of a nationally important collection of buildings from the leisure industry of the period.
- 5.13** Developing the site could have an effect on this historic significance. In this case the concern regards the proposals scale and height. "The proposed building would match the height of the adjacent terrace on Euston Road but rise up to five storeys at the corner, which is taller than other buildings in either Marine Parade or Euston Road. This would mean that the proposed building could be seen above the Royal Aquarium in views from North Drive and form an imposing feature within the surrounding streets. This taller element is clearly intended to punctuate the two roads and form a 'corner turner' with its chamfered face. However, it is not an elegant bay making the joining of the two street facades, but a heavy, bulky block with a somewhat squat and inelegant form. The three-storey section takes its cue from the height the Victorian terrace, but the façade is crammed with fenestration due to the floor to ceiling heights and the large number of small units it accommodates. The roof windows show that a fourth storey has in fact been added and further serve to make the street façade cluttered. It other than its height does not reflect the character of the adjacent terrace".
- 5.14** Historic England recommend that as per paragraph 189 of the National Planning Policy Framework the applicants provide a Heritage Statement which would allow the proposal to be assessed against the historic significance of its context and would inform the design of any new development. "A smaller number of town houses could achieve an elevation which is better balance and reflects the adjacent building better and the corner element does not need to be the kind of squat tower-like form but something smaller and more restrained. Overall, the bulk and busy elevation treatment need considerable work if the building is to enhance rather than harm the conservation area"

Consultation - Internal GYBC

- 5.15** Environmental Services – Has reviewed the flood risk assessment and is content that appropriate risks are identified, and mitigation recommended.

- 5.16** Affordable Housing – The site is within the town centre and over the threshold of 15 units. Therefore a 10% contribution is required equating to 3 units. If planning permission is granted it should be subject to the completion of a section 106 agreement to secure the community infrastructure outlined in this report.
- 5.17** Conservation - The site is located within the Great Yarmouth Seafront Conservation Area in close proximity to other designated and non-designated heritage assets of Victorian and early Edwardian origin. The site is adjacent the Arc cinema (also known as the Aquarium), constructed in 1875, one of the seafronts most significant landmarks. It adjoins a Victorian terrace to the south. The consultation response states that the plan, form and overall massing do not follow the outlines dictated by the surrounding built environment and would negatively affect the special character of the Conservation Area as well as the setting of neighbouring heritage assets. The incongruous size and scale of the proposal is not mitigated by the variations in the elevations, design approach and details. It is believed that the development could detrimentally harm the character and appearance of the Conservation Area.
- 5.18** A design statement has not been submitted as part of the application. It is recommended that Historic England is consulted prior to making a decision on the application. Development in principle is accepted, however, in this case It is considered that any development in this location must complement, enhance and support the character and appearance of the conservation area and champion good design on this prominent. Further that the building should contribute to the quality of the roofscape and skyline. Proposals should contribute to local distinctiveness, and not dominate in scale and mass. A design statement should be provided to communicate the concept of the design solution demonstrating how it fits within the historic environment.
- 5.19** Environmental Health. The site is formerly the location of munitions and guns of the historic ‘Town Battery’ so associated risks should be considered in a contamination report. A Phase 1 Desktop contamination report and depending on the findings a Phase 2 intrusive report should be submitted to the local planning authority prior to the determination of the application.

6. Assessment of Planning Considerations: Policy Considerations:

National policy

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

- 6.2** At present the Council is unable to demonstrate a 5-year supply of deliverable housing sites. Paragraph 11(d) of the NPPF, the lack of five-year supply should weigh heavily in favour of the application unless any adverse impacts of doing so would significantly and demonstrably outweigh benefits when assessed against the policies in the Framework taken as a whole. The NPPF also states in paragraphs 7 and 8 that enhancement of the historic environment is an overarching objective, paragraphs 193 and 194 state that great weight should be given to the conservation of conservation areas irrespective of the level of harm caused. In this case it is considered that the proposed development would have an adverse impact on the character and appearance of the Seafront Conservation Area, would cause traffic conflict to the detriment of the amenity of local residents and visitors and the ground floor accommodation would be at an unnecessary risk from flooding.

