GREAT YARMOUTH
BOROUGH COUNCIL

Development Control Committee

Date: Wednesday, 13 April 2022
Time: 18:00
Venue: Council Chamber
Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.
You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

3	**APPLICATION 06-22-0109-F AND 06-22-0058-LB - WELLESLEY ROAD, RECREATION GROUND, GREAT YARMOUTH** Report attached.	**3 - 19**
4	**APPLICATION 06-21-0914-F - LAND ON HEMSBY BEACH BETWEEN NEWPORT ROAD AND NORTHERN END OF OVERFLOW CAR PARK, OFF BEACH ROAD, HEMSBY, GREAT YARMOUTH** Report attached.	**20 - 60**
5	**APPLICATION 06-22-00093-F - LOWER ESPLANADE, GORLESTON** Report attached.	**61 - 76**
6	**ANY OTHER BUSINESS** To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.	

Reference: **06/22/0109/F**
and
06/22/0058/LB

Parish: Great Yarmouth
Officer: Chris Green
Expiry Dates: 21-03-22 and 14-04-22

Applicant:

Proposals: **06/22/0109/F:**
Proposed creation of Community 3G Football Turf Pitch with 4.5m high fencing, a maintenance equipment storage container and 6 no. 12 m high LED Floodlights, associated hard standing, and external works to refurbish Tennis Pavilion

and,

06/22/0058/LB:
Proposed refurbishment of Tennis Pavilion to include internal alterations

Site: **Wellesley Road Recreation Ground, Great Yarmouth**

Procedural note:

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 05 April 2022, 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.

REPORT

1. Site Description

1.1 The site is a block of open land to the north of the more intensely developed parts of the seafront, that has been used for public recreation since the turn of the 20th century. To the west are terraced houses on Wellesley Road, some in tourism use. To the east are properties on North Drive, many in tourism use with planning policy requiring such use be retained. To the south, Albemarle Road also hosts residences.

1.2 There is on-street parking to the south and west, that to the south being end-on to the kerb on what is a very generous width of road.

1.3 The site is fringed by roadside trees to the west and mature trees to the south just within the site. None of the trees are identified as being specifically protected by Tree Preservation Order but the area is covered by Conservation Area (no 16, Seafront) status so they are effectively preserved. It should be noted the proposals threaten two Category B quality Sycamore trees and proposal their removal with replacements suggested (it is noted that the application Design and Access Statement thought the site not to be in a conservation area).

1.4 The recreation ground is surrounded by 1.8m high concrete walls, that appear to be a fairly early example of this material, and hosts three buildings that are on the national register as listed (grade 2), these being: a brick and timber with slate roof grandstand to the centre of the east side; a tennis pavilion subject to repairs and restoration as part of this application on the centre of the south side next to Albemarle Road; and, a timber framed with render infill and plain-tile roofed ticket booth to the southwest corner entrance to the park.

1.5 There is a multi-use games area (40 x 25m) to the south east corner surrounded by a 5m high catch fence and floodlights on columns and a tennis court (31x15m) in the south west corner surrounded by lower fences.

1.6 The site is in flood zone 2 with its flood risk relating to tidal over-topping of the sea defence rather than fluvial surface water flooding or pluvial groundwater flooding.

1.7 The site is operated by the Borough Council and currently operates to 21.30 on any day. There is no history of planning restriction to constrain this currently.

1.8 Accompanying the proposal are the following documents:

- Planning Application Forms and Certificates of Ownership.
- Application drawings and drawings for signage
- Design and Access statement with Planning statement
- Flood Risk Assessment
- Transport Statement
- Visualizations
- Technical lighting design
- Heritage impact assessment (including specification for works)
- Bat roost assessment
- Arboricultural impact assessment

2. Proposal

2.1 Of the three listed buildings within the recreation ground, the tennis pavilion is proposed in this application to be restored (application 06/22/0058/LB) and put into use for its original function as a changing room.

2.2 The associated full application 06/22/0109/F proposes a 6 metre long “iso” corrugated metal storage container for sporting equipment. This is now proposed to be located in the northeast corner of the Multi Use Games Area (MUGA) around 25m away from the listed tennis pavilion building.

2.3 The application 06/22/0109/F will see the existing floodlighting and smaller MUGA in the southeast corner removed, and the tennis court in the southwest corner surrounded by a low chain-link fence also removed, and a central new larger MUGA constructed

covering an 80 x 50m enclosure marked out with a variety of pitch sizes within, with a new 4.5m high catch fence on rubber isolators around the MUGA, and new flood lighting, of modern type.

2.4 The application asks for operation from 08.00 to 22.00hrs every day of the week, with lights out 15 minutes after that to allow for tidy up of equipment and safe dispersal of the public (i.e. no use after 22.15hrs).

3. Relevant Planning History

3.1 06/95/0887/SU and 06/96/0207/SU: Replacement of sports pavilion, approved (this was before the pavilion was nationally listed but was not enacted / implemented) with new changing facilities/ toilets/storage/attendant's office and veranda.

3.2 Tennis pavilion was listed grade 2 in May 2000: Dating to 1890 by J.W. Cockrill, the Borough Engineer. Red brick with applied timber studs and rails forming rendered panels; machine tile roof to enclosed part. The listing identifies corrugated asbestos to the veranda, but this has now been removed and the supports declared as unsafe.

3.3 The listing notes the splayed ends to the plan and cross gable form. The glazed brick public urinal to the rear is noted, originally open to the elements. Internally the benches serving as lockers are noted and the lining of all rooms with timber planks.

4. Consultations: -

Neighbour comments

4.1 A neighbour has provided some images of the pavilion with the veranda in situ in the pre-First World War period.

4.2 **Norfolk County Council – Local Highways Authority** –
No objection, subject to conditions

Whilst there may be an increased parking demand which could result in an increased in on street parking, the site is accessible by public transport and to off-street carparks in close proximity and the applicant will promote an "Active Travel Plan" to encourage car sharing and sustainable transport modes.

I do not consider that the development would give rise to an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe.

The proposals do not include any provision for cycle parking facilities, this can be dealt with as part of the required conditions:

- A scheme for the parking of cycles shall be submitted to and approved in writing by the Local Planning Authority
- On-site parking for construction workers is required for the duration of the duration of the construction to details submitted to and approved.
- External lighting shall be installed in accordance with the lighting plan
- An Active Travel Plan shall be agreed, to include travel information to be publicised to staff and visitors and periods for review agreed and maintained thereafter.

4.3 Norfolk County Council - Local Lead Flood Authority: No comments.

4.4 Norfolk Police Architectural Liaison Officer: No objection

The following design advice is offered -

- The main entrance to the development should create a "symbolic barrier" as defensible space
- The Refurbished Pavilion and any storage facility should be designed to incorporate physical security elements
- Maximise overlooking from active windows over access routes and amenity space.
- These community buildings can be subject to criminal damage, anti-social behaviour or even burglary. An intruder alarm to the police Security Systems policy is suggested at www.securedbydesign.com
- Mirrored film/glazing is recommended on overlooking staff rooms/receptions.
- Any car parking needs to be shown as being adjacent to the existing building with active windows overlooking
- The internal landscaping of the venue should be carefully considered to provide a clear field of vision around the structures
- A carefully designed Lighting plan to cover all vulnerable areas should be in place with a constant level of illumination.
- CCTV is recommended with lighting sufficient to support a CCTV system.
- Cycle storage area require Natural Surveillance, cycle stands must facilitate the locking of both wheels and the crossbar. Hooped rings set into the ground would not provide for this.

Whilst much of this advice is good practice and some has been achieved such as cycle storage, some elements should be left to the applicant's discretion to provide and where necessary planning permission would be obtained (e.g. if certain types of CCTV or lighting are proposed and not already covered by permitted development). An Informative Note can be used to formalise these suggestions.

4.5 Great Yarmouth Borough Council - Resilience officer: No objection.

4.6 Great Yarmouth Borough Council – Arboricultural Officer: No objection.

Remedial works recommendations prior to construction works beginning are a good idea and assessment of the trees seems accurate.

Two trees are denoted for removal: T16 Sycamore: which has minor deadwood throughout crown, and T17 Sycamore: which has minor deadwood throughout crown.

These are Category B quality, as per BS 5837, Trees of moderate quality – and they should where possible be retained throughout any proposed development.

As these are of Cat B but being proposed as removed to facilitate the development then securing some replacement planting through a landscaping condition is required.

In an exchange of drawings and emails on 17.3.22 the arborist agreed to replanting with two replacement trees to be planted at the northwest corner of the running track removing the need for a condition to agree the types, species and stature of replacement trees. A condition shall be required to ensure timely planting of the replacement trees.

4.7 Great Yarmouth Borough Council – Building Control: No objection, advice offered.

The submitted porosity tests indicate well drained sub soil. A condition for sizing of soakaways is suggested.

4.8 Norfolk County Council Historic Environment Service -Archaeology: No objection

Based on currently available information the proposed development will not have any significant impact on the historic environment and we do not wish to make any recommendations for archaeological work.

4.9 GYBC Conservation Officer: No objection if plans are revised.

The position of the metal storage container should be amended to be parallel to the pitch and not perpendicular, in order to minimise the 'spread' of the structures.

The unit should also be closer to the pitch, so the impact is not 'spread' further.

If the position is not revised, some natural screening is required.

4.10 Historic England: Objects to loss of veranda, but support to the refurbishment.

The Tennis pavilion listed grade 2 is rectangular in plan, with an open veranda to the north of nine bays. The veranda has now lost its corrugated roof and the square timber posts with scrolled braces have been removed, due to their bad state of repair, and been put into storage.

The application for the refurbishment of the grade II tennis pavilion including internal alterations would result in the building being repaired and brought back into use which we support.

However, the current application would not reinstate the open veranda which is claimed as a later addition but that claim is without clear evidence. Nevertheless, the veranda is major part of the established appearance where removal will harm the significance of the grade II listed building.

The veranda it is an element of the building traditionally associated with sports pavilions and as such its removal could be harmful to the significance of the listed building. We suggest that further information is produced, but also suggest that the Council consider full reinstatement of the veranda.

4.11 Sport England: No objection subject to conditions.

Sport England initially objected to the application because of the loss of the tennis court on this site, however on 29 March 2022 Sport England removed their objection following discussions with the Lawn Tennis Association, and wrote in summary: *Sport England raises no objection to this application which is considered to meet exception 5 of our adopted Playing Fields Policy, subject to conditions relating to hours of use and the need for the replacement MUGA to be designed to a standard which meets FIFA accreditation.*

4.12 Lawn Tennis Association: No objection.

The LTA have asked Sport England to remove their objection as the LTA does not want to block this investment. The Gorleston Cliffs tennis court refurbishment is awaiting the LTA's parks investment funding programme once costs are fully established (which is likely to be within 2 years) which satisfies the LTA that tennis courts will soon be available to compensate for the removal of courts from this site as part of this development.

5. Assessment of Planning Considerations:

Main issues:

1. Principle of development: Proposed use and sustainability of the location
2. Principle of development: Impact on Open Space and Community Facilities
3. Principle of development: Loss of existing sports facilities
4. Impacts on heritage assets
5. Impacts on trees and landscape
6. Highways, access and transport
7. Flood risk and sustainable drainage
8. Amenity and lighting

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. 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.

5.1 The following planning policies are relevant:

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
- Policy CS11: Enhancing the natural environment
- Policy CS13: Protecting areas at risk of flooding and coastal change
- Policy CS15: Providing and protecting community assets
- Policy CS16: Improving accessibility and transport

The Great Yarmouth Local Plan Part 2 (adopted 2021)

- Policy A1: Amenity
- Policy E3: Protection of open spaces
- Policy E4: Trees and landscape
- Policy E5: Historic environment and heritage

- Policy E6: Pollution and hazards in development
- Policy C1: Community facilities
- Policy I1: Vehicle parking for developments

Other material considerations:

National Planning Policy Framework (July 2021)

- Section 4: Decision Making
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 12: Achieving well designed place
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

Principle of development - Proposed use and sustainability of the location

Re Policy CS8 - Promoting tourism, leisure and culture:

5.2 Arguably the proposal meets the aims to improve facilities for residents and visitors, provide high quality leisure facilities, and encourage early evening economy uses, and does not conflict with the other ambitions of the policy.

5.3 The policy also requires that *"j) all proposals (shall be) sensitive to the character of the surrounding area and are designed to maximise the benefits for the communities affected in terms of job opportunities and support for local services".* It is considered that the storage container originally proposed challenged this principle to some extent. In its position now proposed distant from the listed buildings, it is more acceptable though a planted screening would ensure its impact on both listed building and conservation area character would be ameliorated.

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

5.4 Policy is considered supported in the sense that this application promotes heritage-led regeneration and finds appropriate beneficial uses and enhancements to historic buildings, spaces and areas, especially heritage assets that are deemed at risk, and ensures that access to the historic asset is maintained and improved.

5.5 The proposed works to the tennis pavilion will both secure its future, improve its fabric and provide public access, so are considered wholly positive.

Re Policy CS16 - Improving accessibility and transport:

5.6 This policy has relevance because this proposal places an improved leisure facility in a highly sustainable location. A travel assessment identifies the excellent walking cycling and public transport access and the available parking in the area. The conclusions are that this proposal does not increase peak attendance but will extend the periods of usage.

Principle of development – Impacts on Open Space & Community Facilities

Re Policy CS15, Policy C1 and Policy E3: Protection of community facilities and open spaces:

5.7 Open spaces which provide local amenity, or recreational benefit to the local community, are considered community facilities and are protected in policy.

5.8 LLP2 policy C1 requires: *The retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth, will be encouraged.* This proposal retains football facilities and enhances them.

5.9 Sport England require a condition to require confirmation that the pitches have been drawn up and designed with the expectation that they will satisfy the "Artificial Grass Pitch FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS)"

5.10 On enquiry with the applicant, it is confirmed that the MUGA has been designed to this standard, so it is considered that a condition should be applied to require compliance to the expected design standard. Furthermore, as Football Association funding is expected to be involved the pitch will need to be of an appropriate standard to qualify for FA grant funding. Any such condition would require registration to the Sport England & FA standards scheme before use.

5.11 The development does involve the removal of existing sports facilities (the small MUGA and the tennis courts) and their replacement with only a larger MUGA, so causing a net loss of facilities as the tennis court is not being replaced on site. However, if considering the overall quantum of open space, rather than the types offered, this development proposal broadly does not challenge this policy, rather it could be said to improve open space. There is in any case a balance to be drawn, the new MUGA is bigger and more flexible in use than that being replaced.

Loss of the tennis court

5.12 It has been confirmed that tennis pitches and football pitches feature artificial grass of different length so the use of the MUGA for tennis is not practical. The funds available to carry out the works do not cover for tennis court improvement.

5.13 Initial objection from Sport England was predicated on the loss of the existing very poor condition tennis court, following referral to the Lawn Tennis Association, and consultees sought reassurance, if not a condition, ensuring other courts would be refurbished elsewhere.

5.14 It is reported that there is intent to refurbish Gorleston Cliff tennis courts, funded by the LTA in the 2022-2023 financial year.

5.15 The loss of the tennis courts specifically has been considered by Sport England and the Lawn Tennis Association and is found to be acceptable, on balance, given the intended improvement and bringing back into use of the tennis courts at Gorleston Cliffs.

5.16 Sport England has since confirmed their initial objection is removed following this confirmation from the LTA.

Historic environment and heritage

5.17 The proposal includes refurbishment of the existing Listed building and its conversion and reuse as part of a new community facility – a 3G Football Turf Pitch.

5.18 Wellesley Recreation Ground is within the boundaries of the Seafront Conservation area and contains three Grade II listed buildings, one of which is the Tennis Pavilion designed by J.W Cockrill and built in 1889-1890.

5.19 The building has not been used for years and its fabric is in an urgent need of repairs. A formerly present early 20th century veranda has been removed from the site due to the serious decay of the timber construction. The veranda is a slightly later addition to the pavilion.

5.20 The introduction of a new community facility at the recreation ground in the form of the MUGA has encouraged the refurbishment and conversion of this dilapidated heritage asset. According to the submitted information the proposal would not only ensure a preservation of the building but will also secure its viable future use as changing and welfare facility supporting the activities of the grounds.

5.21 The loss of the veranda would however cause an impact on the listed building, and it is considered this amounts to a 'less than substantial' degree of harm to the heritage asset in NPPF terms, for which a corresponding degree of public benefit is needed to outweigh that harm before permission can be considered. This is considered in the concluding planning balance.

5.22 In accordance with national planning policy and Policy CS10 of the Core Strategy, LLP2 Policy E5 requires 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*.

5.23 This proposal is generally positive for the listed building. The storage container initially proposed, would have impacted on the setting of the listed ticket booth by being within 5m of it and of similar size. The applicant has altered the proposal to place the container in a location that is about as discrete as can be managed in terms of the impacts on the setting of the listed buildings in the site, and views from outside the site.

5.24 This current proposal does not seek to replace the veranda which has already been removed and placed in storage. Historic England object to this aspect and a neighbour has provided photographs showing probable Edwardian provenance of this feature, which was in bad order and unsafe.

5.25 The Conservation Officer has expanded his response following the Historic England objection, stating:

"The pavilion has been vacant and vandalised. It is at immediate risk of loss through deterioration because of its slender timber frame with mortared brick infill panels. This leading to water ingress, dry and wet rot. Internal scaffolding currently keeps the building standing.

The council have developed building and usage schemes over the last 15 years none of which have progressed because of lack of funding or lack of viability of proposed use."

5.26 The concerns from Historic England are noted, but it is considered on balance that the proposed scheme will repair and bring the listed building back to use in conjunction with the beneficial use of the new football pitch at the same site. This proposed use and the new pitch siting and size prevent the veranda from being reinstated because there is insufficient space. This does not mean that the importance of the veranda should go unrecognised, so mitigation is recommended: As the veranda frame is in storage (currently stored in the Wellesley Grandstand under GYBC stewardship), it can therefore be protected, reserved for use and required to be reinstated in the future if the proposed MUGA is ever removed, amended or becomes life expired, by planning condition.

5.27 Conditions are suggested: to protect existing fabric and effect repairs with like materials, to provide further joinery details before works and to report "discovered" historic features unexpectedly encountered, and to preserve, store and retain the veranda frame and re-install it upon the cessation of use and removal of the MUGA.

Trees and Landscape

5.28 Although there is a presumption against the removal or loss of trees and landscape / townscape features, especially in Conservation Areas, and even more especially concerning Category B trees, the removal of two category B trees in this proposal is considered acceptable because these two sycamores are two trees amongst around 50 surrounding the recreation ground both within it and without, and specified replacement planting is proposed and has been accepted by the Tree Officer as appropriate.

5.29 Two trees require removal and following discussions replacements in a different part of the recreation ground have been agreed by the Arborist, removing the need for agreement by condition. Replacements are Norway Maple Mauritz and Bowhall Red Maple of an upright growth and narrow mature form, carefully selected in order not to obscure views or impede car parking (as shown on drawing S21-292 DWG 0019.02). The replacement trees will be required by condition to be planted and protected during their establishment, prior to first use of the MUGA.

Highways and access

5.30 There is no current vehicular access into the site (other than works vehicles) and the proposals do not alter this. There would be increased parking demand from greater use, there is however widespread on street parking around the site and given non-residential uses cite maximum parking levels and there is no evidence of severe impact on the highway network from this proposal the access requirements are considered met.

5.31 Cycle parking was not originally addressed but further details have been provided for 5 No. secure Sheffield bicycle stands in an accessible and well-lit location submitted (drawing PAM-CS-MPC-WTP-03 Cycle Stands), and should be required by condition.

5.32 Details for construction workers parking during construction have been provided removing the need for details to be agreed by condition (Drawing S21-292 DWG 0018.01 Construction Logistics Plan), but conditions shall require its implementation.

5.33 The application travel assessment has determined there will be no increased impact from vehicle movements, only prolonged uses. If there is parking stress in the peak

tourism season, not identified in the "travel plan" this will serve to encourage other modes and there is no parking minimum standard for non-residential uses in NCC policy, so it is not considered a reasonable reason to refuse the application on parking grounds or cumulative highways impacts on the network.

Flood Risk and Sustainable Drainage

5.34 As this is a less vulnerable existing use the Sequential Test and Exception Test are not considered to apply. However, a satisfactory Flood Response Plan is required and has been prepared. Sustainable Drainage Systems (SuDS) is also required, and in this case, the pitch surface has been demonstrated as drain-able, in that the percolation test figures indicate a well-drained soil so that only soakaway sizing now requires further engineering input.

5.35 The drainage strategy for the proposed Community 3G Football Turf Pitch (FTP) is to discharge surface water into an existing soak-away within the Recreation Ground. This proposal maintains the current surface water drainage arrangements at the Recreation Ground without change. Ground conditions are detailed in Appendix C of the FRA and are recorded as Topsoil over Made Ground over Blown Sand and North Denes Formation, with groundwater at 2.6 below ground, which is deep enough to not affect the functionality of soak-aways as demonstrated by infiltration tests.

5.36 This subject to appropriate soakaway sizing based on the submitted drainage trial pit figures, meets with requirements and in a 1 in 30-year flood event and 1 in 100-year flood event plus climate change (40%); and therefore, satisfies Local Lead Flood Authority (LLFA) and National Planning Policy Framework (NPPF) requirements, as well as relevant technical standards.

5.37 A subsequent re-issue of the FRA includes full calculations and at Appendix H of the document a drawing reference FRA03 revision A showing a soakaway size. If this drawing is referenced in the decision notice no further condition is required.

Amenity and Lighting

5.38 This proposal is considered to have no material impact in terms of overlooking and loss of privacy; loss of light and overshadowing and flickering shadow; or building and structures that will be overbearing; this is because the 4.5m high catch fences replace larger areas of 5m catch fencing to the southeast and 2m high fences to the southwest are replaced by 4m tall fencing it is considered by degree that impacts are reduced.

5.39 The replacement floodlighting uses support poles optimised to provide a uniform lighting level across the pitch with minimised lighting overspill. This together with the proposed curfew time is considered to enable judgement that overall amenity impact is reduced.

5.40 Intrusive lighting could, with the introduction of flood lighting represent a harmful impact, however the lighting is designed to have low spill and it is suggested that the introduction of operational control of the lighting timing will address illumination at anti-social hours. Furthermore this new floodlighting replaces existing lighting albeit in a slightly varied position, such that overall, more residences are further from the light source than before. Visual movement is not considered an issue as there is movement within the existing use and sporting activity and exercise are considered generally positive for society.

