

Reference: 06/13/0025/F

Parish: Gorleston

Officer: Mr D.Minns

Expiry Date: 02-05-2013

Applicant: Sainbury's Supermarkets Ltd.

Proposal: Erection of food store, 4 No. retail units, petrol filling station and car wash with associated car parking, landscaping access and highway works to form Beacon Park Neighbourhood Centre

Site: Beacon Park (Land at) Beaufort Way Gorleston

REPORT

1. The Proposal

1.1 The site area is 4.1ha (10.54 acres). The site is bounded by Beaufort Way to the south and west and Woodfarm Lane to the north and east and lies around 3km south of Great Yarmouth and 1.2 km from Gorleston's town centres. The site comprises agricultural greenfield land. Ground levels are relatively flat. The site is accessed via Beaufort Way which is linked to the A12.

1.2 The proposal is for full planning permission for a new food store, four smaller retail units (Use Classes A1-A5), petrol filling station, a totem pole advert, a 542 space car park (including provision for disabled spaces and parent and child spaces) and associated landscaping. In addition the proposal includes 40 cycle loops and 8 motorcycle parking spaces.

1.3 The four smaller retail units are approximately 80 sq. m. each in size. Each of the smaller units shares a loading/unloading pull-in area accessed off the new access road and a parking area. 22 car parking spaces are dedicated to these units in total. There are also new pedestrian and cycleways proposed connecting with Beacon Park which will improve the permeability of the site. The gross internal floor area of the proposal as a whole is 7,369 sq. m.

1.4 The development provides a service yard with a turning circle and dedicated unloading bay with a service dock 1.2m above yard level. Within the yard there is a bio-mass boiler, transformer and generator room and Biffa waste disposal bins. A sprinkler tank and pump house serve the main store and are located in a separate enclosure in the service yard. The development also includes a goods on-line facility accommodating an 8 van delivery service

1.5 The food store external elevations will be clad in a mixture of uniform cladding panels, Douglas Fir vertical timber cladding and full height vertical glazing. The single storey building comprises two main parts: the sales area, coffee

shop/restaurant and staff area; and the warehouse/back area, unloading bay and goods on line area. There is a continuous external canopy to the front (south-west) elevation. The four smaller units front elevations are similarly clad and attached to the main food store.

1.6 The proposal also includes the provision of a new roundabout for Beaufort Way which will serve both this development and will be configured to also serve future development on adjacent land and linking into the separate proposal for the new spine road to the A143.

1.7 The existing 20m landscaping area adjacent to Wood Farm Lane is to be retained, providing screening to the rear of the main food store. A detailed landscaping scheme has been included for the proposal. Under the provisions of the adopted Borough-wide Local Plan, Wood Farm Lane will be stopped up. (This was also agreed as part of the Phase 2 Beacon Park scheme.) It is anticipated that the proposal will provide between 350 and 400 new jobs

Hours of operation proposed are:

Monday – Saturday 0700-2300 and Sunday and Bank Holidays 1000-1600

1.8 As part of the application, the applicants have also submitted: traffic and retail assessments; flood risk assessment (because of the site is over 1 ha in size); a protected species survey alongside a desktop and Phase 1 Ecological Survey; archaeological assessment; noise survey report and access and design statement

1.9. The proposed totem pole sign which is located on the northern side of the junction of the A12 and Beaufort Way is 2.9 wide and 6.3 metres high is included in this application but also subject to a separate application and would be internally illuminated . (Application No.06/13/0026/A)

1.10 Members are informed that the reason this planning application has not come to Planning Committee before this time is that the Highways Agency issued a Holding Direction on the application meaning that it couldn't be determined before this power of direction was lifted as further explained in the Highways Agency consultation response section of this report

2. Planning History

2.1 The site forms part of a larger area of some 72 hectares (172.8 acres) of land that was originally granted deemed approval for a mix of Business/commercial/residential uses with associated landscaping and open space in July 1995. (This site is known as Phase 1 of Beacon Park.)

2.2 Approval for the infrastructure for the allocation as a whole including the A12 roundabout and related junction, lagoons and landscaping to the development which are now well established and reduce the overall impact of the development in the landscape followed in April 1999. The land is designated in the Great Yarmouth Borough Wide Local Plan 2001 and there are a number of associated policies which seek to promote a high quality business park and commercial area.

2.3 A further planning application (Phase 2) was submitted by GYBC property services and approved by the Development Control Committee subject to a legal agreement in July 2007 but this is yet to be signed and permission issued.

2.4 The Phase 2 application was an outline planning application for commercial and residential development neighbourhood centre and sheltered housing covering approximately 37.25 hectares of land within the site originally approved in July 1995. The proposed development consists of approximately 11.51 hectares of commercial development to the west of the site, together with 5.78 hectares of residential development (approximately 204 dwellings). In addition, the development included a neighbourhood centre, shops and services. (Although an indicative location was shown in the 'master plan for the site', the location of the neighbourhood centre was never agreed.)

2.5 The retail element of this Phase 2 application also accorded with the Great Yarmouth Retail and Leisure Study (DTZ Pieda Consulting 2006) which anticipated a convenience (food) need within the Borough of 2000 sq. metres up to 2011.

2.6 The 'master plan' submitted with the outline application for Phase 2 describes the 'neighbourhood centre' as providing local amenities, such as shopping facilities, laundrette and take-away food outlets. The 'Final Retail Statement' submitted with this application for Phase 2 anticipated a foodstore of up to 1,500 sq.m (net) together with a range of shops each comprising 500sq. m.

2.7 The key headlines from this 'Final Retail Statement' of particular relevance to this application are summarised as follows:

- The net sales area for the foodstore would only sell food with no comparison goods on offer;
- There was no 'end user' at the time of the application. However, it was assumed that a turnover of £7million was expected which is the equivalent turnover associated with 'deep discount' retailers such as Aldi and Lidl;
- A high proportion of customers would come from walk-in trade from the new housing proposed ;
- The provision of the neighbourhood centre would reduce the need for residents in the locality to travel to shops especially for top-up shopping; and
- It was anticipated that main food shopping would continue at the main supermarkets in the wider area.

3. Consultations

3.1 Parish Council - Bradwell – No objection to plans as submitted.

3.2 Gorleston Chamber of Trade – 'We have No Objections to the planning application.'

3.3 Neighbours/Article 8 Advert:

- 'Object to the proposal' - see attached Morrison's letter;

- Letter of objection from the Chairman of the Gorleston Traders Association on the grounds of potential impact from out of town shopping created by the proposal on the low level of vacant units in the town (currently under 5%, and one of the lowest proportion in the country);
- 5 supporting letters from residents issues raised: support the supermarket use; support the petrol filling station; boost to the local economy; support for the retailer offer; and
- 2 letters of objection expressing concern over the impact of additional traffic generated on Woodfarm Lane.

3.4 James Paget University Hospitals –The Trust has examined the Planning Application at your office and does not wish to comment or offer any objection to this planning application.

3.5 Highways Agency – Holding direction until 30 October 2013 (recently withdrawn)

‘Further to my letter dated 30 August you may be aware of Circular 02/2013 “The Strategic Road Network and Delivering Sustainable Development” published on the 10 September 2013. This new document now requires highway mitigation if forecast demand exceeds capacity in the opening year only. I am content the demonstration of scenario 2 in the document ref NO9-AW-AW12 and Beaumont Way produced by Vectors dated 23 August 2013, reflects the likely forecast demand for traffic at the opening year of the proposed development and that the A12 trunk road reflect the likely demand for traffic at the opening year of the proposed development and that the A12 trunk road remains satisfactorily operational.

In consideration of the above I am now able to confirm that the Highway Agency now raise no objection to the application and attach a TR110 reflecting the current situation which supersedes that dated 30 August 2013.’

No objection to the Totem sign.

3.6 Norfolk County Highways –

‘Thank you for consulting the Highway Authority on the above application. All the supporting information had been assessed and discussions held with the developers highways advisors. A mitigation package has been agreed which includes the extension of Beaufort Way and a new roundabout junction and an access road to the store, on land to the south east and to Woodfarm Lane with mini-roundabout access to the store. A bus service will be provided to the store from Great Yarmouth Town Centre for all hours of opening by extending the existing No 2 service to James Paget Hospital.

The store will be linked to existing footways and cycleways. The 'Red Line' drawing shows the store access road linking to Wood Farm Lane. Before this link to Wood Farm Lane is made, Wood Farm Lane to the north of the junction with the store access road must be closed off to through vehicular traffic to avoid traffic rat running via Oriel Avenue and Wood Farm Lane to the store. This is covered in the suggested conditions below. The Highway Authority recommends no objection subject to conditions suggested in the consultation letter and completion of Section 106

Agreement securing a Travel Plan bond and monitoring fees.’ (**See attached letter including conditions**)

In terms of the totem sign there is no objection from the County subject conditions controlling the degree of illumination and that the sign should be finished in a non reflective material.

3.7 Norfolk Fire and Rescue Service – ‘A fire hydrant is required on site (at the applicants expense) details of the location to be agreed before the commencement of development and a condition is required on any pp to cover this.’

3.8 Environment Agency –

‘ Controlled Waters – We refer to the “Site Investigation Report” referenced GN16260SSI, dated July 2013 and prepared by Harrison Geotechnical submitted to us by Stephen Rose of Indigo Planning on 2 September. This document responds to our previous comments concerning the possible presence of elevated levels of nutrient contaminants associated with the soil and groundwater in the area of the derelict hard-standing lying across the south eastern boundary of the proposed development site. Our records indicate this area was previously used as a fertilizer depot.

Based on the information now provided we consider the proposed development site, which includes only a small area of the former depot, would appear to pose a low risk to the water environment. Our previously recommended conditions for the site to be subject to further investigation, assessment and remediation as may be necessary would therefore now appear to be unnecessary.

However, if, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) should be carried out until the developer has submitted, and obtained written approval from the local planning authority. A remediation strategy detailing how this unsuspected contamination shall be dealt with should be provided.’

3.9 Norfolk Constabulary – Holding Objection with reference to developer contributions. The scale of the developer is anticipated to require financial contributions towards delivering Police services to address community safety, tackle fear of crime and seek to achieve a reduction in crime. The Norfolk Constabulary is currently obtaining information/guidance from the each of the District Commanders and Local Delivery Inspectors for Policing Impact. This will include details in respect of any impact arising from the development. Whilst this information is being collated please take this letter as a holding application. Further info from the Borough Council requested if the development requires a developer contribution towards additional police infrastructure. No further information regarding District Commanders information/guidance has been received. (The consultation response was sent on 26 February 2013).

3.10 Anglian Water – No Response

3.11 Essex and Suffolk Water- We would advise you that our existing apparatus does not appear to be affected by the proposed development. We give consent to this development on the condition that water mains are laid in the highway to the development, and that the water service is connected with a meter for revenue purposes.

3.12 Natural England – This proposal does not appear to affect any statutory protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal an EIA development.

