

Planning Applications Committee

23 October 2008

Agenda Number:	B3
Section/Area:	OUTER
Ward:	CROME
Officer:	Mr Neil Campbell
Valid Date:	2 August 2008
Application Number:	08/00593/F
Site Address :	174 - 178 And Part Site Of 180 Plumstead Road Norwich
Proposal:	Construction of new retail food store, associated parking and landscaping.
Applicant:	Aldi Foodstore Ltd And The Spirit Group
Agent:	The Harris Partnership

THE SITE

The site consists of an area of land to the south east side of Plumstead Road and the west side of Harvey Lane, close to the roundabout with the ring road. Three bungalows and a bowling green and the car park of the Heartsease Public House currently occupy the site.

RELEVANT PLANNING HISTORY

Application number 06/00183/F was submitted in early 2006 for 'Redevelopment of site to provide foodstore with associated car parking, servicing, access and landscaping. This application was withdrawn.

Following this application number 06/00802/F was submitted in 2006 again for 'Redevelopment of site to provide foodstore with associated car parking, servicing, access and landscaping and this was reused by the Planning Applications Committee on the 2 November 2006 as the committee considered it to be contrary to policy raising concerns about its retail impact, loss of urban greenspace, loss of the existing dwellings and impact on the character and visual amenity of the area.

This decision was subsequently appealed and was allowed on 27 November 2007 subject to conditions and a section 106 agreement. The Inspector concluded that the erection of a foodstore at Plumstead Road represented an acceptable development that would fully accord with the objectives and aspirations of Government policy in PPS6 and with the Local Plan policies. He considered that the site forms a logical extension to the District Centre and that the new store would offer improved convenience facilities, improving consumer choice within both the local and wider catchment areas. Environmental improvements to the District Centre were welcomed and would improve its attractiveness as a shopping destination. The Inspector concluded that there would be no harm, through the design, scale, massing, layout or appearance of the development, to the character of the area or to the streetscene. As to the loss of urban greenspace the appellants proposals were considered to comply with the requirements of SR3 by offering an equivalent facility elsewhere. The Inspector acknowledged that there would be a small loss of housing but considered it would be offset by the overall community gain and thus would satisfy policy. The Inspector took into account all other matters raised including concerns about traffic and highway safety, but concluded that the appeal should be allowed and permission granted subject to conditions.

During the appeal the appellants/applicants provided an executed Unilateral Undertaking at the hearing which offered contributions to Lakenham Bowling Green, Pilling Park and Plumstead Road District Centre improvements, thus overcoming three of the Councils reasons for refusal.

THE PROPOSAL

The current proposal is very similar to the previous scheme and seeks to amend the external appearance of the previously allowed proposal; all other aspects of design and layout of the proposal remain unaltered from that previously approved. The car parking arrangements and site layout would not change as a result of this application.

As with the previously allowed scheme the proposed access to the site from Plumstead Road will be left turn only and the egress from the car park would be onto Harvey Lane again with a left turn only. Also, as with the previous application the applicants are also proposing to fund a pedestrian crossing on Harvey Lane. The previous commitment from the developer for the funding of the Lakenham Bowling Green, Pilling Park and Plumstead Road District Centre improvements are also included in this application and can be ensured by a section 106 legal agreement.

The revision to the external appearance includes a reduction in roof height of approximately 3.6m the roof would now have a flat roof as apposed to a dual pitch roof of the previous application. Exact details of the materials to be incorporated in the proposal could be conditioned however the applicant states that the external walls will be rendered white, a cantilevered canopy would be erected along the front of the building, wrapping around the corner. The entrance to the shop will be glazed to 3.5 metres in height with aluminium frames coloured Anthracite.

CONSULTATIONS

Norfolk County Council Highways

Requires a full transportation assessment and travel plan before they feel they can comment on the application. However they note that both documents are both likely to be the same as with the previous application.

For the previous application they noted that the site is readily accessible to non-car modes and they considered that the traffic generated by the site would have little impact upon the highway network.

They were previously pleased to see enhanced pedestrian access proposed by the pedestrian crossing, it was also noted that barriers would prevent unauthorized parking on forecourts on Harvey Lane.

They requested conditions relating to the provision of the pedestrian crossing and submission of a travel plan, and a contribution towards Traffic Regulation Order preventing right turns into the site from Plumstead Road.

Broadland District Council

Given that the principle of development has been established at this site following the Planning Inspectorates decision in November 2007 and the nature of the changes that the current application proposes, Broadland Council has no comment to offer.

