

Development Management Committee Report



Committee Date: **17 April 2024**

Application Number	06/23/0929/F – (Click here to see application webpage)
Site Location	Land off Thamesfield Way and Suffolk Road, Great Yarmouth, NR31 0ED
Proposal	1. Provision of temporary car park for staff and pupils of East Coast College and a temporary construction compound on land to the north of East Coast College Western Campus. 2. Provision of temporary storage container within the grounds of East Coast College Western Campus.
Applicant	C/O Vincent + Gorbing, Sterling Court, Stevenage SG1 2JY
Case officer	Nigel Harriss
Parish & Ward	Great Yarmouth Southtown/Cobholm Ward
Date Valid	22-12-2013
Expiry / EoT Date	19-04-2024
Reason at committee	Constitution - Departure from Development Plan with recommendation for approval of application

RECOMMENDATION: DELEGATE AUTHORITY TO THE HEAD OF PLANNING TO GRANT FULL APPROVAL SUBJECT TO RESOLUTION OF SURFACE WATER DRAINAGE DETAILS; AND SUBJECT TO CONDITIONS

1. The Site and Surroundings

- 1.1 The application site is located between Pasteur Retail Park to the north and East Coast College Western Campus buildings to the south. The site relates predominantly to an area of vacant land that is within the Safeguarded Employment Area – Policy CS6 but does include a small area of the Western College Campus.
- 1.2 To the east is Suffolk Road and Lichfield Community Centre and to the north-east terraced houses on Gordon Road. To the west are commercial premises. The site has existing vehicular access to Thamesfield Way and is enclosed on all boundaries by mixture of types of security fencing. The site is relatively level and consists of rough grassland and bare ground and adjoins on its extreme western edge an open concrete channel surface watercourse running roughly north south. The site has in the past been used for pipe storage (open storage) but appears to have been vacant for some years now.

2. The Proposal and Planning Context

- 2.1 The application is part of wider redevelopment proposals to upgrade the Eastern Campus of East Coast College, with a full planning application ref 06/23/0928/F submitted by Kier Construction and the DfE (click here to view - [Great Yarmouth Borough Council \(great-yarmouth.gov.uk\)](https://great-yarmouth.gov.uk)) for redevelopment of East Coast College (Eastern Campus) including demolition of existing buildings and provision of a new three storey building, extension to existing sports hall, new and amended access arrangements, car parking, landscaping and other associated works.
- 2.2 The proposals contained within this application are enabling works, which will allow some of the existing facilities to be relocated on a temporary basis during the construction period associated with the East Campus.
- 2.3 It is intended that an area of land (circa 0.55ha) to the north of the Western Campus is used as a temporary car park for staff and pupils (comprising 132 spaces) – See Appendix 1, and, beyond this, a construction compound to house double stacked portacabins and an area for construction workers parking (68 spaces) – See Appendix 2. The portacabins will have a floor area of 450sqm. Where additional enclosure fencing is required this will consist of 1.8m palisade fencing and gates to tie in with existing and temporary 1.8m high Heras type fencing.
- 2.4 Vehicular access will be provided via an existing access point off Thamesfield Way. This is a private road, which the College has rights of access over. A pedestrian gate will be provided in the south-east corner of the site, which will allow pedestrians to leave this facility and enter into the College Campus to the south, utilising existing pedestrian routes.
- 2.5 In addition to this, a temporary storage container is proposed within the curtilage of the Western Campus, along the western boundary, adjacent to some existing storage containers. This container will be single storey with a floor area of 126.7sqm. This storage container is required for the life of the construction period, to be utilised by the College Estates Department, who will be decanted from their existing facility, but will be provided with a new facility as part of the redevelopment works. Access to this unit will be through the existing Western Campus and no changes to the access will be required.
- 2.6 The temporary car park for staff and pupils will be immediately north of the Western Campus building and for the width of the site between Thamesfield Way and Suffolk Road fenced boundaries. The compound comprising double stacked cabins is north of the staff and pupils carpark and located towards the western edge of the site with Thamesfield Way where the surrounding uses/buildings are commercial/industrial. The portable cabins will be stacked to a height of 5.4m and will predominantly light grey in appearance.
- 2.7 The contractor parking area is a rectangular shape extending northwards and backs onto (on its east side) the rear of the Lichfield Community Centre and associated floodlit outdoor hard court play area and to the north adjoins the tree planted boundary with Pasteur Retail Park and to the north-east the rear gardens of dwellings on Gordon Road. The site area will be lit as follows:
 - Staff/pupil car park – 9 x 6m high columns with flat mounted 40w led downlighters
 - Contractors' car park – 16 x 1.6m high fence mounted bulkhead lights – 20w downlighters

- 2.8 The temporary storage building within the curtilage of and on the Thamesfield Way side of the Western Campus is located alongside existing shipping containers used for storage. This measures 13m x 9.8m and circa. 3m high and will be predominantly light grey in appearance.
- 2.9 The development will include a new separate surface water and foul drainage network. Surface water will be attenuated on site and outfall into the adjacent watercourse at a restricted rate under a temporary consent with the Internal Drainage Board and foul water into the main Anglian Water sewer network.
- 2.10 This application seeks permission for these uses on a temporary basis, for the life of the construction works. The applicants consider that temporary permission for a period of 5 years would be necessary.