3.13 Environmental Health – make a number of Comments (see attached comments and proposed conditions)

3.14 Crime Prevention Architectural Liaison Officer – General advice given on designing out crime.

3.15 Building Control – No comments that affect planning.

3.16 Refuse Collection - Trade waste contract required with collection from least public area

3.17 Archaeologically – The proposed development lies within a nationally significant multi-period cropmark complex indicating intensive use of the landscape since the prehistoric period. The archaeological desk based assessment submitted with the application has highlighted that there is a high potential for archaeological remains of prehistoric date to be present at the site, moderate to high potential for Roman evidence for medieval and post medieval remains. Consequently there is a high potential overall that the heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the development. If permission is granted, we therefore ask that this is subject to a programme of archaeological work in accordance with National Planning Policy Framework para 135. Three conditions are suggested which are standard archaeological investigation scheme requirements.

4. Planning Policy Context

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise.

National Planning Policy Framework

4.2 The National Planning Policy Framework (NPPF) recognises the important role that development can bring in promoting healthy and competitive town centre environments.

4.3 In order to protect the role of town centres as the heart of their community', the NPPF requires that when determining planning applications for main town centre

uses that are not in an existing centre and not in accordance with an up-to-date local plan, the local planning authority should apply the sequential test to assess whether there are suitable alternative sites that are sequentially preferable (within or closer to the town centre) and impact 'tests' to assess whether significant adverse impacts on town centre vitality and viability or planned investment are likely to occur.

4.4 The NPPF is clear that where an application fails to satisfy the sequential test or are likely to have a significant adverse impact then they should be refused. (Paragraph 27).

4.5 For decision taking the NPPF supports approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the this Framework as a whole or specific policies in this framework indicate development should be restricted.

4.6 NPPF paragraph 17 sets out core planning principles. The following are of relevance to this application:

- *Planning should 'proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to the wider opportunities for growth';*
- *Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings;*
- *Planning should 'encourage the effective use of land by reusing land that has been previously developed (brownfield Land), provided that it is not of high environmental value'; and*
- *Planning should 'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable';*

4.7 Paragraph 56 promotes good design stating *'Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

4.8 Paragraph 67 refers to the impact that *'Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject*

to control only in the interests of amenity and public safety, taking account of cumulative impacts'

Local Policy Context:

4.9 The most up to date and relevant local plan policies to be considered here and set out above are contained in the Great Yarmouth Borough Wide Local Plan 2001 and the emerging Core Strategy (September 2013).

Great Yarmouth Borough Wide Local Plan (2001)

4.10 The GYWLP includes saved policies which were given full weight for a protected period for 12 months following publication of NPPF in March 2012. However from March 2013 existing policies and the amount of weight that can be given to the saved policies is dependent on their degree of consistency with the NPPF.

4.11 Of the saved policies set the most relevant to this application are set out in this report. In the consideration of this application it is also relevant to consider the historical context of Policy SG2 and SG8 in particular their relevance to the current proposals and compatibility with the NPPF.

Policy SG2 DISCOUNT DURABLE GOODS RETAIL WAREHOUSES AND FOOD SUPERMARKETS/SUPERSTORES WILL NOT BE PERMITTED

Policy SG8 THE EXISTING USE OF THE WOODFARM (J & H BUNN) SITE AS SHOWN ON THE PROPOSALS MAP WILL BE RETAINED IN THE SHORT TERM. FOLLOWING DEMISE OF THIS USE, AND SUBJECT TO OTHER POLICIES IN THE PLAN, THE COUNCIL WILL GRANT PLANNING PERMISSION FOR THE USE OF THE LAND AS A NEIGHBOURHOOD CENTRE

4.12 SG2 has its origins from as far back as 1982. It was written to stop a potential developer from creating a retail warehouse park (or supermarket) in the South-West Area and later, in the South Gorleston Development Area (SGDA), when the South West Area Local Plan was adopted in 1992. Members, at the time, were happy to endorse the concept of a 'neighbourhood centre' on the SGDA. In order to protect the employment area(s) neither discount retail warehouses nor food retail would be allowed because employment land was in short supply – particularly that on land of good building quality.

4.13 This view was informed by the (then) on-going appeal decisions re ASDA, the London & Midland (Gapton Hall Retail Park) and what is now the Thamesfield Way (B&Q / Argos) development etc. Potential employment land, of good building quality, was under a very real threat from retail given the above decisions. There were also concerns about Gorleston High Street.

4.14 SG2 eventually became a 'saved' policy within the GYWLP (although the comma after 'warehouses' disappeared in the adopted 2001 version) and as such was not open to further scrutiny a course of action agreed with GO-East at the time.

4.15 Other relevant 'saved policies' are as follows:

POLICY SHP6 SUBJECT TO HIGHWAY AND ENVIRONMENTAL CONSIDERATIONS, THE COUNCIL WILL PERMIT THE PROVISION OF NEW LOCAL SHOPPING FACILITIES AND NON-RETAIL COMMERCIAL USES IN NEIGHBOURHOOD AND VILLAGE SHOPPING CENTRES PROVIDED THAT THE DEVELOPMENT IS OF A SCALE COMPATIBLE WITH THE SIZE AND CHARACTER OF THE CENTRE.

(Objective: To improve the range of outlets and environment of local shopping centres.)

POLICY SHP9 THE COUNCIL WILL PERMIT THE PROVISION OF NEW LOCAL SHOPPING FACILITIES IN ALL SETTLEMENTS, SUBJECT TO THE PROPOSAL BEING OF A SCALE COMPATIBLE WITH THE SIZE OF THE SETTLEMENT AND HAVING REGARD TO DESIGN, HIGHWAY AND ENVIRONMENTAL CONSIDERATIONS, AND TO OTHER POLICIES IN THE PLAN.

(Objectives: To retain and enhance the provision of local shops.

POLICY SHP12 PETROL FILLING STATIONS AND SERVICE AREAS (INCLUDING ROADSIDE CAFES AND RESTAURANTS) MAY BE PERMITTED ONLY WHERE:

- (A) THE PROPOSAL WOULD NOT BE LIKELY TO RESULT IN A SIGNIFICANT HAZARD TO ROAD SAFETY OR SIGNIFICANTLY IMPEDE THE FREE FLOW OF TRAFFIC ON ANY HIGHWAY IN THE LOCALITY;
- (B) THERE WOULD BE NO SIGNIFICANT ADVERSE IMPACT ARISING FROM NOISE OR GENERAL DISTURBANCE;
- (C) THERE WOULD BE NO SIGNIFICANT ADVERSE IMPLICATIONS FOR THE ENVIRONMENT OR LANDSCAPE; AND,
- (D) ANY HIGHWAY IMPROVEMENTS REQUIRED BY THE PROPOSAL WOULD NOT HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT.

(Objective: To protect the environment and landscape and ensure highway safety)

POLICY TCM13 DEVELOPMENT WILL NOT BE PERMITTED WHERE IT WOULD ENDANGER HIGHWAY SAFETY OR THE SATISFACTORY FUNCTIONING OF THE LOCAL HIGHWAY NETWORK. IN APPROPRIATE CASES A TRAFFIC IMPACT ASSESSMENT WILL BE REQUIRED TO DEMONSTRATE THAT DEVELOPMENT PROPOSALS CAN BE SATISFACTORILY ACCOMMODATED WITHIN THE HIGHWAY NETWORK TAKING INTO ACCOUNT ANY IMPROVEMENTS PROPOSED.

(Objective: To ensure that new development does not prejudice highway safety or the free flow of traffic.)

POLICY TCM31 THE COUNCIL IS COMMITTED TO THE PROVISION OF THE CYCLEWAYS SHOWN ON THE PROPOSALS MAP TOGETHER WITH THE PROVISION OF ADEQUATE CYCLE PARKING FACILITIES IN AND AROUND GREAT YARMOUTH AND GORLESTON TOWN CENTRES AND NEIGHBOURHOOD SHOPPING CENTRES, AND WILL NEGOTIATE WITH DEVELOPERS WITH A VIEW TO SECURING ADEQUATE CYCLE PARKING ON ALL FUTURE MAJOR SHOPPING, OTHER COMMERCIAL, INDUSTRIAL, PUBLIC BUILDING AND ENTERTAINMENT DEVELOPMENTS. IN THE SHORT TERM PREFERENCE WILL BE GIVEN TO IMPLEMENTATION OF THE FOLLOWING PROJECTS:

- (a) GORLESTON, VICTORIA ROAD TO LINKS ROAD CYCLEWAY
- (b) GAPTON HALL TO PASTEUR ROAD CYCLEWAY/ROUTE (SOUTH SIDE)
- (c) GT. YARMOUTH LAWN AVENUE TO CAISTER CYCLEWAY
- (d) GT. YARMOUTH SOUTHTOWN ROAD (QUEENS ANNES ROAD TO MALTHOUSE LANE)
- (e) BRADWELL TO BELTON FOOTPATH/CYCLEWAY (OLD RAIL ROUTE ALIGNMENT)

(Objectives: to improve the cycleway network in the interests of improving accessibility and public safety and the needs of cyclists are met.)

POLICY SG15 THE MAIN ACCESS/DISTRIBUTOR ROAD WILL BE REQUIRED TO BE DESIGNED TO PROVIDE SUFFICIENT CAPACITY TO ACCOMMODATE TRAFFIC FLOWS LIKELY

TO BE GENERATED BY DEVELOPMENT OF THE DEFINED DEVELOPMENT AREA HAVING REGARD TO THE FOLLOWING REQUIREMENTS:

- (A) THE NEED TO TAKE ACCOUNT OF ALL ASPECTS OF HIGHWAY DESIGN AND ENVIRONMENTAL EFFECTS IN DETERMINING THE PRECISE ALIGNMENT OF THE ROAD, AND AS APPROPRIATE, THE NECESSITY, IN THE SHORT TERM, OF MINIMISING SEVERANCE OF FARM LAND IF THE MAIN ACCESS/DISTRIBUTOR ROAD IS EXTENDED WESTWARDS;
- (B) THE NEED FOR ALL ACCESS TO THE NEW INDUSTRIAL/COMMERCIAL AND RESIDENTIAL AREAS TO BE INDIRECTLY PROVIDED BY THE NEW MAIN ACCESS/DISTRIBUTOR ROAD, WITH NO ACCESS PERMITTED FROM WOODFARM LANE; AND,
- (C) PROVISION OF APPROPRIATE SPACING OF ACCESS ROAD JUNCTIONS ALONG THE MAIN ACCESS/DISTRIBUTOR ROAD, WITH INDIVIDUAL DIRECT VEHICULAR OR PEDESTRIAN ACCESS TO THE ACCESS/DISTRIBUTOR ROAD DENIED TO FRONTAGE DEVELOPMENT.

4.16 Although there is no “saved” policy which explicitly sets out the retail hierarchy for the Borough, the supporting text confirms that

- Great Yarmouth fulfils the role of *“main shopping centre for both tourists and the catchment area”* (paragraph 4.1.4);
- Gorleston is identified as a *“smaller, more specialist, district centre which predominantly serves the residents in the southern part of the Borough”* (paragraph 4.1.4); and
- the smaller local centres (such as Caister, Bradwell and Magdalen Way) *“serve the daily needs of local residents”* and *“provide neighbourhood and village communities with a good, convenient alternative to town centre shopping for their general needs and are vital to the elderly and infirm”*.

