

**Schedule of Planning Applications**

**Committee Date: 22 February 2023**

Application Number: **06/22/0955/F** - [Great Yarmouth Borough Council \(great-yarmouth.gov.uk\)](http://great-yarmouth.gov.uk)

Site Location: Former Palmers, Store 37 - 39 Market Place, Great Yarmouth, NR30 1LU

Site Location Plan: See Appendix 1

Proposal: Proposed change of use from retail/commercial into education use to accommodate the relocated Great Yarmouth Public Library and provide new space for University classrooms and Adult Education (F1 (a) (d) uses); Ancillary associated uses; proposed external repairs to building fabric; Replacement door & windows; New ground floor entrance to Market Place; Internal amendments to facilitate new use; New external staircase

Applicant: Great Borough Council Town Hall Hall Plain Great Yarmouth Norfolk NR30 2QF

Case Officer: Nigel Harriss

Parish & Ward: GY Central/Northgate

Date Valid: 16 November 2022

Expiry / EOT date: 28 February 2023

Committee referral: Constitution (Connected application).

Procedural note 1: For connected application. This application was reported to the Monitoring Officer as an application submitted by the Borough Council, as applicant, for determination by the Borough Council as Local Planning Authority. The application was referred to the Monitoring Officer for their observations on 16 February 2023 and the Monitoring Officer has checked the file and is 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.

**RECOMMENDATION:**

**APPROVE SUBJECT TO IMPOSED CONDITIONS**

**REPORT**

**1. The Site**

- 1.1 The site relates to the vacant former Palmers department store/retail outlet, located on the west side of Great Yarmouth Market Place. Banks exist either side of the premises of smaller scale in terms of height and to the rear is Stone Cutters Way and pay and display car park off Howard Street South. The premises are located over 5 floors [four stories high including a basement and spread over 5,000 + square metre floor area].
- 1.2 The site comprises of a five-storey building on the eastern side, where the basement, ground, first, second and third floors occupied the former retail area. The western side of the building consists of 2-3 storeys which formed the ancillary warehouses, back-of-house and storage spaces when the building was used as a department store.
- 1.3 Footway provision along Stonecutters Way, Black Swan Row and Austin Row provide good linkage between the Market Place and the rear of the site. There is no dedicated vehicle access

or car parking associated with the building. The site can be accessed from the public Howard Street South car park – which is part-owned by GYBC – with deliveries accessing the site via the northern boundary through Stonecutters Way.

- 1.4 The site is within Conservation Area No. 2 Market Place, Rows and North Quay and a few doors down from Numbers 34 and 35 Market Place and 32 and 33 Market Place which are both Grade II Listed Buildings [shops with residential above].

## **2. The Proposal**

- 2.1 The premises are now owned by GYBC whom in working with public and private partners seek to deliver a learning and community hub – ‘Great Yarmouth Library and University Centre’. In addition to the uses/works which require planning permission as applied for in the description of development, there are other uses proposed within the mix of uses that do not require planning permission as the former retail store [former Use Class A1] now falls within the new Use Class E, like office, and food and drink for consumption mainly on the premises etc.

- 2.2 Below is a breakdown of the proposed uses from basement to third floor level:

- Basement –

Storage in connection with on-site uses, principally Library store

Multi-use learning area for library and community use

- Ground floor

- Shared foyer with level access from Market Place and also a secondary access to the registrar’s from the car park side.
- Café and community space with a potential teaching kitchen
- Group learning space and exhibition area, which are open to building users and the public
- Public library, including a children’s library able to accommodate ‘open library’ usage with self-service
- Library delivering point and staff entrances and spaces (staff workrooms, offices and exclusive access to the goods lift to the library storage in the basement)
- Small and medium sized meeting rooms for use by voluntary and community groups to deliver services and activities such as Citizens Advice and Adult learning classroom spaces
- Registrar’s services
- WC’s and kitchenettes
- Educational space within former Stonecutters Way workshops

- University secure lobby [internal]; side access from Stone Cutters Way; and rear access from Howard Street South where covered cycle parking will be provided as well as an electricity sub-station
- Stairs and lift to basement up to third floor level
- First floor –
  - University centre
  - Adult education and access to higher education classrooms and seminar rooms
  - Student support service, learning centre and student lounge
  - Offices and staff rooms, counselling, and pastoral care rooms
  - Designated digital and creative art and design teaching spaces
- Second and Third floors
  - Designated teaching spaces, Classrooms, Staffroom and student learning space.

2.3 In terms of the component buildings/structures there will be retainment of the existing building fabric, including external walls and structural elements and the removal of the existing internal layout and fittings.

