

Development Management Committee Report

Committee Date: **21 February 2024**



Application Number	06/23/0831/CU – Click here to see application webpage
Site Location	Club House, Florida Estate, Back Market Lane, Hemsby, NR29 4NN
Proposal	Proposed change of use and subdivision of existing storage unit (Use Class B8) to provide 2no. commercial premises for retail and hair salon (Use Class E)
Applicant	Ms S White
Case officer	Nicole Jarmey
Parish & Ward	Hemsby
Date Valid	12 December 2023
Expiry / EoT Date	01 March 2024
Reason at committee	A connected application: Submitted by an Employee of the Borough Council
Procedural notes	This application was reported to the Monitoring Officer as an application for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 09/02/24, to afford the Monitoring Officer an opportunity to check the file and ensure they are 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. Any discrepancies will be raised by the Monitoring Officer prior to the meeting.

SUMMARY OF RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The Site

- 1.1 The application site is located within the Florida Estate in Hemsby, at the south-easternmost perimeter of the Florida holiday park, adjacent the Bermuda Holiday Park immediately to the south and the Seadell Holiday Estate immediately to the east. The area consists of single storey holiday chalets within all three holiday parks which surround the application site.
- 1.2 The application site is a single storey unit to the rear of The Florida Entertainment Centre – known as Bensley's bar. The application site is attached to the north of Bensley's Bar.
- 1.3 The unit is currently being used as a storage unit for the holiday park site.

- 1.4 There is a car park directly to the north of the application site which can accommodate 30 vehicles to access this part of the site. There are also footpaths within this site, and to the adjoining holiday park site (Seadell Holiday Estate) to the east which lead to the application unit.

2. The Proposal

- 2.1 This is an application for the change of use of the existing storage unit into two units, one as a shop selling convenience goods for users of the site with an adjacent storage area, and one to the north of the shop which is proposed to be used as a salon with adjoining storage room.

3. Site Constraints

- 3.1 The site is within the defined Holiday Accommodation Area – established by policy L1.
- 3.2 The site is outside the village Development Limits.

4. Relevant Planning History

- 4.1 None relevant

5. Consultation responses

5.1 Local Highways Authority

No objection.

- 5.1.1 Summary of response: Initially asked for further information regarding the number of staff to be employed by the salon, whether this would be on an appointment basis and whether the retail unit would be just for the holiday park users or the wider community.
- 5.1.2 Information was received by the applicant on 25th January 2024 in response to the queries raised. On the basis that the salon would have 4 staff, with a maximum of 6 clients at any time, and would be appointment only, and that the shop was for users of the holiday park only, no objections were raised.

5.2 Great Yarmouth Borough Council Environmental Services

No objection

- 5.2.1 Summary of response: Requested an Informative to be added to any planning permission regarding checking for asbestos and then managing or removing in line in accordance with the Control of Asbestos Regulations 2012 and Waste Management Regulations. A further informative regarding trade waste and the requirements to dispose as stated in the Environmental Protection Act 1990, Section 34.

5.3 GYBC Strategic Planning

No objection following receipt of additional information

- 5.3.1 Summary of response: Initially requested further information regarding what the proposed shop would sell and how the proposed uses would serve the holiday site.

- 5.3.2 Further information was received by the applicant and further comments were received to advise that with measures would need to be put in place to ensure the development could be ancillary to the holiday park in order to address Part (M) of Policy L1 and be considered acceptable in principle.

6. Publicity & Representations received

- 6.1 Consultations undertaken: Public consultation site notices were displayed on the site for a period of 21 days.

6.2 Ward Member – Cllr(s) Bensley and Galer

- 6.2.1 No Ward Councillor comments have been received.

6.3 Parish Council – Hemsby

- 6.3.1 Hemsby Parish Council have been consulted but due to the next Parish Council meeting being conducted on Monday 19th February 2024 their comments will be submitted in an update report to the committee prior to the meeting.

6.4 Public Representations

- 6.4.1 No public comments have been received.

