



GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Date: Thursday, 31 October 2019
Time: 10:00
Venue: Wellington Road, Great Yarmouth
Address: [Venue Address]

AGENDA

COMMITTEE SITE VISITS

Please be aware that Site Visits will commence at the start of this meeting with Members returning to the Town Hall approximately one hour later to determine the planning applications

CONTENTS OF THE COMMITTEE AGENDA PLANNING APPLICATIONS & CONDUCT OF THE MEETING

Agenda Contents

This agenda contains the Officers' reports which are to be placed before the Committee. The reports contain copies of written representations received in connection with each application. Correspondence and submissions received in time for the preparations of the agenda are included. However, it should be noted that agendas are prepared at least 10 Working Days before the meeting. Representations received after this date will either:-

- (i) be copied and distributed prior to or at the meeting – if the representations raise new issues or matters of substance or,
- (ii) be reported orally and presented in summary form by the Principal Officer of the Committee – especially where representations are similar to, or repeat, previous submissions already contained in the agenda papers.

There are occasions when the number of representations are similar in nature and repeat the objections of others. In these cases it is not always possible for these to be included within the agenda papers. These are either summarised in the report (in terms of numbers

received) and the main points highlighted or reported orally at the meeting. All documents are available as 'background papers' for public inspection.

Conduct

Members of the Public should note that the conduct of the meeting and the procedures followed are controlled by the Chairman of the Committee or, if he/she so decides, the Vice Chairman. Any representations concerning Committee procedure or its conduct should be made in writing to either –

- (i) The Planning Group Manager, Town Hall, Great Yarmouth. NR30 2QF
- (ii) The Monitoring Officer, Town Hall, Great Yarmouth. NR30 2QF.

DEVELOPMENT CONTROL COMMITTEE

PUBLIC CONSULTATION PROCEDURE

- (a) Thirty minutes only will be set aside at the beginning of each meeting to deal with applications where due notice has been given that the applicant, agent, supporters, objectors, and any interested party, Parish Council and other bodies (where appropriate) wish to speak.
- (b) Due notice of a request to speak shall be submitted in writing to the Planning Group Manager one week prior to the day of the Development Control Committee meeting.
- (c) In consultation with the Planning Group Manager, the Chairman will decide on which applications public speaking will be allowed.
- (d) Three minutes only (or five minutes on major applications at the discretion of the Chairman) will be allowed to (i) objectors together, (ii) an agent or applicant and (iii) supporters together, (iv) to a representative from the Parish Council and (v) Ward Councillors.
- (e) The order of presentation at Committee will be:-
 - (1) **Planning Officer presentation** with any technical questions from Members
 - (2) **Agents, applicant and supporters** with any technical questions from Members
 - (3) **Objectors and interested parties** with any technical questions from Members
 - (4) **Parish Council representatives, Ward Councillors and Others** with any technical questions from Members
 - (5) **Committee debate and decision**

Protocol

A councillor on a planning or licensing decision making body should not participate in the decision and / or vote if they have not been present for the whole item.

This is an administrative law rule particularly applicable to planning and licensing - if you haven't heard all the evidence (for example because you have been out of the room for a short time) you shouldn't participate in the decision because your judgment of the merits is potentially skewed by not having heard all the evidence and representations.

It is a real and critical rule as failure to observe this may result in legal challenge and the decision being overturned."

1 06-17-0697-F WELLINGTON ROAD PAMELA'S RESTAURANT 5 - 34
GREAT YARMOUTH NR30 3JJ

Demolition of existing garage and construction of 2 houses and 7 2 bedroom flats.

Reference: 06/17/0697/F

Great Yarmouth

Officer: Mrs G Manthorpe

Expiry Date: 13/09/19

Applicant: Mrs D Sanders

Proposal: Demolition of existing garage and construction of 2 houses and 7 two bedroom flats

Site: Wellington Road, Pamela's Restaurant, Great Yarmouth NR30 3JJ

1. Background / History :-

- 1.1 The site comprises 567.22 square meters of land accessed off Wellington Road. A large garage is currently in situ on the land. Adjacent the site to the north is a listed building, 'Pamela's Restaurant' which is within the same ownership but does not form part of the application. To the north and south are terraced properties in mixed uses with several of them being listed. To the west of the application site is an un-associated outbuilding and curtilage to one of the properties from Albert Square.
- 1.2 There is no recent history for the application site, an application was submitted and subsequently withdrawn in 2000 for the demolition of the garage and the erection of 6 no. dwellings reference 06/99/1003/O.
- 1.3 The application site is adjacent a listed building with other listed buildings within the vicinity and as such will be assessed against the Planning (Listed Buildings and Conservation Areas) Act 1990 s66 and within a conservation area so shall be assessed against s72 of the Act.

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

- 2.2 Neighbours – There were 3 objections to the application prior to the revisions made in 2019 and consulted on in August 2019. Following the re-consultation 1 further objection was received. All objections are summarised below:
 - The rear boundary treatment which is currently a wall appears to belong to a property that is not the applicants.

- Walls should remain as the removal will adversely affect the security of the nearby businesses and properties.
- The development will cause noise nuisance owing to the proximity to nearby buildings.
- The development will cause disruption.
- The lack of parking will cause parking on Wellington Road which will adversely impact nearby businesses.
- The sewerage system will not cope.

Summary of comments received on 2017 plans:

- The proximity of the dwellings at Wellington Road will block light.
- The development will cause dust.
- Windows will cause overlooking.
- Development is too close to boundaries.
- The drainage in the area is not fit for purpose.

2.3 Highways – No objection to the application subject four parking spaces and cycle storage.

2.4 Building Control – No objection.

2.5 Environmental Health – No objection subject to condition(s). Have advised of the national space standards and that the flats should comply with these.

2.6 Strategic Planning – No objection.

2.7 Anglian Water – No objection to the application subject to a condition requiring the submission of a surface water management strategy to be submitted to and approved by the Local Planning Authority prior to the construction of any hardstanding areas.

2.8 Norfolk County Council Fire – No objections to the application provided compliance with Building Regulations.

2.9 Building Control – No objection.

2.10 Natural England – No objections.

2.11 Police Architectural Liaison Officer – Full comments and recommendations received. Confident that the boundary mixture as proposed will protect the western and southern perimeters. Concerns about the service alleyway to Pamela's Restaurant will provide unrestricted criminal access to the shed and bin storage.

No comments received on the 2019 revisions.

