



PLANNING APPLICATIONS COMMITTEE

Date: **Thursday 15 August 2013**

Time: **9.30am**

Venue: **Mancroft room, City Hall**

COMMITTEE MEMBERS:

Councillors:

Bradford (chair)
Gayton (vice chair)
Ackroyd
Blunt
Brociek-Coulton
Button
Grahame
Jackson
Little
Neale
Sands (S)
Storie

FOR FURTHER INFORMATION PLEASE CONTACT -

Committee officer: Jackie Rodger
Tel. No: 01603 212033
E-mail: jackierodger@norwich.gov.uk

Democratic services
City Hall
Norwich
NR2 1NH

AGENDA

Page No.

1. Apologies

2. Public questions

To receive questions from the public (notice to be given to the committee officer by 10am on the day before the meeting.)

3. Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to an item if the members arrive late for the meeting).

4. Minutes 5

To agree the accuracy of the minutes of the meetings held on 25 July 2013 and 29 July 2013 (to follow)

5. Planning applications and requests for enforcement action 13
(Report of the head of planning services)

Purpose - To determine the current planning applications and requests for enforcement action as summarised on pages **9-10** of this agenda.

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 5 above are required to notify the committee officer by 10am on the day before the meeting.

Further information on planning applications can be obtained from the council's website:- <http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 9.30am
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available.
- The committee will adjourn for lunch at a convenient point between 1pm and 2pm if there is any remaining business.

7 August 2013



If you would like this agenda in large print, audio, Braille, alternative format or in a different language, please call Jackie Rodger, Senior committee officer on 01603 212033 or email jackierodger@norwich.gov.uk

Access



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There are two lifts available in City Hall giving access to the first floor committee rooms and the council chamber where public meetings are held. The lifts accommodate standard sized wheelchairs and smaller mobility scooters, but some electric wheelchairs and mobility scooters may be too large. There is a wheelchair available if required.



A hearing loop system is available.

Please call Jackie Rodger, Senior committee officer on 01603 212033 or email jackierodger@norwich.gov.uk in advance of the meeting if you have any queries regarding access requirements.



PLANNING APPLICATIONS COMMITTEE

9.30am to 11am

25 July 2013

Present: Councillors Bradford (chair), Gayton (vice chair), Ackroyd, Blunt, Button, Grahame, Jackson, Little, Neale, Sands (M) (substitute for Councillor Sands (S)) (from item 4) and Storie

Apologies: Councillors Brociek-Coulton and Sands (S)

1. DECLARATION OF INTERESTS

There were not declarations of interest.

2. MINUTES

RESOLVED to approve the minutes of the meeting held on 4 July 2013.

3. APPLICATION NO 13/00540/F 214 NEWMARKET ROAD, NORWICH, NR4 7LA

The planner (development) presented the report with the aid of plans and slides. Members were advised that the reference to the number of dwellings in paragraph 27 of the report should be amended to “four” not “three”, and that with the proposed bungalow the total number of new dwellings would increase to five.

During discussion the planner answered members’ questions. She explained that the council’s natural areas officer had been consulted and that the conditions were in place to mitigate against disturbance to non-protected species, including gaps in fencing to allow for hedgehogs to move across the site. The planner also referred to the report and answered questions on highway safety and access to the site and confirmed that there was plant already on site which would be used for the construction of the bungalow.

RESOLVED, unanimously, to approve application no 13/00540/F at land to rear of 214 Newmarket Road, and grant planning permission, subject to the following conditions:-

1. Standard time limit
2. In accordance with plan
3. Approval of external facing materials

4. Landscaping condition – including permeable paving, replacement tree planting and boundary treatments
5. Refuse collection arrangements to be agreed
6. Compliance with AIA
7. Mitigation and enhancement measures for biodiversity
8. No removal of vegetation during bird nesting season
9. Water conservation
10. Stop work if unidentified archaeological features revealed

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined above.

4. APPLICATION NO 13/00860/F – 181 COLLEGE ROAD, NORWICH, NR2 3JD

(Councillor Sands was admitted to the meeting during this item.)

The planner (development) presented the report with the aid of plans and slides. The applicant had submitted a light and shade survey which was displayed to members and summarised in the supplementary report of updates to reports, which was circulated at the meeting. Members were also advised that the supplementary report summarised a representation received from the Norwich Society.

A representative of the owner of 179 College Road addressed the committee and outlined her objections to the extension which would obscure light filtering through the trees and spoil the ambiance in the back garden because of its scale.

The applicant said that the extension would not be viewed from College Road and would relocate the kitchen and living area away from the party wall with 179. The provision of the modern rear extension was for private family use.

Discussion ensued in which the planner and the planning development manager answered members' questions. A member expressed concern about the design of the extension, its height and footprint. The supplementary report outlined the response to the light and shade survey which showed that there was a minor negative impact on the neighbouring property. A pitched roof would increase overshadowing. Members were advised that with regard to planning policy HB12, a contemporary solution was appropriate and that style was down to individual taste as the extension would only be visible from the rear gardens.

RESOLVED, with 8 members voting in favour (Councillors Bradford, Gayton, Ackroyd, Blunt, Graham, Little, and Storie), 1 member voting against (Councillor Jackson) and 2 members abstaining (Councillor Neale and Councillor Sands, who had not been present for the entire item) to approve application 13/00860/F at 181 College Road and grant planning permission, subject to the following conditions:

1. Standard time limit
2. In accordance with plans

Informative:

It would appear that the proposed relocated office/shed would require planning permission. You can regularise the structure by applying for planning permission or alternatively if you consider the office to be permitted development you could apply for a certificate of lawful proposed development.

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined above

5. ENFORCEMENT CASE 12/00146/UCU/ENF – 6 NELSON STREET, NORWICH, NR2 4DN

The environmental protection officer presented the report with the aid of plans and slides, and answered members' questions on the evidence to support a change of use to provide takeaway hot food from the premises.

RESOLVED, unanimously, to authorise enforcement action to secure the cessation of the unauthorised hot food takeaway (class A5) use including the taking of direct action including prosecution if necessary.

6. ENFORCEMENT CASE 13/00080/CONSRV/ENF – 33 GROSVENOR ROAD, NORWICH, NR2 2PZ

The environmental protection officer presented the report with the aid of plans and slides.

Discussion ensued in which the environmental protection officer and the conservation and design officer, together with the planning development manager, answered members' questions. Members were advised that the owner of the property would be aware that the house was in a conservation area and subject to an article 4 direction relating to the replacement of windows on the primary elevation. Members noted that the householder had replaced the windows to match those of the attached terraced house, which had been installed before the article 4 directive.

RESOLVED with 10 members voting in favour (Councillors Bradford, Gayton, Ackroyd, Blunt, Jackson, Little, Neale, Sands (M) and Storie) and 1 member voting against (Councillor Graham) to authorise:

- (1) enforcement action to ensure the replacement of the installed uPVC casement windows, subject to the following condition:

The replacement windows must be appropriately designed and installed, to be similar in appearance to the sliding sash windows that were replaced.

- (2) the taking of direct action and or prosecution, if necessary, to ensure the windows are replaced by ones more appropriate to the setting of the locally listed building and Heigham Grove Conservation Area.

**7. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE,
APRIL TO JUNE 2013 (QUARTER 1, 2013-14)**

The planning development manager presented the report and answered members' questions.

During discussion members referred to the government's announcement that councils regarding designation and noted the importance of ensuring that the council did not breach the 30% minimum percentage for the determination of major planning applications. A member suggested that the council considered additional resources to ensure that designation was avoided.

RESOLVED to note the report.

**8. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE,
APPEALS: 1 APRIL TO 30 JUNE 2013 (QUARTER 1 2013-14)**

The planning development manager presented the report and answered members' questions.

A member referred to application no 12/01120/VC, Reads Mills, King Street, and asked for an update on the provision of the moorings and public access at a future meeting. The planning development manager said that the variation of the S106 agreement had not been part of the applicant's appeal. The council had powers to enforce to ensure that the mooring was provided.

RESOLVED to:

- (1) note the report;
- (2) ask for an update report on the Reads Mill application at a future meeting.

CHAIR

Applications for planning applications committee

ITEM

15 August 2013

5

Item No.	Case Number	Page	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
5(1)	13/01121/F	13	2 Elstead Close Eaton Norwich	Lara Emerson	Formation of pitched roof over garage and existing front extension, erection of extension to main entrance and erection of porch plus alterations to front elevation.	Councillor Called In Application	Approve
5(2)	13/00870/F	21	Unit A Yarefield Park Oldhall Road Norwich	Rob Parkinson	Change of use of industrial premises (Class B1/B2/B8) to 600 pupil University Technical College (Class D1); proposed tower and window extensions, alterations to building exterior; changes to external site layout; erection of bus and cycle facilities and 2.4m security fencing to parts of site boundaries.	Objections Departure from policy	Approve
5(3)	13/00737/U	53	EPIC Centre 112 - 116 Magdalen Street Norwich NR3 1JD	Rob Parkinson	Change of use of part of the ground floor of the EPIC Centre from a television production and enterprise hub with facilities for hire and educational use (Class Sui Generis) to a music college with performance venue (Class D1).	Objections	Approve subject to provisions of planning obligations.
5(4)	13/01163/F	71	Maybank, 8 Poplar Avenue	Jo Hobbs	Installation of mini treatment drainage system (retrospective application to amend position of previous permission 12/01873/F).	Previous committee item	Approve

Item No.	Case Number	Page	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
5(5)	13/01034/F	79	Merchants Court, St Georges Street	Jo Hobbs	Reconfiguration of existing roof structure to erect 3 No. penthouse apartments. Reconfiguration of the external car park area to create refuse stores, car parking and cycle provision. Erection of new external canopy to residential entrance.	Objections	Approve
5(6)	13/00892/U	95	5A St Stephens Street Norwich NR1 3QL	Kian Saedi	Change of use from shop (Class A1) to betting shop (Class A2).	Objections	Approve

STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

Crime and Disorder Act, 1998 (S17)

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

Natural Environment & Rural Communities Act 2006 (S40)

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Planning Act 2008 (S183)

- (1) Every Planning Authority should have regard to the desirability of achieving good design

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law

Article 8 – Right to Respect for Private and Family Life

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

Report to Planning applications ommittee
Date 15/08/2013
Report of Head of planning services
Subject 13/01121/F 2 Elstead Close Norwich NR4 6LU

Item
5(1)

SUMMARY

Description:	Formation of pitched roof over garage and existing front extension, erection of extension to main entrance and erection of porch plus alterations to front elevation.
Reason for consideration at Committee:	Member's Request
Recommendation:	Approve
Ward:	Eaton
Contact Officer:	Lara Emerson Planner 01603 212257
Valid Date:	6th July 2013
Applicant:	Mr P Ashworth And Ms N Coxhead
Agent:	Mr Mark Woods

INTRODUCTION

The Site

Location and Context

1. The site is located on the eastern side of Elstead Close in Eaton. The existing property is a detached two-storey dwelling with a single-storey flat-roofed garage, utility and sitting room to the side. The area is predominately made up of detached two-storey dwellings similar in size and appearance to the subject property.

Constraints

2. The site is not located within a conservation area and the land has no other constraints.

Topography

3. Elstead Close slopes downwards from north to south so that 1 Elstead Close is on the highest ground, 2 Elstead Close (the application site) is lower and 3 Elstead Close is lower still. The slope is fairly significant and as such the ground level is approximately 1.5m higher at 1 Elstead Close.

Planning History

4. There is no recent planning history for the site.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

5. The proposal is for:

- a) The formation of a pitched roof over the garage and existing front extension
- b) The erection of front extension
- c) Alterations to front elevation

Each is discussed below.

6. The proposal involves building a pitched roof over the existing flat-roofed single-storey part of the property with matching pitch and tiles to the existing pitched roof. Owing to the area's topography, the flat roof of the existing single-storey part of the property stands at 2.5m tall but is 1m above ground level when viewed from 1 Elstead Close. The proposed pitched roof will bring the roof height at the top of the pitch up to 5.5m. Initially, a gable end was proposed to front the boundary with 1 Elstead Close. Following negotiations, the plans have been revised so that there is now a hipped roof structure which brings the roof height at the north-west of the site to 4.2m (therefore 2.7m when viewed from 1 Elstead Close). There will be a small Velux roof window on the rear slope of the roof.
7. The proposal also involves the erection of a front extension which is to extend an additional 1.8m from the existing front extension and be 3.3m wide. It is to be built with materials to match the existing dwelling and will have a small pitched roof. The frontage of this extension is to be a timber porch canopy with exposed timber beams at the top and sides.
8. The alterations to the front elevation are minimal and involve changing a few doors and windows.

Representations Received

9. Adjacent and neighbouring properties have been notified in writing. 1 letter of representation has been received from Cllr Lubbock citing the issues as summarised in the table below.

10.

Issues Raised	Response
Loss of light for 1 Elstead Close	Paragraph 12
Loss of outlook for 1 Elstead Close	Paragraph 14
Pitched roof will feel overbearing to 1 Elstead Close	Paragraph 15
Uncertainty about the proposed use of the new roof space	There is no indication that the proposed roof space is to be used for anything other than as a roof void, any use other than a residential use ancillary to the

	main dwelling would likely require planning permission. Privacy is considered in paragraph 12.
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Consultation Responses

No internal or external consultations were undertaken.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 2 – Promoting good design

Policy 12 – Remainder of Norwich area

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE12 - High quality of design

EP22 – Protection of residential amenity

Principle of Development

Policy Considerations

11. The most relevant policies to this application are HBE12 and EP22 of the Replacement Local Plan which relate to design and residential amenity.