External works will include the removal of windows, roofs, rainwater goods and design alterations to the façade to facilitate its new use with the main details as follows –

- East elevation to Market Place/Stonecutters Way
  - Existing ground floor shop facade to be removed and new hardwood glazing system installed
  - Existing signage and canopy to be removed and new powder coated aluminium frontage fascia introduced with balustrades above
  - Existing rainwater goods to be replaced with matching black cast iron.
  - Existing stonework and brickwork to be overhauled and repaired with matching materials
  - Existing first to third floor timber windows to be overhauled and repaired with white painted finish
  - Existing slate roof to be stripped, insulated, and repaired, including domed slate roof and flagpole to be overhauled and repaired
  - East elevation to Stonecutters Way to be made good, some window openings bricked up and doorway and windows replaced with powder coated aluminium

- West elevation to Howard Street South
  - Existing pvc windows to be removed and openings adjusted to receive new powder coated aluminium escape doors
  - Existing pvc windows to be removed and redundant openings bricked up
  - Existing slate/concrete tiled roof to be stripped, insulated and repaired and existing perspec roofing sheets to be replaced and roof adjusted to received salvaged/new slates
  - Two existing fire escapes to be replaced
  - Removal of crittal windows and new slim line powder coated aluminium windows inserted
  - Brickwork and render to be repaired/repainted
  - Existing asbestos roof to be replaced with powder coated composite roof
- South elevation to car park and Austin Row no 60
  - Stone cladding and canopy to be removed and rendered finish over
  - Removal and bricking up of some windows and replacement of others with powder coated aluminium with louvres over
  - Removal of glazed rooflight and new slate roof over
  - Stained glass windows to be overhauled and made good as well as stained glass roof lantern with leaded roof finish
  - New slate roof section over existing flat roof/parapet
  - Other making good of south elevations to Stonecutters Way and alleyway adjacent rear access route
- North elevation to Stonecutters Way and Row 51
  - Removal of crittal windows and new slim line powder coated aluminium windows inserted
  - Some existing windows bricked up and other openings adjusted to suit new powder coated aluminium windows
  - Replacement timber doors with fanlights over to workshops
  - New external escape to Stonecutters Way

2.4 Internal alterations are proposed to achieve minimal internal full height walls on the ground floor to achieve lines of sight and create open space together with opening a void or central core to

the ornate rooflight above which will allow daylight to permeate across ground and first floors. The first floor and above will consist entirely and exclusively of learning space housing the university centre, adult education and access classrooms and seminar rooms and will have more enclosed layouts.

2.5 The area of the former boiler room and enclosure – now demolished, will house an electricity sub-station and covered parking for 20 cycles and south of this, seven parking spaces associated with the former department store will be removed to create level space for rear escape areas and delineation marking.

2.6 The indicative staffing levels are expected to be as follows:

- University Centre – 40 overall – but many will be sessional teachers. Approximately 10-15 in the building at any one time during operational hours
- Library and Registrars – 12 overall – usually three registers and five library staff in the building during operational hours

2.7 The hours of operation will vary by the user. The indicative hours of operation are summarised below:

- University Centre – 8.30 – 21.00 Monday to Thursday, 8.30 – 18.00 Friday. Students will have open access (using their student ID cards) to some areas for independent study on Saturdays and Sundays 8.30 – 18.00. Most classes are in the daytime, but there are also many evening classes in the week, and occasionally on weekends
- Library and Registrars The library open hours will remain the same as the current library open hours Monday to Friday: 9.30am to 7pm (8am to 9.30am Open Library access only) Saturday: 10am to 4pm (8am to 10am Open Library access only) Sunday: 10am to 4pm (Open Library access only) Open Library provides card access for users when the library is unstaffed

2.8 The application is accompanied by the following supporting documents:

- Design and Access Statement
- Planning Statement
- Transport Statement and Travel Plan
- Heritage Statement
- Front Balustrade Design Analysis

2.9 Additional supporting information from Great Yarmouth Borough Council regarding this regeneration Project –

#### **Great Yarmouth library and university centre**

“We are working towards creating a £15m new library and university centre in the former Palmers department store in the Great Yarmouth Market Place.

East Coast College and the University of Suffolk have formally committed to the scheme. The college will teach degree level courses at the new centre, accredited by the university.

The University of East Anglia is also backing the project, with plans to offer remote learning facilities for its students and professional development courses.

Norfolk County Council intends to create a new library, to replace the existing facility in Tolhouse Street, and will also host the county's award-winning adult learning service, registrars, and other information and community services.

In addition to the funding from East Coast College, the University of Suffolk, and Norfolk County Council, the project is being backed by nearly £7.5m from central government via Great Yarmouth's Town Deal programme and £2.4m from the Future High Streets Fund, secured by Great Yarmouth Borough Council.”