7 Relevant Planning Policies

The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS06: Supporting the local economy
- Policy CS07: Strengthening our centres
- Policy CS08: Promoting Tourism, leisure and culture
- Policy CS9: Encouraging well-designed, distinctive places
- Policy CS08: Promoting tourism, leisure and culture

The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy A1: Amenity
- Policy R1: Location of retail development
- Policy L1: Holiday Accommodation Areas

Hemsby Neighbourhood Plan (Adopted July 2023)

- Policy 10: Loss of tourism Facilities

8 Other Material Planning Considerations

National Planning Policy Framework (Dec 2023)

The policies in the Framework are material considerations which should be taken into account in dealing with applications:

Section 2: Achieving sustainable development

Section 4: Decision Making

Section 7: Ensuring the Vitality of town centres

Section 12: Achieving well designed places

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.

Main Issues

9.3 The main planning issues for consideration include:

- Principle of development
- Impact on Tourism Leisure and Culture
- Economic Impact
- Design and Character
- Amenity
- Highways and Car parking

10. Assessment

- 10.1 This application is for the creation of a shop that through planning conditions can be restricted to only be used by occupants / holiday makers at the holiday park site. There is proposed to also be a salon created that will provide services to users of the site, as well as having clients from outside of the site to ensure the salon is viable year-round.

Principle of Development – Development within the Holiday Accommodation Area

- 10.2 The site is situated within the Holiday Accommodation Area defined by policy L1 which aims to support proposals which upgrade or enhance existing or replacement visitor accommodation and ancillary tourist facilities. This goes on further to state that to achieve these goals, small-scale retail units which are appropriate to serving the needs of the holiday accommodation will be generally encouraged. The proposed shop is in accordance with this as it will provide convenience goods for users of the holiday site, however, the proposed salon does not meet any of the requirements set out in LPP2 policy L1.
- 10.3 Policy CS08 encourages maximising the potential of existing coastal holiday centres by ensuring that there are adequate facilities for residents and visitors, and enhancing the public realm, where possible.
- 10.4 Both the shop and the salon help improve the tourism attraction at the holiday park, in accordance with policy CS08. The shop element of the proposal is considered acceptable as a tourism site enhancement in accordance with policy L1, but there is a minor conflict with policy L1 arising from the salon. The implications of this are discussed further below.
- 10.5 In addition to Local Plan policy, Hemsby Neighbourhood Plan Policy 10: Loss of Tourism Facilities also seeks to protect existing tourism sites. The policy states that:
- “...Proposals leading to the loss of an existing tourism facility to a non-tourism use will only be permitted where it is demonstrated that:*
- a. It is to be replaced by a tourism facility of equal or greater quality in a suitable location; or*
- b. The area currently served by the tourism facility would remain suitably provided for following the loss;...”*
- 10.6 Although the storage unit is being removed, the retail and salon operations would not normally be considered tourism facilities, but they can be operated in such a manner to complement the tourism site, as is discussed below. The holiday park has considered the storage facility to be surplus to requirements so the loss of the facility is not considered detrimental to the holiday park operations. The proposal therefore accords with Policy 10.

Principle of Development – Location of retail and commercial uses

- 10.7 The proposal will create retail / commercial units outside of the Hemsby Local Centre. Policy R1 set out the criteria for assessing applications which are outside of defined retail or town centres, and the approach taken is consistent with the NPPF.
- 10.8 Paragraph 91 of the NPPF (National Planning Policy Framework) sets out the requirement to apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to date plan. This goes on to say that Main

Town Centre uses should be located in town centres, then edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. The NPPF defines main Town Centre Uses and a Salon falls within the uses defined. Therefore, a sequential test should be applied.

