



# Development Management Committee

**Date:** Wednesday, 26 July 2023

**Time:** 18:30

**Venue:** Council Chamber

**Address:** Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

## AGENDA

Open to Public and Press

### 1 **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

### 2 **DECLARATIONS OF INTEREST**

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest

arises, so that it can be included in the minutes.

**3     MINUTES**

**3 - 15**

Members are asked to confirm the minutes of the meeting held on the 12 July 2023.

**4     APPLICATION 06/23/0220/F - HOPTON HOLIDAY VILLAGE,  
WARREN ROAD, HOPTON ON SEA, GREAT YARMOUTH, NR31  
9BW**

**16 - 52**

Members are asked to consider the following :-

Proposed redevelopment of the existing ancillary pitch and putt golf course to provide for the installation of 110 bases for the siting of static caravans with associated landscaping, drainage and utility infrastructure, access, car parking and lighting.

Report attached.

**5     APPLICATION 06/22/0612/CU -128-129 NELSON ROAD  
CENTRAL, GREAT YARMOUTH, NR30 2JY**

**53 - 66**

Members are asked to consider the following :-

Retrospective change of use of the first/second floor flat to a C4 House of Multiple Occupation (HMO)

Report attached.

**6     ANY OTHER BUSINESS**

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.



# Development Management Committee

## Minutes

Wednesday, 12 July 2023 at 18:30

### PRESENT:-

Councillor A Wright (in the Chair); Councillors Annison, Bird, Capewell, Freeman, Galer, Green, Martin, Mogford, Murray-Smith, Pilkington & Williamson.

Councillor D Hammond attended as a substitute for Councillor Boyd.

Mr R Parkinson (Development Manager), Mr N Fountain (Principal Strategic Planner), Mr S Hubbard (Strategic Planning Manager), Mr K Balls (Principal Strategic Planner), Ms C Whatling (Monitoring Officer), Mr D Zimmerling (IT Support) & Mrs C Webb (Democratic Services Officer).

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Boyd.

### **2 DECLARATIONS OF INTEREST**

Councillors Freeman & Williamson declared a disclosable pecuniary interest in item number 5 as they were GYPT Board Members and they would leave the room whilst the matter was determined.

### 3 MINUTES

The minutes of the meeting held on 19 April 2023 were confirmed.

### 4 **06-22-0747-F LAND AT GUINEVERE ROAD AND CAMELOT ROAD, GOTLESTON-ON-SEA, GREAT YARMOUTH, NR31 7RA**

The Committee received and considered the report from the Principal Strategic Planner.

The Committee received and considered the addendum report dated 12 July 2023.

The Principal Strategic Planner reported the salient areas of the application to the Committee. The Principal Strategic Planner informed the Committee that this application was reported to the Monitoring Officer as an application submitted concerning land owned by the Borough Council, for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 04/07/23, and the Monitoring Officer has checked the file and is satisfied that it has been processed normally and that no other members of staff or Councillors have taken part in the Council's processing of the application other than staff employed within the LPA as part of the determination of this application.

The Principal Strategic Planner reported that the proposal is for the construction of a 66-bed, three-storey building for use as a residential care home for older people, car parking, new access to the site and associated development and landscaping. The Care Home accommodation is considered to fall within Use Class C2 (residential institutions), as it would provide housing for older people with varying levels of on-site care provision, which includes specialist dementia care, as defined by Paragraphs 010 and 014 of the Housing for Older and Disabled People National Planning Practice Guidance (2019). In addition, the applicant advised that the care home is for the elderly (aged 65+) and will be staffed 24/7, operating a shift pattern style of working, but will have no resident staff. Residents within the home will have a range of mobility but will often be experiencing a reduced level of mobility as expected in later years. The application submission states that the facility will be fully compliant with the National Care Standards Act 2000; providing single-room accommodation, with en-suite facilities and a suitable ratio of communal/recreational space per resident together with level/amenable access throughout. The proposed care home would be of brick and render construction with a grey tile roof. In total the development will provide 3,235m<sup>2</sup> internal floor area over three floors.

The Principal Strategic Planner reported that the proposal will provide a 66-bed C2 use class residential care home, for which there is a demand for such a facility within the Borough. The proposal is contrary to Policy GN4 but, as outlined in the assessment above, it is considered that there are other material planning considerations that outweigh this conflict with adopted policy as outlined in paragraph 10.16 of the agenda report.

Overall, it is considered that, on balance, the application is acceptable for conditional approval within the terms set out in the recommendation outlined below.

The Principal Strategic Planner reported that at page 33 of the agenda, that as the

application was a departure from adopted local plan policy it is worth mentioning that the application was advertised as both a major development and a departure from policy, by site notice and advertisement in the press, for the period 30/09/22 – 28/10/22. This accords with the requirements for such applications, as set out in Regulation 15 of the Town and Country Planning (Development Management Procedure Order) 2015.

The Principal Strategic Planner reported that in response to the Historic Environment Service comments as presented in the Committee Report, the applicant has actually undertaken a pre-development investigation at the site comprising archaeological trial trenching. The on-site excavated trenches contained remains that required investigation, but none provided conclusive evidence of origin. No archaeological finds were recovered from these remains or from topsoil/subsoil deposits resulting from excavation. The precise processes that have formed these remains are unknown, and could be due to steam-powered agricultural practices and/or use of the site as a compound during construction of the surrounding area. To corroborate, the archaeologist compared other local investigations and found few archaeological remains to have been recorded during previous interventions in the immediate vicinity. As a result, it was considered there was no archaeological interest at the site.

The Principal Strategic Planner reported that the applicant submitted their proposed methodology and post-survey results [Archaeology Report Number CB739R v.1.1] to the Historic Environment Service, who have in turn confirmed the trial trenching was adequate and no further archaeological work is required. As an update to the Committee Report, it is confirmed that no archaeological conditions are required. Proposed conditions 8, 10 and 11 are removed from the recommendation.

The Principal Strategic Planner reported that the East of England Ambulance Trust (EEAT) has identified a number of features required of a care home. The Committee Report was written on the understanding that the non-financial items listed under para 19.1 (page 45) had been agreed with the applicant to be included in the planning obligations. The applicant has since clarified they agreed that the features (or similar versions thereof) would be provided in the development, but would be done so to address other legislation and provided through other regulations. As a result, the following amendments are required:- At least one emergency lifting device per floor (inflatable).

The Principal Strategic Planner reported that the applicant has confirmed the lifts in the proposal are already large enough to accommodate a stretcher and up to five paramedics/people. Should emergency evacuation ever be needed, fire stretchers are located within the stair wells. The EEAT saw these as an important basic safety feature for a care home, but this is a matter for Building Regulations and care home Licencing rather than something to be secured through Planning. The applicant has stated that, ordinarily, an external defibrillator would not typically be provided within the care home, pointing out that they're often provided on external walls of buildings for the use of the community, not internally in care homes for their sole use.

The Principal Strategic Planner reported that the EEAT saw these as an important basic safety feature for community use, taking the community to include the residents

within the facility. Whilst many care homes would provide community features or be within a wider care campus, this proposal is rather more isolated. It would not be unusual for the surrounding community to assume a care home would include a defibrillator for emergency use, and it is considered necessary for the development to include an external defibrillator and provide immediate emergency help for residents and visitors alike. However, it was more appropriate for a defibrillator to be required by planning condition rather than unilateral undertaking.

The Principal Strategic Planner reported that an ambulance bay has been provided in the proposal and is shown on the submitted site plan. Condition 2 will require the development to be undertaken in accordance with the site plan, so will require inclusion of the ambulance bay. The applicant notes they have also proposed 6 EV charging points, in line with current building regulations requirements. However, it is more appropriate for an ambulance bay to be provided and required to be retained by planning condition rather than as part of a Unilateral Undertaking.

The Principal Strategic Planner informed the Committee that a local Councillor has requested clarification over the proposed tree protection measures. The Council's Tree Officer has identified the value which the tree belt along the southern boundary provides, and is expected to provide, for a significant time yet. As part of the construction, activities must be excluded from the tree belt wherever possible. The application includes an Arboricultural Impact Assessment (AIA) which looked at tree health, value and longevity, and found that whilst the woodland belt is substantial, no trees would be considered the greatest status, within Categories A (high arboricultural value) or B (moderate arboricultural value). Many were of low value (Category C) or requiring removal regardless of whether the development proceeds due to being dead / diseased (Category U). The AIA proposes removal of 4 stand-alone trees (lime, silver birch and alders) and 8 groups, within Category C, and 2 Category U plum trees, all to accommodate the footprint of the building and the car parking. These are all behind (to the north of) the area of denser tree cover alongside Sidegate Lane. It was always anticipated that there would be some loss of tree cover as a result of allocating the site for development, although planning applications should always seek to minimise and then compensate any losses as expected by Condition 4.

The Principal Strategic Planner reported that proposed Condition 12 is intended to secure a high quality landscaping scheme which will need to compensate and address the loss of biodiversity and biomass from these removals. Proposed Conditions 17 and 19 are intended to secure the landscaping scheme's timely provision, maintenance and retention of the landscaping scheme for 10 years after planting. Proposed Condition 18 operates to prevent any further tree removals or works within 10 years without prior agreement from the LPA. Proposed Condition 7 shall be amended to require an Arboricultural Method Statement to be submitted and approved prior to the commencement of development, to ensure the most appropriate protection and methods of construction around the trees, in addition to the protective fencing already described therein.

The Principal Strategic Planner reported that an error in the drafting of the Committee Report resulted in the LLFA's requested planning condition being omitted from the list

in the Report. The LLFA have no objection to the development subject to this condition being imposed. It is recommended that the following additional condition for surface water flooding is added to the list of Conditions.

The Principal Strategic Planner reported that the development shall be built in accordance with the submitted Drainage Strategy and the additional supporting documents as set out in the agenda report. The schematic drainage layout adopted must be that demonstrated in the final submitted drainage strategy drawing. The approved scheme will be implemented prior to the first use of the development. The reason for the condition is to prevent flooding in accordance with adopted local policies CS13 and E1, and National Planning Policy Framework paragraph 167, 169 and 174 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

The Principal Strategic Planner reported that the applicant has stated the care home would be equipped with full hoists as opposed to inflatable lifting devices. The hoists within the care home provide a more than suitable method of lifting residents should they require assistance. The EEAT saw these as an emergency and mobile feature, although the proposal would provide appropriate alternatives. Nevertheless, this is a matter for Building Regulations and care home Licencing rather than something to be secured through Planning. For the reasons identified in the assessment above, it is considered on balance that the application should be approved, notwithstanding the conflict with adopted policy including being contrary to Policy GN4, in accordance with the recommendation below.

The Principal Strategic Planner informed the Committee that the Council were still awaiting the consultation response from Natural England in regard to GIRAMS.

The Principal Strategic Planner reported that it is recommended that application 06/22/0747/F should be approved, subject to the conditions noted within the recommendations and update report.

Councillor Murray-Smith asked for clarification as to the foul water drainage from the site. The Development Manager replied that the foul water would go into the Anglian Water system and that surface water would be retained on site.

Councillor Martin asked for clarification as to whether there would be a defibrillator on site. The Development Manager confirmed that a defibrillator would be secured on site by condition.

Ms Howes, applicant, reported the salient areas of the application to the Committee and the benefits it would bring to the table and she respectfully asked the Committee to approve the application.

Councillor Wells, Ward Councillor, spoke in support of the application.

Councillor Hammond reported that she supported this application. Councillor Williamson also reported that he supported the application but was concerned about the number of car parking spaces available on site which would not meet the demands of the staff and visitors in light that the area was served by a poor bus route and cycle paths. The Development Manager reported that we were following the guidance of the NPPF and that 25 spaces was not the maximum that could be secured, but the site layout didn't lend itself to squeezing any more in, and the planning policy parking standards did not set a minimum number of spaces required, only a maximum, which this complied with.

Councillor Williamson moved the proposal and the updated recommendations for approval as per the addendum report. This was seconded by Councillor Annison.

Following a unanimous vote:-

That application number 06/22/0747/F be approved subject to conditions and in accordance with the list published in the Agenda Report, as modified by the Update Report of 12<sup>th</sup> July 2023, with amendments to be undertaken by the Development Manager

**5      06-23-0433-F PUBLIC CONVENIENCE NORTH OF KING WILLIAM IV  
PUBLIC HOUSE, QUAY ROAD, GORLESTON, GREAT YARMOUTH, NR31  
6BZ**

The Committee received and considered the report from the Development Manager which was a connected application submitted by the Borough Council.

The Development manager reported that the site is the former 'Brush Quay' public convenience block on the west side of Quay Road at its junction with Pier Walk and opposite Riverside Road. The block is sited on a small area of open amenity land to the north of the garden to the former William IV public house and east of Limmer Road and opposite the terraced houses at the north end of Pavilion Road.

The Development Manager reported that the building is rectangular and with a pitched and hipped plain-tiled roof, of cream-painted bricks above a black plinth and with red-stained timber framed leaded windows and steel-shuttered security door screens. The building presents no active frontage or architectural interest to the street and at best is described as a utilitarian building reflecting a former public service. There is an open-sided store for paladin refuse bins behind the building, through it is unclear where the refuse stored there originates. The toilet block building has a footprint of 75sqm. and a ridge of approximately 2.5m height.

The Development Manager reported that the applicant states the building has been closed to public use for approximately 20 years due to being surplus to requirements, and in recent months has been subject to an arson attack which has left the building beyond economic repair. The building is not Listed but it does feature in the No. 17 Gorleston Conservation Area. There are mature trees adjacent the site on land to the south, protected by virtue of being within the conservation area.

The Development Manager reported that the surrounding uses are the Riverside Road surface car park to the north, the open space landscaping and the terraced

houses of Pavilion Road approximately 20m to the west facing the site, a concrete substation or pumping station enclosure building in the same open space on Pavilion Road, and the King William IV public house to the south, the building is 29m south, but the beer garden extends to within 5m of the toilet block.

The Development manager reported that the development proposes demolition of the toilet block. The application does not propose any replacement facilities, works or landscaping in its stead. The applicant states the reason for the demolition is because the building has served its purpose and is in very poor condition, with a fire-damaged roof and being very unsightly, beyond economic repair. The applicant intends to clear the building to slab level and if there is a future use for the site it would be determined and subject to a separate application. Regardless of the deteriorated state of the building from recent arson, the demolition is considered to represent an opportunity to provide improvement to the character and appearance of the conservation area, and should other development not be forthcoming, it is considered to cause a neutral impact at worst compared to the retention of the (repaired) existing building. The proposal is therefore not considered to generate harm to the character and appearance of the Conservation Area. As such, the proposal complies with policies CS10 and E5.

The Development Manager reported that it is recommended that application 06/23/0433F should be approved subject to the conditions as set out in the agenda report.

Councillor Annison moved that the application be approved with conditions as set out in the agenda report. This was seconded by Councillor Williamson.

Following a vote, it was RESOLVED:-

That application number 06/23/0433/F be approved subject to the following conditions:-

1. The development must be begun not later than three years beginning with the date of this permission.

The reason for the condition is :-

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the plans received by the Local Planning Authority on the 26th May 2023.