5.41 Noise can be caused by balls striking catch fencing, but there are two reasons why the remediation here is considered to avoid harms: Firstly the smaller fenced area is further from the majority of surrounding housing; and secondly, the proposal is to incorporate rubber isolators.

5.42 It is not considered that poor air quality (including odours and dust) or and vibration are issues requiring consideration with this application.

5.43 Given proximity to residents, the hours of work should be controlled during the construction phase, and conditions should be used to ensure hours of work should be restricted to 07:30 to 18:30 hours Monday to Friday, 08:30 to 13:30 Saturdays, with no working on Sundays or Bank Holidays.

Local Finance Considerations

5.44 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.

6. The Planning Balance

6.27 This application to improve a recreation area and bring a historic building back into use is positive in character, providing improved and enhanced sport facilities for the community overall.

6.28 The need to provide a storage container for sports equipment is harmful to the character of the conservation area, but this has been reduced by negotiated repositioning, use of trees to help screen, and the improvement to the listed heritage asset is likely to be more enduring.

6.29 The new floodlighting is designed to reduce light spillage compared to existing models at the site. This will represent an improved condition regarding floodlighting.

6.30 The catch nets shown on isolators represent an improved form in comparison to the existing catch netting with regard to noise generation. Noise from sports-facility users is outside the controls achieved by BS4142 (planning and noise).

6.31 The benefits of the potential repurposing and future use of the heritage asset as part of the new community facility are considered to outweigh the 'less than substantial' harm to the listed building and its setting, whilst conditions can be used to secure the ongoing storage and future re-installation of the veranda feature which is said to make an important contribution to the original character of the listed pavilion building.

7. Conclusion

7.1 This scheme has no notable drawbacks other than the need to use a steel container for secure storage in what is a sensitive location, and the loss of an underused Tennis court.

7.2 When taken together, as the collective benefits of the proposal are considered to outweigh the low level of heritage harm involved, the proposal is recommended for approval.

9. RECOMMENDATION 1:

Approve application 06/22/0109/F and grant full planning permission subject to the following conditions:

Conditions

1. Development to commence within 3 years.
2. Development to accord with approved plans and drawings and tree replacement plan and drainage details.
3. On-site parking for construction workers to follow the submitted details.
4. Construction hours to be restricted to those proposed in this report.
5. Cycle provision to be installed prior to use in accord with the details agreed.
6. Replacement trees to be planted and protected during their establishment, prior to first use of the MUGA.
7. Before use, registration of the pitch on the Football Foundation 3G register.
8. An Active Travel Plan shall be agreed –
    i. to include travel information to be publicized to staff and visitors, and,
    ii. to include periods for review, and to be implemented and maintained.
9. Hours of use to be 8.00 to 22.00 daily with a 15-minute clearing up allowance.
10. External lighting shall be installed in accordance with the lighting plan.
11. Hours of floodlight operation – no use outside 8.00 to 22.15 daily whatsoever.
12. The remnants of the veranda shall be retained in store in a dry condition for the duration of the use of the MUGA. In the event that the MUGA facility ceases to be used or is removed, a scheme for reinstating the veranda to the building shall be submitted and agreed.

And any other conditions considered appropriate by the Development Manager.

Informative Notes:

1. Norfolk Police Advice.
2. Highways debris from vehicles.

RECOMMENDATION 2:

9.1 **Approve application 06/22/0058/LB** and grant listed building consent subject to the following conditions:**: -**

Conditions

1. Timing condition - to commence within 3 years.

2. Works to accord to drawings and specifications.

3. All historic features (including roof and wall structure, brick work, clay tiles, decorative ridge tiles, glazed bricks, rusticated quoins, joinery) should be preserved and protected from any further damage. Any damaged fabric should be repaired in a like-for-like manner with relevant matching materials and techniques.

4. The remnants of the veranda shall be retained in store in a dry condition for the duration of the use of the MUGA.

   Reason: To ensure that regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to retain the veranda for potential reinstatement to restore the special interest of the building in the event that the alternative development and use that prevents its reinstatement (the MUGA) ceases to be used and or is removed.

5. Before work begins, details/references of all new doors and windows (if applicable) should be submitted and approved by the Local Planning Authority.

   Reason: To ensure that regard is paid to protecting the character and appearance of the Listed Building and the Conservation area.

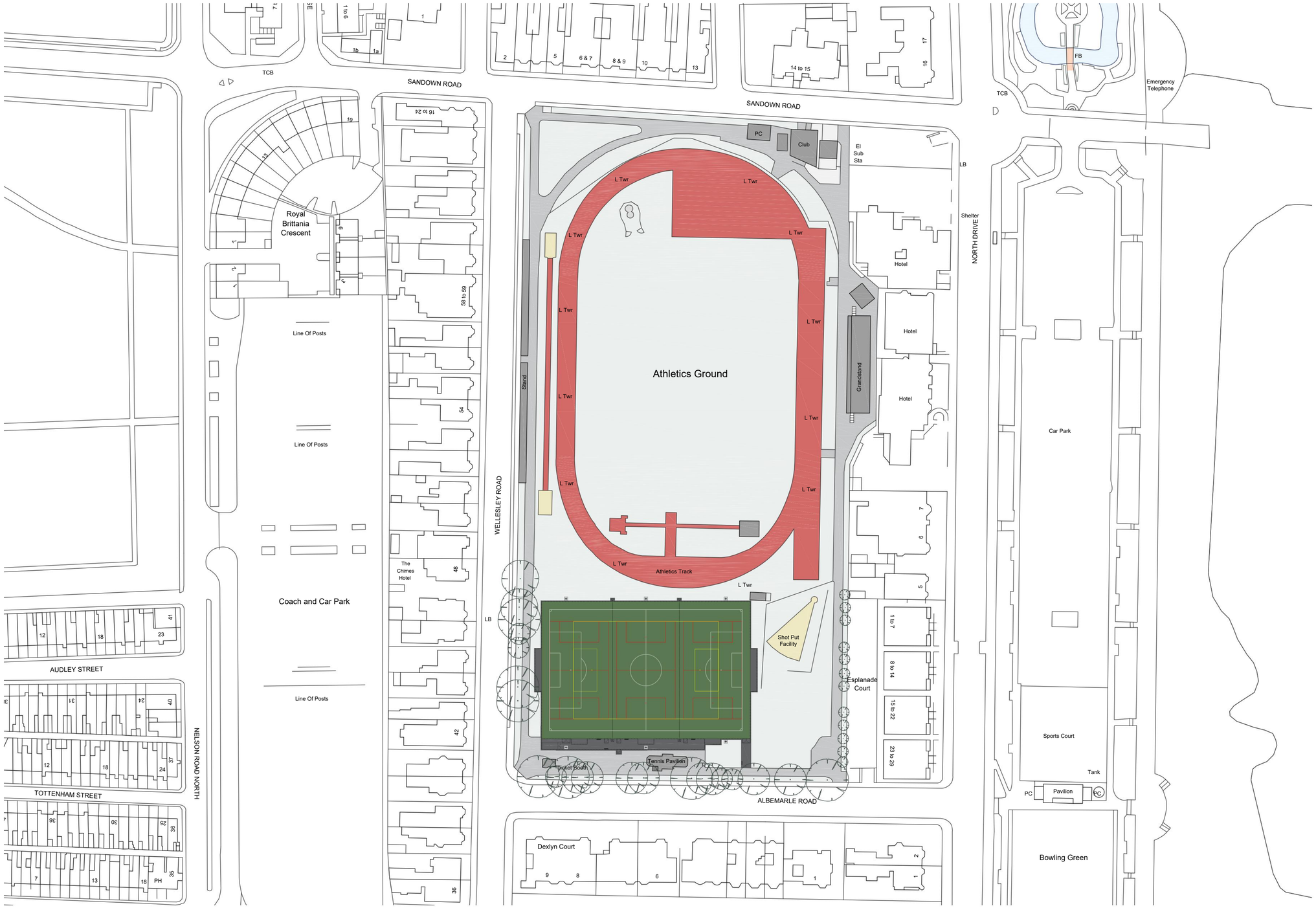
6. During the works, if hidden historic features are revealed they should be retained in-situ and the Local Planning Authority should be notified immediately.

   Reason: To ensure that these are recorded, and special regard is paid to the preservation of historic features which contribute to the special character of the heritage asset.

   And any other conditions considered appropriate by the Development Manager.

Appendices

- 1 - Site location plan
- 2 - MUGA layout plan
- 3 - Tennis pavilion elevations



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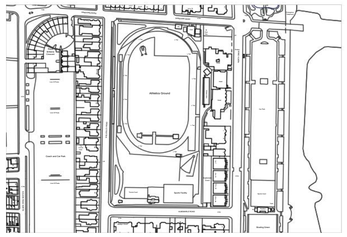

LEGEND

COMMUNITY 3G FOOTBALL TURF PITCH (FTP)

REFURBISHED TENNIS PAVILION

GREAT YARMOUTH BOROUGH COUNCIL

HALL PLAIN
GREAT YARMOUTH
NR30 2QF

S&C SLATTER
CONSTRUCTED WITH INTEGRITY

STEPHEN'S YARD ENBORNE
NEWBURY BERKSHIRE RG20 0HA
01635 34521 info@sandcslatter.com www.sandcslatter.com

NOTES

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CONTROL MEASURES WILL BE APPLIED TO RESIDUAL RISKS AS APPROPRIATE AND IDENTIFIED WITH HAZARD TRIANGLES.

INFORMATION RELATING TO USE, MAINTENANCE, AND DEMOLITION TO BE DETAILED IN DUE COURSE WITHIN A BUILDING MANUAL AND HEALTH AND SAFETY FILE.

N

1:750 SCALE

0 10M 20M 30M 40M 50M

REVISION	DATE	DRAWN	DESCRIPTION
.00	30 12 2021	TB	ORIGINAL ISSUE

CLIENT

GREAT YARMOUTH BOROUGH COUNCIL

PROJECT

COMMUNITY 3G FOOTBALL TURF PITCH (FTP) AND TENNIS PAVILION REFURBISHMENT

LOCATION

WELLESLEY RECREATION GROUND
WELLESLEY ROAD
GREAT YARMOUTH
NR30 1EY

DRAWING TITLE

PROPOSED SITE LAYOUT

STATUS

PLANNING
(SPATIAL COORDINATION)

PROJECT NO.

S21-292

DRAWING NO. S21-292 / DWG / 0003

REVISION NO. .00

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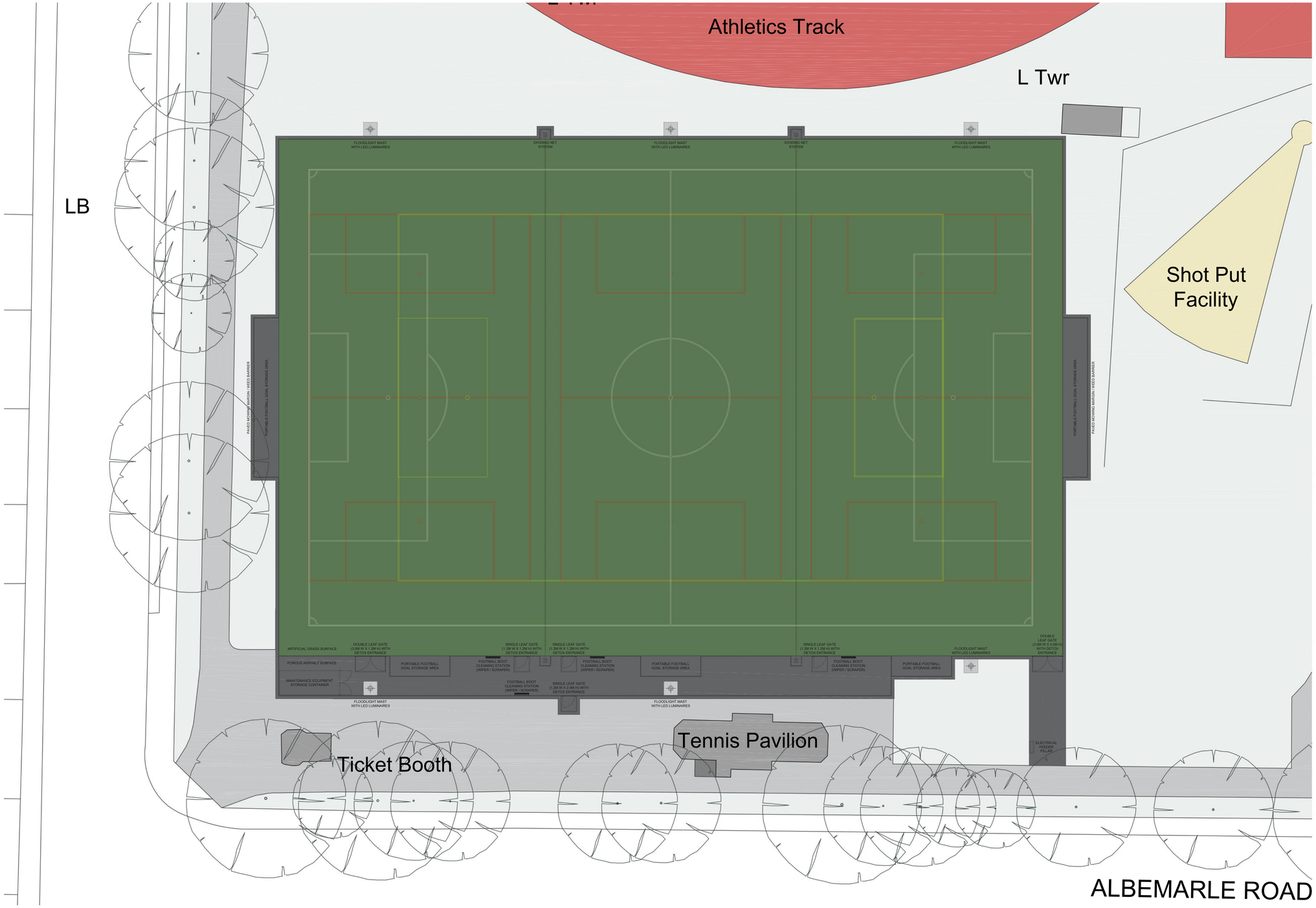

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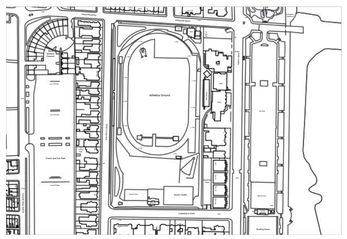

LEGEND

- COMMUNITY 3G FOOTBALL TURF PITCH (FTP)
- 12.00M HIGH FLOODLIGHT MAST WITH LED LUMINAIRES
- 4.50M HIGH BALL STOP FENCE
- 2.00M / 1.20M HIGH PITCH BARRIER
- 2.60M HIGH MAINTENANCE EQUIPMENT STORE
- FTP PEDESTRIAN ENTRANCE GATE
- FTP VEHICULAR ENTRANCE GATE
- PAVED MOWING MARGIN

HALL PLAIN
GREAT YARMOUTH
NR30 2QF

S&C SLATTER
CONSTRUCTED WITH INTEGRITY

STEPHEN'S YARD ENBORNE
NEWBURY BERKSHIRE RG20 0HA
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N

1:200 SCALE

0 5M 10M 15M 20M

REVISION	DATE	DRAWN	DESCRIPTION
.00	30 12 2021	TB	ORIGINAL ISSUE

CLIENT

GREAT YARMOUTH BOROUGH COUNCIL

PROJECT

COMMUNITY 3G FOOTBALL TURF PITCH (FTP) AND TENNIS PAVILION REFURBISHMENT

LOCATION

WELLESLEY RECREATION GROUND
WELLESLEY ROAD
GREAT YARMOUTH
NR30 1EY

DRAWING TITLE

PROPOSED FTP FLOOR PLAN

STATUS

PLANNING
(SPATIAL COORDINATION)

PROJECT NO.

S21-292

DRAWING NO.

S21-292 / DWG / 0004

REVISION NO.

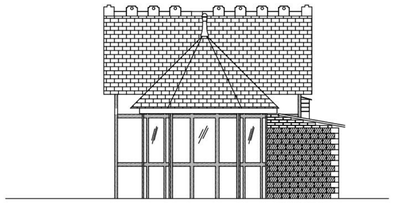
.00

SCALE	SIZE	DRAWN	CHECKED
1:200	A1	TB	

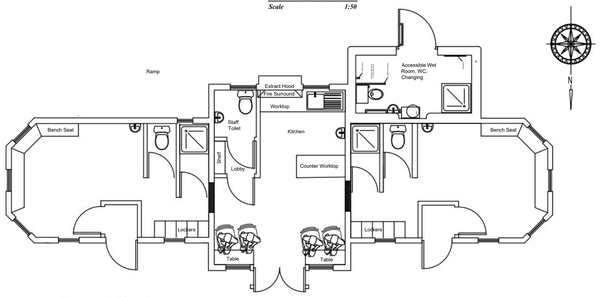
South Elevation - Proposed
Scale 1:50

South Elevation - Existing
Scale 1:50

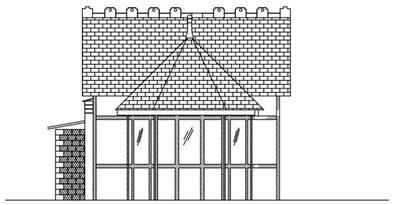
North Elevation
Scale 1:50



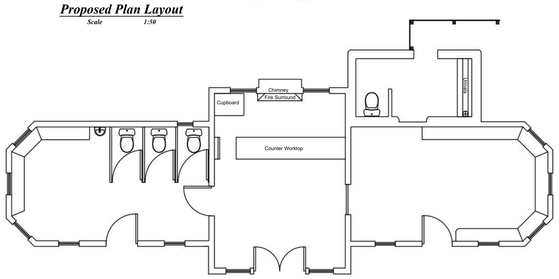
West Elevation
Scale 1:50



Proposed Plan Layout
Scale 1:50



East Elevation
Scale 1:50



Former Plan Layout
Scale 1:50

COMMENTS:

Where replacement materials is unavoidable, new components will match the existing as far as is reasonably achievable.

The existing clay roof tiles to be carefully removed, stacked and stored for reuse, this is required to reduce the loading whilst the repair works are carried out and further reduce the risk of collapse of the building. Insulation and breathable membrane will be introduced before the tiles are put back.

Roof and ceiling rafters will be repaired or replaced as necessary and 'Celotex' insulation will be cut and inserted between the ceiling rafters. Condensation has been a contributing factor in the demise of the building, insulation will reduce the formation of condensation and assist with the longevity of the building.

Although guttering is not currently fitted to the building evidence (screw hole patterns) found on the existing fascia boards suggest that cast iron ogee guttering and 64mm down pipes discharging onto the ground were part of the original build. Iron guttering is still available and is being specified, this will ensure that rainwater is diverted away from the face of the building. The roof design differs from the nearby slightly older ticket office in that the roof overhang to this building is much smaller. Without guttering the walls of this building will become saturated. It is believed that the guttering was removed to make way for the temporary external 'Bumble' weatherproofing and support.

The softwood timber frame has significantly rotted. it is proposed to replace the frame with new timber where required. New timber is specified to be minimum C24 grade (structural supporting grade). Where considered essential, joints will be strengthened with galvanized steel straps and steel brackets but these will not be visible as they will be behind internal cladding and external mock tudor timbers.

Brick panels sit between the timber frame and these rendered brick panels will be re-secured to the timber frame. The brick panels are in direct contact with the timber frame which has led to the timber rotting. Where achievable PVC DPM will be introduced as a moisture barrier to protect the timber and prevent reoccurrence. Where not achievable, new timber will be painted with bituminous paint to provide a moisture barrier. Where necessary, repair mortar 3:1 (3 Sand : 1 Hydraulic lime).

The brick panels are Tyrolean rendered on the outside, evidence shows some of these panels have through cracking affecting their stability. These will be repaired by mechanically cutting vertical slots internally and installing 'Heli-Bars'. The bars will not be seen as the internal walls are are fully clad in T&G timber.

Evidence shows that a few brick panels have been repaired historically with smooth render. It has been specified to reapply Tyrolean render to match existing at completion prior to decorating.

Foul drains are connected to the building which served 3 toilets in the east room. Evidence suggests that these are a later addition as one of the high level cisterns is fitted over a window. This cubicle will be a modern shower that will see the window back to normal use.

The floor void is currently open and new drainage extensions and connections will be in PVC but will not be visible as they are below floor level.

Original fixtures no longer exist however "Victorian Style" toilets, high level cisterns, basins, taps etc are being specified (links to suggested products can be found in the cost model/specification).

Partition walls forming the toilets will comprise timber frame with vertical T&G panel with air space top and bottom of partitions.

Extract fans will be needed in both showers and kitchen area, it is proposed to install ducting internally linking all three and modifying the existing chimney vent to avoid external grill (If grill is unavoidable there will only b need for one instead of three).

Existing windows to be overhauled, de-glazed of poly-carbon sheet and re-glazed with Georgian wired obscured glass.

Existing doors to be repaired and overhauled where practical, existing doors will form template for new doors where missing.

Existing timber floor components (joists, noggins, floorboards & sole plate) were removed to accommodate support scaffold. Floor components were found to contain a mix of wood boring beetle infestation, wet rot & dry rot. Timber floor is to be replaced matching the original with the addition of Celotex insulation.

The existing external urinals and WC comprise an open (no roof) urinals in enclosed walls and WC with concrete slab flat roof. The concrete slab is 'spalling' and cracked and shows no evidence of containg reinforcing bars for support. The cubicle partition and roof slab will be removed to make way for new 'Britmet' steel sheet roofing in matching profile to the clay tiles (the pitch of the roof is too shallow for clay tiles) to entire toilets area. The area will undergo a full refurbishment and the proposed finish will be level access, wheelchair accessible shower, toilet and changing room to BS:8300. Wall finishes will be full height Victoria style and contrasting colours ceramic tiles, floor will be slip resistant ceramic tiles with floor gulley drainage (Disabled user wet-room shower, changing and WC).

External decorating (to match ticket kiosk) Prepare surface and apply two coats undercoat and two coats topcoat gloss paint to all mock tudor timbers, fascia boards, window surrounds & doors (Farrow and Ball Vert de Terre No.234 Green).

Internal Decorating Prepare surface and apply two coats undercoat and two coats topcoat gloss paint to all skirting boards, window reveals & door frames (Farrow and Ball Vert de Terre No.234 Green).

Electrical - A full rewire is required for the building, given that it is mostly timber construction all circuits to be RCBO protection.

Where achievable insulation will be installed as per manufacturers instructions to roof, walls and floors. Insulation will reduce the heating cost and will also protect the fabric of the building from decay caused by condensation. Insulation will not affect the finished look of the building and is completely invisible. Installation of insulation does not require any modification to the original fabric (walls will not have to be battened out to accommodate insulation material and floors will not need to be raised).

