

Reference: 06/18/0271/F

Officer: Mrs G Manthorpe

Expiry Date: 13/09/19

Applicant: Mr J Masrani

Proposal: Proposed change of use from hotel to 10 no. residential flats involving extensions and internal alterations

Site: 5 North Drive Great Yarmouth

1. Background / History :-

- 1.1 The site has a footprint of 0.049 hectares and is part of a hotel, The Sea Princess, which also occupies the land at 6-7 North Drive. The application site is described within the submitted details as a three-storey annex to the main hotel situated to the north of the application site. The application site is accessed from the main hotel by a walkway at first floor level which was approved in 2007, application reference 06/06/0990/F, to join the then separate businesses together. In 2015 improvements to the hotel at 6-7 North Drive by way of a conservatory at the principle elevation were approved but have not been carried out.
- 1.2 In 2017 an application, reference 06/16/0760/F, for the change of use of the application site to 11no. dwellings and associated works was refused under delegated powers. Following the refusal of the previous application the applicant has submitted the current seeking to overcome previous refusal reasons

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

- 2.1 Neighbours – There has been 1 objection to the application which is attached to the report and relevant comments are summarised below. The objection states that it is on behalf of 7 of the residents of the adjoining residential block of flats, Esplanade Court although is only signed by one signatory it is sent on behalf of Block 1 Esplanade Court RTM Company Ltd.

- Loss of car parking for the remaining hotel.
- We have no access to the account details.

- It is not relevant that Esplanade Court is in an area of Primary Holiday Accommodation.
- Why isn't a proper front elevation drawing submitted?
- The statement that monies will be spent on the hotel is not enforceable.
- Why are no structural details given?

One neighbour response requested conditions be placed upon the dwellings to ensure that they are of a high standard and that the building does not become a house in multiple occupation and provides high quality accommodation.

- 2.2 Highways – No objection to the application subject to conditions.
- 2.3 Building Control – No objection.
- 2.4 Resilience Officer for Environmental Health– No objection subject to recommendation within the risk assessment being followed.
- 2.5 Environmental Health – No objection subject to condition(s).
- 2.6 Strategic Planning – No objection.
- 2.7 Anglian Water – No objection to the application subject to a condition requiring the submission of a surface water management strategy to be submitted to and approved by the Local Planning Authority prior to the construction of any hardstanding areas.
- 2.8 Norfolk County Council Fire – No objections to the application.
- 2.9 Natural England – No objections.
- 2.10 Police Architectural Liaison Officer – Full comments and recommendations received. Recommendation to remove the skylight over the ground floor flat being removed as this is accessible from a vulnerable flat roof.
- 2.11 Lead Local Flood Authority – The development falls under the threshold for comment.
- 2.12 Environment Agency – No objection subject to conditions, full comments attached to the report.
- 2.13 Conservation – Support the application.
- 2.14 The Natural Environment Team - The Natural Environment Team at Norfolk County Council provide ecological advice to Great Yarmouth Borough Council under a

Service Level Agreement with respect to planning. You consulted us on this application on 29.08.2019.

- 2.15 The application is supported by a Habitat Regulation Assessment (Arbtech, updated 12.07.2019). The assessment is described as a Screening Assessment. It does, however, consider mitigation, so it really should be described as an Appropriate Assessment. Notwithstanding this, the conclusions it draws are sound. The report recognises that there will be no Likely Significant Effects (LSE) on the integrity of the internationally-designated network of sites from the proposals on their own, but there may be cumulative impacts ('in-combination' effects) arising from increased recreation pressure when considered with other development within the borough. The contribution to the Habitat Monitoring and Mitigation Strategy is the accepted method to address this. If you secure this contribution, the development will not result in any LSEs.
- 2.16 Local Authority Requirements – The application site is within sub market 3 for affordable housing, requiring affordable housing to be provided for developments of 15 or more, as such no affordable housing is required as part of this application.
- 2.17 The application does not show any public open space provision which is acceptable given the specific location being under 100m from the beach and associated attractions and within walking distance of childrens recreation and green spaces. As such payment in lieu at a rate of £1400 per dwelling shall be required for childrens recreation and public open space payments.
- 2.18 The trigger for the payment of all of the monies for public open space and childrens recreation shall be payable prior to occupation of 40% of the units.
- 2.19 Payment of £110 per dwelling as a contribution under policy CS14 shall be payable as required by the Habitats Monitoring and Mitigation Strategy. This payment shall be before occupation of any dwellings for the avoidance of doubt.

3 Local Policy :-

- 3.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):
- 3.2 Paragraph 213 of the National Planning Policy Framework (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.

3.4 Policy HOU22

Within primary holiday accommodation areas as identified on the proposals map the conversion/change of use of properties to permanent residential uses will not be permitted. Outside these areas, proposals to change the use of holiday flats to permanent residential purposes will be permitted subject to policy tr12 and the requirements of policy HOU23.

3.5 Policy 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 **Core Strategy – Adopted 21st December 2015**

4.1 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.

