

Schedule of Planning Applications

Committee Date: 05 October 2022

Application Number: **06/21/0880/F** - [Click here to see application webpage : 06/21/0880/F](#)

Site Location: The Cliff Hotel,
Cliff Hill,
Gorleston
Great Yarmouth, NR31 6DH

Site Location Plan: See Appendix 1

Proposal: **Construction of two new single storey holiday let cottages adjacent existing main hotel**

Applicant: East Anglian Hotels Ltd

Case Officer: Mr Robert Parkinson

Ward: Gorleston Ward

Date Valid: 18/10/2021

Expiry / EOT date: Extension of time to be agreed

Committee referral: At the request of Cllr P. Wells and the discretion of the Head of Planning in light of the public objection to this and other developments at the site.

RECOMMENDATION:

APPROVE subject to first receiving outstanding financial contribution or s106 legal agreement, minor clarification and adjustment of plans, and proposed conditions.

REPORT

1. The Site and its surroundings

- 1.1 The Cliff Hotel is a long established business sited on the east side of Cliff Hill. There are dwellings to the north, west and south, and a wooded slope / open land on the east side sloping down to Beach Road and Lower Esplanade. The hotel's curtilage extends east and south around the area of amenity garden space within the Grenfell Court residential apartments block of flats.
- 1.2 The development the subject of this application is located on the east side of the site, at the northernmost end of the hotel gardens, on land behind the hotel's 8-space rear car park on the north side of the hotel. The application site is approximately 15m long (north-south) and 10m wide (east-west), and is at the same ground level as the bend in this part of Cliff Hill road.
- 1.3 The application site is currently an existing children's play equipment area. The site adjoins the hotel's central covered external dining terrace above the wooded slope west of the terraced houses below, at 30-36 Beach Road. To the north are a flat-roofed electricity substation screened by the 1.8m tall brick wall along Cliff Hill, and beyond that is The Cliff Cottage, a blue-painted timber-clad single storey flat roof

building believed to be used as holiday accommodation by the Cliff Hotel already. To the west are the car park and function rooms of the hotel, and beyond that the two-storey brick and pebbled gable dwellings of no.8-10 Cliff Hill.

- 1.4 The land level changes are significant in this location, although no accurate site levels data has been provided in this application. This application site on the hotel level lies approximately 7m above the ground level of Beach Road to the east, roughly at the same height as the middle of the pitched roofs of the terraced houses below.
- 1.5 Inside the north-east corner of the application site is a substantial and standalone tree which has a unique character and is prominent in views from all directions. The precise species is not known at the time of writing but it appears to be a type of fir tree approximately 5m tall.

2. The Proposal

- 2.1 The application seeks planning permission for the construction of two holiday let 'cottages' on the land used for the children's play area and extending across part of the wooded slope. These would be a pair of single-storey flat roof semi-detached box-shaped cabins built up to the very eastern edge of the slope. Each would provide two en-suite bedrooms, kitchen/lounge room, shared bathroom, and a raised decking area projecting over the edge of the wooded slope.
- 2.2 An engineering structural report has been submitted which seems to suggest the structure is to be constructed of steel and timber beams and timber walls, floor and roofing, but this is a technical document for structural calculations and Building Regulations processes. The structural effectiveness of the building, foundations and its stability and methods of construction on the wooded slope are all part of the assessment made through the Building Regulations process.
- 2.3 In terms of their external appearance, the revised designs for the cottages are proposed to be flat-roofed with a sedum roof and parapet, and finished in render on the south, west and north facing walls, with timber cladding in the recessed east elevation with render surrounds. The fenestration of windows and doors has been revised from the initial grey upvc windows and doors to now be painted timber. The external decking on the east side is proposed as composite timber decking with artificial hedgerow screening and sections of glass balustrade.
- 2.4 Access to the cottages is proposed from the north car park with the cottage entrance doors facing west. The units would be enclosed by the hotels' existing 2m tall timber fencing. The adjoining car park is shown to be arranged with 7 spaces side by side but the car park is gravel and not marked out and nor do the proposals include a change to the car park surface materials.
- 2.5 The application form states that no trees would be affected by the proposal but the slope area below the site is thickly wooded and the 'fir' tree at the top is within the application site which is almost entirely filled with the footprint of the two cottages.
- 2.6 The application submission comprises application form, location and block plans, floor plans and elevations, and the engineers structural report. No arboricultural impact assessment has been provided to describe the impact and any mitigations for the tree. The application plans have been revised, and are now shown on plan P02 Rev C.

3. Site Constraints

- 3.1 The hotel building, its children's play area, central garden terrace and the part of the wooded slope at the northern end of the eastern side of the site are all within Conservation Area No. 12 Cliff Hill. The rest of the garden terrace and wooded slope, are within Conservation Area No. 17 Gorleston, which extends west to include Springfield Road, Avondale Road and the clifftop gardens.
- 3.2 Together, the relevant surrounding areas covered by the two conservation area designations extend to: north for the length of Cliff Hill, including the wooded slope down to Beach Road; east including Pier Gardens, the east end of Pier Road and the whole of the pier, but not including the houses along the east side of Beach Road; south for the whole of Lower Esplanade and Pier Gardens; and westwards covering the terraced housing along Cliff Hill. The hotel itself is not listed.
- 3.3 The whole of the wooded slope adjoining the site, and the entire hotel complex and Grenfell Court apartments are covered by a 1965 Area Tree Protection Order ref: TPO A6 No.1 1965, which at the time it was made identified elms, poplars and sycamore but the species within will have changed over time. In that respect the 'fir' tree and other trees on the wooded slope are protected by both the conservation area and the Area TPO designations and would need specific permission for any works that were not already included a full planning permission granted.