Local Policy Adopted Core Strategy 2013-2030

- 6.3** 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 major development within an established settlement. Great Yarmouth is defined as a Main Town where 35% of new borough wide development is anticipated to be provided in the development plan period to 2030.
- 6.4** As a Main Town, Great Yarmouth is identified in the Core Strategy as a settlement with a wide range of services and opportunities for employment, retail and education. It serves a wider catchment area with high levels of accessibility and public transport provision. In this case the site is located off the sea front adjacent to the town centre having a full range of shops and services.
- 6.5** Policy CS3 - Addressing the borough's housing need states in subparagraph g) that the Council and partners will seek to promote design-led housing developments with layouts and densities that appropriately reflect the characteristics of the site and surrounding areas and make efficient use of land, in accordance with policy CS9 and CS12 (Utilising Natural Resources).
- 6.6** Policy CS9 Encouraging well-designed, distinctive places
- High quality, distinctive places are an essential part in attracting and retaining residents, businesses, visitors and developers. As such, the Council will ensure that all new developments within the borough:
- a) Respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised; making efficient use of land and reinforcing the local identity

- b) Consider incorporating key features, such as landmark buildings, green infrastructure and public art, which relate to the historical, ecological or geological interest of a site and further enhance local character
- c) Promote positive relationships between existing and proposed buildings, streets and well-lit spaces, thus creating safe, attractive, functional places with active frontages that limit the opportunities for crime
- d) Provide safe access and convenient routes for pedestrians, cyclists, public transport users and disabled people, maintaining high levels of permeability and legibility
- e) Provide vehicular access and parking suitable for the use and location of the development, reflecting the Council's adopted parking standards
- f) Seek to protect the amenity of existing and future residents, or people working in, or nearby, a proposed development, from factors such as noise, light and air pollution and ensure that new development does not unduly impact upon public safety
- g) Conserve and enhance biodiversity, landscape features and townscape quality
- h) Minimise greenhouse gas emissions and the risk of flooding, through the use of renewable and low carbon energy and efficient site layouts and building designs, in accordance with Policy CS12
- i) Fulfil the day-to-day social, technological and economic needs of residents, visitors and businesses by ensuring the provision of capacity for high speed digital connectivity, suitable private and communal open space, cycle storage and appropriate waste and recycling facilities

Applicants are encouraged to engage with the Council's Development Control section early on in the design process through pre-application discussions to help speed up the planning process and ensure that the selected design is the most appropriate for the site.

6.7 Policy CS10 Safeguarding local heritage assets

The character of the borough is derived from the rich diversity of architectural styles and the landscape and settlement patterns that have developed over the centuries. In managing future growth and change, the Council will work with other agencies, such as the Broads Authority and Historic England, to promote the conservation, enhancement and enjoyment of this historic environment by:

- a) Conserving and enhancing the significance of the borough's heritage assets and their settings, such as Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, archaeological sites, historic landscapes including historic parks and gardens, and other assets of local historic value

- b) Promoting heritage-led regeneration and seeking appropriate beneficial uses and enhancements to historic buildings, spaces and areas, especially heritage assets that are deemed at risk
- c) Ensuring that access to historic assets is maintained and improved where possible
- d) Regularly reviewing heritage designations and designating additional areas, buildings and spaces for protection where justified by evidence
- e) Carrying out, reviewing and implementing Conservation Character Appraisals and, if appropriate, management plans
- f) Designating new Conservation Areas and amending existing Conservation Area boundaries, as appropriate

6.8 Policy CS13 Protecting areas at risk of flooding or coastal change

The risk of flooding and coastal change is expected to increase with climate change. This presents a challenge for property/business owners and service providers in susceptible areas and will also place some important biodiversity and heritage assets at risk. The Council will ensure a sustainable and practicable approach to flood risk and coastal change and ensure development does not increase the risk of flooding elsewhere. This will be achieved by:

- a) Directing new development proposals away from areas of highest risk of flooding (Flood Zones 2, 3a and 3b) unless it can be demonstrated that:

- ☐ The requirements of the Sequential Test are met ☐ Where applicable, the requirements of the Exception Test are met. A safe access/egress route throughout the duration of the flood event should be provided. However, if this is demonstrated as not being possible then evacuation will be considered as a means of making the development safe ☐ A satisfactory Flood Response Plan has been prepared

- b) Ensuring that new developments on sites adjacent to defences provide adequate access for repairs, maintenance and upgrades and that the development will not affect the integrity of the defence. New development needs to take into account the Environment Agency's flood defence proposals so that future flood defence options are not compromised

- c) Seeking the use of Sustainable Drainage Systems (SuDS) in all new developments

- d) Ensuring that new development takes into consideration the findings of the Surface Water Management Plan