3. Site Constraints

- 3.1 Within Development Limits - Policy GSP1
Safeguarded Employment Area - Policy CS6
Located within tidal Flood zone 3a - Policy CS13

4. Relevant Planning History

- 4.1 Application site - most recent:

06/16/0436/F - Drop road kerbs, vehicular access, 2 metre high galvanised steel palisade with 6 metre double leaf gate

REFUSED as it is considered that the increase in traffic that would result from the new access would have the potential to cause further congestion in the area and put students and school children at risk. The proposal is therefore contrary to criterion (c) of Policy CS16 of the Great Yarmouth Local Plan: Core Strategy in that it would have an adverse impact on the safety and efficiency of the local road network for all users.

- 4.2 Land adjacent the application site's Thamesfield Way frontage:

06/22/0907/F

Proposed construction of a mixed use commercial building comprising office (Class E) and storage & distribution (Class B8) uses; associated landscaping, new perimeter fencing; new accesses to Thamesfield Way and car parking area; removal of existing tank from site
Approved 23/08/2023 – Extant until 23/08/2026

06/21/0931/CU

Construction of building to provide vehicle servicing and repairs garage with MOT Testing Centre, with associated facilities, parking & landscaping
Approved 07/12/2021 - Extant until 07/12/2024

Submitted applications pending registration:

06/24/0200/CD

Application to discharge Condition 3 of permission 06/22/0907/F: Details of surface water drainage scheme.

Application received 20/03/2024.

06/24/0205/VCF - Application to discharge Condition 4 of permission 06/22/0907/F: Details of contamination investigations.
Application received 20/03/2024.

5. Consultation responses

5.1 Norfolk County Council Highways

5.1.1 No objection.

5.2 National Highways

5.2.1 No objection.

5.3 Anglian Water

5.3.1 No objection. The foul drainage from this development is in the catchment of Caister - Pump Lane Water Recycling Centre that will have available capacity for these flows.

5.3.2 Informative notes to be appended to decision notice regarding AW assets; and used water network.

5.4 Lead Local Flood Authority

5.4.1 Standing Advice for Major Development below LLFA thresholds. Officers have screened this application and it falls below our current threshold for providing detailed comment. This is because the proposal is for less than 100 dwellings or 2 ha in size and is not within a surface water flow path as defined by Environment Agency mapping.

5.5 Waveney, Lower Yare and Lothingland Drainage Board

5.5.1 The Board's Byelaws apply and under Byelaw 3 Temporary consent (Land Drainage Consent) is required for the discharge of surface water to a watercourse. As Land Drainage Consent is required, the Board strongly recommends that this is sought from the Board prior to determination of this planning application.

5.5.2 The Drainage Board have been consulted on a revised drainage strategy that includes on-site attenuation and restricted flow discharge at a rate that has been agreed with the IDB.

5.5.3 Comments are awaited on the revised drainage strategy and members will be updated accordingly.

5.6 Environment Agency

5.6.1 We have no objection to this planning application, providing that you have taken into account the Flood Risk considerations which are your responsibility.

5.6.2 Our maps show the site lies within tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for a temporary car park, a temporary construction compound and a temporary storage container within the grounds of East Coast College Western Campus which is classified

as a 'less vulnerable' development, as defined in Annex 3: Flood Vulnerability classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential Test and be supported by a site-specific Flood Risk Assessment (FRA).

- 5.6.3 The Flood Risk Assessment does not contain an Emergency Flood Plan. We strongly advise the applicant to create an Emergency Flood Response Plan, given the risks to the temporary car park, compound and storage which are subject to internal flooding and unsafe access. However, we do not assess the suitability of evacuation plans, it is the responsibility of the LPA and the Emergency Planners to comment on the adequacy of these plans.

5.7 GYBC Senior Environmental Protection Officer

- 5.7.1 I note the further information submitted by the applicant regarding contaminated land. The remediation measures suggested in Chapter 6 of the Remediation Method Statement produced by RSK (dated January 2024) seem appropriate and should be adhered to. A Validation Report should provide the verification information as set out in Chapter 7 of the report.

- 5.7.2 The 'Unknown Contamination' condition, is still relevant for any previously undiscovered contamination.

5.8 County Ecologist (Norfolk County Council)

- 5.8.1 Biodiversity Net Gain is not relevant to this application as it was submitted ahead of the legislation coming into force on 12 February 2024. Ecological mitigation should be conditioned.

5.9 GYBC Resilience Officer

- 5.9.1 A comprehensive flood risk emergency plan has been produced for the proposed existing site outlining recommendations and measures to incorporate should a flood emergency occur. Site management must also sign up to the Environment Agency Flood Warnings Direct Service thus ensuring they can react to a flood event in a timely manner. The flood plan must be understood by staff and students alike, ensuring evacuation measures are in place which are known and understood by students and staff whilst considering all mobility requirements.

