



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Development Control Committee

## Minutes

Wednesday, 22 September 2021 at 18:00

[

### **Attendees at the meeting**

Present :

Councillor Freeman (in the Chair); Councillors G Carpenter, Flaxman- Taylor, Hanton, P Hammond, Mogford, Williamson, A Wright & B Wright.

Councillor Wainwright attended as a substitute for Councillor Jeal

Mr R Parkinson (Development Control Manager), Mr C Green (Senior Planning Officer), Mr G Bolan (Planning Officer), Ms C Whatling (Monitoring Officer) & Mrs S Wintle (Corporate Services Manager).

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Annison, Jeal and Myers.

### **2 DECLARATIONS OF INTEREST**

Councillor Hanton declared that he had received some communication from Connor Taylor Bargent in relation to Application 06/21/0158/F.

### **3 APPLICATION 06/21/0158/F - ALBION TAVERN PUBLIC HOUSE, 87 LOWESTOFT ROAD, GORLESTON**

The Committee received and considered the Planning Officer's report.

The Planning Officer reported that the application was for the conversion and extension of the public house to create a convenience store utilising the existing access, with associated alterations to the parking layout and hard landscaping.

The application relates to the current public house which has been in operation and was first licensed in 1884 and has been operated as a pub since. The pub use is proposed to be lost, partly due to the competition from an increase in similar establishments within close proximity to the Albion Tavern and being operated as a wet-led pub when the demand for pubs has altered as the demand for operators to have operational kitchens has also increased in recent times. The Albion Tavern has recently been deemed unviable according to the Viability Study (February 2021) submitted with the application.

The Planning Officer provided a summary of the location, application proposal and history of the site to the Committee and advised that details were contained within the application pack.

The Planning Officer advised that the application sought to allow the conversion and extension of the public house to create a convenience store utilising the existing access, with associated alterations to the parking layout and hard landscaping. The convenience store would provide 372sq.m. internal floorspace, compared to the 331sqm of the pub, so represented a net increase of 41sqm, the increase would allow the net sales area to be 252sqm.

It was reported that the application were to include changes to the hours of use compared to the hours of use of the public house.

The Planning Officer reported that In assessing the planning balance, the proposal partially complied with point c of emerging policy C1 in respect of the property which is no longer viable to retain the premises as the current community facility use, however the application had failed to demonstrate continuous marketing evidence for a 12-month period. It is considered therefore the application is contrary to the likely requirements of future development plan policy, however in the Planning balance it must be remembered that full weight cannot yet be apportioned to the requirement for 12 months continuous marketing. Nevertheless, it has been considered that some level of marketing has taken place and with the property being considered unviable it partially complies with point (c) of emerging policy C1.

The Planning Officer reported that the application had been assessed against the retail impact on existing units within the Local Centres and the Town centres within Gorleston and it is considered that the application had not considered appropriately the impact of a new retail unit on the existing local centre of Lowestoft Road when assessed against emerging policy CS7, however on the balance the application is marginally over the threshold of 200sq.m, the proposed unit is of a larger size to the 2 nearby and although of the same use it is considered the proposal will offer a wider range of goods allowing the local centre to be more of a convenience store for the local residents. The proposal will result in a greater/wider range of products and will still provide a convenience of goods which is consistent with the aims set out in emerging Policy R1.

It was reported that the proposed location of the retail unit is located on the edge of a

local centre and although it is not a preferred site within the town and local centres the proposal satisfies the sequential test.

The Planning Officer advised that in connection with the impact on neighbouring amenities, it is considered that in relation to the existing use of the public house the proposed use will not generate an increase in harm in respect to noise over what was existing. As the new proposed use will make use of the existing car park the noise from parking will be similar, and will be related to store users and for deliveries of goods to the convenience store. Furthermore, the proposed hours of operation are suitable for the use of the property and it has been considered there is noise generated in association with the operation of a public house and into later hours than proposed of the proposed use.

The Planning Officer reported that the main reasons for objections being received were due to the loss of a pub facility, noise and increase in traffic flow and parking, and the impacts on existing retailing centres. These concerns have been addressed throughout the Planning Officer's report and through use of appropriate conditions. It is considered that the application has overcome the concerns raised, and that Gorleston has a thriving town centre that offers a range of alternative public house facilities allowing nearby residents not to be left without a valued community facility.

The Planning Officer reported that the application was recommended for approval subject to the use of conditions as detailed within the Planning Officer's report.

Councillor T Wright asked if it had been taken into account the possible impact of other small local amenities within the area should the application be approved. The Planning Officer reported that as part of the emerging local plan part 2, Officers were aware of the Lowestoft Road designated centre which contained smaller amenities and the impact has been looked at but it was deemed that this application would still provide a thriving business for the area.

Mr Russell, agent thanked the Committee for their consideration of the application and advised that he would be speaking on behalf of the applicant. He advised that the applicant was looking to convert the public house into a convenience store in a highly sustainable location.