NOTES

Changing rooms could be male & female or home & away.
There is an independent single user disabled user WC changing room & wet room shower at the rear of the building with its own level access. This area will need an insulated flat roof, suggested mineral felt finish.

A Kitchen area with staff toilet, sink and hand wash basin to serve limited hot & cold drinks and snacks.

The building has had a recent structural survey, it is recommended that the building is sympathetically dismantled down to foundations level, carefully stacked/laid aside for reassembly .

Foundations to be inspected and repaired as applicable.

Building to be reassembled reusing original materials where possible, where not possible to reuse then the original material to be used as a pattern and like-for-like replacement (subject to structural calculations, some supporting timbers may be considered undersize to comply with current Building Regulations. Undersize might be overcome by replacing with hardwood).

Decorative finishes to be as existing.

The scheme will need to include reinstatement of the suspended wooden floor which was completely removed because it was failing due to rot and needed to be fully removed to accommodate the supporting scaffolding for the roof

GREAT YARMOUTH BOROUGH COUNCIL

Property & Asset Management
Town Hall
Hall Plain
Great Yarmouth, NR30 2QF

Project Name
Wellesley Rec' Bowls Pavilion, Great Yarmouth

Client
Great Yarmouth Borough Council

Drawing Title
Proposed Refurbishment

Scale
Not Scaled

Date
26th November 2021

Project Number

Drawing Number
CS/MPC/03

Drawn
M Clark

Checked

Revision

Revisions	Date

Schedule of Planning Applications Committee Date: **13th April 2022**

Application Number:	**06/21/0914/F** - Click here to see application webpage
Site Location:	Land on Hemsby beach between Newport Road and northern end of overflow car park, off Beach Road, Hemsby, Great Yarmouth
Site Location Plan:	See Appendix 1
Proposal:	Construction of a rock berm on Hemsby beach measuring a maximum 1330m long, 20m wide and +3m high; installation of new beach access ramp at Hemsby Gap; removal and relocation of existing Hexiblocks from southern end of site for use within the berm feature
Applicant:	Great Yarmouth Borough Council
Case Officer:	Mr Robert Parkinson
Parish & Ward:	Hemsby Parish, East Flegg Ward
Date Valid:	02/11/2021
Expiry / EOT date:	22/02/2022
Committee referral:	Connected application - Great Yarmouth Borough Council is the applicant and a landowner of part of the application site.
Procedural note 1:	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 05 April 2022, 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.
Procedural note 2:	This application is brought to Development Control Committee with a recommendation which includes a request to delegate authority to the Head of Planning to determine the application once outstanding comments are received and any matters remaining to be resolved are addressed. Officers consider this exceptional request necessary to enable determination during the extended period between scheduled Committee meetings.

RECOMMENDATION:

(i) To delegate authority to the Head of Planning to approve the application subject to conditions and passing the Habitats Regulations Assessment and Appropriate Assessment as necessary, provided no adverse comments are received from the following consultees: Environment Agency; Natural England; Norfolk County Council Historic Environment Service (Archaeology), and Norfolk County Council Natural Environment Team (Ecology);

and,

(ii) In the event that comments are received from those consultees which state objections or request conditions which are not practical for inclusion within the project, to revert back to Development Control Committee for the application's determination.

REPORT

1. The Site

1.1 The site of this planning application is Hemsby public access beach in Hemsby and one of the beach car parks for use as a works compound. The site area is 3ha in total.

1.2 The berm is proposed as one of three designs, known as 'Options 1, 2 and 3'. The options mean the berm would be between 1090m and 1330m long, but all would be constructed on the beach 5m in front of the cliff at the edge of the sand dunes.

1.3 The southern end of the proposed berm will be where the existing 'Scratby gabions' end, beneath the dunes east of Newport Cottages at the very southern end of The Marrams and east end of Newport Road, at the boundary of Newport (in Hemsby parish) and Scratby (in Ormesby St Margaret with Scratby parish).

1.4 The furthest possible position at the northern end will be in line with the northern end of the overflow car park in Hemsby, east of 75 The Marrams / 421 The Glebe.

1.5 At Hemsby Gap the toe of the berm will be constructed but not the rock on top. This will leave a gap to construct a timber ramp that will be buried that will provide access for the Hemsby Lifeboat to the beach. This ramp will also provide public access to the beach. It is noted that in recent weeks the height level of the beach at Hemsby Gap has dropped due to beach scouring so the ramp offers a beach surface with beach at normal height or the wooden surface if the sand covering is lost.

2. The Proposal

2.1 The maximum footprint of the rock berm is that of 'Option 1', which would be 1330 metres length, 20 metres width and 3m height AOD. This footprint extends from the gabions around 50 m south of the Newport/ Scratby boundary to around 440m north of Hemsby Gap. The rock berm will be placed approximately 5 metres in front of the dunes for its length. At the northern end the rock berm will taper and reduce into the sand and at the southern end it will meet the gabions already on the beach.

2.2 The application includes 3 design options all of which fit within the largest Option 1 / 'maximum design' footprint identified above. The two alternative designs would have a length of 1090 metres and would end nearer to Hemsby Gap approximately 80m north of the Hemsby Gap mini roundabout, reducing the berm's northern extent by around 240m.

2.3 The alternative 'Option 2' would be the same shape, 3m height, profile and design as Option 1 but only 1090m long.

2.4 Option 3 would also be 1090m but has not been designed yet and remains as a conceptual proposal, possibly with a narrower shape and shorter toe, steeper sides and an as-yet-undetermined but lower height. The Option 3 approach would be for a

berm to be installed which naturally settles over time, adjusting in form and level following each beach lowering storm event, known as “dynamic reshaping”, being seen as the least expensive option.

2.5 The two alternatives allow a degree of flexibility depending on the level of funding that can be secured through government flood and coastal defence funding, but would expose the five northernmost chalets in the dunes, and the overflow car park, to the same erosion rates and potential as at present.

2.6 The rock berm is of a similar structure to the rock berm at California to the south of this area.

2.7 The site includes a 110m length of beach at Newport where there are informal Hexiblock defences installed in 2015 which have failed and which will be removed and replaced as a defence feature by the rock berm.

2.8 The hexiblocks have been incorporated into the design however, as they are proposed for use in the access ramp route through the berm at Hemsby Gap; the blocks would be used to provide a foundation layer below the wooden ramp and as a barrier either side of the ramp.

2.9 In all three options, the proposal incorporates a new access arrangement for Hemsby Gap for both the public and the Lifeboat, which will involve installation of a buried timber decked ramp, underlain by the Hexiblocks recovered from the beach. The intention is to maintain an access point as close as possible to the current situation, i.e. the lifeboat and the public access the beach across the sand. However, as and when the beach level drops, the buried timber decked ramp will ensure that access, especially for the Lifeboat, can continue through the berm and to the sea. Being at a lower elevation, this ramp can be constructed to a slope which is also deemed suitable for pedestrian access. The toe of the berm is continued across the gap to provide some seaward protection and support to the Hexiblocks and ramp if exposed.

2.10 During construction of the berm, the project would use part of one of the beach-side car parks for a site compound, store and welfare amenity block. Equipment would be transferred to the beach via Hemsby Gap and works would progress along the beach in a phased manner. The rocks themselves would be brought to the site by large container vessel anchored in situ, transferred to smaller vessels in batches for transport to the beach at high tide when they would be offloaded onto to the beach, for collection and movement into position by beach based earth movers at low tide.

2.11 The application has emerged from a period of consultation with the community and Natural England, the Environment Agency, Marine Management Organisation and the Historic England, where it was decided to proceed with a short-term coastal defence option.

3. Site Constraints

3.1 The beach is 80m east of the designated Holiday Accommodation Area (LPP2 policy L1) around Beach Road, and the line of the rock berm is c. 115m – 150m east of the boundary of the same designated Holiday Accommodation Area further to the south of the various caravan parks.

3.2 The dunes, which Officers consider to be the land to the rear (east) of properties on St Mary's Road, including land either side of The Marrams access road, are approximately 60m deep.

3.3 Erosion has increased since the currently-available satellite images were taken, but the latest images show there to be only 20m between the position of The Marrams track and the edge of the cliffs at its closest point.

3.4 There are various registered property addresses dispersed amongst the dunes to the east of The Marrams road, having previously been many more in number sadly lost to erosion events.

3.5 As a rule of thumb, the Shoreline Management Plan (2012) identified the following areas at risk:

- Land east of The Marrams: Erosion Zone up to 2025
- The dunes / land up to the rear of properties east of St Mary's Road: Erosion Zone up to 2055
- All land east of St Mary's Road: Erosion Zone up to the year 2105.

3.6 The Local Plan Part 2 has designated all the land east / seaward of St Mary's Road as the Coastal Change Management Area under adopted policy GSP4.

3.7 The coast forms part of the Greater Wash Special Protection Area (SPA) and Southern North Sea Special Area of Conservation (SAC), both internationally designated wildlife sites of ecological importance, and the application site adjoins the Winterton-Horsey Dunes SAC & SSSI, and the Great Yarmouth and North Denes SPA & SSSI, both to the north.

3.8 Conservation Area No.18 Newport Cottages (designated 2013) lies at the southern end of The Marrams track and covers land east of 256 – 262 The Marrams, and the 60m-wide dunes east of Newport Cottages. Winterton Conservation Area (no. 9) includes the beach to the north of the site.

4. Relevant Beach & Planning History

4.1 The beach is understood to have continually fluctuated in level and the dunes have grown or receded throughout, but the dunes have generally remained stable through the mid-late 20th century which allowed buildings of 'non-standard' construction to be erected amongst the dunes. Unfortunately such properties have proven vulnerable to aggressive storm and erosion events, such as the 2013 storm surge when 5 properties were lost and 'the beast of the east' when 11 properties were lost. There are many geological, geomorphological, climatic events combining to increase recent erosion, including tidal current, mobile sandbanks, the movement of Winterton Ness and storm events.

4.2 A number of defence initiatives have been undertaken over the years, including:

4.3 The Scratby - California berm constructed to the south of this site was approved and installed in the 1990s and has been in position for 20+ years. It forms the basis of making estimations and predictions of the effects of the rock berm in this application,

given that the beach characteristics and coastline behaviours are similar, but not identical (for example the water levels are c. 50cm different between the two). The comparison is based on assessment of beach volatility, cause, scouring, liquefaction and undermining which have all informed the designs for stability of the proposed berm. However, it is important to note that the California berm benefits from deeper foundations and taller height than that proposed in this scheme, and so comparisons are made with some caution.

4.4 This application nevertheless believes there are "no significant impact on the alongshore sediment process evident" from the California berm, which helps address some of the concerns of consultees.

4.5 In 2015 the Hexiblocks were installed on the Hemsby beach at Newport as part of a trial coastal defence scheme. These are 150 octagon-shaped reinforced concrete tubes arranged in a line two blocks high on geotextile matting, but the blocks proved unstable in the 2018 storms and failed, resulting in beach lowering and undermining and eventual collapse.

4.6 The rock berm proposals have emerged as the most feasible option from a public consultation process that began in 2018 following the 'beast of the east' storm damage. Stakeholders of the community have been informed and involved in the process and options appraisal since then, which accords with the Council's Statement of Community Involvement and EIA process good practice.

4.7 The LPA issued a Temporary Stop Notice in October 2021 preventing unauthorised engineering works on the beach east of 257 The Marrams when concrete blocks were being installed at the foot of the cliff. Amongst the advice received from Coastal Partnership East at the time was the concerns that these temporary blocks were unlikely to be effective as a coastal defence measure, they could cause undesirable effects elsewhere on the beach, they presented a public safety hazard as they were not fixed in position, and no supporting information was provided to demonstrate their impacts positive or otherwise. The blocks may have had some small effect in reducing wave power over the previous winter but the short line of blocks which were installed before activities ceased have been broken up and are now largely lost to the sea or buried by sand. The persons who undertook the works have suggested the blocks could be removed or relocated and incorporated into the current proposal but this remains under discussion with Coastal Partnership East and no firm proposals are established as yet.

4.8 Alongside this planning application, an application for a Marine Licence has been submitted to the Marine Management Organisation relating to activities below the mean high water springs level, including bringing the rock to the beach, offloading onto the site, moving the rock and excavating the toe of the berm structure.

5. Consultations

A number of consultation responses are still outstanding but some understanding of the consultee concerns has been possible from responses made to the EIA Scoping exercise of February 2020.

5.1. Statutory Consultees

Natural England	**Comments awaited.**
As yet no comments have been received for the formal application, but comments were provided in February 2020 to inform the LPA's EIA Scoping Opinion. Those comments highlighted: • The berm will need to be an appropriate height to withstand overtopping by 3.5m height waves. An Environmental Statement would need to cover: • The impacts of noise, visual and vibration disturbance to all the adjoining SAC, SPA and SSSI sites. • Impacts to harbour purpose and birds as qualifying features of the designated sites. • Changes to sediment transfer, tidal and erosion outflanking the berms. • Restrictions to be imposed to prevent further 'creep' of projects into designated sites over time. • Habitat Regulations Assessment, and Appropriate Assessment as necessary, must be undertaken.	
Officer comment / response:	Any formal comments to the planning application will be provided in advance of the Committee meeting and discussed verbally. The Environmental Statement (ES) report submitted with the application has covered possible impacts on SAC and SPA sites at ES section 8.5. It is noted that Physical and Coastal processes are assessed in section 6 of the ES report which considers there is no significant impact and no mitigation is considered necessary (table page 35) – but this is yet to be verified by the EIA Statutory Consultees.
Any relevant Condition / Informative note?	TBC

Historic England	**No objection. Conditions requested.**
<u>Submitted documents</u> Pleased to see that a Cultural Heritage chapter has been included as part of the planning application. We note that the Cultural Heritage chapter references an old version of the Regional Research Frameworks. An updated version can be found here: https://researchframeworks.org/eoe/. It may also be useful to reference the database of finds recorded as part of the CITiZAN project (https://citizan.org.uk/). <u>Designated assets</u> Note there are no scheduled monuments or listed buildings within the application area. The southern extent of the application area includes part of the Newport Cottages Conservation	

Area. The Conservation Area was designated in 2013, to protect Newport Cottages. The northern extent of the application area lies just outside of the Winterton Conservation Area.

HE considers that the proposed scheme would have only a minimal impact on the Newport Cottages Conservation Area and any harm would be at the lower end of 'less than substantial harm' in terms of the National Planning Policy Framework (NPPF 2021).

The proposed scheme would not result in any appreciable harm to the Winterton Conservation Area located to the north of the application area.

The proposed scheme would not have any direct impact on scheduled monuments or listed buildings.

Archaeology and geology

The area of the proposed scheme lies on a section of the north and east Norfolk coast along which significant archaeological and paleoenvironmental remains have previously been found associated with the Pleistocene Cromer Forest Bed Formation (CF-bF). These include important faunal evidence such as the mammoth remains at West Runton and the internationally significant evidence of early hominid activity at Happisburgh. The British Geological Survey description of the CF-bF states that the type area spans Weybourne to Happisburgh, indicating that there is the potential for similar deposits to be present within the inter-tidal zone and/or immediately offshore area at Hemsby.

Potential exists for archaeological remains to be present within the area of the proposed works, both onshore and offshore and for these to be identified as non-designated heritage assets. The submitted Cultural Heritage chapter of the Environmental Statement (ES) identifies that there is a medium potential for archaeological remains of post-medieval [and modern] date to be present. Any such remains could include evidence of coastal activities, military defences and wrecks.

The proposed scheme would require areas of the beach to be excavated for the placement of rock armour, the movement of plant vehicles across the beach/foreshore area and the anchorage of vessels offshore for the delivery of the rock armour. These activities could all directly impact any buried archaeological remains, features or deposits of archaeological and palaeoenvironmental interest present within the works area and result in harm to their significance.

In addition to direct impacts through the removal or disturbance of deposits, it should be noted that the placing of rock armour could result in the compaction of any underlying deposits with archaeological and palaeoenvironmental interest.

The ES Cultural Heritage chapter acknowledges the potential for archaeologically significant deposits associated with the CF-bF and Happisburgh Glacigenic Formation to be present within the application area. As the potential for and extent of any archaeologically significant deposits at the application site is not currently understood, it is not possible to accurately assess the level of harm to their significance which may arise through the proposed scheme.

Historic England support the approach in the Cultural Heritage chapter which recommends that a geoarchaeological assessment should be undertaken to better understand the potential for significant archaeological and paleo-environmental deposits to be present within the application area, it is important that the geoarchaeological assessment is undertaken at the

earliest opportunity so that the potential is fully understood and any necessary mitigation measures can be designed-in as appropriate. If geotechnical works are being carried out for the proposed scheme, we recommend that these are subject to monitoring and analysis by a geoarchaeologist. Recommend that the geoarchaeologist is allowed direct access to any cores/boreholes collected as this allows greater reliability and confidence in the resulting conclusions. The requirement to undertake a geoarchaeological assessment and the design of any mitigation measures required prior to the commencement of works could be secured by an appropriately worded planning condition. <u>Summary</u> Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF (2021), in particular paragraph numbers 194 and 195. Conditions are required to address policy.	
Officer comment / response:	The Historic Environment is assessed in Section 11 of the submitted Environmental Statement report.
Any relevant Condition / Informative note?	Conditions required: A geoarchaeological assessment to understand site potential for archaeological remains and paleo-environmental importance. An archaeological assets protection plan to be agreed. Geotechnical monitoring and geoarchaeological analysis. Mitigation measures to be provided as necessary. On-site access for a geoarchaeologist during excavations and during any borehole sampling or geology core. Monitoring as necessary during construction and scheme lifespan.

RSPB (Royal Society for the Protection of Birds) In relation to the HRA how will introduction of INNS be prevented from the rock armour? Will the rocks be subject to decontamination before being loaded on ships/barges? From the evidence provided the rock berm option seems to be most suitable in terms of protection afforded, cost and durability.	
Officer comment / response:	Section 9.6 page 87 of Env Report refers to biosecurity measures to prevent transfer of INNS.
Any relevant Condition / Informative note?	Protection measures are proposed as part of a Construction Environmental Management Plan condition.

NCC Public Rights of Way
We have no objection in principle to the application but would highlight that a Public Right of Way, known as Hemsby Footpath 2 is adjacent to the proposed site. The Norfolk Coast Path

is also aligned coincident and crosses the proposed beach access. We therefore request that the applicant work closely with the Norfolk Trails Team at Norfolk County Council to ensure that the Coast path and the Public Right of Way remain open and available for use at all times. The Norfolk Trails team have also requested surface improvement works to the surface of Hemsby FP2 in mitigation of the increased footfall on the PROW as a consequence of the beach not being accessible. We therefore strongly recommend that the applicant have discussions and agree specifications with the Norfolk Trails Team in advance. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.	
Officer comment / response:	This is noted and accommodated in the application. Any longer-term temporary or permanent diversion or closure of the footpaths would be subject to separate consenting.
Any relevant Condition / Informative note?	Condition required for a programme of works that enable the coastal path and PROW to be available for use at all times. Condition required for improvement works to the surface of Hemsby FP2 before commencement of beach closure.

Environment Agency.	**Comments awaited.**
As yet no comments have been received for the formal application, but comments were provided in February 2020 to inform the LPA's EIA Scoping Opinion. Those comments highlighted: • As stated in the Shoreline Management Plan, this section of the coast is of international significance for its dune habitats but relies on its sediment supply to maintain the fronting-beach, as well as the dune-beach interactions if natural defences are to be able to function. • To the north of the berm site, the long-term policy options for this coastline will continue to achieve sediment supply. • However, the proposed berm could compromise the long term success of the natural sea defences in this area, and would be detrimental to both habitats and natural defences which are provided by the beach-dune system. An Environmental Statement would need to cover: • The impacts of interrupted sediment transport on Winterton Ness. In recent years a change to the area's tidal patterns have been observed, changing the usual north-to-south transfer to a south-to-north transfer, so the berm has potential to block sediment supply to Winterton and cause more erosion there. This could affect the Winterton-Horsey SSSI which needs assessing (especially as this may impact the Little Terns habitat).	

• The loss of fronting beach and change in beach profile at the local SPA / SAC designated sites. Reduced sediment transfer will reduce the recharge to fronting beaches (at SPA / SAC sites in particular) which will cause fronting beaches to be lost, creating an indirect impact on the Little Tern. The loss of beach front, and the associated steepening of the profile of the beach, may actually cause an increase in wave energy in the vicinity of the berm, causing foreshore lowering as beach material and material from the 'nearshore zone' is moved into the 'offshore zone' where it is likely to be lost to deeper waters. • As an alternative to the berm proposal the EIA process should consider a beach-recharge strategy.	
Officer comment / response:	Any formal comments to the planning application will be provided in advance of the Committee meeting and discussed verbally. The Environmental Statement (ES) report submitted with the application has covered possible impacts on SAC and SPA sites at ES section 8.5. It is noted that Physical and Coastal processes are assessed in section 6 of the ES report which considers there is no significant impact and no mitigation is considered necessary (table page 35) – but this is yet to be verified by the EIA Statutory Consultees.
Any relevant Condition / Informative note?	TBC

Marine Management Organisation	**Comments awaited.**
No specific comments have been received on the merits or content of the planning application. An application was submitted to the MMO for the engineering works as proposed in the planning application, because the area of the site included some land below the mean High Water Springs sea level (which is taken to be the boundary between LPA and MMO jurisdiction). Comments were provided in February 2020 to inform the LPA's EIA Scoping Opinion. Those comments highlighted: • Refers to requirement for Marine License for works below the Mean High Water Mark including construction, alteration and improvement works. • Advised that East Inshore and Offshore marine plans area a material consideration for public bodies with decision making functions.	

Officer comment / response:	Any formal comments to the planning application will be provided in advance of the Committee meeting and discussed verbally. The East Inshore and Offshore Marine Plan is considered in the submitted Environmental Statement report.
Any relevant Condition / Informative note?	TBC

Norfolk County Council Natural Environment Team (NETI) – Ecology.	**Comments awaited.**

As yet no comments have been received for the formal application, but comments were provided in February 2020 to inform the LPA's EIA Scoping Opinion. Those comments highlighted:
• The Environmental Statement would need to cover possible impacts on the following internationally designated ecological sites:
  ○ Outer Thames Estuary SPA;
  ○ Southern North Sea SAC – for impacts from ships & barges on harbour porpoise;
  ○ Greater Wash SPA – for possible disturbance to 'qualifying' bird species;
  ○ Great Yarmouth North Denes SPA – for impacts from ships & barges, and due to possible impacts on Little Terns as the qualifying SPA species;
  ○ Winterton to Horsey Denes SAC & SSSI site – potential for knock-on impact to this habitat through 'site connectivity'.
• A Habitats Regulations Assessment will also be required.	