6. Publicity & Representations

- 6.1 Consultations undertaken: Site notices – 2 on Thamesfield Way, 1 on Suffolk Road, and 1 on corner of Gordon Road and Suffolk Road; and Press advert. Reasons for consultation: Departure from Development Plan

6.2 Ward Member – Cllr(s) J Newcombe; and P Waters-Bunn

- 6.2.1 No comments received.

6.3 Public Representations

- 6.3.1 At the time of writing no public comments have been received.

7. Relevant Planning Policies

The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS1: Focusing on a sustainable future
- Policy CS2: Achieving sustainable growth
- Policy CS6: Supporting the local economy
- Policy CS9: Encouraging well-designed, distinctive places.
- Policy CS13: Protecting areas at risk of flooding or coastal change
- Policy CS16: Improving accessibility and transport

The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy GSP1: Development Limits
- Policy A1: Amenity
- Policy E6: Pollution and hazards in development
- Policy C1: Community facilities
- Policy I3: Foul Drainage

8. Other Material Planning Considerations

National Planning Policy Framework (Dec 2023)

Section 14. Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance topics

Flood Risk and Coastal Change

9. Planning Analysis

- 9.1 Legislation dictates how all planning applications must be determined. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 9.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states:
- In dealing with an application for planning permission the authority shall have regard to–*
- (a) the provisions of the development plan, so far as material to the application,*
 - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,*
 - (b) any local finance considerations, so far as material to the application, and*
 - (c) any other material considerations.*

Main Issues

The main planning issues for consideration include:

- Principle of development
- Sequential Test and Flood Risk
- Impact on character of area
- Amenity

10. Assessment

Principle of Development

- 10.1 The site is situated within the development limits where development will be supported in principle subject to compliance with other relevant policies in the development plan. Although other development plan policies are relevant to consideration of the proposal and which are assessed in sections 10.9 – 10.27 below, the key policy in relation to acceptance of the proposal in principle is Policy CS6 – Supporting the local economy.

- 10.2 Policy CS6 states –

The Borough of Great Yarmouth has a diverse local economy. It is the main service base in England for the offshore energy industry and has a thriving seasonal visitor economy. To ensure that the conditions are right for new and existing businesses to thrive and grow, there is a need to continue to strengthen the local economy and make it less seasonally dependent.

This will be achieved by:

- a) Encouraging the redevelopment and intensification of existing employment sites, particularly those sites with good access by a variety of transport modes*
- b) Safeguarding existing local employment areas identified in Table 10 and future local employment areas allocated in other Local Plan Documents for employment use. Alternative uses will only be allowed where it can be demonstrated that:*
 - There is a satisfactory relationship between the proposed use and any pre-existing neighbouring uses, without significant detriment to the continuation and amenity of existing or proposed uses*
 - There is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months*
 - A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: mixed use of the site that incorporates an employment-generating use, then non-employment use*
- c) Allocating approximately 10-15 hectares of new employment land at Beacon Park Extension, South Bradwell, through Policy CS18*
- d) Exploring the potential for up to 22 hectares of land reclamation to the north of the Outer Harbour at South Denes*
- e) Supporting port-related development proposals relating to the Outer Harbour and existing river port, in particular encouraging cargo handling and other port-reliant activities*

- f) Encouraging a greater presence of higher value technology and energy-based industries, including offshore renewable energy companies, in the borough*
- g) Supporting the local visitor and retail economies in accordance with Policies CS7 and CS8*
- h) Encouraging the development of small scale business units, including those that support the rural economy and rural diversification*
- i) Supporting the provision of development essential to sustain a rural workforce, including agricultural workers' dwellings and rural community facilities*
- j) Minimising the potential loss of the best and most versatile agricultural land by ensuring that development on such land is only permitted if it can be demonstrated that there is an overriding sustainability benefit from the development and there are no realistic opportunities for accommodating the development elsewhere*
- k) Supporting the delivery of high speed broadband and communications technology to all parts of the borough*
- l) Encouraging flexible working by:*
 - Allowing home-working where there is no adverse impact on residential amenities*
 - Allowing the development of live-work units on residential and mixed-use sites, subject to the retention of the employment element and safeguarding of residential amenity*
 - Allowing the development of relevant ancillary facilities, such as childcare facilities and eateries, in local employment areas, where appropriate*
- m) Improving workforce skills by:*
 - Working with local education and skills agencies and local business organisations to establish training facilities to enhance workforce skills*
 - Encouraging the provision of new training facilities on employment sites*

- 10.3 As the proposal is on land within the Safeguarded Employment Area, the tests of the criteria set out in CS6(b) are the most relevant. The policy wording does not include 'and' or 'or' between the three bullet points within CS6(b) and therefore it is concluded that all three need to be met for a development to be judged policy compliant.
- 10.4 The submission does not include marketing evidence to demonstrate that there is no commercial interest in the re-use of the site for employment. On this basis the proposals cannot be demonstrated to be policy compliant.
- 10.5 Arguably, criteria CS6(m) that relates to improving workforce skills may weigh in favour of the proposal, but it does not supersede the criteria required under CS6(b). Indeed, CS6(b) states that alternative uses (within Safeguarded Employment Areas) will only be allowed where it can be demonstrated that the criteria with CS6(b) have been met.
- 10.6 The proposal is therefore contrary to Policy and has been advertised as such as referred to in 6.1. It is necessary therefore to consider whether there are any other material considerations that indicate that permission should be approved.