4. Relevant Planning History

- 4.1 There has been various planning history at the Cliff Hotel site, but there is not considered to be any relevant planning history for this particular part of the site which would be material to the determination of this application.

5. Consultations

Statutory Consultees

Highways Authority – No objection.

- 5.1 The revised plans have addressed initial concerns that there was inadequate parking and turning areas on site. A condition is required to ensure the parking is laid out and provided and surfaced and drained in accordance with the approved plan.
- Officer response: initial concerns were raised with parking management so the application would need to ensure the layout is made clear and obvious rather than ad hoc at present. This can be achieved by conditions.

Environmental Health Officer – No objection subject to conditions.

- 5.2 From the plans, I cannot see any plant equipment to be installed in relation to this application. If any equipment is being installed which will generate noise externally, details need to be provided and approved by the Environmental Protection Team prior to installation. Trade waste advice needs to be added to any permission.
- Officer response: this can be arranged by conditions and informative notes.

Internal Consultees

Conservation Officer – No objection.

- 5.2 The site is located in Cliff Hill Conservation area. The development of 'two single storey holiday let cottages' is proposed to be positioned north-east from the existing hotel where there are open views towards Gorleston's Pavilion Theatre (Grade II listed building).
- 5.3 The proposed structures are proposed to be single storey with flat roof. The proposed materials include render, timber cladding, uPVC windows and doors. The Conservation area includes a number of listed buildings and heritage assets predominantly with pitched, hipped or mansard roofs. Flat roof structures are also present but most of them lack quality and negatively affect the appearance of the Conservation area.
- 5.4 Conservation Officers do not object to the principle of development, but there are concerns that the views towards the Pavilion Theatre will be affected, and that the proposed design would detract from the character of the Conservation area thus harming its significance.
- 5.5 In order to integrate this more contemporary design into the Conservation Area, we would recommend to further enhance the proposal by introducing good quality materials to windows and doors (preferably timber), avoiding the use of uPVC and by ensuring the most appropriate roof configuration. Considering the flat /sloped roof might be the only practicable solution, then further enhancements such as green roof could be introduced in order to integrate the structures better to their surrounding historic and natural environment.
- Officer response: initial concerns were raised regarding the design and in particular the materials and proposed flat roof which would be inconsistent with other roofstyles within the conservation area. These concerns appear to have been resolved, and a high quality of design materials can be secured by condition.

6. Publicity & Representations received

Consultations undertaken: Letters to neighbours and Site Notices (reason - impacts on setting and appearance of conservation area).

- 6.1. **Ward Member(s)** – No comments made specific to this application.

6.2. Public Representations

At the time of writing 7 public comments have been received, one of which is said to be made on behalf of all the tenants of Grenfell Court:

Objections to:

- Noise creation day and night.

- Insufficient parking on site, and loss of on-street parking for local residents.
- There is already no onsite parking for commercial vehicles and deliveries to the hotel.
- Installation of hot tubs will create more noise and disturbance in addition to the open terrace.
- Inappropriate development for the conservation area.
- Overdevelopment at the hotel in general.
- The development is unnecessary and is only an income raising venture.
- The parking layout is inappropriate and will cause highways dangers.
- Foul drainage has not been clarified and may not be feasible to connect to the mains.
- Refuse storage and collection has not been considered and should be confirmed.
- Loss of privacy and overlooking of houses opposite.
- Harm to bird and wildlife affected by the construction on the wooded slope.
- External lighting will cause glare and nuisance to neighbours.
- Antisocial behaviour already takes place at the cottage and the hotel and will increase.
- Litter and broken glass will increase.
- No need for more holiday cottages and they make the area look overcrowded.

Officer comments – These issues are all relevant and are addressed in the main report.

7. Relevant Planning Policies

The Great Yarmouth Core Strategy (adopted 2015)

- Policy CS1: Focusing on a sustainable future
- Policy CS2: Achieving sustainable growth
- Policy CS6: Supporting the local economy
- Policy CS8: Promoting tourism, leisure and culture
- Policy CS9: Encouraging well-designed, distinctive places
- Policy CS10: Safeguarding local heritage assets
- Policy CS16: Improving accessibility and transport

The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy GSP1: Development Limits
- Policy GSP5: National Site Network designated habitat sites and species avoidance and mitigation
- Policy GSP8: Planning obligations
- Policy A1: Amenity
- Policy E4: Trees and landscape
- Policy E5: Historic environment and heritage
- Policy E6: Pollution and hazards in development
- Policy E7: Water conservation in new dwellings and holiday accommodation
- Policy I1: Vehicle parking for developments
- Policy I3: Foul drainage

8. Other Material Planning Considerations

National Planning Policy Framework (July 2021)

- Section 4: Decision Making
- Section 6: Building a strong, competitive economy
- Section 11: Making effective use of land
- Section 12: Achieving well designed places
- Section 16: Conserving and enhancing the historic environment
- paragraphs 124 d) and 130 f) – requirement to provide a high standard of amenity for existing and future users / neighbours / residents.