### 3. Site Constraints

- 3.1 The site is within Conservation Area No. 2 Market Place, Rows and North Quay.
- 3.2 The site is within the setting of two nearby listed buildings – Numbers 34 and 35 Market Place and 32 and 33 Market Place which are Grade II Listed Buildings.
- 3.4 The site is outside the flood risk zones from rivers and sea and is not at risk of surface water flooding.

### 4. Relevant Planning History

- 4.1 06/02/0549/F - Remove superimposed arches from framework, install new entrance doors (one set automatic). Approved July 2002
- 4.2 06/22/0805/F - Proposed demolition of plant room, external wall to plant area and associated flue. Approved November 2022

### 5. Consultations

#### 5.1. Statutory Consultees

Norfolk County Council Highways	Response: No objection
<p>The Highway Authority raise no objection but would recommend the following condition and informative note be appended to any grant of permission your Authority is minded to make</p> <p>SHC 14 No part of the proposed structure (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.</p> <p>Reason: In the interests of highway safety.</p> <p>SHC 21V Prior to the first occupation/use of the development hereby permitted the proposed cycle parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p>Reason: To ensure the permanent availability of the cycle parking in the interests of satisfactory development and encouraging the use of sustainable modes of transport.</p> <p>SHC 35BV The Travel Plan 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</p>	

development is occupied subject to approved modifications agreed by the Local Planning Authority as part of the annual review.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

<b>Officer comment / response:</b>	Noted – in terms of no doors on the ground floor being allowed to open out/encroach onto highway land – but in an emergency doors may have to open outwards.
Any relevant Condition / Informative note?	Suggest these are conditioned accordingly with minor revision to SHC14 as discussed above

<b>Norfolk Fire &amp; Rescue Service</b>	<b>Response:</b> No objection
I do not propose to raise any objections providing the proposal meets the necessary requirements of the current Building Regulations 2010 – Approved Document B (volume 2 – 2019 edition) as administered by the Building Control Authority.	
<b>Officer comment / response:</b>	This will be dealt with under Building Regulations application
Any relevant Condition / Informative note?	No condition necessary, can be added as an informative

<b>Norfolk Police – Designing out Crime Officer</b>	<b>Response:</b> No objection
<p>As the local Designing Out Crime Officer my role within the planning process is to give advice on behalf of Norfolk Constabulary in relation to, the layout, environmental design and the physical security of buildings, based upon the established principles of ‘Designing out Crime’.</p> <p>I have no objection to the proposed new use of the building however have some security recommendations to support the refurbishment to communicate to you.</p> <ol style="list-style-type: none"> <li>1. Replacement windows are recommended to be certified to PAS 24:2022 P1A Standard.</li> <li>2. All new wall glazing is recommended to be certified to PAS 24:2022 PA1 or LPS 1175 Issue 7 SR1 or STS 202: Issue 3 BR1 – unless it is to be protected by a LPS 1175 roller shutter or grille.</li> <li>3. New access doors to be certified to PAS 24:2022 or LPS 1175 Issue 7 SR2 or STS 201 or STS 202 Issue 3 BR2. It is expected that all doorset products are fit for purpose and therefore certification to the follow material specific standards is also recommended: • BS 6510:2010 (Steel) • BS 7412:2007 (PVCu) • BS 644:2012 (Timber) • BS 8529:2010 (Composite) • BS 4873:2009 (Aluminium)</li> <li>4. Door recesses should be avoided as they provide opportunities for crime and anti-social behaviour.</li> <li>5. Installation of an evidential quality CCTV System is recommended.</li> <li>6. Installation of a public address system is recommended.</li> <li>7. Installation of a monitored intruder alarm is recommended.</li> <li>8. Appropriate rule setting signing to be displayed</li> <li>9. Any Staff only areas to be protected by keypad access</li> <li>10. Consideration of a KeySafe (certified to LPS 1175)</li> </ol>	

<b>Officer comment / response:</b>	These are matters for the applicant to consider in implementing the proposal
Any relevant Condition / Informative note?	No condition necessary, can be added as an informative