The reason for the condition is:-

For the avoidance of doubt.

3. No works of demolition shall commence until such time that full details of a proposed site restoration, landscaping and public realm enhancement or 'meanwhile' use proposal has first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and the site shall be restored to beneficial use in accordance with those details within 28 days of the removal and clearance of the building and shall be retained as such thereafter.

The reason for the condition is:-

To ensure that regard is paid to protecting the character and appearance of the Conservation Area and protection of the public realm in accordance with the requirements of Core Policy CS10 and Local Plan Part 2 policy E5.

and any other conditions and informative notes considered appropriate by the Development Manager.

## **6 LOCAL PLAN POLICY - GREAT YARMOUTH BOROUGH-WIDE DESIGN CODE SUPPLEMENTARY PLANNING DOCUMENT**

The Committee received and considered the report from the Principal Strategic Planner.

The Principal Strategic Planner gave a presentation to Committee.

The Principal Strategic Planner requested that the Committee consent to public consultation on the draft Great Yarmouth Borough-Wide Design Code Supplementary Planning Document.

Councillor Murray-Smith asked whether the copyright agreement added to the Design Code would restrict the Council's ability to use/reproduce the imagery within its own document. The Principal Planner did not have the information to hand to respond but reported that he would take this matter away and respond outside of the meeting.

Councillor Martin stressed the importance of holding in-person, public consultation events across the borough to ensure that as many local residents as possible were reached.

Councillor Freeman congratulated the Strategic Planning Team for the production of an exemplary Design Code, as in his view, good design was no more expensive than bad design and good design must be embedded in our planning policy moving forwards.

Councillor Bird highlighted the need for the Design Code to take climate change into consideration as to plan accordingly using balconies for example to off-set excess solar gain.

Councillor Galer highlighted the occupancy rules in regard to holiday homes and the concerns of 12 month residency in these properties. The Principal Strategic Planner reported that the Design Code was not the appropriate vehicle to address this matter.

Following a vote, it was **RESOLVED:-**

That the Committee:-

- (i) Endorses the draft Great Yarmouth Borough-Wide Design Code SPD included as Appendix 1 to this report for public consultation; and
- (ii) Delegates authority to the Strategic Planning Manager to make minor

amendments to the consultation document prior to consultation.

## **7 ANY OTHER BUSINESS**

The Development Manager gave an update in regard to staffing capacity in his team and the measures that had been taken to overcome these difficulties. The Chairman asked that Members support the Development Management Team during this difficult transition period.

The Development Manager gave a verbal update as to the applications which would be coming forward to the Committee in the coming months.

The Development Manager explained the rationale for the production of addendum reports which members would receive on the day of the Committee meeting.

The Development Manager asked the Committee if they considered that it would be helpful for the outcome of planning appeals be reported to the Committee at the end of some meetings when relevant, as these would offer helpful informal appraisal of decisions taken and offer some insights for the Committee to be aware of around an Inspector's interpretation of policy and application circumstances

## **8 06-22-0718-F AND 06-22-0717-LB ST. GEORGES HALL, 145 KING STREET GREAT YARMOUTH NR30 2PQ**

Councillors Freeman & Williamson left the Council Chamber for the determination of this item.

The Committee received and considered the report from the Development Manager. The Development Manager reported that this is a connected application submitted by the GYPT:-

1. Application 06/22/0718/F (application for full planning permission):  
Demolition of external rear toilet block and erection of rear extension with pitched roof. Alterations to façade and changes to doors and windows with internal alterations; Change of use of store to mixed use combined with artist studios in basement with use of the rest of the building as a community space / gallery.

2. Application 06/22/0717/LB (application for listed building consent):  
Demolition of external rear toilet block and erection of single storey rear extension with pitched roof. Extension of external roof – North west elevation; Alterations to façade and changes to doors and windows with internal alterations.

The Development Manager reported that the building currently comprises three storeys, incorporating the sites sloping character from being taller in the east, and stepping down to be lower in the west. The building was originally a meeting hall and public space but last used for:

- Lower ground floor / basement: storage.

- Upper ground floor / raised street level: open assembly hall and staging;
- First floor over King Street: exhibition / public assembly / meeting space.

The building is within the No.4 King Street Conservation Area and opposite the Grade I listed St George's Theatre to the east; a number of Grade II listed buildings are also nearby on King Street.

The Development Manager reported that a proposal would not therefore see the loss of retail or other commercial space. The use of the basement as art studios to complement the gallery above would however be analogous to a Town Centre use. Core Strategy Policy CS07 supports a wide array of uses in the town centre to improve the vitality and vibrancy of the town, including arts and cultural uses.

The Development Manager reported that the application seeks the removal of part of this rear, flat roof projection, which according to documents supporting the application suffers from water ingress. The remaining section, abutting Yarmouth Way, would see the parapet removed and a new roof installed which has the appearance of a mansard style when viewed from the road/north. The roof would be clad in Cor-Ten corrugated sheeting. The existing windows and door openings which are boarded up would be infilled with brickwork from the demolished part of the building. The demolished part of the building is proposed to be rebuilt, this would too be clad in Cor-Ten corrugated sheeting with this southern half of the extension to the building having a flat roof which should be screened from the Yarmouth Way by the northern half's steep pitch. A sliding gate, also clad in Cor-Ten corrugated sheeting, would be installed providing access to the basement.

The Development Manager reported that having considered the details provided, the application is considered to comply with policies CS07, CS09 and CS10 from the adopted Core Strategy, and policies A1 and E5 from the adopted Local Plan Part 2.

The Development Manager reported that it was considered that there are no other material considerations to consider and therefore, both applications are recommended for approval.

Councillor Annison proposed that application 06/22/0718/F be approved with the conditions as set out in the agenda report. This was seconded by Councillor Hammond.

Following a vote, it was RESOLVED:-

That application 06/22/0718/F be approved subject to the following Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

The reason for the condition is :-

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the following plans received by the Local Planning Authority on the 2nd September 2022:

- Site plan (unreferenced)

and the development shall be carried out in accordance with the following revised plans received by the Local Planning Authority on the 25th April 2023:

- Lower Ground Floor Plans:	254-SK-03-B
- Upper Ground Floor Plans:	254-SK-04-B
- Northern Elevation:	254-SK-11-B
- Southern Elevation:	254-SK-12-A
- Western Elevation:	254-SK-15-B

The reason for the condition is:-

For the avoidance of doubt.

3. No works shall commence until such time that full details of all new proposed windows, doors, cladding and brick work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

The reason for the condition is:-

To ensure that regard is paid to protecting the character and appearance of the Listed Building and the Conservation Area in accordance with the requirements of Core Policy CS10 and Local Plan Part 2 policy E5.

4. No works shall commence until such time that the position, type and method of installation of all new and relocated services and related fixtures (including rainwater goods, communications and information technology servicing), has been specified and agreed in writing with the Local Planning Authority wherever these installations are to be visible, or where ducts or other methods of concealment are proposed. The development shall be carried out in accordance with the approved details.

The reason for the condition is:-

To ensure that regard is paid to protecting the special architectural and historic interest of the building in accordance with the requirements of Core Policy CS10 and Local Plan Part 2 policy E5.

5. All original external and internal historic features, part of the special character of the heritage asset (including buttresses, brickwork, joinery of historic importance, etc) should be preserved and protected from any damage throughout the works. Any damaged fabric should be repaired in a like for like manner with relevant matching materials and techniques.

The reason for the condition is:-

To ensure that regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. During the works, if hidden historic features or archaeology are revealed they should be retained in-situ. Works shall be halted in the relevant area of the building

and the Local Planning Authority should be notified immediately.

The reason for the condition is:-

To ensure that historic features are recorded and preserved as part of the special character of the Listed Building.

and any other conditions and informative notes considered appropriate by the Development Manager.

Councillor Annison proposed that the Listed Building consent application 06/22/0717/LB be approved with the conditions set out in the agenda report. This was seconded by Councillor Hammond.

Following a vote, it was RESOLVED:-

That listed building consent application 06/22/0717/LB be approved subject to the following Conditions:-

1. The development must be begun not later than three years beginning with the date of this permission.

The reason for the condition is:-

Required to be imposed pursuant to Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following plans received by the Local Planning Authority on the 2nd September 2022:

- Site plan (unreferenced)

and the development shall be carried out in accordance with the following revised plans received by the Local Planning Authority on the 25th April 2023:

- Lower Ground Floor Plans:	254-SK-03-B
- Upper Ground Floor Plans:	254-SK-04-B
- Northern Elevation:	254-SK-11-B
- Southern Elevation:	254-SK-12-A
- Western Elevation:	254-SK-15-B

The reason for the condition is:-

For the avoidance of doubt.

3. No works shall commence until such time that full details of all new proposed windows, doors, cladding and brick work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

The reason for the condition is:-

To ensure that regard is paid to protecting the character and appearance of the Listed Building and the Conservation Area in accordance with the requirements of Core Policy CS10 and Local Plan Part 2 policy E5.

4. No works shall commence until such time that the position, type and method of installation of all new and relocated services and related fixtures (including rainwater goods, communications and information technology servicing), has been specified and agreed in writing with the Local Planning Authority wherever these installations are to be visible, or where ducts or other methods of concealment are proposed. The development shall be carried out in accordance with the approved details.

The reason for the condition is:-

To ensure that regard is paid to protecting the special architectural and historic interest of the building in accordance with the requirements of Core Policy CS10 and Local Plan Part 2 policy E5.

5. All original external and internal historic features, part of the special character of the heritage asset (including buttresses, brickwork, joinery of historic importance, etc) should be preserved and protected from any damage throughout the works. Any damaged fabric should be repaired in a like for like manner with relevant matching materials and techniques.

The reason for the condition is:-

To ensure that regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. During the works, if hidden historic features or archaeology are revealed they should be retained in-situ. Works shall be halted in the relevant area of the building and the Local Planning Authority should be notified immediately.

The reason for the condition is:-

To ensure that historic features are recorded and preserved as part of the special character of the Listed Building.

and any other conditions and informative notes considered appropriate by the Development Manager.

The meeting ended at: TBC

## **Schedule of Planning Applications**

**Committee Date: 26 July 2023**

Application Number: **06/23/0220/F** - [Click here to see application webpage](#)

Site Location: Hopton Holiday Village, Warren Road, Hopton on Sea, Great Yarmouth, NR31 9BW

Site Location Plan: See Appendix 1

Proposal: Proposed redevelopment of the existing ancillary pitch and putt golf course to provide for the installation of 110 bases for the siting of static caravans with associated landscaping, drainage and utility infrastructure, access, car parking and lighting.

Applicant: Haven Leisure Limited C/O Agent Lichfields UK, The Minster Building, 21 Mincing Lane, London EC3R 7AG

Case Officer: Nigel Harriss

Parish & Ward: Hopton on Sea Parish, Bradwell South and Hopton Ward

Date Valid: 24 March 2023

Expiry / EOT date: 28 July 2023

Committee referral: Referred to the Development Management Committee at the discretion of the Head of Planning in light of the amount of public interest in the application and issues raised therein.

**RECOMMENDATION: APPROVE SUBJECT TO IMPOSED CONDITIONS**

## **REPORT**

### **1. The Site**

1.1 The site as part of Hopton Holiday Village is located approximately 6km south of Great Yarmouth. It is part of the settlement of Hopton that lies to its west, with Gorleston-on-Sea 3.5km north and the village of Corton 3km south. It is bound to the north by Gorleston Golf Club and open space in agricultural uses. It is bound to the east by the coastline and is bound by residential properties to the south and the west.

1.2 The Holiday Park is accessible via Warren Road which goes through the centre of Hopton and adjoins the A47 to the west. There is pedestrian access to Hopton Beach in the north-east and the south-east corners of the Holiday Village. In addition to the caravan pitches and holiday lodges, the Holiday Village currently includes the following facilities:

1. Indoor swimming pools;
2. Play Areas;
3. Climbing wall;
4. Adventure Golf;
5. Pitch and Putt Course (within the application site);
6. Woodland Walk and Ranger Activities Area (within the application site);
7. Entertainment Venues;

8. Onsite Mini Market shop
9. Onsite restaurant and cafes

The Holiday Village is open from 10 March to 6 November annually for holidaymakers.

- 1.3 The 7.29 ha application site comprises a pitch and putt facility and the surrounding woodland buffer (including a woodland walk) that forms the northern boundary of the Holiday Village and is adjacent to existing holiday park caravan pitches.
- 1.4 Hopton village lies to the south-west. Residential properties comprising detached and semidetached bungalows and 2 storey houses with rear gardens are located to the south-west of the site along Potters Drive. Two bungalows at the end of Potters Drive lie directly adjacent to the site boundary, in the southwestern corner. These are separated from the pitch and putt facility by the dense woodland which extends to the perimeter of the site. To the southeast of the site, along Warren Road, there are four terraced houses situated between the existing extent of the Holiday Village to the south and west and Gorleston Golf Course to the north and east. These residential properties are accessed by Warren Road, a single lane track which widens to two lanes and goes through the centre of the Holiday Village.