- e) Minimising exposure of people and property to the risks of coastal change by encouraging new development away from areas at risk of coastal change, as identified in the Kelling to Lowestoft Shoreline Management Plan (SMP)
- f) Proactively managing coastal change by designating Coastal Change Management Areas (CCMA) in the Development Policies and Site Allocations Local Plan Document
- g) Designing SuDS, flood protection and coastal change measures to enhance nature conservation and biodiversity interests, including replacement habitats lost to coastal change
- h) Seeking developer contributions towards flood alleviation and coastal change schemes, where appropriate in accordance with Policy CS14

6.9 Policy CS14 Securing appropriate contributions from new developments

New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will:

- a) Ensure that the Council's Infrastructure Plan is appropriately updated as part of the plan making process
- b) Prepare a Supplementary Planning Document on Planning Obligations to set out the appropriate range and level of contributions, and matters for which they will be sought
- c) Assess all development proposals and encourage early engagement with service/utility providers to establish whether any infrastructure or infrastructure improvements are needed to mitigate the impacts of the proposed development
- d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought
- e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures
- f) Make certain that new developments for which a planning obligation is necessary does not take place until a planning obligation agreement has been secured and approved. Payments should be made in a timely and fair manner to minimise the impact on existing services and infrastructure

6.10 Policy CS15 Providing and protecting community assets and green infrastructure

Everyone should have access to services and opportunities that allow them to fulfil their potential and enjoy healthier, happier lives. The effective planning and delivery of community and green infrastructure is central to achieving this aim. As such, the Council will:

- a) Resist the loss of important community facilities and/or green assets unless appropriate alternative provision of equivalent or better quality facilities is made in a location accessible to current and potential users or a detailed assessment clearly demonstrates there is no longer a need for the provision of the facility in the area
- b) Ensure that all new development is supported by, and has good access to, a range of community facilities. In some circumstances developers will be required to provide and/or make a contribution towards the provision of community facilities. The process for securing planning obligations is set out in Policy CS14
- c) Take a positive approach to the development of new and enhanced community facilities, including the promotion of mixed community uses in the same building, especially where this improves choice and reduces the need to travel
- d) Work with our partners to deliver essential strategic community facilities, including supporting projects, such as the continuing development of the James Paget University Hospital, to meet current and future needs
- e) Promote healthy lifestyles by addressing any existing and future deficiencies in the provision and quality of sports facilities, including access to these facilities, playing pitches, play spaces and open spaces throughout the borough
- f) Ensure that all new developments contribute to the provision of recreational green space and incorporate improvements to the quality of, and access to, existing green infrastructure in accordance with local circumstances
- g) Safeguard the natural beauty, openness and recreational value of the borough's beaches and coastal hinterland

6.11 Policy CS16 Improving accessibility and transport

The Council and its partners will work together to make the best use of, and improve, existing transport infrastructure within and connecting to the Borough, having first considered solutions to transport problems that are based on better management and the provision and promotion of sustainable forms of travel. This will be achieved by:

- a) Supporting improvements that reduce congestion, improve accessibility and improve road safety without an unacceptable impact on the local environment, in accordance with Policy CS11; and communities, in accordance with Policy CS9. High priority schemes that will assist in achieving this include:

- Working with our partners to mitigate congestion at pinch points and actively manage the road network
- Supporting any future proposals to dual the A47
- Supporting the development of a new link road to the south of Bradwell via the A12 through Beacon Park to the A143 Beccles Road, in accordance with Policy CS18
- Supporting proposals for a third river crossing over the River Yare which appropriately balances the needs of road and river traffic and continuing to protect the route alignment
- Working with our partners to reduce car dependency by improving both the quantity and quality of the public transport service on offer in the borough and the wider area, including the promotion of a quality bus corridor from Great Yarmouth to Lowestoft
- Upgrading Great Yarmouth Railway and Bus Stations to provide higher quality facilities that encourage greater use of public transport
- Improving accessibility to employment, education, health, recreation, leisure and shopping facilities by enhancing linkages between existing 'green travel' routes to create a coherent network of footpaths, cycleways and bridleways
- Supporting the port and its future development as a passenger and freight intermodal interchange, with facilities to achieve efficient staging, loading and unloading and to realise the potential of the port to function as a sustainable transport corridor

b) Directing new development towards the most sustainable locations in accordance with Policy CS2, thereby reducing the need to travel and maximising the use of sustainable transport modes

c) Ensuring that new development does not have an adverse impact on the safety and efficiency of the local road network for all users

d) Seeking developer contributions towards transport infrastructure improvements, including those made to sustainable transport modes, in accordance with Policy CS14

e) Minimising the impact of new development on the existing transport infrastructure by encouraging applicants to:

- Produce and implement Transport Assessments and Travel Plans, as appropriate
- Improve accessibility to sustainable transport modes
- Ensure that adequate access routes are available for emergency services, waste collection and delivery vehicles
- Ensure that necessary transport improvements are addressed prior to development, where possible

f) Working with operators to ensure the continued need for, and appropriate maintenance and upgrading (as appropriate) of, the heliport, coach, bus, rail and heavy goods vehicle facilities

g) Ensuring that development proposals contribute to the implementation of the Norfolk Local Transport Plan to deliver improved accessibility through integrated and sustainable transport modes

Final Draft Local Plan Part 2

- 6.12** The Local Plan Part 2 includes the site within the settlement limits for Great Yarmouth. Policy GSP1: “Development Limits” repeats and reinforces existing spatial policy stating “development will be supported in principle within the Development Limits except where specific policies in the Local Plan indicate otherwise.
- 6.13** Policy UCS3: “Adjustment to Core Strategy Housing Target“ recognises that the housing requirement over the plan period needs to be reduced to reflect the objectively assessed need as updates from 7140 units to 5303 new dwellings, this has the effect of giving the Borough a five year housing supply reinforced by recent approvals for outline permission on housing land allocations within the emergent plan and therefore removing the lack of supply argument, upon adoption. At present this carries little weight, and the delivery of 28 homes has weight unless or until the Local Plan Part 2 is adopted in the Spring/ Summer of 2021.
- 6.14** Policy A1 Amenity has no unresolved objections and as such can be given considerable weight. It states:

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

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

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

- a. overlooking and loss of privacy;
- b. loss of light and overshadowing and flickering shadow;
- c. building and structures which are overbearing;
- d. nuisance, disturbance and loss of tranquility from: • waste and clutter • intrusive lighting • visual movement • noise • poor air quality (including odours and dust); and • vibration.

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

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

- 6.15** Policy E5 Historic environment and heritage has unresolved objections and as such can be given less weight. It states:

Proposals for development should seek to conserve and enhance heritage assets and positively contribute the character of the area.

Development proposals within conservation areas should take into account the special and distinctive character of the area and have regard to the relevant Conservation Area Appraisal and Management Plan.

Non-listed buildings or structures which either make a positive contribution to the significance of a conservation area or are a non-designated heritage asset will be protected from demolition.

Proposals which involve the loss of non-listed buildings/structures which either make a positive contribution to the significance of a conservation area or are non-designated heritage assets will only be permitted where:

a. the building/structure is structurally unsound and beyond feasible and viable repair for reasons other than deliberate damage or neglect; or b. all measures to sustain the existing use or find an alternative use/user have been exhausted and the building risks falling into dereliction.

In all cases replacement buildings, or any new use of the site, should preserve or enhance the character of the area.

Development proposals which have the potential to impact on Heritage Assets or their settings should be supported by a Heritage Impact Assessment prepared by an individual with relevant expertise. An archaeological assessment must be included with any planning application affecting areas of known or suspected archaeological value to ensure that the preservation and/or recording of archaeological remains can be secured.

Saved Policies of 2001 Borough Wide Local Plan

- 6.16** Policy HOU7 New Residential Development provides a presumption in favour of development within settlement boundaries where the following criteria are met:

(A) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE FORM, CHARACTER AND SETTING OF THE SETTLEMENT;

(B) ALL PUBLIC UTILITIES ARE AVAILABLE INCLUDING FOUL OR SURFACE WATER DISPOSAL AND THERE ARE NO EXISTING CAPACITY CONSTRAINTS WHICH COULD PRECLUDE DEVELOPMENT OR IN THE CASE OF SURFACE WATER DRAINAGE, DISPOSAL CAN BE ACCEPTABLY ACHIEVED TO A WATERCOURSE OR BY MEANS OF SOAKAWAYS;

(C) SUITABLE ACCESS ARRANGEMENTS CAN BE MADE;

(D) AN ADEQUATE RANGE OF PUBLIC TRANSPORT, COMMUNITY, EDUCATION, OPEN SPACE/PLAY SPACE AND SOCIAL FACILITIES ARE AVAILABLE IN THE SETTLEMENT, OR WHERE SUCH FACILITIES ARE LACKING OR INADEQUATE, BUT ARE NECESSARILY REQUIRED TO BE PROVIDED OR IMPROVED AS A DIRECT CONSEQUENCE OF THE DEVELOPMENT, PROVISION OR IMPROVEMENT WILL BE AT A LEVEL DIRECTLY RELATED TO THE PROPOSAL AT THE DEVELOPER'S EXPENSE;
AND,

(E) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE RESIDENTIAL AMENITIES OF ADJOINING OCCUPIERS OR USERS OF LAND.