- 10.9 In line with policy R1, Officers consider the sequential test should be applied in a manner proportionate to the circumstances of this proposed operation. For development of this type and scale the Hemsby Local Centre should be looked at first as the preferred location for this to be sited, however, at the current time there are no units available within the Local Centre, or on the edge of the local centre, nor are there any that could become available in a reasonable timescale to accommodate the proposal. Because of this it should then be looked at whether other local centres within a reasonable distance would be able to accommodate both the proposed shop and salon. However, both are proposed to serve the needs of the holiday park guests, and in respect of the salon, proposes to provide facilities such as hair braiding for users of the holiday site, and a minor proportion of the use to serve the wider community. Therefore, on balance, it has been considered that the requirement to look at other local centres beyond Hemsby would be unreasonable.
- 10.10 Policy R1 sets out 6 criteria for proposals to satisfy where they are proposing Main Town Centre Uses outside of both defined centres and development limits. Those criteria are:
- a. the location is accessible by public transport and is accessible to pedestrians and cyclists;*
 - b. the site has good links to the designated centre, or links can be improved;*
 - c. the proposed use either individually or cumulatively does not undermine the attractiveness or viability of the designated centres;*
 - d. the site will not impact upon other neighbouring uses, in terms of traffic, parking and amenity issues;*
 - e. an additional need for retail development has been demonstrated to justify the development; and*
 - f. there is no suitable and available land within the Development Limits."*
- 10.11 Policy R1 is clear in stating that: *"development on out of centre sites which are also outside of Development Limits will only be permitted where [the above 6 criteria are all satisfied]"*. If, on appraising the application against these criteria, these are not all satisfied, the application would be contrary to policy R1.
- 10.12 In terms of criteria (a), the development is accessible via public transport with Bus stops located outside the holiday park, one on Back Market Lane, one on Newport Road, and stops along Beach Road. There are also footpaths within the site that can be used by pedestrians and cyclists and these footpaths link up with footpaths and roads outside of the site.
- 10.13 In terms of criteria (b), the designated local centre can be accessed from the development site via Beach Road which has roads with footpaths, or via Newport Road and Kingsway which have roads with footpaths and crossings. There are also bus stops on Newport Road and within the Local Centre which can be used, and this means the application meets criteria (b).
- 10.14 In terms of criteria (c), the development does not individually or cumulatively undermine the attractiveness of or viability of the designated centre as the proposed development is of a small scale, even with both units, that it is not likely to present an impact on the established Hemsby Local Centre. This is furthered by the location of the units within the centre of the

holiday site which makes it less viable and less obvious to non-users of the site as a preferred location to meet their retailing needs.

- 10.15 In terms of criteria (d), the development will not impact upon other neighbouring uses, in terms of traffic and parking due to there being footpath within the site for visitors using the holiday site, and roads within the site leading to the development and the carpark to the north and bus stops located outside the holiday park. In terms of amenity, the proposed use will create some increase of noise and smells such as hair dryers and hair colours, however this will be during the day and only covering a small area directly adjacent the units, and will not have a wider impact on the site. This will be while the salon is open, and will be less than that of the adjoining club house which will create a higher volume of noise which will last longer into the night. There are no proposed external works so this is not likely to give rise to other amenity concerns.
- 10.16 In terms of criteria (e), an additional need for retail has not been demonstrated with Local Plan Part 2 Policy UCS7 amending Policy CS7 as it was identified that there was no need any new retail (food or non-food) floorspace to be allocated over the short (to 2025) and medium (to 2030) term. Therefore, criteria (e) is not satisfied.
- 10.17 In terms of criteria (f), the criteria for assessment against part (f) is a test of whether there is any other suitable land or sites inside the Development Limits. Although there are no other suitable sites available in the defined Hemsby Local Centre or edge of centre, it is considered likely that there would be a suitable site(s) / locations within the development limits as a whole which could accommodate the proposed development, and therefore be slightly more 'accessible' than the proposed application site (even though being out of centre). Therefore, criteria (f) is not satisfied.
- 10.18 Given that the application is unable to satisfy all the criteria above, the development is considered contrary to policy R1 and therefore also CS7 because it is unable to improve the vitality and viability of the local centres, town or district centres.
- 10.19 However, it is necessary to consider what the associated level of harm would arise from the conflict with policy, and therefore also consider whether there are any measures available which could be introduced to minimise the harms apparent. As such the proposal should be assessed as to whether the circumstances and specifics of the application and any planning controls can be used to minimise the impact of the development and reduce the harm from being contrary to policy and/or the NPPF.
- 10.20 In mitigation, it is considered that the scale of the retail operation will not create a detrimental impact if any permission to be granted can control its operations. The proposed shop is of a small scale with a floor area of 27m² and a storage room of 17m². This shop can be controlled through Planning conditions to ensure that the sale of goods is restricted to be:
- used only for the sale of day-to-day convenience goods, and
 - other than those for tourism use, no comparison goods should be sold, and
 - where reasonably possible the shops sales shall be restricted to users of the holiday site, and
 - the shop shall only open when the holiday site is open.