## **2. The Proposal**

- 2.1 The application seeks full planning permission for the: “Redevelopment of the existing ancillary pitch and putt golf course to provide for the installation of 110 bases for the siting of static caravans with associated landscaping, drainage and utility infrastructure (above and below ground), access, car parking and lighting”
- 2.2 The proposed development will provide 110 new hardstanding bases for the siting of static caravans, arranged in an informal layout arranged around three new internal roads each connecting with the existing Holiday Village roadway. One existing base will be removed to allow for the connection with existing internal road network, meaning that there will be a net uplift of 109 bases, equating to just over a 10% expansion in caravan pitches, from 1004 to 1113.
- 2.3 The development is positioned within and around the existing landscape features (established islands of tree belts and ponds). These provide natural buffer zones from the surrounding Holiday Village facilities and existing pitches.
- 2.4 The new pitches will vary in two sizes: (1). 34 no. 12’ x 40’ caravan bases with veranda and two car parking spaces, and (2). 76 no. 14’ x 44’ caravan bases with veranda and two car parking spaces. A Landscaping scheme has been prepared, integrating the new pitches within the existing Holiday Park and natural woodland features. The mature woodland boundaries around the perimeter of the site have been retained and will be enhanced through the implementation of a Woodland Management Plan.
- 2.5 The static caravans themselves are not subject to the Planning regime, and instead are covered by the Caravan Sites Acts
- 2.6 The application is supported by the following which are available on the application webpage:
  - Planning Design and Access Statement
  - Covering letter
  - Application Form

- Site Location Plan (ref. 8358\_P02\_rev B)
- Existing Site Layout (ref. 8358\_P04\_rev A)
- Proposed Site Layout (ref. 8358\_P01\_rev F)
- Proposed Landscape Layout Plan (ref. W2601\_MP01\_rev C)
- Lighting Strategy
- Proposed Lighting Plan (ref. 2700K\_LPS\_Stirrup\_rev A)
- Flood Risk Assessment
- Sustainable Drainage Report & Revision issued June 2023
- Foul Strategy Report
- Transport Assessment & Response to NCC Highways May 2023
- Landscape and Visual Impact Assessment
- Ecological Appraisal
- Bespoke Shadow HRA
- Tree Survey and Tree Retention Plan
- Woodland Management Plan (ref. W2601\_CP01\_rev C),
- Woodland Management Plan Sections (ref. W2601\_SE01\_rev A)
- Utilities Statement (various)
- Applicant response to consultee comments June 2023

### **3. Site Constraints**

3.1 The site is located within/adjacent the following relevant planning designations

- Development Limits (Policy GSP1) - adjacent
- Strategic gaps between settlements (Policy GSP3) - within
- Holiday Accommodation areas (Policy L1) - adjacent
- Over 2.5km Indicative Habitat Impact Zone – within

### **4. Relevant Planning History**

- 4.1 06/23/0316/ESN - EIA Screening Opinion for proposed redevelopment of the existing ancillary pitch and putt golf course to provide for the installation of 110 bases for the siting of static caravans with associated landscaping, drainage and utility infrastructure, access, car parking and lighting. NOT EIA DEVELOPMENT
- 4.2 06/22/0388/F - Proposed installation of CWS 60 cubic metre water tank with insulated tank panels; erection of surrounding close boarded timber fence and double gate. APPROVED
- 4.3 06/00/0511/F - Golf village caravan communities and nine hole golf course with associated hard and soft landscaping. APPROVED
- 4.4 06/19/0372/F - Variation of Condition 1 of 06/88/0488/F relating to occupation period - 7 February in any year to 7 January the following year. APPROVED

- 4.5 06/17/0538/F - Proposed demolition of existing tied bungalow and change of use to allow the development of 8 no. caravan bases. APPROVED
- 4.6 06/03/0779/F - Extension to existing complex to allow relocation of existing aqua bar kitchen. APPROVED

## 5. Consultations

### 5.1. Statutory Consultees

<b>Consultee: NCC Lead Local Flood Authority</b>		<b>Response: No comments to make</b>
Comments I can confirm that the County Council as Lead Local Flood Authority (LLFA) has no comments to make at this time.		
<b>Officer comment / response:</b>	Noted. The site is wholly within Flood Zone 1. The Flood Risk Assessment has demonstrated the development could proceed without being subject to significant flood risk and complies within relevant Local Plan policies. Furthermore, the development will not result in increased flood risk to third parties if there is suitable management of surface water runoff.	
Any relevant Condition / Informative note?	Include condition regarding surface water drainage	

<b>Consultee: NCC Historic Environment</b>		<b>Response: No objection; conditions.</b>
Comments No objection but notes that there is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development.  If planning permission is granted a planning condition is proposed requiring written scheme of investigation (WSI) to be submitted and approved and that the development shall not be occupied or put into first use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI.		
<b>Officer comment / response:</b>	Noted	
Any relevant Condition / Informative note?	Include condition	

<b>Consultee: NCC Highways</b>		<b>Response: No objection; condition.</b>
Comments Initial comments:		

Whilst the application includes a supporting Transport Assessment, there is no information in respect of the impact to traffic movements/queuing on the check in/out day(s), nor indeed how this is managed or staggered to minimise impact. Clearly the proposal if approved would increase the number of static caravans on the Holiday Village by around 10% together with associated traffic movements thereto.

It is appreciated that not all of the caravans in the Holiday Village are rented by holiday makers, but nevertheless in order to give due assessment, I would be obliged to receive further information in respect of the changeover day(s) and the management thereof along with any considered mitigation in that respect.

Upon receipt of that information, I will be able to provide a considered response.

Updated comments:

Further to my letter dated 17 April 2023:

I have noted the applicant's response to the query raised therein and will therefore respond to the application as follows.

It is evident that if this application is approved, there will be an increase in vehicle trips to and from the site. The existing use of the site is a matter of fact, as are the traffic movements associated thereto, and in that respect the consideration here is the cumulative impact resulting from the current application.

Access to the Holiday Village will primarily be via Station Road and then Warren Road. Station Road is subject to a 30 mph local speed limit and is designated as a Tourist Access Route within the Norfolk County Council Hierarchy; Warren Road is similarly designated and subject to 20 mph speed limit with traffic calming measures. There are appropriate waiting restrictions on both roads, although it is acknowledged that some on-street parking does occur in the vicinity of the shop adjacent to Warren Road, but that would appear to be local resident parking and/or customers for the shop. Whilst this may cause an element of disruption/inconvenience to traffic movements, but it is not directly attributable to the proposed development and is unlikely to materially change as a result or give rise to any highway safety concerns.

Having considered the supporting Transport Assessment, this indicates there would not be a significant increase in delay or capacity issues at the existing junctions. I have also noted the current system in place for change over days to manage and mitigate the effect that may arise in that respect; there is nothing to suggest that this practice would not continue.

I have also noted the proposed introduction of a Travel Plan to promote and encourage more sustainable modes of transport, notwithstanding the present accessibility to existing local public transport services, the Travel Plan would be a plan that continues to evolve.

I am aware that there is local concern in respect of this application in terms of both highways and planning consideration, and that is acknowledged that the LPA will obviously duly consider those representations. However, in terms of highway considerations I am minded that Paragraph 110 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Having duly considered this application, notwithstanding the increase in vehicle movements that will arise, on balance

and having regard to the local context, I do not consider that either would arise in this case and could therefore not defend a recommendation of refusal on those grounds at an Appeal.

Accordingly, whilst the LHA raise no objection, I would recommend a Travel Plan condition be appended to any grant of permission.

<b>Officer comment / response:</b>	Noted
Any relevant Condition / Informative note?	Include condition

<b>Consultee: NCC Ecology</b>	<b>Response: No objection; conditions</b>
<p>Comments</p> <p>Summary - No objection</p> <p>An Ecological Appraisal (Baker Consultants; March 2023) and Shadow Habitats Regulations Assessment (Baker Consultants; March 2023) has been submitted in support of this application. The Ecological Appraisal is considered fit for purpose. The works must proceed in-line with the recommendations outlined in section 6 of the Ecological Appraisal report to mitigate adverse impacts on protected species.</p> <p>A Woodland Management Plan (Andrew David Partnership; March 2023) and Tree Constraints, Tree Impacts and Preliminary Tree Protection Method Statement (B.J. Unwin Forestry Consultancy; March 2023) has been submitted in support of this application. The woodland management plan is broadly fit for purpose. We support the proposed opportunities to enhance the woodland area for biodiversity. It is noted that the Woodland Management Plan shows the western boundary is defined by close board fencing and a stock proof / rabbit proof fence is proposed at the northern and eastern site boundary. We recommend asking the applicant to include on the site plans that all fencing will be hedgehog friendly by providing 13cm by 13cm square gaps along fencing for hedgehogs and other wildlife to pass through.</p> <p>The development is not within a Natural England nutrient neutrality catchment. The service provider, Anglian Water, has confirmed that there is adequate capacity for foul water from the site to be connected to the local sewer network.</p> <p>We agree with the findings of the Shadow Habitats Regulations Assessment (Baker Consultants; March 2023) and subject to the contribution required in line with the Norfolk Green Infrastructure and Recreational Avoidance and Mitigation (GIRAMS) Strategy being secured to implement the measures to address in-combination effects of recreational pressure, there will be no adverse effects of the development proposal on the integrity of the internationally designated wildlife sites in relation to recreation. A fee of £185.93 (now £210.84) per six bed spaces is required in line with the GIRAMS. We recommend Great Yarmouth Borough Council adopt the bespoke HRA as your record of the screening for a need for an Appropriate Assessment.</p> <p>Natural England have suggested further recreational provisions on the site in comments dated April 2023 and we recommend that these measures are incorporated into the site's design, where possible, to provide recreation benefits on the site including but not limited to signage/information leaflets to householders to promote walking routes within the site and/or with links to surrounding public rights of way (PRoW) and the provision of dog waste bins.</p> <p>The proposed development shall proceed in accordance with the recommendations in section 6 of the Ecological Appraisal (Baker Consultants; March 2023).</p>	

<b>Officer comment / response:</b>	Noted – GIRAMS payment to be made before issue of Planning Permission (if approved)
Any relevant Condition / Informative note?	Include conditions relating to Ecology and Woodland Management Plan

<b>Consultee: NCC Fire and Rescue Service</b>	<b>Response: No objection</b>
<p>Comments</p> <p>Raises no objection to the application but notes that:</p> <p>The existing firefighting water supplies provided to the site should be assessed and additional fire hydrants installed where necessary</p> <p>Access to the new part of the site should be in accordance with Building Regulations Document B5.</p>	
<b>Officer comment / response:</b>	<p>Building Regulations Document B5 are not applicable to caravans, which instead are required to comply with Model Standards 1989 (Caravan Sites and Control of Development Act, 1960 Section 5).</p> <p>The applicant confirms that the existing firefighting supplies and arrangements on the site will be assessed, and if necessary updated, prior to occupation of the development.</p>
Any relevant Condition / Informative note?	Include informative regarding firefighting supplies

<b>Consultee: Natural England</b>	<b>Response: No objection; conditions</b>
<p>Comments</p> <p>Summary - No Objection subject to appropriate mitigation.</p> <p>The response notes the requirement for recreational disturbance to mitigated through contribution to the Norfolk GIRAMS; notes that proposed green infrastructure improvements and suggests additional (generic) green infrastructure provisions that could be incorporated; suggests considering incorporating wetland habitats for wildlife as part of the SuDS Strategy.</p> <p>The response notes that an Ecological Appraisal (March 2023, Baker Consultants) has been included noting that NE are satisfied with the findings of the report and advising that the recommendations and ecological enhancements outlined in the report is undertaken.</p>	
<b>Officer comment / response:</b>	GIRAMS contribution to be made before issue of Planning Permission (if approved) and Ecological enhancements to be conditioned. Also for reference see agents response dated 2 June 2023 <a href="https://www.great-yarmouth.gov.uk">click here (great-yarmouth.gov.uk)</a>
Any relevant Condition / Informative note?	Include condition relating to Ecology

<b>Consultee: National Highways</b>	<b>Response: No objection</b>
<p>Comments</p> <p>Summary – no objection</p> <p>National Highways has reviewed the application and has determined that the proposed development will not have a detrimental impact on the local SRN (A47).</p> <p>Upon the review of the submitted documents in support of this planning application, NH understand the proposed development seeks to expand the existing Hopton Holiday Village to provide for an additional 109 bases for the sitting of the static caravans and the associated amenities (each additional unit is set to be provided with two parking spaces, resulting in a total of 218 additional parking spaces as a result of the proposed development). Currently, the existing site provides the amenities for 1004 of these pitches and the proposed development will seek to increase the existing site by approximately 10%.</p> <p>The proposed development will seek to utilise the existing Hopton Holiday Village access via Warren Road and therefore there will be no 'new' vehicle access onto the public highway from the proposed development. Also, it is noted the applicant has undertaken a review of the existing PIC data for the local highway network in the vicinity of the proposed development site which included the assessment of the A47/Lowestoft Road Roundabout. The analysis of the PIA data included within the TA did not identify any existing road safety dangers/ issues which could be exacerbated by the proposed development – NH agrees with these findings.</p> <p>Based on the existing vehicular trip generation for the site (ATC count undertaken during the peak of the season), the existing site generates 276 two-way movements during the peak hour (peak hour is assumed to be between 10 am to 11am, therefore occurring outside of the network peak hours), which includes 103 arrivals and 173 departures. Based on those trips rates, the proposed development, which is equivalent to 10% of the existing site, is expected to generate up to 30 additional two-way movements during the development peak. NH agrees with the proposed trip generation and trip rates adopted by the applicant.</p> <p>Furthermore, upon the review of the junction assessment for the A47, NH agrees with the outputs generated for the A47 which demonstrate the junction to have sufficient capacity (RFC of 0.40) to accommodate the increased trip generation from the expansion of the Hopton Holiday Village and the additional trips to result in a negligible impact on the SRN junction.</p> <p>National Highways Planning Response (NHPR 22-12) December 2022 Similarly, we have no comments to raise on the Framework Travel Plan.</p>	
<b>Officer comment / response:</b>	Noted
Any relevant Condition / Informative note?	N/A

<b>Consultee:</b> Waveney, Lower Yare and Lothingland Drainage Board	<b>Response: No objection; conditions</b>
Comments	

No objection raised. The response requests that the proposed drainage strategy is supported by ground investigation of infiltration potential, in line with BRE Digest 365, to confirm whether surface water discharge to a water course is avoidable.

The response continues by noting that 'If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4.'

<b>Officer comment / response:</b>	For reference see agents response dated 2 June 2023 <a href="#">click here (great-yarmouth.gov.uk)</a> As informed by Drainage Report infiltration testing will be undertaken to determine suitability of strategy or inform other means.
Any relevant Condition / Informative note?	Include infiltration testing as part of Surface Water Drainage condition

<b>Consultee: East Suffolk Council (neighbouring LPA)</b>	<b>Response: No objection</b>
Comments No objection to the proposed development.	
<b>Officer comment / response:</b>	Noted
Any relevant Condition / Informative note?	N/A

<b>Consultee: Norfolk Constabulary – Designing out crime Officer</b>	<b>Response: No objection; Advice provided</b>
Comments In summary, makes a number of suggestions regarding how to prevent crime and improve security within the proposed development including further consideration of: a access control and monitoring of unauthorised vehicular and pedestrian access through the site. b a change in road surface or obvious “symbolic barrier” to give the impression that the area beyond is Private/Semi-private to the general community and deter casual intrusion by non-residents. c using an effective Closed-Circuit Television System to cover the Site buildings and single point of entrance/exit to capture all vehicles and pedestrians entering the site, together with other remote access points. d a boundary treatment of 2.4m - 1.8m, ideally weld-mesh style, is installed to complement the existing vegetation. e the balance of openness, defensive landscaping and sufficient lighting to enable safe and secure use during hours of darkness	
<b>Officer comment / response:</b>	For reference see agents response dated 2 June 2023 <a href="#">pagestream (great-yarmouth.gov.uk)</a> Noted, however no further action is considered necessary
Any relevant Condition / Informative note?	N/A

## 5.2. Internal Consultees

<b>Consultee: Strategic Planning</b>		<b>Response: No objection; advice given.</b>
<p>Comments</p> <p>The proposal is broadly compliant with local plan policies. Further information has been submitted to address concerns in relation to the strategic gap, expansion of existing holiday facilities, access, and consideration of open spaces.</p> <p>The proposal must also be screened for EIA to determine whether a full Environmental Statement will be required.</p> <p>Strategic Planning comments have been incorporated into the report.</p>		
<b>Officer comment / response:</b>	EIA Screening decision issued April 2023 – Not EIA Development – see 06/23/0316/ESN	
Any relevant Condition / Informative note?	N/A	

<b>Consultee: Environmental Services</b>		<b>Response: No objection; conditions</b>
<p>Comments</p> <p>Raises no objection to the proposed development.</p> <p>Requests a planning condition in relation to potential unknown contamination, requiring a remediation scheme to be submitted if contamination is found during construction.</p> <p>Requests informatives with regards to Foul Water Disposal, Construction Noise Notification and Hours of Work.</p>		
<b>Officer comment / response:</b>	Noted	
Any relevant Condition / Informative note?	Include unknown contamination condition and informatives	

<b>Consultee: Resilience Officer</b>		<b>Response: No objection</b>
<p>Comments</p> <p>Risk of tidal or river flooding is very low so I have no issues with this application'</p>		
<b>Officer comment / response:</b>	Noted	
Any relevant Condition / Informative note?	N/A	



<p>last summer. When SAM2 was facing West, a similar number of vehicles travelled during that period. The air quality will considerably lessen.</p> <p>b) There will be an impact on mains water and the sewerage system, both of which are affected at present and will only get worse. The water pressure in the village lowers at weekends and in high season.</p> <p>c) We acknowledge potential job opportunities for local people. However, lack of staff at present to cope with holidaymakers.</p> <p>d) The loss of the golfing facilities is a blow for owners.</p> <p>e) The infrastructure is not in place to deal with the development.</p> <p>f) The existing copse should be protected and well away from caravans to ensure wildlife remains.</p> <p>g) Emergency vehicles trying to get on site, traffic jam for ambulances and fire engines.</p> <p>h) Parking is currently on one side of Station Road, making it effectively a single track road, with the possibility of an additional 200 vehicles using the road on changeover days and when holidaymakers go off-site.</p> <p>i) Facilities on site are already stretched to the limit. There are not enough staff to deal with existing holidaymakers/owners.</p> <p>j) Why are Segways being run through a nature reserve.</p> <p>k) Why are two or four person cycles being ridden on Warren Road when this is a Highway.</p> <p>The Parish Council objects to the application that will bring over 200 additional vehicles along the main Station Road on change over days and when holidaymakers go off-site during their stay at Haven. The traffic during the peak summer months, and school holidays makes the road, and entrance/exit onto the A47 gridlocked.</p>	<p>Main points addressed in Assessment below</p>
<p>Relevant Condition / Informative note? - See Assessment in the body of this report</p>	

### 6.3. Public Representations

At the time of writing there have been a total of 81 comments received, of these 79 are objections.