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.*

This is reiterated at paragraphs 2 and 47 of the National Planning Policy Framework.

- 9.3 In determining this application the Council must also ensure it satisfy the following legal duty within Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of conservation areas in the exercise of its planning functions:

"In the exercise, with respect to any buildings or other land in a conservation area, [of any functions of the LPA] special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

- 9.4 The Council must also ensure it satisfy the following legal duty within Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of listed buildings in the exercise of its planning functions:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Main Issues

The main planning issues for consideration are:

- Principle of development
- Impact on heritage assets

- Design and impacts on character and visual amenity of the area
- Impacts on neighbouring amenity
- Landscape and trees
- Other material considerations

Assessment:

The application proposes: *Construction of two new single storey holiday let cottages adjacent existing main hotel*

10. Principle of Development

- 10.1 The location within development limits, and the proposed use of holiday lets, are both appropriate within the grounds of the established hotel and its accessible and sustainable location. There is no issue with the loss of the play area because it is not a public facility and is a decision of the operational management of the hotel that it is surplus to requirements in the changing nature of tourism.
- 10.2 There is no objection to the principle of the development in accordance with policies CS1, CS2, CS6, CS8 and GSP1 if other policies are satisfied, principally those of providing a high quality design, managing highway impacts, enhancing the character of the area and avoiding harm to heritage assets, and avoiding harm to amenity.
- 10.3 As a proposed holiday let facility, the development has not been considered in the round for any potential suitability for longer-term or even permanent residential occupation, notwithstanding that the holiday let use of a C3 use class restricted by planning conditions. However, planning conditions are required to ensure the site operates for holiday let purposes only, with a maximum duration of 28 days at any one time, and not for occupation as a primary residence, and a log of all guests must to be kept and made available for inspection by the LPA. These conditions ensure the development contributes to the local economy, and prevent the use being expanded into residential use when there are not enough suitable features for a main dwelling such as insufficient amenity space or daylight or parking or public open space on site.

11. Impacts on Heritage Assets

- 11.1 National planning policy and local development plan policies CS10 and E5 make it clear that proposals for development should seek to conserve and enhance the significance of heritage assets, including any contribution made by their setting, by positively contributing to the character and local distinctiveness of the area.
- 11.2 Development proposals within conservation areas, or in a location that forms part of its setting, or locations like this which fall into both categories, should take into account the special and distinctive character of the area which contributes to its significance.
- 11.3 The designated heritage assets affected by this proposal are the Grade II listed Pavilion Theatre with its expansive setting, the character and appearance of Conservation Area No. 12 Cliff Hill, and the setting of Conservation Area No. 17 Gorleston to the south.

11.4 NPPF paragraph 199 sets out that:

*“When considering the impact of a proposed development on the 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.”*

11.5 NPPF paragraph 200 also makes clear that:

*“**Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.**”*

11.6 NPPF Paragraph 202 then goes on to state that when determining such applications:

“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...”

Impact on listed buildings

11.7 Although there are no listed buildings within or adjoining the site, the Grade II listed Pavilion Theatre is 71m to the east separated by the terraced houses of Beach Road and Pavilion Road preventing a direct line of sight between the two ground levels.

11.8 The Pavilion Theatre remains the dominant and impressive focal point at the head of the Lower Esplanade and Pier Gardens, a significant landmark because of the open setting around and especially to its southeast, despite the low-rise nature of the building and its lower land level.

11.9 The Conservation Officer expressed concerns that the building could affect views of and out towards the Grade II listed Pavilion Theatre to the east, and therefore presumably affect the setting of the listed building in views from the cliff and also from the lower ground levels of Pier Gardens and the Lower Esplanade area.

11.10 From the cliff top position there are direct and unimpeded views of the fine Pavilion Theatre roof from the application site and car park, but from street level within the public realm of Cliff Hill the only view is the uppermost spires and finials of the tower domes seen looking directly east across the roof of the substation.

11.12 The development site is lower than the level of the car park, and at least 0.5m lower than the dining terrace to the south, so should appear very similar in scale to the existing Cliff Cottage on the north of the adjoining substation, and much less than the adjoining covered terrace structure. Cliff Cottage feels prominent because of the sloping nature of Cliff Hill, but the development site is set further east and would be more concealed from the road by boundary walls and fencing and the lower land levels. The low-rise nature of the development and its siting south of the substation and its proposed flat roof should prevent loss of views east from street and upper levels.

11.13 The impacts on the setting from further afield would be very similar to that of Cliff Cottage on the same clifftop position.

- 11.14 There are no direct views of Cliff Cottage or the application site from adjacent the Theatre, and no views of the low-rise Cliff Cottage from further east along the south pier because of the Theatre being in the way. The site can be seen from southeast of the pier gardens, but there are intervening mature trees, the capping of the bandstand, and terraced houses, and the site would be seen alongside the hotel's covered dining terrace structure and Cliff Cottage to the north, so the form of development would not look out of place or jarring in the Planning Officer's opinion.
- 11.15 With all these factors taken into account, it is considered that if there is any harm in this regard there can only be a very minor level of less-than-substantial harm to the setting of the Grade II listed building, and a correspondingly small level of public benefit is required to outweigh that harm if the application is to be considered favourably. That balancing exercise is discussed later in the report.