Other Material Considerations

- 10.7 It is considered that the following matters are relevant to the principle of development:
- a) The temporary nature of the permission sought (as set out in 2.2 and 2.10 above),
 - b) Connection to the wider redevelopment proposals at East Coast College East Campus as set out in 2.1 above, relating to the current undetermined application 06/23/0928/F - [Great Yarmouth Borough Council \(great-yarmouth.gov.uk\)](http://great-yarmouth.gov.uk)
 - c) As part of the evidence base providing support to the emerging local plan, there has been an Employment Land Needs Review identifying the need and demand for employment land and assesses existing and safeguarded employment areas. The site is undeveloped land within EL05 – Yarmouth Business Centre. The review recommends it is not justified to continue to protect this area for solely employment uses, stating:

*There is no clear pattern to the mixture of uses within the existing area which makes redefining the area to protect employment uses impractical. Given the high level of alternative uses which have accumulated on the site, and the relatively limited remaining undeveloped space, together with other employment sites in close proximity it is **not justified to continue to protect the site for solely employment uses.***
- 10.8 The above factors are all balanced considerations and it is considered that significant weight can be attributed to (a) and (b) above, but only very little if any weight can be attributed to (c) as the emerging next Local Plan has not been adopted.
- 10.9 Therefore, whilst contrary to Policy CS6, it is considered that the development is acceptable and can be supported in principle over a temporary period, despite a conflict with policy CS6.

Impact on Character of the Area

- 10.10 The majority of the site area is proposed for pupil, staff and contractor's vehicle parking set within proposed and existing 1.8 m high fenced boundaries and given the existing nature of the site and the surroundings this is not considered to raise harm in relation to the character and appearance of the area.
- 10.11 The site cabins will be stacked two high to a height of 5.4m and incorporates a footprint of 12 linked cabins stacked two high (24 cabins) and a standalone pair stacked two high. These are located at the western side of the site approximately 100m away from the nearest residential property and will be viewed more in context with the nearby 3 storey West Campus College building and nearby commercial premises.
- 10.12 The temporary storage container proposed within the West Campus site is a similar modular building to that of the cabins and will be located alongside a line of shipping containers used for storage and again viewed within the context of the Campus building and adjoining commercial premises.
- 10.13 The appearance of the buildings is not out of character with the area and represents no material harm and given the temporary nature of the proposals, albeit for a period of 3 to 5 years, the proposals is not considered contrary to Policy CS9.

Residential Amenity

- 10.14 The nearest residential and community uses are to the east and north as previously mentioned. Here, the proposed use of the site is for car parking. In this regard and given the existing employment designation of the land it is not considered that there will be harmful impacts on the amenities of existing properties. Also, the lighting to be installed at this point is low level at 1.8m high and being down-lit. Environmental Services have raised no amenity issues in their consultation replies. The proposal is therefore considered to comply with Policies A1 and E6.

Access, Traffic and Highways impacts

- 10.15 The site will utilise an existing vehicular access via Thamesfield Way to the A1243 Pasteur Road roundabout junction. There is no vehicular access from Suffolk Road to the east with only a pedestrian link between the proposed car park and the East Campus. The car park is intended for use by staff and students to compensate for the loss of parking during the construction period on the Eastern Campus. The development will provide suitable car parking provision for staff, pupils and construction workers, ensuring that this does not spill onto the neighbouring streets and ensuring that adequate highway safety is maintained during this period.
- 10.16 There is no objection to the proposal on highway grounds from Norfolk County Council as local Highway Authority or from National Highways in terms of the strategic road network (A47). The proposal therefore complies with Policy CS16. A condition is proposed restricting vehicular access to be taken to and from Thamesfield Way only.

Ecology and Biodiversity

- 10.17 A Preliminary Ecological Appraisal (PEA) was conducted in July 2023 which involved both a desk study and walkover survey. This covered the application site and the wider Eastern Campus of East Coast College. The appraisal found that the West Campus site (referred to as Site A) comprises of: poor semi-improved grassland; bare ground; a slow flowing wet ditch; and a dry ditch. These habitats are not considered to be priority habitats and following the walkover survey no evidence of protected species was recorded.
- 10.18 The report concludes that the proposed development is considered unlikely to be adversely detrimental to designated areas, protected species or habitats, but recommends precautionary measures for Great Crested Newts and reptiles should be followed as part of the site clearance and ecological supervision for water voles during the construction works. These are conditioned accordingly.