Officer comment / response:	Any formal comments to the planning application will be provided at the Committee meeting. The Environmental Statement (ES) report submitted with the application has covered possible impacts on SAC and SPA sites at ES section 8.5.
Any relevant Condition / Informative note?	TBC

Historic Environment Service (Archaeology).	**Comments awaited.**
As yet no comments have been received for the formal application, but comments were provided in February 2020 to inform the LPA's EIA Scoping Opinion. Those comments highlighted: • The EIA would need to provide a desk-based assessment of built heritage and below-ground archaeology, for example there are remains of WWII structures and defences in the vicinity. • The Historic Environment Service remit only covers land above man high water; offshore and maritime archaeology is dealt with by Historic England.	
Officer comment / response:	The assessment of impact on heritage assets is reported below.

Any relevant Condition / Informative note?	TBC. Geological and paleo-archaeological precautions and mitigation measures are proposed as conditions.

Lead Local Flood Authority.	**No comment.**
No specific comments have been received on the merits or content of the planning application. Comments were provided in February 2020 to inform the LPA's EIA Scoping Opinion. The LLFA were reported to welcome the proposal which falls within the Hemsby Critical Drainage Catchment, and had no further comments.	
Officer comment / response:	Any formal comments to the planning application will be provided at the Committee meeting.
Any relevant Condition / Informative note?	n/a

Water Management Alliance	**No comment.**
The site lies outside the Internal Drainage District of the Broads Internal Drainage Board and the proposed application does not meet the threshold for commenting.	
Officer comment / response:	No action required.
Any relevant Condition / Informative note?	n/a

5.2. Internal Consultees

Conservation Officer	**No objection.**
The proposal involves the construction of a rock berm which is said to provide short-term solution (approximately 20 years) to local coastal erosion. The development falls partially within Newport Cottages and Winterton Conservation areas. The group of buildings in Newport Cottages Conservation area represent traditional style and format. The buildings exhibit a local vernacular building style in which beach cobbles are used – an approach which contributes to the local character and distinctiveness. There has been some erosion of character with the introduction of uPVC windows, cement rendering and concrete roof tiles in places, however, the vernacular architecture is still distinctive and significantly contributes to the character and history of the area. A relatively small part of the proposed rock berm to the north falls close to the boundaries of Winterton Conservation area. The rock berm would materially alter the appearance of both Conservation areas. However, this impact can be outweighed by the benefits of the development which aims to reduce coastal erosion in the area. (Reference: NPPF, paragraphs 201 and 202).	

Based on this assessment Conservation section don't wish to raise objections to the proposal.	
Officer comment / response:	The assessment of impact on heritage assets is reported below.
Any relevant Condition / Informative note?	Geological and paleo-archaeological precautions and mitigation measures are proposed as conditions.

Environmental Health Officer	**Comments awaited.**
As yet no comments have been received for the formal application, but comments were provided in February 2020 to inform the LPA's EIA Scoping Opinion. Those comments highlighted: • Construction noise and vibration will travel further due to the site being on sand, but controls can be put in place to control these. • Dust and waste controls will be required. • Potential contamination is unlikely.	
Officer comment / response:	Any formal comments to the planning application will be reported to the Committee meeting.
Any relevant Condition / Informative note?	TBC. A Construction Management Plan can introduce dust, noise and waste controls, and standard contamination precaution measures.

6. Representations

The application has been advertised in the press, with site notices and neighbouring residents have been notified in writing as this a major application accompanied by an Environmental Statement.

6.1. **Ward Member** – no comments received.

6.2. Parish Council – no objection.

6.3. Public Representations

At the time of writing 5 public comments have been received, all in support of the application.

St.Marys Road	
Want to emphasise how important and urgent our long awaited Rock BERM is,...we moved to Hemsby 7 years ago, and we've been following the very long procedure in getting our Rock BERM put in place. The Holiday Village is so popular bringing thousands of Holiday Makers up here bringing funds to everyone, we do not want to lose our lovely House in St.Marys Road we urge you to get this done for all of us.	
Officer comment / response:	Comments relate to Policies CS6 and CS13

The Marrams.	
Would love to see the rock berm on Hemsby beach. We live in The Marrams and we are now very vulnerable.	
Officer comment / response:	Comments relate to Policies CS6 and CS13

Hillcrest, St Marys Road,	
In light of recent events at Hemsby coastline the need for sea defences has taken on a new urgency, without prompt work it is feared that more devastation will hit the residents. It was so painful watching those lose their homes, but to have to watch it happen twice in less than 4 years was unbearable. The last loss was 2017, but we came perilously close the other night and it feels at times we have been abandoned to our fate. The committee should pass the plans for a rock berm as soon as possible and help us obtain funding so we no longer have to face another winter of sleepless nights. Time really is running out, this work needs doing now if we are to have any chance at all.	
Officer comment / response:	Comments relate to Policies CS6 and CS13

Nos. 4 and 8 Newport Cottages	
Please expedite the planning application and give it approval asap to allow the rock Berm to be started. The amount of dune loss in a few tides is significant.	
Officer comment / response:	Comments relate to Policies CS6 and CS13

No.57 Beach Road.	
The Rock Berm is the best chance Hemsby has of saving our beautiful beach and prolonging the life of the homes and businesses at the core of this village. Please give us a chance to survive and protect our homes and the biggest source of tourism this village has! Get this underway now!	
Officer comment / response:	Comments relate to Policies CS6 and CS13

7. Relevant Planning Policies

<u>The Great Yarmouth Core Strategy (adopted 2015)</u>

- Policy CS1: Focusing on a sustainable future
- 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 CS11: Enhancing the natural environment
- Policy CS12: Utilising natural resources
- Policy CS13: Protecting areas at risk of flooding and coastal change
- Policy CS16: Improving accessibility and transport

<u>The Great Yarmouth Local Plan Part 2 (adopted 2021)</u>

- Policy GSP4: New development in Coastal Change Management Areas

- Policy GSP5: National Site Network designated habitat sites and species avoidance and mitigation
- Policy A1: Amenity
- Policy E1: Flood risk
- Policy E2: Relocation from Coastal Change Management Areas
- Policy E4: Trees and landscape
- Policy E5: Historic environment and heritage
- Policy E6: Pollution and hazards in development

8. Other Material Planning Considerations

National Planning Policy Framework (July 2021)

- Section 4: Decision Making
- Section 6: Building a strong, competitive economy
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

National Planning Practice Guidance topics

- Climate change
- Environmental Impact Assessment
- Flood risk and coastal change
- Historic environment
- Land stability
- Natural environment

- Kelling to Lowestoft Ness Shoreline Management Plan (August 2012).
- East Inshore and Offshore Marine Plans (April 2014).

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
- Wider policy context
- Method of construction
- Landscape and appearance of the area
- Residential amenity
- Traffic and highways impacts
- Public beach access
- Ecology and biodiversity
- Heritage and cultural impacts
- Flood risk
- Coastal erosion effects
- Social and economic impacts
- Habitats Regulations Assessment (HRA)
- The EIA process

Assessment:

10. Principle of Development

10.1 The NPPF advises that "*In coastal areas, planning policies and decisions should take account of the UK Marine Policy Statement and marine plans...avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast"*.

10.2 Within the East Inshore Marine Plan and the Shoreline Management Plan, the medium and long-term aims for this part of the coast seek to support a natural marine and shore environment with minimal intervention. In the short-term (a 20 year period) local placement of areas of rock, beach replenishment etc may be undertaken to slow the rate of coastal erosion, but not with a view to protecting the coast into the medium or long term.

10.3 Within the local plan, the area within the application is identified as Coastal Change Management Area defined by Local Plan Part 2 policy GSP4: 'New Development in the Coastal Change Management Area'.

The policy includes the following:

"Within the Coastal Change Management Area development will be carefully controlled to minimise risk to life and property, to avoid increasing the pressure for new or improved coastal defences, and to guard against development which could have adverse impacts on coastal erosion and vulnerability elsewhere. Coastal management proposals will be supported where these are consistent with the Shoreline Management Plan recommendations, and can be demonstrated not to have significant adverse impacts elsewhere".

"Where development is proposed in the 20 year erosion 'horizon' of the Shoreline Management Plan, only a limited range of development types directly linked to the coastal strip, such as beach huts, cafes/tea rooms, car parks and sites used for holiday

or short-let caravans and camping will be permitted and appropriately time limited through conditions."

10.4 As such, a development designed for the short-term protection of the coastline and to minimise risk to life and property would be acceptable in principle having regard to national and local planning policies, subject to not seeking to prevent coastal change in the medium and long term and not being in conflict with other relevant planning policies.

11. Wider Policy Context

Coastal Protection Act and legal duties

11.1 It is noted in the application that Hemsby has not historically been protected from erosion under the Coastal Protection Act (1949) and there is no legal duty for either the Borough Council or national Government to provide protection from erosion; furthermore, a recent Government Statement on Flood and Coastal Erosion Risk Management now identifies a need for communities to transition and adapt to climate and coastal change.

UK Marine Policy Statement

11.2 The UK Marine Policy Statement (UK Government, 2011) provides the overarching policy framework for marine planning. Section 3.3.3 of the Environment Statement covers that part of the Policy Statement relevant to this scheme.

East Inshore Marine Plan (EIMP)

11.3 This geographically based plan translates the Marine Policy Statement into detailed policy and guidance for management of the Eastern Inshore Area. This area stretches from Flamborough Head to Felixstowe and extends out from Mean High Water Springs (MHWS) to the seaward limit of the territorial sea (approximately 12 nautical miles).

11.4 In its Policy CC1 the plan notes that proposals should take account of:

- how they may be impacted upon by, and respond to, climate change over their lifetime and
- how they may impact upon any climate change adaptation measures elsewhere during their lifetime. Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.

11.5 Policy SOC3 advises that proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference:

a) that they will not adversely impact the terrestrial and marine character of an area

b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them

c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against

d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts

11.6 The EIMP notes that the management of coastal change, particularly erosion and flood risk management, is the responsibility of the Environment Agency, Lead Local Flood Authorities and others through Shoreline Management Plans.

Kelling to Lowestoft Ness Shoreline Management Plan

11.7 Hemsby is included in the Kelling to Lowestoft Ness Shoreline Management Plan (SMP 6) (2012). The SMP sets out the policy for coastal defence management planning now and in the future along the various frontages within this area.

11.8 The proposed scheme lies within Policy Unit 6.14 Winterton-on-Sea to Scratby which is described as:

"An area of international significance for its dune habitats, which require a sediment supply to fronting beaches and fore dune-beach interactions to be able to function.

The long-term policy options for the shoreline frontages to the north will enable this requirement to be met, but this will need to be complimented by not constructing defences along this frontage, which would be detrimental to both habitats and natural defence provided by the beach-dune system. The long-term Plan is therefore to allow a naturally–functioning coast to develop through allowing the beach and backshore to evolve with minimal intervention".

11.9 Implementation of the SMP policy for the unit is 'managed realignment', with the expectation that little intervention would be required or permitted in the medium to long-term.

11.10 The policy allows for 'soft management' of the realignment/retreat. The SMP does not rule out such proposals as this berm, stating: *"local placement of areas of rock, beach replenishment etc) may be undertaken here [Scratby] and at other selected areas, to slow the rate of coastal erosion, but not with a view to protecting the coast into the medium or long term"*. As such it is considered that placing a rock berm at Hemsby for a period of 20 years is not contrary to the SMP.

12. Method of construction

12.1 The supporting information identifies the construction process involved in providing the berm. The rock berm comprises 3-6 tonne rock armour, underlaid by smaller bedding rock and geotextile. The berm will have 1 to 3 seaward slope and crest elevation of +3.0metres AOD, with an overall footprint of no more than 3 hectares . The rear of the berm would be located within 5 metres of the base of the dunes.

12.2 Construction of the rock berm will involve some sand removal forward of the toe of the dunes/cliff, with further excavation at the toe of the proposed berm. Safe excavation slopes and therefore the extent of excavation will depend upon the type of material encountered. (The depth of excavation will also depend upon both the final design and the beach levels at the time of the works). Excavated material would be back filled to pre-construction levels and any remaining sand placed at the rear of the structure crest, behind the berm at the toe of the dunes, to provide further wave power absorption.

12.3 The excavations will involve the toe of the berm being partially below the Mean High Water Springs (MHWS) level, possibly around 1m in depth.

12.4 The prepared sand profile will be overlaid with geotextile, smaller bedding rock placed above that, and then larger armour rock added on top. Rock will be moved to the point of construction and placed, using a grab and working from the front face back towards the dunes.

12.5 The southern end of the berm will transition to gabion baskets whilst at the northern end, the berm will either taper into the beach or will end with a small roundhead type structure.

12.6 The rock armour will be 3 to 6 tonne standard grading rock, sourced from a licenced quarry. Due to the nature of the small roads around Hemsby and the likely quantities of rock required, the most feasible method of rock delivery has been identified as sea delivery. The delivery vessels would be anchored offshore and the rock off-loaded onto smaller barges. The barges would then bring the rock to shore where it would be dropped on to the beach at high-tide and picked up from the beach at lower water levels. The rock can then be stored in a number of small stockpiles closer to the points of construction.

12.7 A new access ramp would be provided to maintain access over the berm for beach users and for Hemsby Lifeboat. The detailed design offers a proposed solution of a buried timber decked ramp, underlain with support from using the relocated Hexiblocks. This solution would maintain an access arrangement very similar to the current situation, with exposure of the ramp along the beach only during low beach levels.

12.8 A site compound for the storage of plant and any other materials (e.g. timbers for access ramp, geotextile rolls) and for staff welfare will be required. The position of this is proposed to be in the car park adjacent to the Lifeboat Station located at Hemsby Gap or the overflow car park, or both as the scheme progresses.

12.9 The construction programme of works is likely to be a maximum of 30 weeks. Construction plant (excavators and dumptrucks) would be delivered to site via Yarmouth Road to Kings Way and then along Beach Road, but the large rock material would be brought to the site via the sea.

12.10 A Site Waste Management Plan will be produced by the contractor. This will outline how waste will be managed ensuring the re-use or recycling or unwanted materials where possible. All sand removed as part of the construction works would be replaced around the structure and all rock delivered would be used within the berm.

13. Landscape and appearance of the area

13.1 The berm would begin proud of the beach but over time gradually blend into the beach as deposits increase around it, and backfilling sediment during construction will reduce the contrast in profile.

13.2 North of the end of the berm will experience more erosion around Dolphin Gap, though the properties on The Glebe remain well clear of the 20 year erosion limits. Nevertheless, natural erosion processes could change the landscape notably and this is not said to be likely attributed to the installation of the berm to the south. At existing

erosion rates the dunes recede towards the east lip of The Valley by some 50+ m and the height of the beach edge dunes drop by 5m. The Valley may be inundated only at a much higher rate of erosion (over 2x quicker) and only in extreme surge events when waters could reach c.90m inland, but still some 60m off The Glebe, which would be over 10m above the tidal surge water level.

13.3 The effects of the beachscape, seascape and landscape character over the 20 year period are therefore a contrast between limited minor change in cliff position and dune shape behind the berm, and much greater cliff recession north of the berm. The final appearance during and after 20 years is hard to predict given the lack of precedent and reliable modelling, but it is reasonable to conclude that once the berm has been established and bedded in through a initial winters the contrast between berm and beach would be much less stark and the overall effect would retain an appearance shaped by natural processes.

14. Residential Amenity

14.1 Policy A1 of the Local Plan Part 2 advises that development proposals will be supported where they protect or promote a high standard of amenity to ensure a suitable living environment in the locality. In this instance, the construction operation will last for up to 30 weeks and there is potential for noise and disturbance from the operation to impact upon the occupiers of local properties in The Marrams and St. Mary's Road. However, the site is a beach area where there would be a level of background noise from wave action and other activities. The closest residential properties are likely to be those that would benefit from the completion of the berm.

14.2 During the construction phase consideration will need to be given to appropriate working hours, and a Construction and Environmental Management Plan should be agreed by condition.

14.3 A handful of properties along Beach Road and the southern-most chalet within The Marrams would have their outlook impacted by the site compound, storage and construction traffic, if sited within the car park next to the beach café, and their beach views would be interrupted by activity of moving the rock for the berm and its transfer to the beach. Although relatively prominent in the view the boats and rock transfer would be a small part of the overall view and intermittent, and the degree of outlook available to residents overall would not be compromised to any unacceptable extent.

14.4 When the berm has been completed it is not considered that there would be any issues arising from the development that would impact upon the amenity enjoyed by the occupiers of dwellings in The Marrams and St Mary's Road. Consequently the proposal is considered to accord with Policy A1.

15. Traffic and highways impacts

15.1 There are concerns in relation to the impact of a large number of HGVs on local traffic and the local community given the nature of the small local roads around Hemsby. To avoid such impacts the application proposes that rock material will delivered by sea and then transhipped from the delivery vessel to the beach by barge and offloaded onto the beach. The supporting information identifies that construction plant such as diggers, dumpers and support vehicles would be delivered to the site works compound

via North Road or Kingsway and then along Beach Road. Access to the beach will be via the area in front of the Lifeboat / Beach Café building and through Hemsby Gap. There is a width restriction moving from the car park to the front of the lifeboat building which will limit the size of construction vehicles. Access to the Marrams access road from Sea View Road will not be restricted as the works vehicles will not use this area. As such, the daily vehicle movements to and from the site would be limited to the private vehicles of the construction workers which would be parked within the compound during the working day.

15.2 Pedestrian access at Hemsby Gap, which is a public footpath, will need to be restricted when equipment is moving through and when the ramp is being constructed. It is unlikely that the whole access point will need to be closed so pedestrian access can be maintained but restricted when necessary for safety.

15.3 It is considered that all these requirements can be incorporated into the Construction and Environmental Management Plan which will be required by condition if permission is granted. The condition would address the need for worker parking to be identified within the compound, require delivery of rock by sea and delivery of the site plant and machinery at certain times and by specified routes

16. Public Beach Access

16.1 The main access to the beach will continue to be at Hemsby Gap. The applicant in the supporting documentation states that this needs to be maintained for both beach users and the Hemsby Lifeboat, with the latter requiring access in all conditions.

16.2 The Coast Path at Hemsby is routed through the overflow car park on the landward edge, passes to the landward side of the Beach Café and then splits into two at Hemsby Gap. One route goes along the Marrams access road and the other route along the beach towards Newport.

16.3 The supporting information indicates that provision may need to be made for the path to be re-routed for the section from Hemsby Gap to Newport along the beach whilst works are occurring as rolling restrictions to the construction area on the beach will be required.

16.4 The comments of the Rights of Way Officer refers to the need to work closely with the Norfolk Trails Team to ensure that the Coast Path and the Public Right of Way remain open and available for use at all times as well as the need for improvement works to the surface of Hemsby FP2 (The Marrams track) in mitigation of the increased footfall on the PROW, though this may prove overcautious given the short duration of the works involved which might affect beach path routes.

16.5 It is therefore considered that there is likely to be public access to the beach maintained during the construction phase with only parts of the beach off-limits at any one time, as part of the phased construction of the berm.

16.6 A condition is proposed requiring the footpath FP2 to remain open throughout the period and for proportionate surface works to be agreed and implemented in advance of the berm construction. A condition can secure the public access in accordance with a plan to be agreed prior to commencement.

17. Ecology and Biodiversity

17.1 Physical and coastal processes are covered in Chapter 6 of the Environment Statement including the processes of sediment transport, coastal erosion and coastal processes.

17.2 Key legislation and policies relating to costal processes are outlined in Section 6.2 of the Environment Statement (ES).

17.3 The continued health and structures of the protected wildlife sites along the coast depend on retaining existing geomorphological patterns and behaviours, such as sediment needed for habitats of the Little Tern. The Environmental Statement report has investigated sediment transport north-south (southerly transport), as well as northerly transport. At the EIA Scoping stage, the Environment Agency raised concern that predominant sediment flows could be interrupted which could affect nearby protected sites' sediment recharge, but this has been refuted by the Environmental Statement which identified existing sediment shift in all directions.

17.4 The ES also indicates that the berm as a linear structure placed high at the back of the beach will not be a barrier to longshore sediment transport nor influence wave direction, so future impacts on nearby sites should not be affected by the proposals in this application any more than the natural tidal activities already underway, but there is expected to be a more stable sediment movement compared to existing rates.

17.5 The report advises that beach levels are naturally volatile at Hemsby and there is a long record of continual change in both the beach level and beach width and states that with or without a rock berm the size of the beach will continue to fluctuate.

17.6 Chapter 8 of the Environment Statement covers designated sites of conservation importance; habitats; species; and fisheries. Key legislation and policies relating to biodiversity are outlined in Section 8.2 of the Environment Statement.

17.7 The possible impacts and level of impact have been identified and assessed for each site, habitat and species during both construction and operation. During construction phases the South North Sea SAC, Great Wash SPA and Great Yarmouth North Denes SPA would experience underwater noise, noise and visual disturbance but no impacts are considered to be significant or require mitigation. Impacts on species such as the Harbour porpoise, Harbour Seal and Grey Seal, fish communities and wintering birds have been assessed as "not significant".

17.8 At section 8.6 of the Environmental Statement mitigation has been identified for a range of potential impacts through use of biodegradable oils by plant and machinery and biosecurity measures. The key mitigation is for breeding ringed plover where breeding bird checks will need to be undertaken before work can proceed.

17.9 There is potential for minor adverse impact during the construction phase to the Ringed Plover which may be discouraged from foraging in the vicinity of the works or would be disturbed if nesting close by. As a precaution a condition is proposed requiring a survey of nesting Ringed Plovers and other nesting birds along the beach to ensure that if there are breeding populations nesting close to the site this could be considered in terms of the phasing of works.

17.10 Table 8.8 in the Environment Statement outlines the residual impact after mitigation has been put in place.

18. Heritage and cultural impacts

Impact on Designated Heritage Assets

18.1 The northern extent of the application area lies approximately 200m to the south and outside the Winterton Conservation Area (Conservation Area No. 9).

18.2 At the southern end of the application area, the rock berm siting will overlap the boundary of Conservation Area No.18 Newport Cottages (designated 2013) which lies at the southern end of The Marrams. There are no listed buildings in this conservation area.