## 5.2. Internal Consultees

<b>GYBC Strategic Planning</b>	<b>Response:</b> No objection
<p><u>Location &amp; Use</u></p> <p>The site is located within the Great Yarmouth Town Centre and Primary Shopping Area, with the eastern elevation running along the ‘protected shopping frontage’. The proposed scheme is largely compliant with Policy GY1 of the Local Plan Part 2 (LPP2) as it re-purposes and reconfigures a vacant building and has the potential to significantly enhance the building’s appearance and the wider townscape, it will also provide training and learning which could support local businesses. The proposal also has the potential to benefit the ‘Great Yarmouth Town Centre Regeneration Framework and Masterplan’ <a href="#">GY TC Masterplan 2017 LQ.pdf (great-yarmouth.gov.uk)</a> which seeks to enhance the market place and heart of the Town Centre as key leisure and visitation spaces. Policy GY1 also has regard to the ‘Future High Street Fund’ <a href="#">Great Yarmouth Borough Council submits £20m town centre regeneration bid to Government - Great Yarmouth Borough Council (great-yarmouth.gov.uk)</a>, whereby one of the aims is to enhance the library and provide a learning hub in a more central location, with the Palmers store as the identified location.</p> <p>Policy R1 of the LPP2 provides support to new Main Town Centre Uses (as defined within national policy) within the designated Town Centre. The planning application form sets out a loss of 5,285m2 of shopping floorspace (which would fall under Class E a)), with the same gain in library and educational uses (which now falls under Class F1). Such uses are not specifically referenced within the National Planning Policy Framework (NPPF) glossary definition for Main Town Centre Uses, though there are clear linkages with leisure, arts, culture and museums (most of which also fall under Use Class F1). It is worth noting that the Government extended permitted development rights to include libraries as an acceptable temporary change within town centres ‘to provide a greater mix of uses on the high street and increase footfall, and bring community uses closer to communities’ (NPPG). Clearly, consideration must be given as to whether this permanent loss of shopping (retail) space albeit from a vacant unit to a library and education centre is acceptable.</p> <p>In terms of ‘Protected Shopping Frontages’ under Policy R2 of the LPP2, while the wider scheme is not Class E, the proposal is to maintain an active frontage at the ground floor level with a café at the southern half and a seating area at the northern end. The frontage will maintain a full width hardwood glazing system. Given that the existing unit remains vacant and there is a clear community service function to visiting members of the public proposed, it is considered likely that the proposed use will generally support the vitality of the Town Centre.</p> <p>Policy CS15 of the Core Strategy requires a positive approach to the development of new and enhanced community facilities, including the promotion of mixed community uses in the same building, especially where this improves choice and reduces the need to travel. The site is located in the centre of the Town which is extremely accessible and supports travel by foot, cycle, bus, and train as well as private car. There is no indication within the supporting</p>	



documents as to whether the relocation of the library will result in any quantitative gain, though it is assumed that it will result in a quality enhancement. Given the scale and potential use of the library facility, this could be considered as 'strategic infrastructure'.

Policy C1 provides support for new educational facilities within Development Limits. The proposed education use has the potential to build capacity for locally trained high skilled workers, and offers connections to further education through the University of Suffolk and University of East Anglia. These are opportunities that currently do not exist within the Town; and therefore such considerations should be appropriately weighed up.

Design & Heritage

The building is not formerly listed, but clearly merits consideration as a non-designated heritage asset with significant internal and external features and its wider contribution to the market place. The site is located within a designated Conservation Area as part of the Market Place and historic Rows. The building is a significant feature within the Conservation Area as it projects one of the widest frontages of historic value in the Market Place. A detailed Heritage Impact Assessment has been provided to support the application, which has considered local details such as the identification of three historic rows within the site. The proposed external design seeks to complement its original Victorian features. The proposal also aims to retain and where possible enhance internal features. The NPPF requires a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. Overall, it would appear that the shopping use over many years has chipped away at some of the building's historic value, which could be restored and enhanced by the application proposal. This largely satisfies the requirements of national policy as well as Policies CS10 and E5.

Conclusion

While the application proposes a non-town centre use within the designated Town Centre and Primary Shopping Area, there are clear benefits to a proposed community use which will serve members of the public and those learning with the potential to increase local skills. Such a use will take away a significant amount of shopping floorspace in a key location, however, the building currently remains vacant and the proposed use can increase footfall.

The overall potential impact on the vitality and viability of the Town Centre must be weighed up. The Borough Council has identified this building and the library/education hub project within its own Corporate priorities as demonstrated in the Town Centre Masterplan and Future High Streets Funding bid. Clearly this is part of a wider regeneration strategy for the Town. Such intent must also be a material consideration. The building has historical significance as a non-designated heritage asset. It is important that any future use of this building seeks to retain and where possible enhance its historic features.

<b>Officer comment / response:</b>	Noted and addressed in Planning Analysis below
Any relevant Condition / Informative note?	<p>Conditions regarding use will be required to ensure the uses retain the broad mix and community-focus proposed in the development and ensure vitality to the town centre, and ensure that any change to the mix would require a planning application to bear public scrutiny and assess the effects in the round.</p> <p>A schedule of conditions will be presented to the Committee.</p>

**GYBC Conservation****Response:** Supports use with some concerns regarding proposed alterations

The former Palmers Store (37-39 Market Place) is a significant historic building which enhances the character and appearance of the Conservation area and contributes to its significance. The site has an interesting history and whilst the building is not designated on its own rights, it is an important landmark feature within the existing street scene; its architecture and history further contribute to the local character and distinctiveness.

