

## **Schedule of Planning Applications**

**Committee Date: 05 October 2022**

Application Number: **06/22/0453/F** - [Click here to see application webpage : 06/22/0453/F](#)

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

Site Location Plan: See Appendix 1

Proposal: **Retrospective permission for single storey extension to incorporate new kitchen equipment and internal alterations**

Applicant: Mr Christophi

Case Officer: Mr Robert Parkinson

Ward: Gorleston Ward

Date Valid: 26/05/2022

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 concern around other developments at the site.

### **RECOMMENDATION:**

**APPROVE subject to first receiving amended 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 within the centre of the rear (east) elevation of the hotel, positioned between the restaurant and the larger of 2 bars, and within the extensive external dining area. The rear wall of the hotel which has been covered up by the unauthorised works has vertical columns of knapped flint within the façade, which is not a typical material to these parts and reflects wealth and status at the time of construction, so would have provided some minor heritage interest.
- 1.3 The application is retrospective as works started on 1<sup>st</sup> April, as stated in the application form, and works have progressed up to roof level leaving the blockwork of the external walls as the facing materials currently, which are temporarily screened by hoarding covered in artificial ivy. Prior to the works commencing the site was last used as a small pizza servery / kiosk and external seating which still surrounds the site.

- 1.4 To the north are the hotels rear car park, and a flat-roofed electricity substation beyond on Cliff Hill. To the south and west is the rest of the hotel dining complex and bar. Immediately east is the raised and covered external dining area sited above the wooded slope and east of that some 7m lower is Beach Road.
- 1.5 The land level changes are significant in this location although not especially relevant to 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.

## **2. The Proposal**

- 2.1 The application seeks planning permission for the retrospective and continued construction of the currently unauthorised square and flat-roofed single storey extension at the rear of the hotel. The extension would provide more kitchen facilities and a new internal access route linking the kitchen and washup/preparation area with the bar, restaurant and external dining terrace. The external appearance is proposed to be in white render and upvc fenestration to match the existing rear elevation. A start has been made on installing a sizable steel airhandling and extraction system on the new flat roof though this is not shown within submitted plans. No parapet detailing or similar devise is shown on the submitted plans to help screen or conceal this.
- 2.5 The application submission comprises application form, location plan, block plan, and floor plans and elevational views from the east and north. These are provided at Appendix 1 and 2.

## **3. Site Constraints**

- 3.1 The hotel building, this part of the garden terrace and the wooded slope are all within Conservation Area No. 12 Cliff Hill. The rest of the garden terrace and wooded slope to the south are within Conservation Area No. 17 Gorleston, but there is no interconnection with this part of the site and that conservation area. The hotel itself is not a listed building.
- 3.3 The whole of the hotel complex and Grenfell Court apartments are covered by a 1965 Area Tree Protection Order ref: TPO A6 No.1 1965, but no trees are affected by this development.

## **4. Relevant Planning History**

- 4.1 The current works the subject of this application have been paused because the Council served a planning enforcement Temporary Stop Notice on the activities when it became apparent that works were being undertaken that had the potential to cause an impact on the conservation area and local residential amenity.
- 4.2 There has been various planning history at the Cliff Hotel site and the most relevant to this part of the site are shown in the table below.

- 4.3 Permission 06/11/0096/F removed and extended the original bay window of the rear elevation to the bar and constructed the enlarged projecting rectangular 'bar 2' and dining terrace beyond. That was in turn extended further east and the terrace extended north into the current arrangement, through permission 06/11/0752/F.
- 4.4 Permission 06/11/0096/F also included a single storey toilet and entrance extension on the northeast corner of the building (on the Regal Room) which has not been constructed yet and would be extant, but to do so would likely now hinder the use of the car park and access from the north side of Cliff Hill, which is the access required for the proposed two holiday cottage units considered by the Development Control Committee in this same meeting (application 06/21/0880/F).

06/11/0096/F	Proposed single storey extension to rear garden to provide a conservatory with outdoor screened decking area. Extension to the side and rear for toilets and entrance to the function room.	Approved 13/04/2011
06/11/0752/F	Recently approved conservatory to be extended and extension to form a porch and a store to the bar	Approved 20/01/2012
06/11/0614/F	Proposed proprietary retractable awning over existing decking in rear garden	Approved 10/02/2012
06/21/0880/F	Construction of two new single storey holiday let cottages adjacent existing main hotel	Approved 20/01/2012

## 5. Consultations

### Statutory Consultees

#### **Highways Authority – No objection.**

- 5.1 The proposals do not have any highway implications.