Flood Risk

- 10.19 The site lies within tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for a temporary car park, a temporary construction compound and a temporary storage container which is classified as a 'less vulnerable' development, as defined in Annex 3: Flood Vulnerability classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential Test and be supported by a site-specific Flood Risk Assessment (FRA). Policies CS13 and E1 apply in this context. The application is supported by a Drainage Strategy and Flood Risk Assessment.

- 10.20 A flood risk sequential test has been completed which is proportionate to the scale of the proposals, their temporary nature, and the fact that the use would be classed as less vulnerable. In assessing and identifying any other potential sequentially preferable sites, a review of Great Yarmouth's Local Development Plan Documents was undertaken along with a review of the Council's Brownfield Register. Sites that were smaller than 0.57 hectares were filtered out as they were not considered suitable for the development.
- 10.21 This resulted in the following sites being considered:
- Land adjacent Runham Road / North River Road, Great Yarmouth – 1.19 hectares
 - Former Claydon High School, Beccles Road, Gorleston, Great Yarmouth – 5.08 hectares
 - Magdalen House, Magdalen Square, Gorleston, Great Yarmouth – 0.81 hectares
 - Covent Garden Road, Caister on Sea – 1.54 hectares
 - The Conge, Brewery Street/George Street, Great Yarmouth – 1.36 hectares
- 10.22 From a review of the above, there are no sequentially preferable sites within the area due to the nature of the use and the need to be immediately adjacent to the existing College site, so no alternative sites met these criteria.
- 10.23 The sequential test shows that it is not possible to use an alternative site and as a 'less vulnerable use' the exception test is not required. Whilst an FRA was submitted it did not contain an Emergency Flood Response Plan (Flood warning and evacuation plan which covers flood warnings, escape routes and procedures, and awareness of the risks involved). This has now been provided. The Environment Agency have been consulted on the application and raise no objection, provided the local planning authority has taken into account the flood risk considerations, which it has done. In relation to the Flood Response Plan the Council's Resilience Officer has been consulted on this and raised no concerns.
- 10.24 Given the above, the proposal complies with Policy CS13 subject to a condition in relation to the Emergency Flood Response Plan.

Drainage

- 10.25 Foul Drainage - the discharge points from the contractor's site cabins will be connected to a new below ground foul drainage system designed to direct the flows towards an appropriate Anglian Water combined sewer manhole. Anglian Water has raised no objections to the proposal. A condition will be imposed that the development shall connect to the main foul sewer and as such will be in accordance with Policy I3.
- 10.26 Surface Water Drainage – Groundwater levels on the East Campus site are particularly high and infiltration drainage is therefore not considered feasible as there is less than 1.2m clearance over the groundwater table, and the same is assumed for this car park site.
- 10.27 For this scheme, a new dedicated surface water network is proposed for the temporary car park. The area will be installed with a permeable reinforced grid system to accept car and light goods vehicles, Terram Bodpave 40 (or similar), over a layer of Type 3 (Type 1x) graded material with 30% void ratio, laid on a geogrid, Terram Bodgrid (or similar), over an impermeable liner membrane. The formation of the general collection areas will be graded and directed towards centralised filter drains that will convey the surface water towards an outfall manhole. The pass forward flows from the site, into the open watercourse in the

concrete channel, will be restricted to 2 l/s using an orifice plate fitted with a protection mesh. The drainage scheme will also mitigate surface water pollution.

- 10.28 It was considered necessary for the applicant to agree the surface water discharge flow rate with the Internal Drainage Board (IDB) prior to determination of the planning application given concerns with the capacity of the receiving watercourse. This has now been done and the scheme revised to include below ground attenuation with a maximum 2 litres per second discharge rate to the adjacent water course (this has been reduced from a proposed discharge rate of 15 litres per second). The IDB have been re-consulted on the revised strategy and their comments are awaited. Members will be updated accordingly. The drainage scheme will be conditioned.

Pollution Control

- 10.29 In response to comments from the Senior Environmental Protection (SEP) Officer, further information has been submitted by the applicant in regard to contaminated land. The SEP officer has subsequently raised no objection subject to the remediation measures suggested in Chapter 6 of the Remediation Method Statement produced by RSK (dated January 2024) being adhered to. A Validation Report should provide the verification information as set out in Chapter 7 of the report. This can be conditioned accordingly. Furthermore, the SEP Officer has recommended the 'Unknown Contamination' condition is imposed for any previously undiscovered contamination.
- 10.30 In relation to external lighting, this is described in 2.7 above. The (SEP) Officer has raised no objection to this subject to condition that no external lighting shall be installed other than in accordance with the submitted lighting plan reference and shall not cause light intrusion beyond the site boundaries. This can be conditioned accordingly.
- 10.31 Subject to imposing conditions as described above the proposal is considered to accord with Policy E6.

Local Finance Considerations

- 10.32 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 (which is not applicable to the Borough of Great Yarmouth). 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, for example. There do not appear to be any planning-related local finance considerations linked to this development.

