

Reference: 06/16/0130/CU

Parish: Great Yarmouth

Officer: Mr J Beck

Expiry Date: 13-04-2016

Applicant: Pleasure and Leisure

Proposal: Proposed change of use from sports bar to family amusement centre at first floor level

Site: 38 Marine Parade
Great Yarmouth

REPORT

1. Background / History :-

1.1 The application site is positioned on Marine Parade which forms a main tourist attraction for Great Yarmouth and part of the 'Golden Mile'. The site is amongst a number of holiday commercial uses. The surrounding uses are predominantly amusements, food and entertainment based, but with residential units to the north and south. The site is within an area designated Prime Commercial Holiday and is within a conservation area (number 16 Seafront).

1.2 The application site is currently a mixed use of amusements on the ground floor under with a sports bar on the first floor. The application is to change the use of the first floor to a family amusement centre under use class Sui Generis from a sports bar under use class A4. The second floor will remain as a snooker Hall. The ground and first floor will fall under use class Sui Generis whilst the top floor would remain under D2 (assembly and leisure) use.

1.4 Planning History:

7832 – Kiosk on forecourt. 25-05-1951

4428 – Toilets. 19-09-1963

4504 – Use of first floor extension. 01-10-1963

A/9101 – Illuminated fascia. 25-07-1968

06/84/0820/F – Alterations to form new entrances from Marine Parade and Apsley Road and construction of new canopy. Approved with conditions. 08-11-1984

06/86/1008/CU – Proposed change of use of existing second floor to form additional area for snooker club. Approved with conditions. 30-10-1986

06/87/0324/A – Fascia sign and two returns and under canopy. Advert Consent. 02-06-1987

06/90/0093/F – Two residential flats. Refused. 14-03-1990

06/90/0375/F – Managers flat. Approved with conditions. 09-05-1990

06/90/0728/F – Club room extension. Advert Consent. 07-08-1990

06/90/0877/F – Club room extension at first floor. Approved with conditions. 18-09-1990

06/92/0543/A – Projecting sign. Advert Refusal. 28-07-1992

06/04/0287/F – Realignment of doors and new façade and first floor extension. Approved with conditions. 17-06-2004

06/05/0567/F – Extension at 2nd floor level to increase size of snooker club. Approved with conditions. 13-10-2005.

06/14/0115/F – Install external doors to North elevation remove existing staircase and fire exit doors. Install fire exit door to south elevation. Approved with conditions. 16-05-2014.

2. Consultations :-

2.1 Public consultation – 1 letter received raised concerns regarding the parking arrangements.

2.2 **Highways** – No objection.

2.3 **Property Services** – No comment.

2.4 **Strategic Planning** – No comment.

2.5 **GYB Services** – Recommended applicant signs up to Floodline.

2.6 **British Pipeline Agency** – No comment.

2.7 **Conservation** – No comment

3. Policy and Assessment:-

3.1 Saved policies from the Borough Wide Local Plan:

POLICY TR7

Proposals for new visitor facilities and attractions may be permitted in the prime commercial holiday areas of Caister-on-sea, California, Gorleston-on-sea, Great Yarmouth, Hemsby, Hopton-on-sea, Newport and Scratby and will be assessed having particular regard to their scale, design and relationship to other uses and to landscape, environmental, residential amenity and traffic considerations.

(Objective: To meet increasing visitor expectations and changing tourist trends whilst safeguarding the natural environment.)

POLICY TR9

Planning permission for new amusement arcades, whether involving a change of use, extension to existing premises or redevelopment, will only be permitted in the following areas:

- (A) Prime holiday attraction sites which are self-contained units and where access to the arcade would be from within the complex;
- (B) In prime commercial holiday complexes/areas where only changes of use within existing premises will be permitted

provided there is no net increase in the total amount of floorspace or frontage used for amusement arcade purposes.

- (C) Holiday parks and complexes : subject to there being a proven need and the use being solely for residents of the site.

(Objective: To prevent an over-provision of amusement arcades.)

Note: PRIME ATTRACTION (PA) includes sites such as the Marina Centre, Britannia and Wellington Piers, the Sea Life Centre and the Pleasure Beach which have a predominant single use and are destinations in their own right.

PRIME COMMERCIAL HOLIDAY COMPLEXES (PC) includes blocks of mixed uses, predominantly in the sea front area. These include individual arcade premises food and drink outlets novelty shops etc.

HOLIDAY PARKS (PH) includes major holiday accommodation sites of all types ie. chalets, caravans etc. and where amusement provision on site is aimed principally at residents.

