



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Development Control Committee

**Date:** Wednesday, 08 August 2018

**Time:** 18:30

**Venue:** Council Chamber

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

## AGENDA

### CONTENTS OF THE COMMITTEE AGENDA PLANNING APPLICATIONS & CONDUCT OF THE MEETING

#### Agenda Contents

This agenda contains the Officers' reports which are to be placed before the Committee. The reports contain copies of written representations received in connection with each application. Correspondence and submissions received in time for the preparations of the agenda are included. However, it should be noted that agendas are prepared at least 10 Working Days before the meeting. Representations received after this date will either:-

- (i) be copied and distributed prior to or at the meeting – if the representations raise new issues or matters of substance or,
- (ii) be reported orally and presented in summary form by the Principal Officer of the Committee – especially where representations are similar to, or repeat, previous submissions already contained in the agenda papers.

There are occasions when the number of representations are similar in nature and repeat the objections of others. In these cases it is not always possible for these to be included within the agenda papers. These are either summarised in the report (in terms of numbers received) and the main points highlighted or reported orally at the meeting. All documents are available as 'background papers' for public inspection.

## Conduct

Members of the Public should note that the conduct of the meeting and the procedures followed are controlled by the Chairman of the Committee or, if he/she so decides, the Vice Chairman. Any representations concerning Committee procedure or its conduct should be made in writing to either –

- (i) The Planning Group Manager, Town Hall, Great Yarmouth. NR30 2QF
- (ii) The Monitoring Officer, Town Hall, Great Yarmouth. NR30 2QF

## DEVELOPMENT CONTROL COMMITTEE

### PUBLIC CONSULTATION PROCEDURE

- (a) Thirty minutes only will be set aside at the beginning of each meeting to deal with applications where due notice has been given that the applicant, agent, supporters, objectors, and any interested party, Parish Council and other bodies (where appropriate) wish to speak.
- (b) Due notice of a request to speak shall be submitted in writing to the Planning Group Manager two days prior to the day of the Development Control Committee meeting.
- (c) In consultation with the Planning Group Manager, the Chairman will decide on which applications public speaking will be allowed.
- (d) Three minutes only (or five minutes on major applications at the discretion of the Chairman) will be allowed to (i) objectors together, (ii) an agent or applicant and (iii) supporters together, (iv) to a representative from the Parish Council and (v) Ward Councillors.
- (e) The order of presentation at Committee will be:-
  - (1) **Planning Officer presentation** with any technical questions from Members
  - (2) **Agents, applicant and supporters** with any technical questions from Members
  - (3) **Objectors and interested parties** with any technical questions from Members
  - (4) **Parish Council representatives, Ward Councillors and Others** with any technical questions from Members
  - (5) **Committee debate and decision**

## Protocol

A councillor on a planning or licensing decision making body should not participate in the decision and / or vote if they have not been present for the whole item.

This is an administrative law rule particularly applicable to planning and licensing - if you haven't heard all the evidence (for example because you have been out of the room for a short time) you shouldn't participate in the decision because your judgment of the merits is potentially skewed by not having heard all the evidence and representations.

It is a real and critical rule as failure to observe this may result in legal challenge and the decision being overturned."

## **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**

**5 - 9**

To confirm the minutes of the meeting held on 19 July 2018.

## **4 PLANNING APPLICATIONS**

### **5 APPLICATION NUMBER 06-17-0247-F ST MARY'S ROMAN CATHOLIC SCHOOL, LAND REAR OF, EAST ANGLIAN WAY, GORLESTON**

**10 - 71**

Extension of East Anglian Way and construction of 71 dwellings, car park and drop off point for adjacent school and construction access from Church Lane.

### **6 APPLICATION NUMBER 06-18-0173-F MITCHELL DRIVE AND JONES (GC) WAY (LAND OFF) PLOT 3**

**72 - 109**

Erection of a single storey building for mixed A3/A5 (restaurant and hot food takeaway) use, including a Drive Thru lane, car and cycle parking and associated landscaping and boundary treatment.

**7      06-18-0046-F & 06-18-0047-LB 43 MARKET ROW GREAT      110 -**  
**YARMOUTH      131**

Convert ground floor flat from retail into cafe/restaurant. Conversion of first, second and third floors into 7 no. flats/duplexes.

**8      APPLICATION NUMBER 06-18-0341-F GORLESTON GOLF      132 -**  
**CLUB WARREN LANE GORLESTON      151**

Removal of condition number 1, extension to existing members car park.

**9      DELEGATED PLANNING DECISIONS MADE BY DEVELOPMENT      152 -**  
**CONTROL COMMITTEE AND OFFICERS JULY 2018.      160**

Members are asked to note the planning decisions made by Officers and the DC Committee from 1 to 31 July 2018.

**10      OMBUDSMAN AND APPEAL DECISIONS**

The Planning Manager to report any Ombudsman and/or Appeal decisions to Committee.

**11      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.

**12      EXCLUSION OF PUBLIC**

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972,



the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."

# Development Control Committee

## Minutes

Thursday, 19 July 2018 at 18:30

### PRESENT:

Councillor Hanton (in the Chair); Councillors Annison, Bird, Fairhead, Flaxman-Taylor, Galer, Reynolds, Wainwright, Williamson, A Wright & B Wright.

Councillor Lawn attended as a substitute for Councillor Drewitt.

Councillor Hammond attended as a substitute for Councillor A Grey.

Mr A Nicholls (Head of Planning & Growth), Mr D Minns (Planning Manager), Mrs G Manthorpe (Senior Planning Officer), Mrs E Helsdon (Technical Assistant), Ms C Whatling (Monitoring Officer) & Mrs C Webb (Senior Member Services Officer)

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Drewitt & A Grey,

## **2 DECLARATIONS OF INTEREST**

There were no declarations of interest declared at the meeting.

## **3 MINUTES**

The minutes of the meeting held on 20 June 2018 were confirmed.

## **4 PLANNING APPLICATIONS**

### **5 APPLICATION 06/16/0518/O OFF MAIN ROAD, FILBY, GREAT YARMOUTH**

The Committee considered and received the report from the Planning Manager.

The Senior Planning Officer reported that the proposed site would be accessed off an existing access located at the southern side of the A1064, Main Road Filby. The application was an outline application for seven dwellings. Landscaping was a reserved matter and if the application was approved would need to be decided under a reserved matters application. The application was for seven detached dwellings with access, appearance, layout and scale to be decided under the current application. Contributions in accordance with Natura 2000 Policy, which is set at £60 per dwelling could be increased to £110 per dwelling if the increase is approved by the Policy & Resources Committee.

The application has undergone modifications and alterations to the access and visibility splay had been requested by the Highways Authority in order to meet current standards. A Number of neighbour objections and the Parish Council had objected to the access and although the visibility splay could be achieved this was insufficient to overcome their objections. Highways had requested that the first five metres of the access be upgraded to a minimum width of 4.5m and that the first ten metres as measured from the highway be maintained in perpetuity at 4.5m width as a minimum. The access is approximately 100m in length with no passing places which has been objected to by local residents and the Parish Council.

The Senior Planning Officer reported that concerns had been raised regarding a number of mature trees on the site, some of which were covered by TPO's. However, the Arboricultural Officer had not objected to the application. the dwelling on plot 7 had been moved to ensure it was sited as to not require the removal of a protected tree. The Senior Planning Manager reported that the Arboricultural Officer had recommended a no-dig construction method to ensure that the tree roots were adequately protected. The scheme had been amended to provide a single storey dwelling to plot 1.

Local residents and the Parish Council were concerned that the development would have an adverse effect on the character of Filby. There was a woodland area to the rear of the site which was covered by a woodland TPO and should be retained in perpetuity as it was valuable green space and could provide bat commuting and wildlife habitat.

The Senior Planning Officer reported that Section 66 of the Planning (Listed Buildings & Conservation Areas) Act 1990 stated that the local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The application site was within the vicinity of a listed building but this would not be considered to be adversely affected by the proposed development.

The Senior Planning Officer reported that the application was recommended for approval with conditions as it accorded with Policies CS1, CS2 and CS16 of the Great Yarmouth Local Plan:Core Strategy.

Mr Taylor, applicant's agent, reported the salient areas of the application and urged the Committee to approve the application.

Mr Thompson, Chairman of Filby Parish Council, reported the objections of the Parish Council and respectfully asked the Committee to refuse the application on highway safety and to retain the character of the village.

Councillor Thirtle, Ward Councillor, addressed the Committee and reiterated the highway safety concerns of the local residents and asked the Committee to undertake a site visit prior to determining the application.

Members were concerned that the protected trees would not be harmed/removed during the building process and were sceptical that the no-dig process would be adhered to by the contractors.

A Member was concerned that the character of the village would be eroded away by further development. Another Member was concerned that the application process could be flawed by taking vehicle speed perception of between 40 to 50 mph along the A1043 rather than the actual speed of 30 mph into consideration during determination which could set a dangerous precedence for future planning applications across the Borough.

RESOLVED:

That application number 06/16/0518/O be approved as the proposal was in accordance with policies CS1, CS2 and Cs16 of the Great Yarmouth Local Plan:Core Strategy. Approval to be subject to the submission of reserved matters in relation to landscaping, conditions required by the Highways Officer, Archaeology and any other consulted parties, those within the Preliminary Ecological Appraisal, Arboricultural Report, those noted within the agenda report and any others as required to ensure a satisfactory form of development. The planning permission should not be issued until the

appropriate Natura 2000 payment had been secured.

**6 APPLICATION 06/16/0188/F - 132 GORDON ROAD, SOUTHTOWN ROAD, GREAT YARMOUTH**

The Committee received and considered the report from the Planning Manager

The Planning Manager reported that this application had previously been brought to Committee on 14 December 2016 and the resolution was to approve the application subject to conditions and a s106 agreement for policy compliant contributions.

The Planning Manager reported that in order for the Council to meet its development needs land for housing that that was economically viable for development, it should be assessed on merit.

The Planning Manager reported that the recommendation was to approve the reduction in contributions following the submission and assessment of the viability assessment in line with the recommendation from Property Services. The development was recommended for approval as previously granted and contributions towards Natura 2000, at the new rate if agreed by Council, would be the only obligation required.

The Planning Manager reported that additional objections to the application had been received, however, the principle of development had been previously established.

RESOLVED:

That the reduction in contributions for application number 06/16/0188/F be approved following the submission and assessment of the viability assessment in line with Property Services recommendation. The development to be approved as previously granted and contributions towards Natura 2000 would be the only obligation required.

**7 COMMITTEE AND DELEGATED DECISION LIST JUNE 2018**

The Committee received, considered and noted the planning decisions made by Officers and Committee between 1st and 30th June 2018.

**8 ANY OTHER BUSINESS**

The Head of Planning & Growth reported that further training for Members would be held later in the Municipal Year. A draft Planning Charter citing best practice for Members of the Development Control Committee would be presented to Policy & Resources Committee for adoption to ensure transparency and openness for planning decisions in the Borough.

## **9 EXCLUSION OF PUBLIC**

The meeting ended at: 20:30

**Reference:** 06/17/0247/F

**Town:** Gorleston

**Officer:** Mrs G Manthorpe

**Expiry Date:** 18/07/17

**Applicant:** Badger Building (E. Anglia) Ltd

**Proposal:** Extension of East Anglian Way and construction of 71 dwellings, car park and drop off point for adjacent school and construction access from Church Lane.

**Site:** St Mary's Roman Catholic School (Land rear of) East Anglian Way, Gorleston.

## REPORT

### 1. Updated overview:

- 1.1 The application has previously been presented to members on two occasions, the 13<sup>th</sup> September 2017 and the 8<sup>th</sup> February 2018. There was a site visit carried out by officers, members, members of the public and the applicant on the 27<sup>th</sup> September 2017. The site visit was carried out to allow members to view the site in context at a time that the school adjacent the site was finishing for the day. This time was chosen to allow for the impact of the schools vehicular movements to be seen by all parties.
- 1.2 During the site visit and confirmed later by email the applicant requested that the decision on the application be deferred so that other access options could be assessed and discussed with the Highway Authority. The developer stated the following:

‘Following the consideration of this application at a planning sub-committee site visit, we agreed to consider alternative means of access again and report back.

We have reviewed all the possibilities and discussed these again with the highway authority. We conclude, having weighed up all the considerations, that the application should be determined as submitted with the access from East Anglian Way and including the provision of the school drop off and pick up point as detailed on our most recent site layout plan.’

- 1.3 The application was heard at the February 2018 Development Control Committee and was again deferred for the access to be reconsidered.
- 1.4 The applicant subsequently submitted revised application details, these revisions increased the numbers of dwellings applied for from 71 to 96, removed the car park and pick up/drop off point and car park previously to be gifted to the school and reconfigured the site to provide open space. The reconfiguration of the open space reallocated the space to form a strip of land adjoining the existing recreation ground to act as a land swap to compensate for a revised access. The revised access sought to provide a permanent access from Church Lane. The permanent access proposed was larger in size than the existing access and comprised a road and associated planting.
- 1.5 The revised application was consulted on and responses received, in order to explain the applications history the objections, while all being considered as part of this application, shall be broken down to give as clear a picture as possible.
- 1.6 The original application as presented at Development Control Committee in September 2017 had received 11 objections from members of the public, the application presented in February 2018 received a total of 16 objections (increase of five). The application as revised which sought a permanent access off Church Lane received a petition totalling 1592 signatories and an additional 133 objections. Upon reversion of the application to the 71 dwellings with a temporary access off Church Lane, a further 4 objections from three people were received. The consultation letters that were sent out did state that previous consultation responses would be considered as part of the application.
- 1.7 The petition was against the development (permanent access off Church Lane variation) on the following grounds:

*A proposal from Badger Building has been submitted to build a road across Gorleston Recreation Ground. This is to create a way in and out of its planned estate of 96 homes off East Anglian Way (behind St Mary and St Peter Catholic Primary School Gorleston).*

*As residents we are opposing this road. The proposed road cuts through a local popular green space which includes a children's playground, skatepark and basketball court, as well as hosting football matches. It's well used by children and families, dog walkers, residents, and students from the adjacent East Norfolk Sixth Form College.*



*We oppose this road because...*

- *The extra traffic endangers the safety of children, families and residents using the space*
- *It will increase noise levels for residents*
- *It will increase pollution levels*
- *The creation of this new road disturb the natural environment, including established trees, and have a negative environmental impact*
- *It will exacerbate the existing problem with parking for residents and those working in the area*
- *It would change the character of the area*

*Time is running out to submit your objection! Please do so by signing this petition AND lodging a direct objection through Great Yarmouth Borough Council's planning portal: <http://planning.great-yarmouth.gov.uk/OcellaWeb/planningDetails?reference=06%2F17%2F0247%2FF&%3Bamp%3Bfrom=planningSearch> and press 'Enter comment'.*

*Plus, copy the objection made to GYBC to David Sharman at Fields in Trust via email: [david.sharman@fieldsintrust.org](mailto:david.sharman@fieldsintrust.org). They are the organisation that protect the Gorleston Rec and are awaiting contact from GYBC/Badger Building about this development.*

*There is an extended deadline for signing and sending the petition - we have until 3rd May 2018 to submit comment to Great Yarmouth Borough Council.*

1.8 The 133 objections were received to the application for the 96 dwellings and permanent access road. The objections centred on the loss of public open space which would be utilised for the roadway. Further reasons for objection included:

- Safety concerns – a road in this location will be hazardous to persons using the recreation ground.
- Lack of parking.
- A permanent access at this location is dangerous and this is exacerbated by the proximity to the Sixth Form College.
- The land is historic sports land.
- Too close to a roundabout.
- Nearby residents will be adversely affected by noise and pollution.
- 13 bus routes (unconfirmed) pass along Church Lane.
- The land proposed to compensate for loss does not adequately compensate.
- The original application should be reconsidered.

- It would stop it feeling a nice place to play and relax.
- There are lots of houses being built.
- There is not enough space at the doctors or hospital.

1.9 The objections received to the application for the 71 dwellings are summarised in the report presented to Development Control Committee on the 7<sup>th</sup> February 2018. Additional points of objection to the current application (received after the 15<sup>th</sup> June 2018) are summarised below:

- Trees will be cut down or damaged for proposed (temporary) road.
- Why use the Recreation Ground for a temporary access when there are others available?
- How long will the temporary access be in existence?
- Bats fly over the application site (video clips supplied)
- The temporary road will be too close to the area for football and basketball. Will there be fencing?
- There will be noise during construction.
- The application site provides nesting for birds.
- There has been a reduction in facilities over the past 40 years.
- Increase in traffic.
- The only access will be between no.s 9 and 11 East Anglian Way.
- Will the contamination report be reviewed?
- Gardens will back onto existing gardens.
- No access should be allowed off Church Lane.

1.10 Objections from residents were made to the application on the grounds of the development would adversely affect an area that provides habitat to a number of species including bats. The original ecological appraisal, at 7.6 of the report, did not find evidence of protected species which would be impacted by the development however recommended that further surveys were carried out. Further survey were carried out on the 23<sup>rd</sup> April and 2<sup>nd</sup>, 4<sup>th</sup>, 7<sup>th</sup>, 15<sup>th</sup>, and 25<sup>th</sup> of May 2018. According to the report the surveys, carried out by two people, 'covered all aspects of detecting all the European Protected Species likely to be found in the Great Yarmouth area, including bats, reptiles, plants and breeding birds.' With reference bats the report found as follows:

*'In our opinion, usage of these old allotments by foraging bats can be stated as "very low" with the evidence provided by a nocturnal survey on 25 May 2018 suggesting only an estimated six bats of two common species flying and feeding around the eastern end of the site; bats are unable to roost as there are no trees of sufficient size to accommodate a colony and no derelict buildings.'*

- 1.11 In addition the site was surveyed for other protected species such as reptiles and barn owls. No protected species were found. The report does suggest measures to be undertaken for mitigation with regards birds and enhancement measures for bats, birds and general. In accordance with paragraph 1.10 of this report and the 2018 biodiversity and protected species survey the mitigation and enhancements can be conditioned. In addition, to ensure that trees to be retained including those that are subject to protection off site, are surveyed and root protection measures submitted and approved by the Local Planning Authority.
- 1.12 Norfolk Wildlife Trust has commented on the application. They have not objected, but they note the requirements of the 2016 report regarding the need for additional surveys which have subsequently been carried out. They acknowledge that there are no compelling reasons why impacts on biodiversity would prevent development and that the site is not a designated wildlife site or a breeding site for protected species. In accordance with paragraph 1.10 of this report and the 2018 biodiversity and protected species survey the mitigation and enhancements can be conditioned. In addition, to ensure that trees to be retained including those that are subject to protection off site, are surveyed and root protection measured submitted and approved by the Local Planning Authority.
- 1.13 The revised application, which is not subject to this report, received an objection from Sport England owing to the detrimental impact that would be had on Gorleston Recreation Ground. The response received to the current application is no objection and reads as follows:

*From Sport England's perspective, this temporary requirement will only have a limited impact on the ability to use the recreation ground for sport and informal activity, and will be temporary in nature. It is not considered that the proposal will adversely impact on any existing pitch markings, and it is noted that the existing cricket wicket is currently not in a safe condition to use for formal cricket matches.*

*Sport England would recommend that as mitigation for the temporary loss of part of the recreation ground, a financial contribution is secured from the applicant to bring back into use the artificial cricket wicket, once the temporary access road is no longer needed.*

*It is considered that the proposal, given its temporary nature, meets exception E3 in that:*

*'The proposed development affects only land incapable of forming part of a playing pitch and does not:*

- reduce the size of any playing pitch*
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);*

- *reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;*
- *result in the loss of other sporting provision or ancillary facilities on the site; or*
- *prejudice the use of any remaining areas of playing field on the site.*

*Sport England's support for the proposal is subject to the following two conditions being imposed on any grant of planning permission:*

*a) No dwelling shall be occupied until a playing field restoration scheme for Gorleston Recreation Ground has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The restoration scheme shall provide details of the following:*

- (i) existing and proposed ground levels;*
- (ii) existing and proposed soil profiles;*
- (iii) measures to strip, store and re-spread soils to avoid soil loss or damage;*
- (iv) measures to dispose of/accommodate waste materials on the site;*
- (v) drainage measures including where appropriate under drainage;*
- (vi) proposed seeding, feeding, weeding and cultivation measures;*
- (vii) boundary treatment;*
- (viii) five year aftercare and maintenance arrangements;*
- (ix) installation of equipment (e.g. goal posts);*
- (x) restoration and maintenance programme.*

*b) The playing field shall be restored in accordance with the approved scheme and made available for use before commencement of use of the new development.*

*Reason: To ensure the site is restored to a condition fit for purpose and to accord with Development Plan Policy \*\*.*

*Informative: It is recommended that the restoration scheme is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.*

*2. No development shall commence until a scheme for the relocation of the storage containers and changing rooms has been submitted to and approved by the local planning authority, after consultation with Sport England. The scheme shall ensure any existing pitches are not affected by the relocation of these structures. Only the approved scheme shall be implemented thereafter.*

*Reason. To ensure these facilities are relocated without harming the formal sports provision on this site, and to accord with Development Plan Policy \*\**

*Subject to the above planning conditions, Sport England does not wish to raise an objection to this application.*

*The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.*

- 1.14 The mitigation payment is being discussed with the applicant and shall be assessed against the criteria set out within paragraph 56 of the (revised) National Planning Policy Framework (2018). Should permission be granted for the development it is requested that this is granted with the delegated authority to negotiate the payment requested by Sport England. Further comments have been requested from Sport England with reference compliance with paragraph 56 and at the time of writing these had not been received anything received before Development Control Committee shall be verbally reported.
- 1.15 Since the report below was drafted the National Planning Policy Framework has been revised. The report, at section 4, gives the paragraphs that the application has been assessed against previously and in the interest of consistency these have been left in. The revised paragraphs have been added at section 4 of this report and these are a material consideration when determining an application for planning permission.
- 1.16 As of April 1st 2017 the Borough has a 4.13 year supply of housing land and this is a significant material consideration in the determination of this application. If a Local Planning Authority cannot show that they are meeting this requirement, their policies with regards to residential development will be considered to be out of date and therefore paragraph 14 of the NPPF is engaged which states that “any adverse impacts of the development must significantly and demonstrably outweigh the benefits” in order to justify refusal (known as the “tilted balance”). Taking this into account, reduced weight applies to relevant existing adopted Local Plan policies of particular relevance to housing applications.
- 1.17 There have been no previous applications on the site apart from those already referenced.

**The below is the report as presented to the Development Control Committee on the 7<sup>th</sup> February 2018 with the addition of relevant sections of the National Planning Policy Framework 2018:**

- 2 Consultations :- All received consultation responses are available online or at the Town Hall during opening hours.

2.1 Neighbours – There were 11 neighbour objections to the application prior to the site visit a further 5 have been received since and a summary is below and examples are attached to this report:

- The road network, near the school, is not adequate to cope with the additional traffic.
- The access is inadequate.
- The construction access for deliveries should be prevented between the hours of 08:30 to 09:15 and 15:30 to 16:15 Monday to Friday due to increased traffic during these times.
- Traffic calming on Church Lane should be included.
- Access off East Anglian Way is not wide enough for emergency vehicles and there will be issues with turning.
- Cars consistently parked on East Anglian Way.
- There is a lot of wildlife that will lose the habitat should the development go ahead.
- How many years will the development go on for, disruption for existing residents.
- Loss of privacy.
- Pest control, what measures will stop the evicted animals from accessing existing residents land.
- Potential flooding.
- Increase in noise and disturbance.
- Loss of green space.
- New dwellings will back onto existing ones at East Anglia Way.
- Loss of views.
- Inability to maintain boundary treatments.
- Can a fence be erected set back to allow access to boundary treatments.
- There should be access points at Spencer Avenue, Colomb Road and across Gorleston Recreation ground.
- Cannot impose double yellow lines on the whole estate.

2.2 Highways – With reference to the amended layout shown on drawing 6783-SL01 rev A, I can confirm that the comments from my earlier response have been accommodated. As a consequence, in relation to Highway matters only, the County Council would not wish to raise an objection to the granting of planning permission subject to conditions. The conditions requested are below

SHC 01            No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.



SHC 02 No works shall be carried out on roads, footways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.

SHC 03A Before any dwelling is first occupied the road(s) and footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.

SHC 24 Prior to the first occupation of the development hereby permitted the proposed on-site car park and drop off area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

SHC 28 Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

SHC 29A Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway shall be submitted to and approved in writing with the Local Planning Authority in consultation with Norfolk County Council Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

SHC 29B For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.

SHC 40 No works shall commence on the site until a Traffic Regulation Order for waiting restrictions on East Anglian Way has been promoted by the Highway Authority.

- 2.3 Landscape Officer – The majority of the trees (+95%) of the trees on site are self-sown and are not worthy of preservation. There is a wide variety of tree maturity throughout the site however nothing I would deem to be over 30 years old (most likely due to the site previously being allotments). Any larger trees are on the

boundary of the site being developed so will not be affected, some being situated within meadow park which is maintained by the Council.

Overall there are no trees within the site eligible for a specific preservation order however the area is widely used for dog walking etc and is a massive natural resource that would be a shame to lose in its entirety. Having said that there looks like there is a patch which will be left in the south east corner of the development.

2.4 Building Control – no objection.

2.5 Environmental Health – No objection to the application, condition requesting that prior to the commencement of the development a Phase 2: Site Investigation report is submitted, with risk assessment to the Local Planning Authority. The full wording of the condition to be applied is within the consultation response.

2.6 Strategic Planning – No comments received.

2.7 Lead Local Flood Authority – We have **no objection subject to conditions being attached to any consent** if this application is approved. We recognise that the Local Planning Authority is the determining authority, however to assist, we suggest the following wording:

**Condition:**

Prior to commencement of development, in accordance with the submitted documents a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. Detailed infiltration testing in accordance with BRE Digest 365 at depths and locations of proposed drainage structures should the depth or location of any drainage structure changes.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event.

III. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:

- 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.
- 1 in 100 year critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage



network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.

IV. The design of the attenuation devices will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period.

V. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS

2.8 Environment Agency – No comments received.

2.9 Anglian Water – No objection to the application. The sewerage system at present has available capacity for these flows. From the details submitted to support the planning application the method of surface water management does not affect Anglian Water operated assets.

2.10 Norfolk Fire Service – No objection provided that the proposal complies with the current building regulations.

Norfolk Fire Services have indicated that the proposed development will require 1 hydrant per 50 dwellings (on a minimum 90-mm main) for the residential development at a cost of £815 per hydrant. The number of hydrants will be rounded to the nearest 50th dwelling where necessary. This development would require 2 fire hydrants at a total cost of £1,630.

Please note that the onus will be on the developer to install the hydrants during construction to the satisfaction of Norfolk Fire Service and at no cost. Given that the works involved will be on-site, it is felt that the hydrants could be delivered through a planning condition.

2.11 Essex and Suffolk Water – No objection.

2.12 Police Architectural Liaison Officer – Comprehensive comments received giving advice on security of the development.

2.13 Library Contribution - A development of 71 dwellings would place increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. This stock is required to increase the capacity of the library. It has been calculated that a development of this scale

would require a total contribution of £5,325 (i.e. £75 per dwelling). This contribution will be spent at Gorleston library.

2.14 Norfolk County Council Education - It is understood that the proposed development comprises of 71 multi-bed houses, which will generate:

1. Nursery School – 7 children (2 – 4);
2. Infant School – 9 children (4 – 7);
3. Junior School – 10 children (7 – 11);
4. High School – 12 children (11 – 16);
5. Sixth Form – 1 child (16-18).

