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DEVELOPMENT CONTROL COMMITTEE

27 November 2008 – 11.00 am

PRESENT:

Councillor Reynolds (in the Chair); Councillors Blyth, Burroughs, Castle, Collins, Cook, Jeal, Linden, B Taylor and D Thompson.

Councillor Pettit attended as Ward Councillor and County Councillor Holmes attended as County Councillor for the Area.

Mr P Hardy (Executive Director), Mr P Warner (Head of Planning and Development), Mr C Skinner (Head of Central Services), Mr D Minns (Development Control Manager), Mr S Earl (Conservation Manager), Miss J Smith (Technical Assistant) and Miss S Davis (Senior Member Services Officer).

Mr D Wingate (DWA Planning Consultant) and Ms T Hughes (English Heritage) attended for item 2 below.

Apologies for absence were received from Councillors Barker, Jerny, M Thompson and Weymouth.

1. MINUTES

The minutes of the meeting held on 30 October 2008 were confirmed.

Councillors Castle and Linden declared an interest in the following item on the grounds that both were Members of the LDF Working Party and Councillor Castle was also on the Casino Stakeholder Panel but in accordance with the provisions of the Members' Code of Conduct, they were allowed to speak and vote:-

2. PUBLIC CONSULTATION

In accordance with the agreed procedure for public consultation, the Committee considered the following application:-

- (a) **Application Number 06/08/0266/O – “The Edge” Proposed Leisure Entertainment and Casino Complex, South Beach Parade, Great Yarmouth**

The Committee received the Head of Planning and Development's original report considered at their meeting on 30 October when they had deferred determination of the application pending views from English Heritage which were detailed on the supplementary report from

Mr Wingate, Planning Consultant. Members were shown various slides of the site, some of which included the locations they had visited earlier in the morning. It was noted that English Heritage had two main points of concern:-

- (a) The relationship of the Monument to the sea, and the vista from the former to the latter, together with the consequent impact of the proposal on that relationship;
- (b) The relationship of the Monument to the hotel, bearing in mind its height and bulk, and its likely dominance of the views from the seafront, overriding the importance of the Monument.

In response, the applicants had now agreed to further set back the car park so that it aligned with the industrial units opposite. This had resulted in the car park now being on four floors with the southern and side elevations being clad in vertical timber boarding in random shapes and spaces. Mr Wingate reminded Members of the benefits of the proposal, namely:-

- Inward investment
- Jobs
- Increased attractiveness of the town
- New tourism infrastructure
- Car parking
- Regeneration

In addition, the issues that raised concern, namely:-

- Local Plan allocation – part of the site was designated as a tourism attraction with the remainder as a park and ride, therefore, the application would be contrary to policy.
- Threat to existing businesses (and possibly choice) – although no objections had been received from other businesses.
- Increased traffic – existing problems, together with the implications of the Port and the lack of a third river crossing, although the Highways Authority had not objected.
- Impact on Monument – the Monument was Grade 1 Listed and Members saw the impact from the site and slides of distant views from the north and south and the relationship between the Monument and other buildings surrounding it.
- Potential disturbance to residents – the main issue appeared to be around car parking and a petition containing 75 signatories had been received requesting that the Developer contribute towards a residents parking scheme, possibly through a Section 106 Agreement.
- Energy impact – it was felt more could be done to improve the energy efficiency of the development.
- Design – it was vital that members understood the bulk and scale of the development in relation to the existing buildings and the proposed materials to be used.

Mr Wingate suggested that, on balance, the benefits of the scheme outweighed the disadvantages. He proposed, therefore, that if Members were minded to approve the application they deal with it as a departure from the Borough-Wide Local Plan and subject to

the Section 106 Agreement being entered into. Members noted that the proposal was contrary to the 1st East proposals to regenerate the area and provide a better setting for the Monument as they wanted to demolish some buildings opposite to create an open space and vista towards the sea. Clarification was sought as to the number of car parking spaces and confirmation that the public would be able to access the beach. Mr Wingate responded that it was proposed to provide 830 spaces which, as far as he was aware, would be charged at the same rate as other car parks in the town and there would be three openings for public access to the beach, one opposite the Monument, one near the restaurant, and one near the car park.

The applicant's agents described various slides which were presented to Members including an overview of the South Denes area, views from the Monument to the car park and hotel and the relationship of the Monument with the hotel from Gorleston. She pointed out that the site was located in a transitional area between the industrial units and the edge of a residential zone. It was noted that Inspire East had not objected in relation to the height and scale of the hotel. Reference was also made to other Monuments in the country and the relationship they had to surrounding buildings.

In response to the earlier question regarding access to the beach, the applicant's agent reported that there were no gates on the accesses and following discussions with Inspire East, English Heritage and the Borough Council, a third access had been created in the middle of the site resulting in the need for the car park to be stepped back. It was stated that the lighting to be used was not static and could therefore be controlled across all or part of the buildings. Mr Wingate referred to one of the slides shown and stated that, in response to a question asked during the earlier site visit, the development did protrude beyond the Pleasure Beach when viewed from the Wellington Pier area.