2.12 Lead Local Flood Authority – The development falls under the threshold for comment.

2.13 Conservation – Support the application.

2.15 Local Authority Requirements – The application site is within sub market 2 for affordable housing, requiring affordable housing to be provided for developments of 10 or more, as such no affordable housing is required as part of this application. The application is for under ten dwellings and as such there are no contributions for children recreation or public open space required.

Payment of £110 per dwelling as a contribution under policy CS14 shall be payable as required by the Habitats Monitoring and Mitigation Strategy. This payment shall be before occupation of any dwellings for the avoidance of doubt.

3 Local Policy :-

3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):

3.2 Paragraph 213 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it.

3.4 Policy HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will all detailed applications for more than 10 dwellings. These should include measures to retain and safeguard significant existing landscape features and give details of, existing and proposed site levels planting and aftercare arrangements.

4 Core Strategy – Adopted 21st December 2015

4.1 Policy CS2: Achieving sustainable growth. This policy identifies the broad areas for growth, sets out the sustainable settlement hierarchy for the borough and two key allocations.

4.2 Policy CS3: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:

a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (extract only):

- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
- Ensuring the efficient use of land/sites including higher densities in appropriate locations

d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites

4.3 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.

4.5 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 (partial):

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

4.6 Policy CS14: 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 to f)

e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures.

5 **Draft Local Plan Part 2**

5.1 Policy E8-dp Historic environment and heritage

Development will be supported where it conserves, enhances or complements the area's historic environment and heritage assets. Particular care will be taken in relation to formally designated assets such as listed buildings, conservation areas, scheduled ancient monuments, registered parks and gardens, etc., and their settings, but all buildings, structures and areas, etc. of heritage significance and value will, as appropriate, be conserved and/or used as cues for strengthening local distinctiveness.

5.2 Housing Applications Reliant on the 'Presumption in Favour of Sustainable Development'

In the event that the Council is unable to demonstrate a five year supply of deliverable housing land, or meet the Housing Delivery Test, it will give favourable consideration to proposals for sustainable housing development (as defined by the National Planning Policy Framework) which will increase the delivery of housing in the short term, and apply flexibly the relevant policies of the development plan where it is robustly demonstrated that the development will be delivered promptly (i.e. within 5 years maximum).

Consideration will be given to applying a shorter than standard time limit to such permissions, in order to signal the exceptional nature of the permission and to encourage prompt delivery. Applications for renewal of permissions which relied on that presumption will be considered in the light of the housing delivery and supply situation at the time.

Such renewals will only be permitted where the applicant can demonstrate convincing reasons both why the development did not proceed in the time frame

originally indicated, and why, in the light of the previous delay, the development can now be expected to proceed promptly.

6 National Policy:- National Planning Policy Framework (NPPF), July 2018

6.1 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

6.2 Paragraph 7: The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴.

6.3 Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.4 Paragraph 11 (partial): Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.5 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

6.6 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

6.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

6.8 Paragraph 92. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural

buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

6.9 Paragraph 109. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.10 Paragraph 117. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

6.11 Paragraph 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

6.12 Paragraph 190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

6.13 Paragraph 192. In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local

character and distinctiveness.

- 6.14 Paragraph 196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

7 Local finance considerations:-

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. 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 applicant has submitted the template Shadow Habitat Regulations Assessment (HRA). The applicant has provided information to enable the Local Planning Authority to undertake an Appropriate Assessment in the role as the competent authority (as defined by the regulations).
- 8.2 Gt Yarmouth Borough Council as Competent Authority can 'adopt' the information supplied by the applicant in relation to the Habitat Regulation Assessment as a formal record of the process and be confident that the application is compliant with the Regulations.

9 Assessment

- 9.1 The application is a full application to demolish an existing garage and erect a pair of dwellings to the frontage of the site and a block of nine flats to the rear of the site. The development has undergone changes in design and the number of dwellings has been reduced to seek to overcome the concerns and incorporate the ideas of the Conservation Officer.
- 9.2 The site is located within a conservation area and as such the benefit of the existing building to the amenity of the area must be assessed. The appearance of the

building as existing does not provide an attractive addition to the area and could be said to detract from nearby buildings visual appeal. The existing building takes up all of the floor area of the site and is a garage building which does not have any architectural value. There is no heritage reason for the retention of the exiting building. The loss of the building and replacement with an attractive alternative can be supported when assessed under the Planning (Listed Buildings and Conservation Areas) Act 1990 s72 which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 9.3 The two dwellings at the Wellington Road frontage are attractively designed and will enhance not only the conservation area but also the listed building to the north of the application site. The dwellings are three storeys and have a central arch to access the flats to the rear. The distance from the dwellings to the residential property to the south varies from approximately 2.24m – 2.44m (measured from scaled plans online). The neighbour at the southern boundary objected to the application in the original format owing to loss of light. The existing building is roughly the same distance away from the proposed development although is not as tall so there will be an additional loss of light through the proposed development owing to the increase in height. The loss of light is mitigated by the location of the proposed dwellings being to the north of the neighbouring dwelling. The loss of light is not assessed as so significant to warrant refusal of the application.
- 9.4 There are objections to the flats owing to the proposed proximity to neighbouring properties. Through the applications process the flats have been revised several times which has resulted in the current design. The design has been amended to reduce the number of dwellings and reconfigured to reduce the scale and massing. Owing to the locational proximity to the listed buildings and being situated within a conservation area the design has been carefully considered to take inspiration from surrounding heritage assets such as the nearby arch. The flats, in conjunction with the flats has a decorative arch defined by materials which will offer an attractive view through the entrance arch and add to the setting of the listed building. The materials will need to be of high quality to ensure that the setting of the listed building, Pamela's, is enhanced. The design will improve the setting of the nearby and adjacent listed building and is in accordance with s66 of the Planning (Listed Buildings and Conservation Areas) Act.
- 9.5 The reduction in the height of the flats offering a central third floor comprising a single flat gives an attractive design which keeps the bulk of the development to a central point which reduces any impact on the adjoining properties. There are objections to the proximity of the development to the existing buildings however the reduction in scale and massing have reduced this to an acceptable level. The windows which are proposed will affect the privacy of the occupants of the properties to the north and south however given the built- up character of the area

and the existing degree of overlooking this is not a significant adverse impact on the enjoyment of the buildings. The distance to the majority of the windows is increased as many of the buildings to the north and south are 'L' shaped and have windows to the east or west with the main windows on the inset on the north or south elevations.

