

**Reference:** 06/21/0794/F

**Parish:** Great Yarmouth

**Officer:** Gordon Sutherland

**Expiry Date:** 13-12-21

**Applicant:** Great Yarmouth Preservation Trust

**Proposal:** Proposed change of use from retail to retail and visitor information / heritage centre on ground floor (sui generis use), and 2 no. flats on first and second floors with attic space either converted into a second bedroom for flat 2 or as an artist's studio. Enlargement of door, reinstatement of 2 windows and insertion of 1 window in southern elevation of attic.

**Site:** 14 King Street, Great Yarmouth

This application is brought before the Development Control Committee because the applicant's relationship to the Borough Council means this is a 'connected application'. The application was referred to the Monitoring Officer for their observations on 25 January 2022.

## **REPORT**

### **1. The application**

- 1.1** Proposed change of use from retail to retail and visitor information / heritage centre on ground floor (sui generis use), and 2 no. flats on first and second floors with attic space either converted into a second bedroom for flat 2 or as an artist's studio. Enlargement of door, reinstatement of 2 windows and insertion of 1 window in southern elevation of attic.

### **2. Site and Context**

- 2.1** The property is a 3-storey building from circa 1840, the former Greenwoods retailer on the southeastern corner of King Street and Regent Street. It has been used as a shop unit on ground and first floor with storage above. It is located in Conservation Area No 4 King Street designated 25 July 1975. It is also located in the defined Great Yarmouth Town Centre, within the primary shopping area but beyond the protected shopping frontage defined in the local plan. The property is located in Flood Zone 1 and as such is not at risk of flooding and no flood risk assessment is required in this case.
- 2.2** The application has been accompanied by a historic assessment and measured survey, photographic record and proposed plans. The assessment chronicles the history of the building including historic photographs and maps that will help inform the proposed conversion and preservation works.

- 2.3 With the creation of 2 flats the application includes a shadow template habitats regulations assessment. A mitigation payment of £110/flat has been received to mitigate the potential associated recreation impact on Natura 2000 international sites designated for nature conservation.

### 3. Planning History

06/88/1669/F - New shopfront, new staircase to first floor and interior - Withdrawn 23-02-89

06/88/1670/A - Shop fascia sign - Withdrawn 23-02-89

### 4. Consultations: - All consultation responses received are available online or at the Town Hall during opening hours

- 4.1 At the time of writing no representations have been received from members of the public.

#### Consultations – External

- 4.2 **Norfolk County Council Fire and Rescue service.** The Fire Service raise no objection subject to compliance with the Building Regulations observing that in particular, the following areas will need to be addressed: Fire detection between the ground floor commercial premises and flats above (Level determined by the fire risk assessment) Detection linked from the flats to the communal areas. Each flat should have a protected lobbied entrance if it is single common stair.
- 4.3 This information has been provided to the applicant and will be added as an informative to this decision, but the requirements for compliance are addressed through the Building Regulations.
- 4.4 **Highways** – The Highway Authority raise no objection.

#### Consultation - Internal GYBC

- 4.5 **Conservation** - The applicant is the Great Yarmouth Preservation Trust. Staff within the Trust provide advice to the Council in relation to conservation and as such the Conservation Service has not commented on this application.
- 4.6 **Environmental Health** - The Environmental Health Officer (EHO) has provided advice regarding the age of the building in relation to the potential presence of asbestos which will be attached as an informative with this decision. The EHO also requested details of the proposed domestic and commercial waste storage. After visits from Great Yarmouth Borough Services (GYBS) waste management it has been concluded that the viable location for bins would be in Row 81 (between 19 and 20 King Street). GYBS has required that the bins are clearly numbered and possibly locked when not in use which is an operational matter. The EHO has confirmed that this is satisfactory.

## **5. Planning Policy**

### National policy

- 5.1** Paragraph 47 of National Planning policy Framework (NPPF) states: Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

### Adopted Core Strategy 2013-2030

- 5.2** Great Yarmouth Borough adopted Local Plan Policy CS7 “Strengthening our centres” identifies Great Yarmouth Town Centre as the top of the retail hierarchy for the Borough and seeks to enable it to compete as a retail centre safeguarding its retail function.
- 5.3** Policy CS10 Safeguarding local heritage assets seeks to conserve and enhance the Borough’s heritage assets and promotes heritage led regeneration.