6.17 Policy HOU9 Developer Contributions

POLICY HOU9 A DEVELOPER CONTRIBUTION WILL BE SOUGHT, AS A PLANNING OBLIGATION UNDER THE TOWN AND COUNTRY PLANNING ACT 1990 TO FINANCE THE EARLY PROVISION OF FACILITIES REQUIRED AS A DIRECT CONSEQUENCE OF NEW DEVELOPMENT.

6.18 Policy HOU17- Housing Density and Subdivision states

IN ASSESSING PROPOSALS FOR DEVELOPMENT THE BOROUGH COUNCIL WILL HAVE REGARD TO THE DENSITY OF THE SURROUNDING AREA. SUB-DIVISION OF PLOTS WILL BE RESISTED WHERE IT WOULD BE LIKELY TO LEAD TO DEVELOPMENT OUT OF CHARACTER AND SCALE WITH THE SURROUNDINGS.

6.19 Policy TCM19 Parking provision in great Yarmouth holiday/seafront area

POLICY TCM19 IN THE DEFINED HOLIDAY/SEAFRONT AREA OF GREAT YARMOUTH, OPERATION OF THE COUNCIL'S PARKING STANDARDS MAY BE RELAXED IN RESPECT OF APPLICATIONS FOR RESIDENTIAL CONVERSIONS OR CHANGES OF USE WHERE:

(a) THE PROPOSAL (IE. CHANGE OF USE OR CONVERSION) WILL RESULT IN A NETT REDUCTION IN CAR PARKING DEMAND AND A LESSER STANDARD OF PROVISION WILL APPLY;

(b) ALTERNATIVE, UNDERUSED, CAR PARKING FACILITIES ARE READILY AVAILABLE IN THE VICINITY; AND/OR

(c) THE PROPOSAL WOULD RESULT IN THE PRESERVATION OF A LISTED BUILDING OR WOULD SERVE TO PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA.

6.19 Policy TR12 Changes of use in Secondary Holiday Accommodation Areas.

SUBJECT TO OTHER POLICIES IN THE PLAN, WITHIN SECONDARY HOLIDAY ACCOMMODATION AREAS, AS SHOWN ON THE PROPOSALS MAP, PROPOSALS FOR CHANGE OF USE TO A SINGLE DWELLING, SELF CONTAINED RESIDENTIAL FLATS, RESIDENTIAL HOMES OR NURSING HOMES MAY BE PERMITTED IF THE APPLICANT CAN DEMONSTRATE THAT:

(A) THE PROPOSED DEVELOPMENT WOULD NOT HAVE A SIGNIFICANT ADVERSE EFFECT, EITHER INDIVIDUALLY OR CUMULATIVELY ON THE CHARACTER OF THE AREA;

(B) THE PROPOSED DEVELOPMENT WOULD NOT HAVE A SIGNIFICANT ADVERSE EFFECT ON THE RESIDENTIAL AMENITY OF THOSE LIVING IN THE AREA OR TO THE USERS OF ADJOINING PROPERTY OR LAND;

(C) PARKING AND SERVICING ARRANGEMENTS CAN BE PROVIDED IN ACCORDANCE WITH THE COUNCIL'S STANDARDS SET OUT AT APPENDIX (A) TO CHAPTER 3 OF THE PLAN; AND

(D) IN THE CASE OF AN ACCEPTABLE PROPOSAL FOR A CHANGE OF USE OF PART OF A PROPERTY, THE PROPOSED DEVELOPMENT WOULD RESULT IN AN IMPROVEMENT TO THE REMAINDER OF THE HOTEL, GUEST HOUSE OR PROPERTY.

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 has not submitted a Shadow Habitat Regulations Assessment (HRA) but has anticipated having to make a contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling).

8.2 When determining a planning application, the Local Planning Authority as the competent authority has a legal duty under the Habitat Regulations to have regard to the Habitats Directive. In this case although development of the site itself which is a car park of tarmac and crushed stone, providing negligible

wildlife habitat and contributing little to biodiversity. However, the Council must assess the wider impact on designated habitats in the borough. It must assess the likely significant effects (from end users of a residential development here) from increased recreational disturbance on the Winterton and Horsey Dunes Special Area of Conservation, the North Denes Special Protection Area, the Breydon Water Special Protection Area, the Broadland Special Protection Area and the Broads Special Area of Conservation. It is advised that in this case as no shadow HRA has been received at this time, that this is a sufficient reason in itself to refuse the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.