#### **Environmental Health Officer – No objection subject to conditions.**

- 5.2 The Environmental Protection Team requests details of any external plant equipment (i.e. extract systems and filtration) to ensure noise disturbance is not caused at nearby properties. Additionally, the applicant is required to provide details of odour filtration equipment (including the equipment's dwell time) and the associated noise data sheets.

- Officer response: this information has not been provided to date, but the surrounding uses and the distances to those uses are unlikely to be considered so close or sensitive that appropriate mitigation cannot be achieved. The

details and specifications do need to be provided before the development proceeds and can be secured by conditions.

### Internal Consultees

#### **Conservation Officer – Objects.**

- 5.2 “The Cliff hotel is a building situated within the Cliff Hill Conservation area with different parts of it dating from 19th and 20th century. Recent alterations and additions are present.
- 5.3 The existing elevation (prior to the works) had a fine rhythm and balance. The proportions and arrangement of features (first and second floor windows and doors aligned with ground floor fenestration, ironwork, etc) were an example of traditional design which contributed to the character and appearance of the Conservation area.
- 5.4 The proposed works include the removal of ironwork sections to the ground floor (probably dating from the first half of the 20th century), blocking up of a former opening and the construction of a single storey flat-roof extension. The proposal reverses the rhythm and affects the initial symmetry and features of the elevation which impacts the character and appearance of the Conservation area.
- 5.5 For the reasons mentioned above Conservation section can’t support the proposed development.”
- Officer response: Planning Officers have carefully explored the design issues and presented a considered opinion on balance described in the report below.

#### **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 no public comments have been received.

#### **7. Relevant Planning Policies**

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

- 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

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

- Policy A1: Amenity

- Policy E5: Historic environment and heritage

## 8. Other Material Planning Considerations

### National Planning Policy Framework (July 2021)

- Section 4: Decision Making
- Section 6: Building a strong, competitive economy
- Section 12: Achieving well designed places
- Section 16: Conserving and enhancing the historic environment
- paragraph 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."*

### **Main Issues**

The main planning issues for consideration are:

- Principle of development
- Impact on heritage assets, design and visual amenity of the area
- Impacts on neighbouring amenity
- Other material considerations

### **Assessment:**

The application proposes: *Retrospective permission for single storey extension to incorporate new kitchen equipment and internal alterations*

## 10. Principle of Development

- 10.1 The location within development limits, and the proposed extension to an existing business and tourism facility, are both appropriate within the grounds of the established hotel and its sustainable location.
- 10.2 There is no objection to the principle of the development if other policies are satisfied, principally those of providing a high quality design, enhancing the character of the area and avoiding harm to heritage assets, and avoiding harm to amenity.

## 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 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 asset affected by this proposal are the character and appearance of Conservation Area No. 12 Cliff Hill. The setting of Conservation Area No. 17 Gorleston to the south or Grade II listed Pavilion Theatre to the east is not affected as the site is so contained within the hotel complex that there are no opportunities to recognise the development in the setting of those assets.
- 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 the Conservation Area

works include the removal of ironwork sections to the ground floor (probably dating from the first half of the 20th century), blocking up of a former opening and the construction of a single storey flat-roof extension. The proposal reverses the rhythm and affects the initial

symmetry and features of the elevation which impacts the character and appearance of the Conservation area

11.7 The Conservation Officer objects because:

- (i) the scale, form and position of the development is detrimental to the character and appearance of the Cliff Hill Conservation Area, and because,
- (ii) the appearance and design harmony of the building would be detrimentally affected by the position, scale and mass of the extension which again affects the symmetry of the elevation and causes harm to the character and appearance of the conservation area.

11.8 The development's relationship with the conservation area is in views from, and to, the north and east. There are no direct views of either the extension or the currently horizontal air extraction system on the roof from the east, whether from close or distance vantage points. This is because the extension to the building as built is low profile, set back and at a slightly lower level than the intervening dining terrace and bar structures which are visible.

11.9 In views from the north on Cliff Hill, only the very top of the flat roof and extraction system is visible due to the setback distance from the boundary and the intervening fence. This looks more stark at present because the building is unfinished but the shape is at odds with the form of the original building, although is consistent with the boxy form of the extended bar and the dining terrace enclosure.