4.2 Policy CS3: To ensure that new residential development in the borough meets the housing needs of local people, the Council and its partners will seek to:

a) Make provision for at least 7,140 new homes over the plan period. This will be achieved by (extract only):

- Focusing new development in accessible areas and those with the most capacity to accommodate new homes, in accordance with Policy CS2
- Ensuring the efficient use of land/sites including higher densities in appropriate locations

d) Ensure that new housing addresses local housing need by incorporating a range of different tenures, sizes and types of homes to create mixed and balanced communities. The precise requirements for tenure, size and type of housing units will be negotiated on a site-by-site basis, having regard to the Strategic Housing Market Assessment, Policy CS4 and the viability of individual sites

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

4.4 Policy CS8: Promoting tourism, leisure and culture (partial)

b) Safeguard the existing stock of visitor holiday accommodation, especially those within designated holiday accommodation areas, unless it can be demonstrated that the current use is not viable or that the loss of some bed spaces will improve the standard of the existing accommodation.

4.5 Policy CS11: The Council will work with other partner authorities and agencies to improve the borough's natural environment and avoid any harmful impacts of development on its biodiversity, geodiversity, landscape assets, priority habitats and species.

4.6 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: (a to f)

e) Seek appropriate contributions towards Natura 2000 sites monitoring and mitigation measures.

5 Draft Local Plan Part 2

5.1 Policy GY7-dp (partial)

Great Yarmouth Seafront Area

Great Yarmouth's 'Golden Mile' and seafront area, as defined on the policies map, will be sustained and strengthened in its role as the heart of one of the country's most popular holiday resorts.

5.2 Housing Applications Reliant on the 'Presumption in Favour of Sustainable Development'

In the event that the Council is unable to demonstrate a five year supply of deliverable housing land, or meet the Housing Delivery Test, it will give favourable consideration to proposals for sustainable housing development (as defined by the National Planning Policy Framework) which will increase the delivery of housing in the short term, and apply flexibly the relevant policies of the development plan where it is robustly demonstrated that the development will be delivered promptly (i.e. within 5 years maximum).

Consideration will be given to applying a shorter than standard time limit to such permissions, in order to signal the exceptional nature of the permission and to encourage prompt delivery. Applications for renewal of permissions which relied on that presumption will be considered in the light of the housing delivery and supply situation at the time.

Such renewals will only be permitted where the applicant can demonstrate convincing reasons both why the development did not proceed in the time frame originally indicated, and why, in the light of the previous delay, the development can now be expected to proceed promptly.

6 National Policy:- National Planning Policy Framework (NPPF), July 2018

6.1 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.

6.2 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 needs⁴.

6.3 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.

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

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-date⁷, 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; 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.

- 6.5 Paragraph 48. Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- 6.6 Paragraph 55. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

- 6.7 Paragraph 59. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing

requirements are addressed and that land with permission is developed without unnecessary delay.

- 6.8 Paragraph 92. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
 - b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
 - c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
 - d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
 - e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
- 6.9 Paragraph 94. It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
 - b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.
- 6.10 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.
- 6.11 Paragraph 163. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁵⁰. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient;

c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

d) any residual risk can be safely managed; and

e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan. of the best and most versatile agricultural land, and of trees and woodland;

6.12 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.

6.12 Paragraph 160. The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:

a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

6.13 Paragraph 177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

7 Local finance considerations:-

7.1 Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local

finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus or the Community Infrastructure Levy. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. It is assessed that financial gain does not play a part in the recommendation for the determination of this application.

8 Shadow Habitats Regulation Assessment

- 8.1 The applicant has submitted a bespoke Shadow Habitat Regulations Assessment (HRA). The applicant has provided information to enable the Local Planning Authority to undertake an Appropriate Assessment in the role as the competent authority (as defined by the regulations).
- 8.3 Gt Yarmouth Borough Council as Competent Authority can 'adopt' the information supplied by the applicant in relation to the Habitat Regulation Assessment as a formal record of the process and be confident that the application is compliant with the Regulations.

9 Assessment

- 9.1 The application is a full application for the change of use of an existing hotel to 10no. residential dwellings. The external appearance of the is proposed to change significantly and, through consultation with the Conservation Officer prior to the submission of the application, the design proposed draws on the nearby residential flats located to the south of the application site.
- 9.2 The site is located within a conservation area and as such the benefit of the existing building to the amenity of the area must be assessed. The appearance of the building as existing does not provide an attractive addition to the area and could be said to detract from nearby buildings visual appeal. The existing building, not solely looking at the unkempt appearance, has no stand out redeeming features or areas of heritage example that should be retained and as such the remodel of the external appearance can be supported when assessed against the Planning (Listed Buildings and Conservation Areas) Act 1990 s72 which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The revised frontage in particular will add to the character of the area and contribute a more attractive building to a prominent location.