The current situation at local schools is as follows:

<b>School</b>	<b>Capacity</b>	<b>Numbers on Roll (Jan 2017)</b>	<b>Spare capacity No. of places</b>
Wroughton Infant Academy (4-7)	270	263	+7
Wroughton Junior Academy (7-11)	342 (excluding mobiles)	310	+32
Lynn Grove Academy (11-16)	1150	1037	+113
Ormiston Venture Academy (11-16)	944	788	+156

Although there is some spare capacity at Wroughton Infant School, taking into account the pending applications in Table 4 (within full consultation response), a total of 207 dwellings (including the Land at the rear of St. Mary's School site) would generate an additional 25 infant school age (4-7) children and there would be insufficient places at Wroughton Infant School for children from this proposed development should it be approved. Therefore Norfolk County Council will be seeking Education contributions as follows:

Wroughton Infant Academy: 9 x £11,644 = £104,796

The contributions will be used to fund the following project:

- Wroughton Infant Academy – contribute to improvements to increase permanent capacity of school (Project A).

2.15 Historic Environment Service – The proposed development site occupies a previously undeveloped area of land at the north eastern end of the Lothingland peninsula. The built-up nature the site's surroundings mean that few archaeological finds have previously been recorded in the immediate vicinity of the site. However, multi-phase cropmarks and artefactual evidence recorded further to the south and west indicate that the wider area was intensively utilised during the prehistoric and Roman periods. It is likely that this intensive use of the landscape extended toward the river beneath what is now modern Gorleston. Consequently there is potential that previously unidentified heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance would be adversely affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 141. We suggest that the following conditions are imposed:-

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.

2.16 GYB Services – No comments received.

- 2.17 GYBC Property Services – No comments received, copy of the option to purchase provided.
- 2.18 The Diocese – Confirmation by email that they are to be gifted the car park and will take over responsibility of such.
- 2.19 Norfolk County Council Minerals – No comments received.
- 2.20 Local Authority 106 requirements – In order to be policy compliant, 40 square metres of usable public open space is normally to be provided per dwelling. Payment in lieu of public open space to be calculated at £12 per square metre shortfall (equates to £480 per dwelling if none provided). In this location, given the proximity to existing public open space no public open space is being sought. There is open space identified on the plans and this can be provided, at the decision of the developer, and it can be private or public although the Borough Council will accept no liability for future maintenance at any time; should the space be private open space payment in lieu of public open space shall be sought at £480 per dwelling.

Payment in lieu of children's recreation equipment is £920 per dwelling. Given the location of the development, no children's play equipment is being requested and as such no mitigation is offered to offset the payment.

The Local Planning Authority will not accept liability for the open space, drainage, roads (this does not preclude highway adoption by agreement) or private drives and as such should the resolution be made to approve this development the requirement will be on the developer to secure future maintenance by management agreement and agreed nominated body. This shall be included within the s106 agreement.

Affordable housing at 20% with type and tenure to be agreed through negotiation during 106 should the application gain resolution to approve. 20% has been stated as agreed within supporting information.

In order to comply with policy CS14 and the draft Natura 2000 monitoring and mitigation strategy £60 (amended to £110) per dwelling is sought to go towards the monitoring or implementation of mitigation measure for designated sites.

### **3 Local Policy :-**

- 3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):
- 3.2 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight

that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

- 3.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.

3.4 Policy HOU7

New residential development may be permitted within the settlement boundaries identified on the proposals map in the parishes of Bradwell, Caister, Hemsby, Ormesby St Margaret, and Martham as well as in the urban areas of great Yarmouth and Gorleston.

new smaller scale residential developments\* may also be permitted within the settlement boundaries identified on the proposals map in the villages of Belton, Filby, Fleggburgh, Hopton-on-Sea, and Winterton.

In all cases the following criteria should be met:

(a) The proposal would not be significantly detrimental to the form, character and setting of the settlement;

(b) All public utilities are available including foul or surface water disposal and there are no existing capacity constraints which could preclude development or in the case of surface water drainage, disposal can be acceptably achieved to a watercourse or by means of soakaways;

(c) Suitable access arrangements can be made;

(d) An adequate range of public transport, community, education, open space/play space and social facilities are available in the settlement, or where such facilities are lacking or inadequate, but are necessarily required to be provided or improved as a direct consequence of the development, provision or improvement will be at a level directly related to the proposal at the developer's expense; and,

(e) The proposal would not be significantly detrimental to the residential amenities of adjoining occupiers or users of land.

- 3.5 HOU16: A high standard of layout and design will be required for all housing proposal. A site survey and landscaping scheme will be required will all detailed applications for more than 10 dwellings. These should include measures to retain and safeguard significant existing landscape features and give details of, existing and proposed site levels planting and aftercare arrangements.

#### **4 National Policy:- National Planning Policy Framework (NPPF)**

- 4.1 The presumption in favour of sustainable development is set out under paragraph 4.
- 4.2 Paragraph 49: Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 4.3 Paragraph 50 states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
  - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
  - where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities.
- 4.4 Paragraph 42: The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extension to existing villages and towns that follow the principles of Garden Cities. Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development.
- 4.5 Paragraph 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should: (partial)
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
  - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

- 4.6 Paragraph 186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.
- 4.7 Paragraph 187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
- 4.8 **National Planning Policy 2018**
- 4.9 Paragraph 7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 4.10 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 a well-designed and safe built environment, 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 contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.



- 4.11 Paragraph 11. Plans and decisions should apply a presumption in favour of sustainable development. (partial)

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>6</sup>; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 4.12 Paragraph 38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- 4.13 Paragraph 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

- 4.14 Paragraph 56. Planning obligations must only be sought where they meet all of the following tests:

a) necessary to make the development acceptable in planning terms;

b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development.

- 4.15 Paragraph 109. 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.

- 4.16 Paragraph 110. Within this context, applications for development should:



a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

## **5 Core strategy – Adopted 21st December 2015**

5.1 Policy CS1: Focusing on a sustainable future. For the Borough of Great Yarmouth to be truly sustainable it has to be environmentally friendly, socially inclusive and economically vibrant not just for those who currently live, work and visit the borough, but for future generations to come. When considering development proposals, the Council will take a positive approach, working positively with applicants and other partners to jointly find solutions so that proposals that improve the economic, social and environmental conditions of the borough can be approved wherever possible. To ensure the creation of sustainable communities, the Council will look favourably towards new development and investment that successfully contributes towards the delivery of (partial of a – f):

a) Sustainable growth, ensuring that new development is of a scale and in a location that complements the character and supports the function of individual settlements

b) Mixed adaptable neighbourhoods, which provide choices and effectively meet the needs and aspirations of the local community

Planning applications that accord with this policy and other policies within the Local Plan (and with policies in adopted Neighbourhood Plans, where relevant) will be approved without delay, unless other material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will

grant permission unless material considerations indicate otherwise, taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole
- Specific policies in that Framework indicate that development should be restricted

5.2 Policy CS2: Achieving sustainable growth. This policy identifies the broad areas for growth, sets out the sustainable settlement hierarchy for the borough and two key allocations. (partial a-e)

a) Ensure that new residential development is distributed according to the following settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements:

- Approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth

5.3 Policy CS4: Delivering affordable housing. This policy sets out the thresholds for the provision of affordable housing. The site is within affordable housing sub-market area 1 Gorleston delivering 20% affordable housing.

5.4 Policy CS9: Encouraging well designed and distinctive places. This policy applies to all new development.

5.5 Policy CS14: New development can result in extra pressure being placed on existing infrastructure and local facilities. To ensure that the necessary infrastructure is delivered the Council will: (partial of a to f)

d) Ensure that the relevant improvements to local infrastructure are made by the developer. Where this is not practical financial contributions will be sought.

f) Make certain that new developments for which a planning obligation is necessary does not take place until a planning obligation agreement has been secured and approved. Payments should be made in a timely and fair manner to minimise the impact on existing services and infrastructure

## **6 Appraisal**

- 6.1 The site comprises 3.80 hectares of land that was formally allotments. The land was previously allocated for housing as part of the 2001 Borough Wide Local Plan and is included within the Strategic Housing Land Availability Assessment as deliverable and developable.
- 6.2 The application site is broadly level, albeit not with all adjoining land, across the site with a large depression towards the western end of the site. The site is bounded to the north by an existing residential development and open space, to the south is Gorleston recreation ground and on the eastern boundary is a school. The western boundary comprises the A47 Gorleston bypass (formally A12) and residential development.
- 6.3 The site is located within the urban area of Gorleston, between the A47 (formally A12, Lowestoft Road) and off East Anglican Way, and shares its southern boundary with GO04. The site was previously used as allotments and remains vacant since this use ceased. The area is generally level, although partly overgrown in places. The site lies in the heart of Gorleston and surrounding land uses are predominantly residential, although directly south of the site lies a recreation ground.
- 6.4 The site is within Gorleston which is considered to have good access to a range of facilities such as secondary schools, a range of shops and services and medical facilities. In terms of highways and access, Norfolk County Council implied during the Strategic Housing Land Availability Assessment that the site was unacceptable and that no further development should take place from East Anglican Way however there are no objections from highways to the current application and therefore the access is deemed acceptable. It was further commented that the site could only be developed in conjunction with site GO04 (Gorleston Recreation Ground) with access off Church Lane. In terms of environmental suitability, Anglian Water had indicated that there are major constraints with regard to sewerage infrastructure such as flow attenuation for foul water connections may be required. There is also no capacity for surface water sewers therefore alternative drainage measures such as SuDS may need to be explored where appropriate.
- 6.5 The site is an existing housing allocation in the Borough-Wide Local Plan (2001) and is in single ownership (Great Yarmouth Borough Council). It was confirmed by the Borough Council on 27/6/14 as part of the Strategic Housing and Availability Assessment that the intentions to develop the site remained and that dialogue between the Borough Council and a potential developer was on-going in a positive manner.
- 6.6 Since allocation in the 2001 Local Plan for housing and reassessment as part of the Strategic Housing Land Availability Assessment it was determined that the

site is potentially suitable, available and achievable and could yield approximately 117 dwellings over the short to medium term.

## **7 Assessment :-**

- 7.1 The application is a full application for the erection of 71 dwelling housing with associated open space and infrastructure. The site has been an existing housing land allocation since 2001 and has been re-assessed as part of the Strategic Housing Land Availability Assessment 2014 (SHLAA) the SHLAA found the site deliverable and developable and noted constraints which have been considered as part of this application.
- 7.2 The access proposed for the development will be off East Anglia Way. There will be a separate access for construction traffic to access the development which will be off Church Lane. This access will be over the existing recreation land and permission will be granted, in consultation with Fields in Trust, by licence through Great Yarmouth Borough Councils Property Services Department, as a temporary access. Fields in Trust have confirmed that the access proposal is approved in principle and will be confirmed should permission be granted upon receipt of the planning permission and licence agreement.
- 7.3 East Norfolk Sixth Form College have commented on the application stating that the construction access at Church Lane should be restricted to hours outside the hours that students arrive and depart the college. The hours that they have requested that the access is restricted are between 08:30 – 09:15 and 15:30 - 16:15. Although the highway authority have not stated that these restrictions are necessary given the small periods of time that the restrictions are requested such a restriction would mitigate the developments impact during construction at this section of the highway. The applicant has agreed to the restriction of vehicles utilising the construction access to these times. The College has also requested off site highway safety improvements. As the construction traffic is to be temporary and further improvements have not been deemed necessary by Norfolk County Highways further mitigation measures are not requested.
- 7.4 The access to the development is proposed as a singular access off East Anglian Way. The access road leads to the proposed development and a new proposed car park and drop off point. The car park and drop off point as proposed are for the adjacent school to seek to alleviate the congestion that is stated to occur on East Anglian Way during school drop off and pick off times. There will be a pedestrian access from the drop off point and the car park to the school. The car park will be gifted by the developer to the school and the agreement to take over the car park has been confirmed by email from the diocese.

- 7.5 The primary objection from residents is that the access is not suitable and that there are high levels of traffic during the drop off and pick up times for the school. Norfolk County Highways are satisfied that the access as proposed is suitable to serve the development, provided that the requested conditions are placed upon any grant of planning permission, and as such there are no highways reasons to refuse the application. It is understood that the schools drop off and pick-ups increase the level of traffic in the vicinity and the provision of the car park and drop of point which would be secured by condition, would go towards mitigating the existing issue.
- 7.6 A number of objections note the value of the existing site and the wildlife that is present on the site. The biodiversity and protected species report did not identify any rare or protected species and notes that the land is not appropriate for a number of protected species. The report does note that the survey was carried out in January and as such reptiles would be unlikely to be found. It is therefore recommended that an additional survey is carried out during an appropriate time of year and, in line with the report, that should specific species be found (common lizards or slow worms), they are transferred to another site with suitable habitat within the same geographic location prior to the commencement of the development.
- 7.7 Further objections to the loss of habitat have been made. The Local Authorities Landscape Officer did not deem any tree worthy of retention by protection and therefore while urban pockets of wild growing may be a locally desirable addition to an area this is not of such value and does not provide habitat for protected species and is therefore not a reason to refuse a development within a sustainable location that has been allocated for housing for a period in excess of 16 years.
- 7.8 The biodiversity report suggests that any site clearance is carried out outside of the nesting season and that swift nesting boxes are attached to or incorporated into the design of the housing in 5% of the dwellings proposed. It is further suggested that external multi occupancy house sparrow boxes be incorporated to the development to increase the availability of nesting sites. This recommendation could be secured by condition to allow for the number and type of boxes to be submitted to the Local Planning Authority for approval and the installation to occur prior to the occupation of the dwelling to which the box relates.
- 7.9 An objection has been submitted from a resident of Spencer Avenue, no.56, regarding overlooking. There is a significant difference in levels from the proposed site and the existing dwellings however following discussions with the applicant plot 50 of the development site has been amended to be a bungalow and should thus mitigate any overlooking concerns from this plot. The other two

storey houses are placed at such an angle that the overlooking is not so significant, when also taking into account the difference in land levels, to warrant a recommendation for refusal.

- 7.10 Neighbour objections have stated that access for fence maintenance should be allowed. The maintenance to fences will, should the proposed development be approved, still require access over third party land, currently the Local Council. The ownership of the land will change from the Council to the developer to the owners of the plots however the land is still within third party ownership which will not change.
- 7.11 There is a large depression on the site (identified on plans as 'pit') which, according to the biodiversity report, does not hold water. There is no indication that the pit forms any part of any on site drainage nor is it proposed that it will. The finished levels in relation to the pit can be required by condition to be submitted.
- 7.12 Anglian Water have stated that there is sufficient capacity for the foul sewerage to be accommodated within the existing network. The Flood Risk Assessment and Drainage Strategy submitted with the application states that the ground conditions are suitable for infiltration drainage. The Lead Local Flood Authority (LLFA) have stated that they are satisfied that the infiltration tests demonstrate that the site has favourable infiltration conditions and that the drainage strategy is sufficient. The LLFA have requested that a condition be placed upon any grant of planning permission which is detailed at 2.7 of this report.
- 7.13 The location of the site is a sustainable one being located within the urban area of Gorleston. The site is within accessible distance of shops, schools and all other amenities that could be required. The design of the development has sought to mitigate the impact on the nearby properties. Objections regarding loss of view and impact on property value are noted although no weight is able to be applied as these are not deemed material planning considerations. In accordance with the National Planning Policy Framework, in particular paragraph 187, Local Planning Authorities should work proactively with developers and seek to recommend approval of sustainable developments such as this. Paragraph 186 of the National Planning Policy Framework highlights the importance of the relationship between the development plan and decision taking. This site formed part of the last Local Plan and is currently assessed through the SHLAA as a deliverable and developable site demonstrating a continued interpretation of suitability for development.
- 7.14 The site is located adjacent to St Mary's Roman Catholic School and the applicant has, as part of the development, agreed to construct the drop off point and car park to be gifted to the school. This shall be secured by way of s106 agreement



which shall be completed and ensure the transfer of the car park and drop off point (if not adopted by Norfolk County Council Highways (drop off point only)) to the diocese/school prior to the occupation of the 10<sup>th</sup> dwelling on the site. This shall ensure that there are no liabilities left with the Local Planning Authority for the maintenance or upkeep of the car park or drop off point. In addition to this contribution Norfolk County Council are seeking an education contribution detailed at 2.14 of this report with the full request within the consultation response for £104,796 for improvements to Wroughton Infant Academy.

- 7.15 The standard policy requirement on major developments is to request the provision of on-site open space to ensure that adequate amenity space is provided for future occupants. For the application site, the open space that would be required would amount to 2,840 square metres. The application site is bounded by a large expanse of public open space to the south, Gorleston Recreation ground, which is maintained by Great Yarmouth Borough Council and is approximately 38,000 square metres in area. In addition, there is a children's play area at East Anglian Way and an area of public open space 'Meadow Park', approximately 15,890 square metres in area, to the north of the site. Given the specific location, and the open space nearby, it is not deemed necessary for there to be any open space provided on-site. As shown on the submitted plans, open space is being offered by the applicant; however, in this instance, the space could be provided as private open space with payment in lieu of provision at a rate of £480 per dwelling being paid. Should the developer wish to provide the open space as public open space and this option is accepted by the Committee, the resolution should include the fact that the Local Authority will take no ownership nor liability for the open space and the s106 agreement would secure the provision of a management company to manage the open space in perpetuity.
- 7.16 The Local Authority requirements detailed at 2.20 of this report are required to ensure that the Core Strategy is complied with. The s106 agreement shall also include the criteria for the management of the open space, drainage and private drives to ensure that the Local Planning Authority does not incur any responsibility nor liability for these at any point in the future should the open space be put forward as public. All other requirements as detailed as required to ensure a policy compliant development shall be included within the s106 agreement including affordable housing at 20%, open space provision, library contributions and payment in lieu of children's play and, where required, open space payment in lieu of policy compliant usable public open space as detailed at 2.20.
- 7.17 And important factor when determining applications is whether a Local Authority has the ability to demonstrate a 5 year housing land supply. If a local planning authority cannot show that they are meeting this requirement, their policies with

regards to residential development will be considered to be "out of date". As an authority we would then be significantly less able to resist all but the most inappropriate housing development in the area without the risk that the decision would be overturned at appeal under the presumption in favour of sustainable development, as set out in the National Planning Policy Framework. The current application accords with the National Planning Policy Framework and is sustainable development in addition to being allocated for housing and in compliance with Local Planning Policy.

- 7.18 The Core Strategy identifies approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth. The application, being located on a site identified for housing with no objections from statutory consultees excluding neighbours and located within a sustainable location accords with saved policies of the Borough Wide Local Plan, the Core Strategy and the National Planning Policy Framework.

## 8 RECOMMENDATION :-

- 8.1 The recommendation is to approve the application subject to conditions as recommended by consulted parties and those deemed appropriate, whether expressly noted within this report or not, to ensure a satisfactory form of development and obligations as set out by Norfolk County Council and Great Yarmouth Borough Council. Should members be minded to approve the application the recommendation is such that the permission is not issued prior to the signing of an agreement under section 106 for provision for infrastructure, mitigation, affordable housing, payment in lieu of children's play equipment, open space, Natura 2000 contributions and payment in lieu of open space if required and management agreement with the Local Authority taking no responsibility for open space, drainage or private drives.



Great Yarmouth Borough Council

01 MAY 2018

Customer Services

Mr Peter Oram & Ms Genevieve Rudd  
38 Recreation Road  
Gorleston  
GREAT YARMOUTH  
Norfolk  
NR31 6LX

Mr Dean Minns  
Planning Manager  
Planning Services  
Development Control  
Town Hall, Hall Plain  
GREAT YARMOUTH  
Norfolk  
NR30 2QF

28<sup>th</sup> April 2018

Dear Mr Minns,

Re: Planning Reference 06/17/0247/F

I write with reference to the above planning application which proposes the construction of 96 homes on the now disused allotments site just off of East Anglian Way. While I appreciate the need for housing and the pressures faced by local councils to meet government targets on the same, I strongly object to the building of an access road through Gorleston Recreation Ground and I would urge the planning department to reject the plan in its current form.

As you are no doubt aware, there have been multiple objections to the proposed road from local residents over the last few weeks and I would like to add my objections to the official record.

The reasons for my objections are numerous and multi-faceted and also include some unanswered questions that I hope you will be able to answer by way of reply.

The first part of my objection pertains to traffic and the safety of pedestrians and Recreation Ground users. With 96 houses come at least 96 new households. According to statistics published by the Department for Transport in the 2016 National Travel Survey<sup>1</sup>, in the East of England each household owns 1.31 cars. Following the development, this equates to 126 extra cars. If the current rate of employment of 75.4%<sup>2</sup> is also considered, a reasonable estimate of the number of extra cars on the road during the morning rush hour is 95. While this estimate in itself does not seem particularly large, when taken in the context of the existing infrastructure around Church Lane and the fact that on the current plan, there is only one entrance and exit to the new estate, it is reasonable to expect significant congestion in this area at busy times. Added to this, the proposed road emerges on Church Lane opposite East Norfolk Sixth Form college, an institution with 1750 full time students<sup>3</sup> and the associated traffic that this generates. Indeed, on the morning of 18<sup>th</sup> April, I stood outside the college for only 15 minutes (from 0930 to 0945) and captured three separate cars stopping on the double yellow lines to drop off students (see appendix A). While I would concede that 15 minutes of observation by a concerned resident is far from a comprehensive traffic survey, it does serve to illustrate the point.

Further to the above but this time from the perspective of public transport and pedestrian safety, Church Lane is a main bus route with bus stops on both sides of the road. The bus stop on the eastbound carriageway is situated in a bay but on the westbound carriageway, it is situated directly in the path of traffic. When buses stop on this side of the carriageway, other traffic must either wait

<sup>1</sup><https://www.gov.uk/government/collections/national-travel-survey-statistics>

<sup>2</sup><https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/bulletins/uklabourmarket/april2018>

<sup>3</sup><https://www.nus.org.uk/en/students-unions/east-norfolk-sixth-form-college/>



behind the bus until it pulls away or move into the opposite lane to try to drive around the bus (see appendix B). With the extra traffic the new road would cause, it is clear that the location of this bus stop would generate extra delays and potential tailbacks particularly at busy times. This extra traffic will, in turn, increase the danger to pedestrians alighting the bus at this stop. There are currently no pedestrian crossings on this stretch of road meaning that pedestrians must 'take their chances' when crossing the road.

To remediate the hazards outlined above which the new road would exacerbate, if the proposed plan goes ahead, will the council commit to building extra parking bays by the college to accommodate the bus stop and a pick-up and drop-off point for the college and also a pelican crossing on Church Lane to protect pedestrians?

On the subject of road safety, it is unclear how the plan proposes to protect pedestrians using the Recreation Road entrance to the Recreation Ground. By comparison, Recreation Road is considerably quieter than Church Lane and because of this, it is the preferred entrance to the Recreation Ground for children, dog walkers and vulnerable members of the public. If construction of the road goes ahead, will the council commit to installing a pelican crossing across the new road at the Recreation Road entrance?

According to the published proposal (although I have not seen a map with an accurate scale), the new road appears to pass within meters of the existing basketball courts. These courts are popular and well used by the community. What assessments have taken place to ensure that the users of the basketball courts are protected from traffic and what measures will be implemented to ensure that stray basket balls or other sports equipment will not endanger passing traffic?

My final objection relating to traffic is parking. Parking on Recreation Road and St Andrew's Road is already a challenge for residents, with college students among others parking their cars on the pavement during the day (see appendix C). With extra residents comes the need for additional parking. If the current proposal goes ahead, will the council commit to the establishment of a permit parking scheme on Recreation Road and St Andrew's Road to ensure that parking for local residents takes priority?

Of equal importance to problems caused by traffic in the local area, is the importance of preserving green spaces in the community. Paragraph 73 of the National Planning Policy Framework states *"Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required."* Can the council confirm that these assessments have been conducted and advise where the results are published?

Paragraph 74 of the same policy states *"Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements"*. The proposed location of the new development is used by the local community for recreation (dog walkers, children etc.). Can the council advise on the results of the assessment of the space as "surplus to requirements" and the criteria used to come to this conclusion?

Paragraph 74 continues to state that *"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"*. Appendix D is a copy of email correspondence between myself and David Sharman (Development Manager at Fields in Trust). In it, David agrees that the proposed land to be given to the Recreation Ground in exchange for the imposition of the road "would not currently meet our criteria" to fulfil the requirements of paragraph 74. Can the council detail what plans are in place to develop the land to satisfy this clause of the National Planning Policy Framework and what assessments will be conducted subsequent to development to ensure that the land complies with the clause?

I note that a previous proposal (which I understand has not been rejected) proposes an entrance to the site via an already existing, purpose built road off East Anglian Way. This would seem a more logical solution for access to a new estate although the volume of traffic would perhaps be too high for the size of the existing road. What is the current status of this proposal?

Perhaps a suitable compromise to reduce traffic but still develop the site would be to build considerably fewer houses on the site and turn a portion of the land over to public green space. This would create more green space for the community and reduce the amount of traffic on the site. I realise that the current proposal is one that has been made by Badger Building to the council for consideration and as such the council cannot amend the plans directly but I'm sure recommendations can be made for any future proposal that Badger Building might submit.

In summary, I have no objection to new houses in the area and even to the use of the old allotments site for this purpose. However, I do strongly object to a proposed road across an historic, well used and well loved public space and the associated problems and potential damage this would cause to the local community.

The council exists to represent the people, ensure their safety and well-being while at the same time developing the prosperity of the area. I've no doubt that this is a delicate balance and I'm not unsympathetic to your situation as decision maker but when proposals such as this come forward that are so clearly weighted in the interests of corporations and of meeting arbitrary government targets rather than in the interests of the local people and wider community they must surely be identified as such and summarily dismissed.

For the reasons outlined, I strongly urge the council to reject this plan from Badger Building (that is, reject it, rather than defer or extend it). It is ill conceived, problematic, dangerous and harmful to the community.

Thanking you in anticipation of your attention and consideration. I await your reply with interest.

Yours Sincerely

Mr Oram & Ms Rudd



## Appendix A



Appendix B





## Appendix C



Image of Church Lane facing west taken from Google Maps  
(<https://www.google.co.uk/maps/@52.5787685,1.7220407,3a,30y,284.44h,87.44t/data=!3m6!1e1!3m4!1s8SO8NeFyWJOJ4PyaPoAo4Q!2e0!7i13312!8i6656?hl=en>)

## Appendix D

**On 16/04/2018 12:46, David Sharman wrote:**

Dear Peter,

Many thanks for your email.

The pictures are very helpful indeed and I shall pass them on to our trustees, who shall eventually be considering the matter.

The additional information is also of interest. I believe that I have in fact already directly spoken to the lady quoted at the end of your message. I'd also agree that the land currently proposed as replacement would not currently meet our criteria in that state.

In terms of an update from us, I'm afraid that there is not much to report. We cannot begin to formally consider this until we receive the request from the council, including all information that we require. They are yet to provide this but we are in contact with them.

Kind regards,

David.

David Sharman

Development Manager

Direct line: 020 7427 2123



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**On 15/04/2018 15:39, Peter Oram wrote:**

Hi David,

Thanks for your response. I would urge you to come and visit the site to see for yourself but if you are unable to do so, I have taken some pictures that will hopefully help you in your consideration of the proposal.

The first photo was taken at position 1 (as marked on the attached plan [plans.jpg]) facing north. This shows where the proposed road would enter the new estate. As you can see the land is all open grass field (photo 2, is taken facing south to further demonstrate this).

Photo 3 was taken (facing east) on the land proposed to be given back to the recreation ground once the road has been built. Similarly, photo 4 was taken but from a west facing perspective.