POLICY TR21

In the Great Yarmouth seafront area, with the assistance of its statutory development control powers, the council will:

- (A) Maintain and enhance the status of Great Yarmouth's golden mile (the seafront between Euston road and the pleasure beach) as the main focus of the borough's traditional tourist industry, and provide the balance and range of facilities and attractions within this area that meets the needs and expectations of all sections of the potential market;
- (B) Protect the predominant character of the different areas of the seafront by:
- i retention of the uncommercialised open character of the area to the north of the Britannia pier;
 - ii retention of the open character of areas to the east of marine parade between Britannia pier and the pleasure beach, including the areas of public open space; and,
 - iii steering proposals of a highly commercial nature to areas predominantly in such uses;

- (C) Subject to aesthetic, conservation and other land-use considerations, extend the seafront illuminations scheme;
- (D) Subject to proven need, permit additional gaming facilities, including a casino ;
- (E) Subject to the likely effect on adjoining or neighbouring land-uses, favourably consider proposals for entertainment development within areas designated as prime holiday attraction or prime commercial holiday areas on the proposals map;
- (F) Maintain and enhance the existing character of the area to the east of marine parade;
- (G) Subject to scale and design, favourably consider any proposal to extend the marina leisure centre northwards;
- (H) Subject to a design which retains the pier deck and pavilion, favourably consider redevelopment of the wellington pier complex.

3.2 Core Strategy:

CS8 – Promoting Tourism, Leisure and Culture

A) Encourage and support the upgrading, expansion and enhancement of existing visitor accommodation and attractions to meet changes in consumer demands and encourage year-round tourism

C) Safeguard key tourist, leisure and cultural attractions and facilities, such as the Britannia and Wellington Piers, Pleasure Beach, Hippodrome, the Sea Life Centre, the Marina Centre, Great Yarmouth Racecourse, St Georges Theatre and Gorleston Pavilion Theatre

d) Maximise the potential of existing coastal holiday centres by ensuring that there are adequate facilities for residents and visitors, and enhancing the public realm, where appropriate

E) Support the development of new, high quality tourist, leisure and cultural facilities, attractions and accommodation that are designed to a high standard, easily accessed and have good connectivity with existing attractions

Policy CS9 - Encouraging well-designed, distinctive places

A) Respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised; making efficient use of land and reinforcing the local identity.

C) Promote positive relationships between existing and proposed buildings, streets and well lit spaces, thus creating safe, attractive, functional places with active frontages that limit the opportunities for crime.

F) Seek to protect the amenity of existing and future residents, or people working in, or nearby, a proposed development, from factors such as noise, light and air pollution and ensure that new development does not unduly impact upon public safety.

4. Assessment and Recommendation:

4.1. The application site is situated on Marine Parade amidst the main visitor attractions and the 'Golden Mile'. The area is classified as Prime Commercial Holiday Use which aims to encourage the visitor economy. The area is predominantly formed of amusements, food and drink as well as entertainment uses; there are also residential uses to the north and south the site. The unit itself is currently a mixed use of amusements on the ground floor with a sports bar on the first floor and a snooker club on the top floor.

4.2 The application is to change the use of the first floor currently under use class A4 (drinking establishment) to a family amusement centre in Sui Generis use class. The second floor will remain as a snooker Hall. Consequently the ground and first floor will fall under use class Sui Generis whilst the top floor would remain under D2 use (Assembly and Leisure). The proposal does not involve any changes to the frontage.

4.3 The proposed use is suitable within a prime commercial holiday area and is in character with the wider holiday area in addition policy CS8 of the Core Strategy aims to improve the holiday offer and upgrade existing facilities. The proposed development is not likely to significantly and adversely affect the neighbouring properties as there are existing amusement uses close to the application site in addition the ground floor of the site is currently used as amusements. Access road either side of the building means the property maintains a gap on both the north and

south elevations where residential properties are located which will lessen any impact upon the amenities of the neighbouring properties. The proposal is not considered to significantly affect the amenities of the neighbouring properties.

4.4 No outright objections to the proposal have been received however an occupier of a flat at 40 Marine Parade has raised concerns regarding damage to her vehicle and people blocking her car. It is not considered that the change of use will significantly affect traffic levels and Highways have not raised any objections. In addition the way people utilise the existing parking arrangements is not a planning matter.

4.5 The development is not considered to significantly and adversely affect the viability of the seafront. Policy TR9 of the Borough Wide Local Plan governs extensions to amusement arcades; the policy within prime commercial holiday areas is to resist a net increase in amusements floorspace. It is recognised that the development would represent an increase in amusement floorspace contrary to policy TR9. However there will not be an increase in the arcade frontage and the application is for a family amusement centre which should be inclusive to all ages as opposed to gambling machines. If the committee is minded to approve the application a condition should be considered which limits gambling machines and ensures 'family friendly' machines only.

4.6 The additional floor space used for amusement purposes stands at approximately 343 square metres. There have been two amusement arcade applications in close proximity in 2016 (34 Marine Parade and 31 Marine Parade) however this application is not considered to significantly affect the viability of the sea front, across the entire seafront there have been variations in the level of amusements. The Atlantis resort recently had permission and had started the conversion of a large area of its arcade space to form a bar-restaurant and had previously lost space for different commercial units. It should be noted that 34 Marine Parade was recently approved at the last committee which has added amusement floor space. The committee should consider the impact these changes have upon the wider viability of the seafront and also the continuity of decisions. In addition the loss of the sports bar will not significantly affect the viability of the seafront as the area still contains a relatively high proportion of bars and public houses.