11. The Planning Balance

- 11.1 The proposal is contrary to Policy CS6 as the site is designated Safeguarded Employment Land, however Officers give great weight to the material considerations of the temporary nature of the permission sought as set out in 2.2 and 2.10 and the connection to the wider redevelopment proposals at East Coast College East Campus as set out in 2.1, relating to the current undetermined application 06/23/0928/F.
- 11.2 On balance the proposal is considered acceptable subject to only a temporary permission.

12. Conclusion and Recommendation

- 12.1 This is essentially an enabling proposal related to the proposed redevelopment of part of the East Coast College East Campus.
- 12.3 Having considered the details provided, the application fails to comply with Policy CS6 but is outweighed by the benefits of the development in the planning balance exercise in Section 11 above, and furthermore complies with the following Policies in the adopted development plan: CS9, CS11, CS13, CS16, A1, E6 and I3.

13. Recommendation

- 13.1 It is recommended that the Committee delegate authority to the Head of Planning to subsequently APPROVE the Full application and grant planning permission subject to:
- i. The resolution of outstanding details in respect of surface water drainage and the agreement of the Internal Drainage Board to a flow rate for discharge of surface water from the site into the Board's drainage network;
 - and,
 - ii. The imposition of appropriate conditions to include:
 - those listed below (including any amendments as deemed necessary), and
 - any additional conditions identified to be required to secure the details related to the resolution of outstanding matters referenced in (i) above.

Proposed Conditions

Temporary Time Limit

1. This permission shall expire on *[date to be inserted being 5 years from actual date of approval]*.

The storage container, site compound, car park and associated development hereby permitted shall be removed from the site and the land shall be restored or reverted to a satisfactory condition on or before the expiration of the permission or within 28 days of the cessation of the use, whichever is the sooner, in strict accordance with the details of a scheme to be first agreed with the Local Planning Authority pursuant to Condition 2 of this permission.

Reason: In order to retain control over the buildings and use of the site which is within a defined Safeguarded Employment Area, and to ensure appropriate site restoration as the development is only required for a temporary period whilst an associated site is redeveloped, and in the interests of the visual amenities of the area.

Site restoration on cessation of use

2. There shall be no commencement of the use of the site as a car park until a scheme of Restoration Work (including timetable for implementation) for the purposes of reverting or restoring the site into a suitable environment to enable a beneficial future use of the land has first been submitted to and approved in writing by the Local Planning Authority. The site's use shall thereafter be decommissioned in strict accordance with the details of the Restoration Work plan and to the timetables therein.

Reason: In order to ensure use of the site does not compromise its potential use and position within a defined Safeguarded Employment Area, and to ensure appropriate site restoration as the development is only required for a temporary period, and to avoid compromising the potential for effective re-use of a brownfield site, and in the interests of the visual amenities of the area and the amenities of adjoining neighbouring uses.

Development to accord with approved plans and details

3. The development shall be carried out in accordance with the following plans and documents:
- Site Location Plan, Drawing No. FE004-PLI-00-ZZ-D-L-1625 Rev P01 dated 15/11/2023
 - Temporary Car Park Plan – General Arrangement and Levels, Drawing No. FE004-PLI-00-ZZ-D-L-1622 Rev P02 dated 07/11/2023
 - Temporary Storage Unit – General Arrangement Plan, Drawing No. FE004-PLI-00-ZZ-D-L-1623 Rev P02 dated 07/11/2023
 - Temporary Car Park Plan/ Storage Building – Block Plan, Drawing No. FE004-PLI-00-ZZ-D-L-1624 Rev P02 dated 14/11/2023
 - Temporary Car Park Plan/ Storage Building – Site Location Plan, Drawing No. FE004-PLI-00-ZZ-D-L-1625 Rev P01 dated 15/11/2023
 - Temporary Car Park Lighting Layout CPW FE004-CPW-00-XX-D-E-6401- Rev P01 dated November 2023
 - Proposed Storage – Floor Plan, Drawing No. 23-0426-002a Page 1 of 2 dated 07/07/2023
 - Proposed Storage – Elevations, Drawing No. 23-0426-002a Page 2 of 2 dated 07/07/2023
 - Site Cabins – Plans and Elevations, Drawing No. 23-0426-004a dated 15/11/2023
 - Drainage Strategy and Flood Risk Assessment Document No. FE004-DBS-00-ZZ-T-C-0993 Rev P03 dated 22/03/2024
 - Temporary Car Park Drainage and Hard Landscaping Drawing No. FE004-DBS-00-ZZ-D-C-0500 Rev P03 dated 22/03/2024
 - Remedial Method Statement following Supplementary Site Investigation Document No. FE004-RSK-XX-XX-T-O-1772 prepared by RSK Geosciences Rev P01 dated 29/01/2024
 - Preliminary Ecological Appraisal – Detailed Ecology Assessment Level Report prepared by James Blake Associates Ltd Rev A dated July 2023
 - Ecology Statement prepared by James Blake Associates Ltd dated 3 April 2024
 - Flood Emergency Plan ref: 680871-R3(0)-FRA dated March 2024 prepared by RSK Land and Development Engineering Ltd

Reason: For the avoidance of doubt.