With paragraph 74 of the National Planning Policy Framework in mind (which you kindly drew my attention to last week), I would suggest that the current plans do not meet the below requirement:

**“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”**

As you can see, the land in its current state is not of the same quality as the land in photos 1 and 2. To bring the land to the same standard would require significant land clearance including the uprooting of a number of established trees.

Finally, while it may not be on your criteria for consideration, there is a point regarding access to the ground by vulnerable members of the public. Photo 5 shows the entrance to the ground from Recreation road. The proposed road would run directly between this entrance and the recreation ground. Recreation road is a very quiet road that only residents make use of generally i.e. there are only houses here; it is not a through road unlike Church Lane. As this entrance is fairly quiet, it is heavily used by children or other vulnerable members of the public to access the ground safely. Adding a road as

proposed would remove this safe access point. For some, this would mean that they can no longer make use of the recreation ground at all. Below is a post from one worried resident that illustrates this point well:

*"I don't want this road to go ahead. I bought my house last may( 2017) to be near the Recreation Ground as it was perfect for me and my husband as he has Parkinson's Dementia. He can walk a few meters to the park on his own , with me watching him from our bedroom window. It is the only little bit of independence he has left, I watch him walk our dog and he loves it. Build this road and he has lost everything. This road will be meters from our house. Sorry to rant on but this will ruin our way of life"*

I would be interested in how Fields in Trust's considerations are going so far. Has there been any significant updates on your end?

Best Regards

Peter

Photo 1



Photo 2



Photo 3



Photo 4





The site plan illustrates Recreation Park and its surroundings. Key features include:

- Site Boundary:** Outlined in red.
- Proposed new Access road:** Into the Residential Development. Land take required = 1820 sq.m.
- Proposed row of Tree Planting:** Alongside the existing wall.
- Existing block wall:** Located along the edge with Recreation Road (shown dotted in C7).
- Existing access point:** Through the existing wall to the Recreation Park.
- Proposed access to the Recreation Park:** To be converted via installation of a new barrier with rail & rines exit point leading onto a speed reduction traffic road crossing point. As to detailed design by a selected Highways Engineer.
- Recreation Road:** Located to the east of the park.
- Church Lane:** Located to the south of the park.
- Numbered Areas:** 1, 2, 3, 4, 5.
- Text in Area 1:** "The existing Recreational Park" and "Proposed type 3 Park A for way with 2 K x 100 metres. Access to site shown in red (area for park in blue)".
- Text in Area 2:** "The existing Recreational Park".
- Text in Area 3:** "The existing Recreational Park".
- Text in Area 4:** "The existing Recreational Park".
- Text in Area 5:** "The existing Recreational Park".
- North Arrow:** Located in the bottom right corner.

## Internet Consultees

Application Reference 06/17/0247/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name David Kelf

Address 53 Church Lane

Gorleston

Norfolk

Post Code NR31 7RG

Email

For or Against OBJ Object

Speak at Committee

As a family who resides in close proximity to the proposed access road (within the recreation ground) for the new housing development, we would like to object strongly to the plans being approved. There are many reasons for the objection, some of which are listed below.

1. The access road proposal enters the recreation ground off Church Lane, which is already a very busy road, which becomes grid-locked with traffic at certain times of the day due to the traffic associated with the sixth form college. There are currently not enough parking spaces for students to park their cars and as a result, there is no space for the numerous buses and coaches that pull-up outside the college collectively at the beginning and at the end of the college day. This leads to queues of buses and coaches on Church Lane, sometimes pulled-up on the

Date Entered 01-05-2018

Internet Reference OWPC1682



# Internet Consultees

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Name David Kelf

Address 53 Church Lane

Gorleston

Norfolk

Post Code NR31 7RG

Te

Email

For or Against OBJ Object

Speak at Committee



kerbs, making it extremely difficult and dangerous for cars to drive past and even more hazardous for the students/public to cross the road. There is also only one entrance/exit for the college, which would be directly opposite the proposed access road entry, making this already congested area even worse.  
2. As mentioned above, there is already an issue with parking and I would assume that making an additional access road entry would remove a significant more number of these spaces. I would then be concerned that drivers would be inclined to park in unsafe and unsuitable locations, and in their desperation they may even park on the new access road, which I assume wouldn't be suitable for this purpose. Any reduction in parking spaces would make it incredibly hard for local residents to park during college hours, this could be confirmed by residents of Baliol Road,

Date Entered 01-05-2018

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Name David Kelf

Address 53 Church Lane

Gorleston

Norfolk

Email Address

For or Against OBJ Object

Speak at Committee

Recreation Road and St. Andrews Road, who already have a fight on their hands to park their car anywhere near their house during college hours.

3. Although the park itself will not lose any green space due to the extension area of the park at the south end, it will however lose some of its current appeal, due to the road traffic that will be using the new road. With over 90 houses to be constructed, it can assumed that there could be around 120-130 vehicles using the road each day just for the new residents based on national average figures and this wouldn't include visitors and service vehicles. This would create a large amount of air and noise pollution to both the park and existing residents adjacent to the park.

4. In my opinion, all of the above points raised, will contribute to making any existing residence within the locality of

Date Entered 01-05-2018

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# Internet Consultees

Application Reference 06/17/0247/F

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name David Kelf

Address 53 Church Lane

Gorleston

Norfolk

Post Code NR31 7BG

Email

For or Against OBJ Object

Speak at Committee

create a large amount of air and noise pollution to both the park and existing residents adjacent to the park.

4. In my opinion, all of the above points raised, will contribute to making any existing residence within the locality of this development depreciate in value as a direct result, which depending on circumstances, may put families into negative equity.

I realise that additional houses are required, especially in boroughs such as Great Yarmouth, but I believe that there will be a huge impact to the area if this one is approved, especially with current proposal access road proposal.

There have been other proposals prior to this one that has included East Anglian Way and Beccles Road and I fail to see why this one is any better equipped to deal with the potential issues.

Date Entered 01-05-2018

Internet Reference OWPC1682

## Internet Consultees

Application Reference 06/17/0247/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Sean Manthorpe

Address 114 Church Road

Gorleston

Post Code NR31 6LW

Tel

Email Address

For or Against OBJ Object

Speak at Committee

I am concerned about a new junction being opposite the 6th form car park on a road which is already congested and an accident waiting to happen. The land for the proposed properties is home to bats, deer, foxes and many other animals. I also feel that the road going through the recreation ground will be the loss of a community asset that has been there for 100 years.

Date Entered 01-05-2018

Internet Reference OWPC1680



(23)

S  
Mr Paul Minns, Group Manager

Great Yarmouth Borough Council Planning Services  
Town Hall, Hall Plain, Great Yarmouth NR30 2QF

24<sup>th</sup> April 2018

Planning Application 06/17/0247F

Erection of 96 dwellings and associated infrastructure and access off Church Lane at St Mary's Roman Catholic School (Land rear of) East Anglian Way GREAT YARMOUTH NR31 6TY

Dear Mr Minns,

I want to object to the above proposal by Badger Building. I ~~do~~/do not want a road across the Recreation Ground because -

☒ I think it would be dangerous because of all the people and traffic there

☒ I think it would stop it feeling a nice place to play and relax

Great Yarmouth  
Borough Council

02 MAY 2018

Planning  
Department

I ~~do~~/do not want houses built on that land because -

☒ We already have lots of new houses being built round here. I think so many new people and cars in town might make things harder for everyone

☒ I do not think we have enough space at the doctors, the dentists or the hospital for lots of extra people

☒ I think it's important to leave wildlife somewhere to live

Signed .....

Print Name PATRICIA WEBB



11 Saint Andrew's Road

Gorleston

Norfolk NR31 6LT

30<sup>th</sup> April 2018

Great Yarmouth  
Borough Council

02 MAY 2018

Planning  
Department

Mr Paul Minns, Group Manager

Great Yarmouth Borough Council Planning Services

Town Hall, Hall Plain, Great Yarmouth NR30 2QF

Planning Application 06/17/0247F

**Erection of 96 dwellings and associated infrastructure and access off Church Lane at St Mary's Roman Catholic School (Land rear of) East Anglian Way GREAT YARMOUTH NR31 6TY**

Dear Mr Minns,

Further to my previous email, I wish to object to the above application. I thank you for providing a site plan on two of the gates to the Recreation Ground as requested, and for extending the time period for objections so that the residents of Saint Andrew's Road can have their statutory notice period.

I have objections to the proposal both as a local resident and as a citizen of Gorleston.

- I reject the current Government's housing policy.
- I oppose the wilful destruction of a desperately-needed wildlife haven, and what could be an invaluable resource for our local children.
- I believe the local infrastructure cannot sustain another 96 households without a detrimental effect on both potential new and existing residents.
- I oppose any sell-off of recreational space in the Borough.
- I think this plan will destroy the peace of the play area on the Recreation Ground.
- I think the proposed junction with Church Lane is dangerous.

There is no doubt that we have a housing shortage, and that everyone should have a right to a safe home. But in my opinion it is frankly delusional to erect great tracts of private housing in the hopes that the laws of supply & demand will force private landlords to drop their rents back down to affordable levels. It will only bring more 'investment opportunities' for those that already have. In an part of the world that has areas of extreme poverty, poor social mobility, a high percentage of poorly paid seasonal jobs and a struggling infrastructure, I fail to see how the residents of Gorleston will directly benefit from this development apart from the token 'affordable housing'.

#### Public Services

Dropping another 96 households in the centre of Gorleston is bound to have a negative impact on those already there. Take our already overstretched public services. Despite Great Yarmouth & Waveney CCG's



affirmation that this proposal is OK with them, we have the highest GP to patient ratio in the whole of the Eastern Region excepting Ipswich, currently running at 1:1700. Practically this means a three-week waiting list to see a practice nurse for 5 minutes at Central Surgery, 4 weeks if you need a GP. The surgeries in Gorleston are, politely, 'in flux' since East Anglian Way Family Healthcare closed. I wonder what 'not OK' looks like to the CCG?

Policing – with all the PCSOs being recently cut, it appears we now have one sergeant and two PCs to cover this whole area. They must be under extreme pressure, especially with the current flood of hard drugs from London. Will another housing estate, especially so close to the centre, not stretch the thin blue line even thinner?

Schools. Badger Building are building 110 houses on the old Claydon Field. The catchment for these 110 families will be Wroughton and Lynn Grove. Now that Planning Permission has been granted for these homes has the LEA been informed of this when they say there will be room for the additional 96 families Badger will be sending from this proposal to the same schools?

### **Wildlife**

I wish to inform you that on many summer evenings I have seen bats flying on this site. This is something that I have discovered on talking to residents, is not an uncommon experience both up there and in surrounding gardens on all sides. As you will be aware as planners, it is your legal duty to inform the developers that they have to commission a survey of the site and include mitigations in their plans. Now that you, and therefore Badger Building, are in possession of this knowledge, under the Wildlife and Countryside Act (1981) (as amended); the Countryside and Rights of Way Act, 2000; the Natural Environment and Rural Communities Act (NERC, 2006); and by the Conservation of Habitats and Species Regulations (2010) you are aware that ignoring this information and harming bats carries a six month jail term.

This is not a game. Bats are protected by so much legislation for a reason. And if by invoking this, we can try to protect all of our native wildlife that over the years has found itself locked in by buildings and residing in our town, then so be it. This is a Greenfield site. It has never been built on. I strongly reject the notion that if a piece of land is not generating visible currency it is 'waste land'. I have worked in schools in the Borough and I know there are many children who have never seen the beach. On one school trip the highlight of the day was seeing cows for the first time on the Acle Straight. Let's invest in our children. Let's make this land a community asset. I know it also has problems with litter, waste and anti-social behaviour, but I have also been surprised to learn how many children in the area, and their parents before them, have enjoyed the adventure and freedom the site has offered them.

Even Badger Building, in their original plans, accepts that we have freely enjoyed the site for forty years, although that apparently counts for nothing when they have to pay for a road to slice through our children's play area.

At a time when our garden bird numbers are crashing through the floor, in Saint Andrew's Road we have house sparrows, sometimes goldfinches and in high summer swifts wheel and scream down the street. If I were a swift having just made the 2000 mile journey back from Africa, I don't think I'd be too impressed to have my rich feeding grounds replaced with a housing estate, and then work out to look for one of the five percent of the houses with a plastic swift box and householders willing to welcome me.



I understand there's a badger sett up there. I know there's no mercy for foxes or muntjac, but ironic that Badger Building label Badgers as 'pests', when they discuss the nuisance value of all these creatures fleeing for their lives before the bulldozers.

I mentioned trees in my email. It seems that if a tree only thirty years old and not fat enough it has no amenity value and is expendable. A fellow resident has mentioned the fine pine tree up there, and the rowans. I would add the old apple trees. Also the fact that the trees in East Anglian Way are protected by TPOs but not the large ones on the Rec?? This is surely an oversight that needs very prompt action.

All our native wildlife urgently needs our help, not only the creatures and the birds but also our native bees and butterflies are at critical levels of survival. On a summer's day up there the air is alive with buzzing on the bramble blossom. It is an immeasurably richer and more rare resource to the Borough's residents than the millions of pounds the interested parties stand to make. And they may not take comfort by saying there is space for wildlife in the countryside. Where now is our 'Bluebell Wood' at Hobland? I for one would be very pleased to volunteer at any 'Town Farm' or reserve that might be created if suitable access for the necessary volume of traffic cannot be found.

On a personal level, I have lived in this road now for 17 years. There are to my knowledge people who have been born and brought up in the road, or inherited their homes. This all illustrates the fact that it has been a nice place to live. In the time that I have lived here I have watched the parking go from easy to nigh on impossible some nights. Every time you planners allow a development round here which does not include parking, our quality of life is affected. Tensions are rising with the vehicle numbers. This development will also bring more traffic and general noise, pollution, light pollution and people to our previously quiet little street. It will leave us with even more competition for services, jobs and roadspace than we already cope with. Why should we be left the worse off for other's schemes? If you crowd us in then those that can will leave, and the community will be the poorer for it.

Please please reject this application. I know that you are obliged to help Badger find a suitable access to this land, and you could do with the money from the land sale, (which must give rise to a possible conflict of interests and a threat of a possible breach of contract) but if you allow them the manoeuvre you into literally running a road through one of the most heavily used corners of peace and relaxation in the borough, possibly endangering our children, then under the current Government Policy you will be opening the floodgates to every Field held in Trust being under attack from developers, not only in the Borough but for other authorities as well.

Yours sincerely

H A Pointer (Mrs)

Attached comments  
on the Road Proposal





### PROPOSED NEW GORLESTON RECREATION GROUND

- a** There is no provision on the plan for hardstanding for maintenance and emergency vehicles. This represents an approximation for that.

I find the provision of a 'hit and miss' barrier a peculiarly aptly-named piece of highway engineering, given the small children, dogs, youngsters on bikes, groups of car-sharing students, after-tea family footballers etc that use this historically pedestrian entrance, and would now have to negotiate a new road as well as the old gate to get to their green space.

- b** The existing basketball court. It is bound by @ 150 cm high tubular steel fence and surrounded by a generous green space. This means that the ball habitually goes out of court and is vigorously chased by the players revelling in the space. Under the new plan the south-east corner of the court will virtually touch the high fence of the new road. It will destroy that dynamic, and practically, could present dangers of balls getting onto the road and even rolling into Church Lane.

- c** The play equipment for pre-school and older children. The present sense of being safe behind the current fence in a large green traffic-free space would be replaced by the sense of being in an urban corner.

I understand that one of the reasons the play equipment was relocated some years ago was that it was considered a safer site than the possibility of a child finding themselves cornered by a potential assailant on the old site in the south-western corner, bounded as it was on two sides by fence. The present site enjoys access from a pedestrian gate right next to it, and from the double gates in the eastern corner.



There is no provision on the plan for a new pedestrian gate to replace the eastern gate, presumably because children would find themselves right on a busy junction. This then puts the play equipment back in a corner, bounded on two sides by fence.

- d The new junction directly opposite the Sixth Form College access.

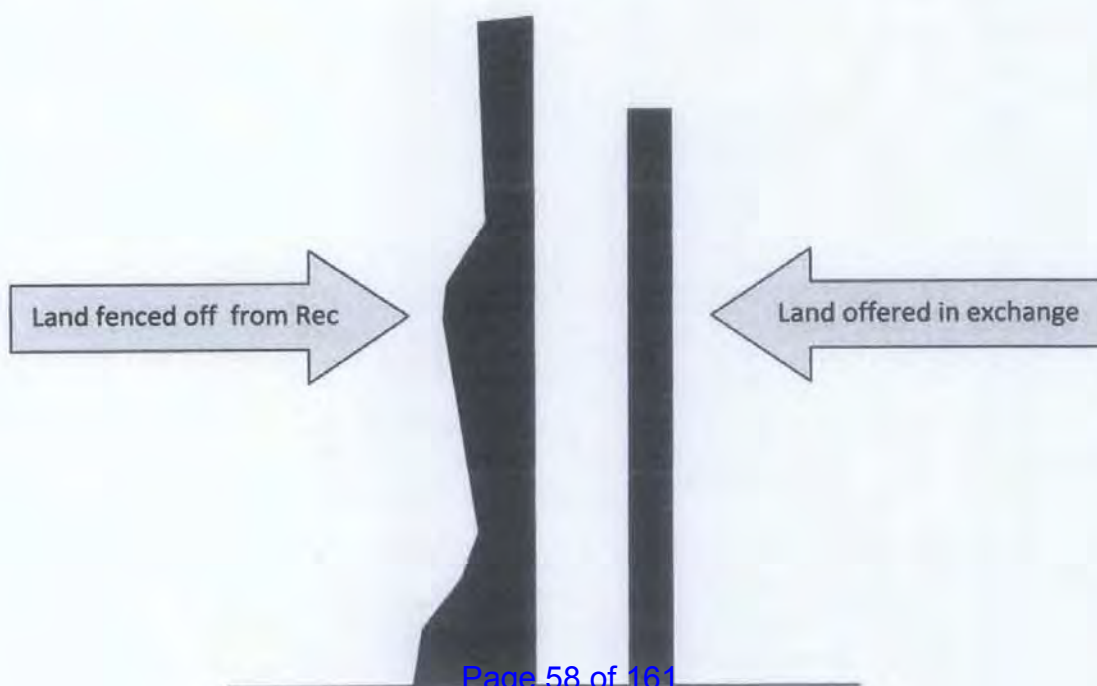
ENSFC has a roll of over 1,600 students and 200 staff. Because of it's excellent academic standing it has a very wide catchment of pupils all arriving and departing by vehicle. Twice a day in term time Church Lane grinds to a dangerous halt with student buses, illegally hovering parent cars, schoolchildren, students, all the normal busy Church Lane traffic and major town bus routes. Frustrated west-bound cars pull out from behind parked buses into the path of the oncoming east-bound traffic as the students try to cross the road. And Badger want to add into that another potentially 96 households bringing their children home from school by car up the new road?

That college access road is not simply a vehicle access. Students pour through it on foot from the teaching blocks behind the main building.

It is also inevitable that the new road would become blocked by illegally parked college parents at peak times, and possibly student cars as well. I wouldn't fancy the chances of any emergency vehicle trying to reach the proposed new estate.

The above plan shows as accurately as has been possible quite what a dramatic effect the layout of the proposed junction would have on Church Lane. Not being a Highways Engineer it is difficult to assess how many valuable parking spaces will be lost. Also, closing off the original gates to the Rec would render the present historic entrance avenue and it's trees (kindly currently being re-established by yourselves) completely meaningless and redundant.

BADGER BUILDING'S PROPOSAL FOR FIELDS IN TRUST'S COMPULSORY LANDSWAP (taken from plan)



S

**Jill K. Smith**

---

**From:** Robert Boswell [REDACTED]  
**Sent:** 17 July 2018 12:05  
**To:** plan  
**Subject:** Plan ref 06/17/0247/F / EH/WS : Badger Homes 71 properties - Land rear of East Anglian Way, Gorleston  
**Attachments:** Planning Application 06-17-0247-F - Rebid Mar18 Bob Sections 16July18.docx

Good morning

Thank you for your advice provided by the office in our telephone call yesterday following your letter of 15 June 2018. In accordance with that advice, please find attached above my current Objection comments regarding the above Plan and the latest re-submission by Badger Homes.

As a resident of East Anglian Way (EAW) for 18 years since its original construction, I would ask you, yet again, to consider my views and serious concerns as set out in my attachment above. Each of the points raised here are "in my own personal opinion". May I ask you to confirm receipt and inclusion in the papers for the Committee's attention. Thank you

Bob Boswell  
29 East Anglian Way, Gorleston – Resident since 2000



**1. Highway & Traffic in EAW**

The highway safety fears and risks arising from this Plan with the inevitable increase of over 100+ vehicles using 1 x single access road are well documented from the past and acknowledged by all parties including councillors. This traffic will be in addition to the existing residents, the new flats and the "3 visits-per-day" parents of over 200 school children.

- The Plan provides just 1 x access route for a further 71 families. This results in an almost inconceivable proposal to have just 1 x single point of entry/ exit for an estate that would number over 160 family homes and where that sole route will be past the main entrance of a school
- EAW is already a bottleneck of congestion for 30 minutes either side of 9am; 12noon and 3pm giving 3 hours of daily traffic jams and irate/ inconsiderate motorists. Any increase in traffic volume will just add significantly and inevitably to the daily safety and danger issues in street entry & exit and to the school children and parents
- EAW is constructed to allow the passage of two "standard" vehicles. Any incident in the road; badly parked cars; contractor vans; deliveries; refuse collection or resident visitors
- (let alone the horrendous volume of construction traffic during the building period) will bring total chaos to EAW, instant "jams", high potential for total grid-lock, restricted access for emergency vehicles, and increased safety issues

**2. Construction Period**

Your papers indicate that, if the inconceivable happens and approval is granted, you are prepared to allow construction on **6 days a week** across mostly 11 hours per day. Even at a conservative estimate, I would expect an absolute minimum of **at least 1 year** of construction activity. Given my comments on the risks, traffic issues and dangers inherent in the Plan, such a period of virtual non-stop daily construction traffic of all sizes will bring road chaos, danger and traffic carnage to EAW and the surrounding roads, the level of which would be anathema to residents, the community and authorities alike. The presence of a Primary School should be remembered here. In addition, the daily level of noise, air pollution and disturbance would make everyone's life a total misery.

**3. Properties**

The plans set out a varied style of property across the estate, however I note that my own house will be backed onto by some four-bedroomed houses and their associated garages.

- **Loss of Outlook** - The plans are very clear in showing that the close proximity of the houses will overlook my own house, provide direct visual access into my bedrooms, conservatory, kitchen and garden and thereby totally invading my privacy.
- **Loss of View** - My family currently enjoy and greatly value our rear outlook of trees, birds, wildlife, greenery & nature's best as shown in the early spring picture below. These plans will replace this with yet another mass of concrete, double-glazing, cars, noise and intrusion.





- There is currently a vast array of **wildlife** living in that area of land and this just destroys their habitat and home and it will be lost forever
- The “new” gardens appear to back directly on to My rear fence, again invading our privacy and the calming solitude of peace and quiet we have always enjoyed
- I was advised by Norfolk CC that many of the trees you can see in my picture near my own and also my neighbour’s houses, were under **protection orders**, how are these protected in these plans?
- The **boundaries** shown on the plan are those which I “enjoy” as mine at this time. There is no comment or guidance to show, state or outline the inherent private property rights thus giving rise to inevitable potential boundary disputes

#### 4. Property Value

If you just read my comments and view the picture above, I do not think that I need to say much more to convince you on this point. For me it is very clear and obvious just what a serious and adverse effect with significant financial impact such a large development will have on the **value of my property**.

#### 5. Land

In the last proposal submission, I recall that responses to the request for a **Land Contamination Report**, following a damning challenge by the Environment Health (28Apr17 – *document shown on your own website*). This was subsequently, allegedly addressed by two reports compiled by Badger Homes themselves!! I trust that the Council will ensure due diligence this time and insist upon only an **independent** review and un-biased assessment?

#### Summary

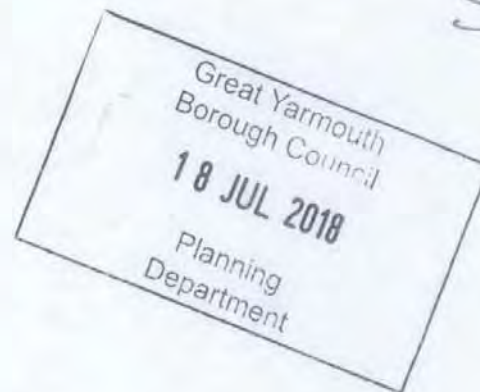
I would conclude by adding my additional general concerns that this proposed development, set to double the size of the current estate, will significantly increase the risk of crime, incidents, anti-social behaviour, and problems in the adjoining beautiful park area we all value so much.

For the points I have raised and for the reasons I have set out above, to me this revised plan is unacceptable. With the utmost and sincere respect, I respectfully but strongly urge the committee to reject this development proposal once and for all.

I should be grateful if you would consider my personal views in your deliberations please.

Robert (Bob) Boswell  
Resident of East Anglian Way since July 2000.

Ken Pressley  
30 St Andrews Road  
Gorleston, NR31 6LT



[REDACTED]  
17/07/2018

Mr. Minns  
Planning Manager  
Great Yarmouth Borough Council  
Town Hall, Hall Plain  
Great Yarmouth, Norfolk NR30 2QF

Reference: Planning Application: 06/17/0247/F

Dear Mr. Minns:

I am writing to you to strongly object to the proposed planning application including the temporary road that is on the application going across the Recreation ground on its eastern boundary. This is an additional objection to the one I have already made on this planning application number.

My main concerns are the temporary nature of the access road being proposed across the Recreation ground on its eastern boundary.

How long will the 'temporary road' be in existence? (How long to complete the housing development).

What guarantee is there that the road will not become PERMANENT.

Why use the Recreation ground as a temporary access when there is an existing access route from Colomb/Beccles Road.

The Beccles road junction could be remade and barriered such that only vehicles necessary for accessing the development would be allowed

Thereby making it unnecessary to have a 'temporary road' on the Recreation Ground.

I have lived on St Andrews road since 1976. During that time, I was an allotment holder on what is now the playing field of the St Mary St Peter Catholic school. Many evenings over the last 40 years I have seen Bats in flight on the area that was allotments particularly along the corridor to the north of the Recreation ground wall where there are mature trees, where the proposed temporary road must pass through. The existence of bats has been seen on numerous occasions this summer and a



video clip has been sent to the planning department previously by email (02/05/18)  
I have contacted the 'Bats.org.uk' and part of their reply is below:

What you should expect of the local authority

*The planning authority has a legal obligation to consider whether bats are likely to be affected by a proposed development. If a survey has not already been undertaken to determine the potential for bats on site and/or the presence of bats, the authority should request that the developers commission an appropriate survey.*

*If a survey demonstrates that development is likely to affect bat foraging and/or commuting habitat then linear features such as tree lines should be retained, and compensatory planting should be considered wherever possible.*

*If a survey demonstrates that bats and/or a known roost are likely to be affected by the proposed development, and planning permission is to be granted, a condition should be placed on the decision notice requiring the developer to apply for, and obtain, a European Protected Species Licence before work commences.*

*The licence will specify planning conditions such as timing of works and mitigation to lessen impacts. If you later suspect that a developer is contravening the conditions of their licence try to check the conditions of the licence with the authority that issued it, this varies depending upon the country (see contact numbers below) and alert the local planning office.*

**Can you confirm whether a Bat Survey has been undertaken?**

**If this hasn't been done will you be asking the developer to undertake a Bat Survey?**

- **How many trees will be cut down to make proposed road?**  
If there any trees left in the area of the proposed road how many may be affected (Damage to root systems/branches removed) by the construction of the proposed road?
- **The proximity of the basketball/football park to the proposed road is such that even I a 61 year old can miss kick a football onto the existing road let alone some of the more youthful 6<sup>th</sup> form students. Therefore, has fencing been allowed for in the planning application to ensure safety of the new proposed road? If fencing has been allowed for it will have to be quite high and will look quite out of place in the recreation ground which has a very open and inclusive aspect.**

There has been no vehicular access to the Old Allotment site for 20 years. The only people who access this area are walkers with or without dogs. The area is dominated by brambles, sycamore trees and an area of bracken. There are 2 very mature trees (Pine and fir) in the area with a line of more mature trees (oaks and hawthorn) that run parallel to the North Recreation boundary wall. I have witnessed on many occasions Muntjac deer getting under the western boundary fence of the

Mr. Minns  
17/07/2018  
Page 3

St Mary St Peter Catholic school from the old allotments and grazing on the school playing field. I have also witnessed foxes in this same area.

