

Reference: 06/15/0481/F

Parish: Gorleston

Officer: Mr G Clarke

Expiry Date: 09-10-2015

Applicant: J D Wetherspoon plc

Proposal: Change of use, extension and alterations to form public house

Site: 176-177 High Street
Gorleston

REPORT

1. Background / History :-

- 1.1 The site involved in the application is on the west side of the High Street and currently consists of two single storey units on the road frontage, GT Motors and Second 2 None, with a two storey workshop/storage area at the rear. There is a vehicular access and an area of land used for car sales to the south side of the building and a car parking area to the rear. To the north of the site is the shopping precinct which has flats at first floor on the south side, to the west is the large car park belong to the precinct and to the south on the High Street is a gallery and café. There is a bungalow on Duke Road to the south which has a rear garden that backs onto the area that is currently open at the rear of GT Motors.
- 1.2 The buildings immediately to the south are within the conservation area but the application site is not.
- 1.3 The site has been in use as a garage since at least 1959 when permission was granted for petrol pumps, the car sales area was originally approved in 1970, and in 1991 permission was granted for the retention of the existing car sales area and a new car sales office (06/91/0151/F). In 2012 planning permission was granted for the demolition of the existing buildings and construction of a new A1 retail unit (06/12/0086/F).

2 Consultations :-

- 2.1 Strategic Planning – The site is within a prime retail frontage the proposal should be assessed against Policy SHP4 of the Borough-Wide Local Plan and should be considered in the context of a currently stable and vibrant Gorleston

town centre and the potential to enhance the existing retail frontage. Whilst Gorleston town centre remains vibrant it should be noted that there is currently an under-provision of leisure based retail services such as drinking establishments and a diversity of uses should be encouraged.

- 2.2 Building Control – No issues with respect to Building Control.
- 2.3 GYB Services- No problems with waste collection.
- 2.4 Gorleston Chamber of Trade – No objection.
- 2.5 Highways – No objection subject to a condition requiring the existing vehicular access to be closed and the footway reinstated.
- 2.6 Environmental Health – Has recommended various conditions regarding hours of work, noise, odour, deliveries and lighting.
- 2.7 Historic Environment Service – The proposed development site occupies a street frontage location within the historic core of Gorleston consequently there is potential that heritage assets with archaeological interest may be present at the site. If planning permission is granted it should be subject to a programme of archaeological work.
- 2.8 Norfolk Fire & Rescue Service – No objections providing the proposal meets the necessary requirements of the current Building Regulations 2000 – Approved Document B (volume 1 – 2006 edition, amended 2007) as administered by the Building Control Authority.
- 2.9 Neighbours/Article 15 Notice – Two letters of objection and one of support have been received, copies of which are attached. The objections relate mainly to noise, odour and deliveries.

3 Policy :-

3.1 POLICY SHP4

PROPOSALS FOR THE CHANGE OF USE FROM USE CLASS A1 TO USE CLASSES A2 AND A3 IN PRIMARY AND SECONDARY SHOPPING FRONTAGES SHOWN ON THE PROPOSALS MAP WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA:

- A) THE PROPOSAL WOULD NOT BE SIGNIFICANTLY DETRIMENTAL TO THE APPEARANCE OF THE SHOPPING FRONTAGE OR THE AMENITY OF ADJOINING OCCUPIERS;
- B) THE PROPOSAL WOULD NOT RESULT IN CREATION OF A CONCENTRATION OR PREDOMINANCE OF NON-RETAIL (CLASS A2 OR A3) USES WHICH WOULD DETRACT FROM THE VITALITY AND VIABILITY OF THE FRONTAGE;

- C) THE PROPOSAL WOULD NOT UNDERMINE THE RETAIL FUNCTION OF THE FRONTAGE; AND,
D) IN THE CASE OF A PROPOSAL FALLING INTO USE CLASS A3, IT CAN BE DEMONSTRATED THAT THE PROPOSAL WOULD MEET THE CRITERIA CONTAINED IN POLICY SHP15.

(Objectives: To maintain the character and vitality of existing shopping frontages.)

3.2 POLICY BNV10

NEW DEVELOPMENT IN OR ADJACENT TO A CONSERVATION AREA WILL BE REQUIRED TO BE SYMPATHETIC TO THE CHARACTER OR APPEARANCE OF THE AREA IN TERMS OF SCALE, HEIGHT, FORM, MASSING, MATERIALS, SITING AND DESIGN.