Ecology Mitigation

4. There shall be no commencement of development until precautionary measures for amphibians and reptiles have first been carried on site and all site clearance has been undertaken in accordance with sections 5 and 7 of the Preliminary Ecological Appraisal – Detailed Ecology Assessment Level Report prepared by James Blake Associates Ltd Rev A dated July 2023 and specifically with reference to Reptiles and Amphibians. All site clearance shall be undertaken under supervision of a suitably qualified ecologist.

If any protected specie(s) that was not previously identified is found when carrying out the site clearance, it must be reported in writing immediately to the Local Planning Authority and all site clearance shall cease and shall not recommence until:

- a) a report informed by a suitably qualified ecologist and/or the relevant statutory nature conservation organisation has been submitted and agreed in writing by the Local Planning Authority which identifies where biodiversity requires protection and how this is to be achieved through licencing; avoidance; mitigation; or compensation measures.
- b) the protection scheme has been carried out in accordance with the details agreed in (a) above.

Reason: As a precautionary measure in the interests of protected species in order to mitigate any adverse impacts on ecological interests in accordance with policy CS11 of the Core Strategy.

Ecology mitigation – water voles

5. All development within 5m of the watercourse on the western boundary shall be undertaken under supervision of a suitably qualified ecologist specifically with reference to water voles.

If water voles and/or evidence of water voles is found, it must be reported in writing immediately to the Local Planning Authority and all development must stop and shall not recommence until:

- a. a report informed by a suitably qualified ecologist and/or the relevant statutory nature conservation organisation has been submitted and agreed in writing by the Local Planning Authority which identifies where biodiversity requires protection and how this is to be achieved through licencing; avoidance; mitigation; or compensation measures.
- b. the protection scheme has been carried out in accordance with the details agreed in (a) above.

Reason: As a precautionary measure in the interests of protected species in order to mitigate any adverse impacts on ecological interests in accordance with policy CS11 of the Core Strategy.

Surface Water Drainage

5. No buildings shall be occupied, and use of the site as a car park shall not commence, until the means of providing surface water drainage have been completed in accordance with Drawing No. FE004-DBS-00-ZZ-D-C-0500 Rev P03 dated 22/03/2024, and these shall be retained as such thereafter.

It should be noted that it is the applicants/developers/owners responsibility to ensure adequate drainage of the site so as not to adversely affect surrounding land, property or highway.

Reason: To minimise the possibilities of flooding in accordance with policy CS13 of the Core Strategy - Local Plan Part 1 and policy I3 of the Local Plan Part 2.

Emergency Flood Response Plan

6. The approved Flood Response Plan (Flood Emergency Plan ref: 680871-R3(0)-FRA dated March 2024), including information regarding the availability of the Environment Agency's Flood Warnings Service, shall be made available to all occupiers/users of the site.

Reason: To minimise the risk to the occupants and users of the site in the event of flooding in accordance with policy CS13 of the Core Strategy - Local Plan Part 1.

Contamination - Remediation

7. No buildings shall be occupied, and use of the site as a car park shall not commence, until the Remediation Strategy measures as they apply to this site have first been completed as set out in Section 6 of the Remedial Method Statement following Supplementary Site Investigation Document No. FE004-RSK-XX-XX-T-O-1772 Rev P01 dated 29/01/2024.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptor as required by policy E6 of the Local Plan Part 2.

Contamination - Remediation Validation

8. No buildings shall be occupied, and use of the site as a car park shall not commence, until a Contamination Remediation Validation Statement/Report has first been submitted to and approved in writing by the Local Planning Authority which shall include providing the elements set out in Section 7.4 of the Remedial Method Statement following Supplementary Site Investigation Document No. FE004-RSK-XX-XX-T-O-1772 Rev P01 dated 29/01/2024.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptor as required by policy E6 of the Local Plan Part 2.

Unknown Contamination

9. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until:
 - a) a report has been submitted and agreed in writing by the Local Planning Authority which includes results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified and
 - b) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other offsite receptor as required by policy E6 of the Local Plan Part 2.

External Lighting

10. No external lighting shall be installed other than in accordance with the lighting plan as illustrated and described on Drawing No. 6401 S3 Rev P01 dated Nov 2023 and shall not cause glare beyond the site boundaries.

Reason: In the interests of highway safety and amenity in accordance with policy CS16 of the Core Strategy - Local Plan Part 1 and policies A1 and E6 of the Local Plan Part 2.

Foul Drainage

11. Foul drainage shall not be discharged other than to the foul sewer.

Reason: In order to effect satisfactory drainage arrangements both on and from the site and to avoid problems of pollution of nearby water courses in accordance with policy I3 of the Local Plan Part 2.

Vehicle access limited to specified road

12. Means of vehicle access to and vehicle egress from the development hereby permitted shall be derived from and to Thamesfield Way only.