4.7 A Flood Response Plan was submitted with the application, the Flood Resilience Officer has recommended that the applicant signs up to Floodline, but this can be included as a note.

5.1 RECOMMENDATION :- Recommended for approval subject to conditions;

The additional amusements shall be non-gambling machines with a condition similar to the condition used at 34 Marine Parade.

Jason Beck
Great Yarmouth Borough Council
Town Hall
Hall Plain
Great Yarmouth
Norfolk
NR30 2QF

Your Ref: 06/16/0130/CU
Date: 1 April 2016

My Ref: 9/6/16/0130
Tel No.: 01603 638070
Email: stuart.french@norfolk.gov.uk

Dear Jason

**Great Yarmouth: Proposed change of use from sports bar to family amusement
centre at first floor level
38 Marine Parade Merlins Sports Bar GREAT YARMOUTH NR30 2EJ**

Thank you for your recent consultation with respect to the above to which the Highway
Authority raises no objection.

Yours sincerely

Stuart French

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

Jill K. Smith

From: ceri simmone
Sent: 21 March 2016 09:27
To: plan
Subject: Re: 06/16/0130/CU

1>

ACK'D
21/3/16

It's the flat 1, 40 marine parade, Great Yarmouth, Nr30 2EJ

Thanks

Miss Taylor

On 21 Mar 2016, at 09:19, plan <plan@great-yarmouth.gov.uk> wrote:

Please provide your address so that your comments can be registered.

From: ceri simmone
Sent: 19 March 2016 12:01
To: plan
Subject: 06/16/0130/CU

Hi

I am writing in regards the above application for planning permission for a first floor arcade.

I have no issues with the actual plan however I do have issues if my vehicle is blocked in or damaged once works go ahead. Merlin's have already damaged my vehicle by spraying flecks of white/magnolia paint onto my vehicle whilst painting the outside of their building and not notifying me. Nor covering the costs of the damage. It cost me to get my car repaired! When they have had works done on the exterior recently they blocked my vehicle in down the alleyway to the left of the rear entrance without any thought or notification making me late for a hospital appointment.

I have lived next door for over three years now and I am fed up of telling the owners and staff to move their works vehicles from behind my car. Common sense is not to block my vehicle in let alone any vehicle. I have not got the time nor energy to go upstairs and wait for them to find their workers and move their vans. I can barely manage stairs as it is with my health issues. I use my vehicle to get to hospital and doctors appointments which are at specific times. I am fed up of having to cancel or miss or be late for my appointments due to their stupidity and laziness.

As long as they aware of this matter then i have no issues but if they intend on letting workmen block my vehicle in or damage my vehicle again then I will fight for these works to not go ahead! Common courtesy costs nothing and neither does awareness! I can't afford to fix my car again due to Merlin's damaging it and ignoring the costs.

Thank You

Miss Taylor

To: Strategic Planning Manager

My Ref: 06/16/0130/CU

From: Development Control Manager

Date: 24th March 2016

Case Officer: Mr J Beck

Parish: Great Yarmouth 14

Development at:-

38 Marine Parade
Merlins Sports Bar
GREAT YARMOUTH
NR30 2EJ

For:-

Proposed change of use from
sports bar to family amusement
centre at first floor level

Applicant:-

Pleasure & Leisure
Pleasure Beach
South Beach Parade
GREAT YARMOUTH

Agent:-

Mr B Phillips
15B Covent Garden Road
Caister on Sea
GREAT YARMOUTH

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 7th April 2016.

COMMENTS:

No comment

Ann Clements 30/3/16

ALL DOCUMENTS & PLANS CAN BE
VIEWED ON THE GYBC WEBSITE
USING THE FOLLOWING LINK:

<http://planning.great-yarmouth.gov.uk/OcellaWeb/planningSearch>

Internet Consultees

Application Reference Invalid Consultee Comment? ☐Copy to existing Consultee? ☐Name Address Post Code Telephone Email Address For or Against Speak at Committee

Business in the vicinity of the seafront, Great Yarmouth. Ensure that the business is signed up to alerts/warnings for tidal flooding, to increase staff and public safety on access and egress to the premises. Environment Agency Flood-Line 0345 988 1188.

Date Entered Internet Reference

Elaine Helsdon

From: Nicki Farenden <NickiFarenden@bpa.co.uk>
Sent: 07 April 2016 13:21
To: plan
Subject: Planning Applications 06/16/0130/CU and 06/16/0028/F
Attachments: 20160407130945055.pdf

Dear Sirs/Madam

BPA

NOT IN ZONE OF INTEREST

Thank you for your correspondence enclosing details of your proposals as listed above.
We are not aware that any of BPA apparatus, falls within the vicinity of the above noted location.
However, if the location of your work should change, please complete a new Linesearch enquiry immediately, www.linesearch.org whilst we try to ensure the information we provide is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.

Yours faithfully

BPA
lands@bpa.co.uk
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