Schedule of Planning Applications

Reference: 06/22/00093/F

Ward: Gorleston

Officer: Mr R Tate

Expiry Date: 29-04-2022

Committee Date: 13th April 2022

Applicant: Great Yarmouth Borough Council

Proposal: Proposed construction of 11 no. beach huts

Site: Lower Esplanade, Gorleston

Procedural note: This application is brought before committee as Great Yarmouth Borough Council is the applicant and landowner of the application site.

This application was reported to the Monitoring Officer as an application submitted by the Borough Council, as applicant, for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 05 April 2022, 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.

REPORT

1.0 Background / History :-

- 1.1 The application site is part of the Lower Esplanade, approximately 80 metres to the south of JayJay's Beach Café. The site sits to the north of 61 existing beach huts which were approved in 2018 within permission 06/18/0110/SU.
- 1.2 The previous permission originally approved 70 beach huts, but this was revised down to 61 as part of the non-material amendment 06/22/0107/NMA because the beach huts had been spaced at a distance that all 70 would not have fitted within the previous site location plan red-line area.
- 1.2 The 61 beach huts have already been installed, alongside the amenity block which is located within the central block of beach huts, which provides a disabled WC, two conventional WCs and wash basins for the occupiers of the beach huts.

- 1.3 The additional 11 beach huts will be located to the north of the northern block of existing beach huts. The huts will be sited 0.5m from the base of the cliff and will cover an area 3.5 metres wide by 50 metres long.
- 1.4 The huts will measure 3 metres by 3 metres including a veranda at the front. They will have a pitched roof and will be built of timber. The beach huts will match the external appearance of the previously approved beach huts.
- 1.5 The Beach Huts would be available for sale on a long lease with an annual ground rent, or available for hire to the General Public on an annual monthly or weekly basis. This will allow the Council to have control over the design and colour of the huts.
- 1.6 The Lower Esplanade is located within the No 17 Gorleston Conservation Area. The site is outside of the defined development limits (GPS1) and within 30m landward of the Coastal Change Management Area (CCMA), as defined by the Local Plan policies map.
- 1.7 The below table shows the relevant site history:

06/18/0110/SU	APPROVED 25-05-18	Lower Esplanade Gorleston	Construct 70 no beach huts with amenity block and associated services
06/22/0107/NMA	APPROVED 06-04-22	Lower Esplanade Gorleston	Non-material amendment for pp. 06/18/0110/SU - reduction in number of beach huts to be provided: from 70 to up to 70

2.0 Consultations:-

2.1 Public / Neighbour comments:

At the time of writing the report, 2 letters have been received as part of the public consultation process citing the following concerns:

- Concerns about availability of parking
- People may spread across The Esplanade, blocking it for walkers/cyclists
- Security concerns
- 2.2 Environmental Services No comment
- 2.3 Conservation Officer No comment

- 2.4 Local Highways Authority (Norfolk County Council) No objection
- 2.5 Strategic Planning subject to any other site-specific matters, including the submission of a satisfactory Coastal Erosion Vulnerability Assessment (CEVA) to accompany the proposal, that the development would be generally consistent with Policies CS8, L2 and GSP4 of the development plan.

3.0 Relevant Planning Policy:-

The principal policies are:

3.1 Local Plan Part 2 (2021):

Policy L2: New or expanded tourist facilities outside of Development Limits and Holiday Accommodation Areas

New or expanded tourist facilities (including tourist accommodation) may be permitted outside of the Development Limits and Holiday Accommodation Areas, but only where these:

- 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, taking into account particularly:
- the quantity, scale, density and design of any additional buildings, structures, caravans, car parks;
- the types and amounts of traffic movements and any impacts, including those upon the tranquillity of the area;
- the impacts of lighting, advertisements and boundary treatments on the landscape and nightscape;
- any adverse impact on the nationally significant Broads or the Norfolk Coast Area of Outstanding Natural Beauty, but also undesignated but open rural and coastal landscapes:
- the potential for any adverse impacts upon environmentally sensitive locations such as National Site Network habitat sites; and
- c. do not have a significant adverse impact on the living conditions of adjoining occupiers.

Small-scale countryside tourism, particularly that involving physical activity or other appreciation of the countryside for its natural or rural qualities, its conservation, or the understanding and enjoyment of the Broads, subject to the above, will be encouraged.

Policy E3: Protection of open spaces

Open spaces which provide local amenity, or recreational benefit to the local community, will be protected. Development proposals that contribute to the loss of either of these will only be permitted in limited circumstances and where: a. the proposal is ancillary to the space and will add to the value and function of the local open space to the benefit of amenity or the local community; or b. the applicant can demonstrate that the local open space is no longer required in its existing open space

use or an alternative open space use; or c. the loss of space will be replaced by equivalent or better provision in terms of quantity and quality, including accessibility to the local community where relevant.