9. Concluding Assessment

- 9.1** The development is for more than 10 dwellings in accordance with the Council's Habitats Monitoring and Mitigation Strategy a bespoke Habitats Regulations Assessment is required to be provided in order to determine the application. At this time no assessment has been provided. This is a sufficient reason to refuse the application.
- 9.2** 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 local identity, the character and appearance of the Seafront Conservation Area, amenity highway safety, and flood risk.
- 9.3 Local Identity/Character and Appearance of the Seafront Conservation Area** These two considerations are linked as the local identity is derived from the characteristics that define the conservation area. That is the architecture, design, scale and massing of buildings on Euston Road and Marine Parade which are Victorian and early Edwardian seaside leisure and residential buildings. The main observations from Heritage England set out in the consultation section of the report are repeated below:

Standing at a prominent corner of Euston Road and Marine Parade; along Euston Road are a series of Victorian and Edwardian villas and larger residential buildings often detached and set in their own gardens, with elegant architectural details such as Italianate towers and turrets. This contrasts with Marine Parade where adjacent the site is a row of three storey terraced houses. To the east is the flank of the former Royal Aquarium, an impressive large building with a decorated frontage design to be the focal point of the street. Though much changed the Aquarium is part of a group of a nationally important collection of buildings from the leisure industry of the period.

Developing the site could have an effect on this historic significance. In this case the concern regards the proposals scale and height. "The proposed building would match the height of the adjacent terrace on Euston Road but rise up to five storeys at the corner, which is taller than other buildings in either Marine Parade or Euston Road. This would mean that the proposed building could be seen above the Royal Aquarium in views from North Drive

and form an imposing feature within the surrounding streets. This taller element is clearly intended to punctuate the two roads and form a 'corner turner' with its chamfered face. However, it is not an elegant bay making the joining of the two street facades, but a heavy, bulky block with a somewhat squat and inelegant form. The three-storey section takes its cue from the height the Victorian terrace, but the façade is crammed with fenestration due to the floor to ceiling heights and the large number of small units it accommodates. The roof windows show that a fourth storey has in fact been added and further serve to make the street façade cluttered. It other than its height does not reflect the character of the adjacent terrace”.

- 9.4** It is considered that the proposal is too large and bulky (massing) also too tall compared with and viewed in the context of the neighbouring buildings; the number of units gives rise to the building size and a multitude of windows across the elevations. Importantly the upper floors would project above the former Royal Aquarium in longer views from the seafront and dominate the skyline. This would be significantly detrimental to local identity and to the character and appearance of the conservation area, neither preserving or enhancing its historic character and appearance.
- 9.5** **Amenity** – The density of the development will create 28 two and three bed dwellings which could reasonably expect to generate at least 30 people and 20+ vehicles. Except for the units with balconies there would be no amenity space on the site. There will be pressures for amenities off site including on street parking, public spaces and leisure facilities. The consultation responses set out the compensation that would be needed to address these impacts. In the case of parking there would be no provision off site and the County Surveyor recommends omission of the proposed 6 spaces off Euston Road and acknowledges that the development will result in addition pressure for on-street parking in the vicinity. An objector questions the adequacy of waste storage within the development, this is shown as provided in the ground floor of the building.
- 9.6** **Highway and transport impact** - as stated in the consultation response from the County Highways Authority, whilst there are reservations about the scale of the development especially in relation to the amount (16 spaces), that will likely result in added pressure to on-street parking; the constrained usability of the 10 spaces located under the building and the remaining 6 spaces requiring backing off or onto Euston Road close to its intersection with Marine Parade; they consider that this alone would be insufficient to sustain refusing this application. Therefore it is considered that in combination with the matters of, adverse impact on local identity, adverse impact on the character and appearance of the conservation area, amenity and flood risk there are a sufficient number of adverse impacts that are not being mitigated by this development to substantiate refusal.
- 9.7** **Flood Risk** - The site is located partly within Zone 3a as such having a high probability of coastal flooding. The Flood Risk Assessment submitted shows the ground floor apartments (7 units) would flood internally by 1.22m in a 1 in

200year event and would therefore be unsafe for occupants. To overcome this objection, finished first floor levels would need to be raised to 5.27m above datum. That is, the first-floor level would have to be 1.52m higher than proposed (1.22m +0.3m freeboard).

