

**DEVELOPMENT CONTROL COMMITTEE**

**ADDENDUM REPORT**

**22 FEBRUARY 2023**

**UPDATES TO PLANNING APPLICATIONS**

**Item 4 – Application 06/22/0008/F: Land at junction of Pasteur Rd & Thamesfield Way**

1) Corrections / clarifications to Officer Report:

Planning Balance & Accessibility –

Although the accessibility of the site has been appraised in the body of the Officer report, those findings have not been reflected adequately in the ‘Planning Balance’ section of the report, nor the concluding Recommendation. Officers would like to take the opportunity to rectify that oversight within this Update Report.

As already described the site’s proximity and available links to residential areas and public transport is less than ideal.

When appraising LPP2 policy R1 in its entirety, it should be noted that ensuring suitable site accessibility is a pre-requisite for satisfying policy R1, and by extension policy CS7.

The criteria (a) and (b) at policy R1 state: *“Where there are no suitable or available sites within designated centres or edge of centre sites, new town centre use development will be permitted on out of centre sites within the Development Limits providing...*

*a. the location is accessible by public transport and is accessible to pedestrians and cyclists; [and]*

*b. the site has good links to the designated centre, or links can be improved;...”*

Policy CS7(f) also requires that out-of-centre retail must be able to demonstrate *“that the proposal can be accessed by sustainable transport.”*

In this application the proposed site is not as accessible to pedestrians as would be desired, but there are routes to the site from the Southwell Road area via Anson Road’s walking link around the north side of B&Q (350m walking distance) and 800m from Boundary Road via Thamesfield Way. The distance to bus stops is also further than ideal, as described in the report para 10.19.

However there are significant material considerations linked to the application; Officers consider the material considerations collectively attract enough weight in the decision making process that Officers are able to recommend that they justify granting planning permission despite the conflict with these critical aspects of the planning policy criteria (a) and (b) of R1 and CS7 above.

2) Discrepancy in reference to policies R1 and R7 –

At paras 10.18, 10.21 and 11.3 the report describes needing to address criteria (a) – (d) of policy R7. This should instead read: policy R1.

3) Clarification on retail sequential test –

- (i) At paragraph 17.2, the phrase “*best available [site]*” is, on reflection, a shorthand phrase whereas a more accurate description would be the “*most sequentially appropriate available [site]*”. Such a draughting error has not contradicted the overall assessment which has been clear through the remainder of the report at paragraphs 10.17-10.21.
- (ii) The report does not include an appraisal of the sequentially-assessed (former Pasta Foods) vacant and cleared warehouse site at Jones (GC) Way just to the north of the proposed site. The site is ‘out of centre’ (as is the application site) but is also defined employment land, so is no more suitable other than being slightly closer to the existing store, but on the other hand is sited further from residential areas to the east and more awkward to access on the far side of the 4-lane Pasteur Road. The applicant questions whether the necessary access would be allowed by the site owners, making the site effectively unavailable at this time.

4) Section 106 Agreement update:

The applicant is entering into the draft Agreement proposed by Officers. The operation of the Agreement will ensure the following requirements:

- that use of the existing Lidl site for retailing under the terms of that permission from 2005 ceases when the new site’s use commences, and
- prevents the new store from trading until the existing store has ceased trading and has closed, and
- the existing site shall not be used thereafter for Class E(a) uses, and
- the Existing Lidl Site shall at all times be retained for use as a premises containing a single use and single operator, and shall not be subdivided or used for smaller uses other than as a 90% to 10% ratio of mixed uses where 90% of the floorspace shall be used for the main or predominant use and up to only 10% of the floorspace shall be in a use ancillary to the main use or function of the site [with the effect of minimising the opportunity for ‘main town centre uses’ to be attracted outside defined centres.

The applicant’s land ownership registration of the new proposed Lidl site is still being processed at the Land Registry; the registration will need to have completed before any permission can be issued to ensure the S106 is completed with the appropriate parties, otherwise the existing landowners would also need to be a party to the Agreement.

5) Additional / Updated Consultee Comments:

The LLFA have amended their final consultation response to confirm they would require the development to be undertaken in accordance with the latest proposed drainage scheme.