- 9.6 There have been concerns raised about parking for the proposed development from a neighbour. The comments from the Highways Officer have there is an internal configuration to provide four parking spaces to the two dwelling houses and adequate cycle storage for the flats. The Highways Officer is satisfied that this can be accommodated on site and that the flats do not require designated parking on site. The location of the development is a sustainable one and as such it is assessed that parking is not required to be provided on site.
- 9.7 An important factor when determining applications is whether a Local Authority has the ability to demonstrate a five-year housing land supply. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be "out of date". There is currently a housing land supply of 2.55 years. Although this does not mean that all residential developments have to be approved the presumption in favour of sustainable development must be applied.
- 9.8 The location of the development is a sustainable one and the land proposed to be developed is brownfield. Development on brownfield land is supported by 117 of the National Planning Policy Framework being land that could be best used for the redevelopment of land for residential purposes. The application is a full application that demonstrates that the development is deliverable and could positively contribute to the Local Authorities Housing land supply.

10 RECOMMENDATION:-

- 10.1 Approve – subject to conditions to ensure an adequate form of development.
- 10.2 The proposal complies with the aims of Policies CS2, CS9, CS11 and CS14 of the Great Yarmouth Core Strategy.



Community and Environmental
Services
County Hall
Martineau Lane
Norwich
NR1 2SG

NCC contact number: 0344 800 8020
Text Relay - 18001 0344 800 8020

Gemma Manthorpe
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Your Ref: 06/17/0697/F
Date: 13 June 2019

My Ref: 9/6/17/0697
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Gemma

**Great Yarmouth: Demolition of existing garage and construction of 2 houses and 9 two bedroom flats
Wellington Road Pamela's Restaurant GREAT YARMOUTH NR30 3JJ**

Thank you for your recent consultation with respect to the above.

Whilst I previously commented on this application in December 2017 with regard to parking provision, it would appear that no changes have been made in respect of those comments. However, notwithstanding this, given the location of the proposals it would be difficult to sustain an objection on parking grounds alone.

Accordingly, whilst raising no objection to the proposals I would recommend the following conditions be appended to any grant of permission your Authority is minded to make.

SHC 14 No part of the proposed structure (to include fascia board/rainwater guttering) shall overhang or encroach upon highway land and no gate/door/ground floor window shall open outwards over the highway.

Reason: In the interests of highway safety.

SHC 20 Prior to the first occupation/use of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

Yours sincerely

Stuart French

Highways Development Management & Licensing Officer
for Executive Director for Community and Environmental Services

www.norfolk.gov.uk

MEMORANDUM

From Environmental Health

To: Head of Planning and Development
Attention: Gemma Manthorpe

Date: 14th June 2019

Our ref: SRU/077753

Your ref: 06/17/0697/F

Please ask for: Richard Alger

Extension No: 622

DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF 2 HOUSES AND 9 TWO BEDROOM FLATS: DEVELOPMENT AT PAMELA'S RESTAURANT, WELLINGTON ROAD, GREAT YARMOUTH

The following comments are made:-

Land Contamination:

Prior to the commencement of the development and to the satisfaction of the Environmental Services Group Manager, a Phase 1 contamination report shall be carried out to assess whether the land is likely to be contaminated. The report shall also include details of known previous uses and possible contamination arising from those uses.

If contamination is suspected to exist, a Phase 2 site investigation is to be carried out to the satisfaction of the Environmental Services Group Manager. If the Phase 2 site investigation determines that the ground contains contaminants at unacceptable levels then the applicant is to submit a written strategy detailing how the site is to be remediated to a standard suitable for its proposed end-use to the Environmental Services Group Manager.

No dwellings/buildings hereby permitted shall be occupied until the remediation works agreed within the scheme have been carried out to the satisfaction of the Local Planning Authority.

Reason for the condition

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 receptors.

(Note: the applicant is strongly advised to contact Environmental Health at an early stage.)

Contaminated land during construction

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:

- 1) a report shall be 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
- 2) 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 for the condition

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 receptors.

Asbestos:

The developer must carry out an asbestos survey prior to demolition of the garage in order to identify asbestos containing materials (ACMs). The developer has a legal duty to remove most ACMs before demolition and some ACMs must be removed by contractors licensed by the Health and Safety Executive (HSE). If at any stage during demolition asbestos is suspected the work should be stopped and the material investigated.

Local Air Quality:

The site will potentially generate a significant amount of dust during the construction process; therefore, the following measures should be employed:-

- An adequate supply of water shall be available for suppressing dust;
- Mechanical cutting equipment with integral dust suppression should be used;
- There shall be no burning of any materials on site.

Hours of Work:

Due to the close proximity of other residential dwellings, the hours of development should be restricted to:-

- 0730 hours to 1800 hours Monday to Friday
- 0800 hours to 1300 hours Saturdays
- No work on Sundays or Bank Holidays.

Space Standard:

The *Technical housing standards – national described standards* (DCLG March 2015) specify that 1-bedroom/2-person flats should have a gross internal floor area of 50m² (58m² for a 2-storey dwelling) and 2-bedroom/ 3-person flats should have a gross internal floor area of 61m². The national described standards also specify that a double bedroom should have a floor area of 11.5m² and a second (single) bedroom a floor area of 7.5m². The size of dwellings and bedroom sizes should conform to new space standard guidance and follow 'Technical Housing Standards – national described standards document (DCLG March 2015)'.

Richard Alger
Environmental Health Officer

6 Albert Square
Great Yarmouth
NR30 3JH

13/06/2019

Dear Sir/Madam

Revised Planning Application 06/17/0697/F – Representation

Wellington Road
Pamela's Restaurant
Great Yarmouth
NR30 3JJ

I write with regard to the revised planning application 06/17/0697/F. This letter should be considered in conjunction with my previous submissions regarding application 06/17/0697/F.

The March/May 2019 changes seem to amount to a one storey reduction the height of the building on the South side of the proposed development, and a residential unit being situated in the roof/attic space on the North side.

The South side of the building will still be of a greater height than the building currently in situ and there will still be the previously noted issues for Albert Square residents regarding light, privacy and access. There will still be large Living Room windows within a few metres of the rear upper section of 6 Albert Square, with close views of/ into current bedroom windows. Apart from privacy issues, it is likely that noise nuisance will occur if any party opens their windows as the buildings will be so close to each other. Whilst those choosing to move into the new development may be able to decide for themselves whether they are happy to closely overlook other homes, those who are already living in the area will face disruption and little choice over the changes that may be imposed on them.