### Local Plan Part 2 (2021)

- 5.4** Policy R1 Location of retail development - reinforces CS7 focusing retail development in the town and district centres and primary shopping areas in which the site is located.
- 5.5** Policy GY1 Great Yarmouth Town Centre - seeks to support retail, office and community uses in the town centre area to support the vitality and viability of the town centre. The policy defines a primary shopping area from Priory Plain in the north along Theatre Plain, King Street and Dene Side to St George’s Theatre in the south and from Stonecutters Way in the west including Regent Street and Regent Road to the Market Gates Shopping Centre. This includes a more defined protected shopping frontage along the Market Place up to Regent Road, wherein active ground floor uses are to be retained to support the character and retail function. The policy also seeks to increase residential uses through the repurposing of vacant buildings and upper floors.

## **6. Local Finance Considerations:**

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. It is noted that the Borough of Great Yarmouth does not have the Community Infrastructure Levy. 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. It is assessed that financial gain does not play a part in the recommendation for the determination of this application.

## **7. Shadow Habitats Regulation Assessment**

- 7.1** The site lies within the Orange Habitat Impact Zone more than 400m but less than 2.5Km from an internationally protected wildlife site and for developments less than 10 dwellings a template Shadow Habitat Regulations Assessment (HRA) is required. The applicant has provided a partial contribution to the Borough Council's Habitats Monitoring & Mitigation Strategy (£110 per dwelling) and the balance would be required before any permission could be granted.

## **8. Assessment**

- 8.1 Primary Shopping Area and Protected Shopping Frontage** - The premises is located within the primary shopping area but beyond the protected shopping frontage. As such it is considered that the proposed heritage centre is a use that will maintain an active use at ground floor which supports the retail character of the centre.
- 8.2 Character and Appearance of the Locality** - the works involve the renovation of a historic building within the Conservation Area, which will breathe new life facilitating active reuse of ground and upper floors, conserving and enhancing the area. The works are largely internal to the building, alterations of the external appearance include the reinstatement of 2 windows on the northern elevation to Regent Road, the reinstatement of 2 blocked windows, the insertion of 1 new window and a replacement door in southern elevation of attic. These are not visible from street level and it is considered will not have a significant adverse impact on amenity.
- 8.3 Amenity** - The neighbouring uses are retail to the south on King Street. No. 14 is the end of a terrace with no adjoining building to the north where Regent Road adjoins. The flats will have no private amenity space, though the location in the town centre gives access to lots of public open space and is a short walk to the seafront. Waste and recycling will be provided on an adjacent alley. The reinstated windows on the northern elevation overlook Regent Road as do other windows on that elevation and the reinstated windows on the northern elevation of the attic will not give rise to any loss of privacy to adjoining property.
- 8.4** Each flat is a 2 person flat providing over 50 sqm of space including a living room, dining room, kitchen and shower room. The proposed artist studio is over 30 sqm in area and includes a toilet.
- 8.5 Re the possible Artist studio** - The application seeks that the attic space could either be used for artist studio use or as additional accommodation for the

second floor flat. In the interest of the amenity of the potential occupier of the second floor flat, permission should only be granted if the application can demonstrate suitable noise and amenity protections between the two uses (given the historic nature of the conversion), and if so the artist studio use would need to be subject to conditions that:

- 8.5.1 The attic studio shall only be used as either an artists studio, or as residential accommodation for flat 2;
- 8.5.2 Use as an artists studio shall not include use for visiting members of the public;
- 8.5.3 Use as an artists studio shall only be leased or rented out to a single person at any one time;
- 8.5.4 No use as an artists studio shall commence until the noise and amenity precautions are installed and made operational.

If the applicant was unable to demonstrate suitable noise and amenity protections between the two separate uses, a condition is recommended that the attic studio shall not be occupied separately from the second floor flat and shall either be used as workspace ancillary to the flat or as residential accommodation for flat 2.

**8.6 Parking-** The property is located in the town centre and has no external space for vehicle parking, the property has excellent access to public transport bus and rail. Given this is a conversion of an existing building with limitations it is not considered reasonable to require the provision of bicycle parking. Given there is no scope for off street vehicle parking with this development it is also not necessary to require the provision of electric car charging points as encouraged by policy I1.

**8.7 Open Space** – Policy H4 of the Local Plan Part 2 seeks the provision of 103 sqm of open space per dwelling for new housing development. While this development will provide 2 new flats, financial contributions are required, the precise amount of which will be calculated depending on the site location, scale of development and existing deficit or surplus of open space in the vicinity. The contribution would be no more than £1,800 per dwelling, but is required to satisfy policy H4 unless the scheme is proven to be unviable due to the contribution. It is noted that there is a permitted development right to create up to 2 flats above a Class E commercial use including in a conservation area in accordance with Part 3 Class G of the Town and Country Planning General Permitted Development Order, but the proposed development will create a sui generis use outside Class E so payment is still required in lieu of the provision of open space on site. The Committee will be updated at the meeting.