- Officer Response: This can be secured by condition.

6) Additional Representations received:

A local resident supports the application stating:

“The present site has problems because of traffic planning decisions in past years. I think Great Yarmouth is lucky this company wants to stay. Not surprised Tesco objects. Lidl is a strong competitor. Maybe a bus service of some kind along Pasteur Road would help all the supermarkets and Gapton Hall.”

7) Objections from Tesco Stores Ltd:

Officers are aware that Members were sent a new objection letter from Tesco Stores Ltd on 20<sup>th</sup> February, further to their original objection of 25<sup>th</sup> August 2022.

Officers wish to assist Members with their understanding of the points raised, in both the original objection and the recent addition, and respond to the points raised by Tesco Ltd in the table below.

Objections raised by Tesco Stores Ltd: 25 <sup>th</sup> August 2022		OFFICER RESPONSE
1	Assessing impacts against the supposed “mediocre” ‘health’ of the town centre: effects are exacerbated because even a slight impact can be great in areas of poor vitality	The impact of the replacement retail store is indeed more keenly felt because the town centre’s health is suffering at present, but nevertheless the impact is still considered very small, causing a 0.75% effect on retail spend / turnover in the town largely due to being a very small net additional increase. <ul style="list-style-type: none"> <li>• See report paras: 2.9, 10.2, 11.5, 11.8.</li> </ul>
2	A misleading assessment of retail capacity / no appropriate evidence of capacity is presented by the applicant	The store the subject of this application is a replacement, which mechanisms in place as part of any permission to prevent the existing store also contributing to impacts from retailing uses. That net-additional impact, and therefore capacity to absorb the impact, is limited to just 348sqm. <ul style="list-style-type: none"> <li>• See report paras: 2.9, 11.1 – 11.11.</li> </ul>
3	Lack of policy support for new / net-additional retail floorspace in LPP2	Policies find no reason to specifically allocate new retail floorspace, given the pre-existing inclusion of new retail opportunities

		<p>within large mixed-use developments to serve new communities (e.g. at Bradwell, Caister, Waterfront area in Great Yarmouth). 'Windfall' retail developments are supported as a matter of principle when they are in appropriate locations and avoid unacceptable centre impacts – as per policies CS7, R1 and R7 and to a point CS6.</p> <ul style="list-style-type: none"> <li>• See report paras: 10.1–10.5, 15.8, 17.4.</li> </ul>
4	The locally-set threshold for retail impact assessments is 12.5x lower at 200sqm than the NPPF minimum	<p>The submitted Impact Assessment provides the assessment in line with policies R1 &amp; R7</p> <ul style="list-style-type: none"> <li>• See report paras: 10.2.</li> </ul>
5	The Retail Impact Assessment is inadequate and misleading: it could mask a significant adverse impact on the town centre's vitality and viability, for example by underestimating the trade draw that Lidl would have, and not accounting for the full extent of diversion from other stores especially Aldi, Sainsbury's on the edge of the town centre, and Farm Foods.	<p>The Retail Impact Assessment has forecast its impacts on existing traders based on their location, access, floorspace and type of retail operation. The net increase in floorspace is small but may still create a larger impact on certain retailers - but as a proportion of their trade it is small, and as an impact on the overall town centre it is even smaller, and not considered unacceptable. The new store may well trade above its existing trade levels, e.g. due to having more parking, but is not expected to be disproportionate to its proposed scale nor is it considered likely to create a severe impact. If there is concern that trade would increase from outside the proposed retail catchment as assessed, it would suggest there is a level of unmet 'need' in the Borough which would have required an allocated retail foodstore site in policy, which has not been proposed. Any suggestion that there should be an evidential 'need' for the store to be justified is no longer a planning policy consideration.</p> <ul style="list-style-type: none"> <li>• See report paras: 10.5, 11.1 – 11.2.</li> </ul>
6	Impact on planned town centre investment (public or private)	<p>It is not considered that the provision of a 'deep-discount' foodstore in this location (further from the centre than the existing store) with a relatively modest net increase in sales area would threaten the projects for which public investment is planned. Arguably relocating the Lidl operation further south may improve the prospects of creating and maintaining a customer base for the retail and other commercial uses planned at the Waterfront regeneration area under policy CS17 or at the market / vacant shops.</p>