4.17 The Core Strategy seeks to establish the spatial vision and objectives of how the Borough will grow in the future setting out the series of strategic policies and site allocations called 'Core Policies' and 'Key Sites' which set the strategic context for future Local Plan Documents. The current version of the Core Strategy seeks to plan for the Borough between the period 2014 – 2029.

4.18 It is in its 6th iteration and is currently out to consultation and expected to be submitted for independent assessment by the Planning Inspectorate late 2013/early 2014. It therefore is a material consideration in this application although it cannot be afforded substantial weight as a material consideration in the determination of this application.

4.19 There is an identified need to accommodate between 3,232 sq m (net) and 6,464 sq m (net) of new 'food' (convenient goods) shopping floor space and up to 27,672 sq m (net) of 'non-food' (comparison goods) shopping space to 2031. It is considered that in the short to medium term, any new major development should be concentrated in Great Yarmouth town centre. According to the emerging Core Strategy, The Conge and the North Quay will present the most appropriate locations for new mixed-uses, including retail, commercial and leisure uses (paragraph 4.7.12).

4.20 The supporting text to Policy CS7 (paragraph 4.7.4) states that Gorleston as the second largest town centre in the Borough, is functioning relatively well by complementing rather than duplicating the role fulfilled by Great Yarmouth. However, in terms of convenience retailing, Morrison's 'plays an important role in ensuring that people continue to shop locally. The Council will sustain and enhance the important food shopping function of the town and continually seek to improve its existing environment and townscape quality.'

4.21 The current version of the Core Strategy states in paragraph 4.7.6 that:

'...Given the limited opportunities to create a new district centre within the existing built-up area of Bradwell, it is anticipated that the new district centre will be located within close proximity to the proposed sustainable urban extension at Beacon Park, land south of Bradwell, although further work will need to be undertaken before the exact location can be confirmed. Once established, the centre will provide a sustainable mix of shopping, services, community facilities within a high quality public realm. Successful neighbourhoods need to have such facilities to draw people into the area to live and work there.'

4.22 This vision is enabled through Policy CS18 of the current version of the Core Strategy. In addition, Policy CS16 (Improving Accessibility and Transport) sets out the Council's commitment to developing a well-integrated community, connected by a sustainable transport system. As part of this, creating a link road to the south of Bradwell via the A12 through Beacon Park to the A143 Beccles Road and is identified as a priority scheme.

4.23 The current version of the Core Strategy has reduced the proportion of new development in terms of the overall vision from the Borough that should be located in

Gorleston and Great Yarmouth from 55 % (as outlined in an earlier iteration) to 35%. Great Yarmouth and Gorleston are however identified as 'main towns' in the Borough. The application site lies within the development boundary for Gorleston. In addition, approximately 1,000 homes have been proposed as an allocation in south Bradwell under Policy CS3 and promoted via Policy CS18 which is close by. This is expected to be wholly built within the plan period.

4.24 It is important that in making planning decisions, the Council consider the future needs of the Borough and in the absence of an up to date definition of a 'neighbourhood centre', when this future development is taken into account, a proposal of this scale is suitable to serve potential local needs. The Core Strategy is proposed to be submitted for formal independent examination in later in 2013/early 2014 and has already been through 5 previous rounds of consultation. As such, it should be afforded some weight as a material consideration in the determination of this application.

5. Application Appraisal and Assessment

5.1 This planning application has been considered in the context of the two retail studies as part of the informatives to the development of the new Local Plan for the Borough (2006 – by DTZ and 2011 – Strategic Perspectives). In addition, the applicants' retail assessment has been independently assessed by Strategic Perspectives. This is important particularly as the Borough Council is the land owner. This information has informed the recommendations in this report.

5.2 The main planning issues are: the principle of retail development in this location; how the proposal sits within the retail policies for the Borough; the potential impact on Great Yarmouth and Gorleston town centres; and highway issues.

5.3 The Principle of Development in this Location

5.3.1 As already stated in the GYWLP section of this report as well as the proposal section, this application site originally was given outline planning consent in July 1995 forming part of a wider 72ha. mixed development site forming Beacon Park.

5.3.2 The Beacon Park section in the adopted GYWLP allocates land within the plan area for a 'neighbourhood shopping centre' (SG8). This current planning application is in close proximity to the site that was allocated for the 'neighbourhood shopping centre'

5.3.3 The all-encompassing retail policy in the South Gorleston Development Area chapter of the adopted local plan (2001) policy SG2 does not support food supermarkets in this location.

5.3.4 However, the GYWLP section of this report demonstrates that the basis of this policy is very out of date, being based on evidence from the 1980's. This application is submitted in a different situation and circumstance from the time this policy was derived. The SGDA is being expanded and we are now proposing a further 1,000 to

1000+ homes along with concrete proposals for a new link road from the A143 to A12 along with additional employment land school in the immediate area.

5.3.5 The saved policies in the adopted Local Plan do not define what a 'neighbourhood centre' should be and equally this is not defined in national policy guidance either.

5.3.6 In addition SHP9, a general shopping policy in the adopted Local Plan permits new local shopping facilities in all settlements subject to proposals being compatible with the size of settlement and having regard to design, highway and environmental considerations and to other policies in the plan. The lower case text supporting this policy states:

' In areas of major new residential development the Borough Council will expect developers to provide for local shopping, such as the South Gorleston Development Area however, where local shops are provided they should not be of a size whereby they attract car-borne customers from outside the immediate locality

5.3.7 The applicants consider that the Policy SHP9 relates to local shops, effectively corner shops which offer a different service to larger food supermarkets and town centre shops. The applicants consider this policy seeks to permit smaller shops regardless of whether they are located in a centre. As such, they consider that the policy does not relate to neighbourhood level centres and therefore provides no guidance for such development.

5.3.8 Their view is based on the basis that the site for a neighbour centre with no defined floor space was designated on Beacon Park and that the associated planning application submitted in 2007 was approved by the Development Committee. The fact that the earlier planning application centre sought to provide 3,200 m² (net) of retail floor space whilst the current application seeks to provide 4,368m²(plus retail shops) is therefore of no relevance.

5.3.9 It should be made explicit from the outset that the applicants consider that this application is fully in accordance with the Local Plan allocation and requirement for a Neighbourhood Centre on Beacon Park and fully compliant with the National Planning Policy Framework.

5.3.10 Their view is made on the basis that the site for a neighbour centre with no defined floor space was designated on Beacon Park and that the associated planning application submitted in 2007 was approved by the Development Committee.

5.3.11 This view fails to recognise the content of the 'Final Retail Statement' submitted with this application for Phase 2 of Beacon Park which anticipated a food store of up to 1,500 sq.m (net) together with a range of shops each comprising 500sq. m. as outlined earlier in this report. This current application seeks to provide 4,368sq. m. (plus retail shops) which is significantly larger than that originally envisaged in the 2007 application. This is a material consideration in the determination of this application.

5.3.12 The land subject of this application is allocated within the wider allocation of Beacon Park in the adopted GYWLP. As such the principle for development on this site has already been accepted. At the same time some weight must be given to adopted local plan policy which seeks to prevent supermarkets in neighbourhood level centres. However, because of the dated evidence base for this policy, in reality the National Planning Policy Framework should carry greater weight in this case.

5.3.13 In addition, it is important to consider the new relief road to the A143 for which funding is already in place and the proposed future scale of new development in the vicinity, both residential and commercial. This means that the scale of development in the foreseeable future will be of a scale not envisaged at the time the 2007 outline application was approved by members.

5.4 Sequential Test

5.4.1 The NPPF in paragraph 24 states that as part of this test:

'only if suitable sites are not available should out of centre sites be considered.'

The site does not lie within or adjacent the Great Yarmouth or Gorleston defined town centres and therefore these tests as outlined in the NPPF need to be applied.

5.4.2 The applicant has provided a sequential test through Indigo consultants who are acting as agents for the applicant. Section 5 of the Indigo report assesses whether there are any sequentially preferable sites that are suitable and available either in or on the edge of Great Yarmouth and Gorleston town centres that can accommodate the proposed food store.

5.4.3 Strategic Perspectives consider it is also important when assessing the Indigo report to consider viability even though paragraph 24 of the NPPF is not specific on this point it is an important consideration regarding an overall assessment of a potential site's suitability.

5.4.4 Furthermore the NPPF in paragraph 173 states: *'careful attention to viability and costs in plan-making and decision-taking'*.

5.4.5 In addition the Supreme Court ruling regarding **Tesco Stores Ltd v Dundee City Council (2012) UKSC 13** is also a material consideration. In this case it was held that the issue of 'suitability' must be directed at the developer's proposals and not to some alternative scheme which might be suggested by the local planning authority. The key part of the judgement is that when assessing the suitability of an alternative site for the proposed development can be altered or materially reduced so that it can be made to fit an alternative site.

5.4.5 In the Indigo report, it states that the food store proposal is intended to serve *the south Gorleston area, in particular the existing and future residents of Beacon Park.* (paragraph 7.2). They say that the proposed 'neighbourhood centre' would *'reduce the need for local residents to travel to access retail facilities and services and the provision of a bulk food store as part of the neighbourhood centre would improve competition and choice.'* (paragraph 7.3) In assessing the proposal against the sequential assessment Indigo state that *'it is important to keep in mind the*

identified need the proposal is intended to address. Any alternative site must be capable of meeting the need to provide better facilities to the Beacon Park area or it cannot be considered to be a sequentially preferable alternative. It follows that Beacon Park is the only location where a neighbourhood centre can be located.' (Paragraph 7.4)

5.4.6 It is clear that the food retailing envisaged by the proposal is out of scale with what would be normally expected with the Council's original intention for the area as set in Policy SG2 of the GYWLP, albeit there was no floor area specified in the policy. However, apart from Morrison's in Gorleston and the Rainbow Co-operative in Bradwell, the majority of the Borough's food store provision is in and around Great Yarmouth.

5.4.7 The scale of the proposal for the food store, with a retail sales floor area of 4,368 sq m is only slightly below that of Tesco's in Pasteur Road (3,109 sq m) and Asda New Road (2,998 sq m) and almost twice as large as Morrisons (1,421 sq m). Strategic Perspectives have said that the sales area as proposed will clearly draw on a catchment population and trade that extends beyond its 'local hinterland' and this is material to both the sequential test and impact assessments.

5.4.8 Strategic Perspectives say that when assessing sites in Great Yarmouth, none realistically lend themselves to a new food store. In addition, the local planning authority required Gorleston sites to be considered. Specifically the Laundry site at Blackwall Reach, directly to the south of the existing Morrisons store. This site was identified in the Great Yarmouth Retail Study 2011 as having potential to accommodate between 1,500 and 2,000 sq m net of new retail floor space. Morrisons have no control of the land and there is no permission in place to extend the store. It therefore can be concluded that the site is not currently available for new convenience goods floor space.