Impact on Conservation Areas

- 11.16 The Conservation Officer expressed concern that the design quality within the original submission was not to an appropriate standard for the development's position in the conservation area. There were two areas of concern:
- (i) The proposed materials were initially not of a suitable quality, and sought an improved design of window and door material; and,
 - (ii) The flat roof form would be inappropriate and incompatible with the surrounding roofing styles in this part of the Cliff Hill conservation area, which are predominantly pitched, hipped or mansard roofs, and noting that the flat roofs that are found in this area and the rest of the Cliff Hill Conservation Area tend to lack quality and negatively affect the appearance of the Conservation area
- 11.17 It is considered that the improved quality of materials and the sedum roof will provide design interest and lessen the expanse of flat roof that may otherwise feel less at ease with the other buildings to the north.
- 11.18 The impacts from the massing, position and shape of the development and its relationship with the conservation area would be very similar to that of the impact from Cliff Cottage on the same clifftop position.
- 11.19 There are no direct views of Cliff Cottage or the application site from the east beyond Beach Road because of the low rise nature of the proposal and the tall scale of intervening buildings. The site can be seen from southeast of the pier gardens, but there are intervening mature trees, the capping of the bandstand and terraced houses. Where it is visible, the site would be seen alongside the hotel's covered dining terrace structure and Cliff Cottage to the north so the form of development would not look out of place or jarring in the Planning Officer's opinion when considering this localised part of the conservation area. In views from the north along Beach Road, the site is well screened in summer months by the wooded slopes to the north, and any views are seen within the context of its position alongside the similar form of the hotel terrace and Cliff Cottage.
- 11.20 It is appreciated that the Conservation Officer has understandable concerns about the presence of flat roofs in the conservation area but as this site is not particularly visually connected to those locations the potential for detrimental impact beyond the immediate vicinity of the site is considered to be low.

- 11.21 Any sense that the development will detract from the character and appearance of the Cliff Hill Conservation Area is considered to be balanced out by the improved quality of the design and finishes of the building and its more compatible integration into the site.
- 11.22 Because of the hotel terrace covered structure and the wooded area there are no impacts on the setting of the adjoining Conservation Area No. 17 Gorleston.
- 11.23 To satisfy policies CS10 and E5 proposals should conserve and enhance the significance of heritage assets by positively contributing to the character and local distinctiveness of the area. The scheme is considered to do so actually, being slightly beneficial in this regard because the infill of the gap along the clifftop will provide a reinforced building line, lessen the isolated nature of Cliff Cottage, and provide something of a point of interest to the area along, and the views into, Beach Road.
- 11.24 However as this is to some extent slightly subjective, it is possible that others may consider the impacts on the conservation area differently, and so it is recommended that any perceived level of harm to the conservation area should be considered to be a low degree of less-than-substantial harm which would need to be justified and outweighed by public benefits in accordance with paragraph 202 of the NPPF. That balancing exercise is discussed later in the report.

12. Design and impact on the character and visual amenity of the area

- 12.1 The proposed low profile, complimentary form and massing, higher quality of materials and the sedum roof, and the proposed artificial vegetation screening are all considered to provide a small but beneficial impact on the visual amenity and character of the area in line with the expectations of policy CS9.

13. Impacts on neighbouring amenity

- 13.1 The two holiday cottages are single storey, only two bedroom, and unlikely to be used as 'party houses'. With a fairly narrow balcony, and being adjacent the substation and hotel terrace they are considered unlikely to attract lots of visitors at once and would be sufficiently far from neighbours to prevent any disturbance from noise or activities that might affect residential amenity. The projecting decking areas would not overlook Cliff Cottage to the north and are far enough from the houses on Beach Road to prevent any sense of an overbearing form of development. Neighbour comments suggest that hot tubs are proposed but no indication is made on the plans, although it is not likely that planning permission would be needed for these and the impacts are probably not likely to be excessively detrimental; nevertheless if Members considered them detrimental they could be prevented from being installed by planning condition.
- 13.2 The change in site levels with houses on Beach Road are notable, but the levels are considered to be sufficiently high to prevent unacceptable direct overlooking through windows as the distance to the front elevation is 18m and the angle of incidence is vertically oblique looking down to the terraced houses. Holiday makers may feel open to being viewed on the balcony but there is screening to minimise any loss of privacy and to improve the schemes landscape character.

- 13.3 There may be some loss of outlook from Beach Road but this is not considered sufficient to refuse the application on balance given the existing vegetation opposite and the set-back nature of the cottages. There may be some loss of daylight and overshadowing on Beach Road but this would be for only the latest parts of the evening as the site is due west, and not dissimilar to any shade caused by the thick vegetation currently on the slope. Refuse storage and collection should be confirmed by conditions if the potential for odour and litter nuisance is to be avoided. External lighting would be an issue for bats foraging along the wooded slope and for neighbours opposite, so lighting shall be prevented unless details are first agreed by the LPA.
- 13.4 As such it is the carefully considered opinion that with the appropriate safeguarding measures secured by conditions, the application will accord with policies CS9 and A1 and NPPF paragraph 130 f).