18.3 There is a duty on local planning authorities to ensure that development safeguards the special character and local distinctiveness of conservation areas and development should not only represent but positively contribute to and enhance the character of the area. The duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to ensure that: *"special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".*

18.4 NPPF paragraph 195 requires that where there is any identified 'harm' to the character or appearance or setting of designated heritage assets – in this case a Conservation Area - the extent of harm should be quantified. Where there is harm, development should only be permitted if the public benefits of a proposal are demonstrated to outweigh the level of harm caused. The extent of public benefit expected is proportionate to the level of harms identified (paragraph 202).

18.5 The area of Winterton Conservation Area in the vicinity of the application is important for its special interest as a natural habitat, geomorphological processes and visual landscape value. It is considered that the proposed berm would contrast with the natural appearance of the Winterton beach landscape, but is set back from the majority of the beach, is relatively low in profile and is separated from the Conservation Area boundary by a suitable distance to minimise the impact in longer-distance views. Furthermore, the berm designs will all taper into the sand in the northernmost 50m to merge with the beach landscape. As such the proposal would not result in any appreciable harm to the Winterton Conservation Area.

18.6 The Newport Cottages Conservation Area is noted for its cultural importance in maritime history as a small fishing hamlet and the architectural value of the group of buildings, including their local vernacular style known as 'Caister Cobble' using beach pebbles and small casement windows in response to the environmental conditions. The cottages are generally unspoilt or degraded by development and inappropriate intervention.

18.7 It is not clear if it is intended for the Newport Cottages Conservation Area designation to extend as far as the actual beach, but the importance of the Conservation Area includes its physical and visual connection to the sea. In combination with the backdrop of the North Sea, Newport Cottages represent a very important part of the Borough's social and maritime history and it is considered that every effort should be made to preserve this collection of buildings of regional significance.

18.8 The Newport Cottages Conservation Area was designated in 2013, and since then the beach has eroded back to the extent that the cliffs are now within the Conservation Area boundary.

18.9 The rock berm will interact with this Conservation Area in one of two ways: as the rocks will be sited 5m from the base of the cliff it either has the potential to be within the Conservation Area, or lie adjacent to the Conservation Area and be visible from only the cliff edge when stood within the Conservation Area.

18.10 It is considered unlikely that there would be any realistic appreciation of the Conservation Area from a position on the beach at the base of the cliffs. When seen in longer-distance views along the beach the berm would be an unusual feature in the foreground to the Conservation Area, but from such a distance the land level height difference would cause both to read distinct from each other. Furthermore, the berm design proposes the southern end will transition into the gabions at Newport so will not appear too jarring the beach landscape, subject to final designs being confirmed by planning condition.

18.11 However, the historic setting and context of the Conservation Area would be affected. This is an area of land situated around a historic collection of buildings (Newport Cottages) and its curtilage and intervening dunes or farmland would originally have been wider, stretching further eastwards. The rock berm would therefore be an alien feature to this historic landscape and heritage setting.

18.12 However, the situation of the rock berm at the foot of the cliff would not create a visual intrusion given the changes in topography and the relatively limited height of the berm (c.3m), so the harm experienced is considered to be only in respect of the cultural value and historic origins of the Conservation Area's setting.

18.13 The proposed scheme would not have any direct impact on scheduled monuments or listed buildings. Even though Option 3 has not been designed in detail, the footprint and the expectation of this being a lower height means visual and landscape impacts can understood and are no less than those of the other two options. For all 3 Options therefore, the level of harm to the two Conservation Areas is able to be assessed to be at a low level on the 'less than significant' scale, in NPPF terms, and would need to be outweighed by public benefits to a corresponding degree.

18.14 One of the benefits of the development is of course the short-term protection offered by the berm, in the form of slowing the erosion over the 20 years or so that the berm is expected to provide defences for. The benefits and the harm are weighed up in the concluding planning balance.

Archaeological, geological and paleological interest

18.15 The proposed scheme would require areas of the beach to be excavated for the placement of rock armour, the movement of plant vehicles across the beach/foreshore area and the anchorage of vessels offshore for the delivery of the rock armour. These activities could all directly impact any buried archaeological remains, features or deposits of archaeological and palaeo-environmental interest present within the works area and result in harm to their significance.

18.16 Desktop surveys have suggested potential for c. 15 archaeological military assets but the ES suggests these are considered 'low value' and any effect would be minor

adverse. Comments from the Historic Environment Service have not yet been received so cannot be corroborated.

18.17 In general, the ground works could have effects on archaeology and cultural heritage assets, some of which may be significant. This could cause a medium magnitude of change to a potentially high value resource, resulting in major adverse effects so the need for mitigation is importance.

18.18 In addition to direct impacts through the removal or disturbance of deposits, it should be noted that the placing of rock armour could result in the compaction of any underlying deposits with archaeological and palaeo-environmental interest.

18.19 Historic England have identified that the site is within a part of the coast along where significant archaeological and paleoenvironmental remains have previously been found, for example the mammoth remains at West Runton and the internationally significant evidence of early hominid activity at Happisburgh. The British Geological Survey records suggest there is potential for similar deposits to be present within the inter-tidal zone and/or immediately off-shore area at Hemsby which would be identified as non-designated heritage assets in the NPPF definition.

18.20 The submitted Cultural Heritage chapter of the Environmental Statement (ES) report identifies 'medium' potential for archaeological remains of post-medieval and modern date at the site, which might include evidence of coastal activities, military defences and wrecks.

18.21 The ES also acknowledges potential for geologic archaeologically significant deposits associated with the CF-bF and Happisburgh Glacigenic Formation to be present within the application area. At the moment there appears to be limited understanding in the scientific and geo-archaeological community about these formations, making it difficult to accurately assess the potential level of harm to their significance from this development. As such it is considered necessary to include further investigation at the site which will improve our understanding of the make-up and significance of these formations.

18.22 The NPPF states that in considering or 'weighing' applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 203).

18.23 On the one hand, the site appears to have potential to reveal important geological interest and even remains of international significance, but on the other hand there are limited physical works involved to the beach and none anticipated to the cliffs. This puts the proposal between two stools:

18.24 The NPPF advises that "Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.". This would require any harm to require 'clear and convincing justification' and permitting development which might cause substantial harm should be 'wholly exceptional', i.e. of a national significance; given the Shoreline Management Plan's expectations it is not appropriate to consider this a project of national significance and so harm should be actively avoided.

18.25 However, the extent of operational / excavation work is limited, and it is noted that Historic England and the Environmental Statement both consider there are means to investigate and record the site's geological value and monitor its paleological potential

as works proceed. This points to the use of conditions at pre-commencement stage, and during the development, to address and protect the site and its possible significance.

18.26 A pre-commencement geological assessment would provide better clarity and highlight potential for in-situ protection, and help establish the basis of a mitigation strategy in advance. A pre-commencement archaeological assets protection plan would also help plan for minimising impacts and protecting discoveries. Thereafter during the works, any discoveries of archaeological and paleological / paleo-environmental importance could be recognised, the works paused and the final details of a mitigation scheme could be arranged.

18.27 This may require a temporary cessation of work but Officers consider the potential value of the site to justify a short-term pause to the works whilst mitigation strategies are put in place. Officers consider this would prepare the applicant to the possible implications of the project, provide a better understanding of the site's value before works commence, and ensure any potentially significant discoveries are protected as they proceed. In so doing, the project can avoid substantial harm to, or loss of, the historic potential at the site, should the current un-designated asset be revealed to be an asset of the highest significance.

18.28 Even if the site did become recognised as being an asset of the highest significance, the controls imposed by conditions would keep the level of harm caused as 'less than substantial' and allow the development to proceed, in accordance with the expectations of NPPF paragraphs 200 – 201.

18.29 In line with the submitted ES Cultural Heritage section, Officers and Historic England therefore recommend use of planning conditions to require a geoarchaeological assessment to be undertaken to better understand the potential for significant archaeological and paleo-environmental deposits (pre-commencement), and a mitigation plan to secure any necessary mitigation measures which can be designed-in as appropriate (pre-commencement). During the actual works of the development, works should also be subject to on-site monitoring and analysis by a geoarchaeologist who is also to be provided with direct access to any cores/boreholes collected, and any further mitigations or precautions to be arranged as necessary; all these investigations would be subject to reporting and publishing of data.

19. Flood Risk

19.1 Policy E1 of the Local Plan and supporting text require that all development proposals in the Great Yarmouth Borough will be assessed and determined with regard to the management and mitigation against flood risk from all sources.

19.2 The supporting documentation with the application advises *"The risk to properties at Hemsby is from erosion, but concerns have been raised by the community regarding the risk of flooding through the low-lying area to the north of Hemsby Gap, known as The Valley. An appraisal of this risk was undertaken and concluded that there is no natural flood route through The Valley by which properties in Hemsby or Winterton would be affected by tidal flooding as The Valley forms a basin shape constrained by naturally rising land. Tidal flooding within The Valley would only occur during extreme surge events, and if the narrow ridge of dunes to seaward were to be breached or*

eroded. Due to the natural topography of the area, flooding would be limited to the centre of The Valley, with no properties affected."

19.3 There have been no concerns raised by any statutory consultee and no evidence to suggest that there is a risk of increased flooding elsewhere from the proposed works.

20. Coastal Erosion effects

20.1 The predictions of reduced erosion are estimates only based on the effects experienced at the California berm, which is of different design and shape but has been in position for c. 25 years.

20.1 The principle effects and differences between the 3 Options are estimated to involve:

- Option 1: The 3m-tall berm at 1330m length:
  - Reduce erosion by 70% and erosion in major storm events limited to 5-6m losses;
  - 12 residential properties at risk by Year 20;
  - Northern chalets would be lost over the 20 years;
  - The Marrams access road likely lost in first major storm;
  - Both car parks protected.

- Option 2: The 3m tall berm of only 1090m length:
  - Reduce erosion by 70% and erosion in major storm events limited to 5-6m losses;
  - 12 residential properties at risk by Year 20;
  - Northern chalets at high risk to next major storm, and likely to be lost early in the 20 years;
  - The Marrams access road likely lost in first major storm;
  - Overflow car park possibly lost by end of 20 years.

- Option 3: The 'reduced height' berm of 1090m length:
  - Reduce erosion by only 50% and erosion in major storm events limited to 7-10m losses;
  - 27 residential properties at risk by Year 20;
  - Northern chalets at high risk to next major storm, and likely to be lost early in 20 years;
  - Southern properties at high risk to 2nd major storm;
  - The Marrams access road likely lost in first major storm;
  - Increased risk to properties in Fakes Road towards the end of the 20 years;
  - Overflow car park likely to be lost by end of 20 years;
  - Hardstanding car park at risk by end of 20 years.

- The 'no action / do nothing' alternative would involve:
  - Unrestricted erosion continues at current rate with erosion losses of 15-20m per storm;
  - 94 properties (89 residential) at risk by Year 20;

- Lifeboat Station, Hemsby Gap, businesses, toilets, mini golf all lost over the 20 years;
- The Marrams access road likely lost in first major storm;
- Increased risk to properties in St Mary's Road and Fakes Road over the 20 years;
- Possible loss of some properties in St Mary's Road and Fakes Road over the 20 years.

20.2 It can clearly be seen that providing a longer berm of maximum proposed height will have notable erosion control impacts in comparison to lesser scales of development.

20.3 In response to the EIA Scoping and local queries raised regarding the possible effects north of the berm, the ES has investigated the beach and dune profile and historic changes in the coastline south of and including Winterton Ness, including the areas with the low-level 'gaps' in the dunes around 'Dolphin Gap' and east of the area known as The Valley (an elongated depression in the dunes).

20.4 In summary the report finds a variable rate of erosion, including both retreat and accumulation of more sand / dune material. The Valley currently acts as a natural defence and flood containing feature but could be lost at quicker erosion rates; even then there is no predicted risk of erosion reaching any closer than the base of the cliff below The Glebe, which would enable tidal inundation but it would reach the base only in the most extreme surge events in the 20 year period. Overall it is considered that the berm under Option 1 would not affect the area to the north.

21. Social and Economic impacts

21.1 Social and economic impacts include the benefit of affording more time for the local residential and business community to explore coastal adaptation, improving dwelling security, reducing deprivation through increased defence costs and uncertainty preventing investment, improving the image of the village as a place to live and work, and improving the health and wellbeing for the community by reducing anxiety.

21.2 During the construction there will be some benefit from construction worker spend and local materials / products used in the project, and a minor negative impact if tourism is affected by possible noise, disturbance, loss of parking spaces and visual impact of the beach appearance from machinery and groundworks. This is outweighed by the longer-term benefits for the local economy including investment especially in the local tourism sector.

21.3 There may be minor effects to the local fishing and seagoing vessels sector from the rock transport boat but this is likely to be minimal and considered by the marine licence process.

21.4 To further protect the tourism industry it would be possible to require construction to only take place during the off-season, but this would be to disrupt and prolong the process, and probably increase costs and delays from poor weather. However, the construction process is not considered likely to have such an impact that it would cause a significant detriment to tourism to justify such a restriction.

22. The EIA (Environmental Impact Assessment) process

22.1 As required by the EIA process, a number of options have been explored, in addition to the three design options covered within the current application, and including alternative strategies such as traditional sea walls, gabions, groynes, beach supplements, and the 'no action' option.

22.2 For various reasons, the use of a rock berm is seen as the only feasible option from the many considered since 2018, such factors including the project costs, duration and practicality, ecological and habitat impacts, and the overriding need to pursue a short-term option only with an effective use span of only up to 20 years so as to not compromise the Shoreline Management Plan. The scheme will afford the community time to consider adaptation measures for beyond the short-term.

23. Habitats Regulations Assessment (HRA)

23.1 Policy GSP5 of the Local Plan Part 2 requires *"where necessary, planning applications will need to be supported by a Habitat Regulations Assessment (HRA). To provide sufficient information for the Borough Council to make a determination as the competent authority",*

23.2 The Conservation of Habitats and Species Regulations 2017 (as amended) provides the framework for the protection of wild fauna and flora and birds and for the designation of a network of protected areas for certain habitats and species of conservation importance (the 'national site network'). These Regulations are based on the EC Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive') and Council Directive 79/409/EEC on the conservation of wild birds (the 'Birds Directive').

23.3 The Habitats Regulations require an assessment to be undertaken for plans and projects that are likely to have a significant effect, alone or in-combination with other plans and projects, on European/national sites.

23.4 The application has included a Shadow HRA report for the LPA to have regard to as HRA competent authority. That report considers how the construction of the rock berm might affect four European sites in the vicinity of the project:

- Southern North Sea SAC;
- Greater Wash SPA;
- Great Yarmouth North Denes SPA; and
- Winterton-Horsey Dunes SAC.

23.5 The report examines Likely Significant Effects (LSE) and proposes that in reality only a very small part of the berm would affect designated sites, and the majority at the waters edge. Overall, it is considered that it is not expected that the project will have a Likely Significant Effect on protected designated sites, as there are no source-receptor pathways that would amount to a LSE on the Southern North Sea SAC, The Greater Wash SPA, the Great Yarmouth North Denes SPA or the Winterton-Horsey Dunes SAC.

23.6 It is for the decision making authority ("the competent authority") to consider the impacts having regard to the HRA. The application was subject to consultation with Natural England who have not yet provided a response to the application. Whilst the submitted Shadow HRA is considered to have competently assessed the impacts in accordance with the relevant regulations, such that the Stage 1 (screening) assessment might be able to conclude that "there would be no Likely Significant Effect on any European designated sites", it is nevertheless still considered necessary to make sure Natural England support the emerging conclusions of the LPA in discharging its duties in the Habitats Regulations, and so this should be a matter delegated to Officers to resolve prior to the issuing of any permission.

24. Any Local Finance Considerations

24.1 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.

25. The Planning Balance

25.1 The Environment Agency and other consultees previously suggested the berm might compromise the longer-term natural protection that the dune system provides against coastal erosion.

25.2 There were also concerns that the berm could affect sediment transfer which would be detrimental to natural sea defences either side of the application site.

25.3 Furthermore, there were also concerns the berm could interrupt natural sediment recharge into the dune system which would be detrimental to habitats.

25.4 And therefore the semi-permanent rock berm would be contrary to the shoreline management plan recommendations.

25.5 The proposal is a short-term measure that would have a life of up to 20 years. The ES identifies that the siting in front of the dunes would have no significant effect on sediment transfer.

25.6 A short-term measure would not be contrary to the SMP

25.7 The rate of erosion at Hemsby has increased with three significant events in a short period. Local Plan policy recognises coastal change areas and supports the movement of commercial and residential uses from these locations. The berm will provide time for commercial and residential occupants at Hemsby to plan to relocate inland.

25.8 The berm would have a minor and low level impact on the landscape and a less than substantial level of harm to the setting, character and appearance of the two adjoining conservation areas at each end of the berm.

25.9 There is also potential for archaeological interest and some significant potential for extremely valuable geological and paleo-environmental assets at the site which if discovered and if then disturbed would be a major impact of national significance, but by imposing careful controls through conditions these can be mitigated and appropriate precautions arranged.

25.10 In the short-term the berm would provide additional economic benefit to Hemsby through supporting leisure and tourism and little negative impact during the work.

25.11 It is therefore considered that if the ES findings are corroborated in respect of the impacts on protected species sites, and natural habitats and species, then there should be little lasting impact on ecology and natural habitat regeneration, and the benefits of the development would be considered to outweigh the drawbacks.

26. Conclusion and Recommendation

26.1 The applicant has supported the application with detail of the means of construction, the method of delivery of the rock to the site, the storage of plant vehicles and machinery and the likely impacts to the local area during the construction period and after.

26.2 The application has identified that the berm is a short-term solution where the long-term strategic adopted policy is to allow natural change to the coastline in this area. Assessments of the beach erosion and tidal activities suggests that longer term beach recession trends could see the beach level drop by up to 2m over the next 20 years causing greater undermining of the dune cliffs and significant erosion losses up to 20m per storm, so the importance of a short-term protection measure cannot be overstated to enable the community to consider longer term adaptation strategies.

26.3 Having considered the details provided, the application is considered to comply with policies CS6, CS8, CS10, CS13 and CS16 from the adopted Core Strategy, and policies GSP4, A1, E1, and E5 from the adopted Local Plan Part 2.

26.4 Furthermore the proposed development is in line with the general ambitions and objectives of the Shoreline Management Plan and in particular the SMP allowance for short-term protection measures only where assets are at risk.

25.5 Although not all consultee feedback has been received and therein lies a risk of further assessment and reconsideration being required, it is considered likely that there are no other material considerations to suggest the application should not be recommended for approval.

RECOMMENDATION:

Officers request that Development Control Committee delegate authority to the Head of Planning to determine the application once outstanding comments are received and any matters remaining to be resolved are addressed. As such the Recommendation has two parts as below:

Part 1

To delegate authority to the Head of Planning to approve the application following receipt of outstanding comments from the following Consultees:

a. **The Environment Agency**
b. **Natural England**
c. **Norfolk County Council's consulting Ecologist**
d. **The Historic Environment Service**
e. **Environmental Health Officers**
f. **Marine Management Organisation;**

and,

Subject to satisfactory completion of the Habitats Regulations Assessment (with Appropriate Assessment if necessary);

and,

Subject to the proposed conditions listed below.

Part 2

In the event that comments are received from those consultees which state objections or which request conditions that are not practical for inclusion within the project, to revert back to Development Control Committee for the application's determination.

<u>Proposed Conditions</u> (an initial list pending consultee comments)

1. Standard time limit – commence within 3 years;
2. In accordance with approved plans and relevant supporting documents;

Pre-commencement:

3. Phasing & notification – before commencing, advise which of the 3 Options is being taken forward.
4. In the event that Option 3 is proposed, detailed designs to be submitted and agreed, and any relevant design-based mitigation measures to be agreed.
5. A geotechnical and geoarchaeological assessment to understand site potential for archaeological remains and paleo-environmental importance.
6. Geo-technical monitoring and geo-archaeological analysis.
7. An archaeological assets investigation, mitigation and protection plan to be agreed.
8. Historic assets mitigation measures to be provided as necessary.
9. On-site access for a geoarchaeologist during excavations and during any borehole sampling and collection of geology core extractions, and reporting thereof.
10. Construction and Environmental Management Plan to include phasing of work and rolling closure of beach areas, information signage, pedestrian and vehicular access routes, storage of plant, delivery of rock by sea, biosecurity measures to prevent transfer of INNS, use of biodegradable oils by plant and machinery, for example.
11. Dust and noise control measures to be agreed.
12. To submit and agree in writing with the LPA and County Council Norfolk Trails Team proposals to improve the surface of FP2 in the vicinity of the dunes at Hemsby and

the method by which FP2 will remain open during the construction phase of the berm.

13. Scheme to maintain public beach access during construction.
14. Site wide ringed plover and breeding bird checks.
15. Scheme to maintain public beach access during construction.
16. Southern end design to be agreed (shape, profile and extent of merge with gabions).

During operations and later use:

17. Construction working hours to be restricted.
18. Ensure FP2 remains open or diversions clearly signed.
19. Unexpected contamination precautions.
20. Geo-technical / paleo-environmental monitoring during construction and during the scheme's lifespan, and reporting thereof.
21. Beach erosion and tidal characteristics monitoring, with reporting.

And any other conditions considered appropriate by the Development Manager.

Informative Notes:

1. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149.)

And any other informatives considered appropriate by the Development Manager.