5.4.9 In summary therefore there are no sites in my opinion (as informed by Strategic Perspectives) that could accommodate the identified need and demand for a food store in a sequentially preferable location. The fact that the identified need is specific to Beacon Park is an important material consideration in the overall assessment. Therefore the site meets the requirements of the sequential test.

5.5 Retail Impact

5.5.1 The applicant in their original assessment concluded that in terms of existing shopping patterns, 79% of Zone 4 residents main food shopping trips were undertaken in places other than Gorleston with Great Yarmouth being the main destination. The Blackwall Reach Morrison's accounted for 31.1% of secondary trips and 19.5% of top-up trips for Zone 4 residents. (Zone 4 is mainly formed of Gorleston residents.) These proportions were agreed with by Strategic Perspectives because they were based on existing household survey results.

5.5.2 Strategic Perspectives consider that Morrisons is clearly an important anchor for the town of Gorleston's food and retail offer and helps to underpin the town's overall vitality and viability. The evidence also confirms that Morrison's, by virtue of

its location, generates significant linked trips and expenditure for the town's other shops, services and facilities.

5.5.3 Notwithstanding this, the survey evidence also shows that 77.6% of main bulk food shopping trips currently go to stores outside of Gorleston and Zone 4; principally to the out-of-centre Tesco (38.8%) and Asda (19.4%) superstores of Great Yarmouth. There would therefore appear to be some potential to claw back a proportion of these shopping trips to a more convenient and sustainable location in Zone 4.

5.5.4 In addition, the independent assessment considers that there will not be significant impact on Great Yarmouth town centre, rather any impact will largely affect the existing large out of town supermarkets such as Tesco and Asda. However, because of their location out of town, their impact does not affect the Impact Assessment process.

5.5.5 Strategic Perspectives has indicated that the applicant has inaccurately predicted the level of average trade to be expected from the Sainsbury store. The independent assessment predicts that the predicted average trade will be higher than the applicant suggests and that this will have a direct impact on Morrisons trade and therefore indirectly on the potential trade within the town centre. On this information therefore, the proposal will have a potentially significant impact on future potential trading both within the Gorleston town centre and the existing food store Morrisons.

5.5.6 The applicants in response to this and using the independent assessment figures have provided additional information in the form of a letter and supporting tables taking account of the loss of linked trips to the Gorleston town centre arising from the potential direct impact on Morrisons. On this basis, the applicants calculate that the potential impact on Gorleston town centre from trade diversion to the new retail proposal will be below 10%. (see attached letter)

5.5.7 The application proposal if approved will take up the convenience retail capacity proposed for the Borough to 2031. However, should the application be approved, the applicant has agreed to the inclusion of a condition to ensure that the convenience retail floor space is not increased from that in the proposal.

5.5.8 On balancing the considerations in this application, the proposal passes the sequential test and has limited negative impact on Great Yarmouth town centre. In terms of Gorleston the applicants have demonstrated that excluding the presence of Morrisons which is outside the town boundary and the linked trips it is considered to generate that the again there is a limited impact on town of Gorleston.

5.5.8 The presence of the Morrisons store - although outside the defined town centre boundary in my opinion and that of Strategic Perspectives however as a material consideration that can not be simply be ignored and needs to be accorded some weight. It is clear that Morrisons supplements the town centre but on consideration of the evidence there is not overwhelming evidence to demonstrate the impact would so significant when considered in the light of the NPPF to warrant

refusal of the application on this issue alone or to cause Morrisons which is considered currently to overtrading to close. As already stated earlier in this report, in such cases where this is the conclusion, the NPPF expects local authorities to approve applications.

5.5.9 Subject the conditions mentioned within the report the overall design and layout of the development is considered to comply with the stated aims and policy in the local plan which seeks to promote sustainable development with a minimal adverse impact upon its surroundings and employment generator which promotes the social, economic and commercial ambitions of the Borough..

5.6. Highway issues

5.6.1 The Highways Agency has now withdrawn their power of direction and are now satisfied with the evidence put forward regarding the impact of the proposal on the A12 which had been the basis of the holding direction on the planning application.

5.6.2 The county highways authority is satisfied with the mitigation package measures proposed subject to the suggested conditions which includes the extension of Beaufort Way and a new roundabout junction on Beaufort Way and the access way to the store and also serving the smaller proposed units. It is suggested that a Section 106 is proposed in order to secure a Travel Plan bond and monitoring fees .. .

5.6.3 As a result, any potential highways issues have been addressed. .

6.0 Other Statutory Consultee responses

6.1 As can be seen above all other issues raised by the various bodies have been resolved or can be addressed subject to the suggested condition as put forward in the report..

7.0 Recommendation

7.1 The application is recommended for approval subject to the conditions referred to in the report, a limit on the percentage amount of goods to be sold ie convenience/comparison goods in the store and the Section 106 as necessary; it is considered compliant with the National Planning Policy Framework and emerging and current local plan providing a sustainable form of development, economic benefits and employment to the Borough.

7.2 Members should be aware that should the application be approved under the Town and Country Planning (Consultation) (England) Direction 2009, because of the size of the proposal it will need to be referred to the Secretary of State prior to any decision being issued.

Background Papers : Planning File 06/13/0025/F

Application Reference 05/001257

Attachments

ACK 11/2/13

S

Invalid Consultee Comment?

Copy to existing Consultee?

Name Mr. Shaun W McGarry

Address Roselea, Smiths Loke

Bradwell

Great Yarmouth

Post Code NR31 8DG

Telephone [REDACTED]

Email Address [REDACTED]

For or Against NOS Subject to Condition

Speak at Committee

I am Blind and Deaf but I am very keen for this development to go ahead as a boost to our economy and our community in that area.

I would like to see some appreciation and thoughts to people like me who has to rely on the public transport (taxis are too expensive) so I hope that the pavements around the store is neat and tidy and suitable for blind and partially sighted people to walk safely without falling over pillars, signs, trolleys, bins, bushes etc. Please do not use this so called "shared surface" scheme Please make use of kerbs to clearly defined what is a footpath and what is a

carriageway for vehicles.

Getting in and out of the supermarket and the surrounding area, needs to have a clear and well defined path, without encountering the petrol filling station (which can be very difficult to get pass) and that crossing over the main A12 is achievable, not just for Visually Impaired People but for everyone.

And I feel that the buses must have the maximum encouragement to come into Beacon Park to serve the growing

Date Entered 09-02-2013

Internet Reference 0WPC24

wealth of amenities we have now and will have in the future

Can we make sure that the car park design, or as part of the general overall structure of the footpath and roads layout, can accommodate a bus layby and shelter? There should be an easy way for the buses to turn around to get back onto the A12.

I belong to the Great Yarmouth VIP User Group who are an action group to try and gain respect and more

Date Entered 09-02-2013

Internet Reference 0WPC24

Jill K. Smith

06/13/0025/F

ACK BY EMAIL
11/2/13 .S

From: Najia J. Burgess on behalf of enquiries
Sent: 11 February 2013 09:39
To: plan
Subject: FW: Sainsbury

Mrs Najia Burgess
Customer services department
Great Yarmouth Borough Council
Tel 01493856100
Email njb@great-yarmouth.gov.uk

From: d [REDACTED] [1]
Sent: 10 February 2013 12:03
To: enquiries
Subject: Sainsbury



Hi, we read in our local Advertiser that Sainsbury's are planning a supermarket at Beacon park, well about time this is good news as Sainsbury's is a great store.

The people we speak to in the village are already talking about it, we have been Hearing rumors for a while and Hopton Villagers are very excited, well done to the planners at YBC.

I would like to know when the building will start however as we just cant wait.

D.Hills



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Elaine Helsdon

From: Alec Murray [redacted]
Sent: 13 March 2013 19:12
To: plan
Subject: Re: Planning application 06/13/0025/F

Subject: Planning application 06/13/0025/F

A Murray
37 Buxton Ave
Gorleston
Gt Yarmouth
NR31 6RF

On 11 March 2013 09:02, plan <plan@great-yarmouth.gov.uk> wrote:

Please would you supply an address so your comments may be registered.

From: Alec Murray (mailto:[redacted])
Sent: 08 March 2013 17:44
To: plan
Subject: Planning application 06/13/0025/F

Re: 06/13/0025/F

I am writing to register my support for the application from Sainsbury's for a new store at Beacon's Park, Gorleston.

I feel that this will provide much needed jobs for local residents and can see no disadvantages to its approval.

Thank you

Eve Murray

1

Elaine Helsdon

From: David Bucklee [mailto:████████████████████]
Sent: 15 March 2013 12:53
To: plan
Subject: 06/13/0025/F

My family & I have lived on Jenner Road since it opened in 2003 and we have been very disappointed at the lack of facilities, although lots were promised when we purchased our house from the builders. We are very enthusiastic with the prospect of a Sainsburys Supermarket opening and fully support thier application. It will be good for the expanding area and Gorleston in general. We would like to see more retail and leisure facilities in the future but will settle for a Supermarket in the short term.

Mr & Mrs D Bucklee
4 Jenner Road.

ACK 14/3/13 S

Elaine Helsdon

From: [REDACTED]
Sent: 13 March 2013 19:12
To: plan
Subject: Re: Planning application 06/13/0025/F

Subject: Planning application 06/13/0025/F

A Murray
37 Buxton Ave
Gorleston
Gt Yarmouth
NR31 6HF

On 11 March 2013 09:02, plan <plan@great-yarmouth.gov.uk> wrote:

Please would you supply an address so your comments may be registered.

From: Alec Murray [REDACTED]
Sent: 08 March 2013 17:44
To: plan
Subject: Planning application 06/13/0025/F

Re: 06/13/0025/F

I am writing to register my support for the application from Sainsbury's for a new store at Beacon's Park Gorleston.

I feel that this will provide much needed jobs for local residents and can see no disadvantages to its approval.

Thank you

Eve Murray

Jill K. Smith

ACIC'D
11/3/13

From: S CONNOR [REDACTED]
Sent: 09 March 2013 13:39
To: plan
Cc: lindsay.mccallum@ppsgroup.co.uk
Subject: Planning Application Ref: 06/13/0025/F

Dear Sirs,

I understand that the, proposed building- Plans for the new Sainsbury's at Gorleston have now been submitted for approval.

I visited the Open Day presentation arranged by Sainsbury's held the latter part of 2012. My overall opinion was one of "Total Support" for the plans for the new store and the additional units & infrastructure.

The only point I raised at the Open Day was the fact that Sainsbury's will have to make sure that James Paget Hospital: Staff and Patients alike do not take all the parking spaces- due to poor parking arrangements at the hospital and lack of Local Council and Norfolk Council getting their act together on yellow lines in Jenner Road and surrounding roads - we even have staff & patients parking in all of the surrounding roads.

As for the Petrol Station facility, this will be a Great help to the local community, as currently there are no local garages- nearest one Hopton to the South , BP- Southtown Road & one in Bradwell- all well away from the residents of South Gorleston.