I am not an expert on birds but there are the usual common types. The old allotment area provides nesting sites and lots of food for wild birds all year round.

Noise, at the rear of my property the only noise we get is from the school children at playtimes. The construction of the houses will generate some noise but when the houses are occupied what noise can I expect?


Light Pollution, as there are no lights on the old allotments what is in the planning application to minimise light pollution?

Finally, I have witnessed over the last forty years a reduction in the facilities on the recreation ground.

First to go was the lawn tennis courts, followed by Gorleston FC, the main grandstand and 'chicken run', then the hockey pitch and cricket square. Football pitches have gradually diminished until there are none marked out over this last couple of seasons.

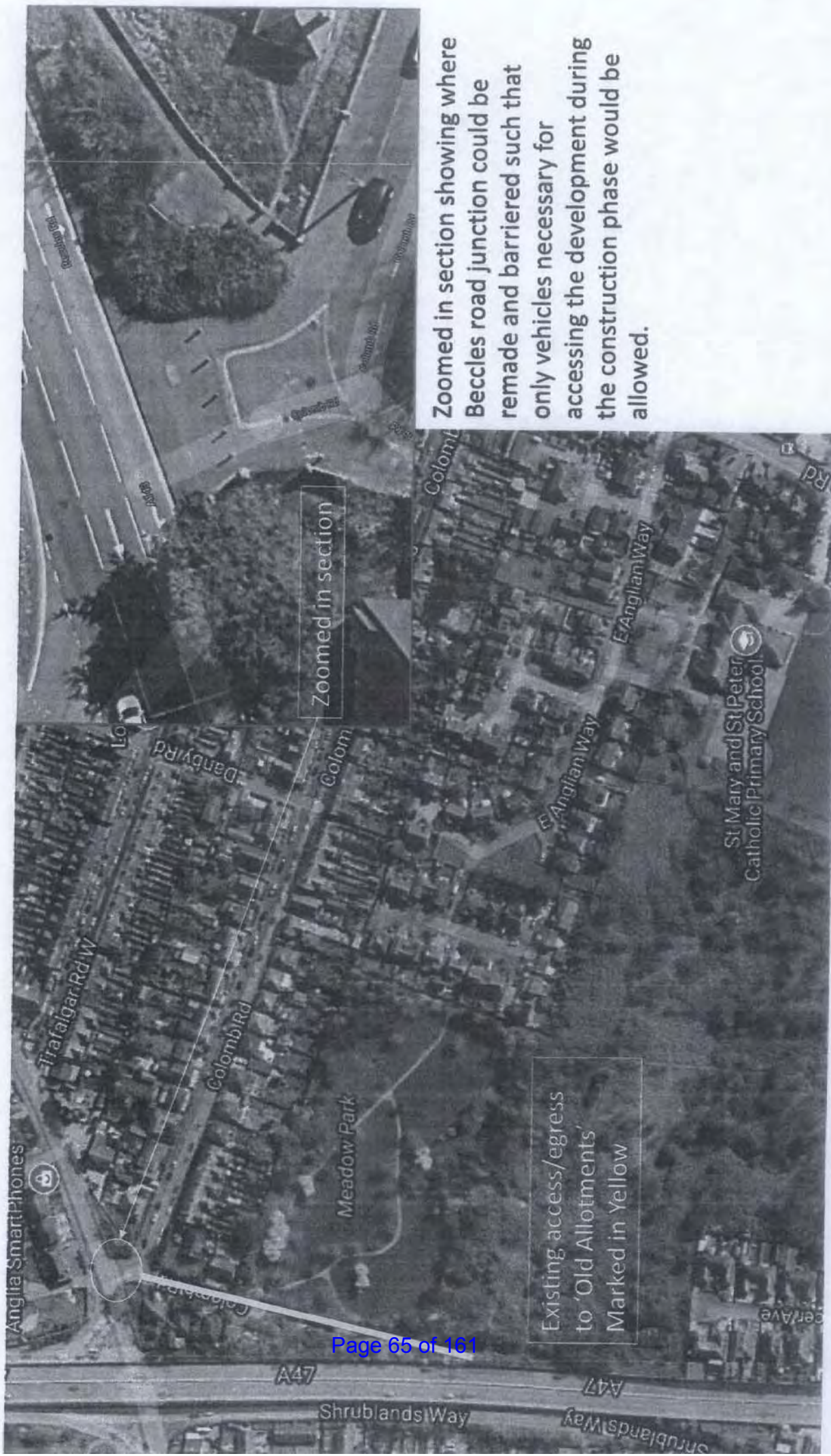
I fully understand that council finances have a great impact on recreation facilities in the Borough. With the proposed planning application including a new road on the recreation ground I just wonder how long before the recreation ground is just a name for a housing estate.

Sincerely



Ken Pressley





Zoomed in section showing where Beccles road junction could be remade and barriered such that only vehicles necessary for accessing the development during the construction phase would be allowed.

## Gemma Manthorpe

---

**From:** Helen Bates <~~helen.bates@diocese.org.uk~~>  
**Sent:** 28 July 2017 13:43  
**To:** Gemma Manthorpe; 'head@smspprimary.norfolk.sch.uk'  
**Subject:** RE: Planning application at Land Rear St Marys Roman Catholic School / Land off East Anglian Way 06/17/0247/F

Hi Gemma,

Yes, I can confirm the car park will transfer into the ownership and responsibility of the Diocese of East Anglia.

Regards,

Helen

**From:** Gemma Manthorpe [mailto:[Gemma.Manthorpe@great-yarmouth.gov.uk](mailto:Gemma.Manthorpe@great-yarmouth.gov.uk)]  
**Sent:** 28 July 2017 10:51  
**To:** Helen Bates ; ~~head@smspprimary.norfolk.sch.uk~~  
**Subject:** Planning application at Land Rear St Marys Roman Catholic School / Land off East Anglian Way 06/17/0247/F

Good morning,

I have been passed your email address by Mrs Long, copied into this email, following a discussion regarding the planning application adjacent your site the submitted details state that the car park will transfer to your ownership and therefore responsibility. I am requesting advice from our solicitors as to how this will be secured but would appreciate your confirmation this is the case? If there is any action required in relation to yourselves I will let you know.

I am happy to discuss the application and answer any questions that you have, I thank you for your cooperation regarding this matter.

Best regards,

Gemma Manthorpe LLB (Hons)  
Senior Planning Officer  
Great Yarmouth Borough Council

Telephone: 01493 846 638  
E-mail: [gm@great-yarmouth.gov.uk](mailto:gm@great-yarmouth.gov.uk)

Website: [www.great-yarmouth.gov.uk](http://www.great-yarmouth.gov.uk)  
Correspondence Address: Town Hall, Hall Plain, Great Yarmouth, Norfolk NR30 2QF

***Great Yarmouth Borough Council - Customer Focused, Performance Driven***

It takes 24 trees to produce 1 ton of office paper! Think... is it really necessary to print this email?



06/17/0247/F

S

Elaine Helsdon

**From:** Tracey Kelly  
**Sent:** 20 May 2017 11:29  
**To:** plan  
**Subject:** Re: Planning for housing estate off East Anglian Way.

To whom this concerns,

I'm forwarding email below.  
Hope it reaches correct department.  
Please reply to inform of acknowledgment.

Thanks  
Tracey Kelly

> On 16 May 2017, at 12:10, Tracey Kelly wrote:  
>  
> To Cllr Fairhead,  
>  
> Building plans for the housing estate off East Anglian have been brought to our attention.  
> We live on the entrance of East Anglian Way to side of the junction. 132 Church Rd.  
> We would like to object to East Anglian Way being used to enter into the proposed housing estate.  
> With a busy school along the entrance road and general congestion we feel the extra traffic would be disastrous!  
> With personal opinion from living, parking and driving around the entrance area, the congestion at school and work times is already unacceptable.  
> I have three school children and generally of a morning i will wait five minutes at least to reverse out onto East Anglian Way, after giving way to traffic and pedestrians.  
> With the amount of houses proposed that would have to use this access bearing in mind on average two cars per house, the extra congestion could also be unsafe for children that are often biking and walking without parents.  
> There is quite often school coaches, delivery vans and lorries entering this way also.  
> We are not against the building of the estate but the proposed access would NOT work.  
>  
> Hope our views and input are took on board, they should be valuable to any decision as we've lived here seven years and feel this is a true, fair and strong opinion and objection.  
>  
> Kind regards,  
>  
> Tracey Kelly, Christian Dimascio and family.

# Internet Consultees

Application Reference 06/17/0247/E

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name Joseph Santon

Address East Norfolk Sixth Form College

Church Lane

Gorleston

Great Yarmouth

Post Code NR31 7BQ

Telephone

Email Address

For or Against NOS Subject to Condition

Speak at Committee

8:00 and 4:30pm Monday to Friday only. We would request that deliveries be prevented from 8:30am until 9:15am and 3:30pm until 4:15pm Monday until Friday due to the increased traffic at these times. The additional vehicles using Church Lane because of the development will increase the risks to pedestrians, cyclists and motorists in the area. Given the proximity of the proposed access on Church Lane to the main College vehicular entrance, there is an increased likelihood of accidents involving the users of Church Lane. We would therefore ask that the Borough Council / Highway Authority consider that the planning consent include traffic calming measures or a pedestrian crossing on Church Lane as a safety improvement measure for local residents and the students and staff of the College.

Date Entered 12-05-2017

Internet Reference OWPC1118

## Internet Consultees

Application Reference 06/17/0247/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name John Bebbington

Address 9 East Anglian Way

Gorleston

Great Yarmouth

Post Code NR31 6TY

Telephone

Email Address

For or Against NOS Subject to Condition

Speak at Committee

As a resident in EAW and head coordinator of the East Anglian Way Neighbourhood Homewatch, which has also acted as a residents association, I have been very actively involved in the development of various traffic and housing plans for East Anglian Way.

The main objection has always been the problem of access. This has not improved since raising it with GYBC in 2002. At that time it was only the school traffic blocking access as well as backing up into Church Road. A school travel plan did not succeed in solving the problem. This was before the proposed plans for the future development of the land adjacent to the school and EAW were publicised. From 2009 onwards various suggestions were proposed

Date Entered 11-05-2017

Internet Reference OWPC1115



# Internet Consultees

Application Reference 06/17/0247/E

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name John Bebbington

Address 9 East Anglian Way

Gorleston

Great Yarmouth

Post Code NR31 6TY

Telephone

Email Address

For or Against NOS Subject to Condition

Speak at Committee

by yourselves which eventually foundered on the access problem - and the size of the development of the area - figures ranged up to 140 dwellings and the effect this would have on the local residents, pupils and local traffic in the area. The revised plan by Badger Homes showed a welcome sympathetic understanding of the residents concerns but it also highlighted the need for a second access point to the area. The proposal to have school drop-off/collection parking area was welcome but as the only access route would be down EAW and through the very narrow road between 9 and 11 a number of the residents did not see this as an improvement on the contrary traffic would be heavier due to the housing and the expansion of the school. The removal of the surgery would not have any real benefit.

Date Entered 11-05-2017

Internet Reference OWPC1115

# Internet Consultees

Application Reference 06/17/0247/I

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name John Bebbington

Address 9 East Anglian Way

Gorleston

Great Yarmouth

Post Code NR31 6TY

Telephone

Email Address

For or Against NOS Subject to Condition

Speak at Committee

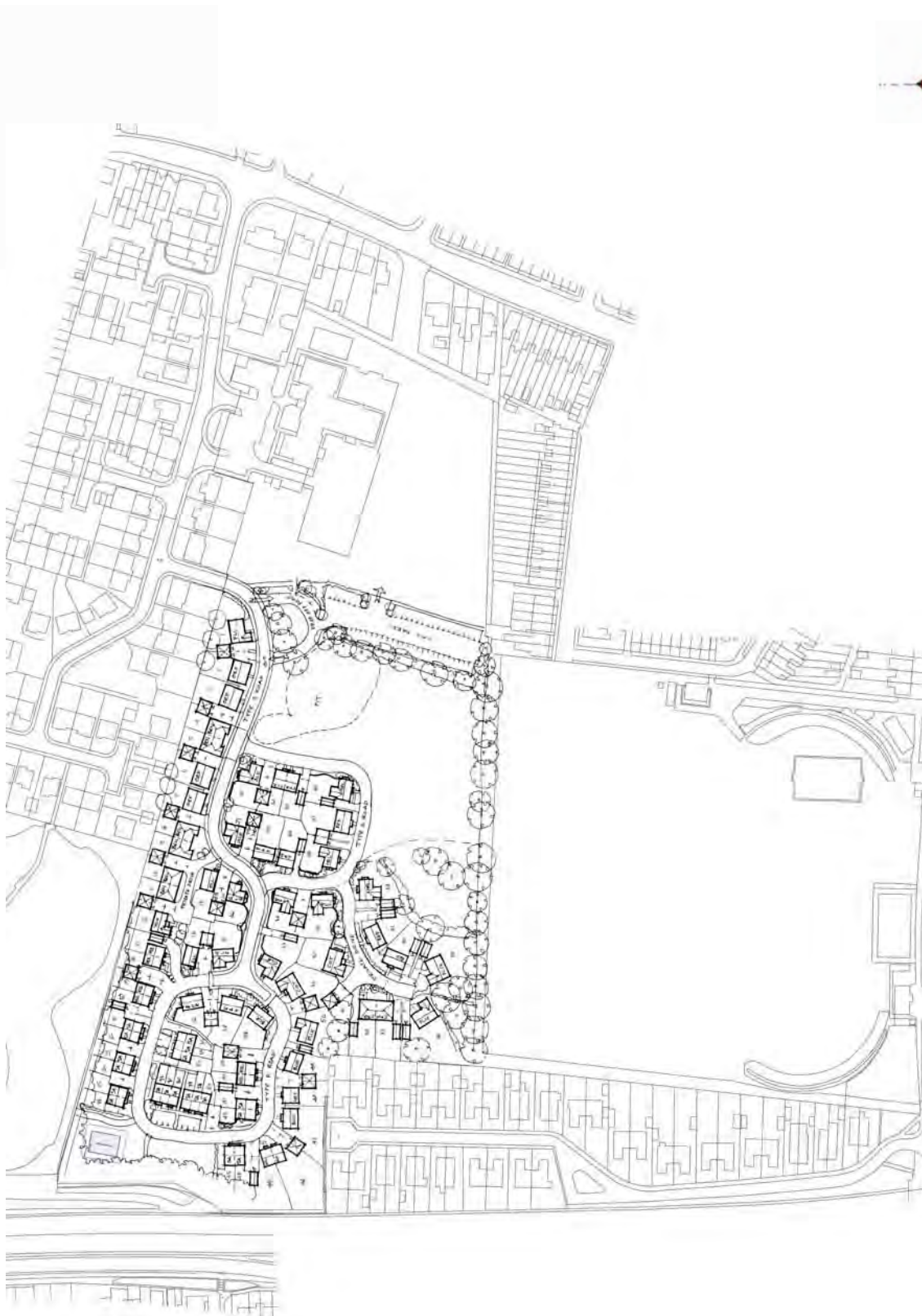
The new plan as proposed has merits , especially in listening to residents worries about the amount of housing and types backing on to the existing EAW residents. The problem however of access remains. The amount of traffic at school times will be both hazardous for traffic in Church Road and dangerous for children walking to school, especially as school traffic will (or should) be moving in a very confined area.'

The above are my own views but not surprisingly reflect at least some of our residents.

AS BEFORE ACCESS IS THE MAIN PROBLEM HERE - IT STILL NEEDS TO ADDRESSED

Date Entered 11-05-2017

Internet Reference OWPC1115





**Reference:** 06/18/0173/F

**Ward:** Great Yarmouth  
**Officer:** Mrs Gemma Manthorpe  
**Expiry Date:** 14<sup>th</sup> May 2018

**Applicant:** Mr B Vyas

**Proposal:** Erection of a single storey building for mixed A3/A5 (restaurant and hot food takeaway) use, incorporating a 'Drive-Thru' lane, car and cycle parking and associated landscaping and boundary treatment

**Site:** Mitchell Drive and Jones (GC) Way (Land off) Plot 3

## **1. REPORT**

- 1.1 The application is full application for the erection of a single storey building for a mixed use as a restaurant and hot food takeaway with drive thru and advertisements to be displayed on site. The site area comprises 0.29 hectares of undeveloped land which is currently vacant land.
- 1.2 The land is accessed to the south of the application site off Mitchell Drive, the south eastern boundary of the site adjoins the car park of Frankie and Benny's restaurant (use class A3). On the other side of Mitchell Drive is a public house serving food named The Grayling. The Grayling and Frankie and Benny's were built following two separate planning approvals as referenced at 1.4 of this report.
- 1.3 The site is located within food zone 3a and in planning policy terms out of town centre location.
- 1.4 There is varied planning history on the site which is documented and available to view within the planning file. The most relevant applications are as follows:
  - 06/13/0744/F – Full application for pub/restaurant access, parking and associated works and an outline application for coffee drive thru with all matters reserved.
  - 06/14/0021/F - The erection of a single storey (Class A3) restaurant, with servicing, car and cycle parking, landscaping and associated works.
- 1.5 Recently and close by the application site and fronting Pasteur Road, planning application 06/16/0332/F was granted for 'Demolition of the existing warehouse and redevelopment to provide a 68-bed hotel and an associated family pub/restaurant (class A3/A4), two drive-thru restaurants (class A3/A5), together with associated access, parking, landscaping and servicing' at land to the east of the application site identified on the planning permission as 'Jones (GC) Way (Land adjoining to the East)' referred to as Pasta Foods Ltd off Pasteur Road.

## **2. Consultations :-**

**2.1 Neighbours** – There have been representations received from agents on behalf of two interested parties, Williams Gallagher on behalf of Market Gates Shopping Centre and Indigo on behalf of Pasteur Retail Park. The full responses are attached to this report and the objections are summarised below:

- The development as proposed is contrary to policy CS6 of the adopted Core Strategy which seeks to safeguard employment land (the land is so identified)
- Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- The previous consent on the site pre-dates the adoption of the Core Strategy.
- The development does not pass the sequential test.
- There has been no commercial marketing of the site for 18 months as required by the Core Strategy policy CS6 and noted by the inspector at appeal APP/U2615/W/15/316604 at an adjacent site (Pasta Food).
- There is no benefit to a larger employer which sets this site away from other sites.
- The previous appeal decision notes that a Costa Coffee and Burger King would contribute to making this (Pasta Food site) an out of town destination and would not support the Town Centre.
- There are empty shops with road frontages available.
- Members will need to satisfy themselves that flood risk can be managed taking into account the comments of the Environment Agency.
- Due weight should be given to representations.
- It is an axiom of good planning that there is consistency in decision making.
- The land was re-allocated as safeguarded employment land in following the adoption of the Core Strategy in December 2015.
- Undue weight is relied upon by the applicant for the previous outline planning permission for a coffee drive thru on the site. This is no longer a material consideration as the permission has now lapsed.
- Non B class employment opportunities could be off-set by the closure of the KFC in Great Yarmouth, Regent Road outlet or KFC Marine Parade outlet.
- The applicant has offered no guarantee that the existing outlets in Great Yarmouth would not close. The potential closure should be a material consideration.

**2.2 Norfolk County Council as Highway Authority** – The Highways Authority raise no objection to the proposals subject to conditions.

**2.3 Highways England** – No objection.

- 2.4 **Environmental Health** – No objection to the application, but conditions are requested for contamination, hours of work, and advisory notes for local air quality and an informal noise assessment for the development phase.
- 2.5 **Internal Drainage Board** – Byelaw consent will be required from the Board. We can confirm that we are in correspondence with the applicants consultants regarding this planning application.
- 2.6 **Broads Authority** – No objection.
- 2.7 **Police Architectural Liaison Officer** – Full comments provided including noting that the area suffers from a high level of retail crime and recommendations for the doors and windows. The Liaison Officer does not agree with the proposed location of the cycle bays and it is recommended that these are moved to where they can be readily and directly seen and closely monitored by their owners.
- 2.8 **Town Centre Manager** – No response received.
- 2.9 **Anglian Water** – No comments received.

### 3. **National Planning Policy Framework**

- 3.1 The presumption in favour of sustainable development is set out under paragraph 11.
- 3.2 Paragraph 12: The National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 3.3 Paragraph 80: Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation<sup>40</sup>, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.
- 3.4 Paragraph 82: Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or



high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

- 3.5 Paragraph 120. Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:
- a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and
  - b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.
- 3.6 Paragraph 85. Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:
- a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;
  - b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;
  - c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;
  - d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;
  - e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and
  - f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
- 3.7 Paragraph 86: Local planning authorities should 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. Main town centre uses should be located in town centres, then in 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.

- 3.8 Paragraph 87: When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
- 3.9 Paragraph 89: When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m<sup>2</sup> of gross floorspace). This should include assessment of:
- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
  - b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- 3.10 Paragraph 90: Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 89, it should be refused.
- 3.11 Paragraph 2: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 3.12 Paragraph 155: Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 3.13 Paragraph 157. All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:
- a) applying the sequential test and then, if necessary, the exception test as set out below;

- b) safeguarding land from development that is required, or likely to be required, for current or future flood management;
  - c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and
  - d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.
- 3.14 Paragraph 158: The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 3.15 Paragraph 54: Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

#### **4. Saved Great Yarmouth Borough-Wide Local Plan Policies (2001)**

- 4.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):
- 4.2 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

#### **5. Core Strategy:**

- 5.1 **Policy CS1:** This policy promotes sustainable communities and development which would complement the character of an area.
- 5.2 **Policy CS6:** The Borough of Great Yarmouth has a diverse local economy. It is the main service base in England for the offshore energy industry and has a thriving seasonal visitor economy. To ensure that the conditions are right for



new and existing businesses to thrive and grow, there is a need to continue to strengthen the local economy and make it less seasonally dependent. This will be achieved by:

a) Encouraging the redevelopment and intensification of existing employment sites, particularly those sites with good access by a variety of transport modes

b) Safeguarding existing local employment areas identified in Table 10 and future local employment areas allocated in other Local Plan Documents for employment use. Alternative uses will only be allowed where it can be demonstrated that:

- There is a satisfactory relationship between the proposed use and any pre-existing neighbouring uses, without significant detriment to the continuation and amenity of existing or proposed uses
- There is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months
- A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: mixed use of the site that incorporates an employment-generating use, then non-employment use

c) Allocating approximately 10-15 hectares of new employment land at Beacon Park Extension, South Bradwell, through Policy CS18

d) Exploring the potential for up to 22 hectares of land reclamation to the north of the Outer Harbour at South Denes

e) Supporting port-related development proposals relating to the Outer Harbour and existing river port, in particular encouraging cargo handling and other port-reliant activities

f) Encouraging a greater presence of higher value technology and energy-based industries, including offshore renewable energy companies, in the borough

g) Supporting the local visitor and retail economies in accordance with Policies CS7 and CS8

h) Encouraging the development of small scale business units, including those that support the rural economy and rural diversification

i) Supporting the provision of development essential to sustain a rural workforce, including agricultural workers' dwellings and rural community facilities

j) Minimising the potential loss of the best and most versatile agricultural land by ensuring that development on such land is only permitted if it can be demonstrated that there is an overriding sustainability benefit from the

development and there are no realistic opportunities for accommodating the development elsewhere

k) Supporting the delivery of high speed broadband and communications technology to all parts of the borough

l) Encouraging flexible working by:

- Allowing home-working where there is no adverse impact on residential amenities
- Allowing the development of live-work units on residential and mixed-use sites, subject to the retention of the employment element and safeguarding of residential amenity
- Allowing the development of relevant ancillary facilities, such as childcare facilities and eateries, in local employment areas, where appropriate

m) Improving workforce skills by:

- Working with local education and skills agencies and local business organisations to establish training facilities to enhance workforce skills
- Encouraging the provision of new training facilities on employment sites

5.3 **Policy CS7:** Overall, the majority of town, district and local centres within the borough are performing well, despite the national economic downturn. To enable them to continue to compete with centres outside of the borough, out-of-town retailers and the internet, the Council will:

a) Focus future development and investment using the retail hierarchy in Table 12 below

**Table 12: Retail**

<b>Hierarchy Classification</b>	<b>Location</b>
Main Town Centre	Great Yarmouth
Town Centre	Gorleston-on-Sea
District Centres	Bradwell (Proposed) and Caister-on-Sea
Local Centres	Well defined groups of shops and services in the borough's villages and main towns, such as The Green, Martham; Bells Road, Gorleston and Northgate Street, Great Yarmouth

b) Seek to allocate in accordance with the retail hierarchy and the sequential approach between 2,152sqm (net) and 4,305sqm (net) of new 'food' shopping

floorspace, and up to 8,865sqm (net) of new 'non-food' shopping floorspace, in identified opportunity sites in the borough, up to 2031.

c) Promote the extension of the Great Yarmouth's centre to include The Conge and parts of North Quay as a mixed-use development scheme through Policy CS17 and the Great Yarmouth Waterfront Supplementary Planning Document

d) Aim to improve the vitality and viability of our town and district centres by:

- Safeguarding the retail function and character of each centre. Primary, Secondary and Holiday Shopping frontages will be identified in the Development Policies and Site Allocations Local Plan Document where appropriate
- Enhancing the appearance, safety and environmental quality of the centres
- Encouraging a diversity of uses within each centre, enabling a wide range of retail, leisure, social, educational, arts, cultural, office, commercial and where appropriate, residential uses
- Supporting small and independent businesses, including retaining and enhancing important local markets
- Promoting the short and long-term reuse of vacant buildings
- Enhancing the early evening economy
- Improving access to the centre by sustainable modes of transport and encouraging multi-purpose trips

e) Maintain and strengthen the role of local centres and local shops in the borough to better serve the day-to-day needs of local communities

f) Ensure that all proposals for town centre uses outside defined centres demonstrate that there are no sequentially preferable sites available and that the proposal can be accessed by sustainable transport. Proposals over 200sqm (net) will also be required to submit a Retail Impact Assessment demonstrating that there will be no significant adverse impact on existing designated centres, including those beyond the borough boundary, such as Lowestoft.

#### **5.4 Strategic Planning**

Further to my comments made on the 11th May 2018, I am now satisfied that a sequential appraisal of alternative sites relating to the proposal has been adequately undertaken, fulfilling the requirements of Core Strategy Policy CS7(f).