GSP4: New development in Coastal Change Management Areas

Land to the seaward side of the Coastal Change Management Area Line as identified on the Policies Map is defined as a Coastal Change Management Area. Robust evidence (such as a review of the Shoreline Management Plan) that emerges over the lifetime of the plan which revises the area at risk from coastal change will be considered when determining whether a proposal is within the Coastal Change Management Area or not. Within the Coastal Change Management Area development will be carefully controlled to minimise risk to life and property, to avoid increasing the pressure for new or improved coastal defences, and to guard against development which could have adverse impacts on coastal erosion and vulnerability elsewhere.

Coastal management proposals will be supported where these are consistent with the Shoreline Management Plan recommendations, and can be demonstrated not to have significant adverse impacts elsewhere.

Where development is proposed in the 20 year erosion 'horizon' of the Shoreline Management plan, only a limited range of development types directly linked to the coastal strip, such as beach huts, cafes/tea rooms, car parks and sites used for holiday or short-let caravans and camping will be permitted and appropriately time limited through conditions.

Other development will be permitted where it:

- a. is demonstrated to be a compatible form of development in regard to any anticipated potential increase in erosion and flood risk due to coastal change during the planned life of the development having regard to the indicative erosion zones identified in the Shoreline Management Plan; and
- b. will provide a wider benefit to the local coastal community and/or economy; and c. would not impact significantly on the stability of the coastline, the rate of shoreline change, or increase demands for investment in coastal defences.

Permanent new residential development will not be permitted within the Coastal Change Management Area. All planning applications for development within the Coastal Change Management Area and 30 metres inland beyond it must be accompanied by a Coastal Erosion Vulnerability Assessment which demonstrates that the development will not result in an increased risk to life or property.

3.2 Core Strategy (2015):

The following Policies of the Core Strategy are also relevant to this proposal:

Policy CS8: – Promoting tourism, leisure and culture – in particular CS8 a) Encourage and support the upgrading, expansion and enhancement of existing visitor accommodation and attractions to meet changes in consumer demands and encourage year-round tourism; and CS8 d) Maximise the potential of existing coastal holiday centres by ensuring that there are adequate facilities for residents and visitors,

and enhancing the public realm, where appropriate; and e) Support the development of new, high quality tourist, leisure and cultural facilities, attractions and accommodation that are designed to a high standard, easily accessed and have good connectivity with existing attractions.

Policy CS9: – Encouraging well-designed, distinctive places – in particular CS9 (a) Respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised; making efficient use of land and reinforcing the local identity.

Policy CS10: - Policy CS10 – Safeguarding local heritage assets – in particular CS10 (a) Conserving and enhancing the significance of the borough's heritage assets and their settings, such as Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, archaeological sites, historic landscapes including historic parks and gardens, and other assets of local historic value.

Policy CS11 - Enhancing the Natural Environment - seeks to safeguard and enhance the Borough's landscape character.

3.3 Other material considerations:

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

- a) an economic objective to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

NPPF Paragraph 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.

NPPF Paragraph 130 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

NPPF Paragraph 195 - Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

NPPF Paragraph 197 - In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

NPPF Paragraph 199 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

NPPF Paragraph 200 - Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its

setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

NPPF Paragraph 201 - Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

NPPF Paragraph 202 - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

4 Assessment :-

Principle of Development

- 4.1 Core Strategy Policy CS8, parts d), e) and j), in particular, seek to enhance the tourist offer in terms of facilities and its relationship to the surrounding area. This proposal has the potential to offer facilities increasing the quality and variety of facilities to Gorleston (one of the Borough's larger centres) as a coastal resort. This approach is reiterated in Local Plan Part 2 (LPP2) policy L2. The proposed beach huts would sit alongside the existing beach huts, adding to the tourism offering.
- 4.2 The Esplanade provides an area of open space that is well used for recreation, including by Parkrun, walkers and families. Adopted LPP2 Policy E3 seeks to protect such open-spaces, only allowing development where the proposal is

- ancillary to the space and will add to the value and function of the local open space to the benefit of amenity or the local community.
- 4.3 The proposed beach huts will be complementary to the primary tourism and recreational uses of the Esplanade. Here, the Esplanade is 9.5 metres wide, the huts will be sited 0.5m from the wall at the base of the cliff so they will take up 3.5 metres of the width of the Esplanade leaving a distance of 6 metres to the railings. The huts have been designed with a veranda at the front so that the occupants have space to sit outside without obstructing the space available for public use. As such, the loss of a small proportion of the defined open space is acceptable in this location.

