

Development Management Committee Report



Committee Date: **21 February 2024**

Application Number	06/23/0719/LB - Click here to see application webpage
Site Location	Former Ice House, Bridge Road, Southtown, Great Yarmouth, NR31 0HY
Proposal	Alterations to facilitate change of use to multi-functional training venue with extension to provide WCs and plant room, external balcony, stairs and heat pumps, and internal mezzanine: Amendment to plans approved by listed building consent 06/20/0643/LB to revise layout by relocating proposed external staircase and internal lift
Applicant	Mr J Mackintosh
Case officer	Ellie Nutman
Parish & Ward	Southtown and Cobholm Ward
Date Valid	27 December 2023
Expiry Date	29 February 2024
Reason at committee	This is a connected application affecting land which the Borough Council has a legal or financial interest in.
Procedural notes	This application was reported to the Monitoring Officer as an application submitted for development on land the Borough Council has an interest in for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 13/02/24, to afford the Monitoring Officer an opportunity to check the file and ensure they are satisfied that it has been processed normally and that no other members of staff or Councillors have taken part in the Council's processing of the application other than staff employed within the LPA as part of the determination of this application. Any discrepancies will be raised by the Monitoring Officer prior to the meeting.

SUMMARY OF RECOMMENDATION: GRANT LISTED BUILDING CONSENT SUBJECT TO CONDITIONS

1. The Site

- 1.1 Previous listed building consent 06/20/0643/LB was granted on 14th April 2021 at the same time as 06/20/0642/F was granted planning permission for the change of use to multi-functional training and educational venue for circus with fabrication space for equipment.
- 1.2 This proposal seeks to amend plans approved by listed building consent 06/20/0643/LB to revise the layout by relocating the external staircase and internal lift.

- 1.3 This site is 731 sqm and is located behind the retail unit Matalan. Its north-east elevation faces the River Yare. The site is located inside the development limits for Great Yarmouth.
- 1.4 The Ice House is a Grade II listed building (list entry ref no. 1096794) and is within the No.3 Hall Quay Conservation Area.
- 1.5 In the mid-19th century, the landmark Ice House was at the forefront of an industrial revolution that was key to the town's fortunes.
- 1.6 The Ice Hosue was built at the same time as Southtown railway station, meaning freshly caught fish could be packed using the ice stored in the building and transported to London's Billingsgate fish market, reaching a new consumer base. The building had a capacity for over 42,500 cubic metres, which meant that packed ice could stay frozen for months ensuring a steady supply of fresh herring to the capital and beyond.
- 1.7 However, advances in modern technologies saw it overtaken and overlooked, serving for a time as a grain store for JH Bunn who also renovated it in 1980.

2. The Proposal

- 2.1 The proposal is effectively for a new listed building consent which includes the alterations approved by listed building consent 06/20/0643/LB with some minor changes which revise the layout by relocating the proposed external staircase and internal lift.
- 2.2 The amended drawings submitted with this application show where the external staircase and internal lift is proposed to be relocated.

3. Relevant Site Constraints

- 3.1 The site lies within the development limits of Great Yarmouth and the Great Yarmouth Waterfront Area CS17. Policy CS17 seeks to support development which utilises the heritage assets of the area, converting buildings to other uses where appropriate.
- 3.2 The site lies within No.3 Hall Quay Conservation Area. The Ice House is a Grade II listed building (Listing Ref No. IOE01/10002/28) and contributes to the historic setting of the area as a reminder of Great Yarmouth's once-thriving fishing industry.

4. Relevant Planning History

- 4.1 There have been numerous planning applications over the past years on the site related to the change of use of the building.