Most of the objections have been made by holiday park guests / caravan owners, of which there are 68. The remaining 13 comments are from local residents, 11 of which are objections, with 1 raising no objection and 1 supporting the principle but raising some concerns. This summary is based on the content of the comments and the post codes given. There are a number of repeated themes in the comments, including concerns regarding impact upon amenity of existing caravan owners, traffic impact (and related to that pollution), loss of the golf course/ pitch and putt facility (and related to that the loss of view, green/open space, trees, and ecology), the capacity of local utilities/ infrastructure, pressure on local facilities and pressure on holiday village facilities.

#### Objections / Concerns:

Representation	Officer Comment
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<p><b>Traffic</b></p> <p>There are 46 responses that raise concerns regarding transport and traffic from both residents and park owners/guests. Respondents were primarily concerned about the increase in traffic on Warren Road and Station Road and the impact this could have on road safety, including emergency vehicle access in particularly on change of over days / times.</p>	<p>The application was supported by a Transport Assessment which undertook highways impact surveys. The Transport Assessment (TA) concludes (at para 6.8) that there will be only a modest increase in two-way trips (30 at peak hour, 10-11am) at the holiday park and that the impact of the vehicle trips caused by the development on the highway network will be negligible. This assessment is supported by the responses from NCC and National Highways both of whom have no objection to the proposed development and concluded that the proposed development will not have a detrimental impact on the local Strategic Road Network (SRN).</p>
<p>Relevant Condition/Informative -</p> <p>Condition Travel Plan as discussed above</p>	

Representation	Officer Comment
<p><b>Pollution</b></p> <p>A total of 6 responses raised concerns about the development resulting in increased pollution and worsening local air quality, because of increased traffic movements.</p>	<p>The application has been supported by a Transport Assessment which demonstrates that there will be only a modest increase in the number of trips to and from the Holiday Village. Given this modest increase the application submission has not included an assessment of the impact on local air quality in terms of human health, however air quality impacts were considered from ecological perspective as part of the shadow HRA submitted with the application. This concluded (para 4.5.18) that likely significant effects on air quality from increased traffic can be ruled out.</p>
<p>Relevant Condition/Informative – N/A</p>	

Representation	Officer Comment
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<p><b>Loss of Golf Course</b></p> <p>A total of 24 comments related to the loss of the existing 9 hole par 3 course, including as an amenity and the reason why guests come to the site, bought caravans on the site etc.</p>	<p>Retention, or otherwise, of the course is a commercial decision for the holiday park which has been weighed against the opportunity to provide a greater choice of accommodation and to drive investment in the wider park. The proposed loss of the facility raises no conflict with policy, as confirmed within Great Yarmouth Borough Council's Strategic Policy team's consultation comment which note that it is, 'unlikely that the loss of the facility will result in any significant change in the demand for golf facilities', and that 'the facility cannot be considered as being public open space under Policy E3 as it was not available to the local community'. This policy assessment is consistent with the assessment in the Planning Statement (Paras 8.4-8.7).</p>
<p>Relevant Condition/Informative - N/A</p>	

Representation	Officer Comment
<p><b>Ecology</b></p> <p>A total of 24 comments were received which raised concerns in relation to the proposed development's ecological impacts.</p>	<p>The application was supported by an Ecological Appraisal which concluded that the development will not give rise to any significant adverse impacts on sensitive ecological receptors, (para 1.3.1). In its present form, the Site's features offer limited ecological value and the Ecological Appraisal found only a low level of nature conservation interest on the site, given that most of the site area proposed to be developed on comprises a pitch and putt course (para 1.2.1).</p> <p>Consultation comments for Norfolk County Council Ecology raise no objection to the application and confirm that there will be no adverse effects from the development proposal on the integrity of the internationally designated wildlife sites in relation to recreation (subject to the contribution required in line with the Norfolk Green Infrastructure and Recreational Avoidance and Mitigation (GIRAMS) Strategy).</p>
<p>Relevant Condition/Informative -</p> <p>GIRAMS payment to be made before issue of Planning Permission (if approved)</p>	

Representation	Officer Comment
<p>Loss of Green Space / Loss of Trees</p> <p>There were 15 comments received in relation to the loss of green space and trees as a result of the proposed development.</p>	<p>The application is supported by an Ecological Appraisal and Woodland Management Plan which demonstrate how the existing site will be enhanced through increased planting and ongoing maintenance, resulting in an uplift in biodiversity at the site. Additionally, the retained copse/ woodland will be enhanced and maintained as set out in the Woodland Management Plan.</p> <p>The internal consultee response from Arboricultural Officer raised no objections to the proposal and notes that the woodland management provisions show good woodland practices which will elongate the life span of the existing and new tree stock and that the landscaping proposals look suitable.</p>
<p>Relevant Condition/Informative -</p> <p>Condition Ecology and Woodland Management Plan</p>	

Representation	Officer Comment
<p><b>Utility and Infrastructure Capacity</b></p> <p>7 of caravan owners/ guests and 1 local resident have raised concerns regarding the capacity of local utilities infrastructure to cope with the development.</p>	<p>The application is supported by a Utilities Statement which explains the on-site provision, connections to the public networks and the capacity of these. In summary:</p> <ol style="list-style-type: none"> <li>1. The proposed development is to be connected to the existing HV supply where there is currently sufficient spare capacity to serve the proposed development in its entirety (as confirmed with UK Power Networks).</li> <li>2. Essex &amp; Suffolk Water have confirmed in writing the sufficiency of supply, the point of connection, and the expected pressure range.</li> <li>3. A foul drainage network will be provided to serve the proposed development connecting to the existing park foul drainage infrastructure before discharging into the existing public sewer network. Anglian Water have confirmed that both the public sewer network and water recycling centre serving the existing park has sufficient capacity for this development.</li> <li>4. A surface water drainage strategy is proposed based on sustainable drainage principles in line with the relevant local and national policy and standards. No connection to the Public Sewer system is required to support surface water disposal for this development. (Further to this, Waveney, Lower Yare and Lothingland Drainage Board raise no objections to the application whilst requesting that prior to commencement ground investigation works are undertaken to confirm that the proposed infiltration approach is suitable. This is consistent with the recommendations set out in the SUDs strategy and the applicant has no objection to this condition).</li> </ol>
<p>Relevant Condition/Informative -</p> <p>Condition Surface Water Drainage Strategy</p>	

Representation	Officer Comment	Relevant Condition / Informative
<p><b>Pressure on Local Facilities</b></p> <p>21 of the comments raise concerns regarding the pressure that the additional holiday makers will have on local shops, facilities, and services (including the local hospital).</p>	<p>There is no evidence to suggest that the additional guests will have an unacceptable impact on local facilities and services.</p> <p>Indeed for many local businesses the expansion of the holiday park represents an opportunity for additional customers.</p>	N/A
<p><b>Pressure on Holiday Village Facilities</b></p> <p>47 of the comments received raised concerns regarding the pressure that the development would place on facilities within the Holiday Village and making reference to difficulties accessing on park facilities during peak times.</p>	<p>With regards to pressure on facilities within the Holiday Village, Haven have indicated that they regularly review the facility and entertainment offer and are currently adding further options and pop-up refreshments in addition to reviewing the use of different existing buildings. Additional entertainment has recently been provided in the Restaurant &amp; bar area at weekends and at peak times to address demand. In addition, the business now offer two holiday offerings 'Haven Holidays' (with access to all the facilities an entertainment) or 'Haven Hideaway' (with access to the restaurant, bar &amp; supermarket only). Haven have acknowledged that there were staffing shortages in food and beverage positions during 2021/2022 following the pandemic not just at Hopton but nationwide, however with covid now in the past and the job market being more balanced this has apparently now been resolved.</p>	N/A
<p><b>Construction</b></p> <p>There were 2 public comments received in relation to the proposed development's potential impacts during the construction phase.</p>	<p>Environmental Services provided comments on the proposal and requested informatives with regards to Foul Water Disposal, Construction Noise Notification and Hours of Work being put in place should permission be granted.</p>	Add proposed informatives

**Support:**

Representation	Officer Comment	Relevant Condition/Informative
1 in principle no concerns to the additional bases but raised concerns regarding infrastructure and traffic	Discussed in Objections / Concerns above	N/A

**Comment / observations:**

Representation	Officer Comment	Relevant Condition/Informative
1 no objections – stating e live very close to the site and have no issues with the camps plans. It would be beneficial for more employment and for bringing more customers to the local businesses	N/A	N/A

**7. Relevant Planning Policies****The Great Yarmouth Core Strategy (adopted 2015)****Add & Delete as necessary**

- Policy CS1: Focusing on a sustainable future
- CS2: Achieving Sustainable Growth
- CS6: Supporting the local economy
- CS8: Promoting tourism, leisure and culture
- CS11: Enhancing the natural environment
- CS13: Protecting areas at risk of flooding or coastal change
- CS14: Securing appropriate contributions from new developments
- CS15: Providing and protecting community assets and green infrastructure
- CS16: Improving accessibility and transport

**The Great Yarmouth Local Plan Part 2 (adopted 2021)**

- Policy GSP1: Development Limits
- GSP3: Strategic gaps between settlements
- GSP5: National site network designated habitat sites and species impact avoidance and mitigation
- A1: Amenity
- L1: Leisure and tourism
- L2: New or expanded tourist facilities outside of development limits and holiday accommodation areas
- E1: Flood Risk
- E3: Protection of open spaces

- E4: Trees and landscape E6: Pollution and hazards in development
- I1: Vehicle parking for developments
- I3: Foul drainage

## 8. Other Material Planning Considerations

### National Planning Policy Framework (July 2021)

- Section 2. Achieving sustainable development
- Section 4: Decision Making
- Section 6. Building a strong, competitive economy
- Section 9. Promoting sustainable transport
- Section 12. Achieving well-designed places
- Section 14. Meeting the challenge of climate change, flooding and coastal change
- Section 15. Conserving and enhancing the natural environment

## 9. Planning Analysis

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

This is reiterated at paragraphs 2 and 47 of the National Planning Policy Framework.

### Main Issues

The main planning issues for consideration include:

- Principle of development
- Design and impact on surrounding area and amenity
- Ecology
- Flood risk, surface water and foul drainage strategy
- Access and highway safety
- Economic benefits
- Heritage

### **Assessment of:**

Proposed redevelopment of the existing ancillary pitch and putt golf course to provide for the installation of 110 bases for the siting of static caravans with associated landscaping, drainage and utility infrastructure, access, car parking and lighting.

## **10. Principle of Development**

- 10.1 The Site is adjacent but outside development limit [policy GSP1], adjacent but outside holiday accommodation area [policy L1], and within a 'strategic gap' seeking to maintain a gap between the settlement of Hopton and Gorleston to the north [policy GSP3]. In respect of the latter, the current site use as a golf course [pitch and putt facility] in connection with the existing adjacent holiday accommodation is contained by an existing tree belt which to the north and west is about 20 m deep and the proposed extension of holiday accommodation is unlikely to impact greatly on the strategic gap in terms of character and openness. This is further discussed below.

### **Visitor accommodation expansion**

- 10.2 The expansion of holiday accommodation outside both the development limit and holiday accommodation area is considered in light of policies CS8 and L2 together with their detailed criteria which encourages new or expanded [as is the case here] tourism development outside of urban areas and in more rural locations where they are appropriate to the scale and sensitivity of the location. In this respect the settlement of Hopton is identified as a Primary Village under policy CS2. The settlement has a good range of services and facilities, with access by car and public transport to services and facilities just to the north. Hopton is already an established holiday destination with a substantial amount of accommodation provided between two main operators, one being the applicant. The scale of development is considered acceptable in this regard.
- 10.3 Policy L1 aims to manage, support and improve the accommodation and facilities within the Holiday Accommodation Areas. The absence of this designation from the site does not preclude the development of holiday accommodation; indeed, Policy L1 notes that 'New or expanded holiday accommodation that is developed over the plan period which is located outside of the identified 'Holiday Accommodation Areas' will be treated as being a Holiday Accommodation Area once complete for the purposes of this policy'.

### **Strategic gap**

- 10.4 Policy GSP3 of the Local Plan requires the gap between Gorleston-on-Sea and Hopton-on-Sea to be protected from development which individually or cumulatively, significantly reduces either the physical size of the gaps themselves, their general openness or, where relevant, their rural character. The impact of the proposal has been assessed in the Landscape Visual Impact Assessment which concludes (at para 9.2.1 on p. 17) that: *"The distinctive gap between Gorleston-on Sea and Hopton-on-Sea would be maintained; the proposals relating to the application site are situated on a pitch and putt facility that forms part of the existing holiday village and would not significantly reduce the size of the strategic gap, the retention of the woodland planting to the application site will maintain the character of the view and the existing agricultural and private golf course land uses will not be adversely affected."*

### **Pitch and putt facility**

- 10.5 The existing pitch and putt facilities are only available for use by park guests and caravan owners. As a result, this facility does not provide a local amenity or recreational benefit to the local community which would need to be assessed under

GYLP2 Policy E3. NPPF para 99 states that existing open space, sports and recreational buildings and land should not be built on *unless*:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

10.6 In applying the above criteria, the following should be noted:

1. the pitch and putt area is a facility within and forming an ancillary part of a Holiday Park.
2. It is a private holiday park facility only for the use of guests and owners staying at the holiday park between March and November; it is not available to local residents or other visitors to use.
3. The pitch and putt facility is lightly used with average daily summer usage (i.e. peak period between July and September last year) being 17 players a day, with the average daily use in each week ranging from 11 to 33 players.
4. It is a holiday park pitch and putt facility (not a full golf course) with hole lengths typically around 100 yards (90m).
5. A golf course is provided by the adjacent Gorleston Club Golf Course, with holes ranging from 166 yards to 529 yards and are on average 347 yards.