I trust the members of the Planning Committee will support this Planned Development 100%. It will, naturally, create additional employment opportunities which will be most helpful in the area.

Lets trust that Mr Sturrock & Town Partnership representative, don't stop this development like they did to the Lloyds Bank improvement at the Burton's corner, which is a total "Eyesore" and in fact having a negative effect to the Yarmouth town centre area.

Yours faithfully,

S H Connor
19 The Fairway; Links Road; Gorleston

ps: A keen supporter of the area.

pps: Sainsbury's shareholder.

Jill K. Smith

ACK'd
06/3/13

From: P W [REDACTED]
Sent: 08 March 2013 13:48
To: plan
Subject: RE: Re Sainsburys ref 06/13/0025/F

Subject: RE: Re Sainsburys ref 06/13/0025/F

Date: Fri, 8 Mar 2013 08:35:27 +0000

From: plan@great-yarmouth.gov.uk

To: pamwhite265@hotmail.com

Please would you supply an address so your comments may be registered.

From: P W [REDACTED]
Sent: 07 March 2013 18:07
To: plan
Subject: Re Sainsburys ref 06/13/0025/F

We do need a supermarket at Beacon Park and yes Sainsburys is the best choice to be in this area as far as my choice. My home address is ...4 Salk Road, Gorleston, NR31 7RL as requested.

Jill K. Smith

06/13/0025/F

ACK 21/3/13

5

From: Victor Ling [REDACTED]
Sent: 20 March 2013 14:54
To: plan
Subject: Sainsburys Gorleston Beacon Park

Dear Sirs,

I am writing in my capacity as the Chairman of the Gorleston Traders Association (as well as being a small business owner) and please take this as confirmation that we would like to object to the new plan of the Sainsburys and retail units planned for Beacon Park.

Gorleston is one of the few towns in the whole of the country with less than 5% of premises unoccupied and is a thriving community. An out of town supermarket together with retail outlets would see this change dramatically. In the midst of one of the hardest trading times in living memory, there are a large number of both national and independent traders that are struggling financially. A new shopping area that will take business out of town centre - and indeed part of the plans include bus stops to encourage people to not shop locally.

Although there is the attraction of new jobs, this must be looked at in the context of the number of jobs that would be lost if local businesses close. You only have to walk around Great Yarmouth town centre to see the devastating impact that out of town retail has had on it - including independent sports shops through to clothing retailers, card shops to newsagents all closing.

In a time of economic gloom, diluting where people spend their money will certainly see businesses close in Gorleston Town Centre.

Currently, Morrisons have around 80,000 transactions a week. Sainsburys will undoubtedly take a percentage of this. If only 5% of people stopped coming to Morrisons AND stopped going down the High Street, that would equate to 1600 transactions not happening every week in the high street.

Gorleston has a great future - please don't let it become another high street which has only charity shops and betting shops and lots of empty shops.

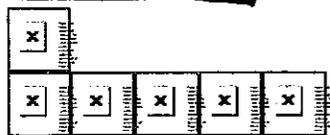
It would be appreciated if I (or another representative) could speak at the planning committee when it convenes to discuss this.

Regards

--
Victor Ling
Managing Director

Barkers Photographic
4 Lowestoft Road
Gorleston
NR31 6LY

[REDACTED]
[REDACTED]



06/13/0025/F

ACK 28/2/13

S



4 Woodfarm Cottages
Woodfarm Lane
Gorleston
Norfolk
NR31 9AQ

The Planning Department
Great Yarmouth Borough Council
Town Hall,
Hall Plain,
Great Yarmouth,
Norfolk,
NR30 2QF

Dear Sirs/ Madams

I am writing to inform you of my objection to the proposed Sainsburys development on the Beacon Park in Gorleston. This is due to the plan to the plan to widen Woodfarm Lane, and grant access from the Sainsburys site to Woodfarm Lane, and the plan to use Woodfarm Lane as part of the proposed Bus route loop.

I feel that the access from the Sainsburys site to Woodfarm lane will cause a major increase in the amount of traffic that will run past my property, especially if the Sainsburys store is open 24 hours a day, as I believe is proposed. On top of this, routing of bus past my property will also vastly increase the amount of traffic. From what I can see from the proposals, the Council's current plan is to extend all bus routes that currently terminate at the James Paget to use this new loop. This will mean that my neighbours and i will have 100 + buses running past every day, which I view is unacceptable.

It is my opinion the proposed transportation plans will have a negative effect on the value of my property, as well as increase the levels of traffic running past my property, which currently is on a quite quiet country road, to an unacceptable level, both volume wise and noise wise. I also believe that it is unwise to have the increased traffic flow due to the location of the children's play area situated on Woodfarm Lane.

Yours faithfully

[Redacted signature and name]

ACK 28/2/13

S

Planning Department
Town Hall
Great Yarmouth
Norfolk



Dear Sir/Madam,

I am writing to voice my concern with regard to the proposed Sainsbury's supermarket access route. I note from the traffic proposals that buses from this site will exit via Woodfarm Lane and use this route back to the A12.

I own one of the two cottages facing Woodfarm Lane which are situated next to the children's play area. Looking at the possible bus timetable it would appear that there could be as many as 9 buses an hour using this route. As this is currently a fairly quiet country road this would have rather a detrimental effect on the possible noise that could be impacted on the property. There would be little respite from this if the supermarket is open 24hrs a day.

During the summer months many people park along this stretch of the road to take their children to the play area and it is already a hazard for them to cross the road as the speed limit is the national one of 60mph at this point. Buses would add to the hazard that parents and their children face in accessing the playground. The women from the nearby refuge also walk their children to school along the road and although the provision of pavements would be welcome to them I wonder if a crossing has also been considered in the plans.

Although the plans state that the exit access from the supermarket site onto Woodfarm Lane would only be used for the buses I wonder how this will be enforced and can envisage this route being used as a shortcut not only for the general public but for the petrol and other delivery vehicles too.

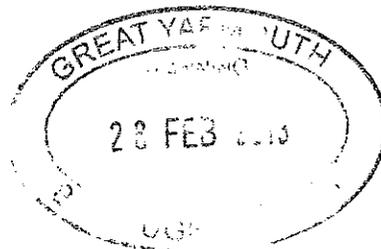
None of the other major supermarkets in the area have an access or exit route that runs directly past a residential area, albeit two houses. I feel that it would be both safer and environmentally friendly for the busses to exit the same way as they enter the supermarket site, which is by the proposed new link road.

If in the future as is expected housing is developed north of the site then this could possible add to the traffic wanting to use this supposed 'bus link road'.

Yours faithfully

[Redacted signature]

4, Hill Avenue
Gorleston
NR31 6HP



ACK 21/3/13



EK/DS/3997/01(21March2013)GreatYarmouth

FAO Mr D Minns
Great Yarmouth Borough Council
Planning Department
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Peacock & Smith Limited
Second Floor
1 Neuroji Street
London
WC1X 0GB
T: 0203 122 0030
www.peacockandsmith.co.uk

21 March 2013

Dear Mr Minns

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
'NEW NEIGHBOURHOOD CENTRE', INCLUDING THE ERECTION OF A FOODSTORE (USE CLASS A1) AND A PETROL FILLING STATION AT BEACON PARK, GORLESTON
(LPA REF: 06/13/0025/F)**

We act on behalf of our clients, Wm Morrison Supermarkets Plc (hereafter referred to as Morrisons) to register a **holding objection** pending a review of the Council's independent Retail Audit, in respect of the proposed foodstore (Use Class A1) element of the above planning application submitted by Indigo Planning Ltd on behalf of Sainsbury's Supermarkets Limited.

Our client has concerns regarding the proposed scale of the foodstore and the subsequent impact on the existing Morrisons store at Blackwell Reach and Gorleston town centre as a whole. Peacock and Smith reserve the right to make more detailed comments once we have had the opportunity to review the independent Retail Audit commissioned by Great Yarmouth Borough Council as part of Application Reference: 06/13/0025/F.

Context

Proposed Development

The Planning and Retail Statement written by Indigo Planning, describes the proposed development as 'a new neighbourhood centre' consisting of 'a foodstore, four smaller retail units (Use Classes A1 – A5), a Petrol Filling Station (PFS), a 542 space car park and associated landscaping'. From the submitted information, it is understood that the new neighbourhood centre will measure some 7,369 sq. m. (gross) and 4,620 sq m (net), whilst the foodstore will be 4,368 sq. m. (net).

Gorleston District Centre

Gorleston District Centre is anchored by the edge of centre Morrisons (3,623 sq m gross), which serves as the primary main food shopping destination for a relatively small geographic catchment area focused on Gorleston.

Managing Director: Peter R.B. Wood Dip TP, MRTP
Directors: Chris Creighton BA (Hons), MRP, MRTP
Mark Ezglind BA (Hons), MRP, MRTP
Senior Associates: Cassie Fountain BA (Hons), Dip TP, MRTP
Ed Kemstey BA (Hons), Dip TP, MRTP
Steve Buckley BA (Hons), Dip TP, MRTP
Anthony Ferguson BA (Hons), MRTP
Associates: Sarah Worthington MRTP (Hons), MRTP, MRTP
Gareth Claryson MRTP (Hons), MRTP
Cara Ware MRTP (Hons), MRTP
Consultant: Robert Smith Dip TP, MRTP

Head Office Address: Suite 9C Jockey's Well Honorer Walk
Leeds LS3 1AB T: 0113 243 1919 F: 0113 242 2198
E: planning@peacockandsmith.co.uk

Great Yarmouth's Retail Study (2011) considers that the Morrisons at Blackwall Reach plays an important anchor role for convenience goods floorspace in the centre and the Borough as a whole. Furthermore, there is evidence that its location does encourage an element of linked trips to the centre (paragraph 7.19). The store therefore currently fulfils an important role in offering a main shopping destination within the Centre, thus contributing to its vitality and viability.

Beacon Park Development

The wider site has an extant planning permission for 72 hectares of mixed use development, with a second application for phase 2 of the development still pending. In summary, the relevant planning application history at Beacon Park is as follows:

- 'Phase 1' (LPA Ref: **06/94/0247/SU**) was approved in July 1995 and comprised 72 hectares of land including a business park with residential development, landscaping and open space. This consent has since been implemented.
- 'Phase 2' (LPA Ref: **00/06/0513/SU**) is still pending and the decision notice has not been issued at this time. This outline application seeks consent for commercial and residential development on 37.25 hectares of land and includes a neighbourhood centre and sheltered housing.

Planning Policy Position

Adopted Local Plan

Beacon Park is located on the A12 to the south of Gorleston and is allocated as an area of Economic Development and Industrial Land on the Local Plan Proposals Map. Accordingly, **Local Plan Policy EMP4** sets out the aspirations for Beacon Park as 'a high quality landscaped Business Park'.

Policy SG8 advises that planning permission will be granted at the Woodfarm (J & H Bunn) site (i.e. the application site) for the use of the land as a neighbourhood centre. Notwithstanding, a neighbourhood centre is not designated on the adopted Proposals Map.