11.10 Overall, there are not extensive or frequently visited views from the north, but it is considered that views from the north are affected by the development and the character and appearance of the conservation area is consequently harmed to some degree. The level of harm is a low level of less-than-substantial harm, but the designated heritage asset should be preserved and enhanced, not eroded. It is suggested that the development as proposed, even if finished, will continue to cause increased detriment to the heritage asset's significance and should be mitigated by screening the extraction system from view, if not removing it altogether. Amended plans are sought and considered necessary before any permission can be issued.

11.11 It is appreciated that the Conservation Officer may continue to have understandable concerns about the loss of design character on the building as a result of this extension. There is no question that the east elevation and the original form of the building has fine architectural qualities including the rhythm and alignment of windows, and balance or proportions which demonstrate care and craftsmanship of the traditional design. Nevertheless this is already somewhat harmed by the previous extensions, and the building is not listed, does not appear to qualify as a non-designated heritage asset, and other than being in the conservation area this elevation - at ground floor level - has little historic or architectural contribution to the wider area.

11.12 The Conservation Officer raised concerns that the original rhythm, form, balance and detailing of the hotel building is negatively affected, which is agreed with, but this is very localised and noticed only really from immediately in front of the affected elevation which is within the grounds of the hotel. In views from afar the hotel is seen only as first floor and above, and in closer views from Pier Gardens for example the extension is not visible as it is sufficiently set back and screened by the other structures (bar and terrace) that it is not distinguishable from outside the site.

- 11.13 However, this would likely change if the air extraction system were to be increased in height from what is already installed, so plans are needed to clarify the details intended, and in respect of being able to avoid detriment to design, include a form of parapet to shield it from views from the north and within the site.
- 11.14 In respect of the covering of the vertical flint columns, similar losses of the knapped flintwork columns have been allowed to take place through earlier permissions and this is no different in principle.
- 11.15 To satisfy policies CS9, CS10 and E5 proposals should provide positive designs that reinforce local identity, and conserve and enhance the significance of heritage assets by positively contributing to the character and local distinctiveness of the area. The scheme is considered unable to fulfil these objectives until such time as the extraction system is screened / shielded from view. Left unresolved, the development will also create a very small level of less-than-substantial harm to the heritage asset 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. Impacts on neighbouring amenity**

- 12.1 The only adjoining uses that are likely to be affected by any noise or odour from the kitchen extension and extraction system are those within the hotel complex itself, either staying in the hotel or in the holiday cottage Cliff Hotel and (if approved) the two cottages proposed in application 06/21/0880/F. These uses should be protected where possible in the interests of maintaining tourism attraction in the area but do not expect the same amenity protections as permanent residential uses. To this end it is considered that the specifications requested by the Environmental Health Officer should be provide but will not prevent the development from being acceptable in principle and can be left to be resolved by conditions.
- 12.2 As such it is considered that with the appropriate safeguarding measures secured by conditions, the application will accord with policies CS9 and A1 and NPPF paragraph

## **13. Other Material Considerations**

- 13.1 The development will provide additional facilities to support the tourism accommodation at the site, 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.

### **Local Finance Considerations**

- 13.2 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.



#### **14. The Planning Balance**

- 14.1 The development proposals will have only very small impacts on neighbouring uses, and - if the design can be amended to screen the harmful appearance of the extraction system – should have only a very low level of less-than-substantial harm to the significance of designated heritage assets.
- 14.2 Balanced against this, the development will enhance the facilities available to the hotel and tourism offer in the and local area, and will create economic investment to the benefit of the wider economy.
- 14.3 The concerns of the Conservation Officer are not lightly disagreed with, and their concerns are acutely relevant. However, it is not considered, on balance, that a proposed refusal of the application would be supported on appeal, and as the development is partially built the likelihood is that a refusal would be challenged.
- 14.4 Nevertheless, it is considered possible for the most significant level of harm to be addressed and lessened through modified / amended plans. The amended plans are necessary to make the whole development acceptable by reducing the impact of the extraction system and therefore reduce the level of harm that element causes, to a level where the public benefit would be sufficient to outweigh the harm as is the process required by the NPPF and local policy.

#### **15. Conclusion and Recommendation**

- 15.1 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.
- 15.2 The application involves a only a low level of less than substantial harm to the significance of designated heritage assets, and a small additional impact to neighbouring uses which should be addressed by conditions. Overall, the planning balance exercise has demonstrated that sufficient public benefits exist to outweigh those harms.
- 15.3 Therefore, it is considered that subject to the receipt of suitable amended plans, and subject to the proposed conditions, the development will comply with policies CS6, CS8, CS9 and CS10 of the adopted Core Strategy (2015), and policies A1 and E5 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 once amended.