<u>Heritage</u>

- 4.4 The site is located within the No 17 Gorleston Conservation Area. The decision maker has a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure there is special attention paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 4.5 Beach huts are a traditional seaside attraction and providing the design and materials are satisfactory, they are an appropriate form of development in the area. The recently constructed beach huts have added vibrancy and have a positive contribution to the character of the area.
- 4.6 The proposed beach huts, with their matching form and visual appearance, would represent a continuation of the existing line of beach huts. With the relatively minor addition of 50 metres of additional beach huts this will not result in a proliferation which would detract from the wider character of the cliffs.
- 4.7 No comment has been received from the Conservation Section. However, the proposal is considered to be compliant with policies CS09 A and CS10 and the additional beach huts will have a positive contribution to the Conservation Area and wider beach setting.

Amenity

- 4.8 Adopted LPP2 policy A1 expands on policy CS09 F to ensure that no significantly harmful amenity issues occur, including overlooking and loss of privacy; loss of light and overshadowing and flickering shadow; building and structures which are overbearing; nuisance, disturbance and loss of tranquility from waste and clutter, intrusive lighting, visual movement, noise, poor air quality (including odours and dust); and vibration. Given the distance to dwellings, none of these are expected to occur, and the potential for impacts between beach huts or with other users of the Esplanade are considered limited.
- 4.9 It is recommended that a condition is imposed to prevent overnight accommodation use, to ensure that the huts are not used as living accommodation in the future. This would replicate the condition imposed on

06/18/0110/SU. A condition is also required to ensure the existing amenity block is made available to serve these new huts.

Highways

- 4.10 The Local Highways Authority (Norfolk County Council) raised no objection to the proposal.
- 4.11 The proposal is not expected to result a significant increase in vehicle movements. The proposal only represents a minor addition in beach huts when compared to 06/18/0110/SU as originally approved and as such is not expected to result in significant additional parking pressure.

Coastal change

- 4.12 The site is located within 30m of the indicative coastal change area. As such, it must be accompanied by a Coastal Erosion Vulnerability Assessment (CEVA) which demonstrates that the development will not result in an increased risk to life or property. Being a relatively minor development, a 'Type A' CEVA is required where the developer confirms that they are aware of the uncertainties surrounding coastal change and that they are aware of the associated risk. This has not been received at the time of writing the report but needs to be submitted prior to the application being determined, and is unlikely to prove a stumbling block.
- 4.13 LPP2 Policy GSP4 states that "Where development is proposed in the 20 year erosion 'horizon' of the Shoreline Management Plan, only a limited range of development types directly linked to the coastal strip, such as beach huts, cafes/tea rooms, car parks and sites used for holiday or short-let caravans and camping will be permitted and appropriately time limited through conditions." The proposed beach huts would therefore comply with the suitable types of development outlined in GSP4.

5 RECOMMENDATION:-

- 5.1 The proposal complies with the aims of Policies CS8, CS09 and CS10 of the Great Yarmouth Local Plan: Core Strategy and adopted policies L2 and E3 from the adopted Local Plan Part 2.
- 5.2 Therefore, subject to the satisfactory receipt of the CEVA, it is recommended to **Approve** the application subject to the **conditions** listed below.
 - 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 details contained in the planning application forms and following drawings received by the Local Planning Authority on the 4th March 2022:

Location and block plan: 001
Beach hut side elevation: 002
Beach hut side section: 003
Beach hut front elevation: 004
Beach hut from section: 005
Beach hut floor plan: 006

The reason for the condition is :-

For the avoidance of doubt.

3. The beach huts hereby permitted shall not be used for any form of overnight accommodation.

The reason for the condition is :-

In order to allow the Local Planning Authority to retain control over the use of the huts.