As far as I am aware there has not been any discussion/ information received by those whose properties have direct boundaries with the site with regard to the proposed demolition/ removal of walls, gates and rooves etc. As noted previously, this proposal directly affects the setting of Listed buildings.

The removal/ reduction of current security measures (gates, high brick walls, inaccessible areas) for current residents have not been reconsidered – the gate is still to be removed, the brick walls replaced with fencing, members of the public will have direct access to the rear of Albert Square properties where they cannot currently go. Again, security and privacy for those already residing/ running businesses in the area will be adversely affected.

The proposed site is still located in the centre of a designated Primary Holiday and Conservation area, where a fair sized new Residential development of buildings that are considerably taller than

the current building on this site may be seen as contrary to the restrictions in place – the new development isn't for tourist/ holiday use and will alter the character of the area for current businesses, residents and visitors rather than conserve it.

Parking provision has not been improved, this section of Wellington Road cannot be widened nor have parking restrictions lifted and so to have it as the main vehicular accessway to 11 properties is not practical or safe. The limited parking on site will not prevent people parking on Wellington Road daily, affecting access, through traffic and deliveries to the 2 hotels that are immediately adjacent to this road.

The site is not suitable for a multi storey building to be located, it is a small area at the rear of listed buildings, in a Conservation and Primary Holiday area. The proximity of proposed living quarters to current residential and business properties will cause issues with noise and privacy. Sewerage and parking amenities will be strained and current property access and security concerns are still unresolved. The space occupied, the density of the development and the associated issues have not been altered and all points offered now and previously in challenge of this development are still applicable.

Yours faithfully

A Geraghty

GREAT YARMOUTH BOROUGH COUNCIL

To: Head of Regeneration Services - Conservation Section
From: Group Manager (Planning)
Date: 2nd September 2019

Revised Plans

PARISH: GY Nelson
APPLICATION: 06/17/0697/F
PROPOSAL: Demolition of existing garage and construction of 2 houses and 9 two bedroom flats
LOCATION: Wellington Road Pamela'S Restaurant Great Yarmouth Nr30 3JJ
AGENT: Mr A Middleton
23 Regent Street GREAT YARMOUTH Norfolk NR30 1RL
APPLICANT: Mrs D Sanders
Bonnie House Albert Square GREAT YARMOUTH NR30 3JH
CASE OFFICER: Mrs G Manthorpe

Please find for your attention a consultation form in respect of the above proposal.

Please let me have any comments you wish to make by 16th September 2019

All applications are available to view and comment on via Great Yarmouth Borough Council's website at the following address <https://www.great-yarmouth.gov.uk/article/2728/Search-Planning-Applications>
Alternatively enter your comments below;

Comments:

IAN HARDY 9:9:19

THE MAIN CONCERN FOR CONSERVATION WAS THE ROADSIDE BUILDING THE DESIGN OF WHICH WAS RESOLVED EARLY IN THE NEGOTIATIONS. A SECONDARY ISSUE WAS THE BULK AND OVERSHADOWING ^{EFFECT} OF THE REAR APARTMENT BUILDING. SEVERAL ATTEMPTS HAVE BEEN MADE BY THE AGENT TO ADDRESS THE ISSUE WITH THE PRESENT SUBMISSION BEING THE MOST SUCCESSFUL.

Great Yarmouth Borough Council

05 DEC 2017

Customer Services

4 Albert Square
Great Yarmouth
NR30 3JH

5th November 2017

Dear Sir / Madam

RE: PLANNING APPLICATION 06/17/0697/F

The height and scale of the proposed building to the rear of my and my neighbours properties on Albert Square is alarming.

I have viewed the Plans and believe a four storey construction so close to my boundary will seriously and significantly block natural light from the whole of the rear of my building.

I have also noted that six of the proposal flats living room windows (a total of nine windows) will directly look over my rear courtyard and rear facing windows.

This will not only affect the natural light but the privacy and quality of life that everybody should be entitled to.

They must be a calculation of the distance and height of the construction of a new property from that of an existing one, safeguarding the natural light and privacy of the existing property.

Yours Sincerely,



Martin Walker

Planning Services
Development Control
Great Yarmouth
Borough Council 06.12.17



Ref: **PLANNING APPLICATION** 06/17/0697/F

FROM

Peter Allday
Owner Occupier
1A Albert Square
Great Yarmouth
NR30 3JH

Att. Mrs G Manthorpe and Dean Minn

Dear Sir/Madam

Thank you for your correspondence regarding the application for Wellington Road.

Having looked at the plans it is plain to see that the proposed 3 story building built less than 2 mtrs from my front door would block almost all the light that I currently have coming into my Kitchen and first floor bedroom.

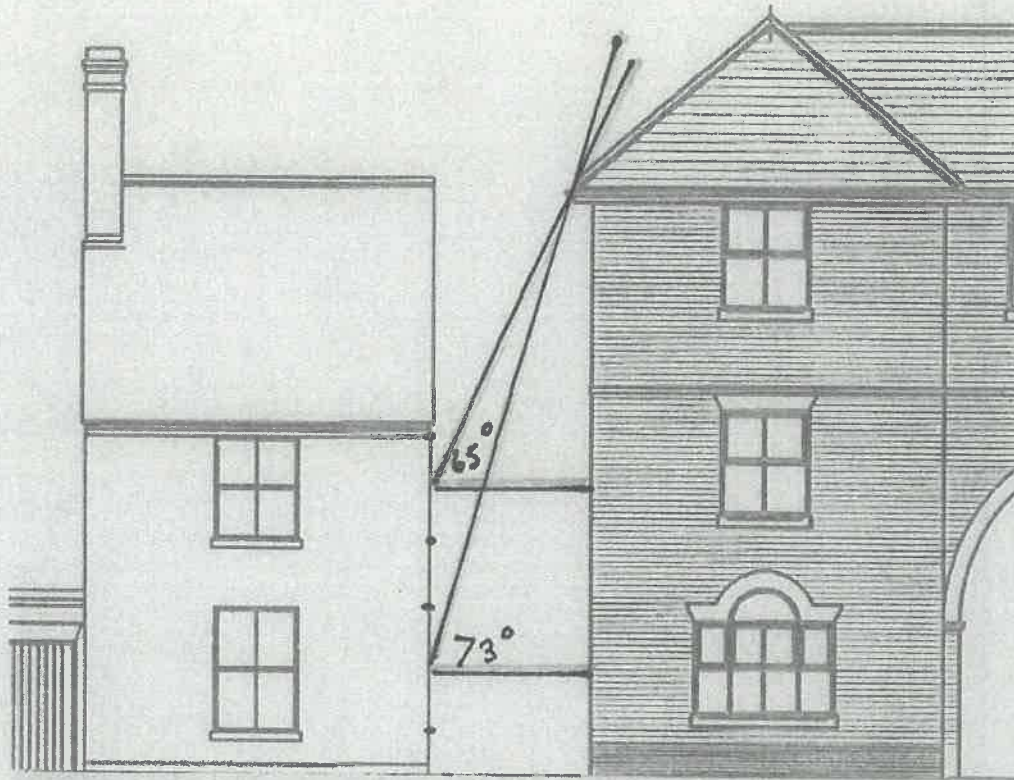
It also seems to me it contravenes the BRE rule of thumb test by some margin, going far above the 25 degrees to 73 & 65 degrees respectively as shown on attached drawing along with the relevant notes sent to me by the 'Rights to Light' surveyors. I would also like to know how they propose to demolish the building, dig foundations, erect scaffolding and still leave me access to my front door all in less than 2 mtrs. I have C.O.P.D and any dust generated would adversely affect my health.