- 5.5 It is noted that whilst the applicant has acknowledged that a full 18 month marketing assessment has not been undertaken (as per the requirements of CS6(b)(ii)) the applicant has provided further supporting information which provides some narrative as to why it is considered that there is no reasonable prospect of the site being used for the allocated employment use. The narrative provides a useful comparative view on a similarly constrained adjacent site and should be regarded as a material consideration when



coming to a view on the application of Policy CS6(b) (ii) with respect to this planning proposal.

## **6. Assessment**

6.1 The application is a full application for the erection of a mixed use A3 and A5 unit with advertisements. The gross floor area is 240sqm with comprising of approximately 117 sqm customer area and the remaining kitchens and staff area. The building is proposed to be single storey and will incorporate a drive-through lane, associated car and cycle parking, landscaping and boundary treatment. The applicant has stated that the design of the building will accord with the surroundings and be visible from Jones GC Way without being unduly prominent. The application is accompanied by the following documents:

- Plans x 8
- Planning statement incorporating Design and Access Statement, Sequential Assessment and Retail Impact Assessment.
- Transport Assessment
- Delivery and Servicing Plan
- Level 2 Flood Risk Assessment
- Site Investigation Report
- Planning Consent Information – Mechanical Ventilation and Environmental Control Equipment
- Noise Impact Assessment
- External Lighting CALCULATIONS
- KFC Good Neighbour Guide.

A further statement in the form of a detailed letter was submitted in support of the application as additional information by the applicant's agent.

6.2 All planning applications should be determined against the development plan in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, unless material considerations indicate otherwise. The local retail planning policy has been set out above.

6.3 The National Planning Policy Framework (NPPF) referred to above is an important material consideration in this case. At its heart is the presumption in favour of sustainable development, which is seen as "a golden thread running through both plan-making and decision-taking" (paragraph 14).

6.4 "For decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted (for example those policies designated as Sites of Special Scientific Interest; land designated as Green Belt; designated heritage assets; etc.)"

- 6.5 With regards to decision-taking, the NPPF directs local planning authorities (LPAs) to "...approach decision-taking in a positive way to foster the delivery of sustainable development" (paragraph 186) and to "...look for solutions rather than problems" (paragraph 187). In order to deliver sustainable development, the NPPF sets out thirteen core tenets to inform both plan-making and decision-taking, including 'ensuring the vitality of town centres'. In planning terms the application site is considered an out of town location.
- 6.6 In summary, the primary objective of national and local plan policies is to maintain and enhance the overall vitality and viability of existing centres, principally through new sustainable investment and development. Proposals for retail and main town centre uses that are not in an existing centre and not in accordance with an up- to-development plan, as is the case with the current applications, will therefore need to satisfy both the sequential test set out in the NPPF and the criteria of the Core Strategy.
- 6.7 Since the previous applications on this and adjacent site the main significant difference in local planning policy terms has been the adoption of the Core Strategy in December 2015.
- 6.8 Policy CS6 of the Core Strategy, at b) seeks to safeguard existing employment land and requires that in order to demonstrate that there is no commercial reuse of the land for employment the site must be marketed for a period of not less than 18 months. This point in particular was highlighted by the Planning Inspector in the decision to refuse on appeal the application for a larger retail development on the Pasteur Road site appeal. The site also forms part of the same employment land designation in the Local Plan. The objectors to the application state that this has not occurred and as such the application should be refused.
- 6.9 The applicant states that if the land were ever used for employment use this use was in excess of 25 years ago, evidenced by the undeveloped condition of the land. The applicant goes on to assert that the surrounding uses within Use Class A (retail, restaurant, drinking establishment) makes the likelihood of an industrial (Use Class B) use being introduced unlikely.
- 6.10 In further support of the application the applicant has provided details of existing units within near proximity to the site (units off Jones GC Way) which are currently vacant. At the time of submission of the additional details, 6-8 out of 16 are stated to be vacant. Paragraph 22 of the NPPF states that the long term protection of sites should be avoided and where there is no realistic prospect of the site being used for allocated employment use and applications for alternative uses should be treated on merit.
- 6.11 The additional information is not evidence of marketing for 18 months as stated by Policy CS6 b) of the Core Strategy, but provides an understanding of the local market conditions and the alternative available employment sites which are already constructed. When assessing the weight to be applied and whether this satisfies the criteria of Policy CS6 b) of the Core Strategy, it

should be noted that the Strategic Planning Officer has removed his objection to the application.

- 6.12 Strategic Planning originally objected to the application on the grounds that the applicant failed to comply with Policy CS6 and CS7 of the Core Strategy. Following the submission of the additional details the objection was removed and comments were received which are at 2.10 of this report. From a policy perspective it is accepted that the marketing has not been carried out; however, it is noted that the commentary and additional information as submitted is useful when assessing the application against policy CS6.
- 6.13 Policy CS7 of the Core Strategy requires that a sequential test is carried out for developments that are over 200sqm (net) and are a Town Centre Use are required to submit a retail impact assessment to demonstrate that there will be no significant detrimental impact on existing centres. A Town Centre Use is defined within the NPPF as:
- 'Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).'
- 6.14 The objections to the application state that the creation of the proposed unit, a KFC, will have a significant detrimental impact on the town centre and could cause the closure of the two units currently in operation in Great Yarmouth located at Regent Road and Marine Parade.
- 6.15 As part of the additional information submitted, the applicant has stated that they are willing to enter into a legal agreement to keep open two of the existing KFC businesses these being Regent Road and High Street Gorleston for a period of five years. KFC would also need to be party to the agreement and have indicated that they are willing to do so.
- 6.16 By offering to enter into a legal agreement to keep the two units in both Great Yarmouth and Gorleston, it would help to mitigate any adverse impact on the town centres. It is considered that to request a longer period would put an unreasonable hardship on a private operator, which would be contrary to the NPPF. The retention of the two units also goes some way towards mitigation of the objection point put forward that the additional jobs created could be offset against job losses should the other KFC units close.
- 6.17 Strategic Planning are satisfied, following the submission of additional information, that the sequential test has been satisfied in accordance with policy CS7 of the adopted Core Strategy and have removed their objection to the application. Should the application be approved, it is recommended that prior to issuing the decision notice the legal agreement is signed.



- 6.18 It is agreed that the previous outline approval on the site for a drive-through coffee shop has elapsed. The previous approval was given prior to the adoption of the Core Strategy, as noted by the objectors. Although the outline approval was not implemented the full part of the application, the pub/restaurant, was implemented. In addition, a further restaurant has been erected in close proximity as detailed above. The proposal is therefore assessed as having a satisfactory relationship with the surrounding uses in accordance with policy CS6 of the adopted Core Strategy.
- 6.19 The objectors to the application note the previous appeal decision which was dismissed at a nearby site (Pasta Foods). The objectors liken the applications and therefore note that the appeal is a material consideration.
- 6.20 The appeal site was subsequently granted planning permission for non-employment use with a legal agreement requiring investment into a large employer within the town. The appeal decision also notes that out of town development would not support the Town Centre.
- 6.21 When applying weight to the appeal decision it must be noted that the appellant, although not successful at appeal, was granted planning approval on the appeal site by the Council. The approved application was subject to a legal agreement for investment in the nearby Pasta Food factory. The applicants also put forward similar reasoning to the current application for not advertising the site for employment purposes for 18 months.
- 6.22 In the current case, the objection by Strategic Planning has been removed on the basis that they are satisfied that there is conflict with current planning policy and thus, while taking into account the inspector's comments, there is not a policy reason to recommend refusal of the application.
- 6.23 The application states that the development will result in the creation of 60 jobs, which they state cannot be ignored as a material consideration. Given that it is accepted that there is little likelihood of the land being utilised for employment land and the creation of an additional 60 jobs, 25 full-time and 35 part-time, with the agreement that the other two units will remain open for the following five years, along with the size of the unit a material consideration of the application. The weight to be applied to the creation of the additional employment is for members to decide as part of the deliberation.
- 6.24 As part of the objections, the empty units within the Town Centre have been stated as viable alternatives to the proposed out of town site. Additional information has been submitted by the applicant detailing further reasoning for other units not being suitable for the proposed use, and also described 11 properties that were looked at and the reasons that they are not acceptable. The reasoning includes the proximity to the existing town centre KFC.
- 6.25 The site is located within flood zone 3a and the response to the application consultation from the Environment Agency has been considered. The development as proposed is classified as 'less vulnerable' in the Planning Practice Guidance and the application is required to pass the sequential test.

The Local Authority is satisfied that the sequential test has been adequately addressed and that this development in this location is appropriate. The application is accompanied by a Level 2 Flood Risk Assessment.

- 6.26 The advertisements have received no objections and, if consent is granted, will not cause a proliferation of advertisements in a single location.

## **7. Recommendation**

- 7.1 Following the submission of the additional information and the removal of the objection by Strategic Planning the policy reasons for refusal are sufficiently answered. When weighing the material considerations the National Planning Policy Frameworks approach to make best use of land with specific reference previously developed land and the compliance with the Core Strategy the application, on its merits, is in accordance with the current and local planning policy.
- 7.2 The application is recommended for approval subject to conditions as requested by consulted parties and the signing of a legal agreement. The legal agreement shall, in accordance with the additional information submitted in support of the application on the 18<sup>th</sup> June 2018, be drafted to ensure that the KFC located at Gorleston High Street and the KFC located at Regent Road Great Yarmouth shall remain open for a period of five years with the time taken from the date that the new unit is opened.

4 May 2018

Mr G Clarke  
Planning Officer  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Sent by Email

Dear Graham

**Proposed KFC Drive Thru  
Mitchell Drive and Jones (GC) Way (Land off) Plot 3  
Application Ref: 06/18/0173/F**

I write on behalf of Baymount Overseas Ltd (c/o Ellandi LLP), owners of the Market Gates Shopping Centre in Great Yarmouth Town Centre, to object to the abovementioned planning application on grounds of the proposal's non-compliance with the recently adopted Great Yarmouth Core Strategy Local Plan (CSLP) (December 2015).

CSLP Policy CS6 is of particular relevance to the application proposal as the application site falls within an area that has been safeguarded as a local employment area.

We note that a series of concerns regarding the application's non-compliance with CSLP Policy CS6 have already been articulated by the Planning Agents for Pasteur Retail Park Ltd (Indigo) in their letter dated 1 May 2018. Whilst we disagree with some of the points raised in respect of their own site, they are correct in pointing out that the Applicant - DPKBV - has failed to address a key criterion of Policy CS6 (b) which states that alternative uses within existing local employment areas will only be allowed where it can be demonstrated that:

- there is a satisfactory relationship between the proposed use and any pre-existing neighbouring uses, without significant detriment to the continuation and amenity of existing or proposed uses;
- there is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months;
- a sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: mixed use of the site that incorporates an employment-generating use, then non-employment use.

The work undertaken by the Applicant to date is simply insufficient to demonstrate that this up to date Policy has been complied with. In fact, the Applicant's submission has categorically failed to address Policy CS6 to the extent that it even fails to provide up to date commentary as to why the site should be given over to an alternative non-B Class Use.

It instead refers to the the previous outline consent for the site (now lapsed) and other consents which were granted prior to the adoption of the CSLP. No evidence has been submitted to demonstrate that there has been no commercial interest in the re-use of the site for employment (demonstrated by suitable marketing at an appropriate price for at least 18 months).

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Allied to the above comment, it is worth noting that the application site has only just been re-allocated as a safeguarded local employment site following the adoption of the CSLP in December 2015.

Had the Council / Inspector presiding over the Local Plan Examination at the time considered the site more appropriate for the uses now proposed, then it would have been removed from this safeguarding area. It was not removed however and, to the best of our knowledge, no representations were put forward at the time on behalf of landowner in an attempt remove the site from the safeguarding area. The onus is therefore on the Applicant to demonstrate compliance with Policy CS6 and / or to set out material considerations which would override non-compliance with this Policy (in accordance with planning law which requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise).

A review of the application material confirms that the Applicant has failed to demonstrate compliance with Policy CS6, moreover, it places undue weight on the previous outline planning permission for a coffee drive thru restaurant on site. The fact that outline permission for a coffee drive thru restaurant was previously granted on this site is no longer a material consideration as the permission has now lapsed.

In addition to the above, it is worth highlighting that whilst the application proposal has the potential to bring about additional non-B Class employment opportunities, these benefits could very well be offset by the closure of existing KFC operations in the Great Yarmouth area. Indeed, it is worth noting that KFC currently occupies a unit within Great Yarmouth Town Centre (114a Regent Street, opposite Market Gates) and that it also has an outlet on Marine Parade.

The Applicant has offered no guarantee that the application proposal would not result in the closure of either one of these outlets – something which would have a clear and perceptible impact on the vitality and viability of the Town Centre and / or the main tourist area of Great Yarmouth. The closure of either one of these outlets would also effectively negate any of the job creation benefits of the proposed development.

The very real threat of closure of existing KFC operations in Great Yarmouth as a result of the proposal must be a material consideration if the job creation benefits of the proposal are to be relied upon as part of the balancing exercise.

As a final point, we wish to highlight the Inspector's comments in respect of the Pasteur Retail Park Ltd Appeal (APP/U2615/W/15/3136604) and in respect of the NPPF sequential test. This concluded that whilst the drive thru elements of the fast food outlets of the Pasta Foods scheme could not be directly accommodated, there were many vacant premises with a road frontage that could accommodate this size of unit and vehicular access (Para 24). Further work is required by the Applicant to address this particular point which remains as relevant today as it is was when the Inspector's Report was issued on 22 September 2016.

The same conclusion regarding the suitability and availability of sequentially preferable sites was also drawn by officers in respect of the recently approved Pasteur Retail Park Ltd application (06/16/0332/F) albeit there were material considerations in this case to weigh in the balance (namely the commitment to invest £500,000 in the Pasta Foods factory).

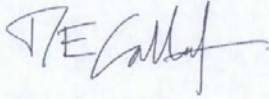
In this case, there are no material considerations which would outweigh the proposal's clear non-compliance with the adopted development plan (both in terms of Policy CS6 and Policy CS7).

The application must therefore be refused.



I trust that these comments are of assistance and look forward to your confirmation that they have been received.

Yours sincerely

A handwritten signature in black ink, appearing to read 'H. Gallagher', with a stylized flourish at the end.

Heather Gallagher  
**Williams Gallagher**

25 June 2018

Mr G Clarke  
Planning Officer  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Sent by Email

Dear Graham

**Proposed KFC Drive Thru  
Mitchell Drive and Jones (GC) Way (Land off) Plot 3  
Application Ref: 06/18/0173/F**

Thank you for advising of the further information provided by the applicants, DPKBV and their consultants, in relation to the above application.

We have reviewed the new documentation which comprises:

- Letter from Beamish Planning Consultancy dated 18<sup>th</sup> June 2018 (BPC);
- Letter from JPC Environmental Services dated 13<sup>th</sup> June 2018 (JPC); and
- Letter from Bidwells which is undated. The version we have seen also includes a number of comments/tracked changes which appear to have been added by Mr Beamish.

On the basis of this review, we write to advise that our client, Baymount Overseas Ltd (c/o Ellandi LLP), owners of the Market Gates Shopping Centre in Great Yarmouth Town Centre, continues to object to the abovementioned planning application, on grounds of the proposal's non-compliance with the recently adopted Great Yarmouth Core Strategy Local Plan (CSLP) (December 2015), and in particular Policy CS6.

As set out in our earlier letter of the 4<sup>th</sup> May, Policy CS6 (b) states that alternative uses within existing local employment areas will only be allowed where it can be demonstrated that:

- there is a satisfactory relationship between the proposed use and any pre-existing neighbouring uses, without significant detriment to the continuation and amenity of existing or proposed uses;
- there is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months; and
- a sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: mixed use of the site that incorporates an employment-generating use, then non-employment use.

The latest submissions appear to recognise the need to comply with this policy (BPC, page 3) and seek to address the policy requirements. However, in our view, they fail to do so for the following reasons:



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- It is clear from the letters provided by Bidwells and BPC that the application site has **NOT** been marketed at all, or at least for a very considerable time (BPC, page 4 and Bidwells, pages 2 & 4). As a result, the fact that the site has remained vacant for a long period is not surprising but it does not mean that the site is unsuitable for employment uses. Similarly, the fact that surrounding uses are now predominantly within the 'A' Use Classes does not make the site unsuitable for, or unlikely to be developed for employment uses;
- It would appear that KFC's interest has been longstanding (Bidwells, Page 3) and thus no attempt has been made to try to market for employment purposes, at least since the adjoining development by Marstons and Frankie & Benny was secured i.e. pre December 2014;
- The applicant appears to be relying on the fact that marketing was unnecessary, given the proximity of other vacant industrial properties in the area (Bidwells, page 2) and the fact that the site has a number of constraints (JPC, Bidwells & BPC). However, in the absence of any marketing of the site, this is purely conjecture and any reasonable marketing price would need to factor in existing constraints;
- Reliance on the Bidwells Business Space Team being aware of the site's availability (Bidwells, page 1) is not a substitute for the proper marketing of the site, as a potential occupier may not speak to Bidwells about their requirement;
- There is no evidence to suggest that some form of industrial/employment uses could not be secured on the site. The property details attached to the submission from Bycroft Commercial only relate to a single property which is described as:
  - A starter unit;
  - Only provides 149 sqm of space; and
  - Is indicated as available to let.

This appears to be consistent with the other properties available off Jones Way (Bidwells, page 2). However, whilst the application site is considered to be constrained by the applicant's consultants, it is still said to provide around 1,800 sqm (JPC, page 2) or 0.44 acres (Bidwells, page 1) of developable land. This is more than 10 times the size of the advertised unit. As such the site could be attractive for a business seeking a larger employment unit, or a freehold acquisition; and

- This appears to be consistent with the advice from the Bidwells Business Space Team who have "advised on the potential for employment uses" (Bidwells, page 1). This does not suggest that the site is unsuitable for such purposes and the subsequent text only suggests that speculative development may be commercially unrealistic for lower value employment. This does not discount all employment uses.

Despite the submission of additional material therefore, it remains the case that the applicant has:

- Failed to show that there is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months; and
- Failed to follow the sequential viability approach to the development of the site, as set out in the third bullet of Policy CS6(b). This requires that, following the unsuccessful marketing of the site for employment uses, the mixed use of the site incorporating an employment-generating use should be considered before a non-employment use.

We consider that this failure to comply with the recently adopted Core Strategy Policy CS6 is sufficient justification for the refusal of the current application, given there are no material considerations which

would outweigh the proposal's clear non-compliance with the adopted development plan (both in terms of Policy CS6 and Policy CS7).

However, should the Council be minded to approve the application, our client welcomes the confirmation that the proposed KFC unit would be in addition to that currently trading in the town centre. Ensuring this remains the case in the future is essential to long term health and vitality of the town centres that would otherwise be affected. Therefore, we consider that the proposed legal agreement to secure the continued trading of this and the Gorleston store would be an essential requirement for any planning consent, as, contrary to what BPC suggest (page 3), the proposed development will have an adverse impact on Great Yarmouth town centre, as any loss of trade to the new outlet will be both a direct and indirect loss of expenditure in the town centre. However, we accept that, provided the unit remains trading, such an impact will not be significantly adverse. This does not however address or outweigh non-compliance with CS6 / CS7.

I trust that these comments are of assistance and look forward to your confirmation that they have been received.

Yours sincerely

A dark, ink-like handwritten signature, appearing to read 'Heather Gallagher', is written over a dark, irregular ink blot.

Heather Gallagher  
**Williams Gallagher**



S

## Graham A. Clarke

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**From:** Anna Stott <anna.stott@indigoplanning.com>  
**Sent:** 01 May 2018 16:44  
**To:** Graham A. Clarke  
**Cc:** Kim Balls; Sean McGrath  
**Subject:** Representations to application 06/18/0173/F  
**Attachments:** Indigo Representations to KFC Application\_Final.pdf  
  
**Importance:** High

Dear Graham

Please find attached representations on behalf of our client, Pasteur Retail Park Ltd, to planning application 06/18/0173/F at Plot 3, Land off Mitchell Drive and Jones (GC) Way, Great Yarmouth.

We trust that these representations will be taken into consideration in the determination of this application.

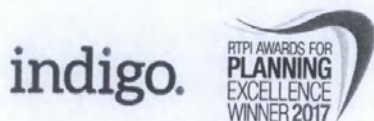
Should you have any queries on the attached, please do not hesitate to get in contact.

Kind regards

Anna

**Anna Stott | Planner**

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let.001..DM.E18-412

1 May 2018

Dear Mr Clarke

**KFC, MITCHELL DRIVE, GREAT YARMOUTH - REPRESENTATIONS TO  
PLANNING APPLICATION 06/18/0173/F**

We write on behalf of Pasteur Retail Park Ltd to object to planning application 06/18/0173/F at Plot 3, Land off Mitchell Drive and Jones (GC) Way, Great Yarmouth, NR31 0HA for the:

*"Erection of a single storey building for mixed A3/A5 (restaurant and hot food takeaway) use, incorporating a 'Drive-Thru' lane, car and cycle parking and associated landscaping and boundary treatment"*

The application is made by DPKBV Ltd to deliver a drive-thru KFC unit on land owned by Tesco PLC.

Our objection is that the application site is allocated as a designated employment site and the proposed is contrary to Core Strategy Policy CS6 which seeks to safeguard designated employment land.

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the Local Plan: Core Strategy 2013 – 2030 (described hereafter as the Core Strategy).

In light of the Council's approach to similar proposals on the adjacent Pasta Foods site, there are no material circumstances which indicate that consent should be granted in this case.

**Grounds for Objection: Conflict with Core Strategy Policy CS6**

The Applicant has failed to demonstrate compliance with adopted Core Strategy Policy CS6.

The Core Strategy was adopted in December 2015 and must be considered to be an up-to-date plan for the purpose of decision making. Significantly, the adoption pre-dates the lapsed consent on the site, which was granted in May 2014. The previous consents also predates the appeal on the Pasta Foods site, which is also important. We address this further below.

The pre-application advice given to the applicant's planning consultants misrepresented the position. It acknowledges that the previous consent on the site



pre-dated the adoption of the Core Strategy, and therefore circumstances have changed in respect of the sequential test. However, the advice does not follow the same logic in respect of the need for marketing evidence or a viability assessment to deal with the employment land designation.

## **Policy CS6**

Policy CS6 is a long, all-encompassing policy that seeks to support Great Yarmouth's economy. The policy has been considered by an Inspector at Examination and found to be in conformity with the NPPF.

Policy CS6 and its role in decision making on designated employment land has also been considered by a s78 Appeal Inspector in considering proposals on the adjacent Pasta Food site (Appeal ref: APP/U2615/W/15/3136604). The Inspector, Mr Nicholson, describes the aim of Policy CS6 at paragraph 6 of his decision letter:

"Policy CS6 aims to support the local economy by safeguarding, and making the most of, existing employment sites. In particular, it only allows alternative uses for allocated employment areas where there is no commercial interest demonstrated by marketing at an appropriate price for at least 18 months. In making a distinction between employment and the local economy in general, CS6 criterion g) refers to support for the retail economy in Policy CS7."

In the case of Pasta Food, it was agreed by the Inspector that development on their site would benefit a significant employer in the town. No such benefit will accrue from the KFC proposals.

In respect of Policy CS6, the Inspector concluded:

"The appeal site is currently designated as employment land. The Council acknowledged that there was an ample supply of such land and did not try and defend its position on this basis. Nevertheless, as a statement of intent so recently adopted, the requirements of Policy CS6 should be addressed and, as a matter of fact, there was no evidence that the required marketing had been carried out. Moreover, I do not agree that the CS deals with employment in the same way as retail or that providing retail jobs would satisfy the requirements. Indeed, CS6 draws a clear distinction between the two. For these reasons, some weight should be given to this conflict with Policy CS6 to set against the potential employment benefits at Pasta Foods".

The employment benefits relate to investment that would be made in Pasta Foods as a result of the development.

The Inspector's interpretation of the policy must apply to the application site. Indeed, his interpretation of Policy CS6 was applied in respect of the recent proposals for a Travelodge and eateries on the Pasta Food site (application ref: 06/16/0332/F) - hereafter described as the Travelodge application.



Like the KFC application, the Travelodge application is on land designated for employment under Policy CS6. It proposed a Travelodge and three restaurants.

The Committee Report helpfully confirms that previous Inspectors' decisions should be attributed "significant weight" in decision making. It states:

"Previous Inspector decisions are not binding, but given the application site is close to the appeal site and the facts relating to the application site are similar to the facts in the appeal decision then it is likely that as the decision makers Members of the Committee can attribute significant weight to the previous Inspector decision when determining the current planning application which relates to a very similar site".

The Travelodge Committee Report explains the policy background, which is also applicable to the KFC site:

"The scheme is situated on existing employment land, safeguarded for employment use and is subject, principally, to the direction of Local Plan Core Strategy (LPCS) Policy CS6. *The LPCS interpretation of 'employment-use' is clearly distinguished by individual policies. LPCS Policy CS6 is used as the primary basis for directing general business, industry and warehousing 'employment-uses', whereas LPCS Policy CS7 is used for the basis of directing retail-based 'employment' uses. Similarly, LPCS CS8 is used for the basis of directing leisure and tourism-based 'employment uses'.*

The proposal clearly seeks to change the practical use of the site away from general warehousing *and industrial 'employment uses' to tourism and retail 'employment-uses'. Therefore it is the Strategic Planning view that this proposal is not seeking to implement the types of 'employment-uses' as interpreted under the definition of Policy CS6, therefore the proposal should seek to demonstrate compliance against the remaining policy criteria of LPCS Policy CS6 (b) in order to allows 'alternative' uses.*

In assessing the Travelodge application, the Council supported the delivery of the Travelodge and one (of the three) associated restaurants because there is policy support for improving facilities for tourists and visitors. However, officers were particularly concerned about the remaining two restaurants, which were linked with Burger King and Costa Coffee. The Committee Report for the Travelodge application sets out how applications for restaurants on designated employment land must be considered. For ease we quote from it at length.

"As set out in the Strategic Planning policy section above the application is seeking to change the practical use of the site away from general warehousing *and industrial 'employment uses' to tourism and retail 'employment-uses'. Therefore it is considered that this proposal is not seeking to implement the types of 'employment-uses' as interpreted under the definition of Policy CS6, therefore the proposal should seek to demonstrate compliance against the remaining policy criteria of LPCS Policy CS6 (b) in order to allows 'alternative' uses.*



Since the application was submitted the applicants have provided further information in respect of the existing warehouse building which it is proposed to demolish here. In an executive overview report on the building states:-

1. The premises as a single unit lack offices, staff facilities and appropriate loading.
2. As a single unit the premises are badly laid out and unattractive bar for an occupier who requires a single "long run" process.
3. Sub division into a number of units likewise would not be cost effective.
4. Rents in the town coupled with unfavourable ground conditions render redevelopment economically unviable for industrial purposes.
5. No suitable applicant for newer refurbished premises were around on our parallel two year marketing of the former Pasta Warehouse on Bessemer Way, Gapton Hall Industrial Estate.

The report that sets out the advantages and disadvantages of the building, market demand for industrial/warehouse accommodation along with ground conditions and competing accommodation concludes:-

The premises in their current format provide at best basic dry storage. Subdivision into smaller units is not viable due to the cost of direct building works and external changes. Redevelopment is not viable due to excessive build costs and absence of demand and the availability of competing lands with greater incentives such as the Council sponsored Enterprise Zone, Energy Park and Beacon Park as direct competitors. Higher land use occupiers are likely to be the only viable solution.

The report is not evidence that the site has been marketed for 18 months as required by the Policy CS6 – but provides an understanding of local market and ground condition based on local knowledge by a respected and established company in the town. Members will need to consider the information and accord it appropriate weight in the decision making process in relation to Policy CS6". (Our emphasis added).