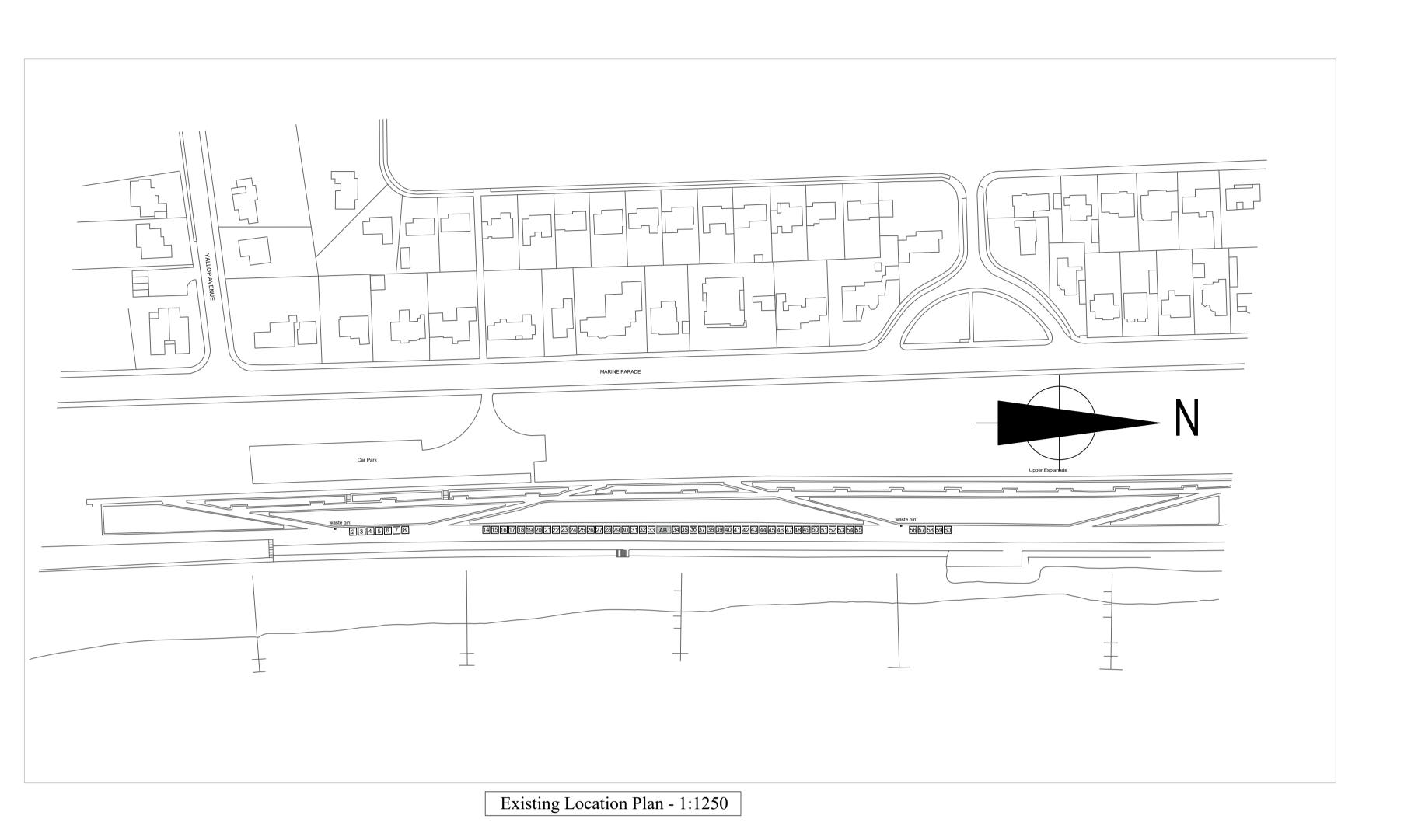
4. The amenity block as approved as part of planning permission 06/18/0110/SU shall be made available to users of the beach huts approved as part of this permission at all times.