Appendices:

1. Site Location Plan
2. Site uses plan with works compound
3. Aerial view with site area extent
4. Option 1 Site Layout Plan – the 1330m berm proposal
5. Options 2 and 3 Site Layout Plan – the 1090m berm proposals
6. Options 1 and 2 Berm profile section view
7. Option 3 Conceptual profile for Dynamic reshaping
8. Hemsby Gap designs for public and lifeboat access through the berm

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E-mail: localplan@great-yarmouth.gov.uk
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Date:	11/10/2021
User Name:	sgs
Drawing No.:	
Scale @ A0:	1:1,250

- Hemsby Rock Berm Outline Design Basis_final.pdf - Adobe Acrobat Reader DC (32-bit)
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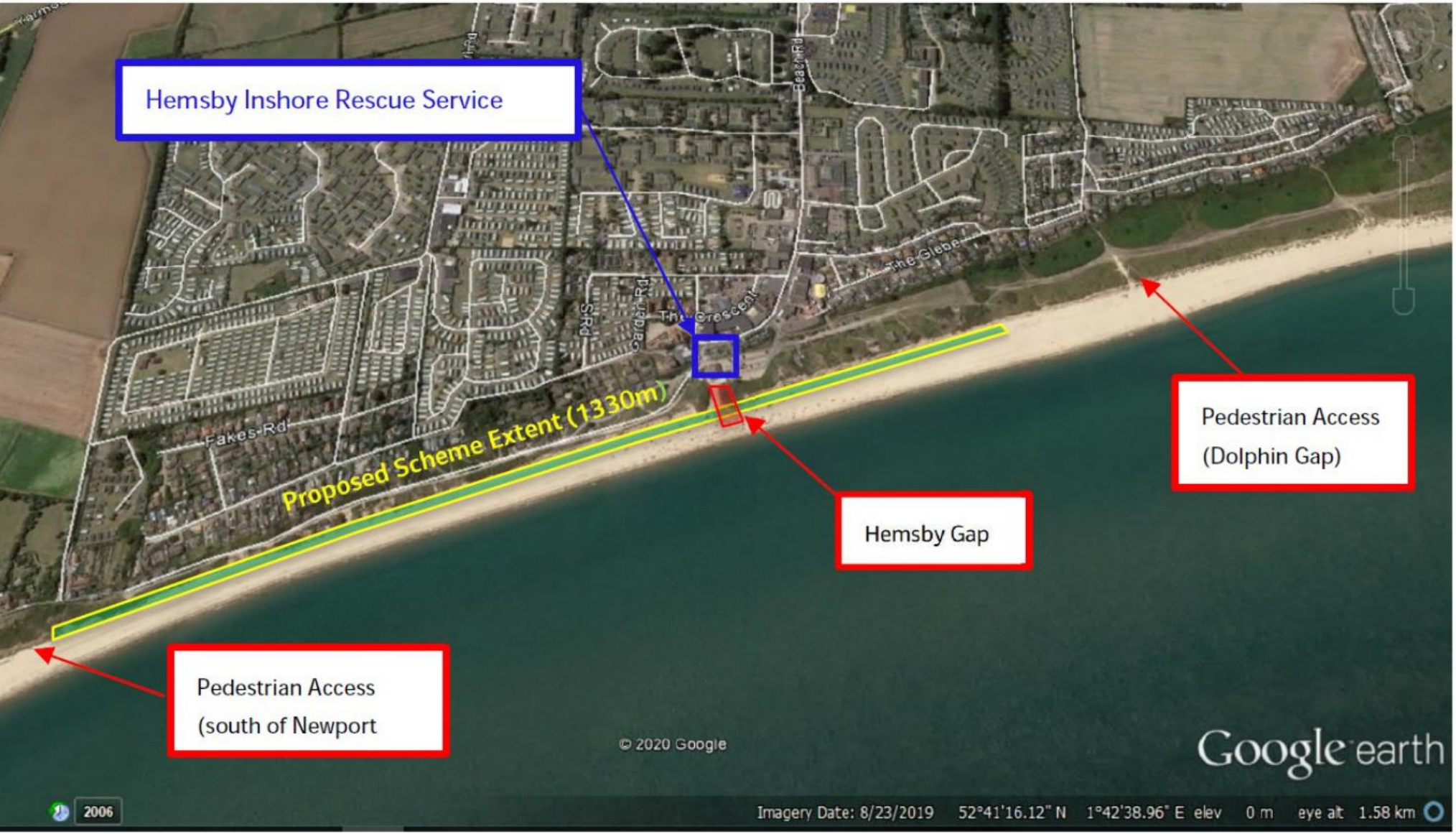

Figure 6-1 Hemsby beach access points

30°C Raining now

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PLAN

(Scale 1:2000)

NOTES:

1. ALL ELEVATIONS ARE IN METRES ABOVE ORDNANCE DATUM NEWLYN (ODN) UNLESS NOTED OTHERWISE.
2. TIDE LEVELS ARE TAKEN FROM ADMIRALTY TOTAL TIDE, 2020 AND ARE BASED ON AN INTERPOLATION BETWEEN TWO ADJACENT STATIONS, 0143 CAISTER-ON-SEA (ORDNANCE DATUM NEWLYN IS 1.62M ABOVE CHART DATUM) AND 0144 WINTERTON-ON-SEA (ORDNANCE DATUM NEWLYN IS 1.82M ABOVE CHART DATUM).
3. ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE.
4. DO NOT SCALE FROM THIS DRAWING.
5. ALIGNMENT OF BERM INDICATIVE AND BASED ON LATEST LiDAR SURVEY DATA.
6. OS MAPPING MAY NOT BE REPRESENTATIVE OF CURRENT SITUATION.

LEGEND:

- +0.0 MSL
- RAMP
- SAND DUNE / CLIFF FRONTAGE

TIDE BAR

+2.1m ODN	HAT
+1.2m ODN	MHWS
+0.6m ODN	MHWN
+0.0m ODN	MSL
-0.6m ODN	MLWN
-1.2m ODN	MLWS
-1.7m ODN	LAT

0 50 100 150 200 m

SCALE 1 : 2000

LOCATION PLAN

Jacobs
2 Glentworth Court, Lime Kiln Close, Stoke Gifford, Bristol. BS34 8SR
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www.jacobs.com

Client: GREAT YARMOUTH BOROUGH COUNCIL

Project: HEMSBY ROCK BERM DESIGN AND EIA

Drawing title: GENERAL ARRANGEMENT MAXIMUM EXTENT

Drawing status: FOR INFORMATION

Suitability: S2

Scale: AS SHOWN @ A1 — DO NOT SCALE

Jacobs No.: B2398600

Client No.:

Rev: P01

Drawing number: B2398600-JAC-ZZ-ZZ-DR-C-0101

Rev	Rev. Date	Purpose of revision	Orig	Check'd	Rev'd	Apprv'd
P01	05-02-2021	FOR INFORMATION	BM	DH	LB	KB

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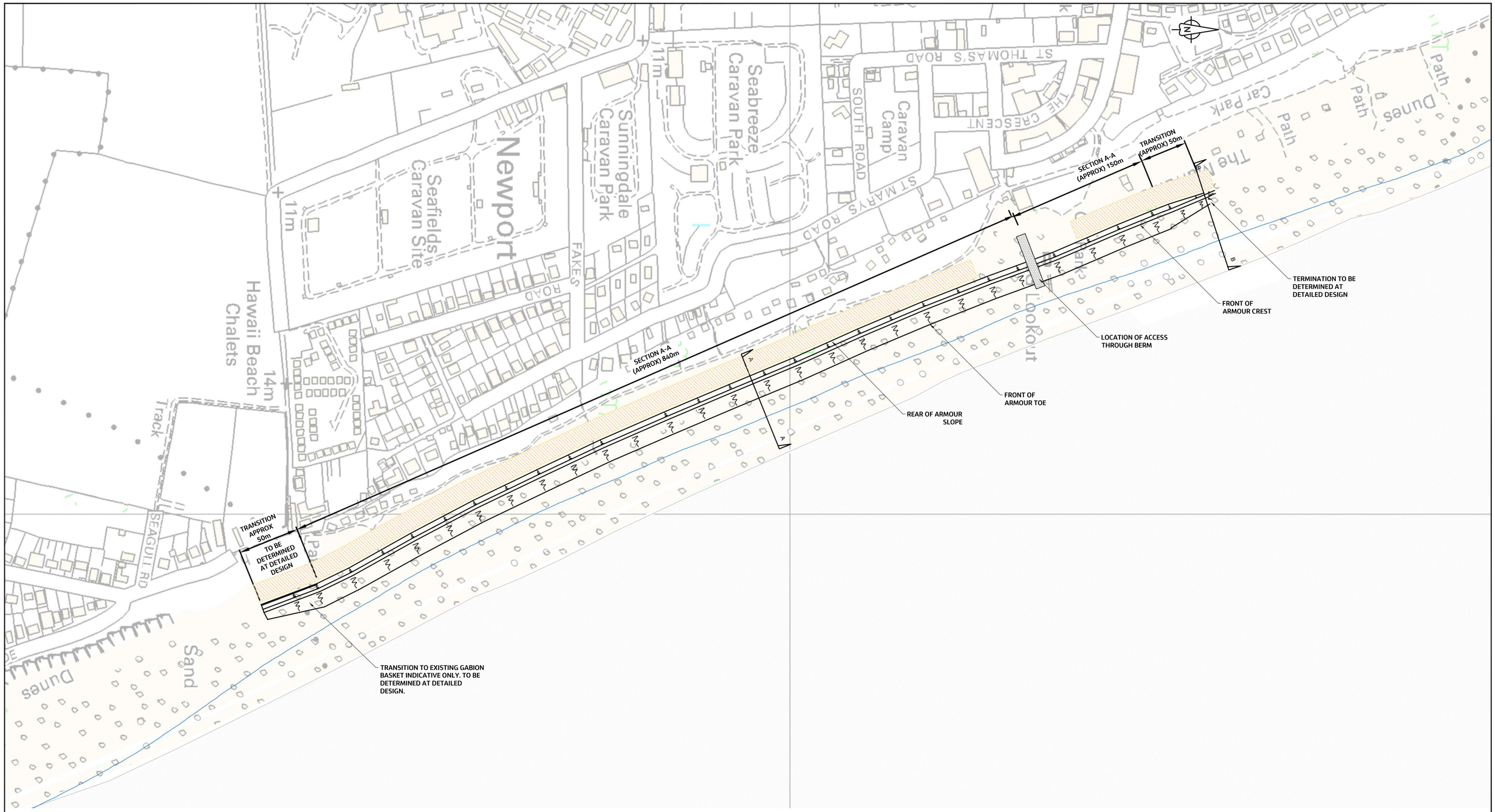

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PLAN

(Scale 1:2000)

Rev	Rev. Date	Purpose of revision	Orig	Check'd	Rev'd	Apprv'd
P01	05-02-2021	FOR INFORMATION	BM	DH	LB	KB

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LEGEND:

- +0.0 MSL
- RAMP
- SAND DUNE / CLIFF FRONTAGE

TIDE BAR

+2.1m ODN	HAT
+1.2m ODN	MHWS
+0.6m ODN	MHWN
+0.0m ODN	MSL
-0.6m ODN	MLWN
-1.2m ODN	MLWS
-1.7m ODN	LAT

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SCALE 1 : 2000

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Scale: AS SHOWN @ A1 — DO NOT SCALE

Jacobs No.: B2398600

Client No.:

Rev: P01

Drawing number: B2398600-JAC-ZZ-ZZ-DR-C-0100

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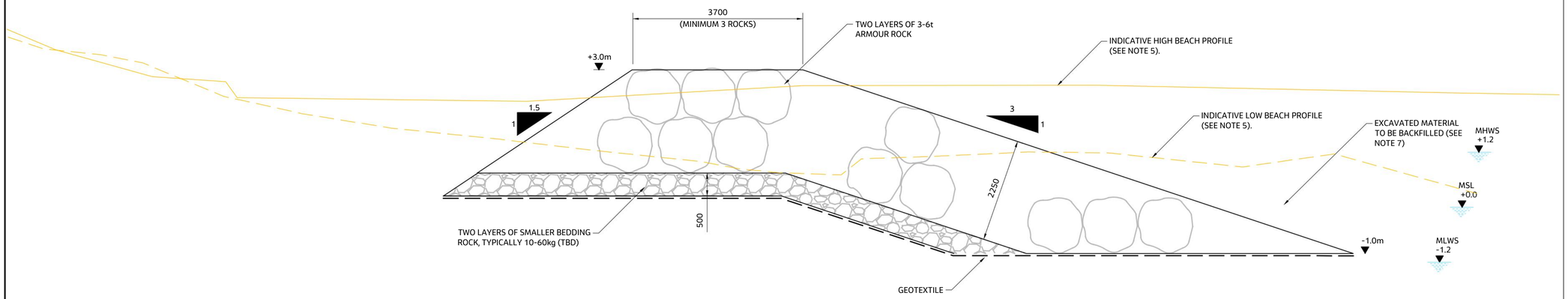

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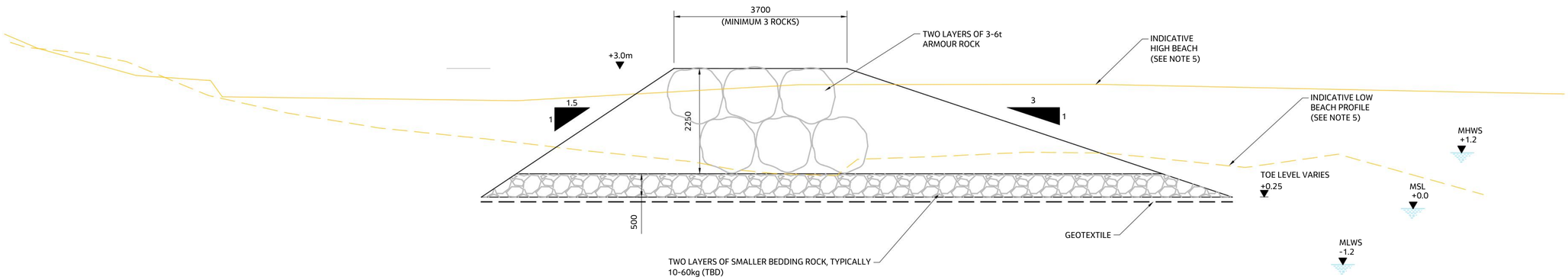

SECTION B-B
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NOTES:

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3. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE.
4. DO NOT SCALE FROM THIS DRAWING.
5. BEACH PROFILES ARE INDICATIVE AND ESTIMATED FROM BEACH MONITORING DATA. BEACH LEVELS WILL VARY.
6. EXCAVATED MATERIAL TO BE BACK FILLED AT THE TOE TO PRE-CONSTRUCTION LEVELS AND REMAINING SAND PLACED AT THE REAR OF THE STRUCTURE CREST.

TIDE BAR

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+1.2m ODN	MHWS
+0.6m ODN	MHWN
+0.0m ODN	MSL
-0.6m ODN	MLWN
-1.2m ODN	MLWS
-1.7m ODN	LAT

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SCALE 1 : 50

Rev	Rev. Date	Purpose of revision	Orig	Check'd	Rev'd	Apprv'd
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Client
GREAT YARMOUTH
BOROUGH COUNCIL

Project
HEMSBY ROCK BERM
DESIGN AND EIA

Drawing title
BERM CROSS SECTIONS

Drawing status: FOR INFORMATION
Suitability: S2
Scale: AS SHOWN @ A1 — DO NOT SCALE
Jacobs No.: B2398600
Client No.:
Rev: P01
Drawing number
B2398600-JAC-ZZ-ZZ-DR-C-0110

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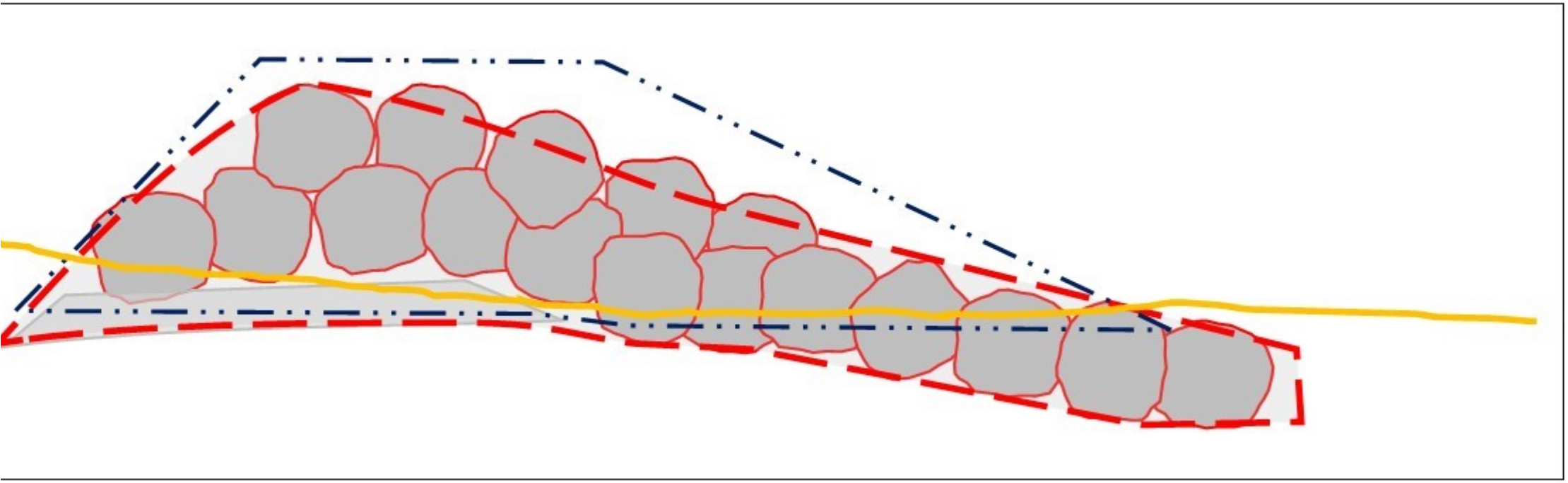

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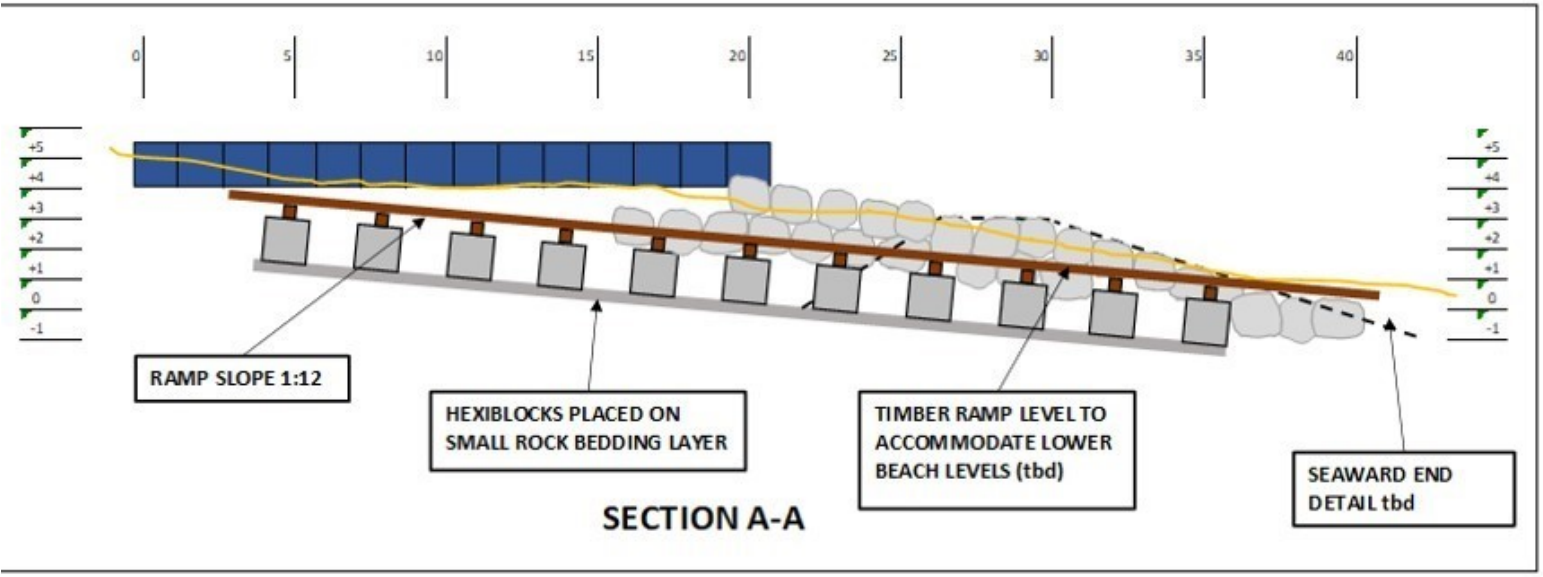
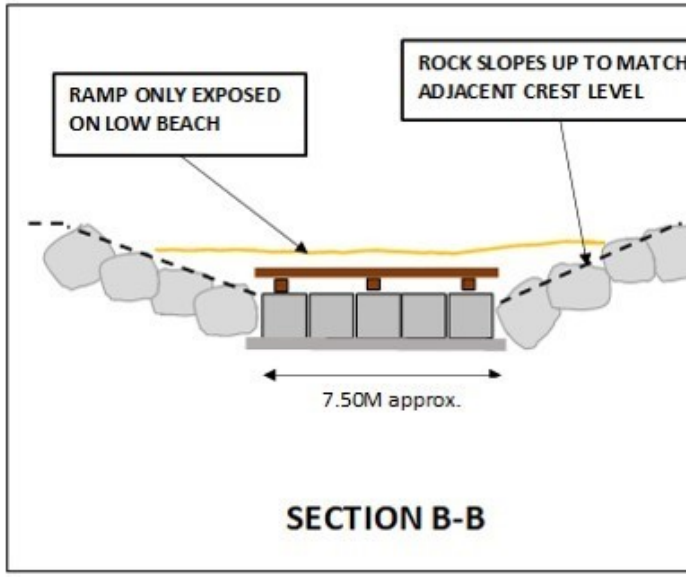
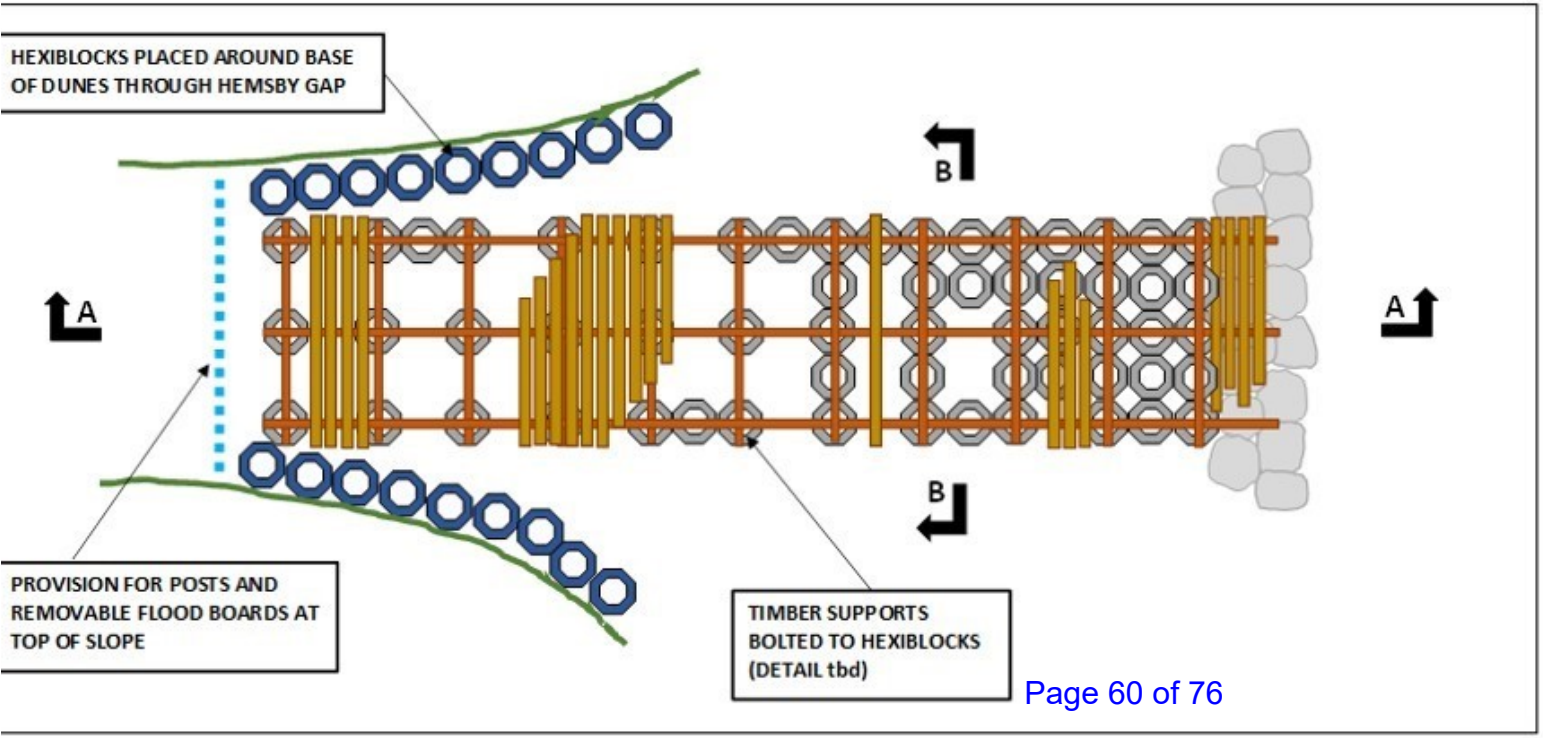






Reference: 06/22/00093/F

Ward: Gorleston
Officer: Mr R Tate
Expiry Date: 29-04-2022

Applicant: Great Yarmouth Borough Council

Proposal: Proposed construction of 11 no. beach huts

Site: Lower Esplanade, Gorleston

Procedural note: This application is brought before committee as Great Yarmouth Borough Council is the applicant and landowner of the application site.