Mr Russel advised that the Planning Officer's report set out how the application had satisfied the Council's local policies in favor of the application and furthermore the convenience store would provide Gorleston with economic and social benefits most notably the creation of 20 new jobs and in keeping a premises open under a new use.

Mr Russel advised that a car park would be available free of charge for all to use.

Mr Russel advised that the applicant has confirmed its acceptance of the planning condition which will enshrine the arrangement into the future and as detailed in the report the planning application complies with national and local planning policies.

Mr Russel commented that he trusted the Committee would see the merits of the proposed development and agree with the Planning Officer's recommendation.

Councillor Fairhead asked if any alterations were expected to the building in light of it being an old building, it was advised that external alterations would be nil to minimum this would just see making good.

Members hereby entered into general debate.

RESOLVED :

That application 06/21/0158/F be approved subject to conditions as detailed within the Planning Officer's report.

#### **4 APPLICATION 06/20/0571/F - FORMER VIRGIN MEDIA BUILDING, LOW ROAD, WINTERTON-ON-SEA**

The Committee received and considered the Planning Officer's report.

The Planning Officer reported that this was a full application for the conversion of a former telecommunications building to residential holiday let. Proposals for holiday let use fall into the planning Use Class C3(a) for residential dwellings, but would be restricted in its use by condition or legal agreement should approval be granted.

The Planning Officer summarised the background to the application site its location, the proposal, existing use and the history of the site.

The Planning Officer reported on public comments that had been received as follows :-

Restricted by-way not suited to motor vehicles  
Low Road not maintained  
Outside the village development limits  
Increase in traffic  
Winterton already has a large number of holiday and second homes  
Overlooking

The Planning Officer reported on the Access and Highway safety, he advised that the application site would be accessed by Low Road which extended from the site down to North Market Road. He advised of the existing use and users of the road and detailed the public rights of way. The Planning Officer advised that whilst it could be a planning consideration to look at the condition and suitability of the public right of way for new vehicular access it would not be a reasonable consideration to require the maintenance of the public right of way as this sits outside of the planning process. It was reported that the public right of way would be suitable for the use of access for tourist accommodation.

The Planning Officer reported that the development was outside of the village development limits whilst within Winterton-on-sea. It was advised that this proposal was considered as a suitable proposal for tourism and lettings use, subject to the conditions as detailed within the planning document.

The Planning Officer advised that the Flood Risk Officer had been contacted although the proposal did not meet the requirement for comments. It was noted that the application site was within flood zone 3.

The Planning Officer reported that the application was recommended for approval – subject to the use of the conditions as set out below, the proposal will comply with the aims of policies CS8 and CS11 of The Great Yarmouth Local Plan:Core Strategy, saved policies TR11 and TR16 of the Borough Wide

Local Plan and is consistent with emerging policy L2 of the final draft Local Plan Part 2.

Conditions are as follows ;

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

2)The development shall be carried out in accordance with the application form and approved plans received by the local Planning Authority on 2nd December 2020 and revised plans received 6th July 2021

3)Prior to the first use of the development hereby permitted a 2.4-metre-wide parallel visibility splay (as measured back from the near edge of the adjacent road (Low Road)) shall be provided across the whole of the site's roadside frontage.

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

5)The proposed unit hereby approved shall be used for holiday purposes only.

6)The accommodation units shall be used for holiday purposes only and:

a.no unit shall be occupied for more than 28 days at any one time without the prior written approval of the Local Planning Authority. b. Seasonal restrictions on use must be applied to the timescales of use.

7)The landowner or site operator shall maintain an up to date register of persons occupying the holiday let together with their permanent residential postal address.

8)Prior to the commencement of the works details of materials shall be supplied

9)Prior to the use commencing a landscaping plan shall be submitted

10)Prior to the use commencing a flood response plan shall be submitted

11)Prior to the use commencing, a scheme shall be agreed to mitigate the impacts for dogs:

12)Provision of a visitor information pack at the property regarding alternative walking sites and details about the importance and vulnerabilities of the nearby Natura 2000 sites

13)All guests shall be asked to access the site from the east along Low Road wherever possible.

Cllr T Wright asked with regard to the objections that had been raised and asked whether Parish Council had raised any objections and it was confirmed that no objections raised.

Ms Rebecca Durant summarised the objections and comments that had been received from neighbours. Ms Durant commented on the use of the road and its pointed out how much this was already used. Ms Durant referred to the disability discrimination act and commented that those with disability would not be able to reach the evacuation point.

Ms Durant commented on the requirement for the applicant to provide a dog waste bin at the site.

Ms Durant whilst summarising objections raised pointed out that the Virgin site had not been used for a very long time.

Councillor T Wright asked if neighbours had made representation to the Parish Council and Ms Durant advised that she could not be accurate that representation had been made but was aware that some reference had been made to the Parish Council although she had been unable to find any reference on the Parish Council website.

The Committee hereby entered into general debate.

RESOLVED :

That Application 06/20/0571/F be approved subject to conditions as detailed within the Planning Officer's report.

## **5 ANY OTHER BUSINESS**

There was no other business discussed at the meeting.

The meeting ended at: 20:00