Furthermore, the Hopton Holiday Village pitch and putt facility is not identified as forming part of the existing stock of golf course provision within the Great Yarmouth Borough Council 'Sport, Play and Leisure Strategy 2015-2029' (published 2015).

This Strategy notes (para 5.38) that the existing levels of golf course provision are *"...considered generally adequate to meet both existing and potential increases in demand arising from development initiatives and demographic changes, it is considered likely that the existing stock of facilities would remain sufficient and that no further golf courses and related facilities will be required in the Borough up to 2029"*.

It also states: (para 5.33) that *"no evidence of latent demand has been identified through the club survey. From information obtained from local clubs, none appear to have waiting lists for membership (where membership is required to play)"*

10.7 In conclusion, the proposal is considered acceptable in principle as there is no material conflict with local plan policy. The 110 new caravan pitches proposed represents a modest 10% increase in the scale of the pitch provision at the Hopton Holiday Village and well within the Caravan Site License pitch cap (1743 static caravans and 40 touring caravans), in accordance with local plan policy encouraging the enhancement of existing visitor accommodation. It will provide an alternative acceptable recreational use (caravan pitches instead of a pitch and putt course) on the site, in accordance with the tests set out in NPPF para 99.

10.8 The development is to be sited within a visually enclosed part of the existing operational area of the Holiday Park and would therefore maintain the distinctive gap

between Gorleston-on Sea and Hopton-on-Sea through the retention of the woodland planting on the site's perimeter.

10.9 As such the proposal is considered to accord with Policies CS8, GSP3 and L2.

## **11. Design**

11.1 The following policies are relevant in this regard:

Policy CS9 amongst other things requires development proposals to deliver high quality, distinctive places to attract businesses, visitors and retain residents. Proposals should respond to the surrounding area's distinctive natural, built and historic characteristics with attention to the scale, massing and materials. They should promote positive relationships between existing and proposed buildings, provide safe access and suitable parking whilst seeking to conserve and enhance biodiversity and landscape features.

Policy CS11 states that development should avoid any harmful impacts on the borough's biodiversity, geodiversity, landscape assets, priority habitats and species and take suitable measures to mitigate harmful impacts where unavoidable.

Policy GSP6 ensures that development aims to "strengthen and extend the area's Green Infrastructure network", to maximise the boroughs benefits of nature conservation and resilience to current and future ecological changes.

Policy E4 seeks for development to retain trees and hedgerows and landscape features which contribute significant value to the character, amenity or ecology to the locality and to take opportunities to enhance those features, commensurate with the scale and nature of the development. Developments should also include landscaping schemes as appropriate to the size and nature of the development to mitigate impacts and enhance the local landscape character.

Policy L2 sets out the planning considerations for the expansion of tourist accommodation outside of Development Limits and Holiday Accommodation Areas, nothing that these are acceptable where they comply with the following three criteria:

- a) "are an appropriate scale to the character of the area, availability of local services and facilities, and hierarchical level of the nearby settlement;
- b) individually and cumulatively do not significantly change the character of the local countryside, landscape or (where applicable) settlement; and
- c) do not have a significant adverse impact on the living conditions of adjoining occupiers

Also of relevance is Policy E6 pollution and hazards in developments - including light pollution.

### **Landscape**

11.2 The site area is relatively level requiring little if any regrading and the proposal incorporates a layout that retains the outer tree belt and most internal tree groups and hedgerows and proposes additions and enhancements to the existing landscaping to provide greater connectivity. Some copse areas will be reduced in size to

accommodate the layout but this will be mitigated by replacement tree planting, hedgerow planting, amenity and wildflower planting which will be secured by condition. An added material benefit to the proposal is the advancement of a Woodland Management Plan relating to the perimeter woodland that screens the application site to the north, east and west and plays an important role in maintaining the strategic gap by way of a landscape buffer. This woodland was planted as part of a landscaping scheme relating to planning permission 06/00/0511/F – *Golf village caravan communities and nine-hole golf course with associated hard and soft landscaping*. No long-term management and maintenance were secured for the tree belt as part of this earlier permission.

- 11.3 The Woodland Management Plan outlines substantial enhancements to the existing wooded area (page 35). The long-term maintenance of the woodland is outlined within the Woodland Maintenance and Operations Schedules within the Woodland Management Plan. The schedules outline the key responsibilities and operations in maintaining the woodland for the period of two to five years, and the ongoing maintenance from years six onwards. Following practical completion of the proposed development, these maintenance plans aid the establishment and the longevity of the woodland, whilst also ensuring the continued enhancement of the site's biodiversity, ecology and visual setting. This will be secured by condition.

#### **Character and amenity effects**

- 11.4 Policy L2 criterion a is complied with as discussed in the section Principle of Development above. In terms of criterion b, the site is self-contained and the retained tree belt together with its enhancement and long-term management mean that the character and landscape of the local countryside won't significantly change. The landscape and visual impact of the proposed development on the surrounding area has been assessed in detail in the Landscape and Visual Impact Assessment (LVIA) which concludes (at p.18) that there would be '*no significant change in the character of the local countryside, in terms of design, lighting, boundary treatment, the landscape, nightscape, adjoining occupiers and protected sites*'. In terms of lighting, 1m high solar down lights are proposed fronting each base and there will be 7 no. 5m wired streetlights at key locations for junctions, turning heads and gaps between bases. These are all down lighters with no upward light spill and horizontal light spread limited to 3.8m and 12m respectively. In terms of the settlement as a whole, there will be additional traffic movements to and from the site and these are discussed under section Access/Highway below.
- 11.5 In terms of criterion c of policy L2, it is considered that the proposal will have no significant adverse impacts on the amenities of adjoining occupiers outside of the holiday park site given the site is well contained as discussed above. The base layout is also considered acceptable in relation to the existing and adjoining layout of caravans.
- 11.6 The proposal therefore accords with the Local Plan policies CS9, CS11, GSP6 and E4 and accords with policies L2 and E6 as well.

## **12. Ecology**

- 12.1 The following policies are relevant:

Policy CS1 sets out that development proposals should protect the Boroughs biodiversity and unique landscapes.

Policy CS11 states that development should avoid any harmful impacts on the borough's biodiversity, geodiversity, landscape assets, priority habitats and species and take suitable measures to mitigate harmful impacts where unavoidable.

Policy GSP6 ensures that development aims to "strengthen and extend the area's Green Infrastructure network", to maximise the boroughs benefits of nature conservation and resilience to current and future ecological changes.

- 12.2 The Ecological Appraisal (EA) of the site included Preliminary Ecological Appraisals and Phase 2 site surveys. In its present form, the site's features offer limited ecological value and the EA found only a low level of nature conservation interest on the site, given that most of the site area proposed to be developed on comprises a pitch and putt course. The EA notes that the habitats with the greatest value to breeding birds within the site are the perimeter woodland, edge habitats & small waterbodies. The proposal has been designed to retain and enhance the woodland and edge habitats and retain the waterbodies. As a result, the EA report concludes that the proposal will have no significant adverse impact on breeding birds and no further assessments or surveys are considered necessary. Enhancement measures, including additional planting in the woodland areas, active management of the retained woodland and inclusion of new bat and bird boxes will provide increased opportunities for biodiversity at the site. Both Natural England and The Councils Ecology advisors are satisfied with the EA subject to the recommendations and ecological enhancements being undertaken – these will be secured by condition.
- 12.3 The EA also referred to the Woodland Management Plan - measures include tending to dead trees, pruning overcrowded areas and removal of brambles areas and ivy. The existing woodland boundaries are then to be supplemented with new native planting. The existing woodland trail around the perimeter of the site will also be enhanced through the installation of a timber edge and mulch footpath, replacement of broken fencing to secure the site and reuse of cut materials to create log piles and interpretation seating in appropriate areas. Formalising the footpath and reinforcing the boundaries of the woodland area will likely encourage sensitive use of the trail and work to protect and enhance the existing woodland trees and plants. Based on the proposal and measures outlined within the Woodland Management Plan, the EA concludes that the development will be able to offset a minor loss of plantation woodland (there will be a small loss of <25% of the small fairway copses to allow for the development footprint) and, overall, have a positive impact on the woodland habitats on site.
- 12.4 A 'shadow' Habitats Regulations Assessment (sHRA) was submitted assessing the proposed development against the requirements of the 2017 Habitat Regulations. The assessment considers that there is potential for recreational disturbance impacts to lead to a likely significant effect on the Norfolk Habitats sites that overlap with the GYBC boundary. However, to mitigate the effects of the proposed development a developer contribution will be secured in accordance with Policy GSP6 if the development is resolved to be approved.
- 12.5 The proposal therefore accords with Local Plan policies CS1, CS11 and GSP6. The sHRA finds, with mitigation (developer contribution), there will be no harm to the integrity of any Habitats sites.

### **13. Flood Risk and Drainage**

#### **13.1** The following local policies are relevant:

Policy CS13 encourages new development proposals to be directed away from areas of high risk flooding (zones 2, 3a and 3b)

Policy I3 sets out that development proposals are required to demonstrate that adequate foul water treatment and disposal infrastructure already exists; or that the necessary infrastructure can be provided in time to serve the proposed development

#### **13.2** In terms of surface water, the site is wholly within flood zone 1 where development is directed avoiding areas at higher risk. Ground conditions are such that there is the likelihood that surface water can be disposed of by infiltration which is in line with the Drainage Hierarchy being high up the hierarchy to mimic natural drainage. The strategy explains that Individual caravans and associated parking spaces will be served by underground cellular storage tanks where storm water will be attenuated prior to discharge into the surrounding strata. Runoff generated by introduced access roads will be attenuated by use of voided subbase construction prior to discharge into the surrounding ground. The report acknowledges that infiltration testing will be required to demonstrate acceptance of this system and this will be conditioned accordingly.

#### **13.3** In terms of foul drainage, the Foul Strategy Report assesses the foul flows that will result from the proposed development against the foul sewerage infrastructure that will serve the Site. It concludes that a foul drainage solution can be delivered without introducing additional flood risk to the area. The service provider, Anglian Water, has confirmed that there is adequate capacity for foul water from the site to be connected to the local sewer network.

#### **13.4** In terms of Nutrient Neutrality the site is within a Water Recycling Centre Network Draining Outside of Nutrient Neutrality Catchment so avoids an impact in that respect.

#### **13.5** The proposal therefore complies with local plan policies CS13 and I3.

### **14. Access and Highways impacts**

#### **14.1** The following policies are relevant in this regard as well as the NPPF section 9 Promoting sustainable transport:

Policy CS16 (Improving Accessibility and Transport) and

Development Management Policy I1 (Vehicle Parking for Developments).

NPPF: para 104 - Transport issues should be considered from the earliest stages of plan-making and development proposals, and

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 14.2 A Transport Assessment (TA) and Travel Plan (TP) have been prepared including an assessment of trip generation, this followed pre-application advice sought from Norfolk County Council as Highway Authority.
- 14.3 The TA concludes (at para 6.8) that there will be a modest increase in two-way trips at the holiday park and that the impact of the vehicle trips caused by the development on the highway network will be negligible. Therefore, the proposed development will not result in any significant adverse impact on residential amenity or highway safety due to increased traffic in Hopton.
- 14.4 In terms of the development's potential impact on specific local road junctions, junction assessments were carried out at two of the main junctions that serve the holiday park to assess the likely level of impact on them as a result of the proposals. 'Junction one' being Lowestoft Road and Station Road and 'Junction two' being the A47 and Station Road. Both junctions are to the west of the Holiday Village and provide access into and out of the village of Hopton. 12.7 The TA concludes that there would be a negligible increase to both delay and the 'ratio of flow to capacity' (RFC) at the Station Road and Lowestoft Road Junction (para 5.17). Similarly, the TA concludes that the development would result in an imperceptible level of change to the existing queuing and delays experienced at the A47 / Station Road Junction (para 5.21).
- 14.5 A Travel Plan has been prepared to sustainably manage the modest increase in two way trips to the Holiday Park, promoting safe and sustainable travel to and from the Site. The recommendations (para 2.9) promote increasing travel by transport methods other than single-occupancy car and target an increase in car sharing, public transport use, cycling and walking by staff and visitors.
- 14.6 Norfolk County Council sought additional information in respect of the proposals to further inform their consideration of the proposal – this took the form of a note responding to the changeover management strategy operated by the Holiday Village.
- 14.7 The detailed consultation comments of both Norfolk County Council (responsible for adopted local highway network) and National Highways (responsible for Trunk Road network) are set out in section 5.1 above. Both consultees raise no objections to the proposal, each providing their assessment as to how their 'no objection' comment was determined. In respect of the comments from Norfolk County Council these are subject to the Travel Plan being conditioned.

### **Parking Provision**

- 14.8 Policy I1 requires development to provide vehicle parking in line with the most up to date standards published Norfolk County Council. The 'Parking Guidelines for new developments in Norfolk 2012' suggests a maximum provision of 2 spaces for a 2 or 3 bedroom unit (p. 20). Policy I1 also notes that development should also be designed to enable charging of plug-in and other ultra low-emission vehicles in safe, accessible, and convenient locations.
- 14.9 All of the proposed 109 additional caravan pitches will be provided with two parking spaces alongside the pitch. The proposed parking provision of one to two spaces per caravan is typical practice, with additional parking for visitors near the main reception and site entrance (as identified in TA Figure 3-6). The TA concludes (para 4.10) that the proposed parking provision is sufficient, including for the peak operational season, and that on street parking on the local highway is not expected to result from the development.

- 14.10 All proposed pitches will be provided with “passive electric vehicle charging provision” so that this can be provided as demand increases - passive provision is when the necessary underlying infrastructure (e.g. capacity in the connection to the local electricity distribution network and electricity distribution board, as well as cabling to parking spaces) is in place to ensure simple installation and activation of a charging point at a future date. Hopton Holiday Village currently provides electric vehicle parking bays in the main car park, accommodating the charging needs of visitors.
- 14.11 The highway impacts of the proposal in terms of residential amenity and highway safety are acceptable and residual cumulative impacts on the road networks would not be severe and therefore the proposal accords with Policies CS16 and I1.

## **15. Economic benefits**

- 15.1 The application is supported by a Planning Design and Access Statement which includes in section 13.0 an assessment of the development’s economic benefits – to see the information [click here \(great-yarmouth.gov.uk\)](https://great-yarmouth.gov.uk) This includes estimated figures for: on-site and off-site spending; during construction; and during operation. These figures have not been independently assessed but there is no reason to doubt the economic benefits that will arise both through construction and thereafter and the resultant benefit to the tourism sector. These matters are a material consideration which can be attributed weight in the decision-making process and in taking a balanced judgement these benefits support Policies CS6 – supporting the local economy and CS8 – promoting tourism, leisure and culture.