#### **RECOMMENDATION:**

- (i) It is recommended that application 06/22/0453/F should be APPROVED, subject to:**

- (A) Receipt of satisfactory amended plans to achieve appropriate screening and shielding of the rooftop-mounted extraction and ventilation system;

And;

(B) Inclusion of the Proposed Conditions listed below.

- (ii) **If the relevant plan amendments are not provided, to refer the application back to the Development Control Committee for re-consideration of the application, on the grounds of failing to respond to the design and character of the area and lessen the detrimental impacts and harm caused to the significance of the conservation area to a level that could be outweighed by the public benefits of the proposal, as required by policies CS9, CS10, E5 and NPPF paragraphs 199, 200 and 202.**

### **Proposed Conditions**

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

1. In accordance with approved plans and relevant supporting documents;
2. Details of air handling and extraction / ventilation system noise and odour emissions and controls - details to be agreed and protections installed prior to the first beneficial use of the extension.
3. External walls and roof parapet materials to match the existing building.
4. No installation of any additional plant and machinery without prior approval.

Informatives:

- Air quality and construction noise advice.

### **Appendices:**

1. Site Location Plan, floor plans and east elevations.
2. Block plan, hotel floor plans and north elevations.



**EXISTING EAST ELEVATION - 1/100**



**PROPOSED EAST ELEVATION - 1/100**

**MATERIALS**

**Roof - Flat Roof**  
**Walls - K-Render to match existing**  
**Fenestration - uPVC to match**



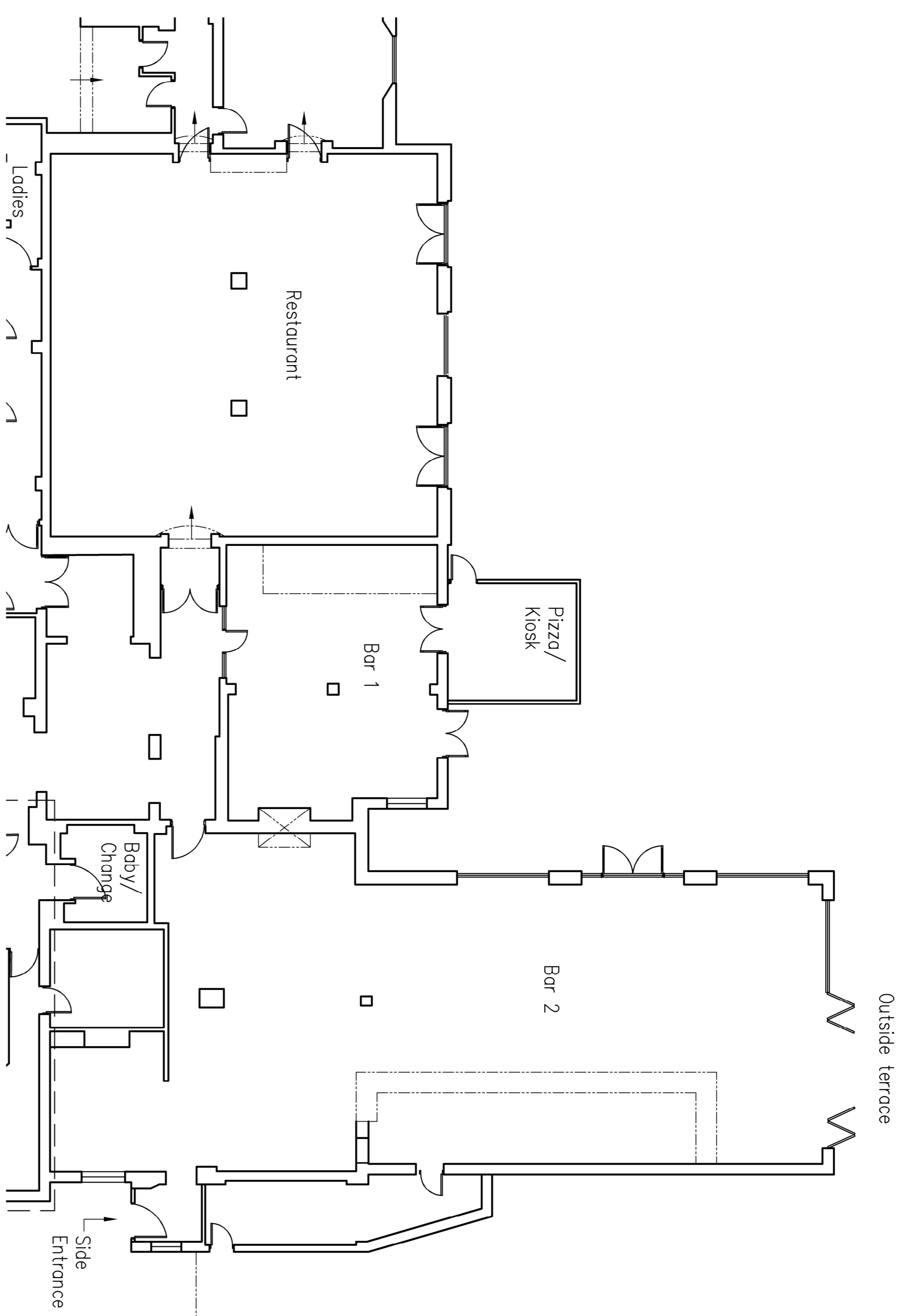
**LOCATION PLAN - 1/11250**

SJC Architectural Services  
 147 Stoke Quay  
 Ipswich  
 Suffolk  
 IP2 8SN

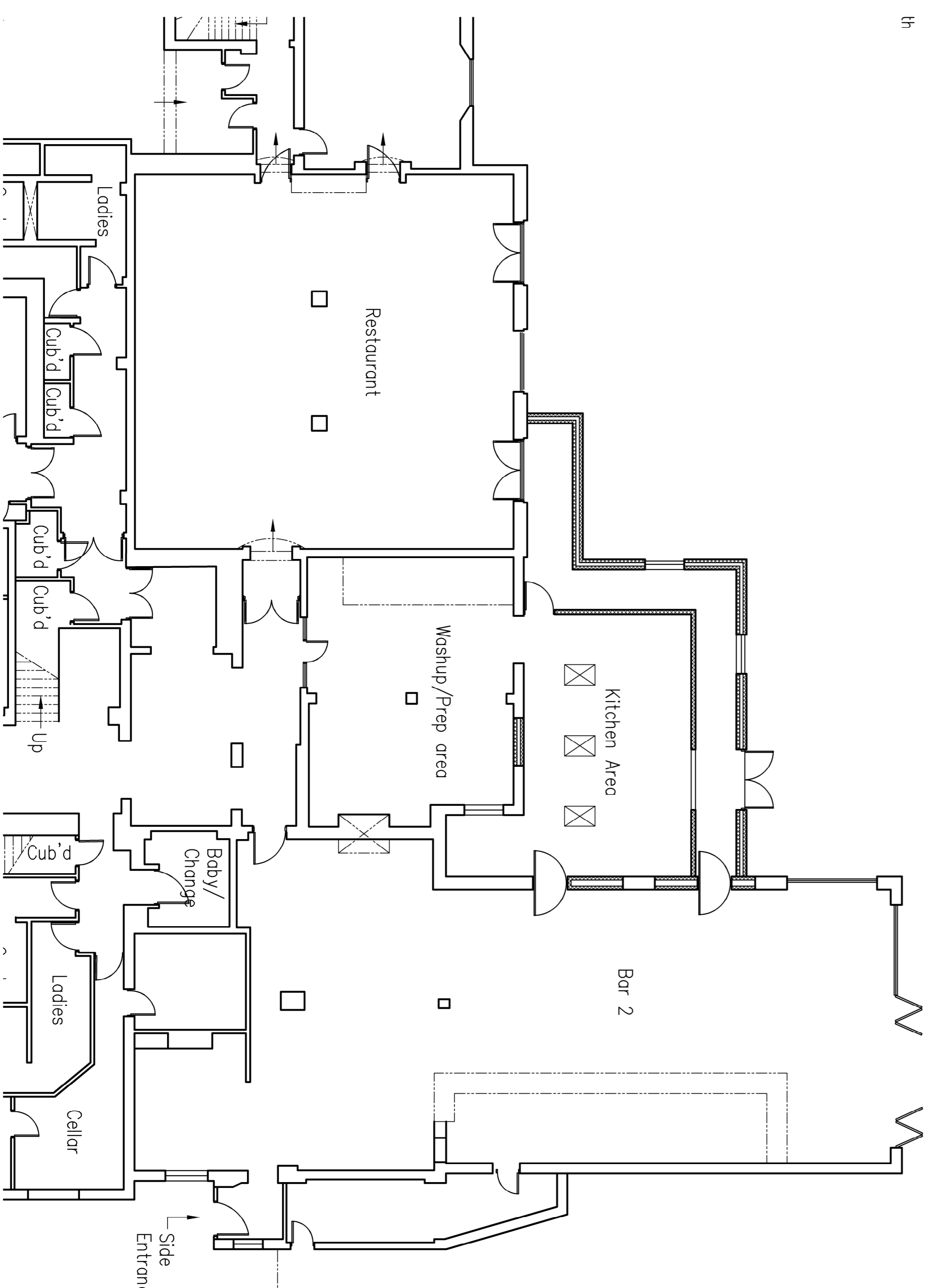
e: [stuart@sjcarchitectural.com](mailto:stuart@sjcarchitectural.com)  
 t: 07368 311340