(Objective: To retain and enhance the character and appearance of conservation areas.)

3.3 POLICY BNV16

THE COUNCIL WILL PERMIT NEW DEVELOPMENT, INCLUDING MODERN ARCHITECTURE, WHICH PROVIDES A HIGH QUALITY OF DESIGN AND TOWNSCAPE COMPLIMENTARY TO ITS SETTING, AND WHICH WOULD RESULT IN ENHANCEMENT OF AN AREA. TO THIS END, THE COUNCIL WILL NOT OPPOSE PROPOSALS FOR THE SUITABLE REPLACEMENT OF EXISTING BUILDINGS OR STRUCTURES WHICH DETRACT FROM THE CHARACTER OR APPEARANCE OF AN AREA.

3.4 POLICY BNV19

THE BOROUGH COUNCIL WILL SEEK TO IMPROVE TOWNSCAPE QUALITY BY:-

- a) SUPPORTING AND INITIATING THE ENHANCEMENT OF URBAN AND VILLAGE SPACES (EG. MARKET PLACE PAVING SCHEME).
- b) SUPPORTING INITIATIVES TO IMPROVE THE FACADES OF BUILDINGS.
- c) CO-ORDINATING STREET FURNITURE, SIGNS, UTILITY INSTALLATIONS AND LANDSCAPING.

(Objectives: To ensure new development and alterations to existing buildings enhance the built environment.)

4 Assessment :-

- 4.1 The proposal will involve a two storey extension on the south side, first floor extensions to front and rear and a single storey extension at the rear. There will be a gap of 2.5m between the extended building and the property to the south to allow for access to the bin store and for use as an escape route. There will also be a beer garden at the rear of the site on the south side which will be next to the rear garden of the bungalow 19/21 Duke Road. The frontage of the building will be of contemporary design with sliding/stacking glazed doors to the ground floor on the same line as the existing building, the first floor will have a central, curved zinc clad feature with areas of render to either side. The design will be a great improvement on the existing building and will provide an interesting contrast between the traditional design of the building to the south and the 1970's architecture of the precinct to the north.
- 4.2 In recent years two pubs in the High Street have closed, the Dukes Head which was just to the south of the application site has been converted to a shop and offices and the Old Commodore which is approximately 300 metres to the north is now a childrens nursery. There is therefore no policy objection to the proposal as there will be no overall increase in drinking establishments and the loss of the retail use at the site is balanced by the retail use of the former Dukes Head.
- 4.3 One of the concerns raised by neighbours was regarding the potential for noise from deliveries particularly if the shopping precinct car park was to be used for deliveries to the rear of the site and if lorries used Duke Road for access. The agent for the application has since submitted Transport Delivery Management Plan which shows that deliveries will be to the High Street frontage and will be between 07.00 and 19.00 to avoid disturbance to residents. Delivery vehicles will not use Duke Road for access.
- 4.4 The main cause for concern with the application is the potential for noise from the beer garden to cause disturbance to the occupiers of 19/21 Duke Road which directly adjoins this area of the site. The agent for the application was advised of this concern and it was suggested to the agent that the beer garden was moved to the north side of the site to reduce the potential for disturbance. The applicant is reluctant to do this as it would have implications on means of escape and usability of the garden. The design has been amended to show a 2 metre high acoustic barrier fence and planting along the boundary with the dwelling to try to prevent sound from the garden disturbing the occupiers. The agent has said that an acoustic specialists report can be provided if required as a condition to show that the fence will be effective. If Members are in favour of the application it would be better if approval was granted subject to a satisfactory report being submitted rather than approve with a condition in case the necessary sound reduction cannot be achieved.
- 4.5 The proposed opening hours of the pub are 07.00am – 00.30 Sunday to Wednesday and 07.00am – 01.30am Thursday to Saturday with an additional hour on certain other days through the year. There are no planning conditions restricting the opening hours of other pubs in the area and in any case the

general opening hours of the pub can be controlled by licence. Members may however feel that the use of the beer garden should be restricted in the interests of the amenities of the neighbour. With the recent application for the refurbishment and use of the roof terrace at Lower Esplanade the use of the roof was conditioned to close at 10pm and it may be reasonable to impose a similar condition here.