Relevant Planning History

- 4.2 06/20/0642/F
Change of use to multi-functional training and educational venue for circus with fabrication space for equipment.
APPROVED 14 April 2021

- 4.3 06/20/0643/LB
Change of use to multi-functional training and educational venue for circus with fabrication space for equipment.
APPROVED 14 April 2021
- 4.4 06/22/0499/CD
Discharge of conditions 3, 5 and 8 of pp. 06/20/0642/F - and condition 4 of pp. 06/20/0643/LB - flood plan, phase 2 contamination report and details of internal balcony, external platform, exterior lighting, exterior joinery, new openings and details of installation of new services.
APPROVED 06 June 2023
- 4.5 06/23/0647/VCF
Variation of Conditions 2 and 5 of pp 06/20/0642/F (Change of use to multi-functional training and educational venue for circus with fabrication space for equipment) - Amendment to approved plans to revise layout by relocating proposed external staircase and internal lift.
THIS APPLICATION IS PENDING CONSIDERATION.

5. Consultation responses

5.1 Historic England

No objection.

5.2 Conservation Officer

No objection.

- 5.2.1 Summary of response: This application is a welcome amendment to previously approved applications 06/20/0643/LB and 06/20/0642/F. The proposed amendments provide improved circulation routes and Conservation has no objection subject to a condition being imposed requiring development carried out with the further details/ specification.

6. Publicity & Representations

6.1 Site notices posted and press advert.

6.2 Ward Members – Cllr Newcombe & Waters-Bunn

- 6.2.1 No comments received.

6.3 Public Representations

- 6.3.1 No public comments have been received.

7. Relevant Planning Policies

The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS9: Encouraging well-designed, distinctive places.
- Policy CS10: Safeguarding local heritage assets.

The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy E5: Historic environment and heritage

8. Other Material Planning Considerations

National Planning Policy Framework (Dec 2023)

NPPF, Conserving and Enhancing the Historic Environment, Section 16

National Planning Practice Guidance topics

Historic environment

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1)

9. Planning Analysis

- 9.1 Legislation dictates how all planning applications must be determined. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 9.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states: *In dealing with an application for planning permission the authority shall have regard to—*
- (a) the provisions of the development plan, so far as material to the application,*
 - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,*
 - (b) any local finance considerations, so far as material to the application, and*
 - (c) any other material considerations.*

Main Issues

- 9.3 The main planning issues for consideration include:

- Principle of development
- Character and appearance
- Heritage and Conservation

10. Assessment:

Principle of Development

- 10.1 The principle of the majority of changes having already been accepted was established through the grant of listed building consent reference 06/20/0643/LB.
- 10.2 The assessment of this application must consider the implications of the minor changes proposed since that consent was granted.
- 10.3 The proposed changes concern the appearance and positioning of the proposed external staircase and internal lift.
- 10.4 Policy CS9 supports proposals of a high standard of design quality, and policy CS10 expects developments to preserve and enhance heritage assets, and supports proposals which bring

them back into beneficial use. Officers consider that the proposal will result in an improvement in circulation routes and the accessibility of the building for those with disabilities. Accordingly officers consider that the proposal accords with Policies CS9 and CS10.

Heritage and Conservation

- 10.5 The Ice House is a Grade II listed building and contributes to the historic setting of the area as a reminder of Great Yarmouth's once-thriving fishing industry.
- 10.6 Section 66(1) of the Listed Buildings Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the Council is required to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

Impact on the Listed Building

- 10.7 The proposed amendments are considered to cause little to no harm to the listed building itself, and conditions imposed will ensure that the details of the proposed amendments are managed accordingly, in order to preserve the historic features of the building.

Assessment of harm

- 10.8 It can be argued that the proposal preserves and enhances the listed building through the use of the imposed conditions, but the public benefits that are provided by the proposal must be significant enough to outweigh any adverse impacts, regardless of the level of harm.
- 10.9 Paragraph 205 of NPPF states that when considering the impact of a proposed development significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.10 As set out in paragraph 208 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.11 The proposed amendments will amount to only a very small level of 'less than substantial' harm to the designated heritage asset. For the development to be considered acceptable, the application must demonstrate that public benefits can outweigh the harm, which is considered under the planning balance section of this report.