**Client:** Cliff Hotel  
**Address:** Cliff Hill Gorleston  
**Project No:** SJC **Scale:** As Shown  
**Dwg No:** P01 **Rev:**

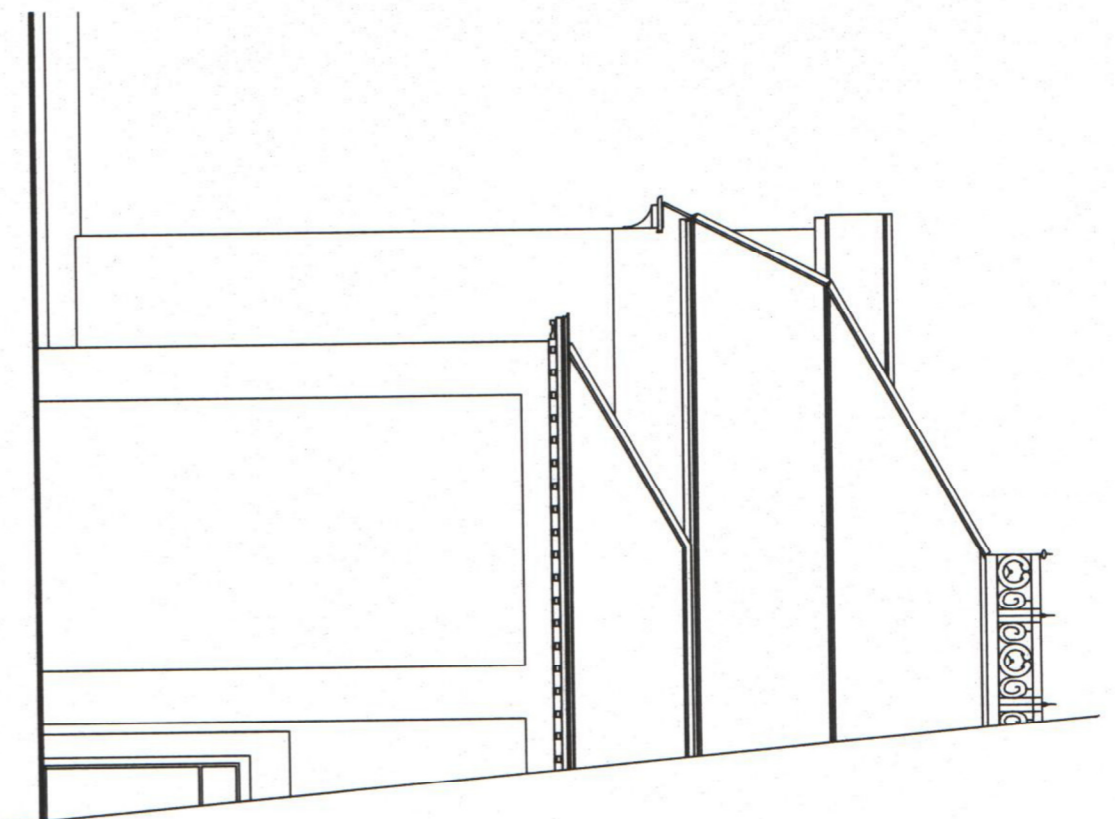