The English Heritage representative thanked the Committee for deferring a decision on the application to give her an opportunity to explain their concerns. English Heritage felt that Great Yarmouth was an important place and had already awarded £6m in heritage funding which she felt qualified them in stating they understood the challenges and delights of the town. Members were informed that an English Heritage Advisory Group had discussed the application because of the wide ranging nature of the scheme and they had expressed concern, particularly in relation to the setting and the impact the hotel would have on the Monument bearing in mind the predominantly low rise buildings in the town, especially if viewed from the Acle Straight. She referred to the applicant's concession in moving the car park further back but pointed out that the structure would still be visible and impinge on the views of the sea when standing in front of the Monument. She felt that the car park should be set back even further so that none of the structure was visible from the Monument. She pointed out that the 1st East proposals had recognised the need to preserve and enhance the Monument, particularly bearing in mind that this was another gateway to Great Yarmouth from the Port and bearing this in mind, English Heritage wanted a quality design. She referred to PPS1 and stated that the English Heritage Advisory Group had felt the proposal "failed to deliver a high quality development". Whilst English Heritage understood the economic drivers of the scheme and did not object in principle to development, they felt that the applicant could do better and should address some of the Borough Council's own Conservation Section's concerns. She concluded that she felt there was scope for further work on the application to a point where English Heritage could support the application and recommended therefore that it be deferred until further drawings came forward.

Clarification was sought as to the issues English Heritage felt should be addressed and the representative responded that the scale of the hotel should be lowered, the car park drawn back even further and the design more sympathetic in order to accord with PPS1. The applicant's agent responded that the scheme had been amended as much as it could be to

make it still deliverable, for example if the car park was drawn further back, the height would need to be raised and this would increase costs. She also added that she had discussed with English Heritage three ways of producing the hotel and had explored possibilities with operators but further amendment would lead to the scheme being unviable.

The point was made that there were a number of other tall buildings within Great Yarmouth, however, the English Heritage representative pointed out that another Haven Bridge House type development would not be suitable for this location and she felt that the design would only need slightly further amending before English Heritage could support the application. The Head of Planning and Development clarified that because the application was a departure from the Local Plan, it would need to be referred to Government Office for them to decide whether the Secretary of State would determine it or if it would be referred back to the Borough Council. The English Heritage representative concluded that they did not feel the applicant had addressed all of their concerns and they felt they could if they wanted to.

The point was made that many visitors to the Borough did not even know the Monument existed but if they did they wanted to look at the Monument rather than looking out from it. The English Heritage representative stated that they did not want to further close the Monument in by surrounding it by tall buildings. The representative was asked if it would be better for the Monument to be moved, however, she responded that it would not because it would lose the value of the original setting and be prohibitively expensive. The Head of Planning and Development reminded Members that the Secretary of State would have to take into account all of the evidence and whilst he could ask the Borough Council to determine it locally, if he viewed that the comments from English Heritage should be taken extremely seriously, it was likely there would be a public inquiry and the Secretary of State would determine the application. He asked the applicants', therefore, if they would like an opportunity for further negotiation and the applicants' agent responded negatively stating that the current scheme was deliverable but would not be viable if amended further.

County Councillor Holmes reported that the bulk of residents did not appear to object to the principle of development but felt that the applicant should contribute towards the development of a residents parking scheme as per the petition referred to earlier. He indicated that a further 25 signatories had now been received to that petition. Residents were concerned at the impact of employees parking on the street as they felt this would undermine the quality of their life particularly during the summer months. The applicant responded that space had been allocated on the site for staff and tenants to park. Discussions were also being held with Community Connections regarding a pilot scheme to enable workers to travel from the rural areas to the site on a minibus 24/7 which could also feed into the Outer Harbour development in the future. He added that staff would not be encouraged to come by car. He also pointed out that the on street parking was pay and display from 1 April which meant that residents did not have anywhere to park anyway.

The point was made that the car park provided 832 spaces for visitors and employees and the green travel plan showed how they would get to the site and was subject to continuous review. It was suggested that there were no planning grounds to refuse permission therefore it would be inappropriate to ask for funding towards a residents parking scheme although the applicant could make a voluntary contribution. The only other route would be to discuss funding as part of the licensing process. The applicant confirmed that he was prepared to give a voluntary contribution towards the costs of a residents parking scheme in the area. The Head of Planning and Development reported that the proposal for an extension to the existing scheme would need to be considered by the Car Parking Steering Group and in the meantime the voluntary contribution could be negotiated as part of the Section 106 Agreement.

The point was made that Members had now considered the application fully, including the comments from English Heritage. Notwithstanding their views, it was felt that the development did not adversely affect the Monument and indeed could provide more of a visitor attraction to the area. The proposal would create jobs, regenerate the area and provide a further attraction to extend the season of this seaside town. It was felt that the Developer had tried to take on board the concerns expressed by English Heritage and subject to the access, lighting and funding for the residents parking scheme, it was felt the application should be supported. Concern was expressed in relation to the design from one Member and it was clarified that Government guidance stated that a high quality design was required, however, English Heritage and the Borough Council's Conservation Officer did not feel this had been achieved. It was pointed out that design was subjective and a matter of judgement for Members to consider. The Chairman pointed out that this was multi-million pound scheme for the town and it was hoped that several others would now follow as it would be the best package for the town that would win the overall casino licence.

Members' attention was drawn to the recommendation from Mr Wingate and this was endorsed by the Head of Planning and Development.

RESOLVED:

That Application Number 06/08/0299/O be approved as a departure from the Local Plan, subject to the conditions as detailed in Appendix A of Mr Wingate's original report to include the three public accesses and controllable lighting and a Section 106 Agreement being entered into which would include a voluntary contribution from the applicant towards the cost of a residents parking scheme in the area.

3. CLOSURE OF MEETING

The meeting ended at 12.40 pm.