## **16. Heritage**

- 16.1 There are no designated or known undesignated heritage assets affected by the proposed development. However, Norfolk County Council Historic Environment has commented in section 5.1, no objection but notes that there is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development.
- 16.2 Therefore, if planning permission is granted a planning condition is proposed requiring written scheme of investigation (WSI) to be submitted and approved and that the development shall not be occupied or put into first use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI

## **17. Other Matters**

Use of Planning Conditions to control occupancy of visitor facilities for holiday accommodation.

- 17.1 The planning history reveals that there are different holiday occupancy restrictions in force by condition across different parts of whole holiday park site; these are quite old permissions and the occupancy conditions do not reflect current guidance of local plan policy:

- a) 06/00/0511/F - Golf village caravan communities and nine hole golf course with associated hard and soft landscaping

Condition No. 6 states –

The units of accommodation hereby approved shall not be used other than for holiday purposes and shall not be occupied between the 15th January and the last day of February.

The reason for the condition is:-

For the avoidance of doubt, as the application site is not within an area allocated for residential development.

- b) 06/19/0372/F - Variation of Condition 1 of 06/88/0488/F relating to occupation period - 7 February in any year to 7 January the following year

Condition no. 2 states –

The caravans/chalets/lodges shall only be used for holiday purposes only and may only be occupied as holiday accommodation during the period between the 7th February of any year to the 7th January the following year.

The reason for the condition is:-

The application site is within a Prime Holiday Site where the Local Planning Authority intend that new dwellings whether a permanent or a temporary nature will only be used for holiday accommodation.

Condition no. 3 states –

The caravans/units/lodges/chalets shall be used for holiday purposes only and shall not be used as a sole or main residence for any individual or family.

The reason for the condition is :-

To ensure the units are not used as permanent residential accommodation.

Condition no. 4 states –

The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets/lodges on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

The reason for these conditions is:-

To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation. The register required shall normally be collected by the caravan site licence holder or his/her nominated person.

- c) 06/17/0538/F - Proposed demolition of existing tied bungalow and change of use to allow the development of 8 no. caravan bases

Condition no. 5 states –

The caravans shall only be used for holiday purposes and may only be occupied during the period from 1st March to 31st December in any year and

for 10 days before and 10 days after Christmas and at weekends (noon on Fridays to noon on the following Monday) during November and December in any year.

The reason for the condition is:-

The application site is within a Prime Holiday Site where the Local Planning Authority intend that new dwellings whether a permanent or a temporary nature will only be used for holiday accommodation.

Condition no. 6 states –

The accommodation units shall be used for holiday purposes only and no unit shall be occupied for more than 28 days at any one time without the prior written approval of the Local Planning Authority.

The reason for the condition is :-

The site is located outside any area allocated in the Great Yarmouth Borough Wide Local Plan 2001 for permanent residential development and permanent occupation would therefore be contrary to Policy HOU10 of the plan.

- 17.2 The existing holiday park (except for the pitch and putt course the subject of this application) is within Local Plan Holiday Accommodation area L1. This Policy along with Policy CS8 – Promoting tourism, leisure and culture, encourages and supports the upgrading, expansion and enhancement of existing visitor accommodation and attractions to meet changes in consumer demands and encourage year-round tourism.

For the purposes of Policy L1 it states that '*New or expanded holiday accommodation that is developed over the plan period which is located outside of the identified 'Holiday Accommodation Area' will be treated as being Holiday Accommodation Area once complete for the purposes of this policy*'.

- 17.3 Having regard to the above, it is not considered either necessary or reasonable in relation to the current application to impose a condition which seeks to restrict occupancy by reference to excluding occupation during a specific date range or season and in line with current national guidance the condition should simply specify the permitted accommodation should be used for holiday use only and not for permanent residential accommodation. A further condition requiring the operator to keep a register of the owner and occupiers of each caravan and their main home address is also considered reasonable. These have been set out as conditions 11 and 12 in the recommendation below.

## **18. Local Finance Considerations**

- 18.1 Under Section 70(2) of the Town and Country Planning Act 1990 the Council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus, or the Community Infrastructure Levy (which is not applicable to the Borough of Great Yarmouth). Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the

development to raise money for a local authority, for example. There do not appear to be any planning-related local finance considerations linked to this development.

## **19. The Planning Balance**

- 19.1 The proposal will provide 109 net additional bases for the siting of static caravans and associated infrastructure for visitor accommodation.
- 19.2 The proposal will result in the loss of an existing pitch and putt facility for use by park guests and caravan owners, but as outlined in the assessment above this is a private facility and does not provide the local amenity or recreational benefits to the local community which would need to be assessed under Policy E3 – Protection of open spaces; and the loss of the facility on-site is considered to be outweighed by the wider economic and tourism benefits.
- 19.3 Overall, it is considered that, on balance, the application is acceptable for conditional approval as recommended below.

## **20. Conclusion and Recommendation**

- 20.1 For the reasons identified in the assessment above, it is considered on balance that the application should be approved in accordance with the recommendation below.

### **RECOMMENDATION:**

It is recommended that application 06/23/0220/F should be APPROVED subject to:

- (i) Prior receipt of the payment of the planning contribution towards the Habitats Mitigation in accordance with the GIRAMS strategy and Habitats Regulations:  $109 \times £210.84 = \text{£}22,981.56$  (or an alternative planning obligation mechanism first being agreed and completed to secure receipt prior to first use of the development)

**And;**

- (ii) **The following Conditions:**

### **Proposed Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.

The reason for the condition is :-

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following plans and document:

- Site Location Plan with Highway Annotation Drawing No. P05 Rev C
- Proposed Static Caravan Bases Layout Drawing No. P01 Ref F
- Framework Travel Plan prepared by Integrated Transport Planning Limited, ref 3966 version 1-1 dated February 2023
- Woodland Management Plan prepared by Andrew Davis Partnership, ref W2601 version 3 dated March 2023 including:

Drawing no. CP01 Rev C Woodland Management Plan;  
Drawing No. MP01 Rev C Proposed Landscape Layout Plan

- Tree Constraints, Impacts and Protection Method Statement prepared by B.J.Unwin Forestry Consultancy, dated March 2023 including:

Drawing No. HHVTRP-MAR23 Tree retention and Protection Plan

- Ecological Appraisal prepared by Baker Consultants , ref 1593.02 dated March 2023
- Lighting Strategy Proposal Specification dated December 2022 including:

Drawing No. N/A - 2700K LPS Stirrup

The reason for the condition is:-

For the avoidance of doubt.

3. A) No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).

and,

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason for condition: -

To secure a programme of archaeological mitigatory work in accordance with Policy CS10 of the GYBC Local Plan Part 1XXX.

4. All approved tree protection measures detailed by Tree Constraints, Impacts and Protection Method Statement prepared by B.J.Unwin Forestry Consultancy, dated March 2023 including Drawing No. HHVTRP-MAR23 Tree retention and Protection Plan are to be installed prior to the commencement of development work to implement this planning permission.

The approved tree protection measures are to be maintained in good condition and adhered to throughout the construction period. Unless otherwise agreed in writing by the Local Planning Authority, no construction-related activities (for example: storage and/or siting of: vehicles, fuel, materials, site huts or other buildings or ancillary equipment; raising of lowering of ground levels; installation of underground services, drains; lighting of fires etc.) may be undertaken within the identified Construction Exclusion Zones and fenced areas.

In the event that any tree(s) become damaged during construction, the Local Planning Authority shall be notified, and remedial action agreed and implemented. In the event that any tree(s) dies or is removed without the prior approval of the Local Planning Authority, it shall be replaced within the first available planting season, in accordance with details to be agreed with the Local Planning Authority.

The reason for the condition is :-

To ensure existing trees are protected during site works in the interests of the visual amenity of the area and the satisfactory appearance of the development in accordance with Policy CS11 of the GYBC Local Plan Part 1 and Policy E4 of the GYBC Local Plan Part 2.Etc etc.

5. No development other than the works required for the laying of foundations for caravan bases shall begin until full details of the means of surface water drainage and management and maintenance thereof, have been submitted to and agreed in writing with the local planning authority. The details should include the results from percolation tests to demonstrate the feasibility of a drainage strategy based on infiltration as per the recommendations of the Sustainable Drainage Report prepared by Pell Frischmann (June 2023). If, after infiltration testing has taken place, it is found that infiltration is not feasible then exploration of outfall to a watercourse or other means should be submitted and agreed with the local authority. The development shall be carried out in accordance with the agreed details [prior to the first occupation] and shall be retained and managed and maintained as such thereafter.

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

The reason for the condition is :-

To minimise the possibilities of flooding in accordance with Policy CS13 of GYBC Local Plan Part 1.

6. Prior to the first occupation of the development hereby permitted the Ecology Mitigation Measures set out in section 6.3 of the Ecological Appraisal prepared by Baker Consultants , ref 1593.02 dated March 2023 shall be implemented in full or in accordance with the approved timetable and retained as such thereafter.

The reason for the condition is :-

In order to mitigate the ecological impacts of the development in accordance with Policy CS11 of the GYBC Local Plan Part 1.

7. No part of the development hereby permitted shall be occupied prior to the implementation of those parts identified in the Framework Travel Plan as capable of being implemented prior to occupation. Those parts of the Framework Travel Plan and the remaining parts shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

The reason for the condition is :-

To ensure that the development supports sustainable modes of transport and to reduce the impact of travel and transport on the environment in accordance with Policies CS1 and CS2 of the GYBC Local Plan Part 1.

8. The Woodland Management and Maintenance Proposals and Proposed Landscaping Layout shall be carried out and subsequently retained, managed and maintained in accordance with the details contained in the Woodland Management Plan prepared by Andrew Davis Partnership, ref W2601 version 3 dated March 2023 including Drawing no. CP01 Rev C Woodland Management Plan; and Drawing No. MP01 Rev C Proposed Landscape Layout Plan following the commencement of development.

The reason for the condition is :-

In the interests of the satisfactory appearance of the development, the visual amenity of the area and to manage, maintain and enhance the ecological value of the site in accordance with Policy CS11 of the GYBC Local Plan Part 1 and Policies E4 and L2 of the GYBC Local Plan Part 2.

9. Any plants which die, are diseased, are removed or otherwise fail within the first FIVE years following planting in accordance with Drawing No. MP01 Rev C Proposed Landscape Layout Plan shall be replaced with the same species and size of plant unless otherwise agreed in writing with the Local Planning Authority

The reason for the condition is :-

In the interests of the satisfactory appearance of the development, the visual amenity of the area and to manage, maintain and enhance the ecological value of the site in accordance with Policy CS11 of the GYBC Local Plan Part 1 and Policies E4 and L2 of the GYBC Local Plan Part 2.

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

The reason for the condition is:-

In order to effect satisfactory drainage arrangements both on and from the site and to avoid problems of pollution of the water environment in accordance with Policy I3 of GYBC Local Plan Part 2.

11. The caravans shall be used for holiday accommodation only and shall not be used as a sole or main residence for any individual or family.

The reason for the condition is :-

To ensure the units are not used as permanent residential accommodation in accordance with Policies L1 and L2 of the GYBC Local Plan Part 2.

12. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

The reason for these conditions is:-

To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation. The register required shall normally be collected by the caravan site licence holder or his/her nominated person.

13. No external lighting shall be installed other than in accordance with the Lighting Strategy Proposal Specification dated December 2022 including Drawing No. N/A - 2700K LPS Stirrup

The reason for the condition is: -

In the interests of the amenities of the area and to avoid light pollution in accordance with Policies L2 and E6 of the GYBC Local Plan Part 2.

14. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until:

1) a report has been submitted and agreed in writing by the Local Planning Authority which includes results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified and

2) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the Local Planning Authority.

The reason for the condition is :-

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

15. Before the installation of below ground services, details in written and drawn form of the means by which electric vehicle charging shall be made available at each caravan base within the development shall be submitted to and approved by the local planning authority. The works shall accord to the approved scheme and be available prior to first occupation of each base and shall be retained thereafter.

The reason for the condition is: -

To allow provision for the demand for electric vehicle charging within the lifetime of the development in accordance with Policy I1 of the GYBC Local Plan Part 2.

#### **Informative Notes:**

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

It is confirmed that this shadow HRA submitted by the applicant has been assessed as being suitable for the Borough Council as competent authority to use as the HRA record for the determination of the planning application, in accordance with the Conservation of Habitats and Species Regulations 2017.

In this instance the Borough Council has considered there is no likely significant effect on protected habitats arising solely from the development itself; and the development would contribute to the overall in-combination significant adverse effect identified by the Habitats Regulations Assessment Report for the Local Plan Core Strategy, but this effect can be adequately mitigated by the Habitats Monitoring and Mitigation Strategy; and that Strategy requires a payment of £210.84 per each additional caravan base towards the monitoring and mitigation provided through that Strategy.

17. NOTES - Please read the following notes carefully:-

Contamination Disclaimer:

NOTE: The responsibility for the safe development and secure occupancy of the site rests with the developer. The local planning authority has determined the application on the basis of the information available to it, but this does not mean that the land is

free from contamination, or that the land could not be declared Contaminated Land in future.

Construction noise notification:

The applicant is strongly recommended to advise neighbouring businesses and residential occupiers of the proposals, including any periods of potentially significant disturbance e.g. demolition or piling, together with contact details in the event of problems.

Hours of Work:

Due to the close proximity of other residential dwellings and businesses, the hours of any construction or refurbishment works should be restricted to reduce the likelihood of noise disturbance to:

0730 hours to 1830 hours Monday to Friday

0830 hours to 1330 hours Saturdays

No work on Sundays or Bank Holidays.