Impact on Living Conditions

Loss of Privacy

12. The front extension and frontage alterations pose no threat to the privacy of neighbouring properties. The alterations to the roof structure involve the provision of one Velux window on the rear roof slope which provides light to an existing sitting room at ground floor level. Due to the window's location, height and orientation, there are not considered to be any potential overlooking issues. No other openings are proposed.

Loss of Light

13. The main concern with this development, and one which has been brought up by both objectors, is the loss of light to the principle windows and amenity space of 1 Elstead Close. The main windows to living areas of 1 Elstead Close face southeast in the direction of the proposed extension. The proposals have been revised by adding a semi-hipped roof as opposed to a gable end, in order to reduce the level of light loss. Whilst it is still considered that the proposals would still lead to some loss of light particularly in the morning given the difference in ground levels between 1 and 2 Elstead Close it is not considered that the loss of light would be so significant as to warrant refusal of the application.

Loss of Outlook

14. The formation of a pitched roof would cause 1 Elstead Close to suffer some loss of outlook since it fronts with their boundary. However, the revised plans are considered to prevent a significant loss of outlook and as such are considered acceptable.

Overbearing Nature of Development

15. It is necessary to consider whether the wall fronting the boundary with 1 Elstead Close will appear overbearing. It is considered that since only approx 2.7m of vertical wall will be fronting the boundary (only approx 1.2m of which will be visible above an existing fence), the addition will not be too dominant or overbearing to the occupants of 1 Elstead Close.

Design

Form

16. The frontage alternations are in keeping with the style of the property and the surrounding area. The pitched roof helps to bring consistency and interest to the property's appearance. As such the development is considered to make a positive contribution in design terms.

Scale

17. The scale of the additions is not out of character with the property and as such can be considered acceptable in design terms.

Transport and Access

Car Parking

18. The frontage alterations leave sufficient space to the front of the property to provide car parking as well as bin storage.

Conclusions

19. It is considered that the design is in keeping with the property, with regard to amenity there would be some loss light to 1 Elstead Close however this is not considered to be significant enough to warrant refusal of the application. As such the proposal accords with the criteria set out within policies HBE12 and EP22 of the City of Norwich Replacement Local Plan and policy 2 of the Joint Core Strategy.

RECOMMENDATIONS

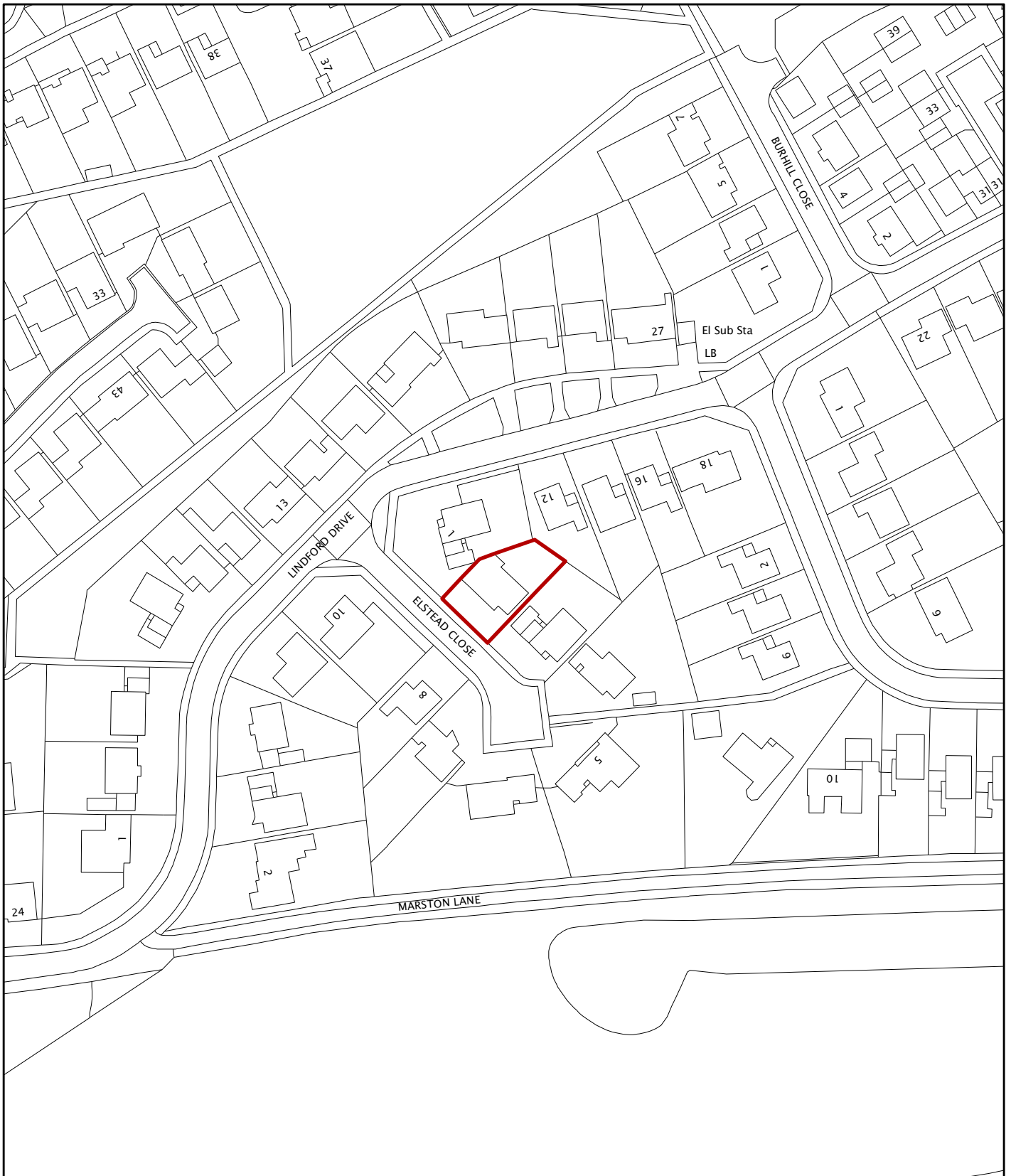
To approve 13/01121/F for 2 Elstead Close and grant planning permission, subject to the following conditions:-

Conditions:

- 1) Commencement within 3 years
- 2) In accordance with plans

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined above.

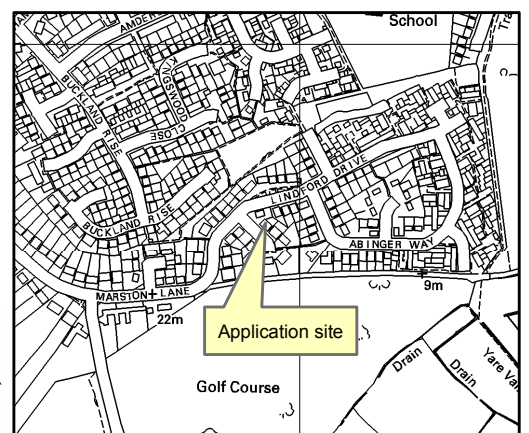


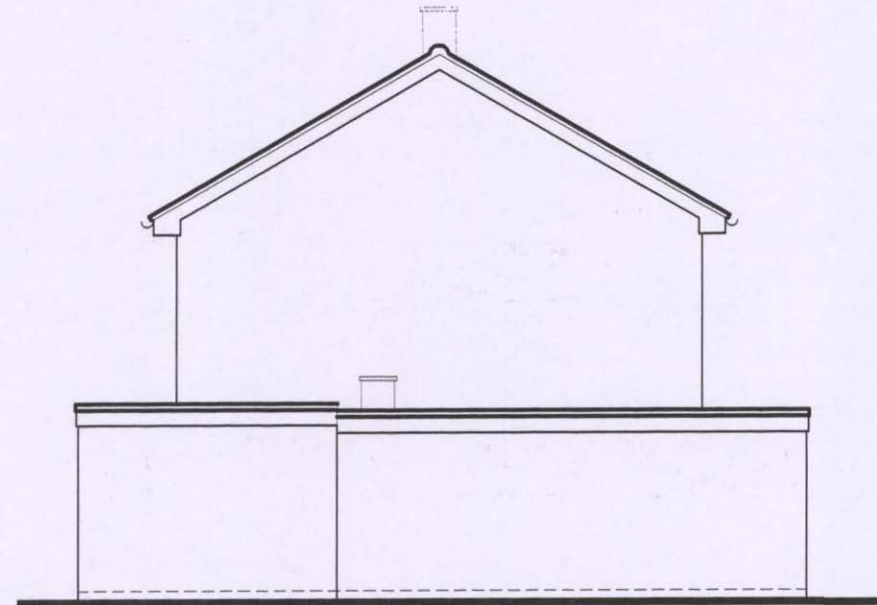
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Planning Application No 13/01121/F
 Site Address 2 Elstead Close, Eaton, Norwich
 Scale 1:1,250

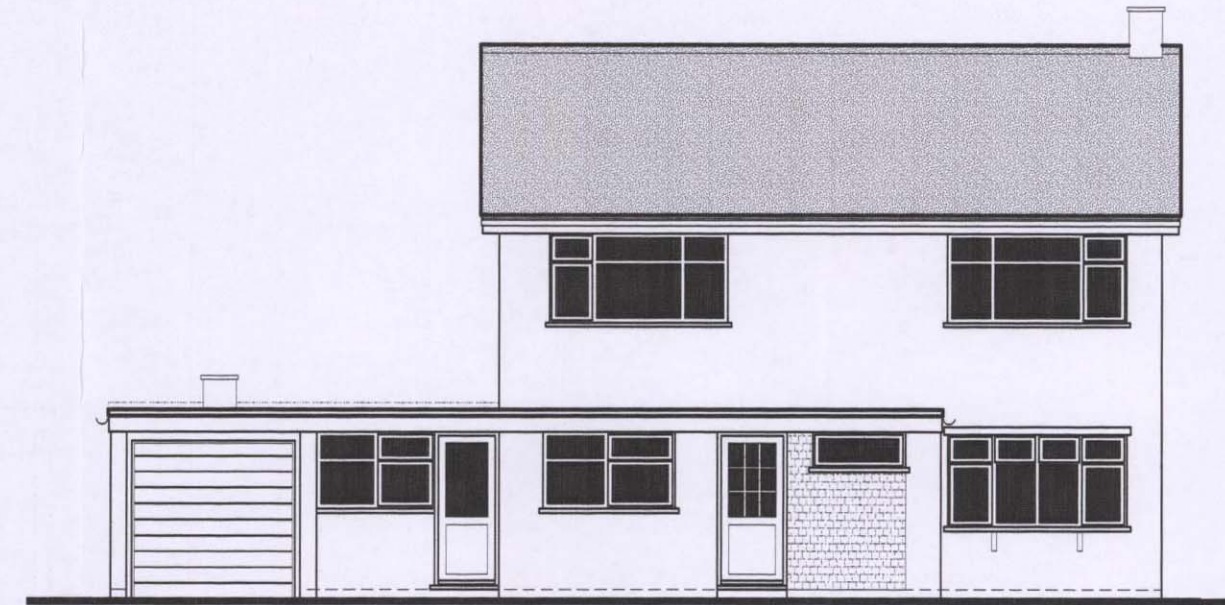


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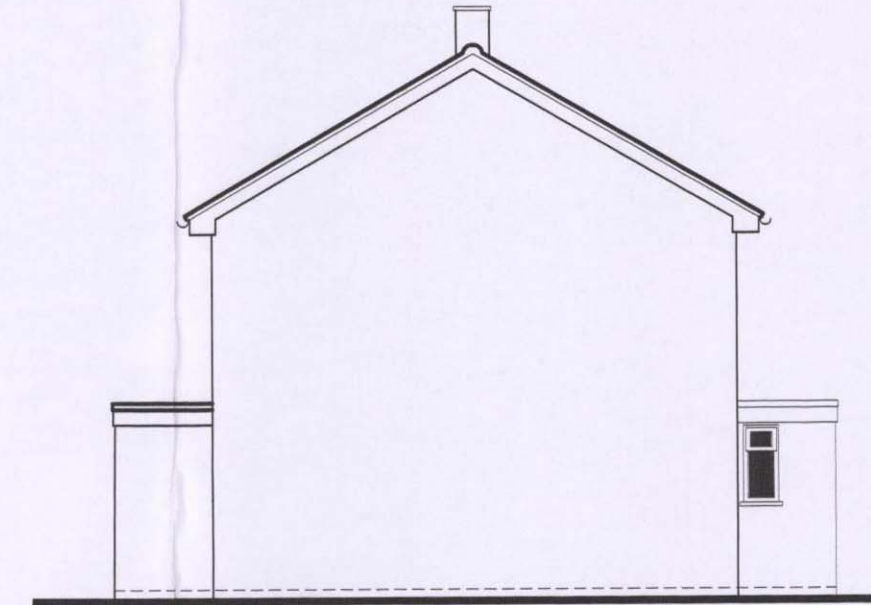




North West Elevation - Existing
Scale 1:100 @ A1



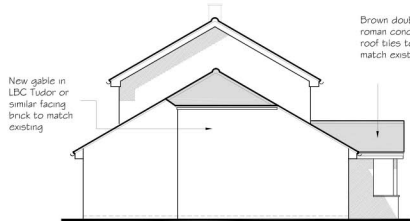
South West Elevation - Existing
Scale 1:100 @ A1