- 9.8** The development proposed provides underground parking also seven of the 28 units located on the ground floor would be at risk of flooding. Given this is a cleared site, it is considered that a development could be designed to remove the risk of flooding by omitting living areas below the level which could flood.

10. RECOMMENDATION: -

- 10.1** Refuse. The proposal is contrary with the aims of Policies CS9, CS10 and CS13 of the Great Yarmouth Local Plan Core Strategy, also to Policies A1 and E5 of the Emerging Local Plan Part 2 and saved Policies HOU7, TCM19 and TR12 of and the Great Yarmouth Borough-wide Local Plan (2001) (LP).

Background Papers 06/20/0020/F

Proposed Site Redevelopment to Form 28 Self Contained Flats

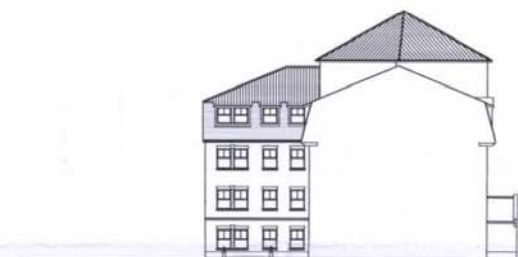
Former Rainscourt Hotel, Marine Parade, Gt Yarmouth.
Planning Drawing



PROPOSED EAST ELEVATION
1:100



Proposed West Elevation (courtyard)
1:200



Proposed South Elevation
1:200



PROPOSED NORTH ELEVATION
1:100

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NORFOLK
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Project
Proposed site redevelopment to form 44
self contained flats, Former Rainscourt Hot
Marine Parade, Great Yarmouth.
Elevations