		<ul style="list-style-type: none"> <li>• See report paras: 10.5, 10.16, 11.4,11.5</li> </ul>
7	<p>The proposed site is not sufficiently accessible for pedestrians in particular, which is contrary to the aims of policies CS16, CS2, CS7 and specific criteria at policy R1(a) &amp; R1(b)</p>	<p>Criteria (a) and (b) do expect out-of-centre retail proposals to be able to demonstrate their proposed site is / has:  <i>“accessible by public transport and is accessible to pedestrians and cyclists” and “good links to the designated centre, or links can be improved”.</i></p> <p>The most desirable distance would be within 400m walking distance of residential areas, whereas an ‘acceptable’ distance is considered 800m and ‘maximum’ should be 1200m for this form of development.</p> <p>The site is approximately 350m walking distance from the closest Southtown residential area to the east considered less accessible to residential areas than the existing store, but the benefits of the development – overall – are considered to outweigh the conflict with these policy criteria, especially when it is remembered that there are no other preferable available locations any closer than the existing or proposed sites, and this will improve the existing customers’ offer overall for what is a very similar catchment area, with only a small impact on other defined local centre locations. In mitigation, if some customers do not find the proposed site as accessible as the existing, other existing retail locations do exist closer to hand, including other ‘deep discounters’. There may also be some opportunity for ‘linked trips’ between the application site and Pasteur Road retail park, or Gapton Hall retail park, but these are likely to be small in number and no significant weight is given to this potential, due to access practicalities.</p> <ul style="list-style-type: none"> <li>• See report paras: 10.17-10.20, 11.7.</li> </ul>
8	<p>The application site is unsustainable and will not be conducive to creating new linked-trips, instead generating more traffic. A more appropriate sustainable location would encourage the linked trips to take place within existing centres.</p>	<p>The ‘deep discounter’ foodstore operation as proposed is accepted to not cover all needs of convenience shopping (eg not having the range of goods preferred), nor being as convenient as other supermarkets or smaller outlets, but it still has a valued place in the household retail catchment. As a replacement store of 348sqm net increase sales floorspace the additional trips created will be relatively small but can be accommodated on the highway network.</p>

		<p>The scope for linked trips is already limited and so the benefits of using a more central location will also be limited compared to the existing store's location.</p> <p>It is considered that customers using the existing store are already unlikely to create 'linked trips' so whilst the 'opportunity' is lost but the practical impact is no greater.</p> <ul style="list-style-type: none"> <li>• See report paras: 10.10, 11.6, 11.9.</li> </ul>
9	<p>The retail sequential test is incomplete: the NPPF requires that even on out-of-centre sites <i>"preference should be given to accessible sites well connected to the town centre"</i>. Sites may have been discounted without good reason.</p>	<p>The applicant has not considered smaller sites which might be possible to be used if the floorplan / design of the foodstore were different, such as a two-storey model. However, this would still not find a suitable location within centres or out-of-centre locations, and other out-of-centre sites could require a different foodstore catchment area so further weakening the proposal's accessibility. No other suitable sites were identified to be available, by the applicant or the LPA, and the sequential assessment process must not be unduly burdensome on the applicant and a market-lead reasonable format of operating model.</p> <ul style="list-style-type: none"> <li>• See report paras: 10.8 – 10.17.</li> </ul>
10	<p>Inadequate marketing of the proposed employment land location, when considered against the requirements set out within policy CS6. The marketing has not been 'suitable'.</p>	<p>Policy CS6 requires 'suitable' marketing for 18 months, with a marketing campaign relevant to the site in question and with an appropriate and reasonable price. Local Plan Part 2 paragraph 3.218 also sets out the expected marketing conditions to follow. A comprehensive marketing report would have made this process easier to review but it is clear from the interest received that various parties were aware of the development potential and sale possibilities at the site, and offers were made across a broad range of prices, purposes and terms. It is acknowledged that the sales potential and/or marketing exercise was perhaps muddled by the inclusion of adjoining land for a period of time, and the promotional material was not expressly nor solely concerning 'employment land / uses'. If Lidl were known to have an interest at the site during any part of the marketing period, it would not be uncommon for interest to still be submitted on the basis that such offers are usually / often 'subject to planning'. Nevertheless, there are other material</p>