- 10.21 These measures will ensure the use can remain ancillary to the holiday park site and minimise its attraction for journeys to be made from outside the holiday park, and minimise its possible impact on trade draw from the defined centres, and therefore help make the development acceptable.
- 10.22 The salon is slightly different in that it proposes to both serve the site, offering hair styling to users of the holiday site such as hair braiding, and also have clientele from outside of the holiday site to enable it to be open year-round.
- 10.23 It is considered that the floorspace available, number of chairs available for customers, and the overall scale of operations will minimise the impact from being a commercial use outside of the local centre. The applicant has agreed with the Officer's recommendations that the salon operate on an appointment-only basis and a restricted number of customers, which ensures the impact is minimised. Furthermore, it is considered that a salon use can also provide a valued service to local residents in the community year-round. The proposed Salon location is close to numerous holiday park sites and has footpaths from those sites leading to the salon as well as a large carpark to the north which can accommodate parking necessary for visitors from outside of the site. Due to this, the site is considered accessible to the community and holiday makers, and in this case the proposed development is able to be considered acceptable despite the conflict with policy R1.

Tourism Leisure and Culture

- 10.24 The proposed development of both of the retail units will be located within The Holiday Site and be open when the site is open to provide convenience goods to users of the site. This will increase the facilities provided on site and increase the attractiveness of the site to tourists looking at places to visit, boosting tourism in line with Local Plan Core Strategy Policy CS08.

Economic Impact

- 10.25 The shop is proposed to serve the Holiday site and will be controlled to ensure it will only be open 9am-5pm Monday-Saturday and 10-4 on Sundays while the holiday site is open. This will create employment opportunities for at least 1 full time staff on a full time-basis and at least one part time staff of around 20 hours a week.
- 10.26 The Salon will serve both the site as well as the general public which the applicant states is necessary to enable it to be open year-round. The salon is proposed to be open Tuesday-Saturday 9am-6pm with the occasional appointments on a Monday or Sunday. The salon will create employment for four full-time employees or the equivalent.
- 10.27 Given that the existing building is in use only as a storage facility for the holiday park site, it is considered that the jobs created will be of benefit to the area and will overcome the loss of holiday park storage space which otherwise creates no direct employment opportunities.

Design and impact on the character of the area

- 10.28 The existing unit is being used for storage. It is proposed for the unit to be subdivided to create a shop, a salon and storage rooms for these. Even though there are no proposed works to the external of the unit, once the shop and salon open, the unit will be in use during the day, and likely to be regularly maintained which will improve the appearance of the unit and ensure the character of the area is maintained.

Residential Amenity

- 10.29 The proposed shop and salon are located centrally within the holiday site. The uses proposed may give rise to concerns regarding noise, however, this will be during the daytime and will be at a lower level than the noise expected from the attached clubhouse which will generate noise at a higher level and later at night.
- 10.30 There are no proposed external works to the unit, so no impacts are likely to affect neighbouring uses.

Access, Traffic and Highways impacts

- 10.31 The shop is to primarily serve the holiday site and due to this, most movements to and from the shop are likely to be done by walking or cycling from within the site.
- 10.32 The Hair Salon will serve both the holiday site and residents. Most visitors from the site are likely to access the salon by walking from within the site. Due to the location of the salon within the site, residents of Hemsby are likely to access the salon using cars or walking. There are also bus stops Located on Newport Road and Back Market Lane so users from further away are able to use public transport to access the salon.
- 10.33 There will be an increase of vehicles to and from the site with visitors to the shop and more especially to the proposed salon. The NPPF Paragraphs 108 and 109 requires the impacts of development on transport networks to be addressed and encourages developments to promote sustainable transport such as walking a cycling and to reduce highways impacts.
- 10.34 Highways impacts can be minimised by ensuring the salon will be conditioned to run by appointments only with a maximum of 4 staff and 6 clients at any time. Users accessing the salon from outside of the site will be able to do so either by walking or cycling from the village or via car from Back Market Lane which has a road leading directly to the carpark to the north of the unit.
- 10.35 The Local Highways Authority have raised no objections due to the scale and on the basis that Planning conditions will control the use of the development to ensure no highways concerns are created, and it is considered necessary and reasonable to include such conditions.

Parking & Cycling Provision

- 10.36 Norfolk County Council Parking Standards requires 1 parking space per 20m² gross floor area. The units as proposed is 75m² and therefore requires 4 parking spaces. There is a carpark to the north of the unit which can accommodate parking for over four cars and therefore meets the parking requirements.