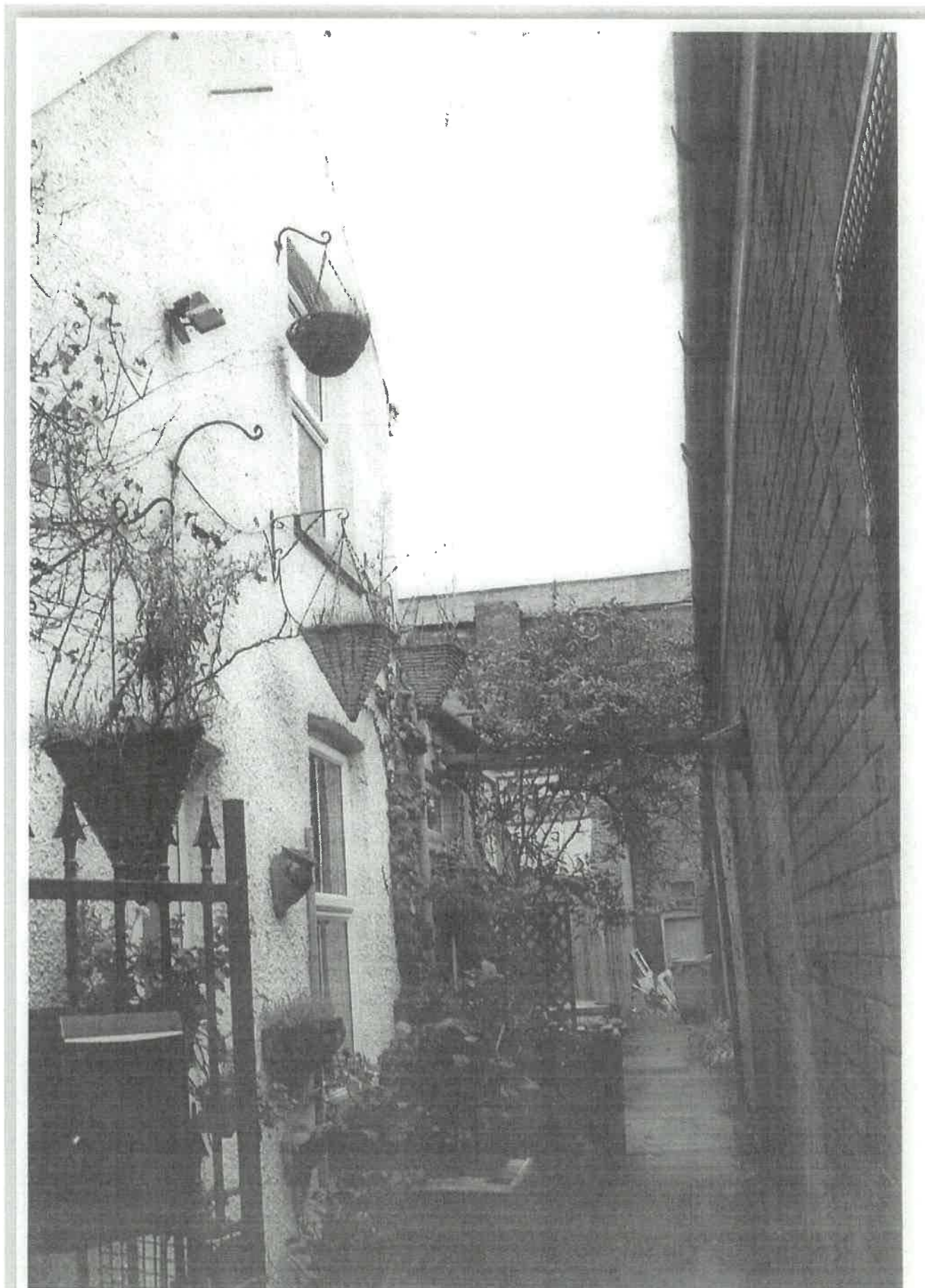
I would like to know your opinion of my objection to this development as soon as possible as I need to know if I should seek legal advice.