Fire fighting water supplies:

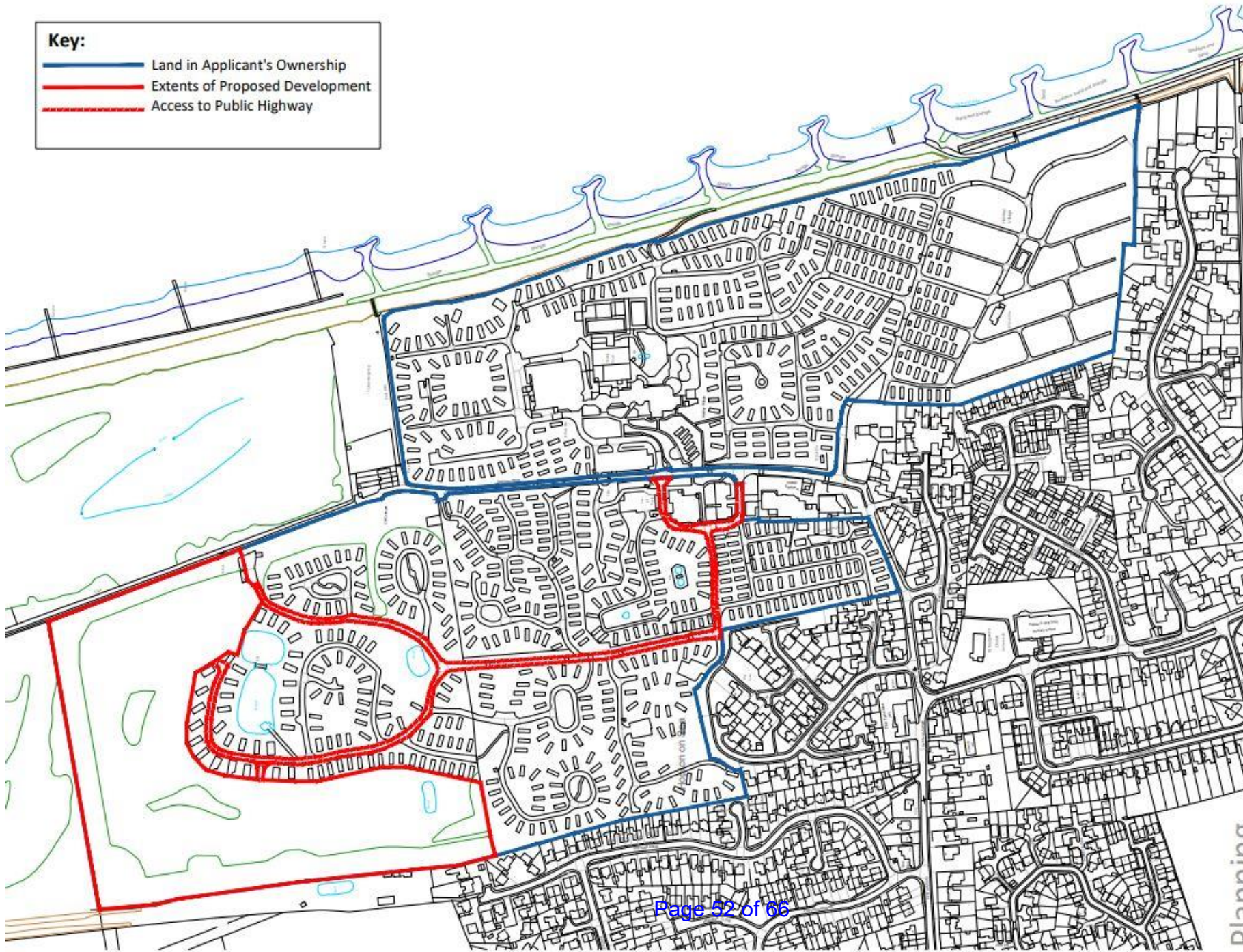
The existing fire fighting water supplies provided to the site should be assessed and additional fire hydrants installed where necessary.

## **Appendices:**

1. Site Location Plan

# Key:

- Land in Applicant's Ownership
- Extents of Proposed Development
- Access to Public Highway



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C	20/01/23	Red dashed line revised	100%
B	20/01/23	Red dashed line revised	100%
A	20/01/23	Red dashed line revised	100%
Rev	SRP	SRP/2023/01	SRP



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Email: info@paulrobinsonpartnership.co.uk  
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Client: Bourne Leisure Limited  
Location: Hopton Holiday Village  
Hopton  
Site: Site Location Plan  
with Highway Annotation

Scale of A2: 1:2500  
Date: March 2023  
Project No: 8358  
Drawn by: SWS  
Approved: [Signature]  
Rev: P05  
Version: C

## **Schedule of Planning Applications**

Committee Date: 26<sup>th</sup> July 2023

Application Number:	06/22/0612/CU - <a href="#">Click here to see application webpage</a>
Site Location:	128-129 Nelson Road Central, Great Yarmouth, NR30 2JY
Site Location Plan:	See Appendix 1
Proposal:	Retrospective change of use of the first/second floor flat to a C4 House of Multiple Occupation (HMO)
Applicant:	Mr K Haran, 128-129 Nelson Road Central, Great Yarmouth, NR30 2JY
Case Officer:	Mr R Tate
Parish & Ward:	Nelson Ward
Date Valid:	01-03-23
Expiry / EOT date:	26-04-23
Committee referral:	As requested by Councillor T Wright amidst concerns that the development does not address refuse storage and has amenity impacts.

**RECOMMENDATION: APPROVE, SUBJECT TO CONDITIONS**

## **REPORT**

### **1. The Site and Context.**

- 1.1 The application site sits to the northern side of Nelson Road Central, within a row of three-storey terrace buildings comprising a convenience store on the ground floor and two storeys of residential use above. The adjoining property to the north is the Colonel H public house, to the south are terraced dwellings, as are the properties opposite on the east side of Nelson Road Central.
- 1.2 The application relates to the retrospective change of use of the first and second floors from a flat (C3 use class) to a “small House of Multiple Occupation” (HMO) use (C4 use class), which is for a group of between 3-6 persons living together but as independent households. Ordinarily this would be a change of use class activity which is allowed through ‘permitted development’, were it not for the introduction of the Great Yarmouth Borough-wide Article 4 Direction which removed such permitted-development rights.
- 1.3 The application form states that the change of use started in November 2011; no previous applications have sought to change the use or confirm a lawful use established through

continuity of use and passage of time. The application was submitted in response to investigations by the Planning Enforcement Officer.

- 1.4 The building is located within the development limits of Great Yarmouth and is located close to the centre of town; a short 0.6 mile walk to the Market Place, for example. The property does not have any associated off-road parking and there are double-yellow lines in front of the property on Nelson Road Central.
- 1.5 The residential unit is accessed via an alley leading from adjacent 62 Rodney Road, west of the Colonel H Freehouse, which provides access to the rear of the application building. The application form states that the bins are stored in this passageway but this is extremely narrow, and clarification is sought from the applicant ahead of the Committee Meeting.
- 1.6 The change of use of a property from use class C3 residential use to class C4 'small HMO' use is usually considered to be permitted development under Schedule 2, Part 3, Class L of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This permitted development right is removed as there is a Borough-wide Article 4 Direction in place preventing the change from C3 to C4 as permitted development. As such, this requires express planning permission.

## **2. The Proposal**

- 2.1 The application seeks retrospective planning permission for the change of use of the residential flat (which currently has a lawful use in class C3) to a 'small HMO' class C4. The application does not state how many people will occupy each room but the floor plans illustrate how the development includes 5 bedrooms of between 7.0sqm and 12.5sqm internal floor area.
- 2.2 The submitted plans shows the following layout:
  - Ground Floor: Access from the curtilage at the rear of the shop, via two flights of stairs to:
  - First Floor: Landing, Communal Kitchen and store, Communal Living Area, Bedroom 1 (with an ensuite WC, sink and shower; no bath); and,
  - First Floor: 4no. bedrooms all with en-suites (WC, sink and showers, no baths).

## **3. Site Constraints**

- The site is within the development limits as defined by GSP1.
- The site is within the Orange 400m to 2.5km Indicative Habitat Impact Zone.

## **4. Relevant Planning History**

- 4.1 There is no relevant planning history

## 5. Consultation Responses

<b>Local Highways Authority</b>		<b>Response: No objection</b>
<b>Officer comment / response:</b>	n/a	
Any relevant Condition / Informative note?	n/a	

<b>Environmental Services</b>		<b>Response: No objection</b>
I note the information submitted by the applicant and have no objections to this application.		
<b>Officer comment / response:</b>	n/a	
Any relevant Condition / Informative note?	n/a	

<b>Strategic Planning</b>		<b>Response: Support in principle</b>
The principle of locating a new HMO within this area is broadly supported through Policy H12. A condition restricting the occupancy of the HMO should be considered to ensure that it remains as a C4 HMO.		
<b>Officer comment / response:</b>	n/a	
Any relevant Condition / Informative note?	A condition to restrict usage to 5 persons is recommended both to ensure usage is restricted to C4 use but to also mitigate the intensity of the use and to ensure that no significant amenity impacts are generated.	

## 6. Publicity & Representations received

Consultations undertaken: A site notice was posted outside the property and public consultation ended on the 16-04-23. No public comments have been received.

### Ward Member – Cllr Tony Wright

<b>Cllr Tony Wright</b>	<b>Response: Object</b>
<b>Highways concerns –</b>	

The proposal for 5 units does not take in to account the highways issues in this area as the frontage leads straight on to main highway route with no parking and of course is in zone A residents parking.

### **Refuse & storage concerns –**

There are continuous problems with the passageway adjacent to Number 125 Nelson Rd Central with the passage being used already for the residents for bin collections and quite often there is some misuse by fly tipping (some of which I have had to report), therefore it begs the question where the extra refuse bins are going to be placed.

I do have serious reservations regarding this issue and when considering the waste bins which have to be put on the pavement at the junction of Rodney Rd/St Georges Rd/Nelson Rd. This is unacceptable and the view that the bins could be put in the rear passageway is not an option due to the narrowness of the passage, so even if this was a condition I can guarantee this would be impossible to adhere to.

There is a serious issue with regard to waste bins in this area, especially with Lancaster Squares bins which are just off nelson rd and regularly overflowing.

For the reason and the observation of strategic planning this should not be accepted.

<b>Officer comment / response:</b>	<p><b>Re Principle of Development:</b> The principle of development is supported by policy H12 (if other criteria are satisfied) and the site is outside of an area where the Local Plan resists HMOs.</p> <p><b>Re Bin Storage:</b> Often, with a 'small HMO' use which is restricted in the number of occupants allowed to reside there, it is considered that there would not be a significant material change in the volume of waste created and the need for additional bin usage compared to that required for an existing flat. However, there has been no information provided on the size of the former flat.</p> <p>Environmental Services colleagues advise that each household/property is entitled to two 240l wheelie bins (recycling and waste). Where a property has a large number of residents they are able to apply for additional capacity, which is possible only if there are 6 residents or more. A flat of 5 or fewer residents would be entitled to two bins, but Environmental Services try to work with property owners to judge an appropriate number of bins for a complex of multiple flats based on their needs i.e. the number of residents, which might involve needing 'palladin bins' for example Residential properties are expected to store bins in their curtilage not the highway, but where a property does not have storage for the necessary bins the alternative is for that property to be registered on a bag collection rota from kerbside.</p> <p>This issue deserves closer scrutiny, especially as the 'small HMO' use is said to have been in use for 12 years, so should be recorded as such with the Environmental Services team.</p> <p>If there is found to be no significant increase in the refuse storage expectations, comparing former use and proposed use, then it would have to be acknowledged</p>
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	<p>that the bins would continue to be stored where they were stored when the unit was in use as a residential flat, and it would be considered that there would be no greater harm from this proposal than before.</p> <p><b>Next steps:</b></p> <p>The Case Officer will liaise with the applicant and colleagues within the Environmental Services team to clarify the refuse requirements for this application. This should be clarified within the Pre-Committee Meeting Update Report on 26<sup>th</sup> July.</p>
Any relevant Condition?	<p>To be confirmed at the Committee Meeting.</p> <p>If the application is only able to address policy H12 by creating no additional need for refuse storage, i.e. ensuring that no more than the existing refuse is required, then a condition could be used to limit the number of occupants to 5 persons, to ensure the refuse storage requirements remain as per that of a residential flat which was already established and would have been permitted development as a flat above a shop. This would match that of the advice from Environmental Services.</p>

## Relevant Planning Policies

### The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS1: Focusing on a sustainable future.
- Policy CS2: Achieving sustainable growth.
- Policy CS3: Addressing the borough's housing need.
- Policy CS9: Encouraging well-designed, distinctive places.
- Policy CS11: Enhancing the natural environment.
- Policy CS16: Improving accessibility and transport.

### The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy GSP1: Development Limits.
- Policy A1: Amenity.
- Policy H12: Houses in multiple occupation.

## Other Material Planning Considerations

### National Planning Policy Framework (July 2021)

- Section 4: Decision Making
- Section 12: Achieving well-designed places
- Section 15: Conserving and enhancing the natural environment

## Planning Analysis

Legislation dictates how all planning applications must be determined. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) states: *In dealing with an application for planning permission the authority shall have regard to—*

*(a) the provisions of the development plan, so far as material to the application,*

*(aza) a post-examination draft neighbourhood development plan, so far as material to the application,*

*(b) any local finance considerations, so far as material to the application, and*

*(c) any other material considerations.*

This is reiterated at paragraphs 2 and 47 of the National Planning Policy Framework.

### **Assessment of:**

### **Retrospective change of use from C3 dwellinghouse to C4 House of Multiple Occupation (HMO)**

#### **Main Issues**

The main planning issues for consideration include:

- Principle of development
- Amenity
- Parking and Highway Safety

## **7. Principle of Development**

7.1 Houses in Multiple Occupation (HMOs) are, for planning purposes, those properties being shared by three to six residential occupants who form two or more (separate) households and who share a kitchen, bathroom and/or toilet. This is use class C4 rather than a 'large HMO' of more than 6 persons living independently of each other which is a 'sui generis' use meaning 'a class of its own'. It is noted that there has been financial pressure in the past to convert guest-houses, hotels and 'normal' C3 dwellings in the Town to both C4 and sui-generis HMOs, particularly in the Back of Sea Front Area.

7.2 HMOs undoubtedly play an important role in providing lower-cost accommodation in the Borough, and the Council is keen to ensure that where they are proposed (and present) they are of a good standard. As with any dwelling, a HMO must provide suitable levels of amenity for occupants and prevent unacceptable amenity impacts on neighbouring residents and the local area. Any new HMO proposal must therefore be appropriately located and designed, and Local Plan Part 2 Policy H12 seeks to ensure there is not an

over-concentration of HMOs in any one area, taking into account factors such as parking provision, bin storage and general amenity (which are also covered by other Local Plan policies such as CS9, A1 and I1).

- 7.3 Policy H12 is the principal policy when assessing applications for HMOs. This policy recognises where HMOs have presented a strain on the local character and identifies areas within the Town where new HMOs (both C4 and sui-generis 'large HMO' types) will not be permitted. These are within the 'Great Yarmouth Seafront Area' (Policy GY6), the 'Hall Quay Development Area' (Policy GY3) and the 'Back of Seafront Improvement Area' (Policy GY7) where the Local Plan seeks to develop a different character for those areas: in those locations, new HMOs are not permitted.

- 7.4 The application site is not within any of the areas where the principle of HMOs is considered in the Local Plan to be unacceptable. As such, subject to the proposal providing sufficient bin storage and not harming neighbouring amenity (which will be explored in later sections of this report), the principle of a C4 HMO in this location is considered to be acceptable and consistent with the requirements of policy H12.

- 7.5 For those areas where HMOs are not considered unacceptable in principle, LPP2 Policy H12 goes on to state:

*"The concentration of HMOs in a local area must not significantly imbalance the current mix of housing types there (i.e. use class C1 hotels, guest houses and related types and use class C3 dwelling houses).*

*In particular, any proposal that would result in the 'sandwiching' of a single residential or tourist accommodation property between two or more sui generis HMOs will not be acceptable.*

*For proposed sui generis uses, any proposal that would result in more than 20% of properties within 50 metres of the application site being sui generis HMOs will not be acceptable [this final paragraph is not relevant to this application for a C4 use proposal]."*

- 7.4 Strategic Planning colleagues have not identified a possible significant 'imbalance' in the current mix of housing types in the area, were this to be approved, nor suggested that it would create a 'sandwiching' of the property between two 'large HMOs' of 'sui generis' use. As such it is considered that the development will not conflict with the principle of policy H12.