		<p>considerations which paint a broader picture of the site's potential for reuse by more conventional employment purposes, which include: former uses, including well-known temporary uses, extended periods of vacancy, wider feasibility of the site as a defined employment area, and the local plans additional support for retail as a 'form' of jobs-creating / 'lesser' employment use.</p> <ul style="list-style-type: none"> <li>• See report paras: 7.4 - 7.11, 8.6 - 8.13, 9.4 – 9.9, 15.2 – 15.8, 17.4.</li> </ul>
11	<p>The application has not presented any suitable mechanisms for preventing convenience retail / food sales use at the existing Lidl site (so could increase the retail impact assessment overall): if there is such confidence that the existing site will create jobs through redevelopment or reuse then the new site should equally remain available as protected employment land. To prevent retailing, the applicant (and site owner) will need to agree to formally Modify the existing 2004 permission 06/04/0317/F, going to the heart of the matter being considered.</p>	<p>Imposing a restriction on the existing site is being pursued by way of a legal agreement, because the retail impact assessment has also only examined possible impacts from the net-additional sales floorspace created, and no possible retail use of the existing store. Precautions are necessary, at least until appropriate retailing impact assessments and mitigation are proposed to address any possible future impacts of the two sites being used in conjunction. The objection actually asks that only food retailing is prevented at the existing site, but as that store currently has the benefit of an 'open' retail permission, any retailing use is possible and could create wider impacts as an edge/out-of-centre site which should be avoided. The existing Pasteur Road Lidl site is within development limits so a range of uses would be considered suitable in principle, although office uses would have to undergo a sequential test as per policy B1 and other 'main town centre uses' would have to examine defined centre locations first. Employment-generating uses would be encouraged towards defined employment areas but in policies there are no in-principle objections to non-office employment uses being location in such location.</p> <ul style="list-style-type: none"> <li>• See report paras: 11.11, 15.7 - 15.8, and Officer's Recommendation.</li> </ul>
<p>Objections raised by Tesco Stores Ltd: 20<sup>th</sup> February 2023</p>		<p>OFFICER RESPONSE</p>
1	<p>An error in the report at paragraph 18.1 suggests the assessment has been inconsistent and potentially erroneous in appraising adopted local policy, affecting the planning balance.</p>	<p>The drafting error in the report is acknowledged, but the overall assessment has clearly identified the conflicts with policy and recognised the benefits that outweigh that policy conflict.</p>

		<ul style="list-style-type: none"> <li>• See report paras: 4.1, 8.13, 9.9, 15.1 – 15.8, 17.1, 17.3, 17.4.</li> <li>• See also Update Note 1(f) above.</li> </ul>
2	The marketing requirements of policy CS6 have still not been addressed.	<p>This is covered at August 2022 point 10 above.</p> <p>If the 18 month period is questioned, on the basis that Lidl became interested in the site over the final 5 months of the 18 month period, it is noted that policy CS6 does allow a shorter period of marketing in some circumstances, but material considerations also weigh against the need to insist on a strict 18 month marketing with no such interest.</p>
3	The report has misrepresented the importance of securing a Modification of the existing Pasteur Road store's open retail use permission.	<p>The report describes, erroneously, at paragraph 4.3 that Tesco Stores Ltd seek 'closure' of the existing store; this is unfortunate shorthand for the effect of the mechanism being pursued with the applicant. The report should state that Tesco only seek the cessation and prevention of retailing for food purposes (see their submission of 25/08/22).</p> <p>LPA officers and their legal advisors have drafted an agreement which requires retailing to cease before the Thamesfield Way store opens for trade, and does not allow any form of retailing to resume without express permission (by way of application and appropriate supporting information). These 'heads of terms' can be revisited but our legal advice has, to date, said that a formal Modification was not necessary to meet the requirements whilst being within the NPPF tests for planning obligations.</p> <p>The broad requirements of the Officer Recommendation remain unchanged, but further consideration of using a Modification order will be undertaken.</p> <ul style="list-style-type: none"> <li>• See report paras: 11.11</li> <li>• See also Update Note 4 above.</li> </ul>
4	Misinterpretation of the retail sequential test	The report does make clear that the sequential assessment process under policy R1 (not policy R7) only allows the site to be considered favourably if there are no other