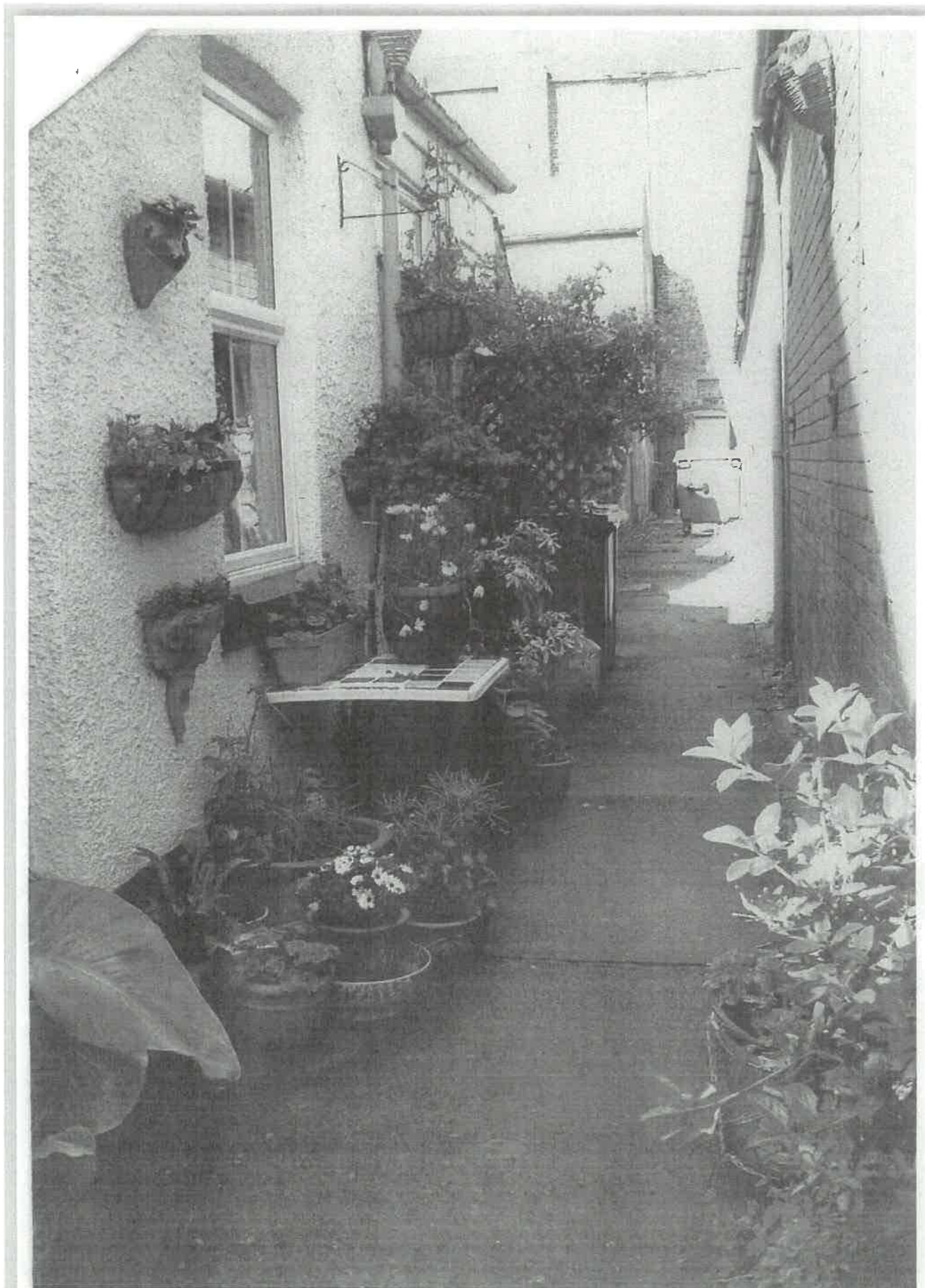
Yours faithfully

Peter Allday

A handwritten signature in dark ink, appearing to read 'Peter Allday', with a horizontal line underneath.





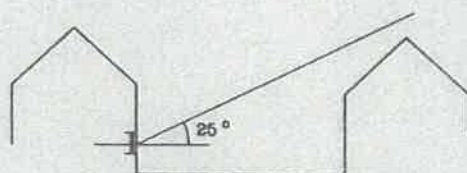


Local Planning Authorities will usually only approve a planning application if it does not have an adverse effect on daylight and sunlight to neighbouring properties. The daylight and sunlight tests normally used by Local Planning Authorities when considering planning applications are set out in the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011)'. The BRE guide gives two helpful rule of thumb tests which determine whether or not further detailed daylight and sunlight tests are required. The further detailed daylight and sunlight tests are covered in Fact Sheet 2.

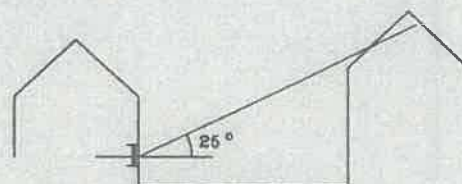
Daylight and sunlight to neighbouring windows

25 degree test

The 25° test is used where the development is opposite the window, as shown in the diagram below. The centre of the lowest habitable room window should be used as the reference point for the test. If the whole of the proposed development falls beneath a line drawn at 25° from the horizontal, then there is unlikely to be a substantial effect on daylight and sunlight. If the proposed development goes above the 25° line, it does not automatically follow that daylight and sunlight levels will be below standard. However, it does mean that further checks on daylight and sunlight are required. The further checks can be undertaken using the detailed BRE daylight and sunlight tests listed overleaf and covered in more detail in Fact Sheet 2.



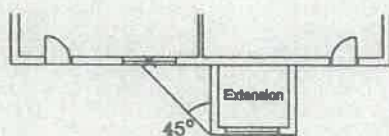
Daylight and sunlight likely to be acceptable



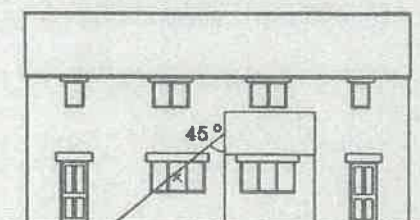
Detailed daylight and sunlight study required

45 degree test

The 45° test is used to check extensions that are perpendicular to a window - as in the example below.