- 9.3 The letter of objection stated that there are no drawings of the principle elevation, these are available and have been submitted with the application documents. The reference to the Conservation Officers drawings having been submitted demonstrates that the applicant has taken on board the comments made by the Conservation Officer which is demonstrated by the development receiving the support of the conservation officer.
- 9.4 The application site is located within flood zone 2 and, by being a residential development from a holiday use, is defined as a more vulnerable development and as such a Flood Risk Assessment (FRA) is required and has been submitted. One of the reasons for refusal of the previous application was that the applicant had failed to demonstrate that the development was safe for its lifetime in relation to flood. The current application has been supported by an FRA and the Environment Agency do not object to the application subject to conditions and the application passing the sequential and exemption test. The Resilience Officer has stated that provided that the recommendations within the FRA are followed there is no reason for the application not to proceed.
- 9.4 In accordance with the National Planning Policy Framework the application must pass the sequential and the exemption test. It is known that there is not significant land within the urban area for residential development and as such it is reasonable that the development could not be located elsewhere. The development is the reuse of an existing building with extension and will not exacerbate the flood risk elsewhere and, accordance with the comments from the Resilience Officer, will not pose a risk to future occupier's subject to the recommendations within the FRA being undertaken.
- 9.5 The Environment Agency are satisfied with subject to a condition ensuring that the finished floor levels are such to ensure the safety of the occupants. The FRA details the floor levels and the applicant has provided a drawing showing the finished height of the building and its relationship to the next-door hotel which assists in demonstrating that the development as proposed will be in keeping with street scene while dealing adequately with the flood risk. The FRA has stated that occupants of the ground floor flats will have access via the stairwell to the first- floor landing if required and this, in accordance with the development being carried out in accordance with the details submitted within the FRA would be conditioned
- 9.5 One neighbour consultation requested that the development provide quality accommodation. The flats as shown on the drawings are all of adequate size to meet the national space standards and as such the quality of accommodation is demonstrated. A number of flats exceed by some margin the space standards which will provide a high-quality offering which is welcomed within applications.

- 9.6 Highways have not objected to the application although have requested a condition to ensure that adequate bike storage is provided. The objection notes the loss of car parking spaces for the hotel however Highways, having assessed the application in relation to the existing use and the hotel and stated that there is a likelihood that the application will cause displaced parking to the public highways although does not see this as a reason to refuse the application. The application site is in a sustainable location with good access to public transport and walking/cycling links to local services although it is accepted that there is still likely to be a reliance on car use. The National Planning Policy Framework at paragraph 109 states that development should only be refused on highways grounds if there are just reasons. In the absence of an objection from the Highway Authority it is found that there are no highway reasons to refuse the application.
- 9.7 There are documents submitted in support of the application demonstrating how the business has fared over the past years. These are not in the public domain as they contain financial information. Having assessed the documents and the statement that there would be reinvestment in the existing hotel it is found that the application complies with policy CS8 of the Core Strategy. One objector noted a previous planning application at a different site where money was secured for a specific purpose and this is suggested with this application. It is suggested that a sum of money, to be negotiated as part of the s106 agreement, be reinvested into the existing hotel use to improve the provision of accommodation in accordance with policy CS8.
- 9.8 An important factor when determining applications is whether a Local Authority has the ability to demonstrate a five-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". There is currently a housing land supply of 2.55 years. Although this does not mean that all residential developments have to be approved the presumption in favour of sustainable development must be applied.
- 9.9 The location of the development is a sustainable one and the land proposed to be developed is previously developed land. The loss of the tourism accommodation is deemed acceptable given the agreement to reinvest in the remaining tourism use of the adjoining land. The application is a full application that demonstrates that the development is deliverable and could positively contribute to the Local Authorities Housing land supply.

10 RECOMMENDATION:-

- 10.1 Approve – subject to a s106 agreement securing payment of s106 money in lieu of children's recreation and public open space and reinvestment in the existing

tourism use and all conditions are required to secure a suitable form of development.

- 10.2 The proposal complies with the aims of Policies CS2, CS8, CS9 CS11 and CS14 of the Great Yarmouth Core Strategy.

Application Ref	06/18/0271/F
Proposal	Proposed change of use from hotel to 10 no. residential flats involving extensions and internal alterations
Location	5 North Drive, Great Yarmouth

Case Officer	Mrs G Manthorpe	Policy Officer	Mr A Parnell
Date Received	20 th July 2018	Date Completed	27 th July 2018

The proposal seeks change of use from a hotel to 10 no. residential flats. The site is located on North Drive, part of Great Yarmouth's historic seafront and within Conservation Area no.16 (seafront).

Principally, the site is located within the current prime holiday accommodation area (Policy HOU22), whereby the policy intention is to resist proposals which would lead to a loss of holiday/tourism uses. However, since this policy was adopted in 2001, there have been significant changes to the local tourism industry and the patterns of holidaying which are material to the application of this policy.

Reflecting the changing nature of the tourism industry, Policy CS8(b), (adopted in 2015) provides a policy approach that intends to:

- Safeguard the existing stock of visitor holiday accommodation, especially those within designated holiday accommodation areas, unless it can be demonstrated that the current use is not viable or that the loss of some bed spaces will improve the standard of the existing accommodation

In considering the policy above, it is understood that the existing building and adjacent holiday accommodation are owned by a single hotel owner, with the intention of improving the adjacent hotel. Therefore, whilst the proposal would lead to a direct loss of holiday use, in doing so has the potential to help secure the necessary investment that could safeguard and/or improve the standard of the holiday accommodation next door. This is considered to be in accordance with Policy CS8(b).