South East Elevation - Existing
Scale 1:100 @ A1



North East Elevation - Existing
Scale 1:100 @ A1

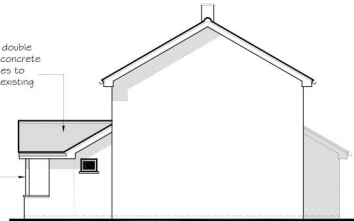


North West Elevation - Proposed
Scale 1:100 @ A1

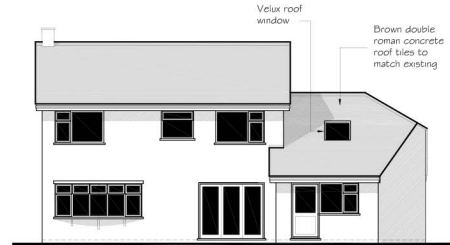


South West Elevation - Proposed
Scale 1:100 @ A1

19



South East Elevation - Proposed
Scale 1:100 @ A1



North East Elevation - Proposed
Scale 1:100 @ A1

Report to Planning applications committee
Date 15 August 2013
Report of Head of Planning Services
Subject 13/00870/F Unit A Yarefield Park, Oldhall Road, Norwich
NR4 6FF

Item
5(2)

SUMMARY

Description:	Change of use of industrial premises (Class B1/B2/B8) to 600 pupil University Technical College (Class D1); proposed tower and window extensions, alterations to building exterior; changes to external site layout; erection of bus and cycle facilities and 2.4m security fencing to parts of site boundaries.
Reason for consideration at Committee:	Departure; Objections
Recommendation:	Approve
Ward:	Lakenham
Contact Officer:	Rob Parkinson Senior Planning Officer 01603 212765
Valid Date:	24th May 2013
Applicant:	University Technical College Norfolk
Agent:	Lanpro Services

INTRODUCTION

The Site

Location and Context

1. The application relates to the largest of the industrial units at the 1.7ha Yarefield Park (Unit A, 5574 sq.m.), the industrial area being the site of the former Harford Abattoir on the south east side of Oldhall Road, south of the Norwich-Wymondham railway line and west of the former refuse tip known as Lakenham Common.
2. Unit A is on the south side of Yarefield Park, opposite six industrial units which have been built in two groups of three on the northern side parallel to the railway. Unit A was built for, and occupied by Autowrappers before they vacated and the building was used by Connaught but has been vacant for nearly 3 years despite marketing efforts. Units B-G were built for speculative occupation. In all, 200 staff were expected to work at Yarefield Park. Within Unit A there is 933 sq.m. office space and 4,819 sq.m. industrial space.
3. All units are built to a simple design, using profile steel colour clad elevations and grey profiled steel roofs. Unit A differs by having an extensively glazed west elevation at the entrance of the site where offices were provided for the first occupant. An electricity substation has been built directly against the northern boundary of the Unit A perimeter.
4. Access to Yarefield Park has only one route, via a one-way access/egress loop

road around a landscaped 'island' off Oldhall Road. This was a feature designed to slow traffic, manage access across the single-lane rail bridge, and protect mature trees at the site entrance. Part of the Yarefield Park layout was intended to provide an 8m-wide zone behind Units B-G along the northern boundary to allow future access to Lakenham Common.

5. Neighbours to Yarefield Park include car dealership to the north-west, railway and industrial plant hire depot to the north, church and church hall to the west, and Lakenham Common to the east, and to the south, behind Unit A is private woodland and fields.
6. Within the Yarefield Park industrial estate, the City Council own units B-D, with Units E-G being owned separately. Two of the six units opposite Unit A are occupied, although one of those the snowsports shop is an unauthorised and the Council's property services department are in the process of finding alternative accommodation for the activity. The other occupants are a heating and air conditioning business; a security alarm company appears to have recently left.
7. Potentially, all 6 units could be occupied at full capacity for industrial uses (within classes B1, B2 and B8 of the Use Class Order) under permission 06/00586/F, although a condition on the permission prevents any unit being used solely for office purposes. Accordingly, a transport assessment and safety considerations should assume a potential for full industrial activity.

Topography

8. The site slopes slightly, with Unit A being downhill from Units B-G to the north.

Planning History

06/00586/F - Yarefield Park was established in 2007 following approval in December 2006 for "Erection of industrial units including all office and associated car parking and service areas." This comprised one large unit of 5574 sq.m. (Unit A) and two groups of three smaller units of approximately 300 sq.m. each (Units B-D and E-G).

07/01387/F – Units C and D at Yarefield Park (the middle and eastern units of the western group of three closest to Oldhall Road) were permitted in February 2008 to change from B1/B8 industrial use to a mix of B8 warehouse with retail and café activity, with alterations to the front elevation.

This was intended to create an employment facility for people with learning difficulties. Conditions stated that (a) the retail and café activity needed to remain ancillary to the warehouse use, and (b) the permission could only be valid for the occupancy of the site by Norfolk Learning Difficulties Services, and if they vacated the new use would cease. It was implemented and has since vacated, so the use is again industrial.

13/00275/F - Erection of two sections of 2300mm high security fencing at Unit A. These were located at the entrance to the proposed external amenity space and at the main site yard entrance, and designed as a brick plinth with fencing above, incorporating sliding gates and an ivy screen behind to improve the setting of the school. (Approved June 2013). This has / has not yet been implemented and would not extend around the whole perimeter of the site.

Lakenham Common - Planning permission 4/1979/0229/U (1980) approved

topsoiling, mounding and planting for use as a future recreation area, permission 4/1989/1114 (1990) involved capping the site with inert fill material on the basis of use of the site being discontinued in 1992, and permission 4/1993/0916/F (1994) approved regarding and capping of the former landfill site.

Equality and Diversity Issues

There are some equality or diversity issues discussed further on in the report.

The Proposal

9. To convert the industrial building into a specialist technology college primarily for 14-19 year old pupils. To increase the internal floor area through the construction of a mezzanine floor designed around a central atrium space, and external alterations to the north elevation to provide additional glazing and a 'pop-out' first floor bay window, new entrance and some new cladding, and to construct a 17.5m high rectangular tower on the north elevation above the entrance. To alter the west elevation by installing new glazing and entrance details. To alter the south elevation by inserting new glazing, plant and another 'op-pit' window bay. To add new plant and machinery and photovoltaic panels to the roof.
10. To revise the site layout to provide 32 car parking spaces, cycle and scooter storage, hard landscaping, an outdoor amenity space, bus stop and replacement 2.4m security fencing.
11. The concept of the NUTC is to promote a workplace environment amongst educational requirements and therefore proposes opening hours of industrial operators, and typically lessons will take place from 8:30am – 5pm, for 40 weeks of the year, and students will be based on site for the majority of the day. Students are expected to make their own way to the site and can benefit from earlier and longer opening hours at the site. Pupils are expected to arrive from anywhere within a 90-minute commuting distance.
12. The Government's model is for NUTCs to generally cater for 600 students, 300 in the 14-16 age range and 300 in the 16-19 age range, with industry-related specialist learning equipment. Space requirements are based on 9sq.m. per pupil which amounts to an interior floorspace of 5,384sq.m. being required. This is very much a new form of education delivery and does not require a 'traditional' use of classrooms, so the interior floorplans are very unusual being open plan and flexible for multi-use. The school anticipates being able to open in September 2014 with up to 300 pupils, moving towards 600 by September 2015. 50-55 full-time equivalent staff are expected on site.

Representations Received

13. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below.

14.

Issues Raised	Response
The narrow and restricted access road and lack of enforceable parking restrictions could lead to impacts from vehicle and pedestrian traffic conflicts which could be a risk to health and safety to all of students, staff, parents, employees at local businesses and local business visitors.	See paragraphs 57-85 (Transport impacts).
Experience elsewhere has shown a continued dominance of car traffic to such sites and on-going parking problems. Providing only 32 parking spaces on site will cause problems.	See paragraphs 57-85.
<p>Action is needed to address the following:</p> <ul style="list-style-type: none"> - Oldhall Road should have double-yellow lines extended along the full length of the adopted highway; - Parking restrictions on the access road and estate entrance should be provided; - Will the County Council provide gritting along Oldhall Road in icy conditions?; - More detail is needed on how will students, staff and visitors will be discouraged from attending the site by car; - How will parking at the vacant industrial units B, C and D be prevented (which are owned by the City Council)?; - What is proposed to resolve any persistent parking problems? 	See paragraphs 57-85.
Currently, businesses on the north side of Oldhall Road need to unload freight and deliveries from a vehicle waiting on the road (often blocking the rail bridge) because access into their yards is tight. What measures are there to prevent this being a problem to the bus service crossing the bridge?	See paragraphs 65-69 (Car parking and deliveries).

Consultation Responses

15. Environmental Health Pollution Control – There are no objections in principle, although plant and machinery conditions should be used to ensure that undue disturbance is not caused to the surrounding uses when any permanently fixed items of plant and machinery are installed (rather than temporary teaching resources).

16. Norfolk Fire Service – Initially an additional fire hydrant in the site's vicinity was requested to be installed. However, this has since been found to be unnecessary as there are appropriate existing facilities within a necessary 90m distance from the main entrance.

17. Norfolk Constabulary – The Design and Access Statement does not address crime prevention. There is no natural surveillance of the site on the east, south and west side, and none outside office hours from the north; the perimeter fence has been breached on numerous occasions and thefts from the building have been noted since it became vacant. The current proposed boundary treatment is not as secure as it should be. Entrances should be minimised and secure access improved. Advice is offered on lighting, doors and glazing. Cycle stores should be more secure and located close to the entrance and designed for maximum natural

surveillance. S106 contributions to policing is requested. Paras 56 and 96 refer.

18. **Norwich Society** – As part of the building is catering for young people, they feel the front elevation could be livelier, more dynamic and inviting. The Society is also concerned about the traffic access arrangements to and from the building.
19. **Norfolk County Council Strategic Highways** – No objection to the proposed development provided that the Travel Plan is secured, monitored and enforced, which must include the successful bus service provision; without the Travel Plan the development will fail so a financial Bond is not necessary. Cycle improvements should be required at Bessemer Road, Hall Road, Fountains Road, Ipswich Road, Marston Lane and Oldhall Rd.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Paragraph 14 – Presumption in favour of sustainable development

Paragraphs 203-206 – Planning conditions and obligations

Section 1 – Building a strong, competitive economy

Section 4 – Promoting sustainable transport

Section 7 – Requiring good design

Section 8 – Promoting healthy communities

Section 10 – Meeting the challenge of climate change, flooding and coastal change

Section 11 – Conserving and enhancing the natural environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 5 – The economy

Policy 6 – Access and transportation

Policy 7 – Supporting communities

Policy 19 – The hierarchy of centres

Policy 20 – Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE1 – Protection of environmental assets from inappropriate development

NE8 - Management of features of wildlife importance and biodiversity

NE9 - Comprehensive landscaping scheme and tree planting

HBE12 - High quality of design in new developments

EP16 - Water conservation and sustainable drainage systems

EP18 - High standard of energy efficiency in new developments

EMP3 – Protection of business units and land reserved for their development

EMP5 – Policy for General Employment Areas

EMP18 – Development of high technology industries

EMP19 – Development of education and training establishments

TRA3 – Modal shift measures in support of NATS

TRA5 - Approach to design for vehicle movement and special needs

TRA6 - Parking standards - maxima

TRA7 - Cycle parking standards

TRA8 - Servicing provision

TRA10 – Contribution by developers for works required for access to the site
TRA11 – Contributions for transport improvements in the wider area
TRA12 – Travel Plans for employers and organisations in the city
TRA14 - Enhancement of the pedestrian environment and safe pedestrian routes

Supplementary Planning Documents and Guidance

Energy Efficiency and Renewable Energy (Adopted December 2006)
Statement of Community Involvement (March 2010)

Other Material Considerations

Written Ministerial Statement: Planning for Growth, March 2011.
Written Ministerial Statement: Planning for Schools Development, August 2011.
The Localism Act 2011 – s143 Local Finance Considerations

Emerging policies of the forthcoming new Local Plan (submitted for examination, April 2013):

Development Management Policies Development Plan Document – Pre-submission policies (April 2013).

- DM1** Achieving and delivering sustainable development
- * **DM2** Ensuring satisfactory living and working conditions
- * **DM3** Delivering high quality design
- * **DM6** Protecting and enhancing the natural environment
- DM11** Protecting against environmental hazards
- * **DM16** Employment and business development
- DM17** Supporting small business
- * **DM22** Planning for and safeguarding community facilities
- * **DM28** Encouraging sustainable travel
- * **DM30** Access and highway safety
- * **DM31** Car parking and servicing

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. The 2011 JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application.

The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

* In the case of policies DM2, DM3, DM6, DM16, DM22, DM30 and DM31 there are objections lodged against their proposed use in the emerging Local Plan. Therefore, relatively very little weight has been afforded to them unless otherwise discussed in the report, but their objectives and principles are largely consistent with saved Replacement Local Plan policies HBE12, NE8, NE9, EMP3, EMP5, EMP19, TRA3, TRA5, TRA6, TRA7 and TRA8 and Joint Core Strategy policy 5.

Principle of Development

Policy Considerations

New schools development

20. Locally, Joint Core Strategy policy 5 seeks to support further education and access to it, and advocates links between education provision and business concentrations including co-location where appropriate (i.e. sustainable). Policy 7 sets out the intention to provide sufficient, appropriate and accessible education opportunities, to promote the 'learning city' role of Norwich by facilitating the continuing enhancement of tertiary education facilities. Education developments in and around the city centre is a particular objective of policy 11.
21. The City of Norwich Replacement Local Plan 2004 encourages development of further education in more accessible locations and the inner city in particular. Policy EMP19 is orientated towards the City College and University expansion but the principle remains; encouraging future education and training growth as part of regeneration and enabling beneficial partnerships with other bodies. Although the thrust of the principle behind the policy is appropriate to apply in this instance, policy EMP19 is more directly relevant to developments on the existing College and University campuses, so it is considered less appropriate to attach weight to this policy, and instead consider the development against emerging, more contemporary, policies, both locally and nationally.
22. The NPPF and JCS policy 7 require planning to build sustainable communities and plan positively for provision of community facilities and local services, to enhance the sustainability of communities and residential environments. Whilst the NPPF does not specifically refer to schools as being a 'community facility', it is not unreasonable to consider them as such, especially given the NPPF's position in relation to new schools being able to serve communities. The site's proximity to Tuckswood and Lakenham, and relative ease of access by public transport, and the availability of course for 14-16 year olds as well as the further education facilities, will ensure the facility is available and linked to local communities as well as a wider catchment.
23. The Government (NPPF para 72) attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and stresses that local planning authorities should be positive towards development that will widen choice in education, and give great weight to the need to create, expand or alter schools. The support for providing additional state-funded school provision in particular is reiterated in the Government's August 2011 Policy Statement 'Planning for schools development'; the aim being to allow more schools to open or existing schools to expand and adapt, to allow more provision and diversity in the state-funded school sector to meet demographic need and provide increased choice and, through competition, higher standards. It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and planning decision makers should support that objective in a manner consistent with their statutory obligations. The Statement makes clear that there should be a presumption in favour of the development of state-funded schools and local planning authorities should recognise the importance of enabling such development.