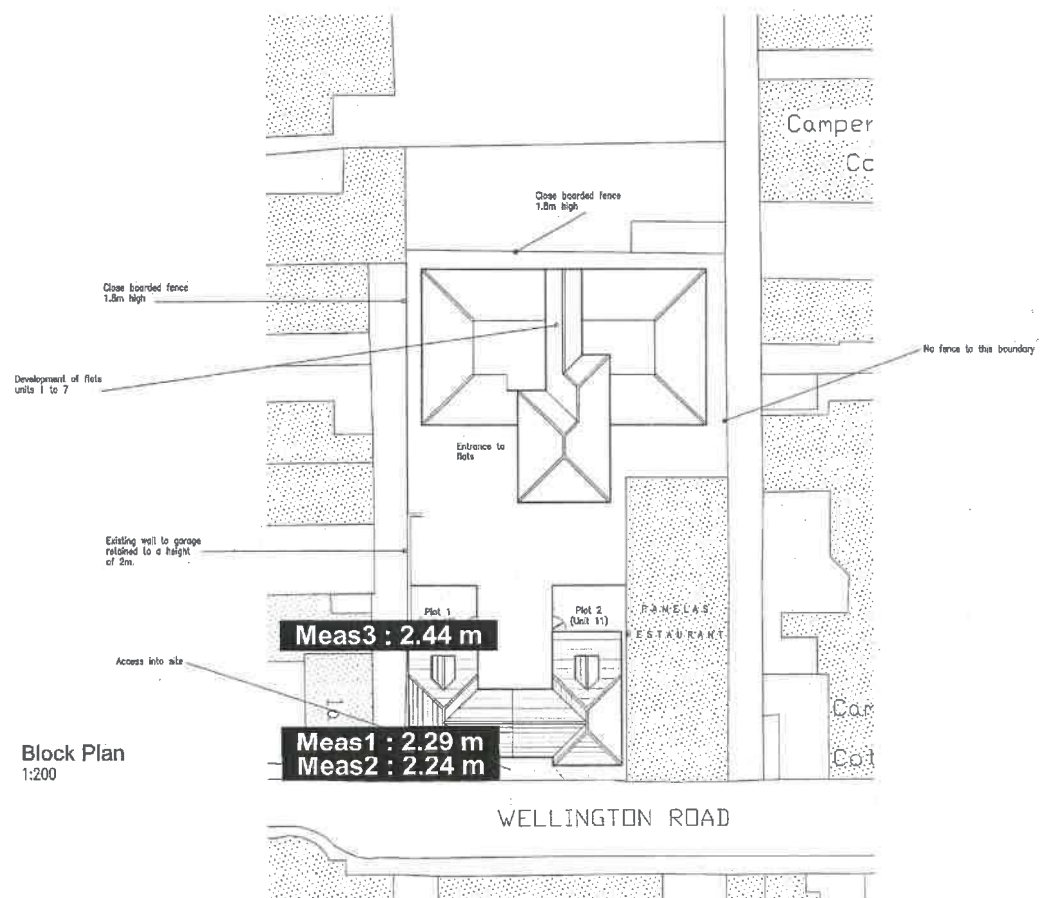
Detailed daylight and sunlight study required



PROPOSED REDEVELOPMENT OF SITE TO RESIDENTIAL.

Site adjacent to Pamela's Restaurant, Wellington Road, Gt Yarmouth.

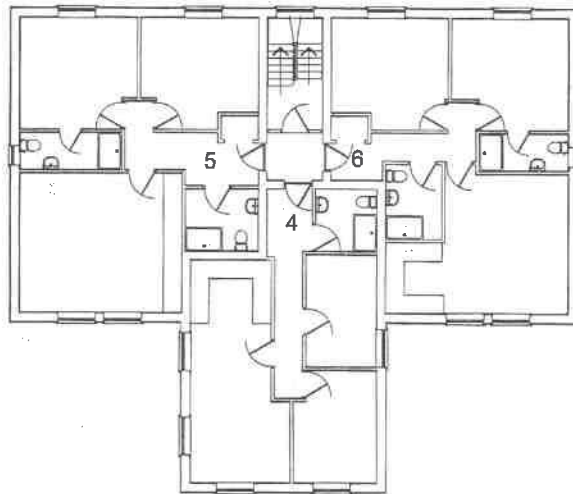
Planning drawings - Flats 1 to 7 - Sheet 2.



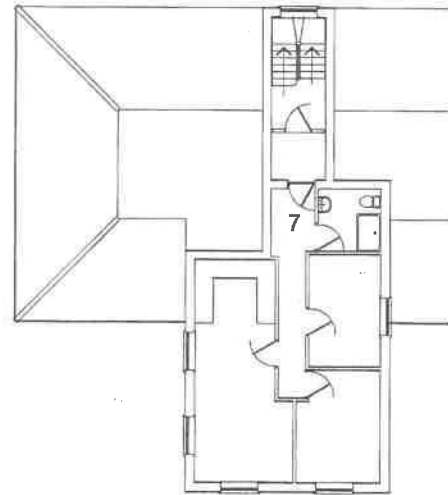
PROPOSED REDEVELOPMENT OF SITE TO RESIDENTIAL.

Site adjacent to Pamela's Restaurant, Wellington Road, Gt Yarmouth.

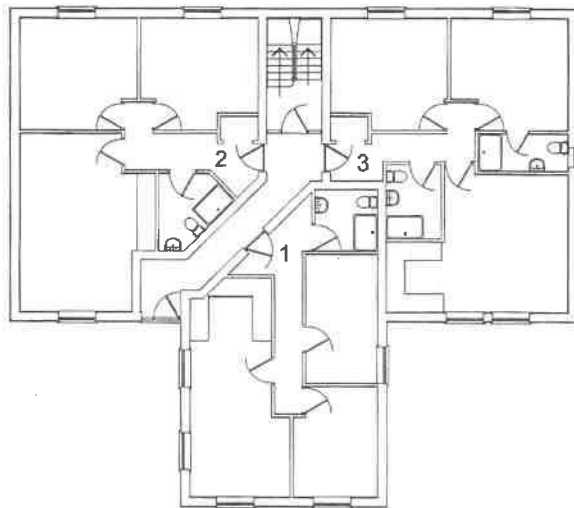
Planning drawings - Flats 1 to 7 - Sheet 1.



First Floor Plan
1:100



Second Floor Plan
1:100

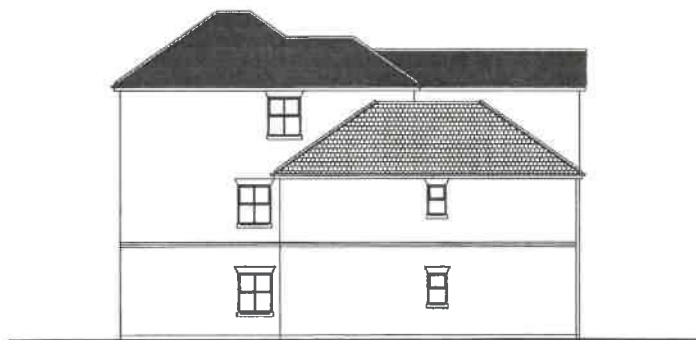


Ground Floor Plan
1:100

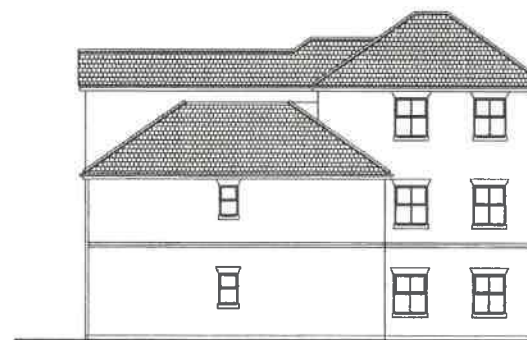
PROPOSED REDEVELOPMENT OF SITE TO RESIDENTIAL.