By bringing forward the development in a particularly attractive seafront location, the proposal could also contribute towards increasing the borough's housing supply

Further potential benefits may include bringing the existing building, which currently lies within a conservation area, back into viable use. The proposed conversion, if managed sympathetically, would enable the setting of the conservation area to be enhanced, avoiding potential visual harm if the building were to continue laying vacant.

Overall strategic planning would hold no objection to this proposal in principle and would recognise the potential within the scheme to improve the seafront area & support the existing hotel use next

to this site, however I am sure you will have other considerations to weigh in. If you have any questions regarding these comments please do contact me.



Community and Environmental
Services
County Hall
Martineau Lane
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NCC contact number: 0344 800 8020
Text Relay - 18001 0344 800 8020

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

Your Ref: 06/18/0271/F
Date: 23 July 2018

My Ref: 9/6/18/0271
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Gemma

**Great Yarmouth: Proposed change of use from hotel to 10 no. residential flats
involving extensions and internal alterations
5 North Drive GREAT YARMOUTH Norfolk NR30 1ED**

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

Notwithstanding the present use, the proposed development will, if approved, undoubtedly increase the demand for vehicle parking and increase vehicle movements from the development, but no parking provision is provided within the application. This will result in parking being displaced onto the highway which given existing parking restrictions nearby could displace parking further afield onto roads already having a high demand for on-street parking.

Whilst the site is accessible to local service provision and public transport links within acceptable walking distances, I am of the opinion that the private motor vehicle will remain the primary mode of transport. However, whilst having reservations in terms of the lack of parking provision, I do not consider, that I could sustain an objection to this development on lack of parking provision alone, nor successfully defend such an objection at Appeal.

It is noted that a cycle store is proposed, but it is unclear, nor does the application indicate, that this would make appropriate provision in accordance with current standards. However, there appears to be adequate space within the development for such provision and I am therefore prepared to deal with this matter by condition.

Accordingly, the Highway Authority have no objection to the application subject to the following condition being appended to any grant of permission your Authority is minded to make.

Continued/

SHC 27V Prior to the first occupation of the development hereby permitted secure cycle parking shall be provided on site for 12 (twelve) cycles in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The implemented scheme shall thereafter be retained for this purpose.

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



Environment
Agency

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

Our ref: AE/2018/123074/01-L01
Your ref: 06/18/0271/F
Date: 06 August 2018

Dear Ms Manthorpe

PROPOSED CHANGE OF USE FROM HOTEL TO 10 NO. RESIDENTIAL FLATS INVOLVING EXTENSIONS AND INTERNAL ALTERATIONS. 5 NORTH DRIVE, GREAT YARMOUTH, NORFOLK, NR30 1ED

Thank you for your consultation received on 25th July 2018. We have inspected the application, as submitted, and have no objection providing that the condition below is appended to any planning permission granted.

The site is currently defended and the area benefits from a Catchment Flood Management Plan. 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 change of use from hotel to 10 no. residential flats, which is classified as a 'more vulnerable' development, as defined in [Table 2: Flood Risk Vulnerability Classification](#) of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific Flood Risk Assessment (FRA).

If you are satisfied that the application passes these Tests and will be safe for its lifetime, we request the following conditions are appended to any permission granted:

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by Evans Rivers and Coastal Ltd, referenced 1764/RE/02-17/01 and dated February 2017 and the following mitigation measures detailed within the FRA:

- 1) Finished ground floor levels are set no lower than 4.38 metres above Ordnance Datum (AOD).

Environment Agency
Iceni House Cobham Road, Ipswich, IP3 9JD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
Cont/d..

- 2) Finished first floor levels are set no lower than 7.47 metres above Ordnance Datum (AOD).
- 3) Finished second floor levels are set no lower than 11.14 metres above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To reduce the risk of flooding to the proposed development and future occupants.

Flood Risk Assessment

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 1764/RE/02-17/01, are:

Actual Risk

- The site is currently protected by flood defences which are above the present-day 0.5% (1 in 200) annual probability flood level of 3.44m AOD. Therefore the site is not at risk of flooding in this 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.
- If the CFMP policy is not followed then at the end of the development lifetime, the 0.5% (1 in 200) annual probability including an allowance for climate change flood level of 4.60m AOD, would the existing defences.

Residual Risk

- Our undefended flood levels show that in a worst-case scenario the building could experience breach flood depths of up to 0.22 metres during the 0.5% (1 in 200) annual probability including climate change breach flood event with flood level of 4.60m AOD, and up to 0.77 metres during the 0.1% (1 in 1000) annual probability including climate change breach flood event with flood level of 5.15m AOD.
- 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 4.38m AOD. This is below the 0.5% (1 in 200) annual probability breach flood level including climate change of 4.60m AOD and therefore at risk of flooding by 0.22 m depth in this event.
- Finished first floor levels have been proposed at 7.47m AOD and therefore there is refuge above the 0.1% (1 in 1000) annual probability breach flood level of 5.15m AOD.
- Flood resilience/resistance measures have been proposed.