The Conservation section supports the conversion of the building and its future use, however, there are some concerns in regards to the proposed interventions listed below: -

1. The shopfront is one of the most prominent features of the building. A heavy sectioned balustrade was historically present on top of the shopfront's fascia and could be seen on earlier photographs. Metal railing are now proposed instead – whilst Conservation does not raise objections to the principle of such an intervention, there are concerns regarding the proposed design and overall impact on the appearance of the building. We recommend that this proposal is reviewed so the design of the railing/balustrade reflect the historic character of the building.
2. The proposed decorative arches added to the shopfront make a reference to the existing first floor windows. However, the visual rhythm of the first floor is not reflected at the ground floor due to different widths of the sections and the central door section which differs in character. We believe that it would be for the benefit of the visual rhythm of the building and its characteristics, to omit the shopfront arches.
3. Windows to the north elevation of the building are proposed to be removed and replaced with new frames. It appears that this intervention is not carried out in a like-for-like manner at 'North B' which together with the 'North A' elevation result in a façade which incorporates a number of differently designed openings. Would it be possible to provide further details and justification of this design approach and possibly provide references to the suggested units (are they going to be double/single glazed; what is the proposed finish, etc).
4. There is a preserved decorative leaded shopfront at the North elevation facing the alleyway. It is not clear from the submitted drawings of the proposed elevations whether the glazing will be restored as well. Could this be confirmed please?

Conservation comments on revised railing/balustrade detail; and other points responded to by agent:

1. We welcome the detail and analysis you have undertaken in respect of the metal railings and think that your proposal taking influence from the earlier stone balustrade is a good solution.
2. We do not strongly oppose the arch shopfront window tops and would not comment adversely if submitted as part of a planning application. It does seem to disrupt visual rhythm at the central doorway and the narrower window to the north when the elevation is viewed as a whole, but generally acceptable.
3. We are content with the proposed fenestration to the north elevation in terms of style and material and would only question whether top hung is the best solution as they can have an awkward appearance en-masse.

4. 4. Noted	
<b>Officer comment / response:</b>	<p>Agent responded to Conservation Section comments above as follows –</p> <ol style="list-style-type: none"> <li>1. Metal railings – we have reviewed the design of these railings in light of your comments. The submitted Front Balustrade Design Analysis document shows the development of this design, and our revised proposals which reflects the historic character of the building.</li> <li>2. Decorative arches to the shopfront – as the comments note these are in reference to the arches on the first floor and we think these add something to the glazed façade – are you strongly opposed to these?</li> <li>3. Proposed windows on the north elevation - generally the glazing around the building has been approached in an ad hoc manner over the years with many different window locations and types evident in the existing building that reflected the internal uses. For example on the north elevation long, thin, high level glazed brick areas provided some natural daylight in the shopping spaces below. The proposed new educational uses have a requirement for adequate daylighting and ventilation with classrooms arranged along the external walls on the north and south. Where possible we have sought to retain the existing opening heights and rationalise the variations of window types. In particular we have sought to remove UPVC windows and unsympathetic glazing treatments across the building envelope. The strategy is to ensure the users have appropriate natural daylighting and ventilation and relate to the internal uses. The proposed glazing allows more daylight into the internal spaces, especially on the north façade. All new windows on the north, west and south elevations will be double glazed, powder coated aluminium windows that will improve the thermal efficiency of the building. The primary east elevation the glazing and existing windows are intended to be retained/ repaired where required with secondary glazing provided internally to improve the heat loss through those areas.</li> <li>4. The preserved leaded shopfront within the alleyway is proposed to be restored, this will include the glazing as some elements are in need of repair. It is intended that this window forms a feature internally alongside other historical elements in a registry / conference space.</li> </ol>
Any relevant Condition / Informative note?	Conditions regarding materials to be used etc.

## 6 Publicity & Representations received

Site notices / Press advert

Reasons for consultation: Major / Con Area

### 6.1 Ward Member – Cllr(s) C Talbot; J Martin; and M Smith-Clare

Representation	Officer Comment	Relevant Condition/Informative
No comments received	N/A	N/A

### 6.2 Public Representations

At the time of writing 0 public comments have been received.