Site adjacent to Pamela's Restaurant, Wellington Road, Gt Yarmouth.

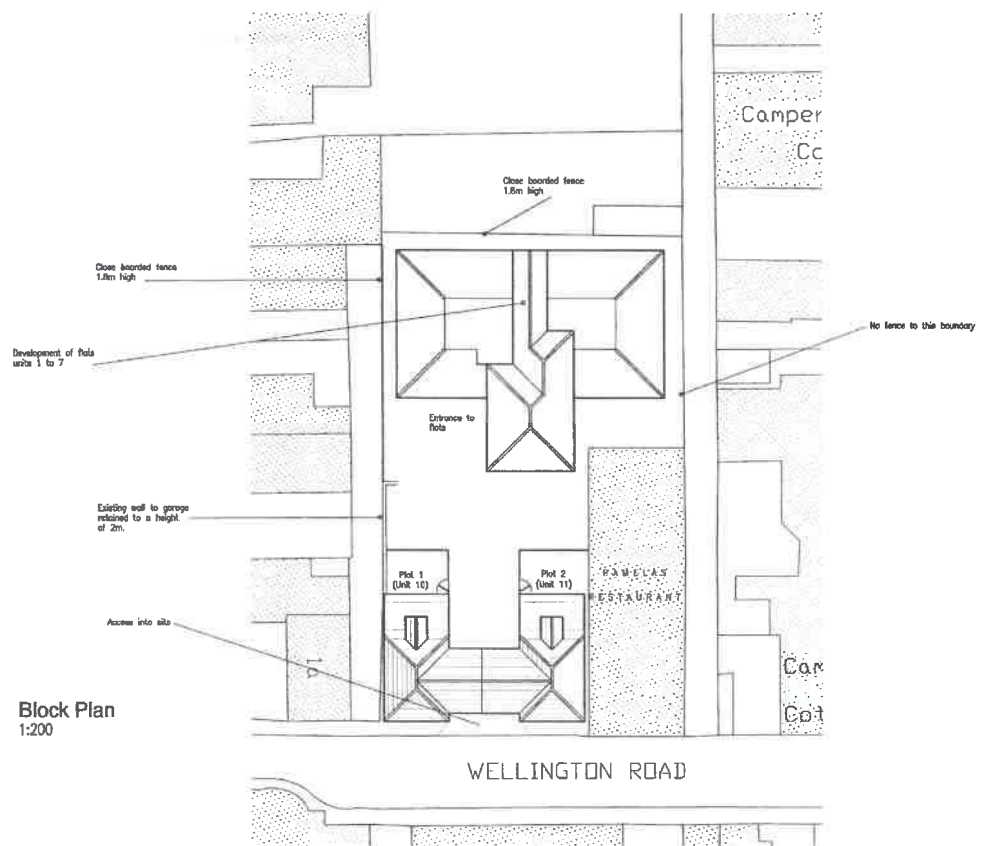
Planning drawings - Flats 1 to 7 - Sheet 2.



Side Elevation
1:100



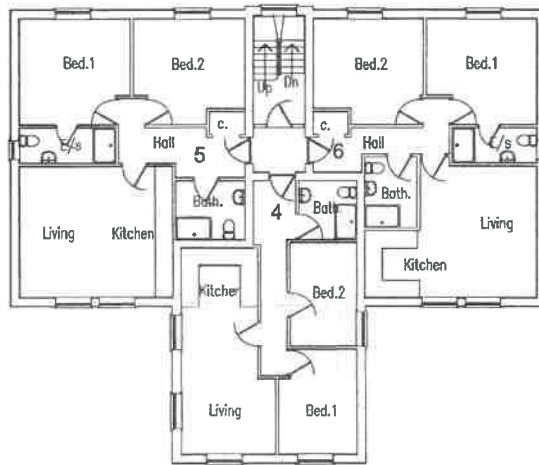
Side Elevation
1:100



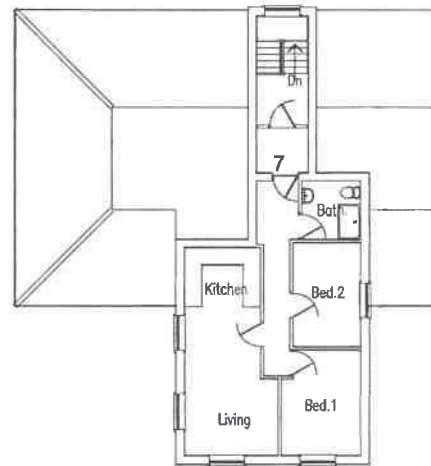
PROPOSED REDEVELOPMENT OF SITE TO RESIDENTIAL.

Site adjacent to Pamela's Restaurant, Wellington Road, Gt Yarmouth.

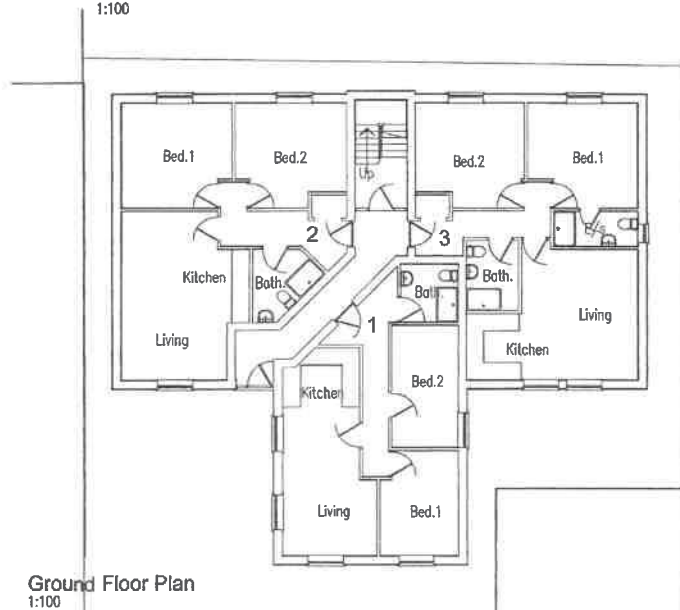
Planning drawings - Flats 1 to 7 - Sheet 1.



First Floor Plan
1:100



Second Floor Plan
1:100



Ground Floor Plan
1:100



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Great Yarmouth Borough Council

Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

Pamela's Restaurant - 06/17/0697/F -Aerial

1:2,500