- A Flood Evacuation Plan has been proposed

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, which could be contrary to the advisory requirements of Paragraphs 059 and 060 of the National Planning Policy Framework's Planning Practice Guidance. These advise that there should be no internal flooding in 'more vulnerable' developments from a design flood. This could also present challenges to the safety 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. This would be required to prevent the proposed development being at unacceptable flood risk of internal flooding in the design event.

Further guidance has been provided in the Technical Appendix at the end of this letter.

We trust this advice is useful.

Yours sincerely,



Miss Eleanor Stewart
Sustainable Places - Planning Advisor

Direct dial 020 8474 8097
Email planning.ipswich@environment-agency.gov.uk

Cont/d..

Technical Appendix - Guidance for Local Council

Sequential and Exception Tests

The requirement to apply the Sequential and Exception Tests is set out in Paragraph 158 -161 of the National Planning Policy Framework. 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](#).

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](#)'. Additional guidance can be found in our publication '[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 the guiding principles of the Planning Practice Guidance (PPG).

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.

BLOCK 1 Esplanade Court RTM Company Limited

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

Great Yarmouth Borough Council
25 JUL 2018
Customer Services

6 Esplanade Court
North Drive
Great Yarmouth
Norfolk
NR30 1AE

23rd July 2018

Dear Sirs

Re Planning Application (06/18/0271/F) 5 North Drive, Great Yarmouth
Norfolk NR30 1ED

This letter of OBJECTION to the above application is being sent by the RTM company representing the 7 flat owners & residents of Block 1 Esplanade Court on the adjoining site to the south of of the above proposal.

As immediate neighbours to the site of the proposed development we are of the view that the proposal will have a serious impact on our residents standard of living both during & after construction.

Our specific objections & concerns, using points raised in The Design & Access Statement submitted with the application are.

If the part of the hotel is now closed, yet obviously car parking is still being used in front of it now. Then if the scheme is passed, then there will be considerably reduced car parking for the hotel together with the loss of parking where the conservatory has been granted planning permission. How viable would a hotel with 41 bedrooms & say 8 parking places be? Will the next change of use requested be for more apartments or even a care home for the main part of the hotel.

We feel that just because the current owner hasn't invested in the upkeep of the buildings over many years, Also if you look at **TRIPADVISOR** many of the complaints are about food, poor service & car parking, some mentioning the poor state of the rooms.

[REDACTED]

So why would any of the above suddenly change because of the granting of this planning application to the remaining part of the hotel.

If the owner can now afford to construct 10 apartments, why has he allowed the buildings to deteriorate so badly?

You have to ask the question is it a ploy to try & force the Council to remove what could be perfectly good standard holiday accommodation in a prime location.

If this change of use is permitted, then other applications will surely follow.

We have no access to Folder No 1 with accounts details.

However any body who has run a business can create losses by payment of higher directors fees, payments of dividends, contributions to a pension scheme, expensive cars, instead of investing in the ongoing business.

It is stated that Esplanade Court is in an Area of Primary Holiday Accommodation, the site however was never a hotel, but a temporary car park after The International School was demolished.

So we don't see that this is a relevant argument.

One also has to ask the question why a council employee is doing drawings for the Applicant, & that why isn't a proper front elevation drawing of their own submitted?

Folders 2 & 3 were not available to view.
Company Registered No. 7152199

Great Yarmouth
Borough Council
25 JUL 2018
Planning
Department

Because a reputable builder may have submitted estimated costs, it doesn't mean that the applicant will use them.

[REDACTED]

As stated we had no access to the folder with the estate agents assessment.
However we feel that 10 apartments with no parking & no lift will be of little demand in this area.

With regard to the statement that monies raised will be used to upgrade the hotel, this is pure conjecture & not enforceable.

The front elevation sketch show a high level dormer window facing onto BLOCK1 yet side elevations don't appear to show this, also the 2 large structural supporting buttresses on our property are not shown.

This raises the question with no structural information or drawings is this party wall capable of supporting the increased loading of another floor & pitched roof? Has this been taken into account with the estimate.

This application does not appear to significantly differ from that submitted in 2017 & refused, only a reduction in the number of flats & the Councils idea for the front elevation being changed.

So as for the above reasons we strongly object to this application.

Please read also the attached article from The Great Yarmouth Mercury of the 20th July 2018 about hotelier Rodney Scott's message

He stating "that the preservation of the towns hotels & other buildings was vital to a thriving tourism business.

He also stating

"NEVER STOP INVESTING IN YOUR BUSINESS"

Perhaps this is something the applicant should have considered.