Therefore, although there was a report by a respected local agent explaining why the Pasta Foods site as not likely to be redeveloped for employment use, the 18 month marketing requirement was not addressed. It should be noted that the existing warehouse was demolished to accommodate the Travelodge not the two restaurants.

The Travelodge Committee Report's conclusion is crucial. For this reason, we have again quoted it at length.

"This application differs from the previously refused applications on the site in that the larger retail elements have been dropped from the scheme which contributed to Members and the Planning Inspectorate refusing the



applications as whole because of the potential adverse impact upon vitality and viability of Great Yarmouth town centre. The Planning Inspector was supportive of the newly adopted Core Strategy policies and whilst the Council is not bound by the Inspectors decision in determining these applications Members should consider it a material consideration of some weight given the similarity in the issues involved and relevance to this application.

It is clear that the relevant policies in terms of marketing the land have not been addressed ie in that it has not been demonstrated that the land has been marketed for a period 18 months as required by the policy and that there is no demand for the land for employment purposes. In its absence the applicants have produced a report looking on the condition of the building, the land and local markets conditions. The report concludes that there is little local demand and that ground conditions are poor and development for employment/industrial purposes would not be viable.

The Planning Inspector gave some weight to Policy CS6 in that the policy had not been complied with and was cited in conjunction with the other policies as a reason for refusal.

In terms of the Costa and Burger King (A3/A5) Uses the Inspector concluded that their location would contribute to making this out of town location a destination in its own right and not supporting the town centre. This is likely to continue here. The applicants have done limited work on looking in terms of the sequential test but it is acknowledged in the policy assessment that there are a limited number of site which are available given the format required but it is clear that empty shops with road frontages available as put forward by the Planning Inspector.

In terms of the consultation responses from statutory consultees on the technical side reading access and drainage no real issues have been raised that cannot be controlled by suitable conditions.

The site is within a flood risk area and Members will need to satisfy themselves that this a suitable location for a location of a hotel and that Flood Risk can be managed taking into account the comments of the Environment Agency referred to above.

The application has been subject to representation from a number of parties including local hotelier, Market Gates Shopping and employees of Pasta Foods all which should be given due consideration and weight in the decision making.

The Economic Development Officer in commenting in the application acknowledges that this is safe guarded land in the local plan but also acknowledges the role of Pasta Foods as an important local employer and recognise the potential for growth in the and the investment required. The creation of jobs within this development is supported along with the potential via a legal agreement of ensuring the sustainability of the Pasta Foods and if this can be assured by agreement on balance the application he supports the application". (Our emphasis added).



The overall conclusion supports the proposals 'on balance'. It states:

"On balance Approve subject to the signing of a legal agreement ensuring investment in the existing Great Yarmouth Pasta Factory and subject to conditions as by the highway authority, Environment Agency, Landscaping and drainage and controlling condition to secure the development as proposed".

It is clear from reading the conclusions and recommendations that:

- Officers considered that providing restaurants on employment land conflicted with CS6 because there had not been 18 months marketing; and
- There are potential sequential sites available to accommodate the Costa Coffee and Burger King.

However, given the legal agreement ensuring investment in Pasta Foods, 'on balance' the application could be approved.

In the case of KFC's application, we are not aware of:

- Any attempt to market the site; or
- Any attempt to explain why the site is not suitable for a Class B Use.

In short, the proposals conflict with Policy CS6. There are no material circumstances that indicate that the conflict with this policy should be accepted and so the application must be refused.

## Conclusion

As we have set out above, the proposed development is for a new drive-thru restaurant on designated employment land. Therefore, the proposals conflict with Policy CS6 of the adopted Core Strategy because it fails to adequately safeguard designated employment land and does not provide any evidence to justify the loss of the employment land or demonstrate that it is no longer required through an 18-month marketing exercise.

It is an axiom of good planning that there is consistency in decision making. The history of the Pasta Foods site on the opposite side of Jones (GC) Way shows how an appeal Inspector and the Council has interpreted planning policy, particularly Policy CS6, which deals with designated employment land.

Both the Inspector and the Council expect sites to be marketed for 18 months before a non-B Class use will be accepted. The failure to market the site for this period was enough to be a reason for refusal for the Inspector, even though he acknowledged that the appeal scheme would benefit a major local employer.

In the case of the Travelodge application, it is clear from the committee report that



officers considered that the proposals conflicted with Policy CS6. However, the applicant's commitment to invest £500,000 in Pasta Foods' Great Yarmouth factory was given significant weight in the planning balance and this material consideration outweighed the policy conflict.

In the case of the KFC application, there must still be a conflict with Policy CS6, but there are no material circumstances that outweigh the conflict.

Officers have confirmed that the previous Inspector's decision must be given 'significant weight' when determining an application which relates to a very similar site. This must also be true in respect of the Council's interpretation of policies in respect of the Travelodge application.

For these reasons, the application must be refused.

We trust that these representations will be taken into account in the determination of this planning application and that the applicant is told that they must market the site for 18 months or the application will be refused planning consent.

If you require any further information, please let me know.

Yours sincerely,  


Anna Stot

cc: Steve Burton, CCE  
Kim Balls, GYBC



Great Yarmouth Borough Council  
Planning Department  
Town Hall  
Great Yarmouth  
Norfolk  
NR30 2QF

Our ref: AE/2018/122707/01-L01  
Your ref: 06/18/0173/F  
Date: 23 April 2018

Dear Sir/Madam

**ERECTION OF A SINGLE STOREY BUILDING FOR MIXED A3/A5 (RESTAURANT AND HOT FOOD TAKEAWAY) USE, INCORPORATING A 'DRIVE-THRU' LANE, CAR AND CYCLE PARKING AND ASSOCIATED LANDSCAPING AND BOUNDARY TREATMENT**

**MITCHELL DRIVE AND JONES (GC) WAY (LAND OFF) PLOT 3 GREAT YARMOUTH NR31 0GA/0GB**

Thank you for your consultation received on 3 April 2018. We have inspected the application, as submitted, and have no objection because the site is currently defended and the area benefits from a Catchment Flood Management Plan (CFMP). If the CFMP policy is not taken forward the development would be unsafe in the future. Please take note of this and the other flood risk considerations which are your responsibility. We have highlighted these in the flood risk section below.

**Flood Risk**

Our maps show the site lies within tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for the erection of a single storey building (restaurant and takeaway), incorporating a drive-thru, car and cycle parking and associated landscaping, which is classified as a 'less vulnerable' development, as defined in [Table 2: Flood Risk Vulnerability Classification](#) of the Planning Practice Guidance.

To comply with national policy the application is required to pass the Sequential Test and be supported by a site specific Flood Risk Assessment (FRA). The requirement to apply the Sequential Test is set out in Paragraph 101 of the National Planning Policy Framework. The Exception Test is set out in paragraph 102. These tests are your responsibility and should be completed before the application is determined. Additional guidance is also provided on [Defra's website](#) and in the [Planning Practice Guidance](#).

To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, referenced IE18/017/RMC/rc and dated 9 March 2018, are:

Environment Agency  
Cobham Road, Ipswich, Suffolk, IP3 9JD.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)  
Cont/d..



### Actual Risk

- The site is currently protected by flood defences with an effective crest level of 2.99m AOD which is above the present-day 0.5% (1 in 200) annual probability flood level. Therefore the site is not at risk of flooding in the present-day 0.5% (1 in 200) annual probability flood event. The defences will continue to offer protection over the lifetime of the development, provided that the hold the line CFMP policy is followed and the defences are raised in line with climate change, which is dependent on future funding.
- At the end of the development lifetime with climate change applied to the design 0.5% annual probability flood event, if the CFMP policy is not followed then through overtopping of the current defences the resulting on-site flood level would be 2.28m AOD. The resulting actual risk depth of flooding on the site using the minimum site level of 0.96m AOD would be 1.32m deep, and in the building using the proposed finished floor levels of 1.30m AOD would be 0.98m deep.

### Residual Risk

- Our undefended flood levels show that in a worst-case scenario the site could experience breach flood depths of up to 2.27 metres during the 0.5% (1 in 200) annual probability including climate change breach flood event with flood level of 3.23m AOD, and up to 2.52 metres during the 0.1% (1 in 1000) annual probability including climate change breach flood event with flood level of 3.48m AOD. You may wish to ask the applicant to provide a breach assessment for the development site in their FRA so that you can make a more informed decision on flood risk.
- Therefore assuming a velocity of 0.5m/s the flood hazard is danger for all including the emergency services in the 0.5% (1 in 200) annual probability flood event including climate change.
- Finished ground floor levels have been proposed at 1.30m AOD. This is below the 0.5% annual probability breach flood level including climate change of 3.23m AOD and therefore at risk of flooding by 1.93m depth in this event.
- Flood resilience measures have been proposed at 2.80m AOD which is 0.43m below the 0.5% (1 in 200) annual probability breach flood level including climate change.
- A Flood Evacuation Plan has been proposed and is necessary to ensure the safety of the development in the absence of safe access / with internal flooding in the event of a breach flood.

### **Catchment Flood Management Plan**

The current defences protect Great Yarmouth against a tidal flood with a 0.5% (1 in 200) annual probability of occurrence. However, the impacts of climate change on sea levels over the development's lifetime will gradually reduce the level of protection afforded by the defences if they are not raised within this timeline. Without the raising of the defence, the site could flood should a tide with a 0.5% (1 in 200) annual probability flood event plus climate change occur. This could also present challenges to the safety

Cont/d..



of the users of the buildings and a future reliance on evacuation or emergency response.

The Broadland Catchment Flood Management Plan (CFMP) for Great Yarmouth has a policy stating 'areas of moderate to high flood risk where we can generally take further action to reduce flood risk' and one of the key messages is 'Develop a study to look at options to manage residual flood risk in the future.' Therefore it is possible that the flood defences may be raised in line with climate change to continue to protect against the future 0.5% (1 in 200) flood event for the lifetime of the development.

This policy is aspirational rather than a definitive so whether the defences are raised or reconstructed in the future will be dependent the availability of funding. The level of block funding "grant in aid" that we can allocate towards flood defence improvements is currently evaluated through cost benefit analysis, and any identified shortfalls in scheme funding requirements could require significant partnership funding contributions from other organisations to ensure that schemes proceed.

When determining the safety of the proposed development, you should take this uncertainty over the future flood defences and level of flood protection into account. This may require consideration of whether obtaining the funds necessary to enable the defences to be raised in line with climate change is achievable.

### **Safety of Building – Flood Resilient Construction**

The FRA does propose to include flood resistant/resilient measures in the design of the building to protect/mitigate the proposed development from flooding.

You should determine whether the proposed measures will ensure the safety and sustainability of the proposed development. Consultation with your building control department is recommended when determining if flood proofing measures are effective. Further information can be found in the document 'Improving the flood performance of new buildings' at: [http://www.planningportal.gov.uk/uploads/br/flood\\_performance.pdf](http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf). Additional guidance can be found in our publication 'Prepare your property for flooding', which can be found on our website at <https://www.gov.uk/government/publications/prepare-your-property-for-flooding>

### **Safety of Inhabitants – Emergency Flood Plan**

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The [Planning Practice Guidance](#) to the National Planning Policy Framework states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your Emergency Planners and the Emergency Services to determine whether the proposals are safe in accordance with

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the guiding principles of the Planning Practice Guidance (PPG).

We have considered the findings of the FRA in relation to the likely duration, depths, velocities and flood hazard rating against the design flood event for the development proposals. We agree that this indicates that there will be:

- A danger for all people (e.g. there will be danger of loss of life for the general public and the emergency services).

This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your Emergency Planners and the Emergency Services to confirm the adequacy of the evacuation proposals.

#### **Partnership funding for new/upgraded defences**

Please note that government funding rules do not take into account any new properties (residential or non-residential), or existing buildings converted into housing, when determining the funding available for new/upgraded defences. Therefore as the proposed development may reduce the funding available for any future defence works we would like to take opportunities to bring in funding through the planning system, so please can you consider this when determining the planning application.

#### **Other Sources of Flooding**

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

Yours faithfully



**Miss Natalie Kermath**  
**Planning Advisor**

Direct dial 02077141064

Direct e-mail [natalie.kermath@environment-agency.gov.uk](mailto:natalie.kermath@environment-agency.gov.uk)

cc Beamish Planning Consultancy

End

Graham Clarke  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Your Ref: 06/18/0173/F  
Date: 25 April 2018

My Ref: 9/6/18/0173  
Tel No.: 01603 638070  
Email: stuart.french@norfolk.gov.uk

Dear Graham

**Great Yarmouth: Erection of a single storey building for mixed A3/A5 (restaurant and hot food takeaway) use, incorporating a 'Drive-Thru' lane, car and cycle parking and associated landscaping and boundary treatment  
Mitchell Drive and Jones (GC) Way (Land off) Plot 3 GREAT YARMOUTH NR31  
0GA/0GB**

Thank you for your recent consultation with respect to the above.

Having considered the application I have no objection in principle in highway terms, however, the application includes a large number of staff, 25 full time and 35 part time, possibly equating to around 40 f.t.e, although the latter has not been defined.

Accordingly given the proposed staffing numbers I do have some concerns with regard to where staff will park, as the proposed car park provision for the customers is only acceptable for that use, and given the sites constraints it would appear no expansion is possible.

Whilst I accept that some of the staff may well be local and or of an age whereby they may not have access to their own private means of transport, there is the possibility of staff parking being displaced on the surrounding roads, and indeed possibly customer parking if staff utilise the customer parking provision. Certainly if this were to occur on Jones (GC) Way this would give rise to conditions detrimental to highway safety

I am however, minded from experience that the overall operation of the proposals is unlikely to have a severe residual cumulative impact such that I could recommend refusal on highway grounds, but I do consider that, if this application is approved that the operation be monitored in terms of parking and any displacement thereof. If this

*Continued/...*



monitoring identifies issues then the applicant will be expected to fund the promotion of Traffic Regulation Orders in respect of appropriate restrictions. I am prepared to deal with these matters by condition if that is acceptable to the LPA.

Accordingly the Highway Authority raise no objection to the proposals subject to the following conditions and informative note being appended to any grant of permission your Authority is minded to make.

SHC 21 Prior to the commencement of the use hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

SHC 24 Prior to the commencement of the use hereby permitted the proposed access, on-site car and cycle parking, servicing, turning and waiting areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

SHC 45A Prior to the commencement of the development a monitoring programme to assess the level of on street parking on Jones (GC) Way resulting from the development shall be submitted to and approved in writing by the Local Planning Authority. The monitoring programme shall be implemented as agreed unless the Local Planning Authority gives written approval to any variation.

Reason: To ensure that agreed traffic/parking levels are not breached and thus highway network is adequate to cater for the development proposed.

SHC 45B Subject to the findings of the monitoring programme referred to in Part A, if required by the Local Planning Authority in discussion with the Highway Authority, the applicant shall fund the promotion of appropriate Traffic Regulation Order (s) for parking/loading restriction

Reason: In the interests of highway safety.

Inf.1 It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's

*Continued/...*



responsibility to ensure that, in addition to planning permission, any necessary Agreements Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich, tel: 0344 800 8020. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the Applicant's own expense.

Yours sincerely

*Stuart French*

Highways Development Management & Licensing Officer  
for Executive Director for Community and Environmental Services



FAO  
Mr Graham CLARKE

Great Yarmouth Borough Council  
Planning Services  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Ref: 06/18/0173/F

Date: 13/04/18



**NORFOLK**  
CONSTABULARY

*Our Priority is You*

Norfolk Constabulary

Community Safety Department (Norfolk)  
C/o Police Station  
3, London Road  
Beccles  
Suffolk  
NR34 9TZ

Tel: 01493 333349  
Mobile: 07920 878216  
Email: wolseyr2@norfolk.pnn.police.uk

[www.norfolk.police.uk](http://www.norfolk.police.uk)  
Non-Emergency Tel: 101

### Planning Application

**Erect single storey building for mixed A3/A5 use, incorporating 'Drive-Thru', car & cycle parking & associated landscaping & boundary treatment at Mitchell Drive and Jones (GC) Way, (Land off) Plot 3, GREAT YARMOUTH, NR31 0GA/0GB**

Dear Mr Clarke,

Thank you for inviting me to comment on the above Planning Application. I note that opening hours for the proposed use of the premises covers a 24hr period and therefore security protection during vulnerable closed periods is reduced due to business activity within. However, there is an absence of security measures contained within this application and therefore I make the following comments:

The area suffers from a high level of retail crime and associated crime within the realms of retail parks in this Policing District. I would recommend that doorsets reflect PAS 24:2016 or LPS 1175 SR2 standards. All glazing in and adjacent to doors should be certified to PAS 24:2016 or LPS 1175 standards. All accessible windows should incorporate laminate attack resistant glazing and reflect Secured by Design Commercial Developments 2015 guidance. For the purposes of reducing criminality, Fire doors should not feature exposed external hinges or other external door furniture to which criminals can use to gain purchase to assist attack. I recommend building materials, including external doors and

We will answer letters within 10 working days, where information is available.  
Where this is not possible, an explanation will be given for any delay.



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windows reflect Secured by Design (SBD) Commercial Developments 2015 guidance, where attack resistant products provides appropriate security and business protection.

Boundary treatments for an open aspect business should prevent excess vehicular permeability across boundary lines, which the knee rails should provide. However, the northern boundary should also be appropriately defensible to protect against unauthorised vehicular access, including any possibility of encampment access into the large grassed area.

Criminals like to use the darkness to commit crime or commit anti-social behaviour and without providing adequate light cover, criminality and anti-social behaviour will occur. Such cover will protect users and other visitors during the hours of darkness, reduce the fear of crime and deter criminality and anti-social behaviour. The building should be equipped with vandal resistant 'dusk to dawn' sensor security lighting to remove dark voids, meaning use of the development will be safer and criminal activity deterred or identified early. When considering security lighting, due regard should be given to preventing nuisance and minimising light pollution. External and internal security lighting should reflect Secured by Design Commercial Developments 2015 guidance.

I am not in agreement with the siting of the open cycle bays in the current location. I wholly recommend cycle bays should move to where the cycles can be readily and directly seen and closely monitored by the owners/users and that would be where they are situated in front of glazed windows, allowing natural surveillance to be maintained. Plans indicate the siting would put the bays out of sight and will encourage cycle crime, which remains high in the area.

I would encourage the adoption of the principles contained within Commercial Developments 2015 guidance, which can be downloaded from [http://www.securedbydesign.com/professionals/pdfs/SBD Commercial 2015 V2.pdf](http://www.securedbydesign.com/professionals/pdfs/SBD_Commercial_2015_V2.pdf). If the applicant wishes to discuss these comments or requires any further assistance, please do not hesitate to contact me.

Yours sincerely

Mr Dick Wolsey  
**Architectural Liaison Officer**  
GT Yarmouth Police station  
[www.securedbydesign.co.uk](http://www.securedbydesign.co.uk)

We will answer letters within 10 working days, where information is available.  
Where this is not possible, an explanation will be given for any delay.



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**Reference:** 06/18/0046/F and 06/18/0047/LB

**Great Yarmouth**

**Officer:** Mrs G Manthorpe

**Expiry Date:** 14-08-2018

**Applicant:** Mr and Mrs Thompson

**Proposal:** Conversion of ground floor from retail into café/restaurant. Conversion of first, second and third floor to 7 no. Flats/duplex

**Site:** 43 Market Row  
Great Yarmouth

## REPORT

### 1. Background / History :-

1.1 The application site is positioned within the town Great Yarmouth and within the town centre area as designated by policy CS7 of the adopted Core Strategy. It is located on the corner of Stonecutters Way to the south and Howard Street North to the west. To the north is Market Row. The site formerly comprised of multiple units which have merged into one meaning the building itself contains a variety of forms. The tallest element is on the corner comprising for four storeys including a mansard roof and bays at a first floor level.

1.2 The site is partially formed of listed buildings (formerly 2 and 3 Howard Street South) and is located within a conservation area. The area is currently designated a secondary retail frontage under the Local Plan.

1.2 This report relates to the full planning application and the associated listed building application. The proposal is to change the use of the ground floor from a retail use (Use Class A1) to a mixed use of retail and café (A1 and A3). The upper floors are proposed as 7 residential units. In addition there are proposed external changes to facilitate the change of use.

1.3 Recent relevant planning history:



06/09/0364/F – Conversion of existing furniture shop and show room to furniture shop with six apartments over and two town houses adjacent. Approved with conditions. 05-08-2009

06/09/0367/LB – Conversion of existing furniture shop and show room to furniture shop with six apartments over and two town houses adjacent. Approved with conditions. 05-08-2009

## **2. Consultations :-**

All Consultations are available to view on the website.

2.1 Public Consultation- 4 individual objections were received as well as a petition of 52 signatures registering an objection against the cafe, in addition another member of public raised concerns. The main reasons for objecting/ concerns given were:

- the proliferation of café/restaurant uses within the area,
- the impact on existing businesses of said proliferation,
- the loss of retail,
- anti-social problems from existing flats,
- litter,
- No extraction systems shown on plans,
- who will operate the business,
- bin storage,
- restricting a shared access,
- odour issues
- structural damage to neighbouring property

2.2 Highways – No objection subject to conditions. They propose conditions ensuring no doors, windows or gates open out over the highway and a condition ensuring the cycle parking is completed prior to the commencement of use.

2.3 The Rows Association – Object, their objections are to loss of retail and a proliferation of similar (café/restaurant) businesses in the area. They also object to the additional residential units due to littering and anti-social behaviour already experienced on the rows from other flats.

2.4 Building Control – Noted a protected stairwell is required for flat 5 and an additional protective door at flat 6.

2.5 Environmental Health – Recommended conditions relating to hours of operation, odour control in the form of extractions and noise control between the commercial and residential element.

2.6 Conservation – Stated that the applicant should provide a conservation document providing a greater level of detail on the proposed works.

### **3. Policy and Assessment:-**

#### **3.1 Local Policy :- Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):**

3.2 Paragraph 213 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were ‘saved’ in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

3.3 Paragraph 11 states that where no relevant local policies exist or they are out of date then permission should be granted unless the adverse impacts demonstrably outweigh the benefits when assessed against the whole of the NPPF.

3.4 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.

#### **3.5 HOU7**

New residential development may be permitted within the settlement boundaries identified on the proposals map in the parishes of Bradwell, Caister, Hemsby, Ormesby st Margaret, and Martham as well as in the urban areas of Great Yarmouth and Gorleston.

New smaller scale residential developments\* may also be permitted within the settlement boundaries identified on the proposals map in the villages of Belton, Filby, Fleggburgh, Hopton-on-sea, and Winterton.

In all cases the following criteria should be met:

- (a) The proposal would not be significantly detrimental to the form, character and setting of the settlement;
- (b) All public utilities are available including foul or surface water disposal and there are no existing capacity constraints which could preclude development or in the case of surface water drainage, disposal can be acceptably achieved to a watercourse or by means of soakaways;
- (c) Suitable access arrangements can be made;
- (d) An adequate range of public transport, community, education, open space/play space and social facilities are available in the settlement, or where such facilities are lacking or inadequate, but are necessarily required to be provided or improved as a direct consequence of the development, provision or improvement will be at a level directly related to the proposal at the developer's expense; and,
- (e) The proposal would not be significantly detrimental to the residential amenities of adjoining occupiers or users of land.

### 3.6 SHP4

Proposals for the change of use from use class A1 to use classes A2 and A3 in primary and secondary shopping frontages shown on the proposals map will be considered against the following criteria:

- (a) the proposal would not be significantly detrimental to the appearance of the shopping frontage or the amenity of adjoining occupiers;
- (b) the proposal would not result in creation of a concentration or predominance of non-retail (class a2 or a3) uses which would detract from the vitality and viability of the frontage;
- (c) the proposal would not undermine the retail function of the frontage; and,
- (d) in the case of a proposal falling into use class A3, it can be demonstrated that the proposal would meet the criteria contained in policy SHP15.

### **3.6 Adopted Core Strategy:**

### 3.7 CS2 – Achieving sustainable growth

- a) Ensure that new residential development is distributed according to the following settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements:



Approximately 35% of new development will take place in the borough's Main Towns at Gorleston-on-Sea and Great Yarmouth

### 3.8 CS7 – Strengthening our Centres

d) Aim to improve the vitality and viability of our town and district centres by:

Safeguarding the retail function and character of each centre. Primary, Secondary and Holiday Shopping frontages will be identified in the Development Policies and Site Allocations Local Plan Document where appropriate

Enhancing the appearance, safety and environmental quality of the centres

Encouraging a diversity of uses within each centre, enabling a wide range of retail, leisure, social, educational, arts, cultural, office, commercial and where appropriate, residential uses

Supporting small and independent businesses, including retaining and enhancing important local markets

Promoting the short and long-term reuse of vacant buildings

Enhancing the early evening economy

Improving access to the centre by sustainable modes of transport and encouraging multi-purpose trips

e) Maintain and strengthen the role of local centres and local shops in the borough to better serve the day-to-day needs of local communities

### 3.9 CS10 – Safeguarding Local Heritage Assets

The character of the borough is derived from the rich diversity of architectural styles and the landscape and settlement patterns that have developed over the centuries. In managing future growth and change, the Council will work with other agencies, such as the Broads Authority and Historic England, to promote the conservation, enhancement and enjoyment of this historic environment by:

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

b) Promoting heritage-led regeneration and seeking appropriate beneficial uses and enhancements to historic buildings, spaces and areas, especially heritage assets that are deemed at risk

c) Ensuring that access to historic assets is maintained and improved where possible

### **3.10 National Planning Policy Framework**

3.11 Paragraph 194. 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.

3.12 Paragraph 85 Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:

a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters;

b) define the extent of town centres and primary shopping areas, and make clear the range of uses permitted in such locations, as part of a positive strategy for the future of each centre;

c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;

d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;

e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre; and

f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

### **3.11 Strategic Planning**

Supports the application. The site is within a secondary retail frontage area under policy SHP4 which is intended to be replaced by the emerging 'Protected Shopping Frontages' policy highlighting that Market Row is an attractive frontage providing a major contribution to the town centre offer. Consideration should be given to the wider context and trends of town centres with increasingly diverse spaces and functions. Residential uses to the upper floors are welcomed.

## **4. Appraisal:**

4.1 The application site is situated in a highly visible location within the town centre as defined under policy CS7 of the adopted Core Strategy. Whilst outside the Market Place area it is within an area of strong commercial character and inside a secondary retail frontage under saved policy SHP4. The designation of secondary retail frontage will be disappearing under the second part of the Local Plan. The building is located on the corner of Howard Street South and Stonecutters Way with its frontage extending around onto Market Row. The area is largely formed of retail uses and other commercial uses appropriate to a town centre location; however there are residential uses present both above nearby commercial units and along Stonecutters Way.

4.2 The site is within Conservation Area number 2 (comprising of the Market Place, Rows and North quay), the property is also grade 2 listed. The buildings listed were 2 and 3 Howard Street South which merged to become part of 43 Market Row. The building contains a long glass fronted shop front which extends across most of the front and side of the building. In accordance with the heritage statement it is an eclectic mix reflecting the different styles within the formerly individual buildings. There are a range of heights and roof types with the largest massing being positioned closest to the corner.



## 5.0 Assessment

5.1 The proposal is to change the use of the ground floor from a retail use (use class A1) to a mixed use of retail and café. The upper floors are proposed as 7 residential units. The ground floor is divided to approximately a third retail and 2 thirds café/restaurant. It is open planned but with separate entrances. The 7 flats access from Market Row, some of the flats are multi storied.