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 05 April 2022, 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.

REPORT

1.0 Background / History :-

1.1 The application site is part of the Lower Esplanade, approximately 80 metres to the south of JayJay's Beach Café. The site sits to the north of 61 existing beach huts which were approved in 2018 within permission 06/18/0110/SU.

1.2 The previous permission originally approved 70 beach huts, but this was revised down to 61 as part of the non-material amendment 06/22/0107/NMA because the beach huts had been spaced at a distance that all 70 would not have fitted within the previous site location plan red-line area.

1.2 The 61 beach huts have already been installed, alongside the amenity block which is located within the central block of beach huts, which provides a disabled WC, two conventional WCs and wash basins for the occupiers of the beach huts.

1.3 The additional 11 beach huts will be located to the north of the northern block of existing beach huts. The huts will be sited 0.5m from the base of the cliff and will cover an area 3.5 metres wide by 50 metres long.

1.4 The huts will measure 3 metres by 3 metres including a veranda at the front. They will have a pitched roof and will be built of timber. The beach huts will match the external appearance of the previously approved beach huts.

1.5 The Beach Huts would be available for sale on a long lease with an annual ground rent, or available for hire to the General Public on an annual monthly or weekly basis. This will allow the Council to have control over the design and colour of the huts.

1.6 The Lower Esplanade is located within the No 17 Gorleston Conservation Area. The site is outside of the defined development limits (GPS1) and within 30m landward of the Coastal Change Management Area (CCMA), as defined by the Local Plan policies map.

1.7 The below table shows the relevant site history:

06/18/0110/SU	APPROVED 25-05-18	Lower Esplanade Gorleston	Construct 70 no beach huts with amenity block and associated services
06/22/0107/NMA	APPROVED 06-04-22	Lower Esplanade Gorleston	Non-material amendment for pp. 06/18/0110/SU - reduction in number of beach huts to be provided: from 70 to up to 70

2.0 Consultations :-

2.1 Public / Neighbour comments:

At the time of writing the report, 2 letters have been received as part of the public consultation process citing the following concerns:

- Concerns about availability of parking
- People may spread across The Esplanade, blocking it for walkers/cyclists
- Security concerns

2.2 Environmental Services – No comment

2.3 Conservation Officer – No comment

2.4 Local Highways Authority (Norfolk County Council) - No objection

2.5 Strategic Planning - subject to any other site-specific matters, including the submission of a satisfactory Coastal Erosion Vulnerability Assessment (CEVA) to accompany the proposal, that the development would be generally consistent with Policies CS8, L2 and GSP4 of the development plan.

3.0 Relevant Planning Policy :-

The principal policies are:

3.1 Local Plan Part 2 (2021):

Policy L2: New or expanded tourist facilities outside of Development Limits and Holiday Accommodation Areas

New or expanded tourist facilities (including tourist accommodation) may be permitted outside of the Development Limits and Holiday Accommodation Areas, but only where these:

a. are an appropriate scale to the character of the area, availability of local services and facilities, and hierarchical level of the nearby settlement;

b. individually and cumulatively do not significantly change the character of the local countryside, landscape or (where applicable) settlement, taking into account particularly:

• the quantity, scale, density and design of any additional buildings, structures, caravans, car parks;

• the types and amounts of traffic movements and any impacts, including those upon the tranquillity of the area;

• the impacts of lighting, advertisements and boundary treatments on the landscape and nightscape;

• any adverse impact on the nationally significant Broads or the Norfolk Coast Area of Outstanding Natural Beauty, but also undesignated but open rural and coastal landscapes;

• the potential for any adverse impacts upon environmentally sensitive locations such as National Site Network habitat sites; and

c. do not have a significant adverse impact on the living conditions of adjoining occupiers.

Small-scale countryside tourism, particularly that involving physical activity or other appreciation of the countryside for its natural or rural qualities, its conservation, or the understanding and enjoyment of the Broads, subject to the above, will be encouraged.

Policy E3: Protection of open spaces

Open spaces which provide local amenity, or recreational benefit to the local community, will be protected. Development proposals that contribute to the loss of either of these will only be permitted in limited circumstances and where: a. the proposal is ancillary to the space and will add to the value and function of the local open space to the benefit of amenity or the local community; or b. the applicant can demonstrate that the local open space is no longer required in its existing open space

use or an alternative open space use; or c. the loss of space will be replaced by equivalent or better provision in terms of quantity and quality, including accessibility to the local community where relevant.

GSP4: New development in Coastal Change Management Areas

Land to the seaward side of the Coastal Change Management Area Line as identified on the Policies Map is defined as a Coastal Change Management Area. Robust evidence (such as a review of the Shoreline Management Plan) that emerges over the lifetime of the plan which revises the area at risk from coastal change will be considered when determining whether a proposal is within the Coastal Change Management Area or not. Within the Coastal Change Management Area development will be carefully controlled to minimise risk to life and property, to avoid increasing the pressure for new or improved coastal defences, and to guard against development which could have adverse impacts on coastal erosion and vulnerability elsewhere.

Coastal management proposals will be supported where these are consistent with the Shoreline Management Plan recommendations, and can be demonstrated not to have significant adverse impacts elsewhere.

Where development is proposed in the 20 year erosion 'horizon' of the Shoreline Management plan, only a limited range of development types directly linked to the coastal strip, such as beach huts, cafes/tea rooms, car parks and sites used for holiday or short-let caravans and camping will be permitted and appropriately time limited through conditions.

Other development will be permitted where it:
a. is demonstrated to be a compatible form of development in regard to any anticipated potential increase in erosion and flood risk due to coastal change during the planned life of the development having regard to the indicative erosion zones identified in the Shoreline Management Plan; and
b. will provide a wider benefit to the local coastal community and/or economy; and
c. would not impact significantly on the stability of the coastline, the rate of shoreline change, or increase demands for investment in coastal defences.

Permanent new residential development will not be permitted within the Coastal Change Management Area. All planning applications for development within the Coastal Change Management Area and 30 metres inland beyond it must be accompanied by a Coastal Erosion Vulnerability Assessment which demonstrates that the development will not result in an increased risk to life or property.

3.2 Core Strategy (2015):

The following Policies of the Core Strategy are also relevant to this proposal:

Policy CS8: – Promoting tourism, leisure and culture – in particular CS8 a) Encourage and support the upgrading, expansion and enhancement of existing visitor accommodation and attractions to meet changes in consumer demands and encourage year-round tourism; and CS8 d) Maximise the potential of existing coastal holiday centres by ensuring that there are adequate facilities for residents and visitors,

and enhancing the public realm, where appropriate; and e) Support the development of new, high quality tourist, leisure and cultural facilities, attractions and accommodation that are designed to a high standard, easily accessed and have good connectivity with existing attractions.

Policy CS9: – Encouraging well-designed, distinctive places – in particular CS9 (a) Respond to, and draw inspiration from the surrounding area's distinctive natural, built and historic characteristics, such as scale, form, massing and materials, to ensure that the full potential of the development site is realised; making efficient use of land and reinforcing the local identity.

Policy CS10: - Policy CS10 – Safeguarding local heritage assets – in particular CS10 (a) Conserving and enhancing the significance of the borough's heritage assets and their settings, such as Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, archaeological sites, historic landscapes including historic parks and gardens, and other assets of local historic value.

Policy CS11 - Enhancing the Natural Environment - seeks to safeguard and enhance the Borough's landscape character.

3.3 **Other material considerations:**

NPPF Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

NPPF Paragraph 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

NPPF Paragraph 130 - Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

NPPF Paragraph 195 - Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

NPPF Paragraph 197 - In determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.

NPPF Paragraph 199 - 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.

NPPF Paragraph 200 - 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. Substantial harm to or loss of:
a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

NPPF Paragraph 201 - Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
a) the nature of the heritage asset prevents all reasonable uses of the site; and
b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
d) the harm or loss is outweighed by the benefit of bringing the site back into use.

NPPF Paragraph 202 - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

4 Assessment :-

Principle of Development

4.1 Core Strategy Policy CS8, parts d), e) and j), in particular, seek to enhance the tourist offer in terms of facilities and its relationship to the surrounding area. This proposal has the potential to offer facilities increasing the quality and variety of facilities to Gorleston (one of the Borough's larger centres) as a coastal resort. This approach is reiterated in Local Plan Part 2 (LPP2) policy L2. The proposed beach huts would sit alongside the existing beach huts, adding to the tourism offering.

4.2 The Esplanade provides an area of open space that is well used for recreation, including by Parkrun, walkers and families. Adopted LPP2 Policy E3 seeks to protect such open-spaces, only allowing development where the proposal is

ancillary to the space and will add to the value and function of the local open space to the benefit of amenity or the local community.

4.3 The proposed beach huts will be complementary to the primary tourism and recreational uses of the Esplanade. Here, the Esplanade is 9.5 metres wide, the huts will be sited 0.5m from the wall at the base of the cliff so they will take up 3.5 metres of the width of the Esplanade leaving a distance of 6 metres to the railings. The huts have been designed with a veranda at the front so that the occupants have space to sit outside without obstructing the space available for public use. As such, the loss of a small proportion of the defined open space is acceptable in this location.

Heritage

4.4 The site is located within the No 17 Gorleston Conservation Area. The decision maker has a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to ensure there is special attention paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

4.5 Beach huts are a traditional seaside attraction and providing the design and materials are satisfactory, they are an appropriate form of development in the area. The recently constructed beach huts have added vibrancy and have a positive contribution to the character of the area.

4.6 The proposed beach huts, with their matching form and visual appearance, would represent a continuation of the existing line of beach huts. With the relatively minor addition of 50 metres of additional beach huts this will not result in a proliferation which would detract from the wider character of the cliffs.

4.7 No comment has been received from the Conservation Section. However, the proposal is considered to be compliant with policies CS09 A and CS10 and the additional beach huts will have a positive contribution to the Conservation Area and wider beach setting.

Amenity

4.8 Adopted LPP2 policy A1 expands on policy CS09 F to ensure that no significantly harmful amenity issues occur, including overlooking and loss of privacy; loss of light and overshadowing and flickering shadow; building and structures which are overbearing; nuisance, disturbance and loss of tranquility from waste and clutter, intrusive lighting, visual movement, noise, poor air quality (including odours and dust); and vibration. Given the distance to dwellings, none of these are expected to occur, and the potential for impacts between beach huts or with other users of the Esplanade are considered limited.

4.9 It is recommended that a condition is imposed to prevent overnight accommodation use, to ensure that the huts are not used as living accommodation in the future. This would replicate the condition imposed on

06/18/0110/SU. A condition is also required to ensure the existing amenity block is made available to serve these new huts.

Highways

4.10 The Local Highways Authority (Norfolk County Council) raised no objection to the proposal.

4.11 The proposal is not expected to result a significant increase in vehicle movements. The proposal only represents a minor addition in beach huts when compared to 06/18/0110/SU as originally approved and as such is not expected to result in significant additional parking pressure.

Coastal change

4.12 The site is located within 30m of the indicative coastal change area. As such, it must be accompanied by a Coastal Erosion Vulnerability Assessment (CEVA) which demonstrates that the development will not result in an increased risk to life or property. Being a relatively minor development, a 'Type A' CEVA is required – where the developer confirms that they are aware of the uncertainties surrounding coastal change and that they are aware of the associated risk. This has not been received at the time of writing the report but needs to be submitted prior to the application being determined, and is unlikely to prove a stumbling block.

4.13 LPP2 Policy GSP4 states that "*Where development is proposed in the 20 year erosion 'horizon' of the Shoreline Management Plan, only a limited range of development types directly linked to the coastal strip, such as beach huts, cafes/tea rooms, car parks and sites used for holiday or short-let caravans and camping will be permitted and appropriately time limited through conditions.*" The proposed beach huts would therefore comply with the suitable types of development outlined in GSP4.

5 RECOMMENDATION:-

5.1 The proposal complies with the aims of Policies CS8, CS09 and CS10 of the Great Yarmouth Local Plan: Core Strategy and adopted policies L2 and E3 from the adopted Local Plan Part 2.

5.2 Therefore, subject to the satisfactory receipt of the CEVA, it is recommended to **Approve** the application subject to the **conditions** listed below.

1. The development must be begun not later than three years beginning with the date of this permission.

   The reason for the condition is :-

The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the details contained in the planning application forms and following drawings received by the Local Planning Authority on the 4th March 2022:

   - Location and block plan: 001
   - Beach hut side elevation: 002
   - Beach hut side section: 003
   - Beach hut front elevation: 004
   - Beach hut from section: 005
   - Beach hut floor plan: 006

   The reason for the condition is :-

   For the avoidance of doubt.

3. The beach huts hereby permitted shall not be used for any form of overnight accommodation.

   The reason for the condition is :-

   In order to allow the Local Planning Authority to retain control over the use of the huts.

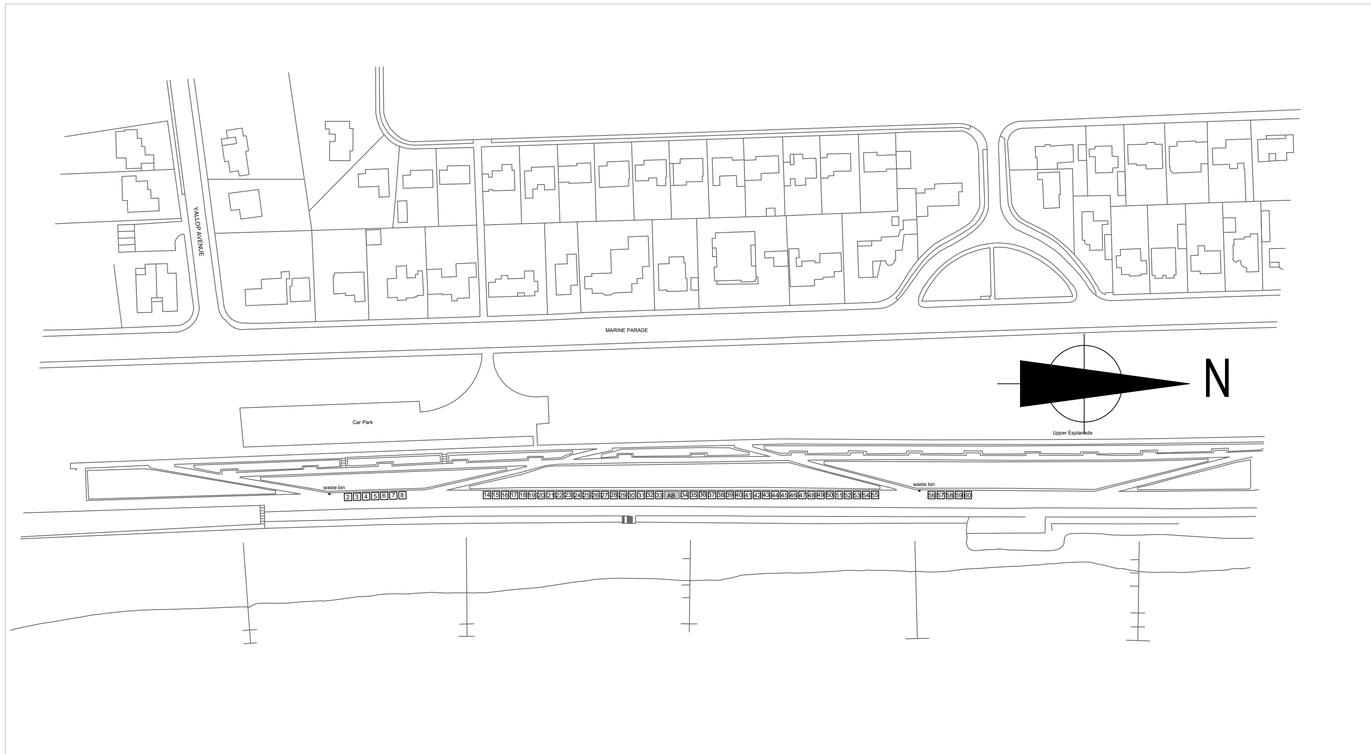
4. The amenity block as approved as part of planning permission 06/18/0110/SU shall be made available to users of the beach huts approved as part of this permission at all times.

   The reason for the condition is :-

   In order to ensure permanent availability of the amenity block to users of all of the beach huts on the Lower Esplanade.

Appendices

1. Location and block plan
2. Beach hut side elevation
3. Beach hut side section
4. Beach hut front elevation
5. Beach hut front section
6. Beach hut floor plan



Existing Location Plan - 1:1250

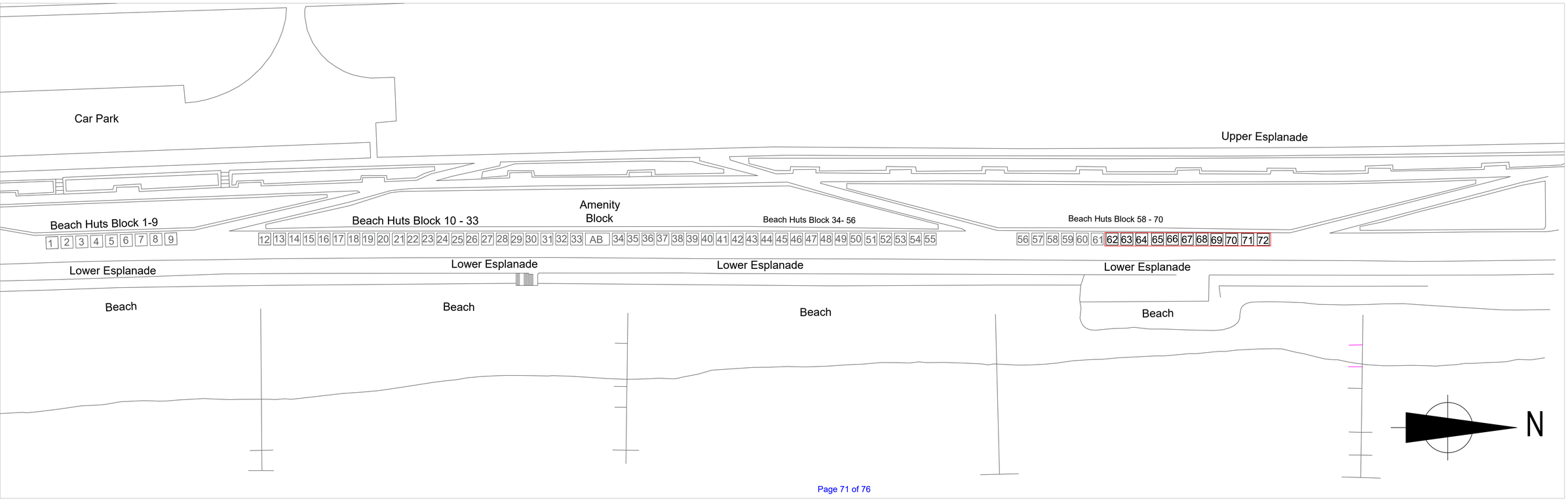
DRAWING ISSUE	A1 APPROVAL ISSUE

BOROUGH OF GREAT YARMOUTH

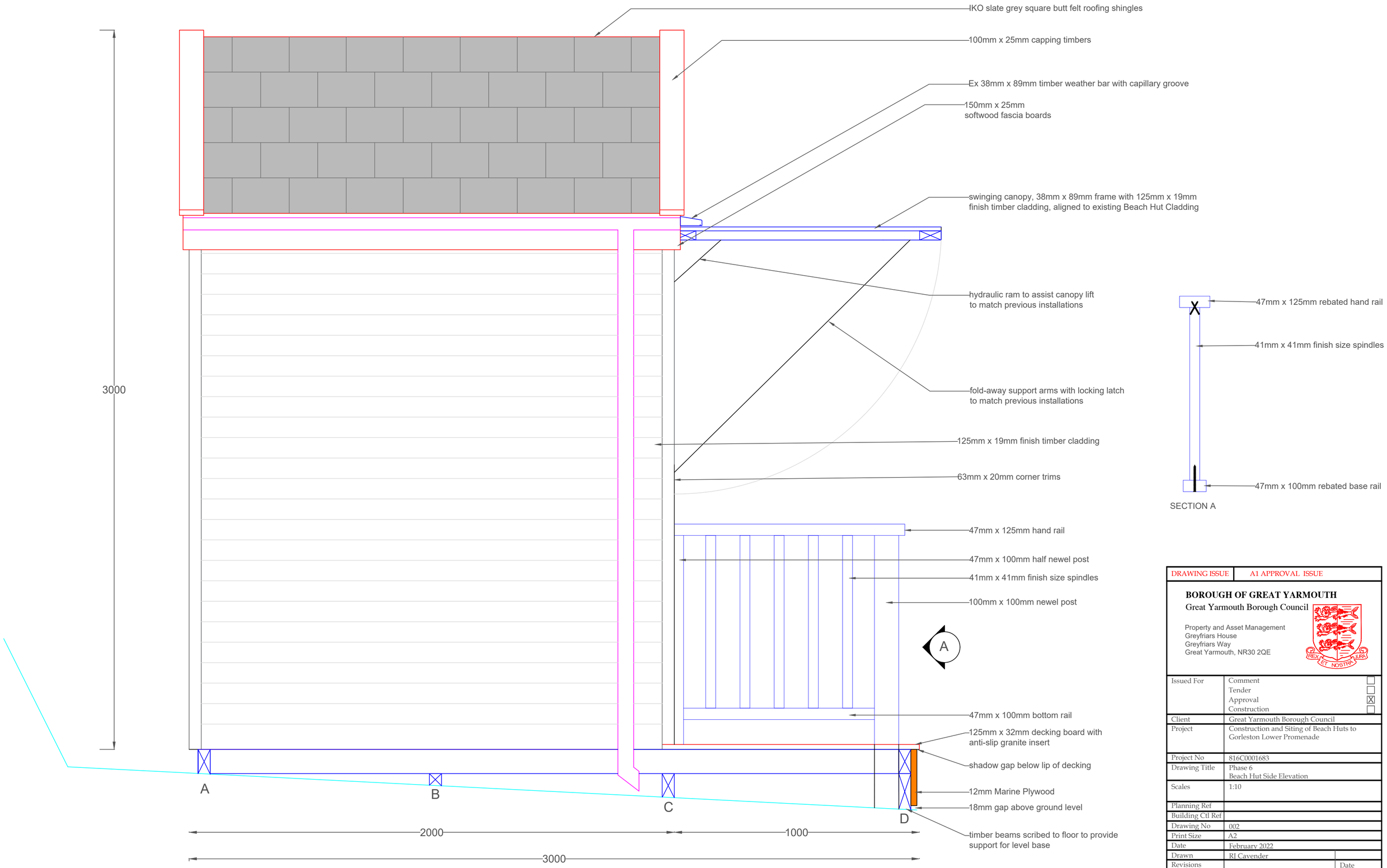
Great Yarmouth Borough Council

Property and Asset Management
Greyfriars House
Greyfriars Way
Great Yarmouth, NR30 2QE