Reason: In the interests of highway safety and traffic movement in accordance with Policy CS16.

Proposed Informative Notes

- 1 Informative Note: Anglian Water

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Our response has been based on the following submitted documents: East Coast College – Great Yarmouth - Drainage Strategy and Flood Risk Assessment - Temporary Car Park-FE004-DBS-00-ZZ-T-C-0993 Revision P2 dated 21-11-2023 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will

affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

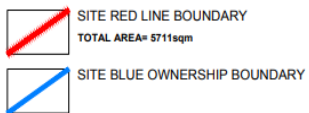
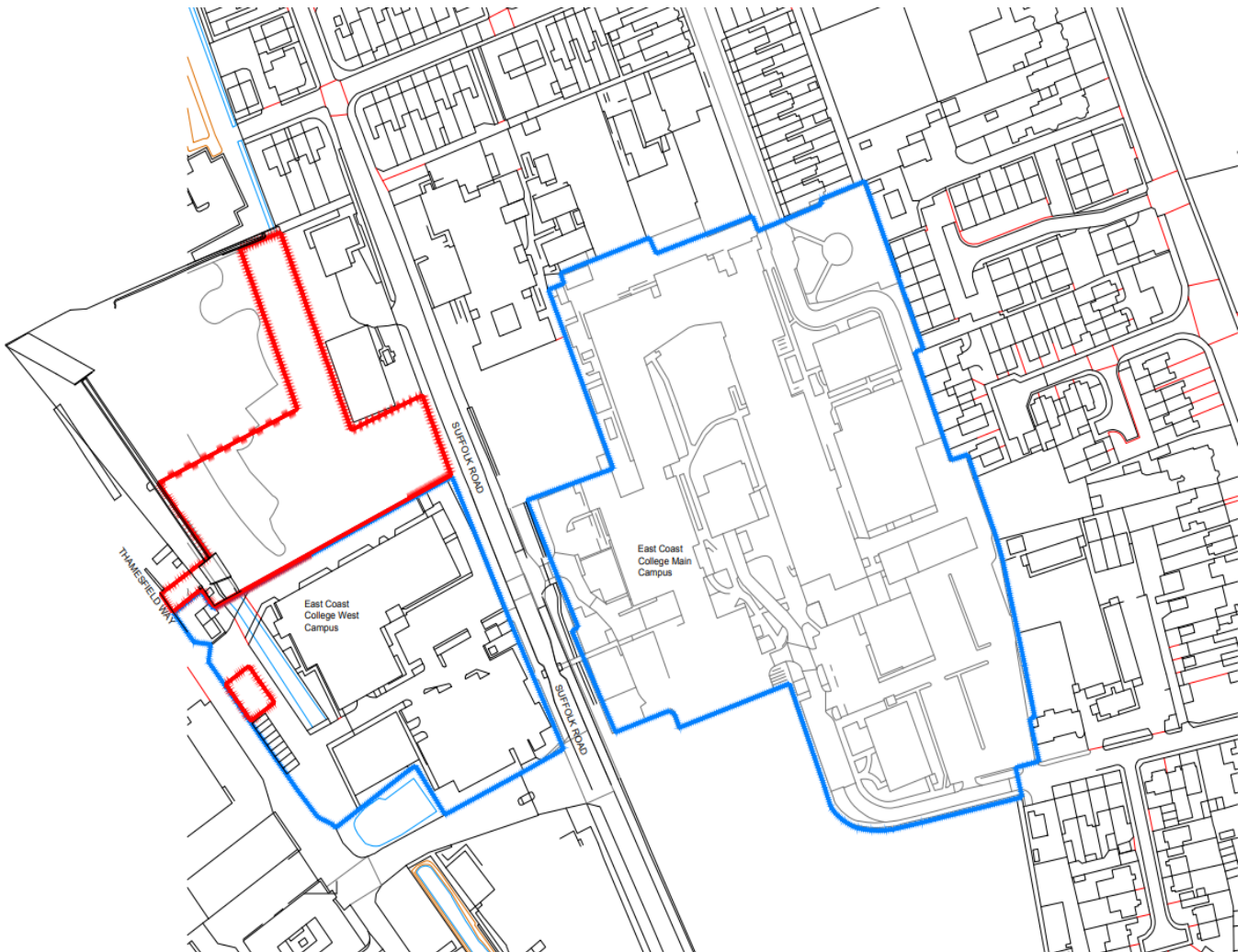
2 Informative Note: Waveney, Lower Yare and Lothingland Internal Drainage Board

INFORMATIVE NOTE: Temporary Land Drainage consent is required to discharge surface water from the site to a watercourse. You are reminded the Waveney, Lower Yare and Lothingland Internal Drainage Board's Byelaws apply. Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents.

3 Informative Note: Statement of Positive Engagement

STATEMENT OF POSITIVE ENGAGEMENT: In dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner.

APPENDIX 1: Site Location Plan



APPENDIX 2 – Carpark/compound/cabins layout plan