- 7.5 In terms of its practical application, Policy H12 requires the applicant to state the number of occupants which would occupy each bedroom, as well as the number and size of kitchens and bathrooms. Those sizes would be assessed against each minimum size limit set out in Policy H12 as below.

Policy H12 goes on to state:

*"Any HMO proposals [sic] will need to at least meet (but ideally exceed) the minimum room dimensions required to secure a licence from the Council's Environmental Services section under the Housing Act 2004 (or any amended or subsequent legislation), even in cases where a licence is not required."*

The *Policy H12 Minimum Internal Space Standards for Houses in Multiple Occupation* are:

Floor area of bedroom	Number of Persons
10.2 sqm (110sqft or more)	2 people
8.4m2 - 10.2m2 (90-110 sqft)	1.5 people
6.5m2 - 8.4m2 (70-90sqft)	1 person
4.6m2 - 6.5m2 (50-70sqft)	0.5 person (i.e child of 1-10 years old only)
Less than 4.6m2 (50sqft)	Not suitable as sleeping accommodation

*The “floor area” space standards requirements are set out to be consistent with the 1985 Housing Act (sections 325 and 326), which are also referred to in the 2004 Housing Act (any person over the age of 10 is counted as an “adult” and children between the age of 12 months and 10 years as 0.5 of an “adult”).*

7.6 According to the size standards outlined in Table 6.1 of the policy supporting text to H12 (above), when comparing the standards to the sizes of rooms in the building, the proposal the subject of this application could result in the following maximum number of persons for each bedroom:

- Room 1 = 10.6sqm – maximum of 2 persons
- Room 2 = 9.2sqm – maximum of 1.5 person (adult and child of 1-10 yrs)
- Room 3 = 12.5sqm – maximum of 2 persons
- Room 4 = 9.8sqm – maximum of 1.5 person (adult and child of 1-10 yrs)
- Room 5 = 7.0sqm – maximum of 1 person

If considered for approval, planning conditions should be used to ensure the occupancy in each room does not exceed the above limits, in the interests of the amenity of future residents.

7.7 Any C4 use class HMO dwelling is also expected to provide a minimum of one bathroom and one kitchen per six occupants. The application HMO proposal makes provision for each bedroom to contain an ensuite which is considered acceptable. A single kitchen is also provided, for communal / shared use.

7.8 The room sizes were all evident on the submitted plans, and Environmental Health Officers did not raise any concerns with the proposal.

7.9 Given the size of the bedrooms, the property could feasibly accommodate 9 occupants (7 adults and up to 2 children) overnight, but having only one kitchen is not sufficient for any more than 6 persons. Any more than 6 occupants would also be an intensity of use which exceeds that allowed within the proposed C4 use class definition and would need express planning permission in its own right as a *sui generis* use.

7.10 Providing that the occupancy is restricted to no more than six occupants (either 1 per bedroom and no more than 2 people per Rooms 1 and 3, or any conceivable combination involving adult plus child occupancy in Rooms 2 and 4), then the bathroom and kitchen provision would be acceptable and amenity would be considered to be appropriate.

- 7.11 However, the proposal must also address the expectations for Refuse storage and collection, as set out at Policy H12 criteria (a).

## **8. Bin Storage**

- 8.1 Policy H12 A states:

*“For all HMO proposals:*

*(a) There must be provision of adequate practical bin storage for the number of potential occupants out of sight from the street such as within the curtilage to the rear of the property, or in covered bin storage within a frontage curtilage, of a scale and of a design which maintains or improves the character and amenity of the area”.*

- 8.2 The application form states that the bins are stored within the rear curtilage / passageway behind the shop, which provides the access to the flat.
- 8.3 The Environmental Services team has suggested that a flat would be entitled to storage of up to 2no. 240 litre wheelie bins if they can be accommodated off the highway (1 per refuse, 1 per recycling), sufficient to cater for up to 5 persons in a household in that flat. The flat could (and possibly was) provided through ‘permitted development’, so regardless of the age of the 5no. residents of the flat, it would have to be acknowledged that refuse storage is expected for 5no. persons. If that refuse storage is not sufficiently large, or if the storage access is not adequate for wheelie bins, the Environmental Services team has confirmed that properties can still be served by household refuse bin bag collection from kerbside.
- 8.4 It is acknowledged that refuse storage is challenged in this application site, given the restricted curtilage and narrow access which probably prevents wheelie bin use. However, there are means to facilitate refuse storage and collection which suggests this should not be considered a suitable reason to refuse the application.
- 8.5 It is recommended that planning conditions are used to secure and confirm a refuse storage and collection management plan to identify how and where refuse is stored, confirm suitable arrangements are in place for its collection, and ensure compliance therewith.
- 8.6 The Case Officer will make a site visit to confirm refuse storage arrangements ahead of the Committee Meeting. If storage space is limited and would not be able to provide for more than the 5 persons threshold of Environmental Services, then it is likely that the Case Officer will confirm the proposed recommendation that occupancy be limited to 5 persons maximum, regardless of possible occupancy based on the property’s room sizes alone. Should space allow, there is unlikely to be any reason why the accommodation should not be limited to a maximum of 6 persons and remain within the definition of a ‘small HMO’ C4 use class. This will be confirmed in the Pre-Meeting Committee Update Report.

## **9. Amenity for future occupants**

- 9.1 In a House of Multiple Occupation, residents share communal spaces such as kitchens, living rooms and bathrooms. The supporting text to policy H12 requires that a minimum ratio of one kitchen and one bathroom for every six occupants is provided. As discussed above, the proposal complies with this and does provide communal kitchen and living space for the residents with each bedroom having an en-suite.
- 9.2 Occupants of HMOs tend to spend more time within their individual bedrooms rather than if the property were to be used as a single family dwelling. It is therefore important that each room is of a regular size, well sized and provided with suitable levels of natural light and outlook. All of the bedrooms within the property are considered to provide residents with sufficient levels of amenity; photographs should be able to confirm to the Meeting. As such, in this regard, the proposal is considered to comply with policies A1 and CS09 F.

## **10. Amenity for neighbouring users**

- 10.1 Adopted Policy A1 expands on CS09 F to ensure that no significantly harmful amenity issues occur, including overlooking and loss of privacy; nuisance, disturbance and loss of tranquillity from waste and clutter, intrusive lighting, noise, and poor air quality (including odours).
- 10.2 The supporting text to policy H12 recognises that HMOs can sometimes have amenity impacts both on their residents and on adjoining residents. In general, use class C4 'small HMOs' should have no significantly greater impact on amenity, character and parking (for example) than use class C3 dwellings, compared to what might be significantly larger impacts which could occur with a sui-generis 'large' HMO of more than 6 persons in residence. This is considered true in this instance.

## **11. Highways**

- 11.1 There is no off-street parking provided as part of this application. However, it is recognised that the site is located within a highly sustainable location, close to the town centre and its associated shops, services, amenities, and wider public transport links. As such, future residents would not be totally dependent on the private car and would have access to services by sustainable means. Due to the close proximity of the town centre, in this instance cycle storage is not considered so essential that the application should be refused without it.
- 11.2 The Local Highways Authority (Norfolk County Council) have been consulted on the application and raise no objection to the scheme.
- 11.3 Members should be mindful of NPPF paragraph 111 which states: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”* As the area is subject to residential permit parking there is no reason to

believe that the levels of car parking will increase in the vicinity nor that highways safety would be compromised.

## **12. Impact on Designated Sites**

- 12.1 In terms of the impact on designated sites within the Borough, a C4 HMO (up to 6 people) and a C3 dwelling are considered to be equivalent in their impacts, according to the County-wide GIRAMS strategy. As such, because a flat was previously established or allowed under permitted development, a HRA and GIRAMS contribution is not required as there is not considered to be an additional impact.

## **13. Planning Balance**

- 13.1 The application site is within an area where the principle of 'small-scale HMO' uses are considered acceptable and this proposal would not undermine the Council's strategy for ensuring that HMOs are directed away from areas that are earmarked for regeneration, or where a slight character change might be especially detrimental, as identified through other policies in the Local Plan. The application proposal provides suitable levels of amenity for future occupants and each occupant would have a quality of living space which would be in line with policies A1 and H12.
- 13.2 No off-street parking is provided, and the surrounding area does have parking restrictions in place due the existing level of demand. However, the site is located close to the town centre and future occupants would not be reliant on the private car so this proposal would not necessarily directly lead to an increased pressure on parking.
- 13.3 The application site does have a challenging curtilage, especially in respect of outdoor amenity and refuse storage and collection. In this respect, due consideration has to be given to the predecessor use of the site and/or its fallback position whereby the premises could be used as a single-household flat. If the impacts of this proposal are limited to be no greater than those alternatives, there are no reasons why the development should be refused permission, subject to conditions to limit the intensity of use.

## **14. Conclusion and Recommendation**

- 14.1 Having considered the details provided, the application is considered to comply with policies CS01, CS02, CS03, CS09, CS11 and CS16 from the adopted Core Strategy, and subject to conditions would comply with policies GSP1, H12 and A1 from the adopted Local Plan Part 2. It is considered that there are no other material considerations to suggest the application should not be recommended for approval.

## **RECOMMENDATION:**

It is recommended that application should be APPROVED subject to the following Conditions:

### **Proposed Conditions**

1. The development shall be carried out in accordance with the following plans received by the Local Planning Authority on the 1<sup>st</sup> March 2023:

- 1719/1 (proposed site plan, floor plans and elevation)

The reason for the condition is:-

For the avoidance of doubt.

2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking or re-enacting that Order) the premises shall only be used as a House of Multiple Occupation comprising a maximum of five bedrooms only. Only the rooms labelled as Bedrooms 1, 2, 3, 4 and 5 on the approved floor plan (1719/1) shall be used for bedroom accommodation, and all other rooms shall remain available for use as communal facilities accommodation.

The reason for the condition is :-

To ensure the permission operates in accordance with what was applied for and to ensure suitable communal living accommodation for all occupiers, in the interests of residential amenity and to accord with policies A1 and H12 of the adopted Great Yarmouth Local Plan Part 2.

3. The House of Multiple Occupation hereby permitted shall not be permanently occupied by any more than 5 people at any one time.

The reason for the condition is :-

To minimise the impact on neighbouring amenity resulting from any intensification of the use, to accord with policies A1 and H12 of the adopted Great Yarmouth Local Plan Part 2.

4. There shall be no more than 5 persons occupying the property at any one time, and whilst doing so the following restrictions shall apply at all times in respect of the maximum occupancy of each bedroom labelled as Rooms 1 – 5 on the approved plan ref.1719/1:

- Room 1: maximum of 2 persons occupancy at any one time

- Room 2: maximum of 1.5 person (an adult and child of 1-10 yrs) occupancy at any one time
- Room 3: maximum of 2 persons occupancy at any one time
- Room 4: maximum of 1.5 person (an adult and child of 1-10 yrs) occupancy at any one time
- Room 5: maximum of 1 person occupancy at any one time

The reason for the condition is :-

To minimise the impact on neighbouring amenity resulting from any intensification of the use, and to ensure that appropriate standards of amenity will exist for future residents, to accord with policies A1 and H12 of the adopted Great Yarmouth Local Plan Part 2.

5. Within 1 month of the date of this permission, a Refuse Storage and Collection Management Plan shall be submitted to and approved in writing by the Local Planning Authority, sufficient to identify to all occupants how and where refuse is stored, confirm suitable arrangements are in place for its collection, and confirm instructions to residents are provided immediately upon successive occupancy. The development shall thereafter be operated in strict accordance with the details as approved.

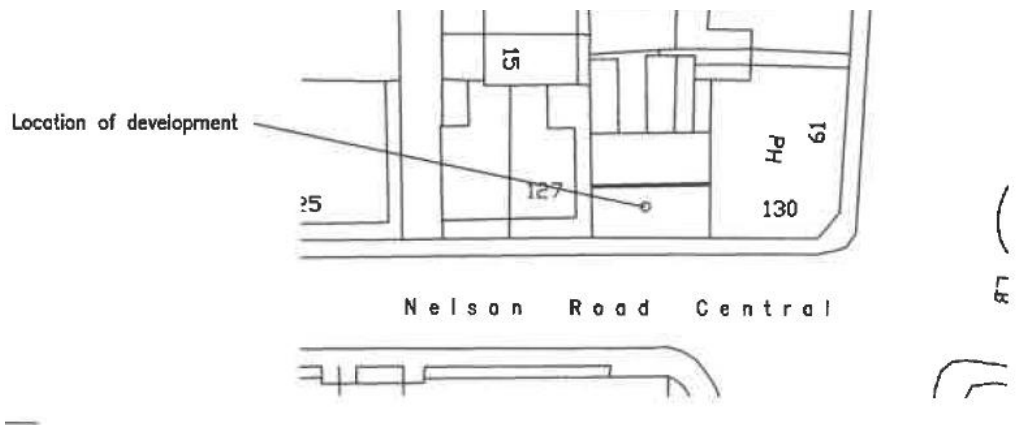
The reason for the condition is :-

To minimise the impact on neighbouring amenity resulting from any intensification of the use, and to ensure appropriate facilities exist for future residents, to accord with policies A1 and H12 of the adopted Great Yarmouth Local Plan Part 2.

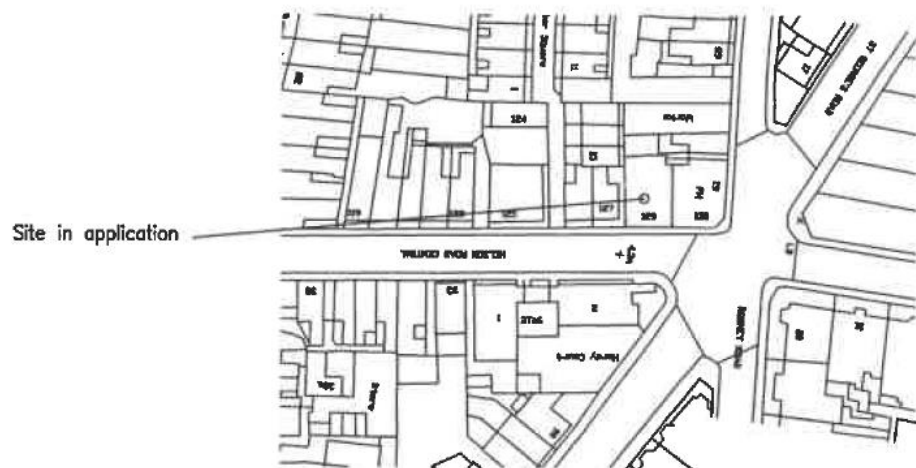
### **Appendices:**

1. Site Location Plan

## 06/23/0612/CU – 128-129 Nelson Road Central



**Block Plan**  
1:500



**Site Location Plan**