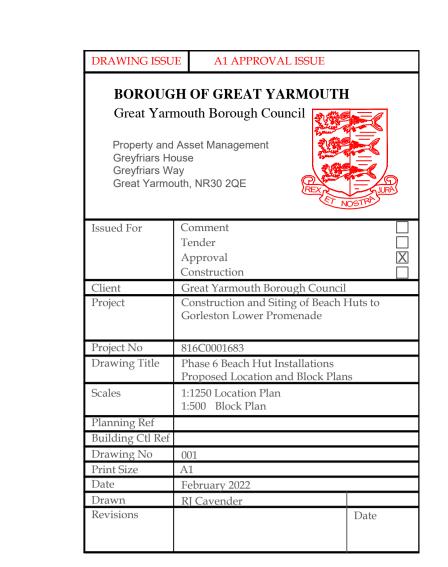
The reason for the condition is :-

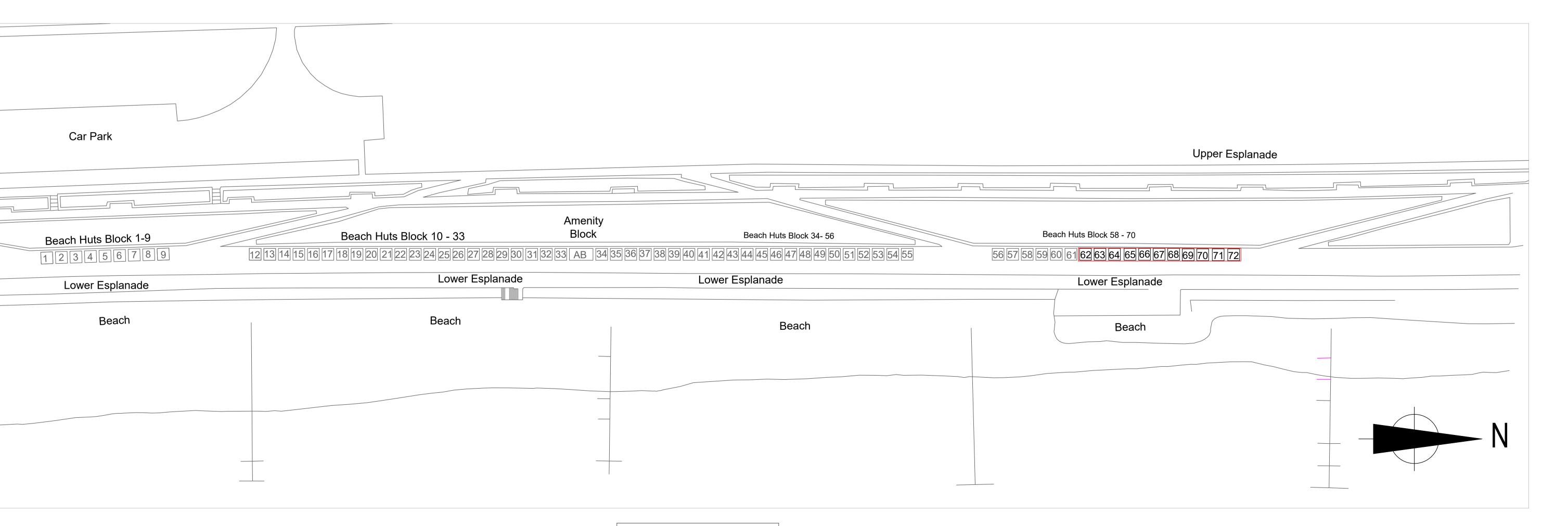
In order to ensure permanent availability of the amenity block to users of all of the beach huts on the Lower Esplanade.