Great Yarmouth Emerging Core Strategy

The Council has recently consulted on the 'Local Plan: Core Strategy, Finalising Our Options' document (November 2012). **Draft Policy CS18** states that proposals to extend the Beacon Park development at land south of Bradwell should *inter alia* provide new retail, education and health facilities to meet the day to day needs of new and existing residents and improving where possible, existing facilities in Bradwell and Gorleston. It is noted that Gorleston is identified as a Town Centre within the emerging Core Strategy.

National Planning Policy Framework

The NPPF clearly states that planning permission should be refused where the applicant has not demonstrated compliance with the sequential approach, or where there is clear evidence that the proposal is likely to lead to significant adverse impacts (paragraph 27).

Analysis

Appeal Precedent

Indigo's Planning and Retail Statement argues that the proposed development delivers a designated centre, in accordance with the development plan and it follows that the sequential and impact tests are not relevant to this proposal as the acceptability of retail on this site has already been established.

It is pertinent to draw the Council's attention to Appeal Reference: APP/J0405/A/10/2127591), against a refusal by Aylesbury Vale District Council to grant outline planning permission for a proposed Asda store at Stoke Mandeville Hospital in Aylesbury. The appeal was dismissed and the following relevant points were highlighted in the Inspectors Decision (the full Decision Notice forms **Appendix 1**):

- at **paragraph 12** the Inspector concluded that, *'1,000 sq m of net retail floorspace would be appropriate and sufficient to create a 'local/neighbourhood centre to serve the surrounding area'. He saw no justification for a larger area of floorspace given that this would conflict with the Plan's retail strategy...'*
- it continues at **paragraph 22**, *'...I have had regard to paragraph 6.18 of the Practice Guidance to PPS4 (Practice Guidance on Need, Impact and the Sequential Approach), which makes a clear distinction between 'new' centres and 'existing' centres. As no development, other than residential, has yet taken place at the hospital site I consider it reasonable to assume that in PPS4 terms the centre in question is new and not existing'*.

The Decision Notice provides clear guidance on the government's policy direction on the scale of foodstores in new neighbourhood centres. There are parallel material considerations that can be drawn with the subject planning application; specifically regarding the scale of the proposed foodstore and that the neighbourhood centre should be considered 'new' rather than 'existing'. It follows that the relevant NPPF policies regarding out of centre retail proposals should therefore be applied in the determination of this application.

Capacity

The Great Yarmouth Retail Study (Strategic Perspectives, 2011) concludes that in terms of convenience goods, there is minimal forecast capacity over the short term (i.e. up to 2021). It states that should the Local Planning Authority be minded to approve the application for the proposed neighbourhood centre at Beacon Park then this would soak up almost all capacity in the short to medium term. The Study recommends that there is a qualitative need to provide a foodstore anchor within the town centre to help claw back shoppers and expenditure currently flowing to the larger out-of-centre superstores (i.e. Tesco and Asda).

In terms of out-of-centre retailing, the qualitative and quantitative evidence indicates that the Borough is well served by foodstores and has a good choice of non-food retail floorspace. There is therefore no demonstrable need for new out-of-centre convenience goods retailing (Para 11.57).

Sequential Test

A sequential test has been undertaken by the applicant, which has not been considered in detail in the context of this letter. It is noted that, the Council's Retail Study puts forward a number of potential in centre and edge of centre opportunity sites and considers that, in the short to medium term, the Conge and North Quay will present the most appropriate location for new mixed uses, including retail and commercial leisure uses.

Impact Assessment

The proposed foodstore will comprise 4,368 sq. m. (net) of the 4,620 sq m (net) neighbourhood centre. The scale of the proposed foodstore is larger than the edge of centre Morrisons and would appear inappropriate for the role and function of a neighbourhood centre.

We understand that impact will be assessed as part of the Council's independent Retail Audit and Peacock and Smith will review the position on receipt of this Audit. Notwithstanding, we note that Indigo's Planning and Retail Statement assumes a 15% diversion of trade from Morrisons and the applicant suggests that the subsequent impact on the town centre through loss of linked trips will be *de minimis*. The majority of Sainsbury's trade is anticipated to be drawn from Tesco, Pasteur Road (40%) and Asda, Acle New Road (30%).

The Council's 2011 Retail Study recommends that any out of centre foodstore and non-food proposals in Gorleston's catchment area that would have a detrimental impact on the town's overall vitality and viability should be resisted (Paragraph 11.48). It is apparent that any diversion of shoppers and expenditure from Morrisons will have an impact on linked trips to other shops, businesses and facilities in the town centre.

Locational Considerations

The attraction of 542 dedicated free car parking spaces, means that it will primarily operate as a freestanding car borne convenience and comparison goods retail destination. This will be particularly disadvantageous to those without access to a car, the elderly and disabled. It will also result in an increase in the length and number of car journeys and, in this way, will have implications for the Council's sustainability objectives.

Moreover, the prospects for meaningful linked trips in this location are nil and the proposed foodstore will divert shopping trips from centres of acknowledged importance for both convenience and comparison goods.

Summary and Conclusions

In light of the above, our client has a number of on-going concerns regarding the application in terms of the scale of the proposed foodstore in a new neighbourhood centre and the subsequent impact on the Morrisons and Gorleston town centre as a whole. Accordingly, we have been instructed to submit this holding objection and we reserve the right to submit more detailed representations once the outcome of the Council's independent Retail Audit is available.

As recommended in the 2011 Retail Study, the live application for a new neighbourhood centre will need to be considered in the context of the developments proximity to Gorleston Town Centre and its standing in the retail hierarchy.

Please do not hesitate to contact David Stephenson or Ed Kemsley if you require any further information and / or clarification.

Yours sincerely



PEACOCK & SMITH



Mr D Minns
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

By email and post
dam@great-yarmouth.gov.uk
tel.010.SM.DM.05061130

27 September 2013

Dear Dean

BEACON PARK, GORLESTON

We write further to your meeting with David Lazenby of Sainsbury's and my colleague Stephen Rose on 16 August 2013.

At that meeting, it was agreed that we would provide a summary of the range of impacts on Gorleston town centre that have been assessed by Indigo Planning and Strategic Perspectives. This letter provides that summary.

At the outset it is important to reiterate the crucial point that Sainsbury's are delivering the allocated Beacon Park Neighbourhood Centre. This was agreed at the meeting. Since the Sainsbury's store will be in a centre, there is no policy requirement to assess impact. I am sure that this common ground between us.

The assessment below is provided to give comfort to Members that the retail hierarchy will not be undermined by the delivery of the Beacon Park Neighbourhood Centre, but to undertake this analysis is simply not a policy requirement. This point is of fundamental importance and we request that it is given prominence in your report to the Planning Committee so that they are properly informed.

Trade Diversion from Small Shops in Gorleston Town Centre

Section 8 of Indigo Planning's Planning and Retail Statement of January 2013 sets out our assessment of impact. Sainsbury's, as a large format retailer, will compete with other large format retailers, principally Tesco and Asda in Great Yarmouth and Morrisons in Gorleston. This is the "like affects like" principle which is recognised by the Practice Guidance¹.

The 'like affects like' principle makes sense when one considers the choice modern shoppers make regarding where to undertake their weekly food shop. Most shoppers choose superstores because they have ample car parking, all the goods they need under one roof and require only one shopping trip.

These shoppers are unlikely to visit several smaller shops during one trip for their weekly food shop because it is inconvenient carrying heavy shopping bags

¹ Practice Guidance on Need, Impact and the Sequential Approach – see box after paragraph 7.28.

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between shops. Smaller shops are generally used for specialist items, or for top-up shopping at other times. For example, a shopper might do their weekly food shop at a superstore, but also visit a butcher or a smaller convenience store to buy something they have forgotten or that they have run out of, such as milk, bread or a bottle of wine.

Alternatively, some shoppers may not undertake a single weekly food shop at all. They will instead make frequent trips to several shops for their main food purchases over the week. These shoppers are much less likely to alter their shopping pattern if a new superstore opens as they are currently choosing not to visit existing large stores because of a preference for the offer or service provided in smaller shops.

There will also be a number of people who do make multiple trips to superstores, however this proportion is smaller and they will only do this if the superstore is very convenient to them. These people are only likely to switch allegiance to a new superstore if it is even more conveniently located to them.

For these reasons, impact upon the much smaller town centre shops is forecast to be negligible because the actual trade diversion will be so tiny as to make modelling it meaningless.

Impact on Morrisons

At the meeting the issue of the correct treatment of the Morrisons store in the assessment of impact was discussed. The way in which our view on this differs from Strategic Perspective's is set out at paragraphs 32 and 33 of our letter dated 30 July 2013. To summarise, the Morrisons store is not in the town centre, and, therefore, the direct impact upon it is not material. Strategic Perspectives are simply wrong to suggest otherwise. Therefore, in summarising the impact figures put forward by Indigo and Strategic Perspectives, we include the impact figures for the town centre stores only. This excludes Morrisons, which is on the edge of the town centre.

We do recognise, however, that Morrisons supports the town centre through linked trips. In order to assess the implications if these linked trips are lost as shoppers go to Sainsbury's rather than Morrisons, we have addressed the impact upon linked trips specifically².

Our assessment of impact is summarised in Table 1 below. Table 2 is derived from Strategic Perspective's assessment, set out in their Retail Planning Appraisal, with the direct impact on Morrisons removed. In other words, Table 2 uses Strategic Perspective's figures, but looks at the impact on the town centre without Morrisons, which is outside the town centre.

² See paragraphs 8.42 to 8.45 of our Planning and Retail Statement.

Table 1: Summary of Impact on Gorleston Town Centre – Indigo Planning

	Sainsbury's Diversion (£m)	Town Centre Turnover (£m)	Impact (%)
Convenience trade lost because shoppers divert to Sainsbury's	£0.00m	£2.37m	-
Comparison trade lost because shoppers divert to Sainsbury's	£0.00m	£19.5m	-
Trade lost because former Morrisons shoppers no longer visit the town centre ³	£0.22m	£21.87m	1.0%
Total	£0.22m	£21.87m	1.0%

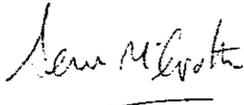
Table 2: Summary of Impact on Gorleston Town Centre – Strategic Perspectives⁴

	Sainsbury's Diversion (£m)	Town Centre Turnover (£m)	Impact (%)
Convenience trade lost because shoppers divert to Sainsbury's	£0.28m	£2.37m	11.8%
Comparison trade lost because shoppers divert to Sainsbury's	£0.76m	£19.5m	3.9%
Trade lost because former Morrisons shoppers no longer visit the town centre ³	£0.87m	£21.87m	4.0%
Total	£1.91m	£21.87m	8.7%

The above summary shows that, even on Strategic Perspective's figures, which we consider to be much too high, impact upon Gorleston town centre (including the loss of linked trips from Morrisons) will be below 10%. Therefore, we are satisfied that, even using SP's figures, the impact is not significantly adverse.

We trust this is helpful. If you have any queries please do not hesitate to contact either Stephen Rose or me.