5.2 Although the proposal will involve the loss of retail (A1) space within a secondary retail frontage area the proposed uses are considered broadly acceptable within a town centre location. Policy SHP4 outlines the criteria for changing use to A3 uses within a secondary frontage area. Criterion A states that the appearance should not be detrimental to the shopping frontage or the amenity of adjoining occupiers. The proposal will retain its large shop front and will retain the character of a commercial unit meaning it is not considered to be detrimental to the overall character of the retail area. In addition it is not considered to undermine the wider retail function.

5.3 Criterion B of policy SHP4 states that a proposal should not create a predominance of non-retail uses. One of the main objections to the development is against a perceived proliferation of café and restaurant uses. The area is not considered to contain an overconcentration of A3 uses. Recent land use studies do not show a significant level of A3 uses and the Core Strategy policy CS7 looks to diversify town centres further to provide non-retail but town centre complaint uses. Accordingly the change of use to mixed use on ground floor is not considered to significantly and adversely affect the viability and vitality of the town centre and will ensure the continued commercial use of a large unit. In addition the front facing café and retail offer will ensure the commercial frontage will be retained. It should also be noted that the revised NPPF no longer requires secondary retail frontages so that town centres can rapid respond to changing situations.

5.4 The proposal will result in the loss of retail space on the upper floors, however flats above shops is relatively common to the area and is not considered out of character. In addition the Local Plan and Town Centre Masterplan promote this form of development. Furthermore certain permitted development rights allow for flats above shops albeit at a lower number than proposed. The residential units are within the main town of Great Yarmouth which is expected to take the largest amount of new dwellings in accordance with policy CS2 of the adopted Core Strategy. The location is sustainable with good access to nearby shops and services. There are no Strategic Planning objections to the principle of development in this location.

5.5 The internal layout is considered to be acceptable. The ground floor is open in nature but with separate entrances for the retail and café elements. The space is large and viable for both uses. The flats above are considered good sizes and satisfactorily laid out which means they create a good standard of amenity for the future occupiers. The proposal contains a mix of one bed, two bed and three bed flats providing a range of accommodation.

5.6 The proposed uses are not considered to significantly and adversely affect the neighbouring properties. Concerns from the public consultation have been raised regarding potential anti-social behaviour that already occurs within the rows. Planning can control the permission for the flats and consider designs to reduce crime, but not the future occupancy or conduct of any resident. Any existing anti-social behaviour is not a planning matter.

5.7 The issue of litter has also been raised and its potential impact upon the area and a concern was raised regarding the bin store and cycle store using a shared alley way. In addition Building Control also requested an access to Stonecutters Way from the bin store as it will reduce sound impact to those above the bin store and would reduce the fire load of the alleyway. Accordingly the bin store serving the development was amended to access off Stonecutters Way. This amendment will also reduce pressures on the shared access. It should be noted that the full details of the roller shutters serving the bins has not been provided and can be included as a condition.

5.8 In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority must have regard to Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Council to have special regard to the desirability of features of special architectural or historic interest, preserving listed buildings and their settings in exercise of planning functions. In considering whether to grant planning permission for development which affects a Conservation Area, the local planning authority must have regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of that area.

5.9 As stated above the two listed buildings of 2 and 3 Howard Street South have been merged together along with other buildings to form the application site. The submitted heritage report remarks that the buildings are unique owing to the range of different styles employed with the unifying feature being the 20<sup>th</sup> century shop front.

Overall the many alterations to the building have not eroded its importance and have added to the interest of the site.

5.10 The proposed external alterations are not considered to significantly and adversely affect the importance of the listed building or character of the conservation area. It is considered that the new access and windows are sympathetic to the existing character. The extractor flue has the potential to visually damage the unit, but it will be positioned to the rear and will be largely hidden from the street scene. Although the Conservation Officer has raised no objections to the development they have stated that a detailed document should be submitted providing additional information on detailing and finishing of certain features. If the committee is minded to approved the application this can be conditioned.

5.11 Norfolk County Council Highways have not objected to the development subject to conditions. The conditions are to ensure that the doors and windows did not open out over the highway and that the cycle parking is provided prior to commencement. The site does not contain car parking but is located within the town centre with good access to public transport. The Highway conditions should be included but instead of prior to commencement the condition could be prior to occupation.

5.12 The Environmental Health recommended a number of conditions. They have recommended imposing an operation and opening as this was absent from the application form. They have recommended details of the extraction to ensure it is both suitable and will create a limited disturbance on adjacent residential uses. They have also requested conditions to show the sound insulation between floors.

5.13 In conclusion the proposal is considered to be acceptable and broadly complies with policy aims by providing a suitable use of a prominently located unit. A number of objections have been received, but the proposal is considered to overcome these concerns and planning cannot refuse an application on the grounds of competition.

**6. RECOMMENDATION :- Recommended for approval,** subject to all conditions ensuring a suitable development including those recommended by The Highways Department and Environmental Health, a condition providing further and exact detail on the works being undertaken to the listed building and details of shutters for the bin store.



06/18/0046/F

Planning for 43 Market Row. S  
Ted Baker

To whom it may concern.

This planning application would be detrimental to my business and the other cafes in the immediate area if this application is passed it would mean there is a total of 6 cafes in a very small place being the Market and Broad Rows.

This in addition to those cafes already within the town centre which are less 5 minutes walk away many of these are struggling for business.

I have done this petition on behalf of myself and other shops and some people whom use my cafe and other shops in the area.

We don't want to lose another retail outlet from the town as we need to keep a wide variety of shops

Yours faithfully.

[Redacted Signature]

Great Yarmouth  
Borough Council

16 APR 2018

Planning  
Department



Great Yarmouth Borough Council

9 JUL 2018

Customer Services

Great Yarmouth  
Borough Council

9 JUL 2018

Planning  
Department

Stonecutters Way

Gt. Yarmouth

Norfolk

NR30 1HF

6.7.18

Dear Sirs

Ref: Planning Application 06/18/0046/F

Here are some pictures to accompany my online comment below to show my property in relation to the aforementioned alleyway and Instant furniture and why I have an issue with the shared access to bins/ cycle store shown on the revised plan

The above two properties share access through the alleyway on the East side of Instant furniture for pedestrian access to the rear of both these properties and should the need arise for use as a fire escape.

No 1 The Old Warehouse shares the party wall with Instant furniture and over a quarter of its Lounge/ open plan Kitchen on the first floor goes over this alleyway.

The revised plan received by you on 29.6.18 shows the cycle storage for all seven apartments to be accessed through our shared alleyway and all residential and commercial waste/ bin storage will be accessed through double doors which open outwards into the alleyway under my Lounge/Kitchen.

My concerns are Safety with access being obstructed by bins and volume of pedestrian and cycle traffic through a 1300mm wide alleyway.

Smell is another issue in an enclosed alleyway and the attraction of Vermin by the bins . Would anyone be happy with the doors to all that bin storage under their Lounge and/or Kitchen? Noise under my main living space everytime the gate is opened is another problem.

The Old Warehouse had structural issues when I purchased it the second floor leant over the pavement by 1.5 meters at our adjoining party wall this floor I have removed and replaced with a Mansard roof.

Jack Ibbotson (planning) Grant Scott (building control) John Hutchnson (Canham consulting) Chris (David Bullens office) can all confirm this.

I have had structural engineer reports on the building and as part of that the party wall has been stabilised structurally by the insertion of Helifix bars/ repointing/ rendering should the proposed doorway be cut through the center of this repair work this would undermine the structural stability of my building.

Other than the above I have no objection to the conversion to form 7 flats and the coffee shop if access is as previously shown on the original plans through the existing shop front or as I was informed today by Phil Thompson shown below.

On discussing the access with Phil Thompson today (6.7.18) he stated that " There will be no access to the flats from our joint alleyway, just an alarmed door at the top of the stairs for fire escape.

As for bin area access, the shop fronts in Market row and Stonecutters way will be taken out to allow access from the road.

The way we have designed it is to do away with our bin area at the back of the shop, which will now be in with the apartment bins.

This will allow us to put a fire door closure on the existing gate, as the bin men will no longer need to access that gate. All access to the flats will be in Market Row"

Regards





## Internet Consultees

Application Reference 06/18/0046/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name The Rows Association

Address C/O 14 Broad Row

Great Yarmouth.

Post Code NR301HT

Telephone 07749262769

Email Address [REDACTED]

For or Against OBJ Object

Speak at Committee ☐

There are already 5 businesses in the immediate area of a similar type one directly opposite! This would also mean another retail unit gone in the area. The association has concerns about another 7 flats in the Rows, retailers are having a constant battle with fly tipping in the area - we also understand that an entrance to these flats would be from the Market Row - retailers already have a problem with residents of flats in the area loitering in the Rows and being a general nuisance, also being intimidating to passers by.

On many occasions rubbish has been thrown from windows of flats down into the Rows, more flats will only add to the general problems within the area.

The Rows Association produced a report of the problems retailers are having, a copy was given to certain council

Date Entered 10-04-2018

Internet Reference OWPC1601



## Internet Consultees

Application Reference **06/18/0046/F**

[Attachments](#)

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name **The Rows Association**

Address **C/O 14 Broad Row**

**Great Yarmouth.**

Post Code **NR301HT**

Telephone **01754 2278**

Email Address **the.rows@btinternet.com**

For or Against **OBJ** **Object**

Speak at Committee

another retail unit gone in the area. The association has concerns about another 7 flats in the Rows, retailers are having a constant battle with fly tipping in the area - we also understand that an entrance to these flats would be from the Market Row - retailers already have a problem with residents of flats in the area loitering in the Rows and being a general nuisance, also being intimidating to passers by.  
On many occasions rubbish has been thrown from windows of flats down into the Rows, more flats will only add to the general problems within the area.  
The Rows Association produced a report of the problems retailers are having, a copy was given to certain council members in October 2017 - additional copies can be obtained from the above address.

Date Entered **10-04-2018**

Internet Reference **OWPC1601**



## Internet Consultees

Application Reference 06/18/0046/F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name

Address

Great Yarmouth

Post Code

Telephone

Email Address

For or Against ☐ ObjectSpeak at Committee ☐

I am totally against this application as we have more than enough cafes in the area of the Historic Rows, at the moment there are a total of 5 cafes in Broad and Market Row with 1 directly opposite this proposed new caf . There are many more around the Market Place and many of these are struggling and some have closed in the last few months!

As for the flats businesses in The Rows are already having a lot of trouble with the current tenants in the flats above the shops, tenants have been throwing items out of the flats windows on passers by and there is a lot of anti social behaviour from residents in the flats and an ongoing problem of fly tipping from residents of these flats.

Date Entered 15-04-2018

Internet Reference OWPC1644



From ~~To:~~ Building Control Manager

My Ref: 06/18/0046/F

To ~~From:~~ Development Control Manager

Date: 27th June 2018

Case Officer: Mrs G Manthorpe  
Parish: Great Yarmouth 15

**Development at:-**

43 Market Row  
GREAT YARMOUTH  
Norfolk  
NR30 1PB

**For:-**

Convert ground flr from retail  
into cafe/restaurant. Convert  
first, second and third flr to  
7 no. flats/duplex

**Applicant:-**

Mr & Mrs Thompson  
Maxislaney  
79 Yarmouth Road  
Ormesby St Margaret  
GREAT YARMOUTH

**Agent:-**

Richard Pike Associates  
Ms J Willan  
Jonathan Scott Hall  
Thorpe Road  
NORWICH

2F STARTED DUE TO LAND OWNERSHIP

The above mentioned application has been received and I would be grateful for your comments on the following matters:-

Please let me have any comments you may wish to make by 11th July 2018.

**COMMENTS:**

Flat 2: Protected stairwell required within flat at 1st floor,  
bedroom 2 requires door at top or bottom of stairs.  
Flat 6: Lounge/Kitchen requires door at top or bottom  
of stairs.

DB 28.6.18



S

# MEMORANDUM

## From Environmental Health (Commercial team)

To: Group Manager - Planning  
**Attention: Mrs G Manthorpe**

Date: 02/07/2018

Our ref:

Your ref: 06/18/0046/F

Please ask for: Jeremy Knowles

Extension No: 617

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### DEVELOPMENT AT

**43 Market Row, Great Yarmouth. Convert ground floor from retail to café / restaurant. Convert 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor into flats.**

#### 1. Opening Hours

There are no opening hours for the café / restaurant on the application. The change of use involves creation of a restaurant with the potential for noise of cooking, cleaning, staff talking both inside and outside, deliveries / vehicle movement etc. There is a domestic flat above the premises which will be on the receiving end of the generated noise. As a result I propose a condition which limits hours of opening and operation

#### **Condition – Opening hours**

**The following hours of opening should be adhered to:  
Monday to Sunday 09.00am - 10.30pm**

#### **Condition – Hours of operation**

**The following hours of operation should be adhered to  
Monday to Sunday 09:00am – 11:00pm**

#### 2. Odour control

The change of use involves creation of a restaurant which will involve cooking which will potentially generate odour. There is no proposal on the application for an odour abatement system. The applicant needs to submit a scheme for odour control suitable for the type of cooking envisaged. The proposal needs to include equipment maintenance regime in line with the manufacturer's instructions.

#### 3. Noise control

Decibel levels created by the extraction equipment (used for odour control) need to be forwarded to this Authority for approval so that potential for noise complaints is minimised.

#### 4. Noise insulation between floors

The first floor flat will be located directly above the café / restaurant. This will create the noise associated with a busy takeaway and after hours cleaning, restocking etc. The developer needs to make sure that the noise insulation between ground floor takeaway and first floor flat is sufficient to reduce the potential for complaints from the residents. As such I propose the following Condition

##### **Condition - Noise insulation**

**The Developer needs to submit a scheme and specification detailing how noise insulation between the business and the domestic premises above will reduce the potential of noise complaint to a minimal level. The scheme needs to be implemented before the business opens.**

#### 5. Commercial kitchen

It should be noted that the commercial kitchen will need to conform to the current food legislation.

#### 6. Food registration

The food business needs to submit a food registration form before opening and trading.

**Jeremy Knowles**

**Environmental Health Officer**



Gemma Manthorpe  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

NCC contact number: 0344 800 8020  
Text Relay - 18001 0344 800 8020

Your Ref: 06/18/0046/F  
Date: 27 June 2018

My Ref: 9/6/18/0046  
Tel No.: 01603 638070  
Email: [stuart.french@norfolk.gov.uk](mailto:stuart.french@norfolk.gov.uk)

Dear Gemma

**Great Yarmouth: Conversion of ground floor from retail into cafe/restaurant.  
Conversion of first, second and third floor to 7 no. flats/duplex  
43 Market Row GREAT YARMOUTH Norfolk NR30 1PB**

Thank you for your recent consultation with respect to the above to which the Highway Authority raises no objection subject tot the following conditions being appended to any grant of permission your Authority is minded to make.

SHC 17V No gate / door / ground floor window if installed shall open outwards over the highway.

Reason: In the interests of highway safety.

SHC 24V Prior to the commencement of the use hereby permitted the proposed cycle parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

Yours sincerely

*Stuart French*

Highways Development Management & Licensing Officer  
for Executive Director for Community and Environmental Services



Elaine Helsdon

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**From:** Gemma Manthorpe  
**Sent:** 16 April 2018 11:08  
**To:** plan  
**Subject:** FW: Policy Comments 06/18/0046/F

Gemma Manthorpe LLB (Hons)  
Senior Planning Officer  
Great Yarmouth Borough Council

Telephone: 01493 846 638  
E-mail: [gm@great-yarmouth.gov.uk](mailto:gm@great-yarmouth.gov.uk)

Website: [www.great-yarmouth.gov.uk](http://www.great-yarmouth.gov.uk)  
Correspondence Address: Town Hall, Hall Plain, Great Yarmouth, Norfolk NR30 2QF

***Great Yarmouth Borough Council - Customer Focused, Performance Driven***

It takes 24 trees to produce 1 ton of office paper! Think... is it really necessary to print this email?

**From:** Nick Fountain  
**Sent:** 16 April 2018 11:07  
**To:** Gemma Manthorpe  
**Subject:** Policy Comments 06/18/0046/F

Hi Gemma,

I note that the application site is within the Town Centre, also currently designated as 'Secondary Retail Frontage' (saved policy SHP4) which is intended to be replaced by the emerging 'Protected shopping frontages' policy of the Draft Local Plan Part 2: Detailed Policies and Site Allocations. Each of the policies require careful consideration of alternative uses to retail at the ground floor, and specifically whether the proposal meets the relevant criteria. Market Row is an attractive frontage providing a major contribution to the overall character of the Town Centre. Consideration should also be given to the wider context and trends of town centres, as increasingly diverse spaces in terms of function and use. The active use of upper floors for self-contained residential accommodation is welcomed.

On balance, the Strategic Planning Team supports the above planning application. You may well, however, have other matters to consider when determining this application.

Kind regards,

Nick

---

**Nick Fountain**  
**Senior Strategic Planner**  
**Great Yarmouth Borough Council**

Direct Dial: 01493 846626  
Work Mobile: 07747742896  
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**Reference:** 06/18/0341/F

**Parish:** Hopton

**Officer:** Mr J Ibbotson

**Expiry Date:** 08-08-2018

**Applicant:** Gorleston Golf Club

**Proposal:** Removal of condition 1 Extension to existing members car park

**Site:** Gorleston Golf Club  
Warren Road

## **REPORT**

### **1 Background / History :-**

- 1.1 The club house for the Gorleston Golf Club is on the eastern side of Warren Road, the site originally had a hard surfaced parking area to the south of the club house which was to the rear of no's 25 to 27 Warren Road and there was a grassed area to the south of that which was used for overflow parking. In March 2016 a planning application was submitted to extend the hard surfaced car park to the south (ref: 06/16/0141/F). This application was refused on the grounds that the increase in parking and the proximity of the spaces to the rear boundaries of the dwellings on Warren Road would be likely to result in increased noise and disturbance to those dwellings, the establishment of a formal car park would affect the amenities of no. 31 Warren Road which has an open view at the rear and the loss of green space.
- 1.2 In July 2016 a revised application for a smaller car park extension was submitted (ref: 06/16/0478/F), this application also included an additional hard surfaced area to the north of the car park to provide 6 spaces. There were no objections to this application and planning permission was granted in September 2016.
- 1.3 Following a complaint from a neighbour it was found that the car park as finished was longer than the dimension shown on the approved drawing. Application 06/16/0478/F stated a 19m car park extension. What had been built was an extension of approx. 22.0m, therefore the extension was not in accordance with the approved plans. A retrospective application was made to regularise this discrepancy, ref. 06/17/0229/F. Planning permission was granted by the planning committee with the addition of a condition limiting the parking to the marked out areas only. This would retain the unauthorised area as an area of tarmac but only for turning and manoeuvring of vehicles and not parking.

1.4 Condition 1 of planning permission 06/17/0229/F states

*The area of tarmac at the south end of the site, that had not been marked out with parking bays at the date of submission of the planning application, shall be used as an access and manoeuvring area only and shall not, at any time, be used for the parking of motor vehicles, caravans or trailers.*

*The reason for the condition is :-*

*In the interests of the visual amenities of the occupiers of adjoining dwellings.*

- 1.5 Since the grant of planning permission the Golf Club have not complied at all times with Condition 1 as cars have been noted to have parked in this area. The issue has been sporadic, both at busy times and when other demarcated parking bays have been free. On a number of site inspections the planning officer has noted that the condition has been complied with, and that no cars were parked in the area limited to turning.
- 1.6 The golf club had made some effort to manage this area to comply with the condition but have stated in their planning statement that it is difficult to manage, and that previously this area had been used as overspill parking anyway. This application seeks to remove condition 1, and allow parking on all of the tarmacked area as approved under planning application 06/17/0229/F.

**2 Consultations :-**

2.1 Highways – no objection.

2.2 Parish Council – no objection.

2.3 Neighbours – one letter of objection has been received from the neighbouring resident at 31 Warren Road whose property overlooks the area restricted by the condition sought to be removed by this application. A copy of which is attached and briefly summarised as follows.

- The original much larger car park was refused and feels that this would have been because of the loss of green area and being too large an area than required
- Did not object to the 19m extension application, but the additional 3.5m car park built without permission has been the difference in terms of harm regarding noise and disturbance, why should the condition be removed if nothing else has changed
- Disagrees with the golf clubs justification that the previous grass area created difficult parking conditions in winter/wet weather for overspill parking.
- That the additional 37 spaces currently approved is sufficient additional parking and that there is no justification for additional parking on the area now restricted as turning.

- When there are exceptional cases, such as wakes, there may be a requirement for additional parking, however the neighbour would not object to this overspill parking when it relates to a wake.
- The use of the additional parking if allowed through removal of condition would result in more people choosing to park to the rear of No. 31 Warren Road as they would (contrary to club rules) prefer to start their game from the 11<sup>th</sup> Hole which is nearest the southern end of the car park.
- Overall the removal of the condition would bring additional noise and disturbance

### **3 Policy :-**

#### **3.1 POLICY CS15 - Providing and protecting community assets and green infrastructure**

3.2 Everyone should have access to services and opportunities that allow them to fulfil their potential and enjoy healthier, happier lives. The effective planning and delivery of community and green infrastructure is central to achieving this aim. As such, the Council will:

- a) Resist the loss of important community facilities and/or green assets unless appropriate alternative provision of equivalent or better quality facilities is made in a location accessible to current and potential users or a detailed assessment clearly demonstrates there is no longer a need for the provision of the facility in the area
- b) Ensure that all new development is supported by, and has good access to, a range of community facilities. In some circumstances developers will be required to provide and/or make a contribution towards the provision of community facilities. The process for securing planning obligations is set out in Policy CS14
- c) Take a positive approach to the development of new and enhanced community facilities, including the promotion of mixed community uses in the same building, especially where this improves choice and reduces the need to travel
- d) Work with our partners to deliver essential strategic community facilities, including supporting projects, such as the continuing development of the James Paget University Hospital, to meet current and future needs
- e) Promote healthy lifestyles by addressing any existing and future deficiencies in the provision and quality of sports facilities, including access to these facilities, playing pitches, play spaces and open spaces throughout the borough
- f) Ensure that all new developments contribute to the provision of recreational green space and incorporate improvements to the quality of, and access to, existing green infrastructure in accordance with local circumstances
- g) Safeguard the natural beauty, openness and recreational value of the borough's beaches and coastal hinterland



#### **4 Assessment :-**

- 4.1 No. 31 Warren Road, which is the main property affected by the car park extension has a low fence approximately 1 metre high along most of its rear boundary with the golf course, the fence rises at the northern end with the last three panels being approximately 1.8m high.
- 4.2 The golf club was advised of the discrepancy between what had been laid out and the approved plan 06/16/0478/F and was invited to submit a further application in an attempt to regularise the situation and this application was approved at Committee on the 24<sup>th</sup> May 2017. The car park, as constructed is 32 metres wide and 22.2m long at the western edge and 21.8m long at the eastern edge, there are seven spaces end on to the boundary with the dwellings on Warren Road and 18 spaces on the remainder of the extension. The southern part of the extension is not marked with parking bays and provides access and manoeuvring space to the southern row of bays.
- 4.3 The car park, as constructed and approved by the retrospective application, is between 3.2m and 2.8m longer than the dimension shown in application 06/16/0478/F. This area is not demarcated for parking, and a condition restricts this however the area has been used intermittently since the planning permission was granted by visitors and staff and this has resulted in complaints to the Planning Authority.
- 4.4 The tarmacked area has planning permission, however Condition 1 of this permission limits part of its use, and restricts parking on the area to the rear of No 31 Warren Road. The reason why this condition was added was in the interests of the amenities of the occupiers of adjoining dwellings. Previous applications had been refused on grounds of impact upon the amenity of in particular No.31 Warren Road, however in this instance, the noise and disturbance of vehicles turning and manoeuvring on this area, as permitted by permission (06/17/0229/F) would have some impact upon the amenity of no. 31, but not sufficiently enough to have warranted refusal.
- 4.5 A specific view or loss of such a view is not a material planning matter. The impact upon outlook from a neighbour, or harm to the character of an area is a material planning matter. These matters are relevant when considering this application to remove the condition restricting parking on the southernmost area of tarmac. Vehicles are able to move and turn in this area, as such any disturbance caused is not likely to be limited by the condition under consideration. The use of the site and car park is not limited by planning condition in terms of hours of operation, however the nature of a golf clubs use means that the busiest periods are during daylight hours where golf can be played. We have had no evidence of breach of condition during evenings/night times.
- 4.6 The breach of condition has been sporadic, site visits have been made over the last year by the planning officer, and on numerous occasions there have been no cars parking in the area. However at other times the whole car park has

been full and this area has also been in use. Additionally other evidence has been shown where the turning area has been used for a limited number of vehicles whilst spaces were available in the main permitted car park.

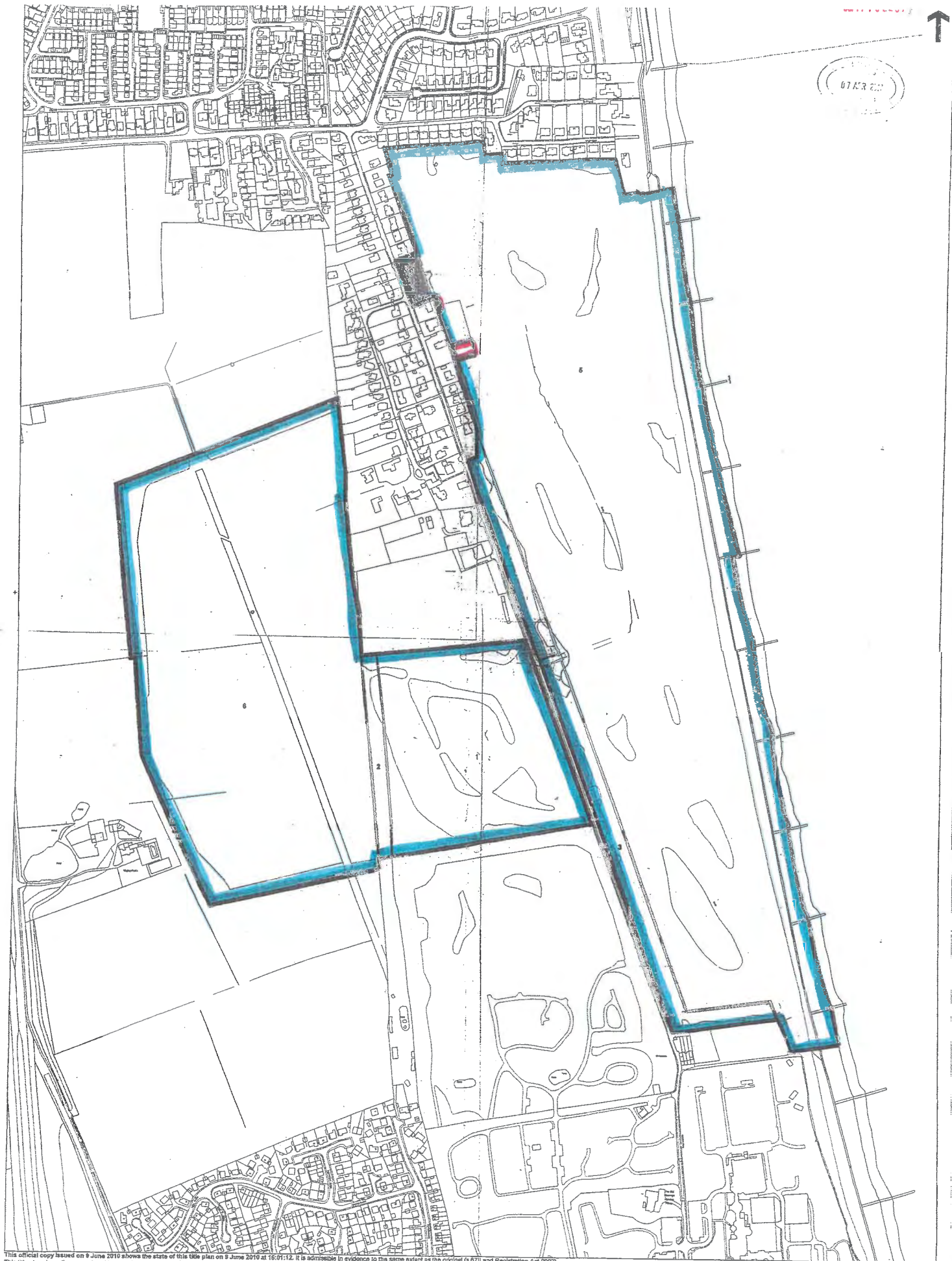
- 4.7 In the past, when this area had been grass, sporadic parking had taken place, and the original car park is visible from first floor of neighbouring residential properties including No.31. When cars are parked on the area protected by condition 1, the view from the rear garden is partially obstructed by cars, however this is not a material planning matter. In terms of outlook the car park does not restrict the outlook over other parts of the golf course towards the sea.
- 4.8 It is also important to note that the boundary treatment of part of No.31's garden at approx. 1.0m is 1.0m lower than could be erected by either party through permitted development rights which would legitimately reduce outlook and block views of the car park from this neighbouring properties garden.
- 4.9 There is potentially an opportunity through imposition of a new planning condition to screen the car parking site. This could be with a hedge along the southern boundary of the car park in question. Once established this would restrict parking on the grassed area to the south of the car park, and would restrict views into the car park from the south from the adjacent properties on Warren Road.
- 4.10 For much of the rear boundary, the outlook and character of the area is unchanged as the tarmac area does not extend the full width of no.31 Warren Roads rear boundary. The impact of occasional or even more regular parking is not sufficiently harmful to warrant refusal subject to limiting the intensity of use. The condition which was originally attached has not worked, however a new condition requiring screening would mitigate against the impact of the existing permitted turning and manoeuvring of vehicles, and also parking if the original condition is to be removed. The sites wider existing lawful use as a golf club brings with it a degree of disturbance, and therefore this proposal is not out of character with that use or character of the area. The tarmac area can be used as turning already, so stationary parking would not be more harmful in terms of movement or noise. Outlook from neighbouring properties, and the appearance of the car park could be protected through a green screen being required by condition. This would retain protection for the neighbours amenity, whilst allowing additional parking spaces to be provided as requested by the Golf Club.