Thorpe St. Andrews Town Council

Raises no objection to the proposal.

Norwich Society

The Society notes that this site is close to an already overloaded ring road roundabout and feel that there will be obvious highway problems with the scheme. They also feel that the design is a standard box and ask for heavy landscaping.

Neighbours

Application advertised on site and in the press neighbours notified: 4 letters of objection receiving concerns about:

Highways safety.

Proximity of similar supermarkets.

Improvement to appearance noted, but not convinced that the principle is established.

Unacceptable visual appearance.

PLANNING CONSIDERATIONS

National Planning Policy:

PPS 1 Delivering Sustainable Development

PPS6 Planning for Town Centres

Relevant East of England Plan Policies, Adopted May 2008:

ENV7: Quality in the built environment

ENG1: Carbon dioxide emissions and energy performance

Relevant City of Norwich Replacement Local Plan Policies

SHO2 – Convenience Foodstore Development.

SHO3 – Sequential Test for new retail development.

SHO12 – Development within or adjacent to district/local centres – criteria.

SHO14 – Enhancement of district/local centres.

HOU16 – Loss of existing dwellings.

SR3 – Development affecting recreational facilities/urban greenspace.

TRA3 – Transportation measures in new development to encourage modal shift.

TRA6 – Car Parking.

TRA7 – Cycle Parking.

TRA8 – Servicing.

TRA10 – Developer Contributions – on-site works.

TRA11 – Developer contributions for off site transportation improvements.
HBE12 – Design.
EP22 – High standard of amenity.

Principle of Retail Use

The principle of retail in this location has been established by the planning Inspectorate at appeal.

Local plan policy SHO2 relates to the scale of new convenience development, accepting smaller food stores up to 1200 square metres net where they are consistent with the sequential approach of SHO3. Policy SHO3 controls the location with first preference to sites within existing shopping centres and requires the development to be in scale with the type of centre. Policy SHO12 controls integration and impact, requiring the development to have no detrimental impact on the existing district and local centres or impact on the local environment to achieve safe and attractive pedestrian /cycle access in the centres and to demonstrate satisfactory access and parking provision within the development. Policy SHO14 encourages enhancements to existing centres to improve the safety and attractiveness of those centres. As previously mentioned the Inspector concluded that the proposal achieved the objectives of these policies.

The applicants as part of the previous application submitted a retail impact assessment and successfully demonstrated sufficient need for the proposed store. It is also considered that they have illustrated that the store would have a minimal impact on the existing local and district centres in the area.

Loss of Urban Green Space

The loss of urban green space has been accepted at appeal due in the main to the applicant's willingness to enter in to a Unilateral Undertaking to provide contributions to Lakenham Bowling Green, Pilling Park and Plumstead Road District Centre improvements. The applicant has indicated the same level of willingness to enter in to a similar agreement should this application be approved.

The Brewery Bowling Club who currently use the bowling green have agreed to move to the City Council Bowling Green at Lakenham Recreational Ground, which is currently under utilised. The applicant has agreed to pay a sum of £35,000 to upgrade an existing vacant pavilion and improve security on the site. In addition the applicants have also agreed to pay £15,000 towards improvements to recreational facilities in Pilling Park, therefore providing improved recreational facilities within the vicinity of the site.

Therefore it is considered that the criteria of SR3 have been met.

Loss of Residential

The loss of the residential units has been accepted at appeal by the Planning Inspectorate who accepted that there would be a small loss of housing but it would be offset by the overall community gain and thus the proposal would satisfy policy Hou16.

Therefore it is accepted that the retail impact assessment has submitted good grounds in terms of choice and qualitative arguments to justify the loss of the three dwellings under policy HOU16.

Highway issues

The previous application was not refused on highways grounds by members nor did the Inspector feel that there was sufficient reason to dismiss the appeal on highways safety or design grounds. A Traffic Assessment and Travel Plan was submitted with the previous application, a similar assessment although likely to be identical to the previous has been requested by Officers for this application. Subject to the assessment and travel plan being forthcoming and implemented as the previous application any highways issues can successfully be overcome.

The proposed vehicular access to the store would be on a left hand turn only basis from Plumstead Road. Egress from the site would be onto Harvey Lane again with a left turn only. It is considered that this is an acceptable solution, which will prevent delays being caused by vehicles waiting to turn right. The entrance to the site has been designed so that if a vehicle did turn right into the site it would be obvious that this was not the intended action.