		<p>suitable alternative sites. There are no other available sites which are sequentially better, as has been demonstrated at 10.17-10.21.</p> <ul style="list-style-type: none"> <li>• See report paras: 10.7 – 10.21.</li> <li>• See also Update Note 3 above.</li> </ul>
5	<p>The site's Accessibility to pedestrians is questioned and conflicts with requirements of policy R1(a) and (b). Also, the assessment should not look favourably on any possible bus links of the future. As such the proposal remain in conflict with policy R1.</p>	<p>The report has only documented the distance to residential areas in very general terms. A more specific assessment reveals that walking routes to the store from the Southwell Road / Southtown area are approximately 350m – 800m in practice.</p> <p>The report does not put any additional 'weight' against possible public transport connections once the Third River Crossing is completed, only identifies that it could occur.</p> <p>This initial omission was an error from not documenting the officer assessment rather than a misunderstanding of the proposal. Whilst the site is further than the 400m 'desirable distance' to bus stops and residential areas (a measurement used to reflect a comfortable distance carrying shopping bags) there are other considerations in favour of the proposal notwithstanding the conflict with parts of policies CS7 and R1.</p> <ul style="list-style-type: none"> <li>• See also Update Note 1 above.</li> </ul>
6	<p>The Flood Emergency Plan has not been proven to make the development safe in the event of flooding.</p>	<p>The Council's Emergency Planner / Flood Resilience Officer has accepted the flood precaution measures and confirmed they are satisfied. Furthermore, compliance with the flood plan can be sought by conditions.</p> <ul style="list-style-type: none"> <li>• See report para: 13.9.</li> </ul>

8) Recommendation:

Following Update Note (1), it is noted that the report has consistently identified the conflict with policies (employment and retailing location in particular) but at paragraph 18.1 a drafting error in the report erroneously concludes that the application "complies with policies". Paragraph 18.1 should instead state:

“Having considered the details provided, the application is considered to comply with policies CS2, CS9, CS11, CS13, CS16, USC7, A1, E1, E4, I1 and I3 from the adopted Core Strategy and Local Plan Part 2, and is considered to provide suitable and appropriate benefits which are considered important materials considerations of sufficient weight to outweigh the areas of identified conflict with policies CS6 and CS7 of the adopted Core Strategy, and R1 of the Local Plan Part 2.

9) Updated recommendation:

- a. In the event of needing further referral: to present new information to Chair of the Committee to agree with the Head of Planning whether permission continues to be issued at Officer level.
- b. Subject to conditions as presented to the meeting.

**Item 5 – Application 06/22/0955/F: Former Palmers Store, 37-39 Market Place**

Additional information: All Proposed Elevations have been updated to include more detailed notes clarifying proposed external materials

Any additional comments / representations: None received.

Recommendation: No changes required.

Proposed conditions:

1	<p>The development must be begun not later than three years beginning with the date of this permission.</p> <p>The reason for the condition is :-</p> <p>The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development shall be carried out in accordance with the following drawings and documents:</p> <p>Location Plan Drawing No. 0003 Rev P1 Received 16 November 2022</p> <p>Proposed Site Plan Drawing No. 6386-CF-ZZ-XX-DR-A-0002 Rev P6 Received 16 November 2022</p> <p>Proposed Basement Plan Drawing No GYLH-CF-ZZ-B1-DR-A-0030 Rev P11 Received 16 November 2022</p> <p>Proposed Ground Floor Plan Drawing No. GYLH-CF-ZZ-B1-DR-A-0031 Rev P21 Received 16 November 2022</p> <p>Proposed First Floor Plan Drawing No. GYLH-CF-ZZ-B1-DR-A-0032 Rev P19 Received 16 November 2022</p> <p>Proposed Second Floor Plan Drawing No. GYLH-CF-ZZ-B1-DR-A-0033 Rev P11 Received 16 November 2022</p> <p>Proposed Third Floor Plan Drawing No. GYLH-CF-ZZ-B1-DR-A-0034 Rev P11 Received 16 November 2022</p> <p>Proposed Roof Plan Drawing No. GYLH-CF-ZZ-B1-DR-A-0035 Rev P.1 Received 16 November 2022</p> <p>Proposed Elevations - 1 Drawing No. GYLH-CF-ZZ-XX-DR-A-0210 Rev P4 Received 21 February 2023</p> <p>Proposed Elevations - 2 Drawing No. GYLH-CF-ZZ-XX-DR-A-0211 Rev P3 Received 21 February 2023</p> <p>Proposed Elevations - 3 Drawing No. GYLH-CF-ZZ-XX-DR-A-0212 Rev P3 Received 21 February 2023</p> <p>Proposed Elevations - 4 Drawing No. GYLH-CF-ZZ-XX-DR-A-0213 Rev P3 Received 21 February 2023</p>

	<p>Travel Plan Project Ref: 218178 Rev P3 dated 3 November 2022 and received 16 November 2022</p> <p>The reason for the condition is:-</p> <p>For the avoidance of doubt.</p>
3	<p>Unless otherwise agreed in writing with the Local Planning Authority no works shall commence until a scheme for the preservation and restoration of the buildings internal and external features of heritage interest (as informed by the submitted Heritage Impact Assessment) has been first submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the scheme as approved unless subsequent variation is agreed in writing with the Local Planning Authority.</p> <p>The reason for the condition is :-</p> <p>To ensure the features of historic interest are preserved and enhanced in accordance with Core Strategy Policy CS10 and Local Plan Part 2 Policy E5.</p>
4	<p>Development shall not begin on external areas of the site until details of a hard/soft landscaping scheme has been first submitted to and approved in writing by the Local Planning Authority, the scheme shall include:</p> <p>1) the species, number, size and position of new trees and shrubs and the time of their planting</p> <p>2) specification of materials for fences, walls and hard surfaces, to include means of enclosure, design and appearance of new of sub-station.</p> <p>The scheme as approved shall be carried out prior to first use of the development hereby permitted or in accordance with planting timetable if later than first use.</p> <p>The reason for the condition is :-</p> <p>In the interests of the satisfactory appearance of the development in accordance with Core Strategy Policies CS9 and CS10 and Local Plan Part 2 Policy E5.</p>
5	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order (2015, as amended), the ground floor of the premises shall be used for a mix of uses within Classes E, F1 (a) and (d) only, within which uses within Class E and Class F1 (d) shall form the largest use in terms of the net floor space area, and for no other purpose (including any other purpose in Class F1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).</p> <p>The reason for the condition is:-</p> <p>To enable the Local Planning Authority to retain control over any future changes of use of the application site in the interests of the vitality and viability of the Town Centre as set out in Local Plan Part 2 Policies GY1 and CS7 and in terms or maintaining active ground floor uses in accordance with Local Plan Part 2 Policy R2.</p>
6	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order (2015, as amended), the first floor of the premises and those above shall be used for the provision of education (Use Class F1 a) only, and for no other purpose (including any other purpose in Class F1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as</p>