**8.8 Water Conservation** – Policy E7 of the Local Plan Part 2 requires new development to meet a high water efficiency standard of 110litres per person per day. A planning condition can be used to secure the details and provision.

**9.0 Conclusion:**

9.1 The proposed development will facilitate the use of the building as a shop and visitor information / heritage centre, works include the formation of 2 flats on the

upper floors, and the possible additional benefit of an artist studio use as well; all of the above is encouraged by the development plan to support the vitality of the town centre and its primary shopping area as such the application is recommended for approval.

**10. RECOMMENDATION: -**

- 10.1 The proposal complies with the aims of Policies CS7, CS10, of the Great Yarmouth Local Plan Core Strategy, also to Policies A1, R1 and GY1 of the adopted Local Plan Part 2.

**Approve** application 06/21/0794/F, subject to:

- (i) suitable details being provided to confirm that adequate measures can be incorporated (such as noise mitigation) in the designs and historic building conversion to show a stand-alone artist studio use can be compatible above an unrelated residential dwelling; and,
- (ii) receipt of the balance of the Habitats Mitigation and Monitoring Strategy payment; and,
- (iii) receipt of appropriate financial contributions for public open space; and,
- (iv) and the following planning conditions including but not limited to:

Conditions:

- 1. standard time limit;
- 2. in accordance with the submitted location plan, floor plans and elevations;
- 3. no residential occupation until water efficiency measures have been installed to each flat in accordance with a water efficiency strategy to be agreed in advance;
- 4. the attic studio space shall only be used as either an artists studio, or as residential accommodation for flat 2 (depending on the aforementioned noise mitigation and other measures);
- 5. use as artists studio shall not include use by visiting members of the public;
- 6. use as an artists studio shall only be leased or rented out to a single person at any one time;
- 7. use as an artists studio independent of the residential flat 2 below shall not commence until the noise and amenity precautions are installed and made operational (where relevant or appropriate);
- 8. in the event that suitable mitigations cannot be introduced to the attic floor for use as an independent art studio, it shall be used only as a work space ancillary to the second floor flat or as residential accommodation for flat 2.

And any others considered appropriate by the Development Manager.

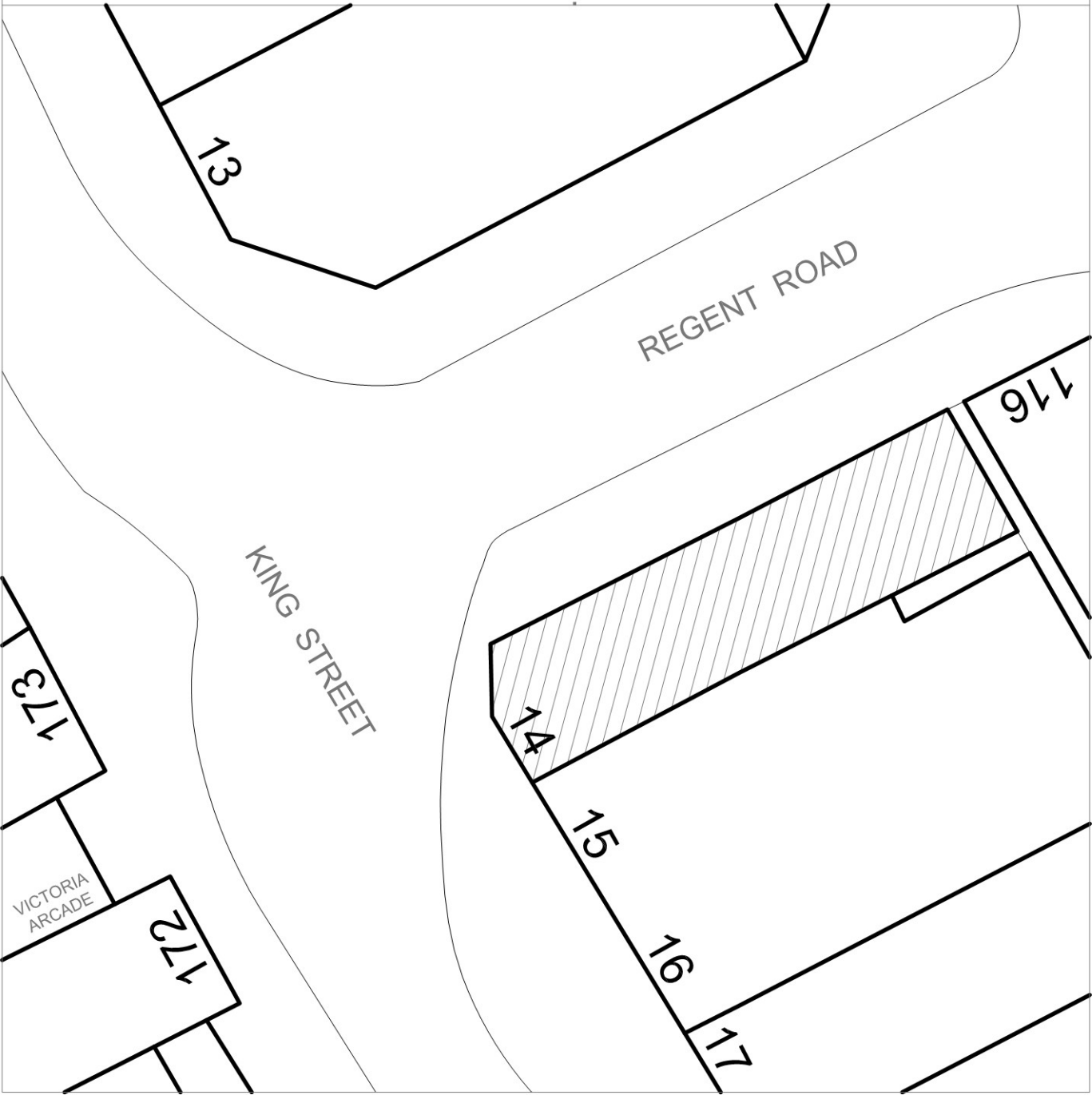
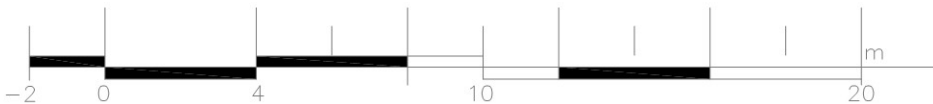
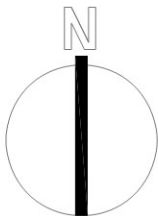
**Appendices:**