Yours sincerely

[REDACTED]

Peter Ruppalls
Director

Internet Consultees

Application Reference G6 18 0271 F

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Nicholas Mobbs

Address Imperial Hotel

13-15 North Drive

Norfolk

Post Code NR30 1EQ

Telephone [REDACTED]

Email Address [REDACTED]

For or Against NOS Subject to Condition

Speak at Committee [REDACTED]

After the vote last year which allowed changes to the structure plan and permission was granted for a Travel lodge to be built on land designated for industrial use, it would be difficult for permission not to be granted for change of use for the sea princess to be converted into flats. Even though North Drive is currently designated as prime holiday

Given the fact that there has been total lack of investment in the property [REDACTED]

[REDACTED] It would imagine that the property is now in such a terrible state as a hotel that it would not be financially not viable to refurbish the property to a state when the hotel is commercially

Date Entered 17-07-2018

Internet Reference OWPC1824

Internet Consultees

Application Reference 03-18-0271-F

Attachments

Invalid Consultee Comment? ☐

Copy to existing Consultee? ☐

Name Nicholas Mobbs

Address Imperial Hotel

13-15 North Drive

Norfolk

Post Code NR30 1EQ

Telephone

Email Address

For or Against NOS Subject to Condition

Speak at Committee

fit to run.

Also, with another out of town budget hotel currently being built and a third having planning permission granted there is clearly a need to reduce the bedroom stock of hotels in Great Yarmouth as there is massive over capacity

There is clearly a demand for high quality apartments in Great Yarmouth as witnessed by Esplanade Court. We bought one of these apartments off plan and it has never not been let and when they come to market they are never up for sale for long.

Date Entered 17-07-2018

Internet Reference OWPC1824

Internet Consultees

Application Reference 061802711

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Nicholas Mobbs

Address Imperial Hotel

13-15 North Drive

Norfolk

Post Code NR30 1EQ

Telephone

Email Address

For or Against NOS Subject to Condition

Speak at Committee

how can planning ensure that we have high quality apartments on the sea front and not a property which is similar to an HMO in style. Looking back to when the [redacted] was given planning permission to convert and it was discussed at a Tourism authority meeting. At the time the late Councillor Mr B Collins assured the committee that the development would be high spec and gave the example of Villeroy and Bosch bathroom suites would be fitted. We now know that what was promised never materialised.

If there was a way to ensure that the Spec of the flats was of a high nature similar to the way that Pasta Foods has

Date Entered 17-07-2018

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Name Nicholas Mobbs

Address Imperial Hotel

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For or Against NOS Subject to Condition