	<p>amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).</p> <p>The reason for the condition is:-</p> <p>To enable the Local Planning Authority to retain control over any future changes of use of the application site in the interests of the vitality and viability of the Town Centre as set out in Local Plan Part 2 Policies GY1 and CS7.</p>
7	<p>Prior to installation, details of the cycle stands/shelter as indicated on Proposed Site Plan Drawing No. 6386-CF-ZZ-XX-DR-A-0002 Rev P6 shall be first submitted to and approved in writing by the local planning authority and shall be carried out as approved.</p> <p>The reason for the condition is :-</p> <p>In the interests of the satisfactory appearance of the development in accordance with Core Strategy Policies CS9 and CS10 and Local Plan Part 2 Policy E5.</p>
8	<p>Prior to the first use of the development hereby permitted the proposed cycle parking [stands and shelter] shall be provided in accordance with the approved plans/details and retained thereafter available for that specific use.</p> <p>The reason for the condition is :-</p> <p>To ensure the permanent availability of the cycle parking in the interests of satisfactory development and encouraging the use of sustainable modes of transport in accordance with Policy I1 of Local Plan Part 2.</p>
9	<p>The Travel Plan Project Ref: 218178 Rev P3 dated 3 November 2022 shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is in use subject to approved modifications agreed by the Local Planning Authority as part of the annual review.</p> <p>The reason for the condition is :-</p> <p>To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with Core Strategy Policy CS16.</p>
10	<p>No part of the works hereby approved (to include fascia board/rainwater guttering) shall overhang or encroach upon highway land and no gate/door/ground floor window shall open outwards over the highway (except for use in an emergency).</p> <p>The reason for the condition is :-</p> <p>In the interests of highway safety.</p>
11	<p>Prior to installation of any plant; machinery; ventilation; air conditioning; heating; extraction equipment, including any replacements of such, full details including location, acoustic specifications, and specific measures to control noise and odour from the equipment, shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed, used and retained in full working order thereafter in full accordance with the approved details.</p> <p>The reason for the condition is: -</p> <p>In the interests of protecting nearby residential amenity for the occupants of neighbouring premises, and to protect the character and appearance of the</p>

	surrounding area including the conservation area and setting of listed buildings in accordance with Core Strategy Policies CS9, CS10 and Local Plan Part 2 Policies A1 and E5.
12	<p>Informatives:</p> <p>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.</p> <p>NOTES - Please read the following notes carefully:-</p> <p style="padding-left: 40px;">Construction work shall not take place outside the following hours:-</p> <p style="padding-left: 40px;">08:00 to 18:00 Mondays</p> <p style="padding-left: 40px;">08:00 to 18:00 Tuesdays</p> <p style="padding-left: 40px;">08:00 to 18:00 Wednesdays</p> <p style="padding-left: 40px;">08:00 to 18:00 Thursdays</p> <p style="padding-left: 40px;">08:00 to 18:00 Fridays</p> <p style="padding-left: 40px;">08:30 to 13:30 Saturdays</p> <p>and no work shall take place on Sundays or Bank Holidays. (These hours shall only apply to work generating noise that is audible at the boundary of the nearest noise sensitive property)</p> <p>NOTES - Please read the following notes carefully:-</p> <p>Your attention is drawn to the comments of Norfolk Police Designing Our Crime Officer</p> <p>NOTES - Please read the following notes carefully:-</p> <p>Your attention is drawn to the comments of Norfolk Fire &amp; Rescue Service</p>

**Item 6 – Application 06/21/0594/F: Land adjacent Venetian Waterways, North Drive**

Additional information: None received.

Any additional comments / representations: None received.

Recommendation: No changes required.

Proposed conditions:

1	<p>The development must be begun not later than three years beginning with the date of this permission.</p> <p>The reason for the condition is :-</p> <p>The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following plans and details:</p> <ul style="list-style-type: none"><li>- Location Plan for Waterways SE CCTV Column (1 of 2) received by the Local Planning Authority on 16<sup>th</sup> February 2023;</li><li>- Location Plan for Waterways SE CCTV Column (2 of 2, with notation) received on 16/02/23;</li><li>- Applicant statement: 'Waterways SE CCTV Column', received 16/02/23;</li><li>- CCTV unit specification data sheet: RVX2 Combat Camera, received 04/02/22;</li><li>- Dwg: 28350-1 – Column elevation, received 18/02/22;</li></ul> <p>The reason for the condition is:-</p> <p>For the avoidance of doubt and in the interests of preserving the character and setting of designated heritage assets.</p>
3	<p>The CCTV unit to be used on the column shall colour-match the column pole.</p> <p>The reason for the condition is :-</p> <p>In the interests of preserving the setting of designated heritage assets.</p>
4	<p>Any damage caused to the historic fabric or appearance of the Waterways park, structures or enclosures when undertaking this development shall be repaired and restored on a like-for-like basis within two months of the damage occurring.</p> <p>The reason for the condition is :-</p> <p>In the interests of visual amenity and protecting the character of designated heritage assets.</p>