24. Although only submitted for the Inspectorate's examination in April 2013, the emerging Development Management Policies development plan document considers schools and other educational development within proposed policy DM22, the text of which is below:

"DM22: Proposals for new or replacement schools and other educational facilities, extensions to existing schools and changes of use for school or other educational and training purposes will be accepted and permitted where:

- a) they would not undermine the objectives for sustainable development set out in [emerging] policy DM1, in particular by increasing the need to travel by private car.*
- b) they would not give rise to significant impacts on the environment, highway safety or traffic arising from locational constraints or the particular configuration of the site or premises which could not be overcome by the imposition of conditions.*
- c) appropriate and adequate provision can be made for the residential accommodation needs of students (where required).*

Particular support will be given to proposals which provide for the shared use of schools facilities by the wider community. The local community must be consulted to ensure that new and enhanced community facilities of all types best meet their needs and aspirations."

25. It is considered appropriate to offer 'significant weight' to this policy, despite its unadopted status. In general the draft policy is largely satisfied by the NUTC proposal, assuming that car-borne travel demand will be relatively low and highways constraints can be managed, as discussed further in this report. The scheme would be for the most part 'sustainable', by improving education, being energy efficient, improving wellbeing and promoting links to communities and vocational opportunities, and making effective use of a brownfield site.

26. Further, it is considered necessary for new school sites to be able to provide on-site outdoor recreation space appropriate to their education characteristics and pupil requirements. The scheme has some outdoor area available, and proposes using the existing car park on the west side of the building as an informal recreation space with links to the café / refectory space within the building, and can provide some games area space in the service yard to be available outside servicing hours. For the majority, however, specific sports activities will be organised into the curriculum and pupils will be transported by the NUTC to facilities elsewhere.

27. However, this consideration and the site's location, limited accessibility and setting within the industrial park do lead to concerns that the facility would not be suitable for pupils of a younger age who would likely need a more appropriate environment and direct and immediate access to specifically-designed outdoor space. Therefore, it is not considered appropriate for use by younger students because it is so constrained in outdoor space and this adds to the grounds for restricting the use through conditions to ensure the building serves the 14 year-old and above pupil spectrum only. Similarly, because the scheme has proposed a range of transport measures based on the 600-pupil intake and 60 staff, it is considered necessary to restrict pupil numbers occupying the site at any one time, so as to avoid attracting such a demand that could exceed transport infrastructure capacity.

Loss of employment land

28. Since being developed for industrial use the site has become part of the City's designated General Employment Areas, earmarked for mixed use employment against which proposals would be assessed under saved Replacement Local Plan policy EMP5. The main issue in this respect is whether the principle of educational development be accepted here in view of the loss of a significant area (5,752 sq.m) of general industrial floorspace.
29. The proposal represents a departure from the development plan as policy EMP5 reserves such general employment areas for business development in use classes B1, B2 and B8 and a limited range of supporting uses amongst which educational uses do not feature. In addition, adopted Joint Core Strategy Policy 5 requires that employment areas identified in local plans should be further protected for their designated purpose given the known shortage of employment facilities and modern facilities in particular.
30. In the emerging local plan submitted for examination in April 2013, Yarefield Park continues to be identified as an employment area under policy DM16 of the submitted Development Management Policies DPD. When considered against the emerging policies (albeit lesser weight can be attached to these policies), the scheme is considered acceptable exceptionally given that emerging policy DM16 makes some allowance for certain schemes which are considered able to "provide for or assist in the creation of high quality employment and business development and ... allow accessible and equitable job opportunities for all".
31. The principle of using designated employment land for educational purposes is therefore a finely balanced argument, but it is considered that the NUTC will be offering technical business-oriented apprenticeships, in particular expanding educational opportunity in key manufacturing sectors (energy and engineering). Therefore the proposal can be accepted given its close links to industrial activities, vocational outlook and the relative isolation of the Yarefield Park site which will lessen the visual impact, and perception of, a loss of employment facilities. It may in time also encourage industrial/business-orientated occupancy at some of the other vacant units at the site where opportunities for beneficial co-location may arise.

Sustainability of site location

32. In terms of providing a sustainable form of development, although the site may not be in the most accessible location, it is a central location given its Norfolk-wide catchment and in general terms Norwich is the most strategically accessible location for visiting pupils from across Greater Norwich, Norfolk and North Suffolk. To address the lack of direct access, the applicant has worked closely with public transport operators to encourage development of direct public transport links to and from the city centre (as an extension to the recently set up Anglian Bus service via Tuckswood) for those pupils travelling from further afield, and agreed to a range of small-scale cycling improvements for students and staff closer to the site. The Travel Plan includes further measures for sustainable travel improvements discussed further in the report.
33. Educational facilities are not 'main town centre uses' as defined by national policy, and so are not required to be directed in the first instance as a preference to sites in the city centre, town centre, district centre or alternative highly accessible locations.

Nevertheless it is considered appropriate to examine whether any more appropriate locations could be used instead, to see if the proposals could avoid the loss of such a large quantum of high quality designated employment land. The applicant has therefore undertaken a 'sequential site assessment' to examine the feasibility and availability of alternative sites which might be appropriate for the use.

34. The study looked at a range of premises with an available 5,000-8,000 sq.m. floorspace from across Norwich and the areas of Broadland and South Norfolk within the city area, and sites in Wymondham and Diss that might have been accessible via public transport. It looked at sites that were too large and possible to be sub-divided and considered whether the facility could be 'disaggregated' (split-up across neighbouring buildings).

35. Of the realistic possible alternative sites, the following conclusions are drawn:

- The former Uniglaze site on Spar Road (within the Vulcan Road Industrial Estate) has too little floorspace (4,500sq.m.) and is of the same 'general employment land' status;
- The former Zenith Windows factory at Caley Close on the Sweetbriar Industrial Estate has more than twice as much floorspace as that needed by the NUTC, and is priced outside the NUTC budget. Potentially it could be subdivided and become cheaper to acquire had there not also been complications of being within the safety zone for the Bayer Crop Science area, being subject to legal covenants restricting its use to remain industrial, and being less accessible by public transport, park and ride and cycling;
- The former Contract Glass building on Barker Street which has been vacant for nearly 2 years is much more accessible and a more appropriate location than Oldhall Road, given its links to the city centre being more direct for the wide catchment. However, the floorspace is more limited (only 3,650 sq.m.) and is only available on leased terms which do not justify the investment needed in the necessary level of significant refurbishment. This option would be worth exploring further had there not been a planning application submitted (application number 13/00334/F, pending consideration) to secure renovations and a range of new uses, including employment-orientated activity, indicating that occupancy may be possible in the near future, so the loss of employment land at that site should be avoided if possible.
- Document House at Barnard Road in the Bowthorpe Industrial Estate also has too little floorspace (4484 sq.m.) but is as similarly accessible as Oldhall Road although without close Park and Ride links. It has the same 'general employment land' status;
- The site next to B&Q at the Livestock Market is similarly sized (4,000sq.m.) but too small, has almost identical transport links to Oldhall Road. Although it may be marginally better for cycling, it is further from the Park and Ride if that were to become a drop-off area able to provide stops en-route to the city, and is probably considered a preferable site for retaining in employment use given the space exists for further development opportunities;
- Units or sites for development exist at Costessey/Easton and Longwater but

these are considered prohibitively expensive and too inaccessible by public transport. Sites at Wymondham (e.g. Focus DIY) and Diss are too small and disaggregation is not suitable for UTCs, particularly as many premises are spread around estates.

36. Funding availability has led to the applicant needing to look for existing premises that can be readily converted rather than a new-build development which is costly; this is also a sustainable approach and encourages use of brownfield sites. A particular benefit of Unit A is that it already contains a significant area of office floorspace which lends itself to the teaching and administrative functions of the NUTC.
37. Overall, whilst it is regrettable to be losing one of the city's most recently-built and largest employment premises, it is considered that realistic alternative sites are not available or are not assigned a preferable planning land use designation, or are not actually as accessible to multi-mode transport as Oldhall Road can be. Therefore the Unit A site location can be seen to satisfy the presumption in favour of sustainable development.

Planning policy summary

38. To summarise the policy position, there is strong national support towards new schools through the NPPF and ministerial statements which greatly increases the 'weight' to be given to this particular proposal. Although the use is at odds with the objectives of current location-specific policy in the 2004 Local Plan, and contrary to objectives of emerging employment protection policy, it is considered consistent with the Joint Core Strategy and emerging local plan policies to promote education, particularly as Norwich Policy Area-based policies endorse new schools in appropriate locations to serve 'Greater Norwich'.
39. On balance it is considered an acceptable form of development, notwithstanding the Yarefield Park site's designation as an employment area, because it makes efficient and long-term sustainable use of a vacant brownfield site and the proposed use on employment land can be accepted exceptionally because of the strategic importance of the educational facilities proposed and the vocational opportunities it provides.

Design

Layout and Landscaping

40. The building is 100m long so has an extensive front elevation facing north. The elevation is animated by the proposed vertical tower (discussed below) and by using new glazing and new projecting bay windows on the north elevation and the south elevation to improve outlook and enjoyment of the site for students and staff, and to improve light and solar heating gain into the building and create a display area. The south-facing first floor bay has been enhanced to be used as a balcony and is considered a high quality design approach. Overall, the concern that the front elevation could be livelier, more dynamic and inviting is not considered necessary to be addressed further because the designs make for a much greater improvement to the building and retain the necessary sense of industrial perception which the NUTC aims at.

41. The external spaces are limited to the curtilage of the site which is existing surface

car parking. The northern curtilage is reserved for access to the front entrance and for staff and permit parking, cycle parking and scooter parking opposite the entrance and disabled car bays beside the entrance. The marked route from bus stop and Oldhall Road, combined with servicing time restrictions, will prevent the conflict of pedestrians and vehicles being problematic. The servicing area doubles-up as an outdoor recreation space.

42. The western area uses the existing car park for an outdoor dining and amenity area, but offers no improvements in terms of soft landscaping. This is regrettable as the site could appear stark and goes against the objectives of local plan policy NE9, but from the outside it will be screened by the ivy-screens and security fencing approved by application 13/0275/F, and security fencing that is improved following revisions to the initially-proposed palisade fencing so characteristic of anti-intruder industrial estates. As such given that the setting to the building will be improved, including through new hard landscape treatments around the bus stop area, it is considered more appropriate for the western amenity space to remain hard landscaped as a means to be flexible and adaptable to the needs of the NUTC in the future.
43. Improvements have been required to the entrance and bus stop / forecourt plaza area to try and make the entrance to the site much more inviting and welcoming, particularly as the unkempt semi-derelict surroundings on the immediate approach to the building give rise to a sense of insecurity. The applicant will be tending the entrance island and re-grassing the site and providing clear signage to improve use of the one-way loop road.
44. Revised proposals have now been received for the entrance to the site, which are much improved from the initial designs. Features include:
- The 'island' within the loop road is to be re-landscaped by levelling around the trees and planting the island with grass seed and spring bulbs. This will improve the setting.
 - The bus stop has been designed to the most workable vehicle alignment possible, to include specialist bus boarding kerbs. The shelter and litter bins are provided.
 - Use of steel planters and bollards to prevent bus overrun onto the raised pedestrian area.
 - The forecourt entrance area is now proposed to be in Marshalls Tegular grey block paving, which is appropriate and improves the setting.
 - Specific pedestrian priority crossings are shown across the site entrance and the adjoining site entrance.
 - A new specific pedestrian access gate and footpath across the front of the building has been provided to keep pedestrians away from cars and delivery vehicles, in the same paving as the forecourt area. Paving is still needed outside the main entrance to emphasise the entrance, whilst parking bays are provided in dark block paving and white line markings to ensure pedestrian safety around vehicles.
45. Internally, some natural daylight is received by existing profiled polycarbonate roof lights evenly distributed along the roof. The internal arrangement will be clearly orientated and organised into circulation zones, teaching and ancillary areas with clear visibility.