Other Matters

- 10.12 Whilst some conditions from the former listed building consent 06/20/0643/LB have been discharged or part-discharged, this is a new listed building consent proposal and conditions must be imposed afresh, but with relevance to the changes proposed in the application.

11. The Planning Balance

- 11.1 The proposal seeks a new listed building consent with changes proposed since the previously-approved plans, in the form of a revised layout which relocates the previously-approved external staircase and internal lift.
- 11.2 The amendments will result in improved circulation routes and will cause a low level of 'less than substantial harm' to the historic character of the building, and where there is any harm caused, its impacts can be considered to be negligible.
- 11.3 Due to the improvement in the visual appearance of the building, the improved circulation routes and accessibility within the building, it is considered that any level of less than substantial harm which is caused by the proposals will be outweighed by the public benefit that is provided as a result.

12. Conclusion

- 12.1 The proposal is considered to be acceptable, and it is recommended for approval.
- 12.2 Having considered the details provided, the application is considered to comply with policies CS9 and CS10 from the adopted Core Strategy, and policy E5 of the Local Plan Part 2.

13. Recommendation

It is recommended that the application ref. 06/23/0719/LB should be APPROVED subject to the conditions listed below:

Conditions

Time limit

1. The development must be begun before the expiry of 3 years from the date of this decision.

Reason: Required to be imposed by section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and compulsory Purchase Act 2004

Development to accord with approved plans and details.

2. The development shall be carried out in accordance with the following plans and details received on the 27th December 2023 under application 06/23/0719/LB:

- 225-PP-01 Site Location
- 225-PP-23-D Ground Floor Plan – Proposed Amendment
- 225-PP-24-E First Floor Plan- Proposed Amendment
- 225-PP-25-A Roof Plan – Proposed Amendment
- 225-PP-26-A North Elevation – Proposed Amendment
- 225-PP-27-A South Elevation – Proposed Amendment
- 225-PP-28-D East Elevation – Proposed Amendment

- 225-PP-29-A West Elevation – Proposed Amendment

And in accordance with the following plans and details approved under listed building consent 06/20/0643/LB:

- 225-PP-32 Sections Drawing
- Rev. 225-PP-33-A Section through showing services received 19 January 2021
- 225-PP-43 to 50 Construction drawings
- 225-PP-61 to 63 North Side Extension details.

Reason: For the avoidance of doubt.

Historic Features

3. During the works, if hidden historic features or archaeology are revealed they should be retained in-situ. Works shall be halted in the relevant area of the building and the Local Planning Authority should be notified immediately.

Reason: To ensure that historic features are recorded and preserved as part of the special character of the Listed Building.

Details of discrete elements

4. Before construction of the following elements proceed, further details of these discrete elements of the design shall be submitted to and approved in writing by the Local Planning Authority:
 - The balcony internally and the raised platform externally (including appropriate structural calculations;
 - Exterior lighting;
 - New external joinery for the east gable fenestration;
 - The formation of the new openings to the walls including lintels, making good, etc.; and,
 - The position, type and method of installation of all new services and related fixtures (including rainwater goods, communications and information technology servicing).

The development shall thereafter be undertaken in strict accordance with the details as approved and in accordance with the details received within permission 06/23/0719/LB.

Reason: To preserve the character of the listed historic building.

Materials

5. The materials to be used in making good any defects or repairs shall match the original materials as closely as possible, and where new openings are formed, they shall be recovered for reuse and the mortar type and mix shall match that originally used, including aggregate type, binder and pointing finish.

Reason: To preserve the character of the listed historic building.

Preservation of historic features

6. All original external and internal historic features, part of the special character of the heritage asset (including buttresses, brickwork, joinery of historic importance, etc) should be preserved and protected from any damage throughout the works. Any damaged fabric should be repaired in a like for like manner with relevant matching materials and techniques.

Reason: To ensure that regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Informative Notes

1. STATEMENT OF POSITIVE ENGAGEMENT: In dealing with this application Great Yarmouth Borough Council has actively sought to work with the applicant in a positive and proactive manner.