It is considered that the provision of a controlled pedestrian crossing on Harvey Lane would significantly improve pedestrian access to the site and within the shopping centre. The provision is equivalent to the required transportation contribution and so no additional monies are required.

The applicant has agreed to fund a Traffic Regulation Order preventing right turns into the site from Plumstead Road and to promote the left only turn from the site.

It is considered that there is sufficient space within the site for large vehicles to manoeuvre satisfactorily.

Parking

There is currently a car park on the site which serves the existing public house. It is proposed to extend the car park to provide an additional 40 spaces to bring the total to 84 spaces including five disabled spaces. The proposed level of car parking is in accordance with levels set out in the Local Plan. It is intended that

the car park is shared with the public house, and that it would also supplement the existing constrained car parking within the District Centre

It is proposed to install eight cycle parking stands (16 spaces) under the canopy, which is considered to be an appropriate level for this store.

Design and Layout

The revision to the external appearance would enable the proposal to satisfactorily integrate into the existing centre. The building has a flat roof which is approximately 3.6m lower than the previously proposed dual pitch roof and it is considered this will create a more domestic scale in relation to the nearby dwellings to the west and south of the site. Exact details of the materials could be conditioned.

Pedestrian links across the site improve linkages with the local centre, as will the provision of the pedestrian crossing on Harvey Lane.

The design of the building is considered acceptable in this location. Soft landscaping would screen the site from surrounding residential properties to the south and west. An area of landscaping would also be introduced along the north western edge of the site (onto Plumstead Road) to soften the view of the frontage.

A commuted sum of £5,000 has been agreed under policy SHO9 to make direct enhancements to the district shopping centre.

Noise

It is proposed to provide an internal plant room; it is therefore considered that any associated noise will not be a problem.

Restrictions on servicing times have been conditioned at appeal those conditions should be included in any consent issued.

Conclusion

In accordance with the appeal decision, it is considered that the proposal would consolidate the existing shopping centre and enhance its overall attraction and appearance, without having a detrimental impact on the vitality or viability of other district or local centres. The site is highly accessible by non-car modes of transport and its impact on the road network would be acceptable.

The only issues for consideration are the amendments to the external appearance of the previously consented proposal. In all other aspects the proposal is identical to that approved on appeal. In planning terms, in order to justify a different decision from the appeal decision (relating to items other than

appearance), it would be necessary to demonstrate that circumstances have materially altered since the previous scheme was allowed. In this instance it is considered that the only material change in circumstances is the revised external appearance and any potential impact this may have.

It is considered that the amendments to the appearance of the proposed store are acceptable. The revision to the external appearance would enable the proposal to satisfactorily integrate into the existing centre. The building has a flat roof which is approximately 3.6m lower than the previously proposed dual pitch roof this will create a more domestic scale in relation to the nearby dwellings to the west and south of the site.

RECOMMENDATIONS

APPROVE subject to the applicant submitting a suitable travel plan and transport assessment and no overriding objection from outstanding consultees and the completion of a planning obligation relating to:

- Contribution towards upgrading the Bowling Green at Lakenham
- Contribution towards enhanced recreational facilities in Pilling Park
- Contribution towards enhancements to shopping centre
- Costs of TRO promoting left only turns into the site

The planning permission being subject to the following conditions:

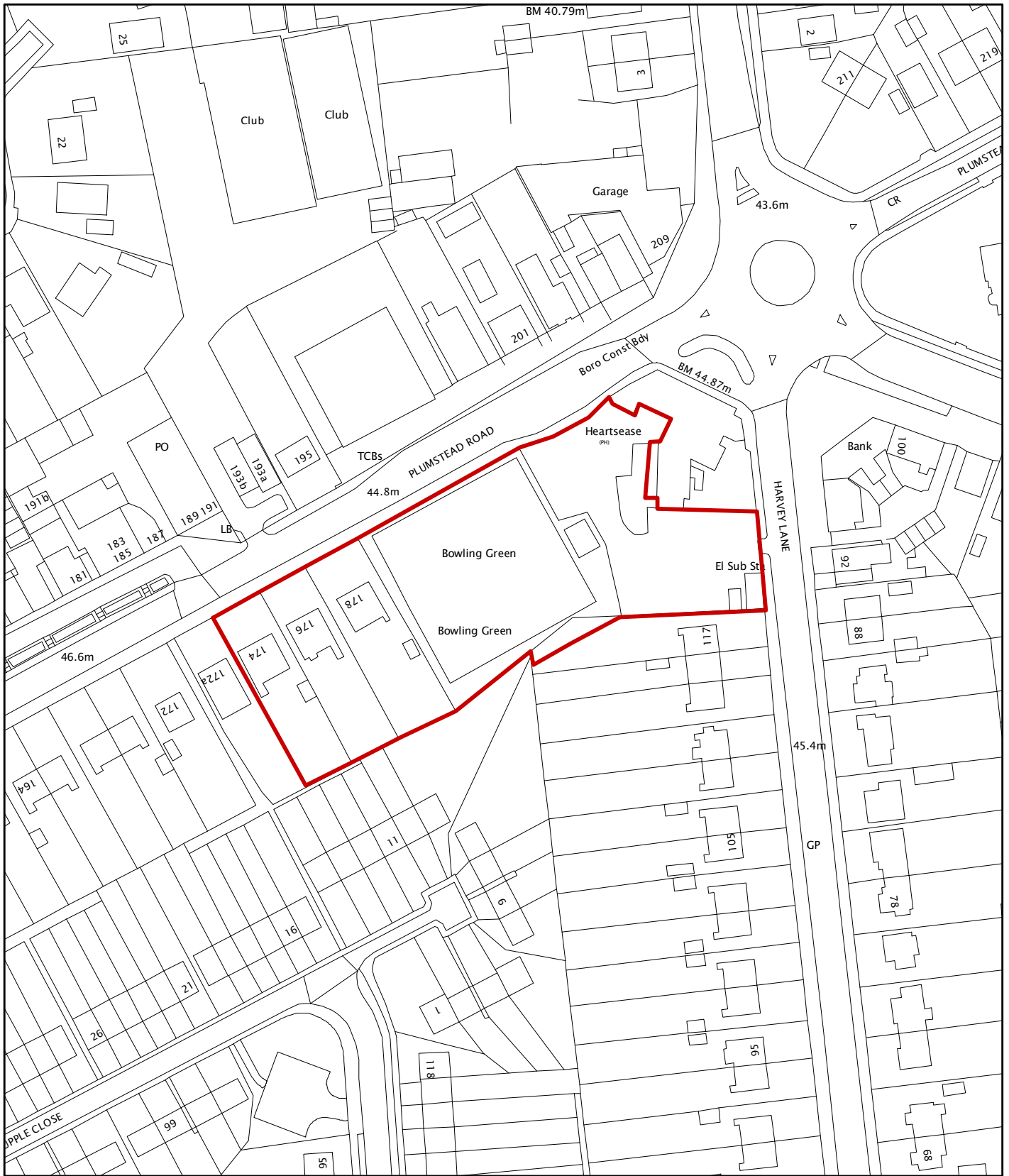
1. Development to commence within three years.
2. Details of materials.
3. Details of boundary walls and fences.
4. Details of car parking, servicing and cycle parking.
5. Details of pedestrian access through the site.
6. Details of landscaping.
7. Maintenance of landscaping.
8. Details of fume extraction system.
9. No open storage on site and height restriction for storage.
10. No use of reverse alarms on vehicles on the site.
11. No operation of refrigeration units in vehicles on site.
12. Restriction on loading and unloading areas.
13. Dock leveller shroud and associated rubber buffer use and maintenance
14. No cages are to be used for the transfer of goods.
15. Restriction on delivery hours.
16. Restriction on permitted noise levels of plant and machinery on site.
17. Use of store restricted to convenience goods, with no more than 15% of net floor area allocated to ancillary sales.
18. Details of the design of the off site highways improvements.
19. Provision of site highways improvements before the store opens.
20. Details of car park management.
21. Details of promotion of left turn only out of the site.

22. Submission and implementation of a Travel Plan.
23. Details of refuse storage for the Heartsease Public House.

Reasons for Approval

The decision to grant planning permission has been taken having regard to policies SHO2, SHO3, SHO12, SHO14, HOU16, SR3, TRA3, TRA6, TRA7, TRA8, TRA10, TRA11, HBE12 and EP22 of the City of Norwich Replacement Local Plan (Adopted November 2004) and all material considerations.

It is considered that subject to conditions the proposed food store would consolidate the existing shopping centre and would enhance its overall attraction, without having a detrimental impact on the vitality or viability of other district or local centres or the amenity of adjacent residential properties. It is considered that the site is highly accessible to non-car modes of transport and its impact on the road network would be acceptable.



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Planning Application No - 08/00593/F

Site Address - 174-178 and Part Site of 180 Plumstead Road

Scale - 1:1250



NORWICH
City Council

DIRECTORATE OF REGENERATION
AND DEVELOPMENT