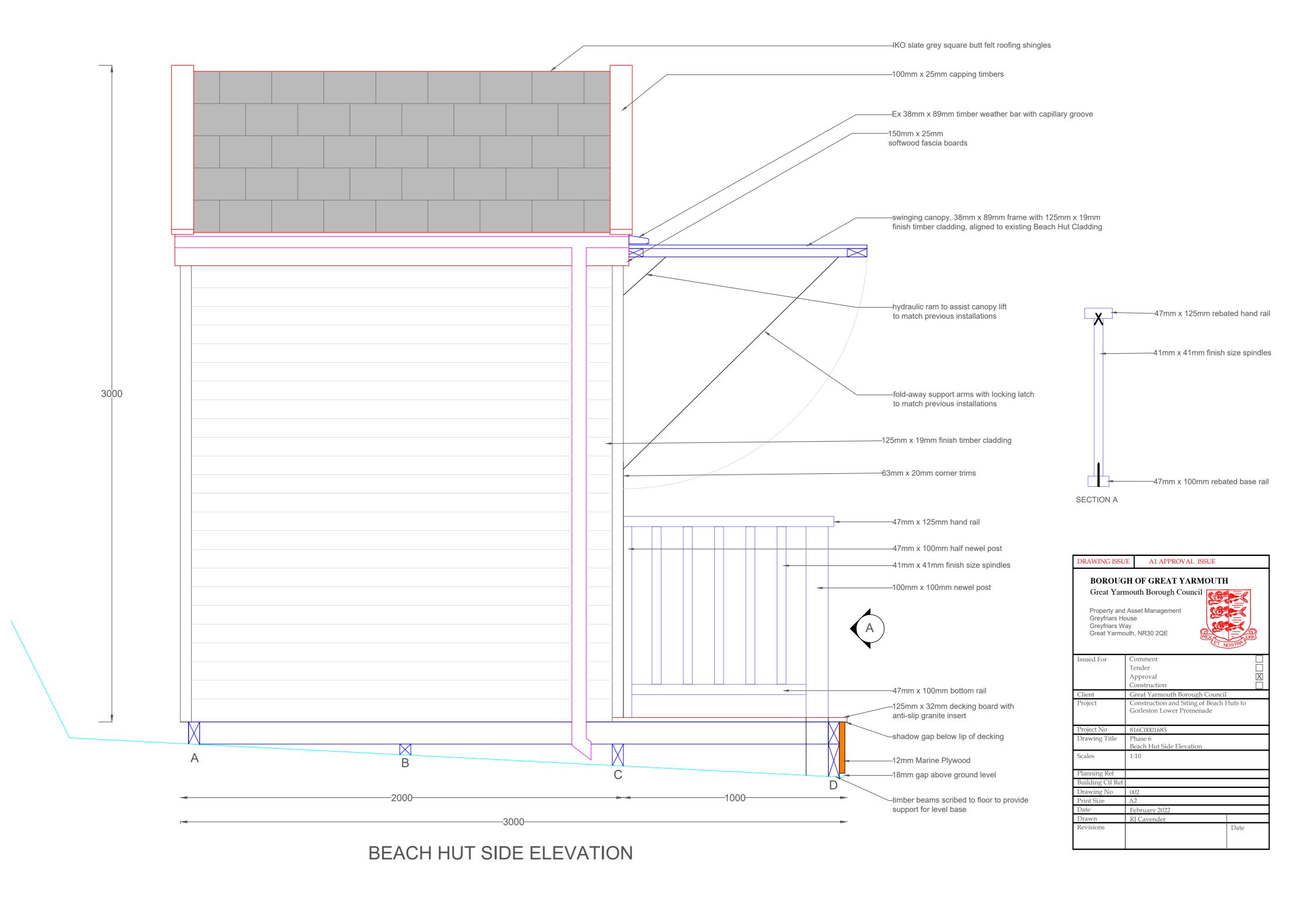
Appendices

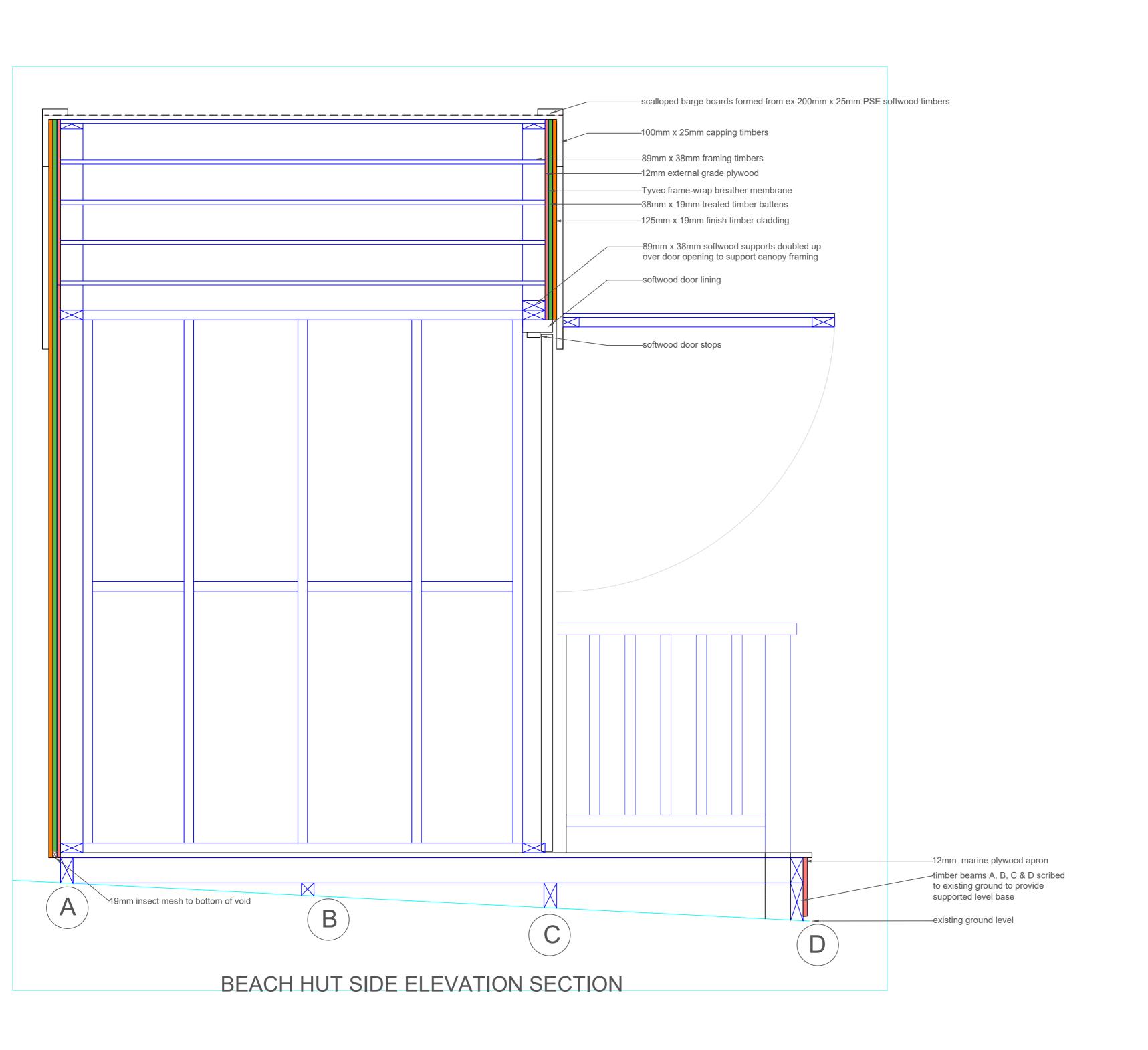
- 1. Location and block plan
- 2. Beach hut side elevation
- 3. Beach hut side section
- 4. Beach hut front elevation
- 5. Beach hut front section
- 6. Beach hut floor plan