## 7 Relevant Planning Policies

### The Great Yarmouth Core Strategy (adopted 2015)

#### Add & Delete as necessary

- Policy CS1: Focusing on a sustainable future
- Policy CS7: Strengthening our centres
- Policy CS9: Encouraging well-designed, distinctive places
- Policy CS10: Safeguarding local heritage assets
- Policy CS15: Providing and protecting community assets and green infrastructure
- Policy CS16: Improving accessibility and transport

### The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy GSP1: Development limits
- Policy GY1: Great Yarmouth Town Centre
- Policy A1: Amenity
- Policy C1: Community facilities
- Policy E5: Historic environment and heritage
- Policy I1: Vehicle parking for developments
- Policy R1: Location of retail development
- Policy R2: Protected shopping frontages
- Policy R7: Food and drink amenity

## 8 Other Material Planning Considerations

- Great Yarmouth Town Centre Regeneration Framework and Masterplan

### National Planning Policy Framework (July 2021)

- Section 2: Achieving sustainable development
- Section 4: Decision Making
- Section 8: Promoting healthy and safe communities
- Section 16: Conserving and enhancing the historic environment

Sections 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990:

- Section 66 requires in considering whether to grant planning permission for development which affects a listed building or its setting, the LPA 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.
- Section 72 requires with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

## 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.

### Main Issues

The main planning issues for consideration include:

- Principle of development
- Character and appearance and heritage assets
- Amenity
- Other matters

### **Assessment:**

**Proposal summary (reminder):** Proposed change of use from retail/commercial into education use to accommodate the relocated Great Yarmouth Public Library and provide new space for university classrooms and Adult Education (F1 (a) (d) uses); Ancillary associated uses; proposed external repairs to building fabric; Replacement door & windows; New ground floor entrance to Market Place; Internal amendments to facilitate new use; New external staircase

## 10 Principle of Development

10.1 The site is within the development limits in accordance with Policy GSP1 where development will be supported in principle subject to compliance with other relevant policies in the development plan and material considerations.

- 10.2 The site is located within the Great Yarmouth Town Centre and Primary Shopping Area, with the eastern elevation running along the 'protected shopping frontage'. The proposed scheme referred to as 'Great Yarmouth and Library University Centre' is largely compliant with Policy GY1 of the Local Plan Part 2 (LPP2) as it re-purposes and reconfigures a vacant building and has the potential to significantly enhance the building's appearance and the wider townscape, it will also provide training and learning which could support local businesses. The proposal also has the potential to benefit the 'Great Yarmouth Town Centre Regeneration Framework and Masterplan' which seeks to enhance the market place and heart of the Town Centre as key leisure and visitation spaces. Policy GY1 also has regard to the 'Future High Street Fund', whereby one of the aims is to enhance the library and provide a learning hub in a more central location, with the Palmers store as the identified location.
- 10.3 Policy R1 of the LPP2 provides support to new Main Town Centre Uses (as defined within national policy) within the designated Town Centre. The planning application form sets out a loss of 5,285m<sup>2</sup> of shopping floorspace (which would fall under Class E a), with the same gain in library and educational uses (which now falls under Class F1). Such uses are not specifically referenced within the National Planning Policy Framework (NPPF) glossary definition for Main Town Centre Uses, though there are clear linkages with leisure, arts, culture and museums (most of which also fall under Use Class F1). It is worth noting that the Government extended permitted development rights to include libraries as an acceptable temporary change within town centres 'to provide a greater mix of uses on the high street and increase footfall, and bring community uses closer to communities' (NPPG).
- 10.4 In terms of Policy R2 which relates to 'Protected shopping frontages' while the wider scheme is not Class E, the proposal is to maintain an active frontage onto the Market Place at the ground floor level with a café at the southern half and main library including seating area at the northern end. The frontage will maintain a full width hardwood glazing system. Given that the existing unit remains vacant and there is a clear community service function to visiting members of the public proposed, it is considered likely that the proposed use will generally support the vitality of the Town Centre.
- 10.5 Policy CS15 of the Core Strategy requires a positive approach to the development of new and enhanced community facilities, including the promotion of mixed community uses in the same building, especially where this improves choice and reduces the need to travel. The site is located in the centre of the Town which is extremely accessible and supports travel by foot, cycle, bus, and train as well as private car. There is no indication within the supporting documents as to whether the relocation of the library will result in any quantitative gain, though it is assumed that it will result in a quality enhancement. Given the scale and potential use of the library facility, this could be considered as 'strategic infrastructure' to which significant weight can be attributed.
- 10.6 Policy C1 provides support for new educational facilities within Development Limits. The proposed education use has the potential to build capacity for locally trained high skilled workers and offers connections to further education through the University of Suffolk and University of East Anglia. These are opportunities that currently do not exist within the Town; and therefore such considerations are of material importance.
- 10.7 While the application proposes a non-town centre use within the designated Town Centre and Primary Shopping Area, there are clear benefits to a proposed community use which will serve members of the public and those learning with the potential to increase local skills. It is acknowledged that such a use will take away a significant amount of shopping floorspace in a key location, however, the building currently remains vacant and the proposed use will increase footfall. In terms of the proposed use the overall potential impact on the vitality and viability of

the Town Centre must be a consideration and it is suggested that this can be a significant material consideration for the decision maker.