14. Landscape and Trees

- 14.1 Landscaping has not been proposed in this application, and there are no assessments on the impact of the vegetation on the wooded slope or the prominent 'fir' tree, all of which is covered by TPO protection.
- 14.2 Without a measured tree survey the impacts on the 'fir' tree in particular are hard to gauge, and it does look like the footprint of the northern edge of the building would extend up to and include the tree which if not in the application site proper is still in the applicant's control. Notwithstanding the status, interest or value of the tree, efforts should be made to retain it wherever possible, especially as the units are proposed for holiday use so residential amenity and overshadowing is not a relevant planning concern in this instance.
- 14.3 Officers consider it is possible to retain the tree with an amended form of development without notable implications. For example, the decking could be retracted south or installed around the truck, or the whole footprint could move south slightly without affecting the amenity of residents on Beach Road.
- 14.4 The applicant has been asked to confirm their position in respect of the protected trees before the Committee meeting, and in doing so consider amendments to the designs, but it is likely that any favourable recommendation may need to be subject to first obtaining the necessary clarification and/or amendments. Subject to doing so, the development would accord with policies CS11 and E4.
- 14.5 However, if the proposal includes felling the tree it would not be considered acceptable whilst alternative forms of development could be proposed which retain the tree and avoid detriment to other policies, and therefore the application would be recommended for refusal contrary to CS11 and E4. Members will be updated at the meeting.

15. Parking, access and highways safety

- 15.1 The proposed development of 2no. 2-bed holiday cottages requires 4 car parking spaces and appropriate turning and waiting areas. The parking is proposed to be within the hotel's existing northern car park adjacent the application site. The car park currently has 8 spaces, which is proposed to be reduced to 7 and a space for a motorcycle, so 4 will need to be identified and reserved for the cottage' uses, and staff or other guests will be displaced to the other car park. The off-street parking proposed

for guests is welcomed, to minimise the pressure on parking in the surrounding streets, whereas staff will be more local and hopefully better able to access the site on public transport and bicycle.

- 15.2 The plans initially proposed tandem parking but this has been removed and a turning area introduced to ensure vehicles can leave in forward gear. As such the modest scale of growth and the position of parking will ensure there are no unacceptable highways safety impacts caused by the development.

16. Habitats Regulations Assessment (HRA)

- 16.1 Policies CS11 and GSP5 require all new tourism accommodation developments to address their recreational impacts by passing the Habitats Regulations Assessment and providing appropriate mitigation. The mitigation necessary for a scheme of this scale in this location is to contribute to the Norfolk wide Green Infrastructure and Recreational Avoidance Mitigation Strategy (GIRAMS) which entails a financial contribution of £185.93p per each group of 6 bedrooms proposed in the development, amounting to £185.93p for this 4-bedroom holiday let cottage development.
- 16.2 No contribution has been received as yet, so the outstanding balance of £185.93p is required alongside a Shadow HRA report, before any permission can be granted.

Nutrient Neutrality

- 16.3 The site is not within the nutrient neutrality catchment area for the Trinity Broads Special Area of Conservation so does not need to demonstrate that it can achieve mains sewer connection and discharge to Caister water treatment works.

17. Other Material Considerations

- 17.1 The application will provide additional tourism accommodation which is supported in principle and will lead to improved economic investment and growth of jobs in the Borough during construction and during operation, which are modest but positive public benefits.
- 17.2 The development also makes beneficial use of previously developed land which is a sustainable form of development, and efficient use of land, supported by policy. However, the site includes the wooded slope which will be subject to vegetation clearance and loss of habitat to birds and wildlife. Conditions will be required to provide enhancement through mitigation bird and bat boxes (at least 1 of each per unit).
- 17.3 No details have been provided but mains sewer connections are expected to exist at the site. A foul drainage scheme should still be provided by condition as the development would not necessarily be acceptable if it could not provide mains connections and the levels changes across the site may make it challenging to do so.

Local Finance Considerations

- 17.4 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 (which is not applicable to the Borough of Great Yarmouth). 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, for example. There do not appear to be any planning-related local finance considerations linked to this development.

18. The Planning Balance

- 18.1 The development proposals will have only very small impacts on neighbouring uses, will avoid impacts on the highway network, and will have only a very low level of less-than-substantial harm to the significance of designated heritage assets. It is also considered possible to avoid harm to mature wooded slope planting and the prominent tree at the edge of the site.
- 18.2 Balanced against this, the development will bring a positive design to the streetscene and local area, and will create economic investment and improve the tourism offer to the benefit of the wider economy. These are considered to outweigh the harms.

19. Conclusion and Recommendation

- 19.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the adopted development plan unless material considerations indicate otherwise.
- 19.2 The application involves a only a very small level of less than substantial harm to the significance of designated heritage assets and a small degree of detrimental impact on residents of dwellings on Beach Road. However the planning balance exercise has demonstrated that sufficient public benefits exist to outweigh those harms.
- 19.3 Therefore, it is considered that subject to the receipt of satisfactory clarification and additional information, and subject to the proposed conditions, the development will comply with policies CS1, CS2, CS6, CS8, CS9, CS10, CS11 and CS16 of the adopted Core Strategy (2015), and policies GSP1, GSP5, GSP8, A1, E4, E5, E6, E7, I1 and I3 of the adopted Local Plan Part 2 (2021), and the application can be approved. There are no other material planning considerations to suggest the application should not be recommended for approval.