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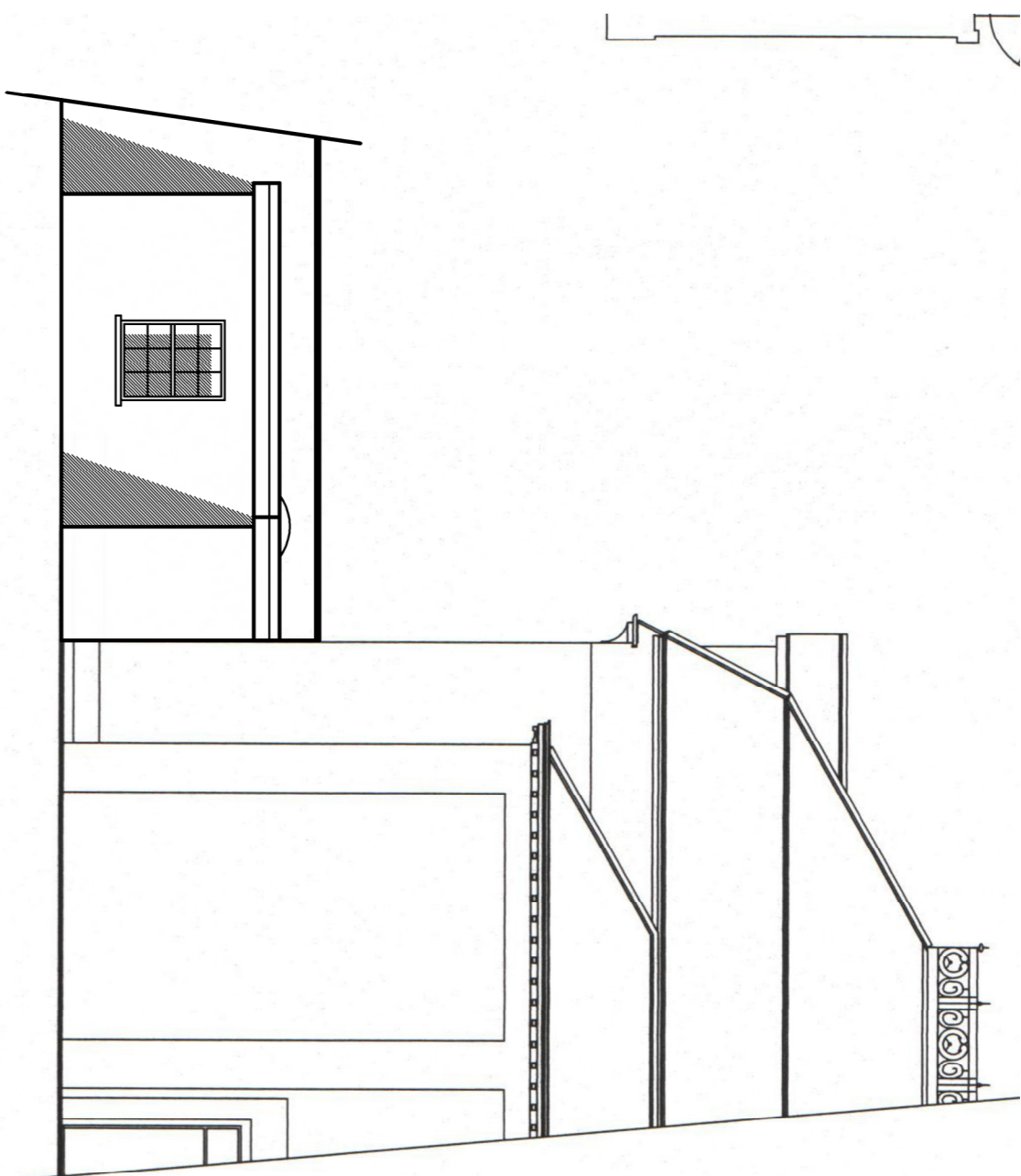
**EXISTING FLOOR PLANS - 1/100**