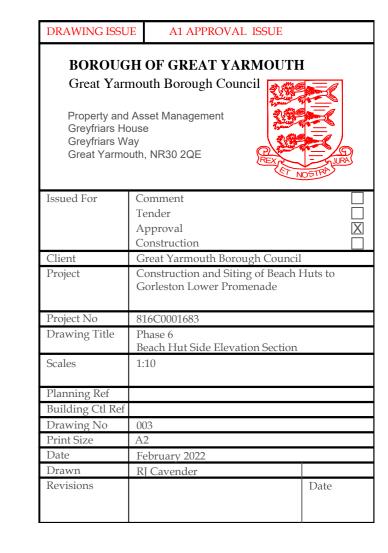


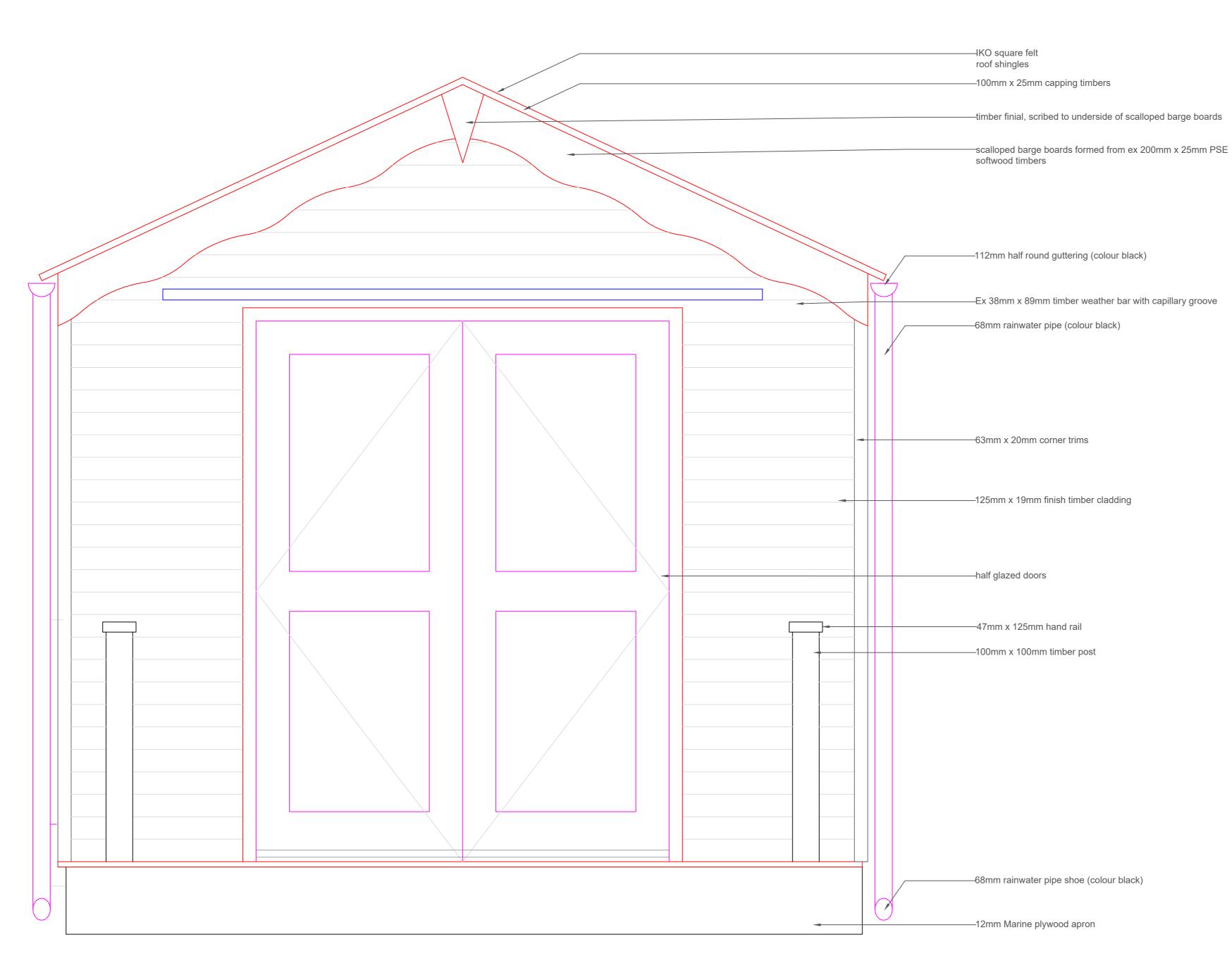












BEACH HUT FRONT ELEVATION

3000

BOROUGH OF GREAT YARMOUTH
Great Yarmouth Borough Council

Property and Asset Management
Greyfriars House
Greyfriars Way
Great Yarmouth, NR30 2QE