Form, Scale and Impact on Surroundings (including Yare River Valley)

46. External alterations include the construction of a Vertical Laboratory Tower, a 17.5 metre vertical extension from the extended ground floor entrance and reception lobby. It is not uncommon for schools and colleges to have design features which seek to be local landmarks and there is no objection to a tower in principle, even if visible within views from surrounding landscape to the south of the city and open countryside, but the design must be appropriate if the site is especially visible. Sited on the north elevation it is undoubtedly a striking feature, particularly as it is proposed as being clad in yellow metallic sheeting materials which at this scale will make the tower appear incongruous within the surrounding landscape. This is not just a symbolic feature, although it will bring identity to the site, because it has an important educational role by providing experience of working and engineering solutions 'at height', particularly useful for the offshore energy sector. It provides internal connections to mezzanine and roof levels and allows engineering monitoring and experimentation.
47. The impact of the tower must be considered carefully as saved Local Plan policy NE1 states that "Development which is outside the River Yare Valley but which is likely to harm their visual amenity or ecological value will not be permitted."
48. The principle of having the iconic tower and its basic design is considered appropriate, however there is concern being the impact on the long views from the site and its place in the landscaped setting of the Yare Valley and Norwich fringe south of the city (protected in both Norwich City Council and South Norfolk Council planning policy). A visual assessment of these long views has been undertaken within the application and found that, despite its height and the building's setting on the side of the valley, the visibility is largely restricted to two long views from distance and close-in views from Oldhall Road.
49. This has been compared to long views undertaken during the assessment of the application, considering the impacts from the following locations:
- Access road from the west access to Harford Park and Ride route from the B1113 - views through the thin hedgerow show the presence of B&Q and suggesting the yellow tower to its west would be quite prominent, although Unit A is currently not, although the road and cycle lane is little used as a route to a 'destination';
 - Unclassified road from A140/A47 roundabout to Caistor St Edmund at the brow of the hill – small presence of tower may be possible but views are 'interrupted' by busy traffic on A47 and the road is not busy and is screened from the carriageway by hedging. Views from further east on this road or the A47 are hidden by the mound of Lakenham Common and its coppice;
 - Harford Bridge Tesco – no views possible from car park due to tall tree screening;
 - B1113 road to Swardeston – tall trees screen the Yarefield Park site from general view from the road but the yellow tower could appear through them, particularly with thinner leaf cover.
 - Public footpath from the B1113 heading west – views of the Marsh Harrier public house and church next to Yarefield Park are already prominent where screening is thinner. The impact of the yellow tower would be more keenly felt here.

- From the Stoke Road outside the aggregate quarry – some views north-west pick out the livestock market industrial area but the Lakenham Common hill obscures Unit A.
- From the junction of Stoke Road and the road to Arminghall next to the bridge over the A47 – views are currently clear in displaying the railway bridge on the London line and B&Q beyond, so the tower would be very clear. This is not a route with high daily pedestrian use but it is part of the nationally-designated Boudicca Way long distance path, and the site does provide a clear view of south Norwich for walkers, car users and cyclists and attention would be drawn to the presence of the tall tower from this angle.

50. The above assessment is 'real' but it has to be acknowledged as being difficult to accurately quantify the impact because the precise height of the tower is difficult to gauge. It is however easy to identify the B&Q store in certain views, which the tower would be in excess of. Views from the south and south-west across Ipswich Road are partly screened by trees in long views but the presence of the A47 road changes the perception of the view anyway from afar, and this is not considered a particularly sensitive view, and further away south-east the land rises to be shielded by the A47. However, closer to the site the impacts increase and screening from the west, inside the river valley, is scarcer, so the presence of the tower could look out of place in the view of and along the river valley. Views from the north are very limited, being restricted to the occasional glimpse through existing buildings. However the views from the east are more sensitive and are clearly seen.
51. Although there is some screening by the mature woodland setting to the south, this could be more prominent in winter especially with the yellow cladding. To the east the Lakenham Common mound shields the view and is not generally accessible to the public, and in the event of becoming more commonly used will still not be greatly visible other than from the periphery of the Common at which point it will also be read alongside the existing B&Q and UTC buildings themselves.
52. Some investigations have been made as to the opportunity to plant screening trees on the Common, but the former refuse tip has been capped and sealed in a layer of special Bentonite-enhanced clay and sand which extends to its boundaries and the thin layer of upper topsoil is not appropriate for tree growth due to the cap potentially being damaged by tap-roots. The presence of a 17.5m high yellow tower has caused some concern that it would increase the existing negative visual impact from the clutter of bulky structures on the river valley, and therefore detract from the setting and character of the city.
53. However, notwithstanding the limited options available for screening the tower, the general impact of this tower on the Yare Valley is actually considered minimal other than in views into and along the river valley. Officers remain concerned about the colour of the tower's cladding, which is bright yellow in the sample provided (and not, it should be noted, the muted mustard seen in the PDF elevations). Although its main impact will be in giving presence to the site to those intending to visit the site, and perhaps bringing identity to Yarefield Park so increasing peoples' awareness of the site as a potential employment location, there will be an impact outside the site which could compromise the objectives of protecting the river valley from the effects of inappropriate development. Cladding material samples have been provided and are proposed as Kingspan Saffron Yellow ('forte' finish). The striking yellow design is not necessarily the most appropriate for this site but the

applicant has not proposed to alter the designs.

54. If Members are concerned about the impact and the tower proposals were considered too significant, alternative design options are feasible and could include either glazing the upper tower (also making it able to express its function as part of its form or give it some implied meaning given that long views will not see it as part of the NUTC) or making the panel colour more neutral to become more recessive in the landscape and be less incongruous.
55. Similarly green cladding materials samples for the projecting window bays have been submitted and are considered high quality and acceptable; these are Kingspan Jade ('forte' finish).

Boundary Treatments / Fencing

56. The fencing at the site is currently 2m high security fencing and was originally proposed to be replaced by 2.4m heavy duty palisade security fencing, but this would have been intimidating, severe and entirely inappropriate for a high quality of design and education facility. However, this has since been revised to be a new 'Weldmesh' design to be positioned around the west, south, some of the east, and the car park area of the northern boundaries. The remaining perimeter around the service yard is still proposed to be existing palisade fencing which is acceptable given the service area context. The revised use of Weldmesh is a suitable proposal, being able to combine well with the fencing of the sliding gates (as already-approved) and the landscaped setting so is considered acceptable and will be conditioned to be provided in advance of the use.

Transport and Access

Transport Assessment and Public Transport

57. The location of the UTC at the edge of the urban area and its catchment over Norfolk and North Suffolk has been a matter of concern from a transportation perspective from the outset. However the commitment to deliver a high frequency bus link from the rail station, City College and Tuckswood area has demonstrated an ability to delivery sustainable transport solutions for the site. To maximise the potential of all modes a number of additional measures are to be delivered through the Travel Plan. The applicant has taken some trouble to rectify the site's relative isolation from main modes of public transport and cycle routes, and has been keen to avoid any reliance on car journeys. Following negotiations the applicant now aims to achieve a 10% cycling rate as is the target for all schools, which is laudable given the site's wide catchment and relative inaccessibility.
58. The existing Anglian Bus120 service from the bus station has been in operation since April 2013, and a written commitment has been provided to extend the service to the NUTC, extend to the rail station and retain operations during school holidays so the measures will improve accessibility for students and staff and local residents alike. This is evidenced in the Travel Plan. The new bus service is proposed to run between 7.40am and 6pm, at frequencies of every 10 -15 minutes, with the last bus to leave the NUTC site being at 18:00 hours. Additional features include timetable advertisement in the school.
59. Measures are also being negotiated to secure a drop-off stop near the NUTC and Hall Road for people using the Harford Park and Ride as well as using the Harford site as a designated car drop-off facility. There are also First routes between Long Stratton and Mulbarton and the city centre and the Horsford and Aylsham Rd areas.

the first routes essentially provides 4 buses an hour in each direction on Ipswich Rd. Additionally there are occasional services to Diss and south Norfolk villages on Ipswich rd.

60. There are concerns about what should happen in the event of the Anglian Bus service being found unviable in the future if patronage was low. In this event the site would find itself isolated from specific bus routes but there would remain fairly frequent services using Ipswich Road and Hall Road for students to utilise. However, the fact that the service has been able to start 18 months prior to the NUTC's opening servicing the residential community already, and it is in practice a frequent enough service to also be attractive to students, which would suggest there is some feasibility for the route, so some confidence must be taken from this. If the NUTC is successful the 600 students should ensure the service is feasible and students realistically probably have little alternative option. The Travel Plan does also contain monitoring clauses and contingency action plans to account for such an eventuality.
61. In the proposals the site will include a bus stop on the private loop road as close as possible to the main entrance. There has been some difficulty in ensuring the bus stop can be positioned to allow appropriate 'sweep' by the Anglian busses on their tracking course whilst achieving parallel disability access and preventing reversing over the entrance and waiting on the loop road. However, revised plans have achieved the best solution which is acceptable to transport planners from both disabled access and site safety points of view.

Car Parking

62. Old Hall Road currently has double-yellow line parking restrictions from the Hall Road junction to approximately 10m south of the rail bridge. This leaves a potential existing length available for unrestricted car parking on the single-width sole access road to the site, which could compromise traffic safety and business success. Waiting restrictions are therefore proposed to be improved / extended here and at:
- Oldhall Road (double-yellow lines along full length);
 - Livestock Market road (un-named) to B&Q (double yellow lines both sides full length);
 - Hall Road accesses to unadopted industrial estates and business premises.
63. The Highways Authority did consider if a specific extremely short-term drop-off facility should be provided at the junction of Hall Road and Oldhall Road, known as a 'kiss and ride' facility. However, this was since rejected as it could actually encourage increased parking and congestion in the area; it is instead better to ensure there are no opportunities for the car-free concept to be compromised. The applicant considers the Harford Park and Ride site to be the only appropriate car drop-off site, and is currently trying to negotiate this as an official site for the NUTC, to become part of the Travel Plan.
64. The turning circle loop road is not adopted at present but is in multiple ownerships. The loop road is too narrow to allow two commercial vehicles to pass one another so a covenant exists in the title deeds to prevent waiting or deliveries from the loop road and compromise business activity and requiring its continued free access, but new yellow lining can extend to its entrance. The site's owner can install private parking restrictions if they so wish. Bus stop designs and minimising car use need to keep the covenant in mind.

65. Parking at the vacant units at Yarefield Park or anywhere at other sites which inhibits business at the occupied units is a matter of private monitoring, policing and enforcement. Unauthorised access and parking would probably be considered trespassing, and the owners can use signage to caution against this. It would be surprising if the NUTC did not inform their staff and students of the potential implications too.
66. The Travel Plan measures include commitments to extend parking restrictions at local un-lined locations such as on public roads at the Hall Road business park and on junctions within the closest residential areas. These will all help deter reliance on cars and reduce impacts on residential amenity and local business operations.
67. Parking monitoring is also to be subject to the NUTC employing the services of the Police Community Support Officer in a similar arrangement to that which operates currently at the City College Ipswich Road site, to maintain free flow of traffic, issue tickets if necessary and act as a visible deterrent to parents, staff or students alike, which will be particularly important around Hall Road and the Oldhall Road rail bridge.
68. Deliveries from Oldhall Road itself is a matter of parking enforcement. Waiting restrictions are in place at present and deliveries taken directly from a stationary vehicle in the carriageway most likely stem from the current infrequent use of the road as a result of the under-occupancy of the industrial park. The issue may be self-resolving as a result of the NUTC presence and more visitors and users of the site will be a visual deterrent to such unauthorised loading; if it becomes a problem the NUTC and/or bus companies are likely to raise the issue with the Highways Authority to enforce and require changed practice.
69. Generally, the same approach can be taken to this NUTC site as at other schools, in that minimising the availability of parking in the vicinity combined with financial or educational consequences for contravening the travel planning arrangements should deter students and staff from making unnecessary car journeys.

Cycle Routes and Pedestrian Links

70. The site needs to become better connected to the strategic cycle network in order to provide safe and convenient cycle routes for students from such a wide catchment, and there are identified gaps in the network between Bessemer Road and the B&Q roundabout, and between the site and Marston Lane. Improving cyclist accessibility is especially important as a cheaper and viable alternative to public transport, and if the bus links to the Park and Ride site are not realised or if the bus service is compromised in its frequency or viability.
71. Currently the strategic cycle network includes the main 'Yellow Route', running from the city centre along Lakenham Way terminating at Sandy Lane, and the orbital Purple Route connecting to the west of the city via Marston Lane and its junction at Ipswich Road. A local neighbourhood cycle link runs from Fountains Road and Locksley Road to Hall Road. It was considered possible to provide links to the cycle routes by extending the existing shared surface cycle route on Hall Road from the B&Q roundabout where, it currently ends, to Ipswich Road, in order to provide a specific safe cycling connection between Yellow and Purple routes. However once investigated further it was seen as probably being an excessive and costly measure given the numbers of cyclists attending the site due in part to the wide catchment area and the expected success of the bus route.

72. Instead, the Travel Plan includes proposals to provide a new direct connection from the southbound lane on Ipswich Road across highways verge to Fountains Road to serve cyclists arriving from the north. Additional measures include a flush kerb being provided at the Hall Road / Sandy Lane junction (to improve safety when connecting to the cyclist-specific traffic crossing point connection to Lakenham Way for those heading to the city), and a flush kerb at Hall Road opposite Fountains Road to negotiate the B&Q roundabout, and signage to direct cyclists from Lakenham Way along Bessemer Road rather than the busy Hall Road.
73. These measures will provide a few much-needed improvements to the safety of cyclists attending the site. There remain some 'gaps' however, such as there being no practicable or convenient off-road or designated safe route from the west to avoid needing to negotiate the southern end of Hall Road and cross the traffic into Oldhall Road, and cyclists from the north/east will still need to cycle on-road from the B&Q roundabout where the speed limit is 40mph. However, the Travel Plan does propose using cycle awareness and skills development training to improve confidence amongst cyclists. Overall, this is considered appropriate in conjunction with the other transport and travel plan measures.
74. Segregated pedestrian access is provided from the bus stop and clear marking across the site entrance will make a pedestrian priority area for people walking down Oldhall Road, also improving the safety in relation to users of the neighbouring industrial units.
75. The pedestrian link south from Yarefield Park along the remainder of Oldhall Road to Ipswich Road is partly adopted highway. Street lighting is in place but stops at the point where Oldhall Road stops carrying traffic and becomes pedestrian-only. This situation is considered unacceptable because the route acts as the most important route for pedestrians and cyclists and bus-users arriving from the south or alighting on Ipswich Road, and/or the potential Park and Ride drop-off site. Accordingly, the Highways authority have recommended the southern end of Oldhall Road become lit, either through district lighting or highways lighting, and this will be required by planning condition.
76. The same walking route to Ipswich Road is also heavily overgrown and needs cutting back but this is not in the applicant's control (although there will be added priority on the Highways Authority to complete this once such increased numbers of people need to start using it). If this is attended to the walking environment will improve significantly for people accessing the Park and Ride or the Tesco sites.
77. It has also been considered necessary to require a form of highway markings across the junction of Oldhall Road and Hall Road to try and identify the junction being a pedestrian route crossover to the Oldhall Road path on the east side of the road. The applicant has not yet proposed how this is done but the Highways Authority have acknowledged the need and ability to achieve it without giving a sense of increased pedestrian priority (e.g. using 'look right' marking in the carriageway). The highways measures will all be agreed and provided in advance of the NUTC opening, through discussions with the Highways Authority in accord with conditions.
78. The above cycle infrastructure measures would need to be in place for the opening so that they can promote the cycle routes and establish cycling as a viable option

from the start. The possibility of the bus service being cut off or cut down also adds to the importance of ensuring the cycle enhancement 'hard measures' are in place from the outset. These will be conditioned, as will the implementation of the Travel Plan.