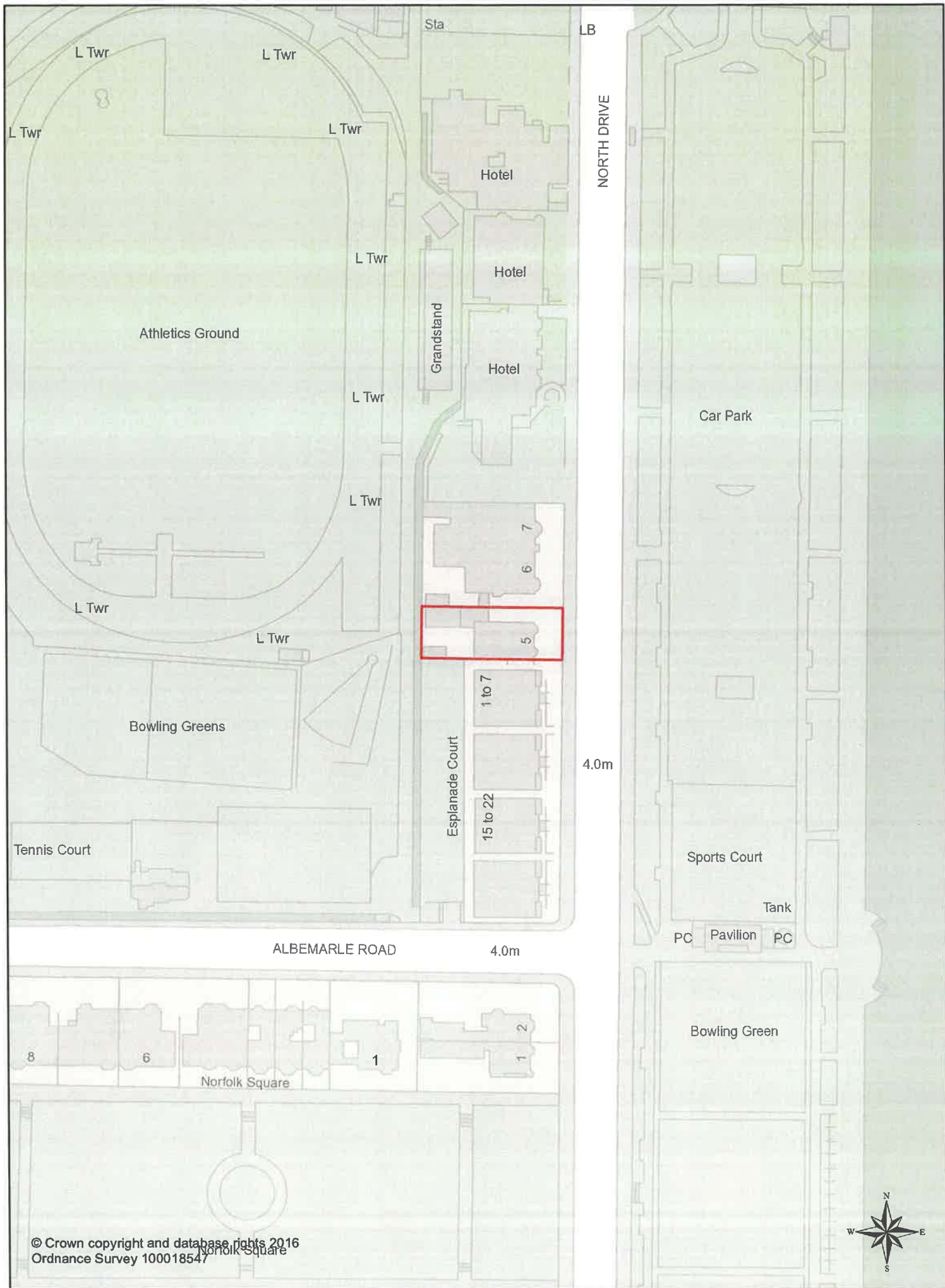
Speak at Committee

promised to invest £500,000 in their factory, for being granted planning permission for their hotel my fears would be allayed. I think the ideal scenario would be to demolish the current property and build new similar to the Esplanade Court development.

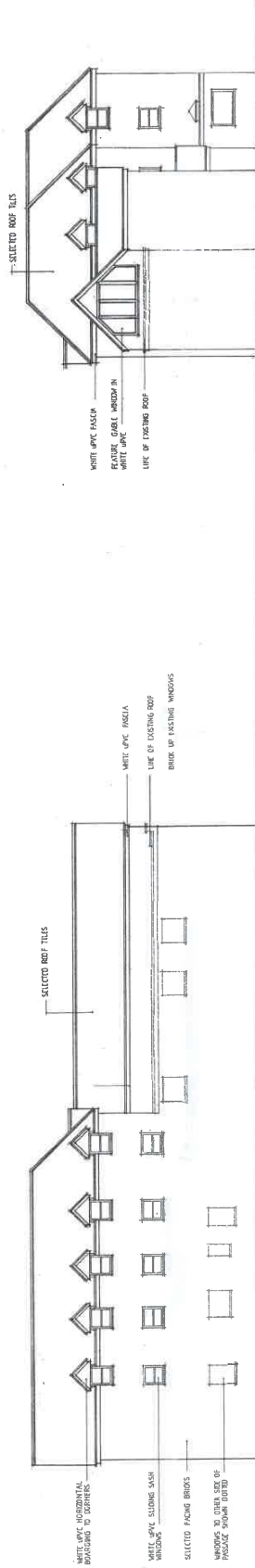
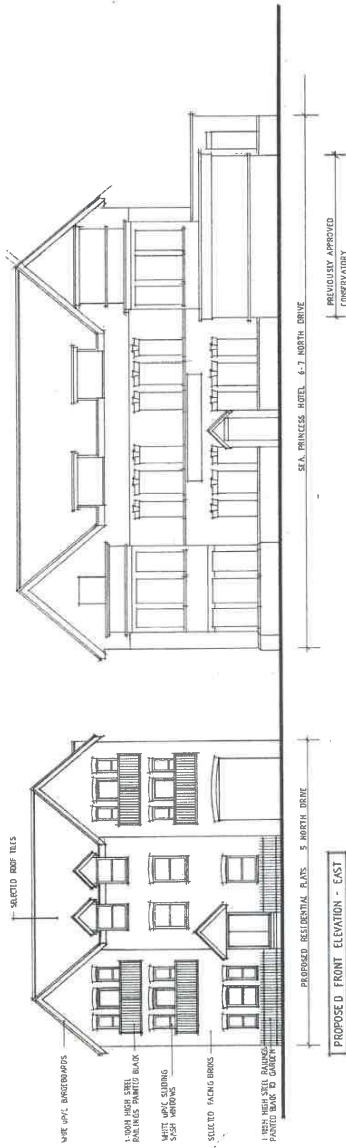
Anything else would probably start the slow demise of North Drive and the seafront, as a quality tourism destination. The seafront will become like the town centre a ghost town. It would be a disaster for North Drive if we have development similar to the above which have almost become a ghetto and no go area for the authorities.