RECOMMENDATION:

- (i) It is recommended that application 06/21/0880/F should be APPROVED, subject to:**

- (A) Receipt of appropriate outstanding financial contributions for the GIRAMS and habitat mitigation strategy, and Shadow Habitat Regulations Assessment (as

detailed in the report) (or appropriate alternative section 106 legal agreement);

And;

- (B) Clarification as to the development intentions and implications for the landscaped woodland area and the prominent tree, with further information to show the position and impacts on the tree and any related minor adjustments necessary to the plans to ensure its protection and retention;

And;

- (C) Inclusion of the Proposed Conditions listed below.

- (ii) **If the financial contribution is not received, or the tree retention and protection and relevant plan amendments are not provided, to refer the application back to the Development Control Committee for reconsideration of the application, on the grounds of failing to secure planning obligations, and/or tree protection measures, as required by policies CS11, GSP5, GSP8 (obligations) and CS11, E4 (trees).**

Proposed Conditions

(This is summarised list. Full details will be provided to the committee meeting)

1. Standard time limit – commence within 3 years;
2. In accordance with approved plans and relevant supporting documents;
3. Details of Arboricultural Implications Assessment and Method Statement to be agreed.
4. Tree protection measures to be installed and retained during construction.
5. Green roof / sedum roof details need to be confirmed and provided.
6. Foul drainage details to be agreed and followed.
7. Refuse storage areas and collection arrangements to be agreed and followed.
8. Materials and balcony screen details & samples to be agreed and followed.
9. Provide bird and bat boxes (at least 1 of each per unit) – details needed.
10. Car park layout, space identification and turning areas are to be defined – details tbc.
11. No occupation or use of the development until the access, parking, turning provided.
12. The development shall operate for holiday let purposes only.
13. There shall be a maximum occupancy duration of 28 days at any one time.
14. There shall be no occupation as a primary residence.
15. A log book of all guests must to be kept and made available for inspection by the LPA.
16. No installation of any plant and machinery on the exterior of the building / in the curtilage without prior details being provided and approved by the LPA and EHO.
17. No installation of any external lighting without bat shielding and glare prevention measures and details being provided and approved by the LPA and EHO.

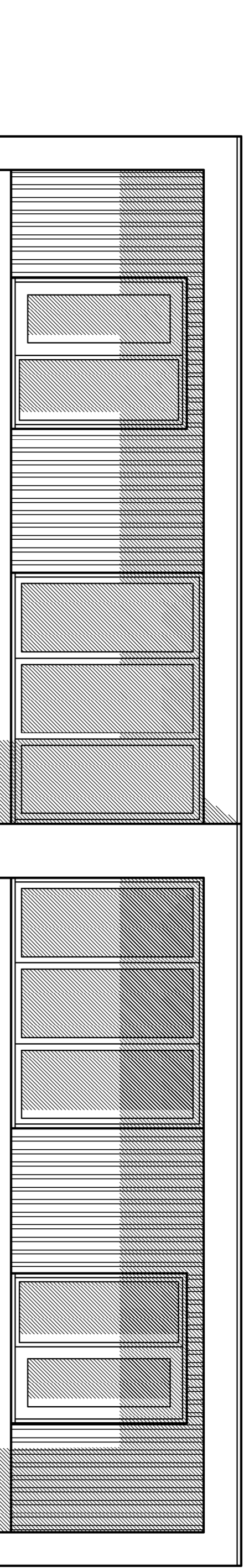
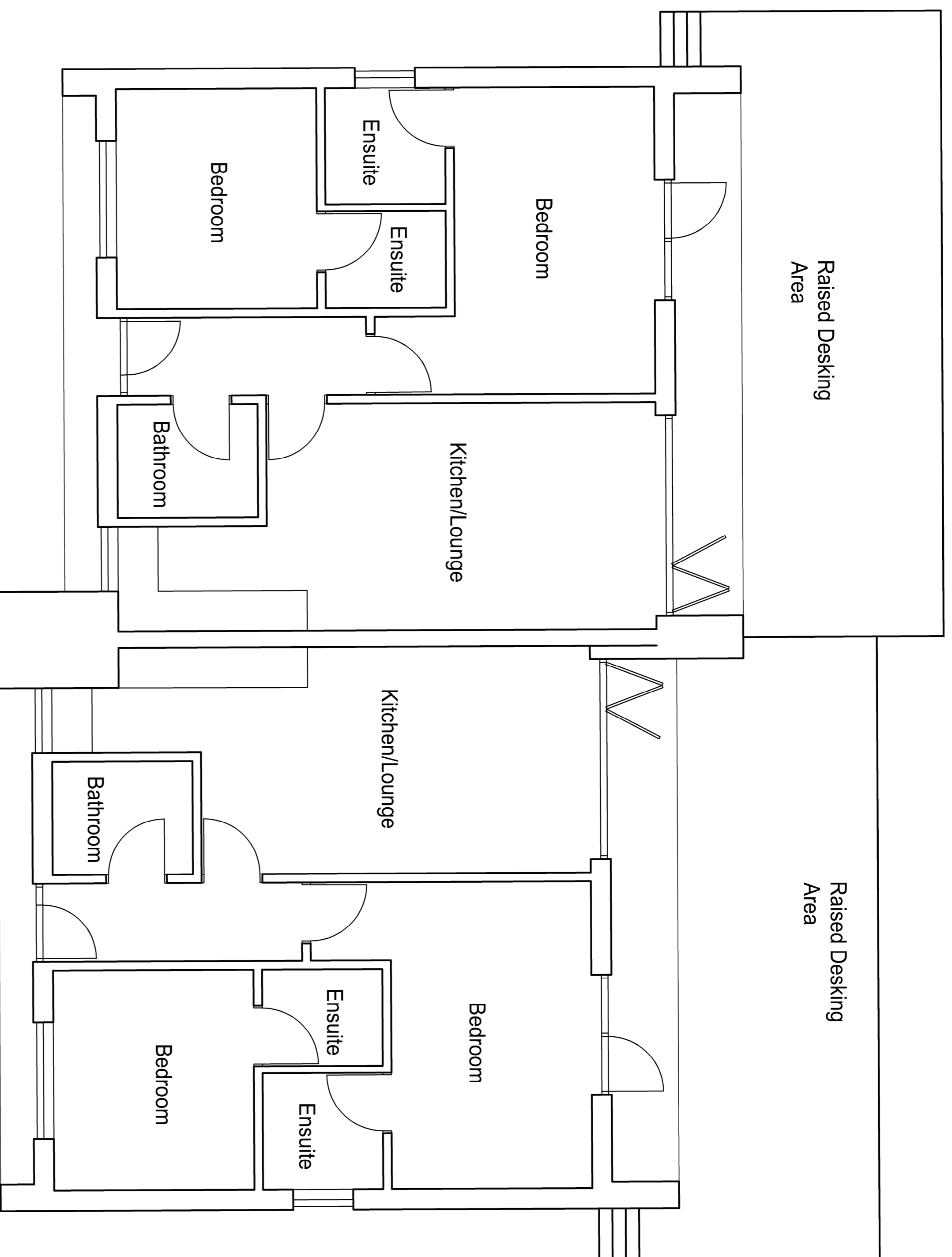
Informatives:

- Trade Waste
- Works on highways
- Air quality and construction noise advice.

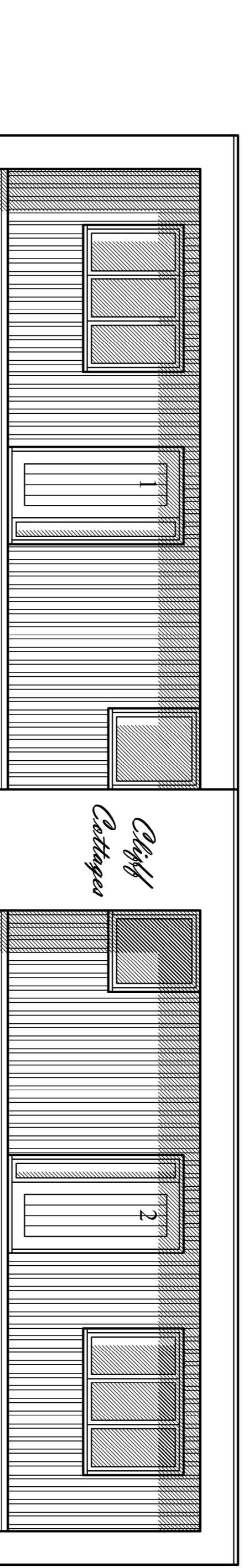
Appendices:

1. Site Location Plan and Proposed Site Layout, Plans and Elevations

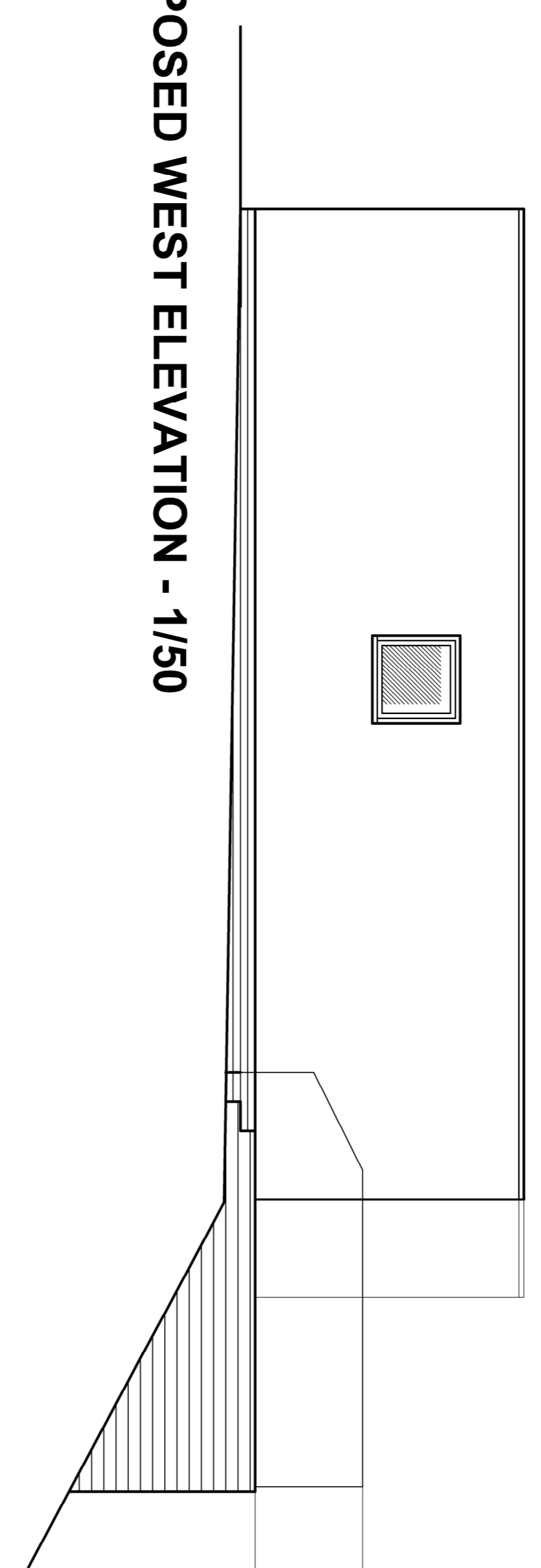
PROPOSED FLOOR PLANS - 1/150



PROPOSED SOUTH ELEVATION - 1/150



PROPOSED NORTH ELEVATION - 1/150



PROPOSED WEST ELEVATION - 1/150



LOCATION PLAN - 1/1250

MATERIALS

- Roof - Flat Sedum Roof including parapet**
- Walls - K-Render and Timber Cladding**
- Fenestration - Painted timber**
- Externals - Composite Timber Decking**
- and artificial hedgerow screening**
- with sections of glass balustrading**

Client: Cliff Hotel

Address: Holiday Cottages
Cliff Hill Gorleston

Project No: SJC **Scale:** As Shown

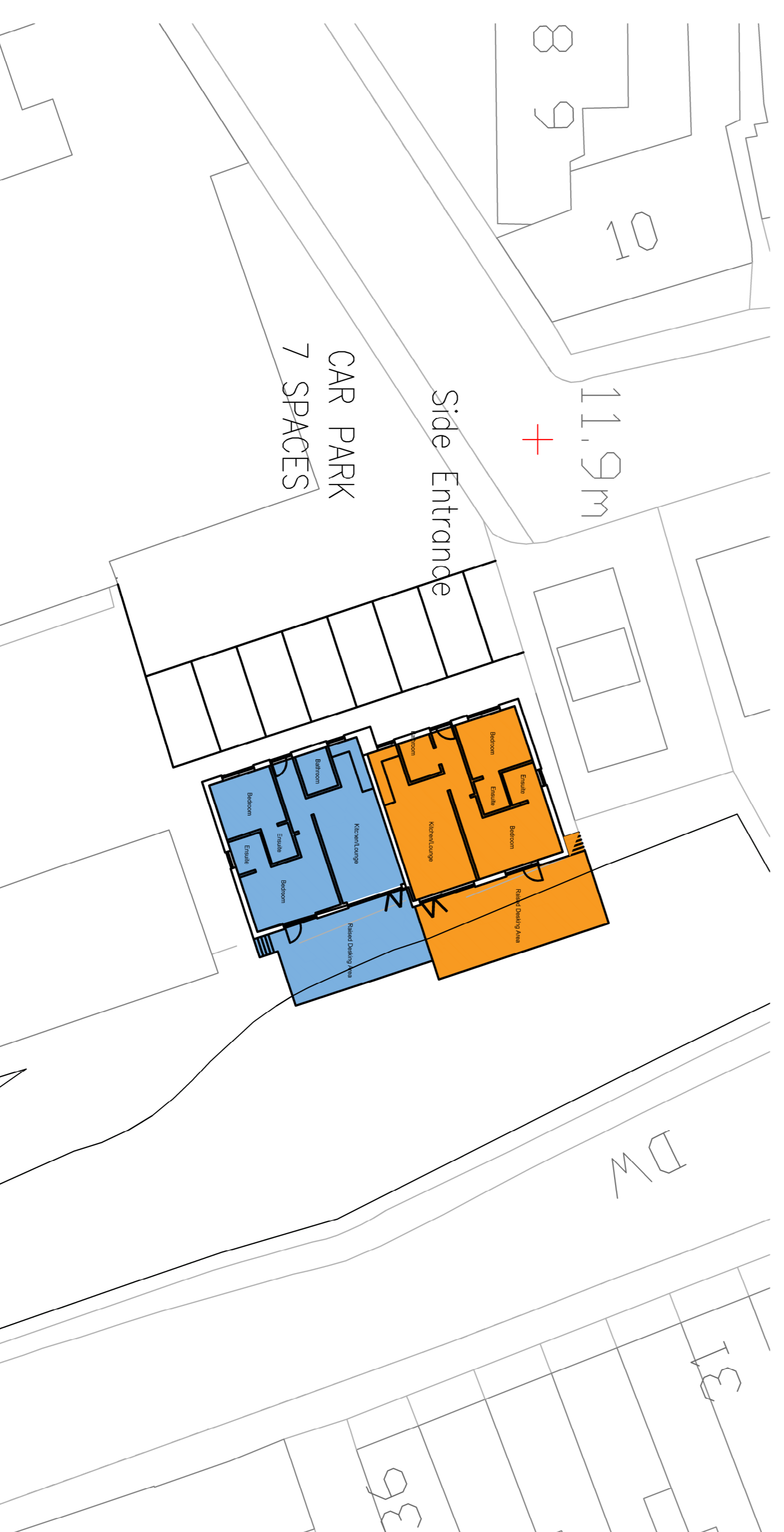
Dwg No: P02 **Rev:** C



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Dwg Title: Proposed Cottages Layout



PROPOSED SITE PLAN - 1/200