79. To summarise the measures being provided as part of the scheme:

- new access / up-ramp / chicane from Ipswich Road to Fountains Road;
- flush kerbs at Hall Road opposite Fountains Road;
- flush kerbs at Hall Road opposite Sandy Lane;
- signage on road and above road from Fountains Road;
- signage on road along Bessemer Road;
- safety features / markings on road across entrance to Oldhall Road at Hall Road junction;
- providing bus stop on the site to connect to Anglian Bus service;
- improvements to existing bus stops on the Park & Ride route (if P&R is used);
- improved lighting to the southern end of Oldhall Road.

Cycling Parking

80. The scheme provides 60 cycle stores on site outside the main entrance. This is a lower number than which is expected by Local Plan policy but the policy anticipates a localised, neighbourhood-based catchment area and a 'standard' classroom size formulae which this NUTC proposal does not conform to. The provision is instead made to the target level of 10% cycling (60 stands for 10% of the 600 pupils). The Travel Plan proposes to monitor on-site demand and provide new cycle stores if necessary.

81. The type and design of stores is communal racks under a butterfly roof cover. This is not the most ideal design but being within the security fence it is secure, and there are some units for 'locker' storage.

82. In addition, the shortfall in cycle storage is made up through the application proposing 36 scooter / motorcycle spaces in lock-up bays, which is very important given the wide catchment and age demographic and their growing popularity.

Travel Plan

83. The Travel Plan is based on the same format as the City College Norwich and is proposed to be operated by the same Travel Plan Coordinator in partnership with the County Council Travel Plan Officer.

84. Discouraging car use at the site is proposed by promoting cycling training and travel information guides, providing discounted bus travel and use of 'smart ticketing' (like Oyster cards), providing on-site bus timetabling information, and ensuring students sign into a 'learners contract' which includes requirements on sustainable travel ambitions to avoid local traffic and parking issues. The 'contract' makes clear that student parking is not available at the NUTC and there is a 'no drop off zone' at the site entrance. For those students and staff in need of car parking, spaces are managed on a permit parking basis. The Travel Plan will be required by condition; this allows planning enforcement should measures not be provided and problems arise.

85. To summarise the measures of the Travel Plan in addition to the cycle/pedestrian

works:

- Requiring a 'contract' with students, staff and teachers to enforce against non-essential car use;
- Providing waiting restrictions in local catchments if future problems emerge, e.g. Fountains Road and Locksley Road and the White Lodge Business Estate;
- Providing cycling training for students;
- Providing a Travel Information Pack for students and staff;
- Work with local landowners if local problems emerge;
- Provide PCSO cover at the site, Oldhall Rd / Hall Rd to patrol / issue parking tickets;
- Rectify gaps in existing highways parking restrictions;
- Promoting and securing the use of Harford Park and Ride for car drop-off and bus link;
- Promote 'Liftshare' schemes amongst staff and students;
- Monitoring demand and providing a larger bus stop on site if necessary;
- Monitor if cycle use demands at bus and rail stations can warrant provision of cycle storage there;
- Monitor demand for on-site cycle storage and expand amount of stores if necessary.

Environmental Issues

Waste Management and Servicing

86. The intention is to manage waste in the same manner that City College Norwich does, which achieves 95% recycling and 5% use to create energy. Specific waste collection and loading areas are provided on the site for daily collection before the school day starts. Servicing deliveries range from HGVs for appliances and specialist equipment taken to the existing service bay on the eastern site, driving through the main entrance, and small vans for smaller needs parked by the entrance. Highways impacts are likely to be minimal compared to the intended original use for warehouse and industrial activity, but conditions can be used to require HGV servicing to take place outside usual college opening hours to minimise conflict with other businesses and the increased presence of staff and students.

Noise, Plant and Machinery

87. The development site is in a fairly secluded position with only other business uses in the vicinity. A condition will be imposed to ensure control of noise arising from plant and machinery features installed on a permanent basis. However, the NUTC will need a range of plant and machinery appliances as teaching resources, and use those both inside and outside the building (e.g. engines, turbines) so planning conditions should not be so stringent as to affect these operations. In the event that any noise issues do arise from more transient machinery, they can be addressed either as a statutory nuisance under the Environmental Protection Act or by the requirement for a further planning application if this is appropriate for the particular temporary development. Condition 14 refers.

Energy Efficiency and Renewable Energy

88. Providing renewable energy generation on-site is closely linked to the NUTC's energy-sector industry links. The south-facing aspect of the roof will be fitted with 550sq.m. photovoltaic solar panels and the energy generated equates to at least 10.14% of the site's energy demand, so satisfying JCS Policy 3. A condition will be used to require their installation prior to the first use of the building.

89. Further experimental on-site energy generation may be introduced when in use, such as the energy report's suggested solar thermal heating panels and biomass boilers; their impacts may be controlled by the condition for plant and machinery or if any of these appliances need specific planning permission.

Sustainable Construction, Water Efficiency and Lighting

90. The design of the building and its efficient design will improve the sustainability of the building. Water conservation is a likely feature and a condition will be applied to ensure it. There are no details provided at present, but a condition will ensure any lighting proposals are first agreed prior to installation.

Local Finance Considerations

91. Under S.143 of the Localism Act the LPA is required to consider impact on local finances as a material consideration. The benefits from the finance contributions for the council, however, must be weighed against the above planning issues.
92. The applicant has proposed that the application's new mezzanine floorspace would not constitute 'development' and hence not be liable to being charged an application fee for the new mezzanine floorspace created. However, this is slightly different to the consideration of whether the mezzanine flooring causes the scheme to become liable to pay the Community Infrastructure Levy (CIL). In this instance the mezzanine floorspace is considered to become liable to needing to pay CIL because the external works proposed (windows and 'pop out bays') are all necessary to bring the mezzanine into usable space.
93. The new mezzanine floorspace is not yet of a fixed quantum but plans suggest new mezzanines create 1,792 sq.m. new floorspace. When added to the 52sq.m. of the external new floorspace, a total of 1,844 sq.m. becomes CIL liable.
94. In this instance however, educational facilities in the D1 Use Class category are charged at £0 per sq m so there will not be any CIL payment necessary under the current charging schedule.

Financial Liability	Liable	Amount
Community Infrastructure Levy	Yes (approximately 1844 sq.m. floorspace).	£0 (D1 use class rate).
Business Rates	Possibly	Unknown.

Planning Obligations

Transport Improvements

95. There are specific improvements needed to address impacts of the development and the need to make the site as accessible to sustainable forms of transport as possible. These would be possible to address through a Section 106 Agreement or a Unilateral Undertaking but it is considered as effective, and more expedient and flexible to future needs, if these are instead provided through the development's Travel Plan, which can be subject to planning enforcement action if the Travel Plan is not adhered to. The Travel Plan does include arrangements for monitoring and review by the Travel Plan Officer.
96. The police have requested consideration be given to securing financial contributions to greater policing resources. There is no policy basis on which to do

this, but policing presence will be increased in the area by the NUTC's links with, and use of, City College Norwich's Police Community Support Officer (albeit mainly in a parking enforcement role).

Equality and Diversity Issues

Age

97. The scheme brings a new form of education to young people from all backgrounds from the age of 14 years onwards and promotes vocational employment links. Although not as centrally located as might be preferable, it is considered to be sufficiently accessible for all sectors of the community.

Disability

98. All parts of the building will be accessible by lift with the exception of the tower structure. There are some concerns around the ability for wheelchairs to get on and off buses at the designated stop. The detailed design continues to be investigated but the matter can be resolved by conditions.

Conclusions

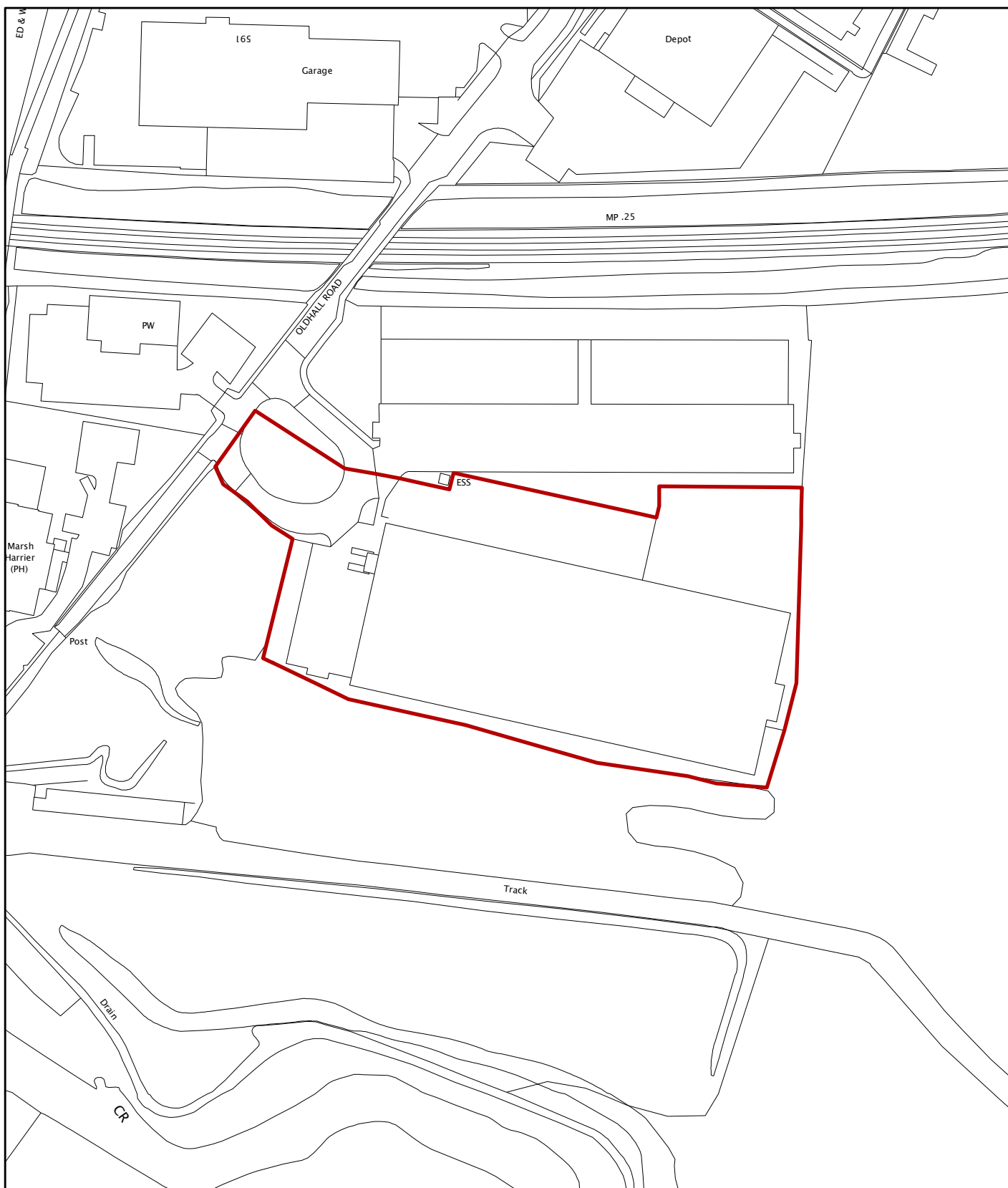
99. Notwithstanding the proposed treatment of the new tower and its position in the river valley, and its proposed colouring which compromises the objectives of saved policy NE1, the proposal is acceptable in principle despite being a departure from policy to protect employment land. Although contrary to saved local plan employment policy for the site, the proposal can be accepted exceptionally since it would help to broaden educational opportunities in key sectors and thereby contribute to beneficial economic growth in greater Norwich. Additionally the proposal offers a package of sustainable transport improvements to enhance its accessibility and help to reduce reliance on the private car.