Date Entered 17-07-2018

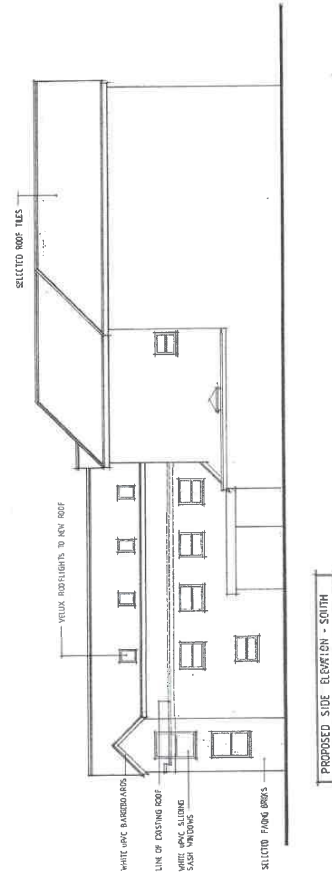
Internet Reference OWPC1824



06/18/0171/F



PROPOSED REAR ELEVATION - WEST

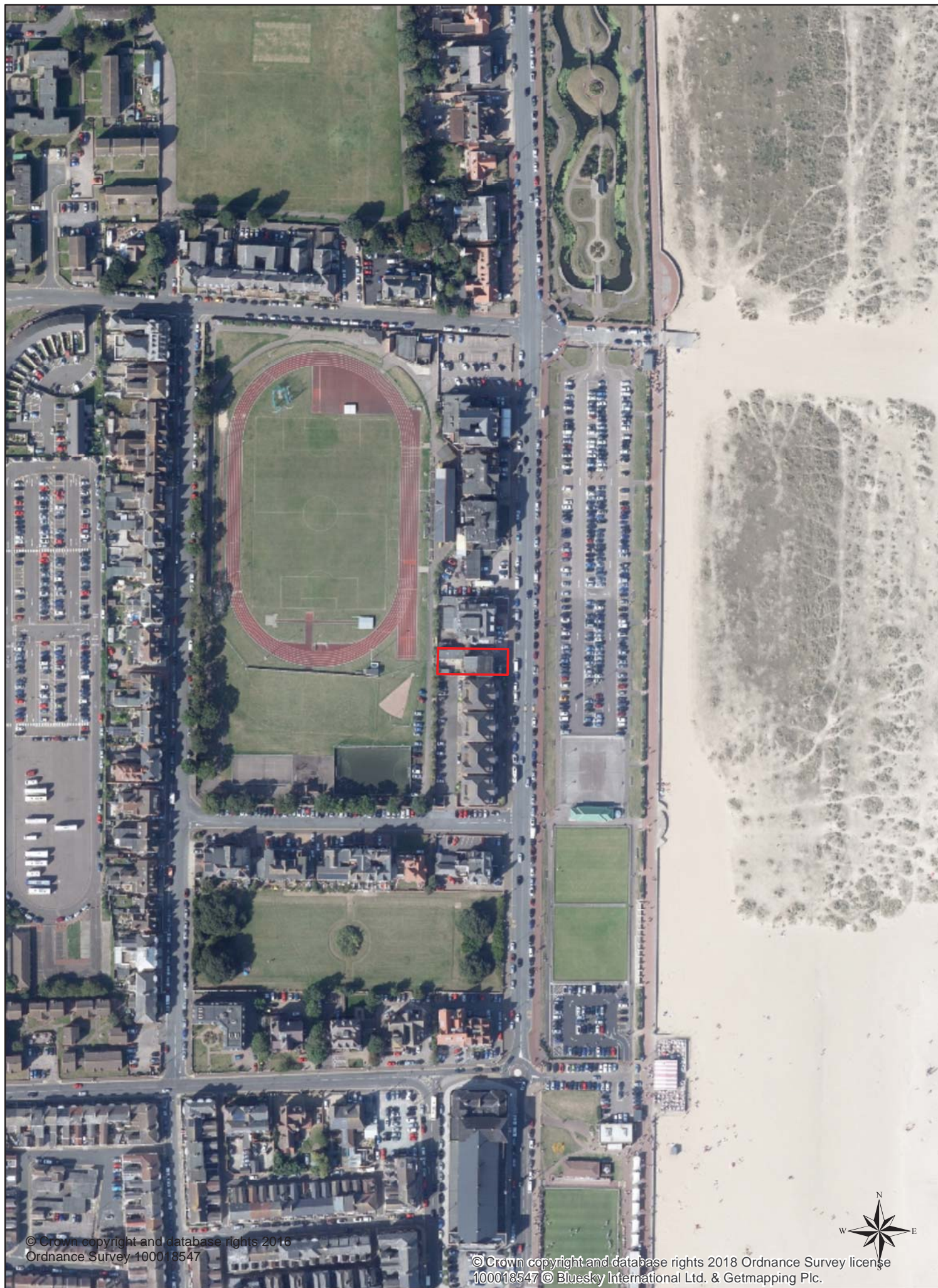


PROPOSED REAR ELEVATION - WEST

A ROOF AMENDED 27.5.8

PROPOSED CHANGE OF USE FROM HOTEL TO TEN RESIDENTIAL FLATS 5 NORTH DRIVE - GREAT YARMOUTH FOR MR JAMAK MASRANI
SCALE 1:100
DRAWING NO 834/7A
CHRIS BECKETT ARCHITECTURAL CONSULTANCY 23 BLACKBURN CLOSE - BRIMLEY - GREAT YARMOUTH - NORFOLK NR3 8RT TEL 01473 643766 MOBILE 0796 299 8270





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