- 10.8 The Borough Council has identified this building and the library/education hub project within its own Corporate priorities as demonstrated in the Town Centre Masterplan and Future High Streets Funding bid. Clearly this is part of a wider regeneration strategy for the Town and such intent is considered a significant material consideration.
- 10.9 In summing up the policy position; in terms of Policy R1 the proposal will result in a permanent loss of the majority of existing retail shop floorspace. However some Class E uses will still be provided on the ground floor such as café where food and drink is mostly consumed on the premises and services principally to visiting members of the public such as Registrar's office and there is significant consideration that such other uses as are proposed will provide a greater mix of uses in the Town Centre and increase footfall, and bring community uses closer to communities and as such is considered acceptable in this location. If there is a degree of conflict with this policy it can be argued that this conflict is outweighed by the balance of weight and support that can be attributed to Policy CS15 as supported by Policy C1, as discussed above.
- 10.10 In terms of Policy R2, 'Protected shopping frontage' this states that proposals to change the use of active ground floor uses from Use Class E to other uses will only be permitted where:
- a. their primary function is to provide services and/or sales to visiting members of the public; and
  - b. they provide an active ground floor frontage (e.g. window displays, entrances and views of internal activity); and
  - c. they do not undermine the vitality and viability of the town centre.

In respect of criterion a) the main public library, café, registrars and other information and community services on the ground floor will be providing services to visiting members of the public.

Regarding criterion b) it has already been referred to above that the entire glazed frontage of the premises to the Market Place will provide for an active ground floor frontage.

In terms of criterion c) the proposal will make use of vacant floor space as a destination point that will likely bring people of all ages into the Town Centre in terms of its use and as such rather than undermine the vitality and viability of the Town Centre will positively benefit the Town Centre in this regard due to the likelihood of linked trips etc.

- 10.11 On balance and having regard to all the issues raised the proposal is not considered contrary to the development plan and is acceptable in this location.

## **11 Impact on Character and appearance of the Area including Heritage Assets**

- 11.1 The character of the area is contributed to by the divergence of uses, public realm, conservation area and listed buildings amongst others. The building itself is not listed. It is important to note that the building has sat empty nearly three years plus throughout the history of the building complex there have been many adaptations and alterations [not always sympathetic to the building complex in terms of interventions and materials both internally and externally] however these do evidence how the buildings have developed over time. Following recent stripping out of the building complex to get it ready for development significant internal features have been revealed and coupled with the significant external features and the buildings presence and

contribution to the Market Place it can be considered a non-designated heritage asset – paragraph 203 of the NPPF is relevant in this regard.

- 11.2 The proposals seek in the main to refurbish and repair the existing structure and arguably improve its overall appearance and therefore contribution to the character and appearance of: the area in general; the Conservation Area; and the setting of nearby Listed Buildings. The proposal is accompanied by a Heritage Impact Assessment which concludes in section 5 as follows:

*‘The proposal fully acknowledges the local significance of the non-designated heritage asset Palmers Department Store and seeks to provide maximum enhancement: The proposal preserves and enhances this part of the Conservation Area and enhances the architectural and historic interest of this important range of buildings of local interest.’*

- 11.3 There has been ongoing discussion with the Councils Conservation Section and their main concerns appear to have been resolved, principally with regard to balustrade/railing detail to the principal [east facing elevation] and window interventions as set out in section 5.2 above. Any remaining concerns [or harms] have to be balanced against the public benefits of the proposal including, where appropriate securing its optimum viable use – paragraph 202 NPPF. In this regard any harms to the non-designated heritage asset are considered to be less than substantial and are significantly outweighed by bringing this building complex back into a viable use and the significant public benefits that this use will bring to the Town Centre and wider community.
- 11.4 Furthermore, the proposal has been assessed against sections 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 11.5 In relation to section 66 this requires in considering whether to grant planning permission for development which affects a listed building or its setting, the LPA 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. The proposal does not relate to a listed building and there is no harm to the setting of nearby listed buildings and as such their setting is preserved.
- 11.6 Section 72 requires with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability or preserving or enhancing the character or appearance of that area. Again, the proposal is not considered to cause harm to the character and appearance of the conservation area including Rows and indeed the totality of the works to repair and refurbish the building and bringing it back into a viable use will likely significantly enhance the Conservation Area.
- 11.7 As such the proposal is considered to comply with Policies CS9, CS10 and E5 of the development plan.