Client
Mrs Kay Rokach

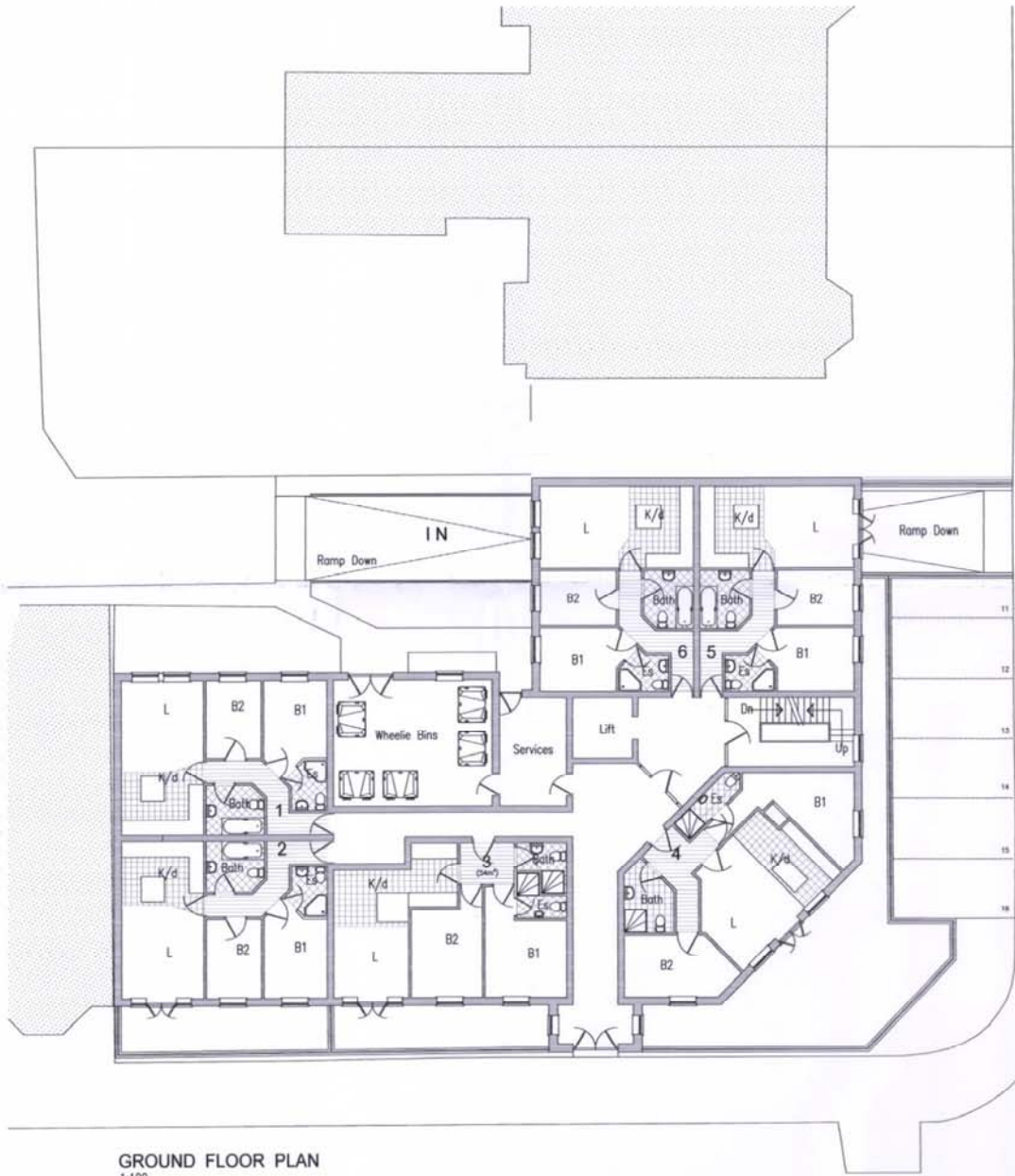
Scale 1:100 Date January 2020

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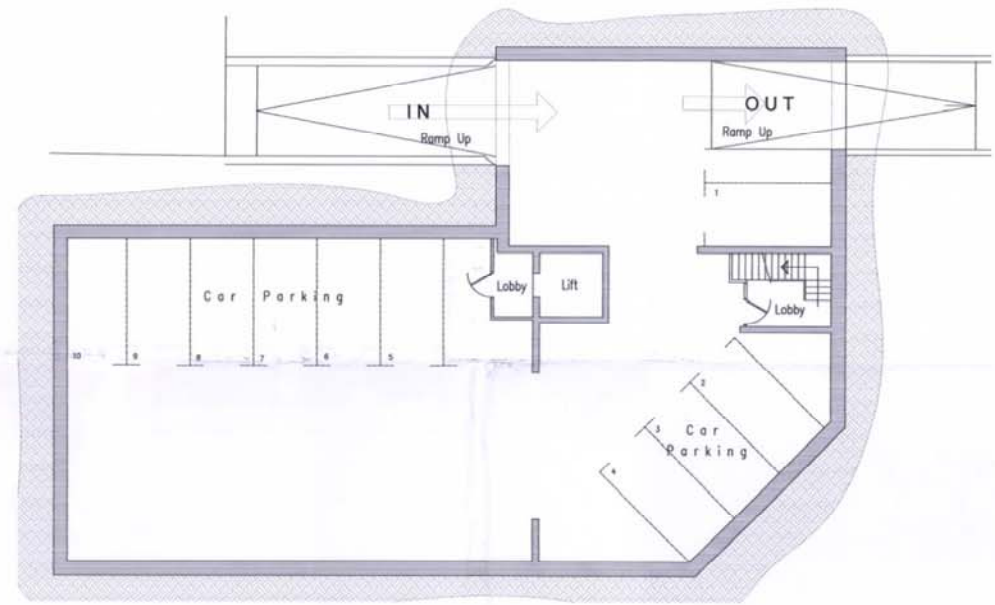
Drawn
1376/4
Revisions

Proposed Site Redevelopment to Form 28 Self Contained Flats

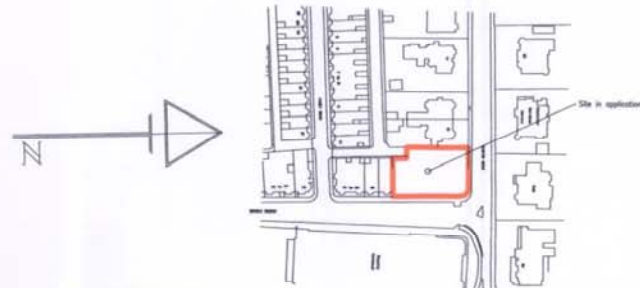
Former Rainscourt Hotel, Marine Parade, Gt Yarmouth.
Planning Drawing



GROUND FLOOR PLAN
1:100



BASEMENT FLOOR PLAN
1:100



Site Location Plan
1:1250

Andrew Middleton
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NR30 1RL Tel: (01493) 858611
Project
Proposed site redevelopment to form 28
self contained flats. Former Rainscourt Ho
Marine Parade, Great Yarmouth.
Basement and Ground Floor Plans.

Client
Mrs Kay Rokach
Scale 1:100 Date January 2020

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Revisions