Flood Risk

- 10.37 The Unit is located within Flood Risk Zone 1 and of a scale too small to be affected by requirements to address flood risk.

Drainage

- 10.38 It is proposed for the foul sewerage to be connected to the main sewer and for surface water to be to be disposed of via a sustainable drainage system as exiting. There are no objections to this.

Other Material Considerations

- 10.39 There are no other material considerations presented that suggest that the application should not be decided in line with local planning policy.

Local Finance Considerations

- 10.40 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.

11. The Planning Balance

- 11.1 The proposed development will be of economic benefit, creating employment for 5.5 full time equivalent staff over the two uses. This will also increase the facilities available on site and promote tourism within Hemsby. There are good transport links to the site with bus stops on adjoining roads, footpaths within the holiday site and there is adequate car parking available on site which will prevent disruptions to the highway.
- 11.2 The proposal will create retail units outside of the defined Hemsby Local Centre. This is contrary to policy R1 and will have a potential impact on local centres contrary to policy CS7 unless there are mitigating circumstances or controls are imposed on any permission. However, the proposed units are of a modest scale and will be conditioned to ensure the units are complementary to the overall attractions and function of the holiday park, and able to serve visitors to the adjoining holiday parks.
- 11.3 On balance, it is considered that the facilities to be provided to tourists and jobs being created through this proposal will provide benefits which will outweigh the conflict with policy.

12. Conclusion

- 12.1 Having considered the details provided, the application is considered to conflict with Local Plan Core Strategy Policies CS06, CS07 and Local Plan Part 2 Policy R1, and the salon is contrary to policy L1. However, the overall development is in accordance with Local Plan Core Strategy Policies CS08, CS09 and Local Plan Part 2 Policy A1. Although the salon may not be, the shop is in accordance with Local Plan Part 2 Policy L1. On balance this is considered to be acceptable as the benefits to be provided are considered to outweigh the minor areas of conflict with policy, and the application can be recommended for approval on this basis.
- 12.2 Other than the minor conflict with local plan policy, there are no other material considerations to suggest the application should not be recommended for approval given the mitigating circumstances.

13. Recommendation

It is recommended that application 06/23/0831/CU should be APPROVED, subject to the proposed conditions listed below.

Conditions

Standard time limit – commence within 3 years

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

Reason: 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.

Development to accord with approved plans and details

2. The development shall be carried out in accordance with the following plans received by the Local Planning Authority on 12th December 2023:
 - Unreferenced Plan, entitled Location Plan, dated 10th November 2023
 - Unreferenced and untiled plan (submitted as proposed floor plans), undated
 - Unreferenced and untitled plan (submitted as proposed salon layout plan), undated

Reason: For the avoidance of doubt.

Restriction of use

3. Notwithstanding the provisions of Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, the development hereby permitted shall only be used for the purposes of a shop and hair and beauty salon and for no other use whatsoever (including other purposes within Class E of the Town and Country Planning (Use Classes) (England) Order 1987 as amended) without first gaining the express written permission of the Local Planning Authority.

Reason: To ensure the proposed development provides the specific benefits and mitigations which justified the development despite its conflict with local plan policy, to avoid creating an impact on the vitality and viability of nearby local centres by allowing other main town centre uses to operate from the site, and to ensure that any other uses that might otherwise take place are subject to an application to consider and address possible impacts so as to avoid creating a negative impact on the Hemsby designated local centre and other tourism uses in the vicinity, in accordance with policies CS06, CS07 and CS08 of the Core Strategy, policies L1 and R1 of the Local Plan Part 2, and Policy 10 of the Hemsby Neighbourhood Plan.

4. The Shop aspect of the development shall be restricted to use only within the area shown in the approved plans and identified as no more than 27m² located in the south west section of the unit. The Salon aspect of the development shall be restricted to use only within the area shown in the approved plans and identified as no more than 48m² located to the north section of the unit.

Reason: To clarify the floorspace and locations of the proposed development, and to ensure that the proposed development retains a scale of floorspace that will avoid creating a negative impact on the Hemsby designated local centre in accordance with Policies CS06, CS07 and R1.

Salon use restricted to no more than 6 clients at any one time and by appointment only

5. The use of the premises as a salon in the manner hereby permitted shall be restricted to use by no more than 6 (six) customers at any one time. Customers using the salon shall attend, and the premises shall operate under, an appointment-only system.