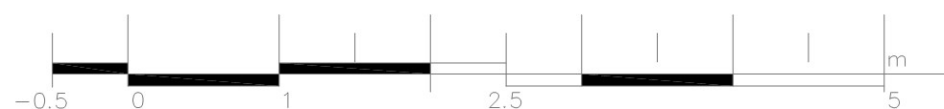
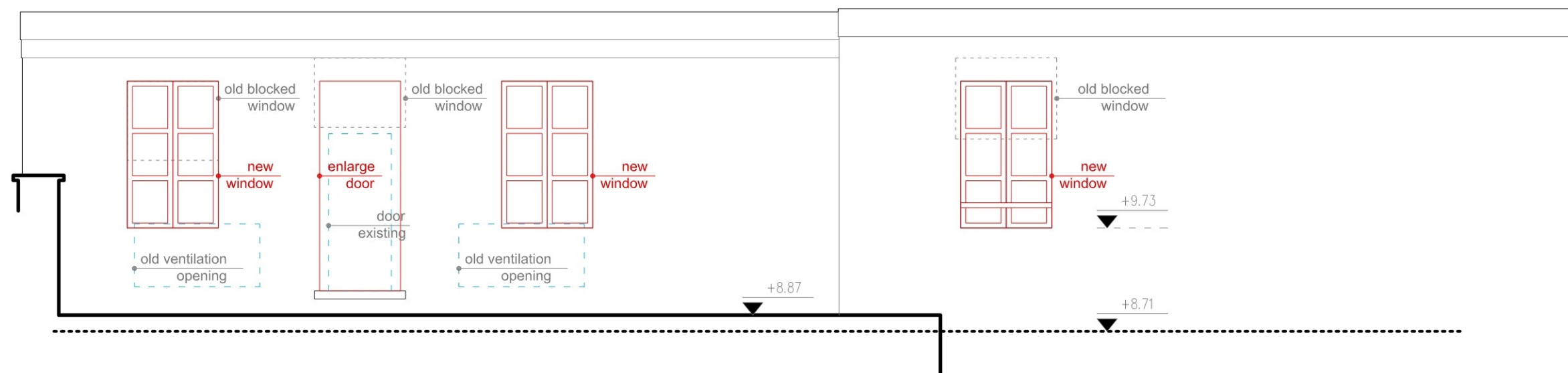
Site Location Plan and Floor Plans



MEASURED SURVEY  
14 KING STREET  
GREAT YARMOUTH

SITE PLAN  
Scale 1:200 / A4

Lenko Grigorov, GYPT  
June 2021





 New to be build  
 Old to be removed

DESIGN PROPOSAL  
14 King Street, GY  
Scale 1:50 / A3

ATTIC  
ELEVATION SOUTH

Lenko Grigorov, GYPT  
September 2021