## **5 RECOMMENDATION :-**

- 5.1 Approve the removal of Condition 1 of Planning Permission 06/17/0229/F on the basis of the imposition of a new condition requiring screening planting along the southern boundary of the car park to provide a buffer from views into the car park from the south and from adjoining neighbouring properties located to the south.







## Jack Ibbotson

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**From:** Jack Ibbotson  
**Sent:** 12 July 2018 09:27  
**To:** Jack Ibbotson  
**Cc:** Dean A. Minns  
**Subject:** Planning Application 06/18/0341/F

Dear Sirs

I would like to make the following comments on the above application.

The original application for a much larger car park extension was refused. Like myself, the planning department obviously thought it was much too large and was taking away green land unnecessarily.

Planning officer Mr Graham Clarke visited the site and we discussed the situation. It was agreed that if the extension went to a certain point, I would make no objection to another application. This point measured 19 metres and was clearly shown on the drawing which was duly approved. I believe this gave the golf club an additional 37 spaces. However, on my return from holiday, the extension had already been done but it measured 22.5 metres. This additional 3.5 metres makes all the difference to us and causes much more noise and disturbance.

I objected and there was another planning meeting but it was decided to leave the extra 3.5 metres in place but to restrict it to turning only with no parking at any time. Nothing whatsoever has changed so why should the condition now be removed?

The golf club states that in wet conditions, parking on the overflow grass area is difficult. In winter, impossible with cars getting bogged down. That I cannot agree with. In 25 years of living at Warren Road I can't recall any such incidents so it certainly isn't a daily occurrence. They mention Health and Safety - perhaps they can show you their incident log over the past few years.

They mention shorter days in Winter creating parking problems with golfers playing at similar times. Whilst I agree that golfers will be playing at similar times, there are so many fair weather golfers that this doesn't cause any problems particularly with the extra 37 spaces.

The golf club states it was constructed as approved. How can this be the case when it ended up 22.5 metres as opposed to the approved application of 19 metres? And why would the planning department have put a condition on the area if it was correct?

They also state only very occasionally there is not enough space. This I agree. But it's very rarely golf days or Sunday lunches when this happens. Unfortunately it's nearly always wakes with so many people turning up to see off an old golfing buddy. I have made it very clear to the club that I would never object on such an occasion.

If this area is given approval it would only give 9 extra spaces. When it is an exceptionally busy day such as a wake, 9 spaces is certainly not enough. It would be more like 30 or 40 and we can't extend the car park just for wakes.

Also, the 9 spaces applied for is the area closest to the 11th tee. Many golfers would choose to park here even if the rest of the car park was empty because certain golfers like to tee off the 11th even although it is clearly marked as not a starting hole.

As previously stated this would bring unnecessary noise and disturbance to us and as also previously stated nothing has changed so the condition should remain.





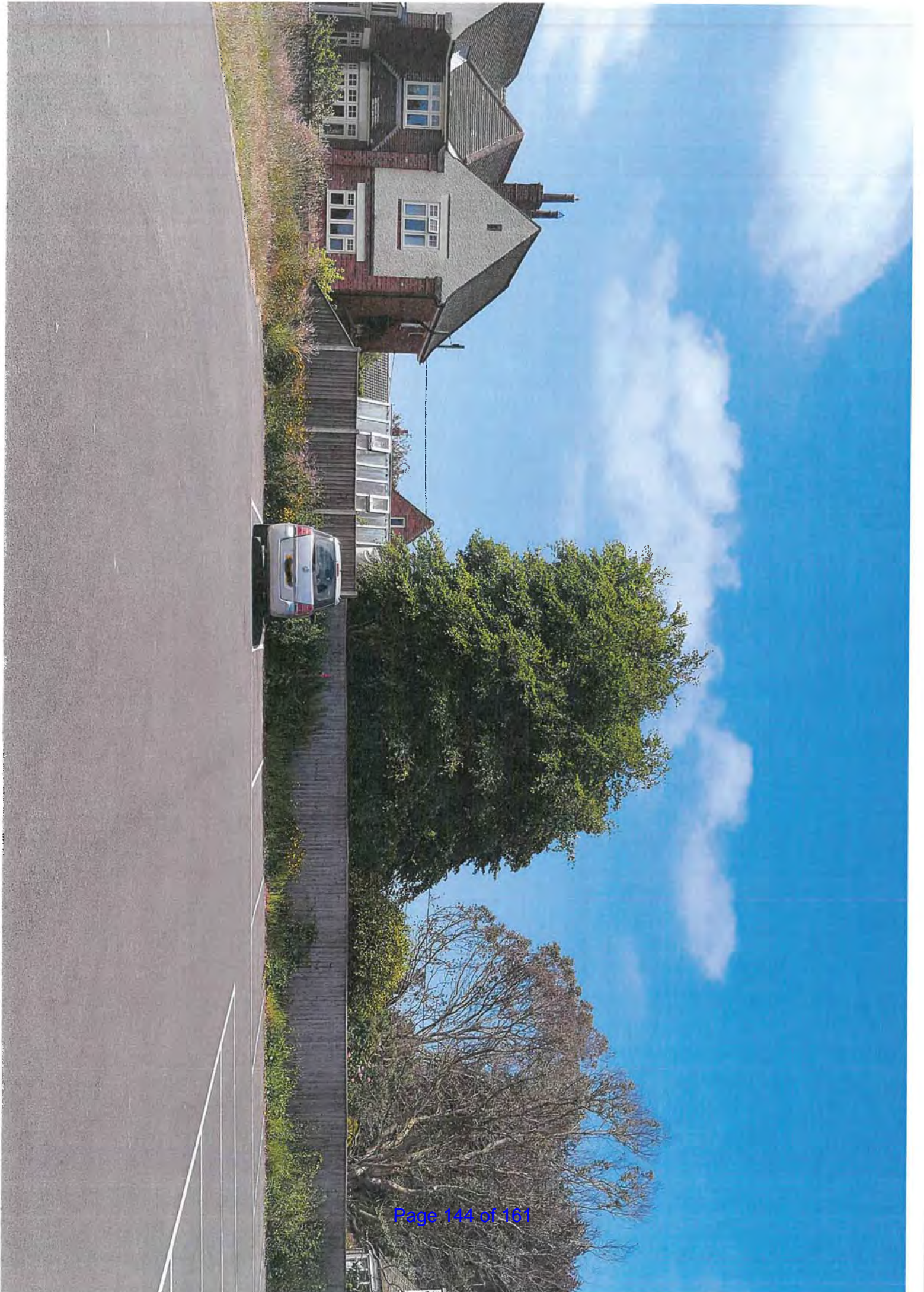








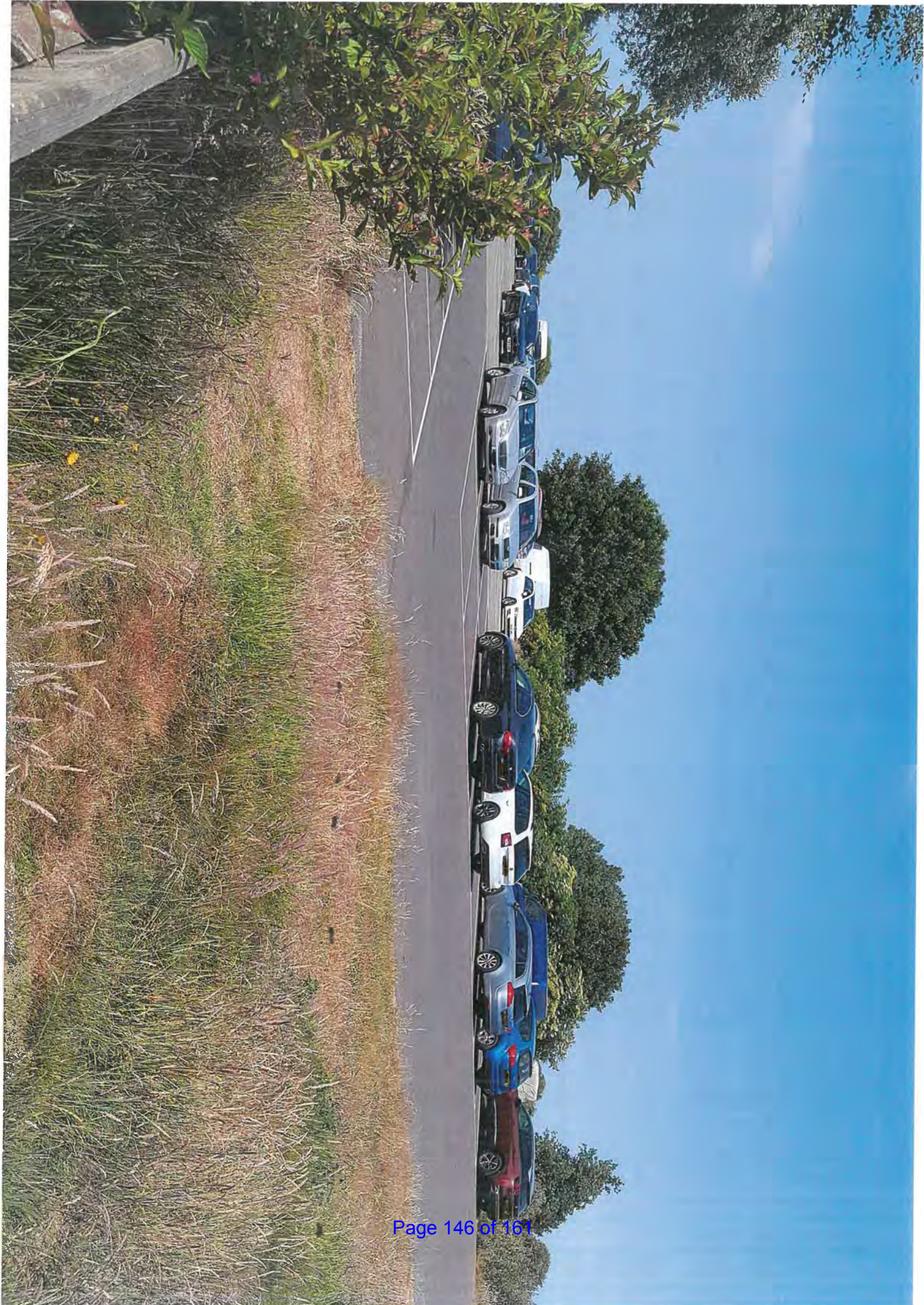


















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**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-18 AND 31-JUL-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0305/CD</b>
PARISH	Belton & Browston 10
PROPOSAL	Discharge of conditions 5, 6, 7, 8, 9 and 10 re: Planning Permission 06/17/0788/F
SITE	Hall Farm Barn 1 Beccles Road Belton GREAT YARMOUTH
APPLICANT	Rattler Enterprise Ltd
DECISION	<b>APPROVE (CONDITIONS)</b>
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REFERENCE	<b>06/18/0304/CD</b>
PARISH	Bradwell N 1
PROPOSAL	Discharge of conditions 3, 5 and 6 re: Planning Permission 06/15/0738/F
SITE	Former Coopers Car Park Gapton Hall Road Bradwell GREAT YARMOUTH
APPLICANT	MDF (GY) Ltd Mr M Farrow
DECISION	<b>APPROVE (CONDITIONS)</b>
<hr/>	
REFERENCE	<b>06/18/0313/F</b>
PARISH	Bradwell N 1
PROPOSAL	Renew PP: 06/13/0622/F for temporary storage facility in existing service yard to the rear of the main workshop
SITE	Edison Way Gapton Hall Ind. Estate (Parish of Bradwell) GREAT YARMOUTH
APPLICANT	Mr C Jones
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0326/F</b>
PARISH	Bradwell N 1
PROPOSAL	Single storey rear extension and internal alterations
SITE	1 Wren Drive Bradwell GREAT YARMOUTH Norfolk
APPLICANT	Mr & Mrs M Jacobs
DECISION	<b>APPROVE</b>
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REFERENCE	<b>06/18/0330/F</b>
PARISH	Bradwell N 1
PROPOSAL	Proposed side extension and garden outbuilding
SITE	28 Willow Avenue Bradwell GREAT YARMOUTH
APPLICANT	Mr & Mrs Pasieczna
DECISION	<b>APPROVE</b>
<hr/>	

**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-18 AND 31-JUL-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE **06/18/0361/F**  
 PARISH Bradwell N 1  
 PROPOSAL Single storey front and side extension

SITE 42 Laburnum Close Bradwell  
 GREAT YARMOUTH

APPLICANT Mr & Mrs AD Hubbard  
 DECISION **APPROVE**

REFERENCE **06/18/0322/F**  
 PARISH Bradwell S 2  
 PROPOSAL Proposed two storey rear extension

SITE The Chantry Belton New Road  
 Bradwell GREAT YARMOUTH

APPLICANT Mr P Doidge  
 DECISION **APPROVE**

REFERENCE **06/18/0311/F**  
 PARISH Caister On Sea 3  
 PROPOSAL Adaption and extension to existing single storey garage

SITE 42 Diana Way Caister  
 GREAT YARMOUTH NR30 5TP

APPLICANT Mr John Vincent  
 DECISION **APPROVE**

REFERENCE **06/18/0329/CD**  
 PARISH Caister On Sea 4  
 PROPOSAL Discharge of conditions 3 and 4 of planning permission  
 06/15/0497/F

SITE 4 Villarome Caister  
 GREAT YARMOUTH

APPLICANT Mrs D Critoph  
 DECISION **APPROVE (CONDITIONS)**

REFERENCE **06/18/0357/DM**  
 PARISH Great Yarmouth 5  
 PROPOSAL Proposed demolition of derelict end of terrace  
 property

SITE 21 St Peters Road GREAT YARMOUTH  
 Norfolk

APPLICANT Mr P Buxton  
 DECISION **DETAILS NOT REQ'D**

REFERENCE **06/18/0292/F**  
 PARISH Great Yarmouth 7  
 PROPOSAL Retrospective application two-storey rear extension

SITE 4 Bately Avenue Gorleston  
 GREAT YARMOUTH NR31 6HJ

APPLICANT Mr T Philpott  
 DECISION **APPROVE**



**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-18 AND 31-JUL-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0307/F</b>
PARISH	Great Yarmouth 7
PROPOSAL	Proposed rear extensions to lounge and kitchen, side extension to kitchen and front bay window
SITE	28 Buxton Avenue Gorleston GREAT YARMOUTH NR31 6HG
APPLICANT	Mr & Mrs Tovell
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0359/CD</b>
PARISH	Great Yarmouth 7
PROPOSAL	Discharge condition 3 re: Planning permission 06/16/0781/F
SITE	1 Woodfarm Lane Gorleston GREAT YARMOUTH
APPLICANT	Pentaco Construction Ltd - Mr S Brock
DECISION	<b>APPROVE (CONDITIONS)</b>
<hr/>	
REFERENCE	<b>06/17/0447/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Residential development to form 8 self contained flats
SITE	Gainsborough Court Nelson Road South GREAT YARMOUTH NR30 3JL
APPLICANT	Mr T Philpott Oakville Homes
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0255/CD</b>
PARISH	Great Yarmouth 14
PROPOSAL	Discharge of condition 3 of Planning Permission 06/17/0520/F
SITE	6 Queen Street GREAT YARMOUTH Norfolk NR30 2QP
APPLICANT	Elliot Electrical
DECISION	<b>APPROVE (CONDITIONS)</b>
<hr/>	
REFERENCE	<b>06/18/0258/O</b>
PARISH	Great Yarmouth 14
PROPOSAL	Outline planning permission for the demolition of offices and erection of 9 dwellings
SITE	16 Southgates Road GREAT YARMOUTH Norfolk NR30 3LJ
APPLICANT	Digital Phone Company Ltd
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0260/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Change of use from residential dwelling to 4 bedroom house in Multiple Occupation
SITE	52 Howard Street South GREAT YARMOUTH Norfolk NR30 2PT
APPLICANT	Mr L Savill
DECISION	<b>REFUSED</b>
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**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-18 AND 31-JUL-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0268/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Conversion of vacant storage area to 1-person studio flat
SITE	63 Nelson Road North GREAT YARMOUTH Norfolk NR30 2AS
APPLICANT	Mr S Abduka
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0150/F</b>
PARISH	Great Yarmouth 15
PROPOSAL	Demo existing filling station & erect a replacement 4-pump (8 filling position) petrol filling station with ass kiosk
SITE	Asda - Filling Station Vauxhall Station GREAT YARMOUTH NR30 1SF
APPLICANT	ASDA Stores Ltd
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0254/CU</b>
PARISH	Great Yarmouth 15
PROPOSAL	Proposed C.O.U from PH to 2 shop/office units on part of grd flr. Remainder of the grd flr & res. unit over to remain
SITE	96 Northgate Street Cask & Craft GREAT YARMOUTH NR30 1BP
APPLICANT	Maris Inns Limited
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0256/F</b>
PARISH	Great Yarmouth 15
PROPOSAL	Replacement of existing sash windows with PVC-u sliding sash windows
SITE	64 North Quay GREAT YARMOUTH Norfolk NR30 1JB
APPLICANT	Mrs Sinclair
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0291/PDE</b>
PARISH	Great Yarmouth 19
PROPOSAL	Notification of Prior Approval for single storey rear extension to create family room/garden room
SITE	104 Lowestoft Road Gorleston GREAT YARMOUTH NR31 6NB
APPLICANT	Mr R J Smithson
DECISION	<b>PERMITTED DEV.</b>
<hr/>	
REFERENCE	<b>06/18/0306/F</b>
PARISH	Great Yarmouth 19
PROPOSAL	Single storey extension and new detached garage
SITE	Woodlands School Lane Gorleston GREAT YARMOUTH
APPLICANT	Mr P King
DECISION	<b>APPROVE</b>
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**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-18 AND 31-JUL-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0334/F</b>
PARISH	Great Yarmouth 19
PROPOSAL	Vary con.3 of P.P:06/15/0736/O & 06/18/0096/D - Revisions to the cladding & materials & inc a balcony at 1st floor level
SITE	Former Shepherd Engineering Riverside Road Gorleston GREAT YARMOUTH
APPLICANT	Mr W Harrison
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0250/CD</b>
PARISH	Great Yarmouth 21
PROPOSAL	Discharge of conditions 3, 4, 6 and 9 of Planning Permission 06/17/0662/F - New dwelling to rear of 8/9 Fisher Avenue
SITE	8 and 9 Fisher Avenue (Rear of) GREAT YARMOUTH Norfolk NR30 4BD
APPLICANT	Mr A Calver
DECISION	<b>APPROVE (CONDITIONS)</b>
<hr/>	
REFERENCE	<b>06/18/0279/F</b>
PARISH	Great Yarmouth 21
PROPOSAL	Single storey rear extension
SITE	3 Onslow Avenue GREAT YARMOUTH NR30 4DT
APPLICANT	Mrs J Kitchener
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0014/F</b>
PARISH	Hemsby 8
PROPOSAL	Erection of single storey dwelling
SITE	Dun Roamin (land adj) Four Acres Estate Kings Loke Hemsby GREAT YARMOUTH NR29 4JB
APPLICANT	Mr S Mullaney
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0168/F</b>
PARISH	Hemsby 8
PROPOSAL	Erect pair of chalet bungalows (in lieu of single storey dwellings approved 06/09/0593/ D) - Plots 43 and 44
SITE	Martham Road/Common Road Hemsby GREAT YARMOUTH Norfolk
APPLICANT	Norfolk Homes Ltd
DECISION	<b>APPROVE</b>
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REFERENCE	<b>06/18/0208/F</b>
PARISH	Hemsby 8
PROPOSAL	Vary cond. 2 of 06/16/0426/F - Additional garages to plots 3 and 4 and conservatory and bay windows to plot 9
SITE	Peacehaven Yarmouth Road Hemsby GREAT YARMOUTH NR29 4NJ
APPLICANT	Marsden Builders 1979 Ltd
DECISION	<b>APPROVE</b>
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**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-18 AND 31-JUL-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0294/CD</b>
PARISH	Hemsby 8
PROPOSAL	Discharge of conditions 3, 4, 5, 10 and 12 of planning permission 06/17/0320/F
SITE	Fengate Farm Common Road Hemsby GREAT YARMOUTH NR29 4NA
APPLICANT	Mr R King
DECISION	<b>APPROVE (CONDITIONS)</b>

REFERENCE	<b>06/18/0298/F</b>
PARISH	Hemsby 8
PROPOSAL	Two storey front and side extensions
SITE	2 Mill Road Hemsby GREAT YARMOUTH NR29 4ND
APPLICANT	Mr E Setchell
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/18/0321/F</b>
PARISH	Hemsby 8
PROPOSAL	Demolish existing conservatory and replace with single storey side extension
SITE	89 Fakes Road Merrimoles Hemsby GREAT YARMOUTH Norfolk
APPLICANT	Mr R Watson
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/18/0353/F</b>
PARISH	Hemsby 8
PROPOSAL	Erection of single storey side extension
SITE	3 Meadow Rise Hemsby GREAT YARMOUTH
APPLICANT	Miss L Penney
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/18/0246/F</b>
PARISH	Hopton On Sea 2
PROPOSAL	Garage conversion to form residential annexe for disabled parents. Rear single storey extension
SITE	28 Station Road Hopton-On-Sea GREAT YARMOUTH
APPLICANT	Mr and Mrs Tebbutt
DECISION	<b>APPROVE</b>

REFERENCE	<b>06/18/0349/CD</b>
PARISH	Hopton On Sea 2
PROPOSAL	2 storey side, single storey rear extensions, porch ext (re-submission) - DoC 3 re: PP 06/17/0535/F
SITE	Whitehouse Farm Cottage Hall Road Hopton GREAT YARMOUTH
APPLICANT	Mr C Leech
DECISION	<b>APPROVE (CONDITIONS)</b>



**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-18 AND 31-JUL-18 FOLLOWING DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0312/F</b>
PARISH	Martham 13
PROPOSAL	Proposed alterations and extensions
SITE	13 Black Street Martham GREAT YARMOUTH NR29 4PN
APPLICANT	Mr and Mrs P Punchard
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0261/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Proposed detached replacement dwelling. Revised application
SITE	52 California Crescent California Ormesby St Margaret GREAT YARMOUTH NR29 3QP
APPLICANT	Mr & Mrs Cribb
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0277/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	Conversion of existing double detached garage to granny annexe accommodation
SITE	22 Station Road Manor Cottage Ormesby St Margaret GREAT YARMOUTH NR29 3NH
APPLICANT	Mr S Larke
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0303/F</b>
PARISH	Ormesby St.Marg 16
PROPOSAL	VoC 2 of PP 06/17/0428/F - Amendments to approved plan including design and layout
SITE	California Amusements 104 California Road California GREAT YARMOUTH
APPLICANT	Mr and Mrs Oakey
DECISION	<b>APPROVE</b>
<hr/>	
REFERENCE	<b>06/18/0166/F</b>
PARISH	Rollesby 13
PROPOSAL	Exterior access to loft for storage use
SITE	10 King George Close Kootenay Cottage Rollesby GREAT YARMOUTH NR29 5HB
APPLICANT	Mr R Ashling
DECISION	<b>APPROVE</b>
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REFERENCE	<b>06/18/0300/F</b>
PARISH	Rollesby 13
PROPOSAL	Proposed conservatory to side elevation
SITE	Cowtrott Cowtrott Lane Rollesby GREAT YARMOUTH NR29 5ED
APPLICANT	Mrs R Read
DECISION	<b>APPROVE</b>
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**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-18 AND 31-JUL-18 FOLLOWING  
DETERMINATION BY THE GROUP MANAGER (PLANNING) UNDER DELEGATED POWERS**

REFERENCE	<b>06/18/0147/F</b>
PARISH	Winterton 8
PROPOSAL	To construct a steel framed boat shed and include within a village Heritage Centre
SITE	Beach Road Fishermans Huts Beach Car Park
APPLICANT	Winterton GREAT YARMOUTH
DECISION	Winterton on Sea Lifeboat Restoration Group <b>REFUSED</b>

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REFERENCE	<b>06/18/0269/F</b>
PARISH	Winterton 8
PROPOSAL	Raising of ridge height and two front dormers to provide rooms in roof. Proposed rear extensions and garage
SITE	Wymer The Craft Winterton
APPLICANT	GREAT YARMOUTH NR29 4AX
DECISION	Mr G Patterson <b>APPROVE</b>

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\* \* \* \* End of Report \* \* \* \*



**PLANNING APPLICATIONS CLEARED BETWEEN 01-JUL-18 AND 31-JUL-18 FOLLOWING  
DETERMINATION BY THE DEVELOPMENT CONTROL COMMITTEE**

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REFERENCE	<b>06/17/0469/F</b>
PARISH	Great Yarmouth 14
PROPOSAL	Mixed use dev inc 15 x 3 bed houses, 8 x 1 and 2 bedroom flats, leisure area & 10 retail units
SITE	90 and 102 Regent Road (land between) GREAT YARMOUTH Norfolk NR30 2AH
APPLICANT	Mr P Thompson
DECISION	<b>APPROVE</b>

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\* \* \* \* End of Report \* \* \* \*