Reason: To ensure that there are no negative impacts caused to users of the site and the surrounding neighbours, in terms of highway safety and amenity, and to ensure the use is restricted to that which is an acceptable level for the size, scale and location proposed within a holiday park site, and to ensure there are no negative impacts on the Hemsby designated local centre, in accordance with Core Strategy policies CS06, CS07, CS08, CS09 and CS16, Local Plan Part 2 policies R1 and A1, and Policy 10 of the Hemsby Neighbourhood Plan.

Hours of salon operation

6. The salon use within the development hereby permitted shall not be open for business outside of the following hours: -

09:00 – 18:00 Mondays to Saturdays, and,
10:00 – 16:00 Sundays and Public or Bank Holidays

Reason: In the interests of protecting the amenities of holiday makers residing in the vicinity, in accordance with Core Strategy policies CS08 and CS09, and Local Plan Part 2 policy A1.

Shop opening only when the holiday park site is open

7. The shop use within the development hereby permitted shall only be open for business when the holiday site is open and shall close during the off-season.

Reason: To control the impacts of the development on defined local centres, because the development plan prohibits such retail development outside defined development limits and this retail element is considered appropriate only for the purposes of serving the essential basic needs of the holiday site, in accordance with policies CS06, CS07 and CS08 of the Core Strategy, policies L1 and R1 of the Local Plan Part 2, and Policy 10 of the Hemsby Neighbourhood Plan.

Hours of shop operation

8. The shop use within the development hereby permitted should not be open for business outside of the following hours: -

09:00 – 17:00 Mondays to Saturdays, and,
10:00 – 16:00 Sundays and Public or Bank Holidays

Reason: in the interests of protecting the amenities of holiday makers residing in the vicinity, in accordance with Core Strategy policies CS08 and CS09, and Local Plan Part 2 policy A1.

Restriction of goods for sale in the shop

9. The retailing provision within the development permitted shall remain limited to the sale of day-to-day essential convenience goods only, and shall not include any comparison goods, other than tourism related goods, or white goods retailing. The operators of the development hereby permitted shall, wherever practicable, seek to ensure this retailing use serves only

holidaymakers staying within the holiday site.

Reason: To control the impacts of the development on defined local centres, because the development plan prohibits such retail development outside defined development limits and this retail element is considered appropriate only for the purposes of serving the essential basic needs of the holiday site and is not appropriate to perform anything other than an ancillary role, in accordance with policies CS06, CS07 and CS08 of the Core Strategy, policies L1 and R1 of the Local Plan Part 2, and Policy 10 of the Hemsby Neighbourhood Plan.

Floor space restriction for shop

10. No more than 28m² of floor space shall be used for the sales of retail goods from the development at any time.

Reason: To ensure the retailing provision within the development is limited to that proposed, to control the impacts of the development on defined local centres, and to help ensure this retail element serves the essential basic needs of the holiday site and maintains an ancillary role to the holiday park, in accordance with policies CS06, CS07 and CS08 of the Core Strategy, policies L1 and R1 of the Local Plan Part 2, and Policy 10 of the Hemsby Neighbourhood Plan.

Proposed Informative Notes

Informative Note: Trade Waste

1. The applicant is advised that businesses require a Trade Waste contract to dispose of all waste associated with commercial activities as stated in the Environmental Protection Act 1990, Section 34.

Informative Note: Asbestos and contamination

2. The developer is reminded that prior to any refurbishment commencing on site the building/s to be refurbished are required to be surveyed for the presence of asbestos containing materials in accordance with the Control of Asbestos Regulations 2012. Any asbestos containing materials which are identified shall be managed or removed in accordance with the above regulations and waste regulations. Failure to comply with these regulations could result in prosecution by the relevant authority.

The uncontrolled refurbishment of buildings could result in the contamination of soils on site and in the vicinity of the demolition. This could cause the investigation of the site under Part 2A of the Environmental Protection Act 1990, which may result in the determining of the site as Contaminated Land.

For further help and advice in respect of asbestos removal the applicant/agent is advised to contact the Health and Safety Executive (HSE) on 0845 345 0055 (www.hse.gov.uk/asbestos)

Statement of Positive Engagement

3. In dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner.

APPENDIX 1: Site Location Plan