Issued For	Comment Tender Approval Construction	☐ ☐ ☒ ☐
Client	Great Yarmouth Borough Council	
Project	Construction and Siting of Beach Huts to Gorleston Lower Promenade	
Project No	816C0001683	
Drawing Title	Phase 6 Beach Hut Installations Proposed Location and Block Plans	
Scales	1:1250 Location Plan 1:500 Block Plan	
Planning Ref		
Building Ctl Ref		
Drawing No	001	
Print Size	A1	
Date	February 2022	
Drawn	RI Cavender	
Revisions		Date



Proposed Block Plan - 1:500



BEACH HUT SIDE ELEVATION

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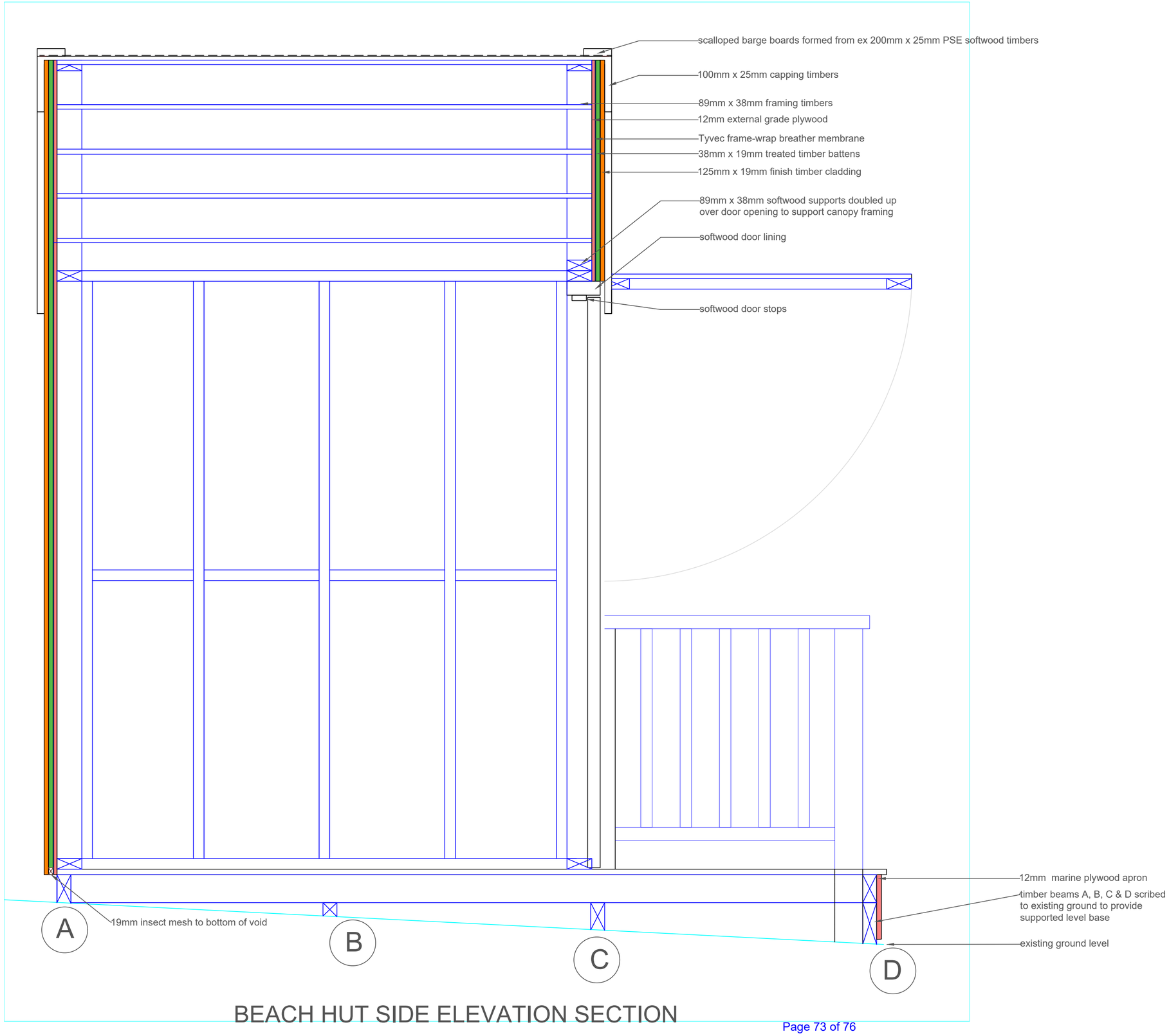
BOROUGH OF GREAT YARMOUTH
Great Yarmouth Borough Council

Property and Asset Management
Greyfriars House
Greyfriars Way
Great Yarmouth, NR30 2QE

Issued For	Comment Tender Approval Construction	☐ ☐ ☒ ☐
Client	Great Yarmouth Borough Council	
Project	Construction and Siting of Beach Huts to Gorleston Lower Promenade	
Project No	816C0001683	
Drawing Title	Phase 6 Beach Hut Side Elevation	
Scales	1:10	
Planning Ref		
Building Ctl Ref		
Drawing No	002	
Print Size	A2	
Date	February 2022	
Drawn	RJ Cavender	
Revisions		Date



BEACH HUT SIDE ELEVATION SECTION

DRAWING ISSUE	A1 APPROVAL ISSUE

BOROUGH OF GREAT YARMOUTH
Great Yarmouth Borough Council

Property and Asset Management
Greyfriars House
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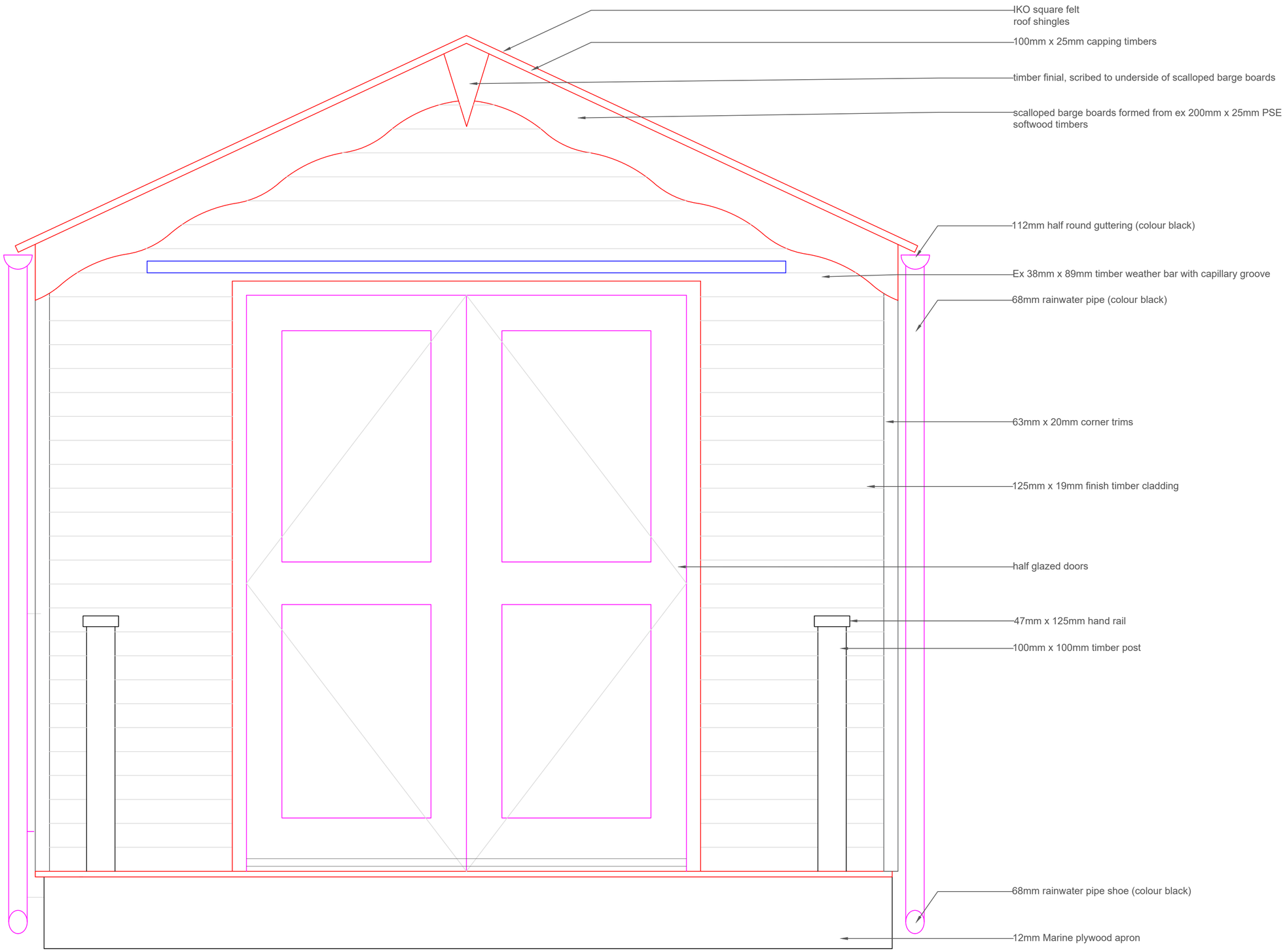
Great Yarmouth, NR30 2QE

Issued For	Comment Tender Approval Construction	☐ ☐ ☒ ☐
Client	Great Yarmouth Borough Council	
Project	Construction and Siting of Beach Huts to Gorleston Lower Promenade	
Project No	816C0001683	
Drawing Title	Phase 6 Beach Hut Side Elevation Section	
Scales	1:10	
Planning Ref		
Building Ctl Ref		
Drawing No	003	
Print Size	A2	
Date	February 2022	
Drawn	RJ Cavender	
Revisions		Date



BEACH HUT FRONT ELEVATION

3000

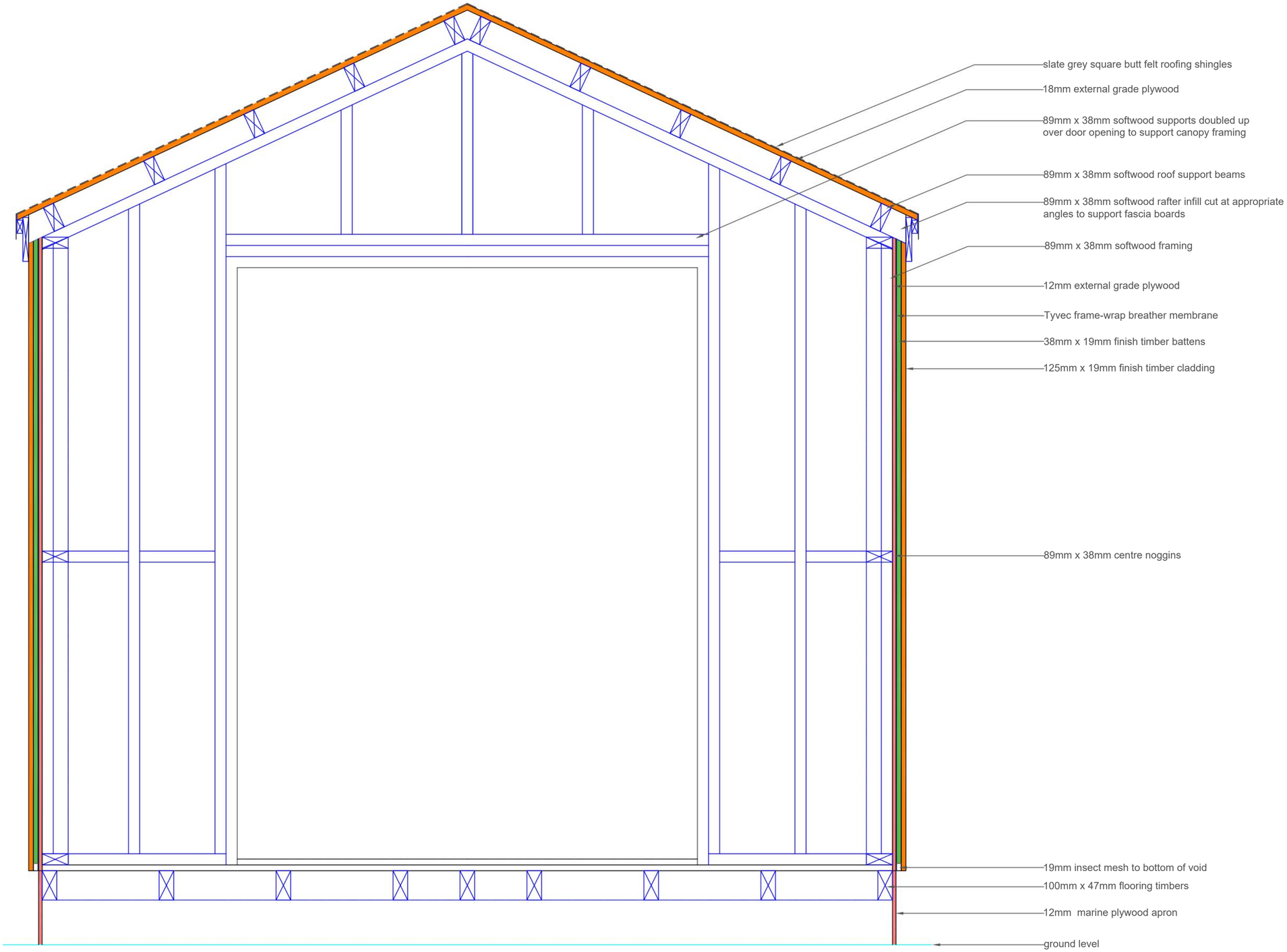
DRAWING ISSUE	A1 APPROVAL ISSUE

BOROUGH OF GREAT YARMOUTH

Great Yarmouth Borough Council

Property and Asset Management
Greyfriars House
Greyfriars Way
Great Yarmouth, NR30 2QE

Issued For	Comment	☐
	Tender	☒
	Approval	☐
	Construction	☐
Client	Great Yarmouth Borough Council	
Project	Construction and Siting of Beach Huts to Gorleston Lower Promenade	
Project No	816C0001683	
Drawing Title	Phase 6 Beach Hut Front Elevation	
Scales	1:10	
Planning Ref		
Building Ctl Ref		
Drawing No	004	
Print Size	A2	
Date	February 2022	
Drawn	RJ Cavender	
Revisions		Date



BEACH HUT FRONT ELEVATION SECTION

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Great Yarmouth Borough Council

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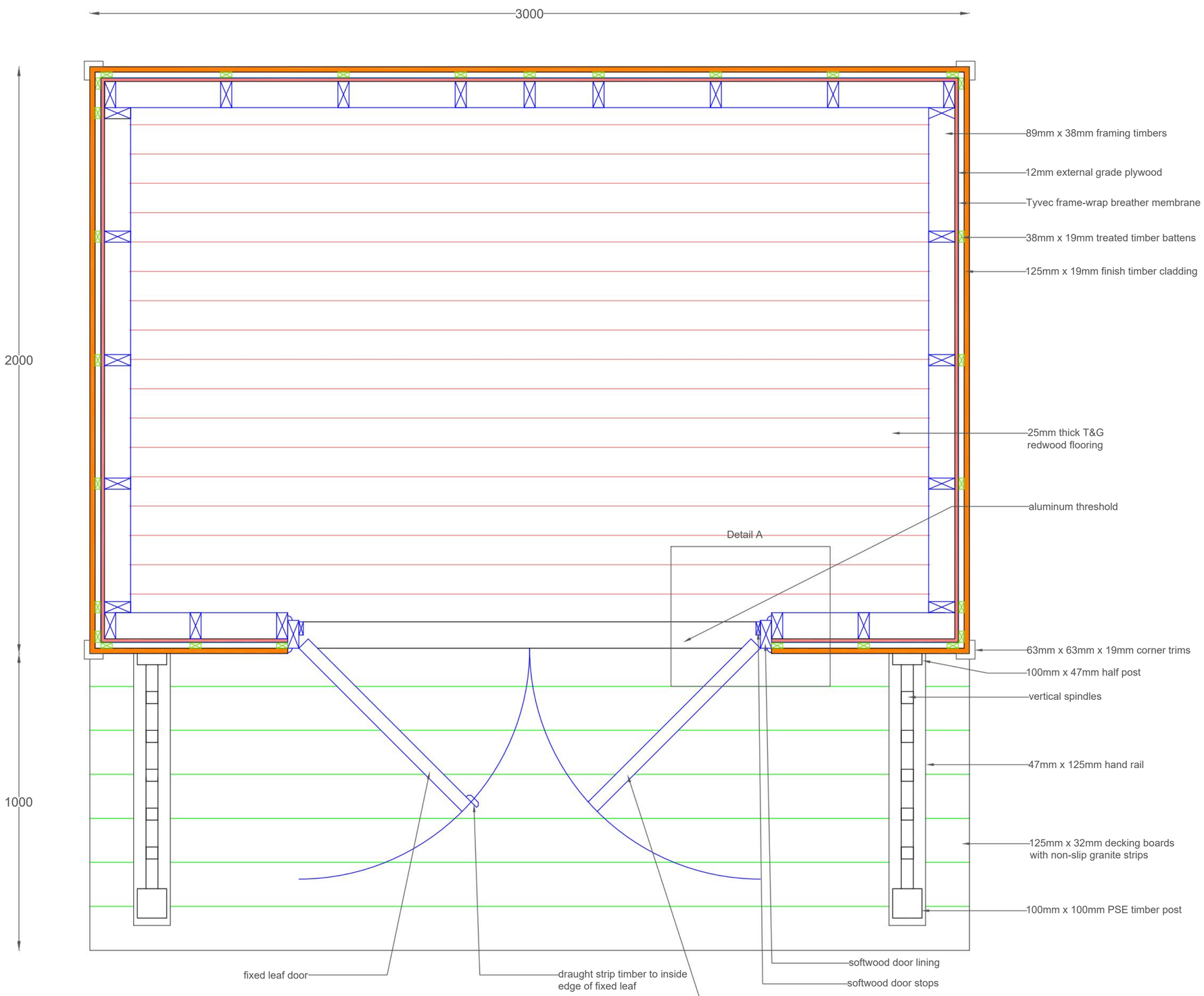
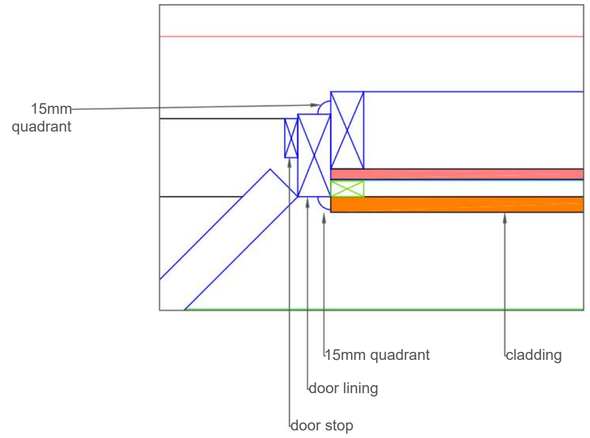
Issued For	Comment ☐ Tender ☐ Approval ☒ Construction ☐	
Client	Great Yarmouth Borough Council	
Project	Construction and Siting of Beach Huts to Gorleston Lower Promenade	
Project No	816C0001683	
Drawing Title	Phase 6 Beach Hut Front Elevation Section	
Scales	1:10	
Planning Ref		
Building Ctl Ref		
Drawing No	005	
Print Size	A2	
Date	February 2022	
Drawn	RJ Cavender	
Revisions		Date



BEACH HUT PLAN LAYOUT

Detail A Scale 1:5



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Issued For	Comment Tender Approval Construction	☐ ☐ ☒ ☐
Client	Great Yarmouth Borough Council	
Project	Construction and Siting of Beach Huts to Gorleston Lower Promenade	
Project No	816C0001683	
Drawing Title	Phase 6 Plan Layout	
Scales	1:5 / 1:10	
Planning Ref		
Building Ctl Ref		
Drawing No	006	
Print Size	A2	
Date	February 2022	
Drawn	RJ Cavender	
Revisions		Date