## **12 Amenity**

- 12.1 In terms of the amenities of the locality and assessing the impact of the proposed uses on these, regard must be had to the mixed character of the location which includes both residential and commercial within a main Town Centre location including nighttime activity. All proposed uses are considered relatively benign and unlikely to give rise to any unacceptable impacts in terms



of the amenities of the occupiers of existing development. There will be educational uses on the first floor and above where windows will face existing residential property but this relationship is considered acceptable.

- 12.2 In terms of hours of use, there is likely to be key-card access for registered users when the library/university centre is not staffed. This access and use will likely be covered by CCTV. Particularly in relation to students, some do not have quiet spaces or computer/wifi access at home and work around shifts and there is the potential for access possibly 24hrs 7 days a week. Again, given the location of the site and its principal access/egress being to/from the Market Place, it is not considered necessary to seek to restrict the hours of use of the premises.
- 12.3 As such, the proposal is considered compliant with Policy A1

### **13 Access, Traffic and Highways impacts / Parking & Cycling Provision**

- 13.1 The site is located within the pedestrianised Market Place – a commercial hub – the area has efficient public transport links and an existing cycle parking provision. The proposed landscape plan on the western boundary includes a provision of no. 20 new covered cycle parking spaces, on top of the proposed public realm works within the Market area, that will also contribute to this provision. This is to further encourage sustainable modes of transport.
- 13.2 Vehicle trips associated with the development can also be accommodated in the adjacent Howard Street Car Park or other nearby car parks and local highway network, which are all highlighted in the accompanying Transport Statement and Travel Plan.
- 13.3 It is to be noted that the Highway Authority has no objections to the proposal subject to securing the cycle parking provision and implementation of the Travel Plan to ensure a wide range of travel choices. It is considered that the proposal satisfies Local Plan Policies CS16 and I1.

### **14 Drainage**

- 14.1 Foul Drainage and surface water drainage is to existing sewer systems. In terms of Nutrient Neutrality – Site within water recycling centre network draining outside of nutrient neutrality catchment.

### **15 Social and Economic impacts**

- 15.1 The following is a summary of both social and economic impacts attributable to the proposal which are considered material to the determination of the application:
- Regeneration and economic benefits
  - Improved public access to a non-designated heritage asset
  - Improved public realm through repair and refurbishment and re-use
  - Potential to build capacity for locally trained high skilled workers, and offers connections to further education

- Provision of Adult learning Service
- Provision of strategic infrastructure in the form of Public Library
- Community service function to visiting members of the public
- The proposed use will generally support the vitality of the Town Centre

## 16 **Local Finance Considerations**

- 16.1 Under Section 70(2) of the Town and Country Planning Act 1990 the Council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant such as new homes bonus, or the Community Infrastructure Levy (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.

## 17 **The Planning Balance**

- 17.1 In terms of Policy R1 the proposal will result in a permanent loss of the majority of existing retail shop floorspace. However some Class E uses will still be provided on the ground floor such as café where food and drink is mostly consumed on the premises and services principally to visiting members of the public such as Registrar's office and there is significant consideration that such other uses as are proposed will provide a greater mix of uses in the Town Centre and increase footfall, and bring community uses closer to communities and as such is considered acceptable in this location. If there is a degree of conflict with this policy it considered that this conflict is outweighed by the balance of weight and support that can be attributed to Policy CS15 as supported by Policy C1. Furthermore, the loss of retail shop floor space has to be balanced with the mix of uses that are proposed including commercial, business and service uses as well as learning uses, some of which will off-set the loss of retail shop floor space and arguably will provide for uses that are Policy R2 compliant
- 17.2 The proposal will have a positive impact in heritage terms and there are no identified harms that will not be outweighed by public benefits.
- 17.3 The Social and Economic Impacts are material to the determination and weigh heavily in favour of the proposal.
- 17.4 Therefore on balance the proposed use is not considered contrary to the development plan and in all other regards the proposal is considered acceptable as assessed in the sections above in relation to development plan policy and other material considerations.

## 18 **Conclusion and Recommendation**

- 18.1 Having considered the details provided, the application is considered to comply with policies CS9, CS10, CS15 and CS16 from the adopted Core Strategy, and policies GSP1, GY1, R1, R2, A1, E5 and I1 from the adopted Local Plan Part 2. It is considered that there are no other material considerations to suggest the application should not be recommended for approval.

**RECOMMENDATION:**

It is recommended that application 06/22/0955/F should be APPROVED, subject to:

**The following Conditions:**

**Proposed Conditions**

A schedule of the proposed conditions will be provided in an update ahead of Committee.

**Informative Notes:**

To be provided in update sheet ahead of Committee.

**Appendices:**

- 1. Site Location Plan