Yours sincerely



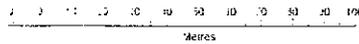
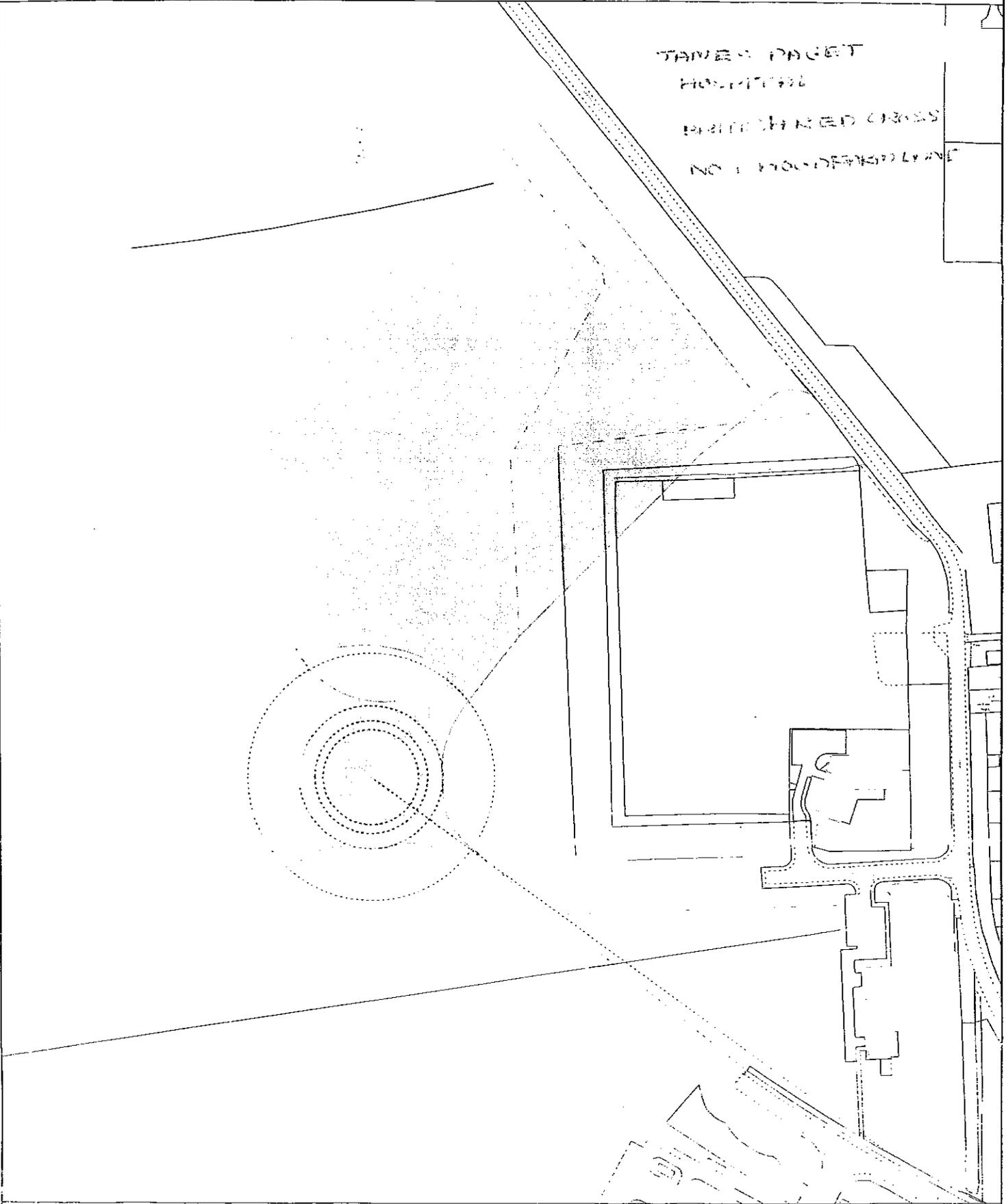
Sean McGrath

³ This is lost linked trips.

⁴ SP's figures taken from their Retail Planning Appraisal of June 2013, with direct impact upon Morrisons removed.

06/13/0025/F

TAMER PACET
HOSPITAL
BRITISH RED CROSS
NO. 1 HOODS DRIVE



Scale = 1:250 @ A4



Dean Minns
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

NCC contact number: 0344 800 8020
Textphone: 0344 800 8011

Your Ref: 06/13/0025/F
Date: 27 September 2013

My Ref: 9/6/13/0025
Tel No.: 01603 222789
Email: david.higgins@norfolk.gov.uk

Dear Dean Minns

Great Yarmouth: Erect food store, 4 retail units, petrol filling station and car wash with ass. car parking, landscaping and highway works to form Beacon Park Neighbourhood Centre

Sainsbury's Supermarket, Beacon Park, Gorleston, Great Yarmouth

Thank you for consulting the Highway Authority on the above application.

All the supporting information had been assessed and discussions held with the developers highways advisors. A mitigation package has been agreed which includes the extension of Beaufort Way and a new roundabout junction and an access road to the store, on land to the south east and to Woodfarm Lane with mini-roundabout access to the store. A bus service will be provided to the store from Great Yarmouth Town Centre for all hours of opening by extending the existing No 2 service to James Paget Hospital. The store will be linked to existing footways and cycleways.

The 'Red Line' drawing shows the store access road linking to Wood Farm Lane. Before this link to Wood Farm Lane is made, Wood Farm Lane to the north of the junction with the store access road must be closed off to through vehicular traffic to avoid traffic rat running via oriel Avenue and Wood Farm Lane to the store. This is covered in the suggested conditions below.

A Travel Plan has been submitted but it is not approved as the funding is considered inadequate. It is considered that £75,000 is an appropriate budget for a Travel Plan for a store of this size so the Highway Authority requires a performance bond of this amount to be secured by S106 to ensure that adequate funds can be made available for NCC to implement the Travel Plan at the store should the operators fail to implement a properly funded Travel Plan. In addition NCC's monitoring fees of £2,500 need to be secured in the S106. A condition is suggested to secure an Approved Travel Plan.

The Highway Authority recommends no objection subject to the conditions suggested below and completion of the above mentioned S106 securing a Travel Plan bond and monitoring fees

Standard Estate Road Conditions

SHC 00 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.

Include Informative 9

SHC 01 No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.

Reason: To ensure satisfactory development of the site and a satisfactory standard of highway design and construction.

Include Informatives 1, 7

SHC 02 No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway.

Include Informative 1

SHC 03A Before any retail unit is first occupied the roads, footways and cycleways shall be constructed to binder course surfacing level from the retail unit to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure satisfactory development of the site.

SHC 03B All footway(s) and cycleway(s) shall be fully surfaced in accordance with a phasing plan to be approved in writing prior to the commencement of development by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure satisfactory development of the site.

Access Gates – Restriction

SHC 14 Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

Provision of Parking and Servicing Areas – When Shown on Plan

SHC 24 Prior to the commencement of the use hereby permitted the proposed store access, on-site car and cycle parking / servicing / loading, unloading / turning /waiting 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 area, in the interests of highway safety.

Construction Traffic (Parking)

SHC 28 Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

Construction Traffic Management and Routing

SHC 29A Prior to the commencement of any works a Construction Traffic Management Plan and Access Route shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

Reason: In the interests of maintaining highway efficiency and safety.

SHC 29B For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.

Reason: In the interests of maintaining highway efficiency and safety.

Wheel Cleaning Facilities – Temporary for Construction Vehicles

SHC 30A No works shall commence on site until the details of wheel cleaning facilities for construction vehicles have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason: To prevent extraneous material being deposited on the highway.

SHC 30B For the duration of the construction period all traffic associated with the construction of the development permitted will use the approved wheel cleaning facilities provided referred to in Part A.

Reason: To prevent extraneous material being deposited on the highway.

Traffic Regulation Orders

SHC 40 No works shall commence on the site until the Traffic Regulation Order for the removal of vehicular highway rights of way at a point to be agreed on Wood Farm Lane north of the junction with the store access road has been secured by the Highway Authority.

Reason: In the interests of highway safety.

Travel Plan – Not Agreed at the Planning Application Stage

SHC 43A The development hereby permitted shall not be commenced until an Interim Travel Plan has been submitted, approved and signed off by the Local Planning Authority in consultation with the Highway Authority, such a Travel Plan shall accord with Norfolk County Council document `Guidance Notes for the Submission of Travel Plans` or be produced using the Workplace Travel Plan Generator Tool, www.worktravelplan.net.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

SHC 43B No part of the development hereby permitted shall be occupied prior to implementation of the Interim Travel Plan referred to in Part A of this condition above. During the first year of occupation an approved Full Travel Plan based on the Interim Travel Plan referred to in Part A of this condition shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Full Travel Plan shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

Include Informative 6

Provision of Bus Service

SHC 47 Prior to the commencement of the development, to procure for a period of 5 years from the opening of the development a bus service of at least 30 minute frequency between the development and Great Yarmouth town centre for Monday to Saturday and hourly on Sunday during all store opening hours (*or such other hours/frequency as the Local Planning Authority in consultation with the Highway Authority may from time to time approve*) such service is to be provided by a bus operator or operators with details of the service and operator(s) to be approved in advance in writing by the Local Planning Authority in consultation with the Local Highway Authority.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

Informative Notes

When Off-Site Road Improvements are Required

Inf. 1 It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained.

Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact David Higgins on 01603 222789 or by e-mail david.higgins@norfolk.gov.uk.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer. If required, street furniture will need to be repositioned at the Applicants own expense.

When a Travel Plan is Provided or Required

Inf. 6 This development involves a Travel Plan to be implemented within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Town and Country Planning Act 1990 or Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact Ian Dinmore on 01603 224248 or by e-mail ian.dinmore@norfolk.gov.uk

Commuted Sum for Travel Plans

The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority also requires a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge are secured by a Section 106 Legal Agreement. This is in addition to the sum payable for Planning Obligations covering infrastructure, services and amenities requirements.

An online survey tool is available to assist with annual monitoring. For further information on the survey tool, please contact Ian Dinmore on 01603 224248 or by e-mail ian.dinmore@norfolk.gov.uk

Developers are expected to enter into a Section 106 Agreement to secure the necessary funding before planning permission is granted.

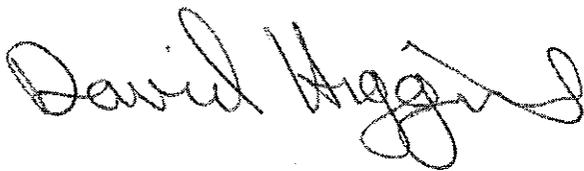
Street Lighting

Inf. 7 Street lighting is a concurrent power of the County, District and Parish Councils. However, it is the County Council after consultation with the Local Lighting Authority (District or Parish Council) who decides whether street lighting is required on proposed public highways. Norfolk County Council will challenge any automatic assumption that street lighting needs to be provided on part or all of the new development.