Issued For

Comment
Tender
Approval
Construction

Client
Great Yarmouth Borough Council

Project
Construction and Siting of Beach Huts to
Gorleston Lower Promenade

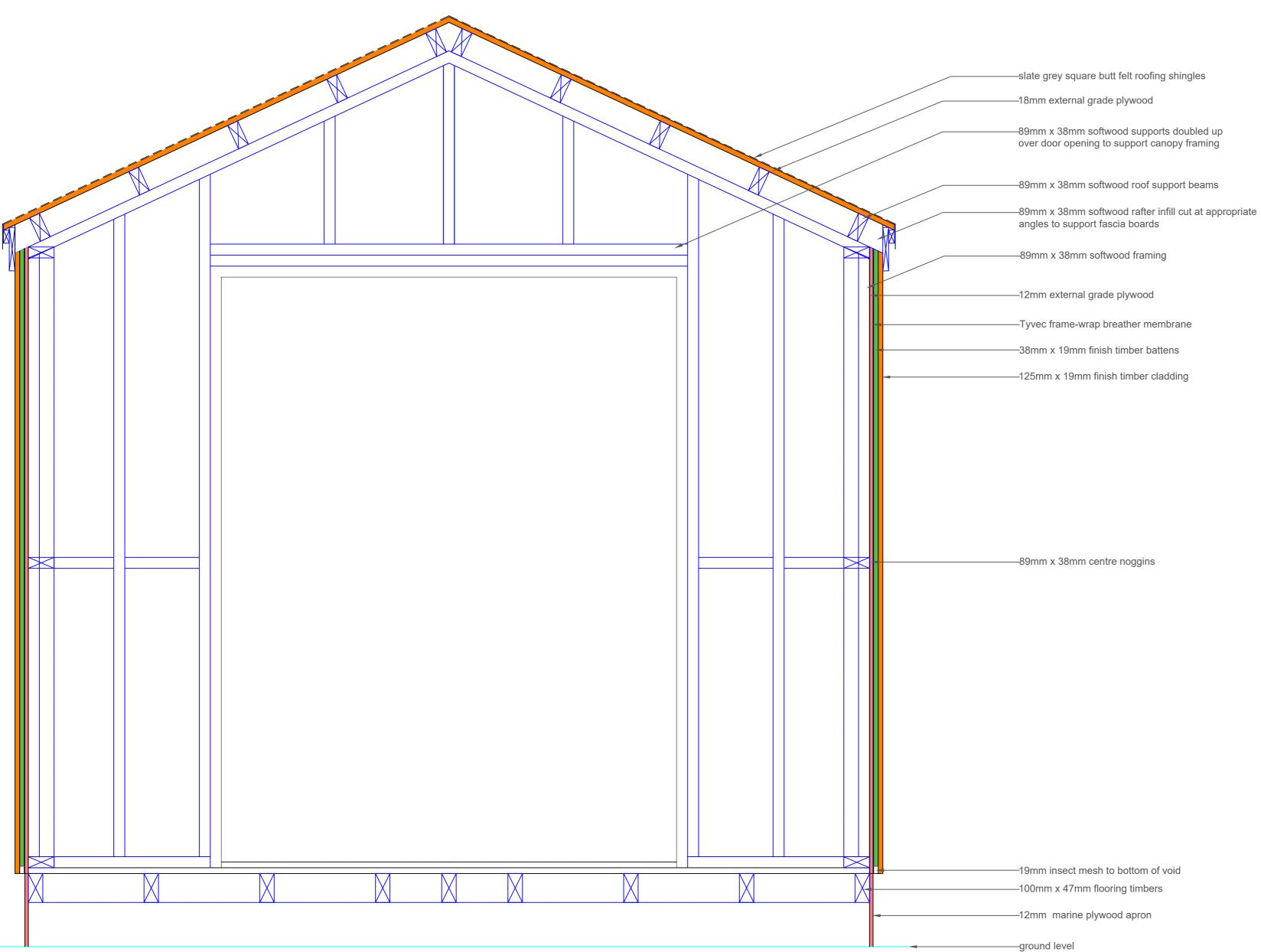
Project No
816C0001683

Drawing Title
Phase 6
Beach Hut Front Elevation

Scales
1:10

Planning Ref
Building Ctl Ref
Drawing No
Print Size
A2
Date
February 2022
Drawn
RJ Cavender
Revisions

Date



BEACH HUT FRONT ELEVATION SECTION