- 4.6 Providing the potential for nuisance to the neighbour can be overcome, the proposal is considered to be acceptable and will add to the variety and vitality of the town centre in accordance with the aims of the saved policies in the Borough-Wide Local Plan and the emerging policy CS7 of the Local Plan Core Strategy.

5 RECOMMENDATION :-

- 5.1 Approve – subject to the submission of a satisfactory acoustic report and possible restriction on hours for the beer garden.
- 5.2 The proposal complies with policies SHP4, BNV10, BNV16 and BNV19 of the Borough-Wide Local Plan.

S

David Lawrence Skoyles
21 - 19, Duke Road, Gorleston-on-Sea, Gt. Yarmouth, Norfolk.
NR31 6LL
Telephone 01493 668146

Application: 06/15/0481/F.

16th September 2015

Dear Sir/Madam,

Until I have seen a more detailed plan of Weatherstones proposals I am limited to my complete and exact fears.

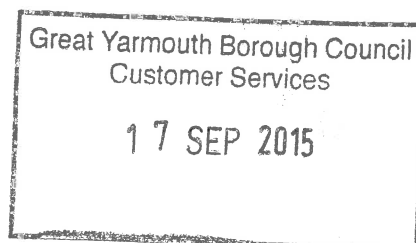
When these proposals are available I will list my concerns:-

1. Windows over looking my property (privacy)
2. Noise level
3. Odours
4. Damage to Solar Panels
5. Reduction in efficiency of Solar Panels (loss of Income)
6. Beer garden/Outdoor drinking / Bin Store / Smoking area, possible areas of Noise, Smells, Loud and Bad Behavior. etc
7. Loading, Bin Store etc too close.
8. Loss of Sunlight = Loss of Income from PV Panels

Thank you.

Yours Faithfully.

[Redacted Signature]



Elaine Helsdon

From: Vaughan <gm@thehotelvictoria.co.uk>
Sent: 08 September 2015 13:41
To: plan
Cc: Lisa Cutter
Subject: planning application 06/150481/f

Dear Sirs,

I wish to oppose the above planning application my reasons being are that my wife and i live in on duke road with my property backing onto the car park, with the current retail units (farm foods and wilkos) having restricted delivery times first thing in the morning before the car park is busy between 6am and 8am by articulated lorries and assuming wetherspoons delivery lorries will be subject to the same restrictions the noise from the car park is unbearable especially at that time of day with no noise pollution to dull the sound, My second point being the road infrastructure around the proposed site are not made for lorries of this size as has been proven by the now empty retail unit on the corner of duke road which has been struck twice by delivery lorries who cannot turn at such an angle, Is there a delivery strategy in place in regards to not using the narrow streets around the site, will there be a restricted opening and closing times, will the surrounding roads be made permit parking so local residents without drive ways can park, or will the car park become free parking to wetherspoons guests, I note that our local MP has backed the scheme from his office in London and I have no doubt that a good will gesture to the council will be passed, Whilst I am a lifelong Gorleston resident it is now time to move before the demolition and rebuilding begins which will de-value our property! There is an old saying which is if you don't like the noise don't buy a house next to a pub, the reverse is true too!

I wish I had something positive to say about the planning proposal but with the current closure of public houses in the Gorleston area I do not see this as enhancement to the high street

I await your reply in anticipation

Vaughan and lisa Cutter

Application Reference 06/19/081/E

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name Norman Ward

Address 12 Pier Plain

Post Code NR31 6PE

Telephone

Email Address

For or Against SUP Support

Speak at Committee ☐

It will add a different experience in the High Street. No piped music, audible TV or entertainment attracts another clientele.

Date Entered 11-09-2015

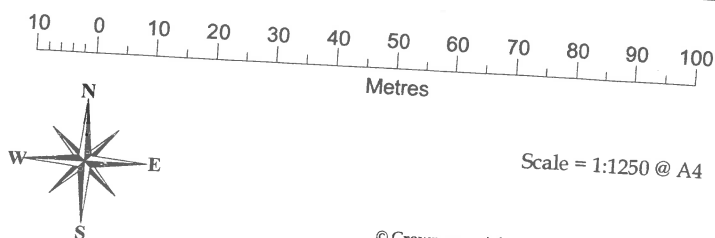
Internet Reference OWPC511

06/15/0481/F



GREAT YARMOUTH
BOROUGH COUNCIL

Property Services,
Town Hall, Great Yarmouth,
Norfolk. NR30 2QF



Scale = 1:1250 @ A4

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