Inf. 9 The applicant is advised that to discharge condition SHC 00 that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

If you have any queries about the above advice or recommendation please contact me.

Yours sincerely



Principal Engineer - Major & Estate Developments
for Director Environment, Transport and Development

MEMORANDUM

From Environmental Health

To: Head of Planning and Development,
Attention: Mr D Minns

Date: 3rd April 2013

Your ref: 06/13/0025/F

Our ref: MA/0043/00000/00000

Extension: 846678

Please ask for: Justin Hanson

DEVELOPMENT AT- Sainsburys, Beacon Park, Great Yarmouth

I would therefore make the following comments on this development:

1. Air Quality

There are several Air Quality impacts of note.

a) Biomass Plant

The exact specification of the proposed biomass boiler has not been determined, however, it has been assumed that the boiler will be similar to boilers at other Sainsbury locations and the screening assessment was based on a 520 KW boiler.

I agree with the report based on the boiler in the Air Quality assessment that there is no need for a further detailed assessment.

If a boiler higher than 520 KW is intended to be installed then the screening assessment will need to be revisited. In addition, based on the thermal rating of the appliance it is likely that the boiler will meet the 45.4 kg/hr throughput required for a chimney height approval under the Clean Air Act 1993. In addition there are no details relating to dust-arrestment which would also be required and need to be approved under the chimney height application.

I would therefore recommend the following conditions:

- a) The biomass boiler shall only be operated using wood pellets that comply with CEN/TS 14961 or an alternative standard that can be demonstrated to be equivalent.
- b) The biomass boiler shall be maintained in accordance with the manufacturer's instructions and recommendations.
- c) A biomass boiler with a thermal input of more than 520 KW shall not be installed at the site without prior approval from the local planning authority.

- d) The efflux velocity of fumes from the flue of the biomass plant shall not be less than 10 m/s^{-1}

A chimney height approval under the Clean Air Act 1993 needs to be submitted to the Council if the appliance is capable of burning fuel at a rate of 45.4 kg per hour or more.

b) Vehicles/deliveries

An air quality assessment has been provided for the development, however, I am unable to comment further at this stage as I have raised a query with the consultants for the report regarding the reported trip rates for the proposed development and have yet to receive a response (See attached Emails)

2. Contaminated Land

There are no contaminated land concerns with regard to this development.

3. Noise

There are numerous sources of noise from the development, which need to be considered

a) Plant Noise

Existing residencies

It is unknown at this stage which specific items of plant are to be included but it is likely to include refrigeration plant, exhaust fans and the biomass boiler.

The acoustic report submitted has measured minimum existing background levels to be 34 dB(A) L_{90} during the day (07:00 to 23:00) and 28 dB (A) L_{90} during the night. The consultant has recommended noise levels limits that match the background levels at the façade of the nearest property.

The consultant has highlighted the plant may contain noise features that can distinguish it from other noise sources such as a tone or hum. In such circumstances a 5 dB(A) penalty needs to be applied as the report states. This has not been considered in the noise limits. I therefore recommend that the noise limits are set to 3dB(A) above background to account for this. A 3dB(A) above background is considered to be 'barely perceivable'.

I recommend these limits be imposed by condition at the boundary of the nearest existing residential receptor to enable measurements to be taken at this location to determine compliance. I would also recommend that noise measurements and assessments are carried out in accordance with BS4142:1997 "Method of rating industrial noise affecting missed residential and industrial areas".

I would therefore recommend the following condition on approval

- For the period 07:00 to 23:00 hours the Rating Level of combined plant noise from the permitted development shall not exceed the minimum background noise level of 34 dB(A) by more than 3 dB(A) at any time when assessed as a 60 minute L_{Aeq} .

For the period 23:00 to 07:00 hours the Rating Level of combined plant noise from the permitted development shall not exceed the minimum background noise level of 28 dB(A) by more than 3dB(A) at any one time when assessed as a 5 minute L_{Aeq}

The Rating level shall be determined by measurement or calculation at the closest point of the boundary with the nearest residential property. The measurements and assessments shall be carried out in accordance with BS4142 "Method of rating industrial noise affecting mixed residential and industrial areas".

Proposed Residencies

I am aware that there are proposed dwellings earmarked on land to the north where a layout has not been provided yet. These proposed dwellings will be a lot closer than the existing. The report recommends noise limits at the dwellings of 48 dB (A) during the daytime and 43 dB (A) during the night to achieve BS8233 daytime internal noise levels of 35 dB(A) in a lounge in the daytime and 30 dB(A) in a bedroom at night,(the standard assumes a partially open window will attenuate against 13 dB(A) of noise)

The issue here is that if the plant noise has a tone this will require a 5dB (A) penalty to be added which will exceed BS8233 internal levels. In addition if there are garden amenity areas proposed for the development then the noise level above background would be over 10 dB (A), which under the British Noise standard BS4142 would indicate that 'complaints are likely'.

I therefore recommend the same noise condition for the proposed residential properties as the existing:

- For the period 07:00 to 23:00 hours the Rating Level of combined plant noise from the permitted development shall not exceed the minimum background noise level of 34 dB(A) by more than 3 dB(A) at any time when assessed as a 60 minute L_{Aeq} .

For the period 23:00 to 07:00 hours the Rating Level of combined plant noise from the permitted development shall not exceed the minimum background noise level of 28 dB(A) by more than 3dB(A) at any one time when assessed as a 5 minute L_{Aeq}

The Rating level shall be determined by measurement or calculation at the closest point of the boundary with the nearest proposed residential property. The measurements and assessments shall be carried out in accordance with BS4142 "Method of rating industrial noise affecting mixed residential and industrial areas".

b) Deliveries

No assessment has been provided regarding of the noise impacts likely to arise from vehicle deliveries. Such assessments can be difficult, however, as noise from deliveries tends to be of short duration. However, the impact of noise from deliveries can be reduced by placing restrictions on delivery times.

Given the proximity of the proposed residencies I recommend restricting vehicle delivery times (including internet deliveries) at the development to

07:00-22:00 Monday to Saturday
08:00-16:00 Sundays and Bank Holidays

c) Hours of opening

I recommend the hours of opening to the public for the retail units to be restricted to between

07:00-23:00- Monday to Saturdays
09:30-16:00- Sundays and Bank Holidays

4. Petrol Filling Station

The filling station will require an Environmental Permit with the Council if the annual throughput of petrol is likely to exceed 500 m³. From the number of pumps proposed I consider this will be highly likely.

Controls would need to cover both Stage 1 and Stage 2 vapour recovery. It is strongly recommended that Environmental Health are consulted prior to construction of the station to discuss proposed controls, location of underground tanks, pipe work and vent pipes.

5. Car Wash/Jet Wash

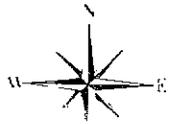
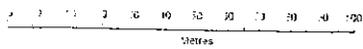
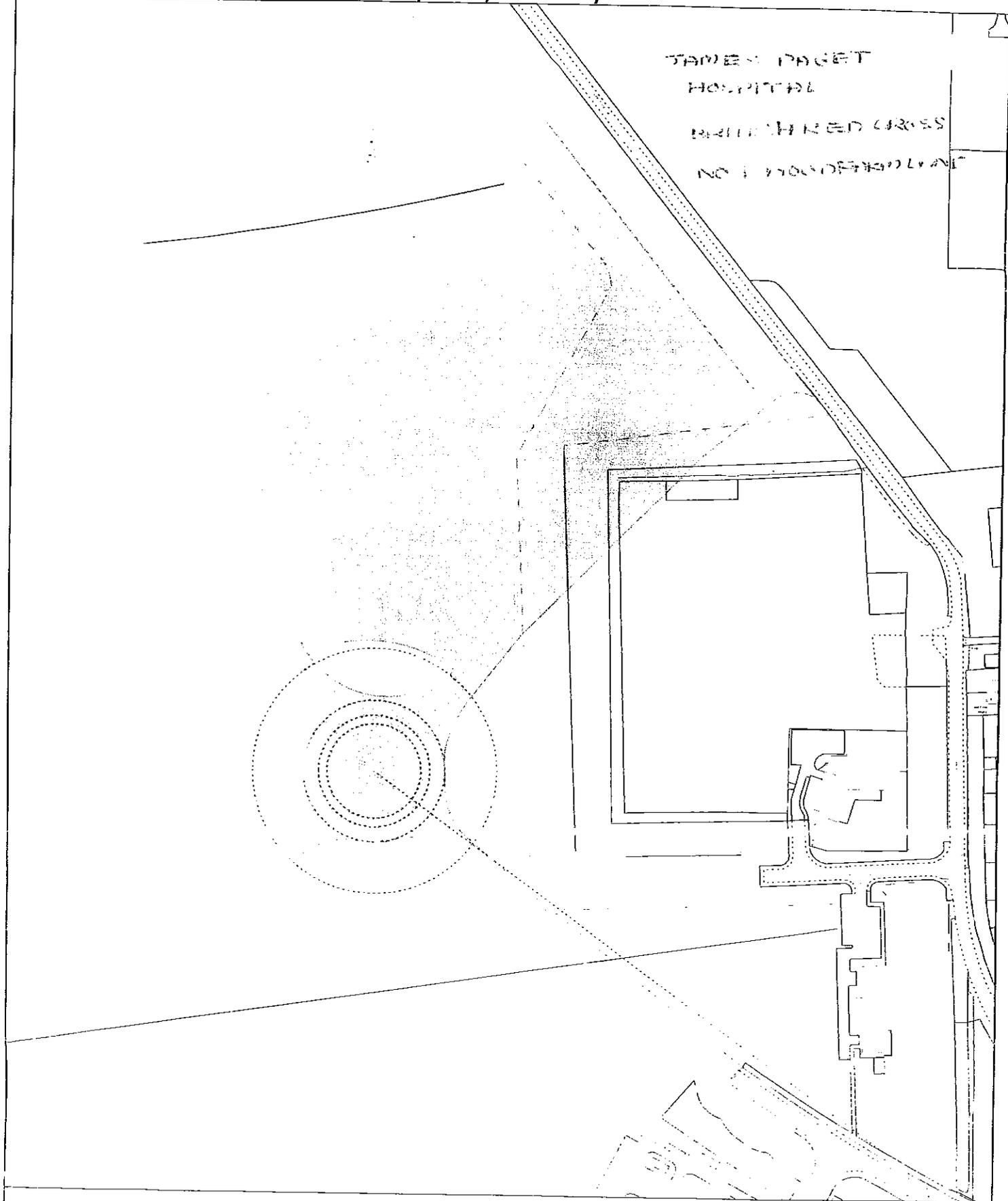
For the jet wash and car wash I recommend that a condition of hours of operation is imposed restricting the hours to between

08:00-22:00 on Mondays to Saturdays
10:00-17:00 hours on Sundays and Bank Holidays

Justin Hanson
Environmental Health Officer
Great Yarmouth Borough Council

06/13/0025/F

TAMES PAGET
HOSPITAL
BRITISH RED CROSS
NO. 1 HOOFFIELD AVENUE



Scale = 1:250 @ A4