**PROPOSED FLOOR PLANS - 1/100**



**EXISTING NORTH ELEVATION - 1/100**



**PROPOSED NORTH ELEVATION - 1/100**



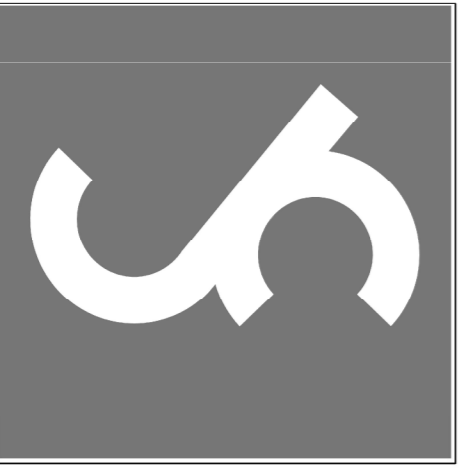
**PROPOSED SITE PLAN - 1/500**

**Client:** Cliff Hotel

**Address:** Cliff Hill Gorleston

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

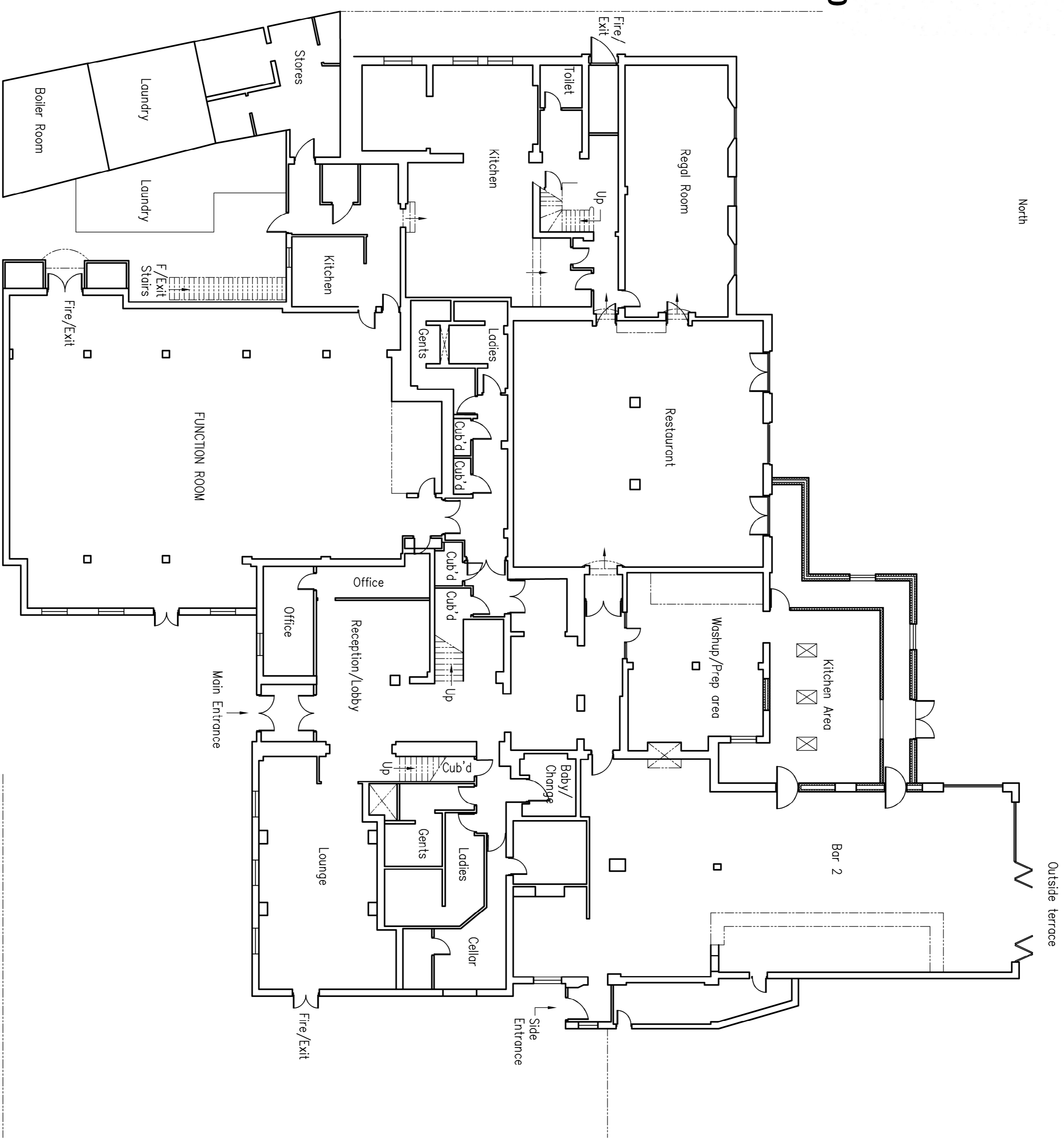
**Dwg No:** P02      **Rev:**



SJC Architectural Services  
147 Stoke Quay  
Ipswich  
Suffolk  
IP2 8SN

e: [stuart@sjcarchitectural.com](mailto:stuart@sjcarchitectural.com)  
t: 07368 311340

**Dwg Title:** Proposed Kitchen Extension



**OVERALL GROUND FLOOR PLAN - 1/125**