RECOMMENDATIONS

To approve Application No 13/00870/F at Unit A Yarefield Park, Oldhall Road, Norwich NR4 6FF, and grant planning permission, subject to the following conditions:-

1. Development to commence within 3 years;
2. Development to be in accordance with the approved plans and details;
3. Restriction on pupil age (14 years upwards) and capacity (600 pupils at any time) unless otherwise agreed in writing with the Head of Planning;
4. The development shall be constructed to include water conservation measures designed to maximise water conservation. No use of the development hereby approved shall take place until the water conservation measures and appliances have been installed and brought into use and these shall thereafter be permanently retained;
5. No use of the development until the following features have been provided and made available for use as per the approved plans:
 - on-site bus stop;
 - landscaped entrance forecourt;
 - all new security fencing;

- new internal amenity area landscaping;
 - car parking facilities and layout as per plan, service bays, delivery area and external sports area marked out;
 - pedestrian safety markings at entrance and across adjoining site entrance;
 - cycle parking;
 - scooter parking;;.
6. No use of the development until the cycle network infrastructure improvements as listed in the Travel Plan have been provided and made available for use. Specifically these shall include:
 - a new access / up-ramp / chicane from Ipswich Road to Fountains Road;
 - flush kerbs at Hall Road opposite Fountains Road;
 - flush kerbs at Hall Road opposite Sandy Lane;
 - signage on road and above road from Fountains Road;
 - signage on road along Bessemer Road;
 - safety measures / markings on road across entrance to Oldhall Road at Hall Road junction;
 - providing bus stop on the site to connect to Anglian Bus service;
 - improvements to existing bus stops on the Park & Ride route (if P&R is used);
 7. No use of the development until the waiting restrictions in the local area have been improved and/or extended as set out in the Travel Plan, and the site has been marked up as a 'no drop-off zone'.
 8. No use of the development until appropriate lighting has been provided for the pedestrian route connection between the site and Ipswich Road, in accordance with a scheme first submitted to and approved in writing by the local highways authority.
 9. No use of the development until the photovoltaic panels have been installed on site and made operational in accordance with the details set out in the energy report and in the locations shown on the roof plan;
 10. Upon commencement of use, to implement the Travel Plan and monitor accordingly;
 11. Any external lighting within the site is to be agreed first by the Local Planning Authority and retained in accordance with the approved details thereafter;
 12. Servicing and deliveries by HGVs required to take place outside usual college opening hours;
 13. The installation of any plant or machinery for permanent fitting at the premises shall be in accordance with a scheme approved by the Council for the reduction, where necessary, of the level of noise and vibration emanating from the premises.



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Planning Application No 13/00870/F

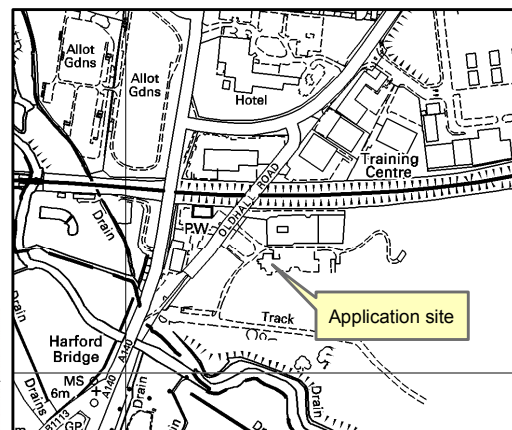
Site Address Unit A, Yarefield Park,
Oldhall Road, Norwich

Scale 1:1,500



NORWICH
City Council

PLANNING SERVICES







Legend

Site boundary

Existing 1.8 chainlink fence



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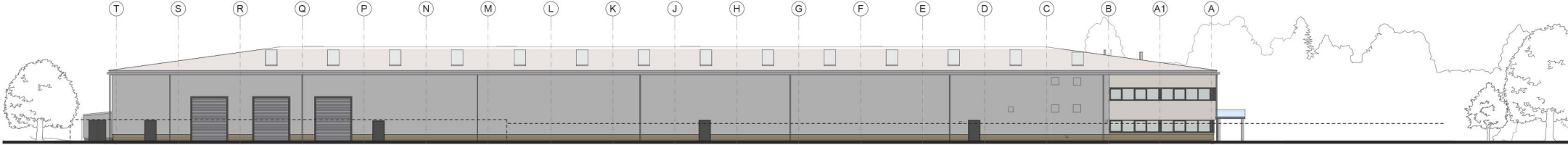
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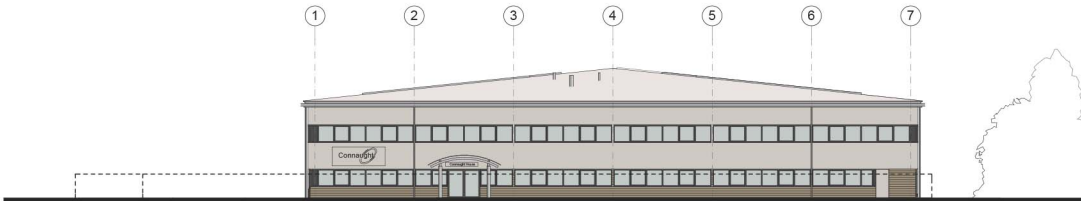
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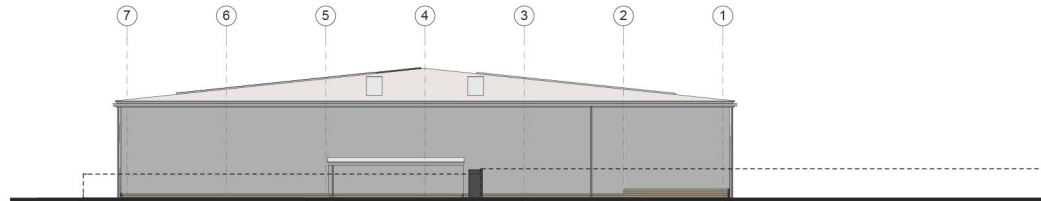
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13-00000 / 101		Northfolk UTC	
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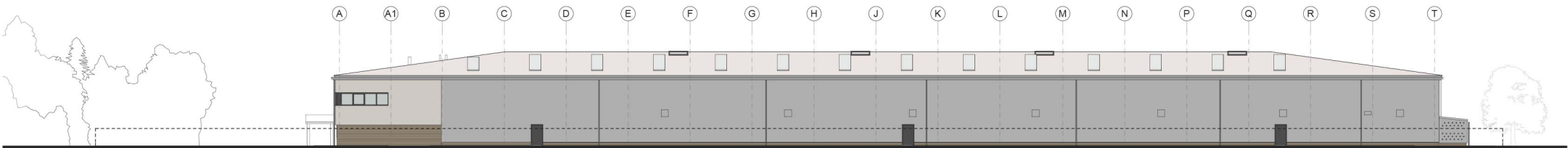
E-01 North Elevation



E-04 West Elevation



E-02 East Elevation



E-03 South Elevation

Notes:

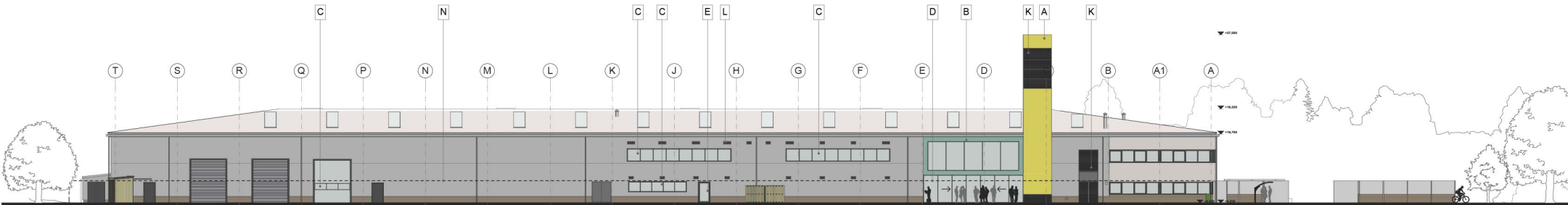
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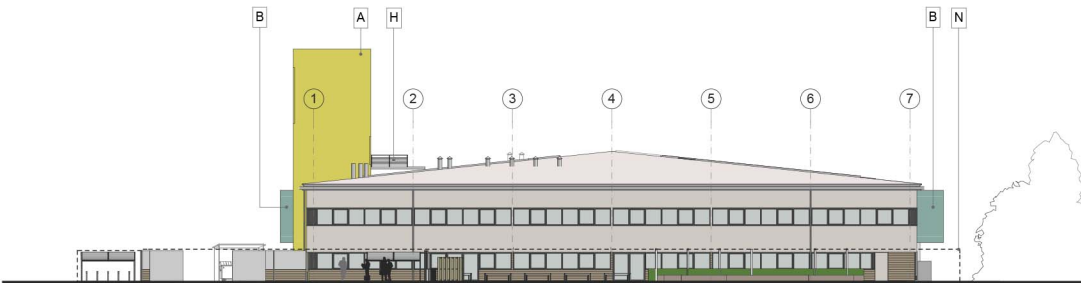
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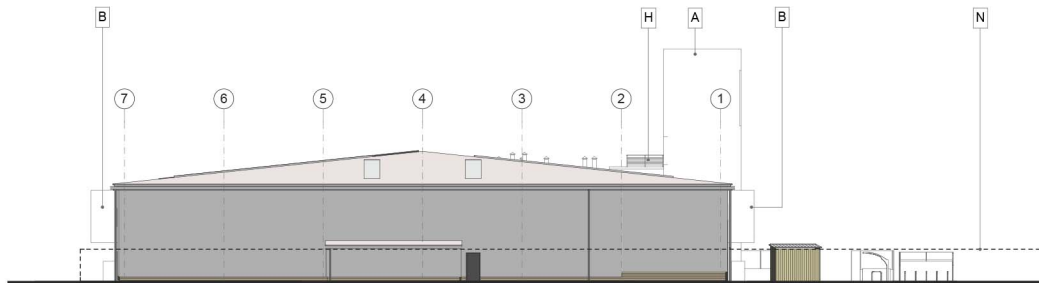
lsi architects <small>Norwich LSI Architects LLP The Old Dairy High 23a Castle Market Street Norwich NR1 3DZ phone 01603 690711 fax 01603 622113 email norwich@lsiarchitects.co.uk London LSI Architects LLP 70 Courteen Street Clerkenwell London EC1M 6LJ phone 020 7278 1700 fax 020 7278 0144 email london@lsiarchitects.co.uk www.lsiarchitects.co.uk</small>		Client	Norfolk UTC
		Project	Norfolk UTC
		Drawing Title	Planning Existing Elevations
Scale	1:200 @ A1	Date	15.05.2013
Drawing No.	13-0020 / 106	Drawn By	MC
		Rev	*



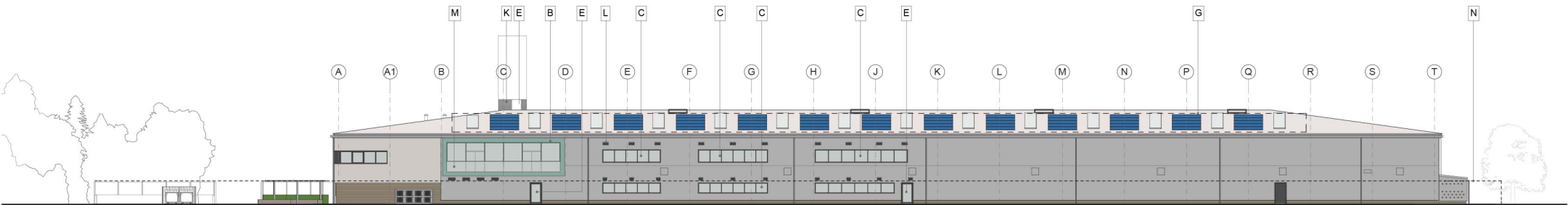
E-01 North Elevation



E-04 West Elevation



E-02 East Elevation



E-03 South Elevation

Legend:

A Colour coated metal panels [Yellow]	D PPC aluminium framed, thermally broken double glazed curtain walling system [dark grey]	G Zone for photovoltaic panel array (550sqm)	L Louvres (light grey to match existing cladding)
B Colour coated metal panels [Green]	E PPC aluminium doorset, fully glazed [dark grey]	H Galvanised steel platform and handrails	M Glazed balustrading
C PPC aluminium framed, thermally broken double glazed windows [dark grey]	F any new rainwater goods to match existing [modifi existing]	K PPC aluminium framed, louvres, louvred doors [dark grey]	N Dashed Line denotes 2.4m high palisade fence to perimeter (colour to match existing)

Notes:

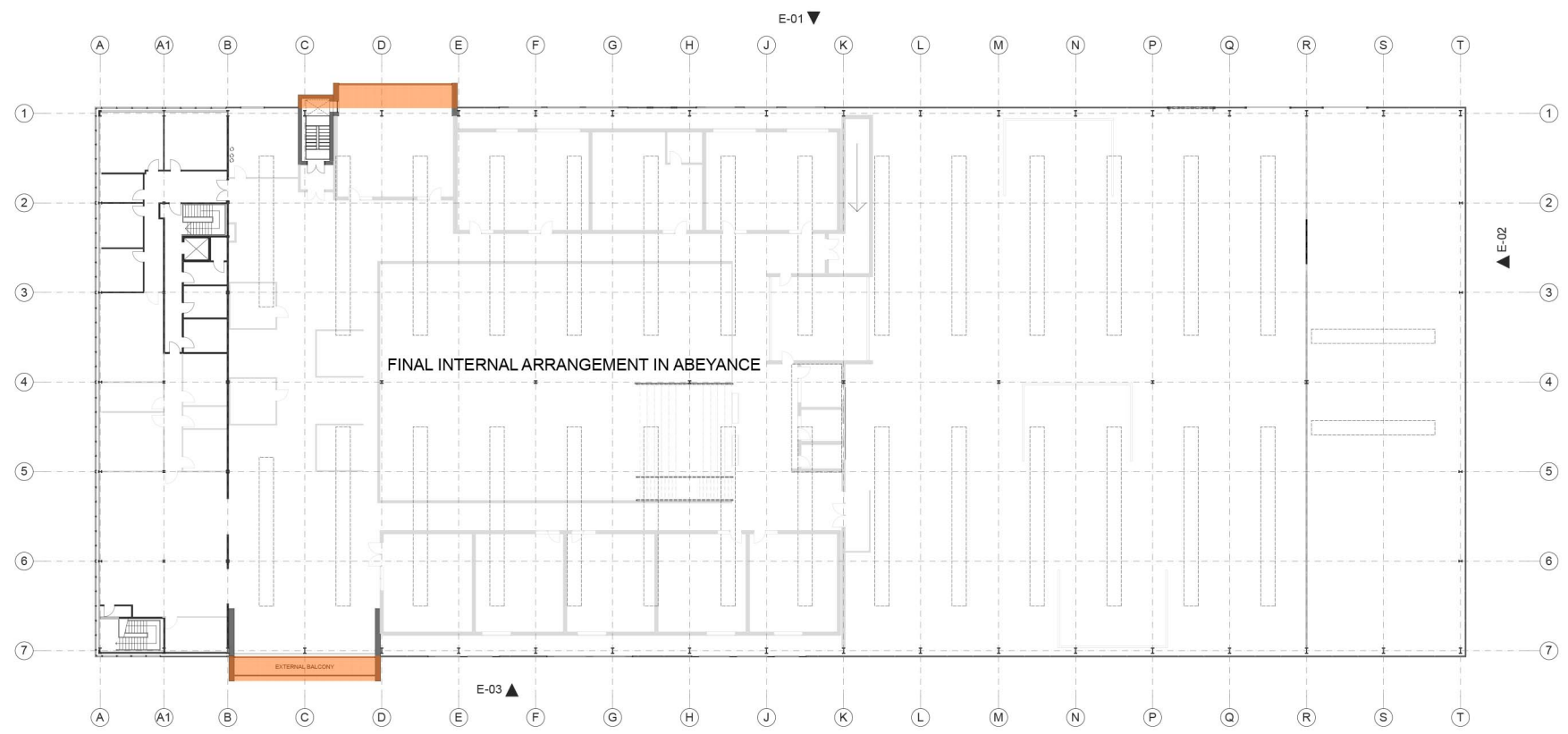
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Client	Norfolk UTC
Project	Norfolk UTC
Drawing Title	Planning GA Elevations [Proposed]
Scale	1:200 @ A1
Date	15.05.2013
Drawn By	MC
Drawing No.	13-0020 / 110
Site	*



Additional Proposed Areas

Ground Floor	- 3sqm
First Floor	- 49sqm
Total	= 52sqm

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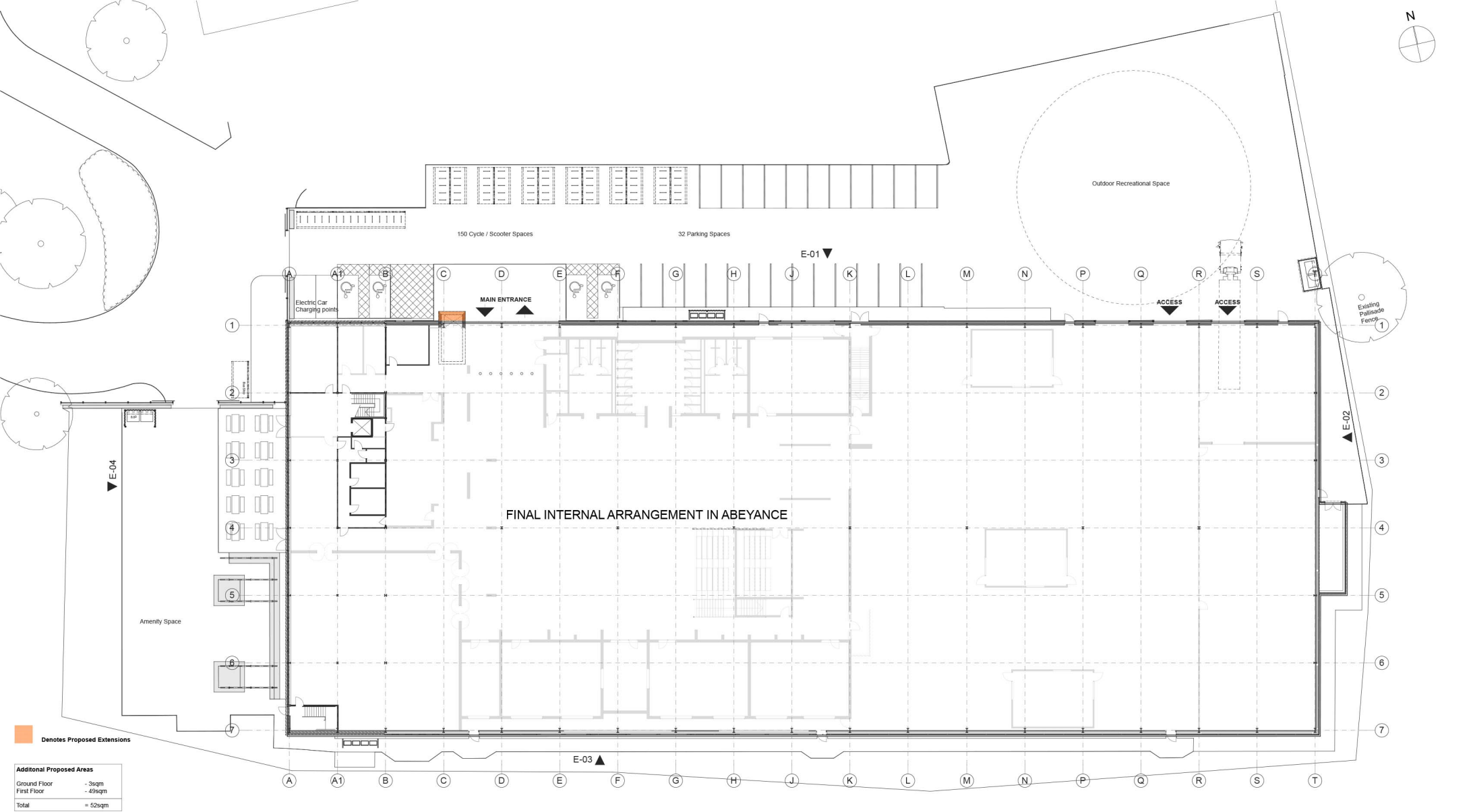
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Project	Norfolk UTC		
Drawing Title	Planning GA Plan - First Floor [Proposed]		
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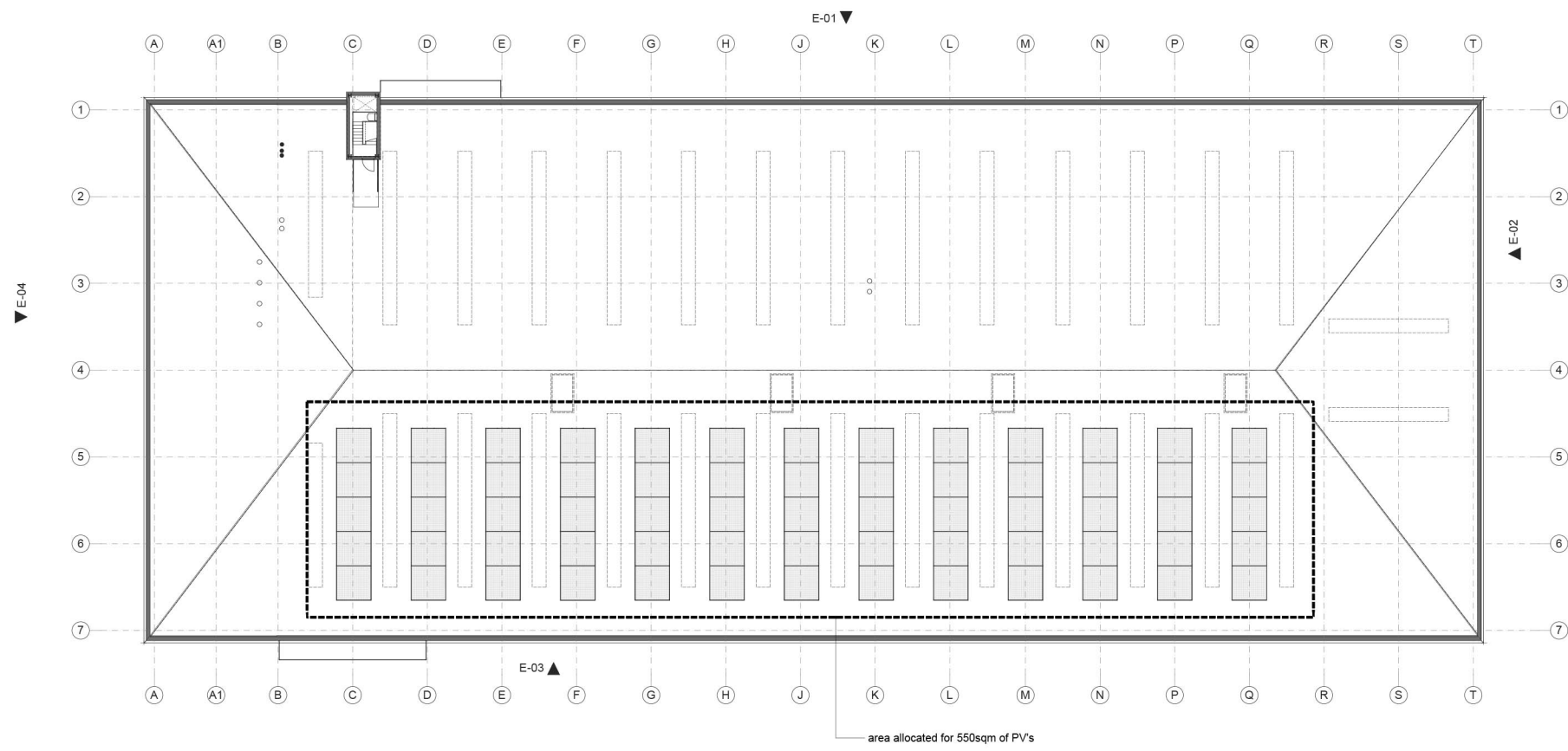
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Client	Norfolk UTC		
Project	Norfolk UTC		
Drawing Title	Planning GA Plan - Roof Plan [Proposed]		
Scale	1:200 @ A1	Date	15.05.2013
Drawing No.	13-0020 / 109	Drawn By	MC
		Rev	*

Report to Planning applications committee
Date 15 August 2013
Report of Head of planning services
Subject 13/00737/U EPIC Centre 112 - 116 Magdalen Street
 Norwich NR3 1JD

Item
5(3)

SUMMARY

Description:	Change of use of part of the ground floor of the EPIC Centre from a television production and enterprise hub with facilities for hire and educational use (Class Sui Generis) to a music college with performance venue (Class D1).
Reason for consideration at Committee:	Objections
Recommendation:	Approved
Ward:	Mancroft
Contact Officer:	Rob Parkinson Senior Planning Officer 01603 212765
Valid Date:	16th May 2013
Applicant:	Access to Music Limited.
Agent:	Mr Richard Smith, NPS Consultants.

INTRODUCTION

The Site

Location and Context

1. The EPIC Centre is the four-storey glass-fronted former Anglia TV studios situated on the west side of Magdalen Street to the north of the Escape (former Queens Arms) public house at the corner of Magdalen Street and Edward Street (102 Magdalen St). The Escape bar has a manager's flat above the pub, adjoining the EPIC studios.
2. This is a densely developed area of Magdalen Street and comprises many varied uses. Neighbours to the north are small retail units on Magdalen Street and the Cross Keys Yard residential area behind those shops, at 122 Magdalen Street, accessed through The Archway opposite Magdalen Close. Cross Keys Yard comprises 11 dwellings (8no. flats and 3no. houses), some of which directly abut the north elevation wall of the EPIC studios.
3. Neighbours to the west are the Anglian Bowls building and workshops within Beckham Place off Edward Street. Across Magdalen Street, opposite EPIC are various shops with flats above, and a pedestrian access to the Zipfels Court residential area behind, and the vacant Cat and Fiddle public house and Gurney Surgery on the corner of Cowgate. The vacant Barclays Bank and Anglia Square shopping centre are south of Edward Street.
4. Anglia Square, Magdalen Street and Edward Street all form part of the Anglia

Square Large District Centre defined by the Joint Core Strategy and Northern City Centre Area Action Plan. Magdalen Street (north) is part of a secondary shopping frontage zone for more non-retail uses, Beckham Place is allocated for residential-led mixed-use development, and the area falls within the City Centre Conservation Area.

Planning History

Prior to its use as television studios the building was used as a bowling alley (Brunswick Bowl), snooker hall, cabaret club and private members club. Television studio use was started following temporary planning permission in April 1978 (ref 4/1978/0075/U) and then on a permanent basis following approval in November 1980 (ref **4/1980/1242/U**). The lawful planning use was therefore as a television studio (with no restrictive use conditions) from that point until November 2006.

During that time, at the adjoining Cross Keys Yard to the north, 11 homes were built under planning permission **4/2003/0051/F** granted in May 2004: 'Demolition and redevelopment of site by the erection of one block of eleven residential units (4 x one bed flats; 4 x two bed flats; 3 x three bed houses) with four parking spaces and refuse storage.'

The authorised planning use at the EPIC centre varied slightly in 2006 when the County Council approved an application in November 2006 for "Change of use of premises from television studio to television production enterprise hub with facilities for hire and education use and insertion of windows to front elevation.". The County Council planning application number was **4/2006/4016** and can be viewed at www.norfolk.gov.uk or <http://eplanning.norfolk.gov.uk/>.

To the west, Beckham Place has an extant residential development scheme, approved in March 2011 (application **10/01156/F**): "Demolition of existing industrial units and the erection of 9 No. three bed houses and 5 No. four bed houses, together with 248sqm of office space (Class B1)." However, the Anglian Bowls building immediately adjacent to EPIC studios is not affected by this permission.

5. The above planning history shows there were no requirements on either the EPIC studio site or the residential development to the north to provide sound insulation to protect residents of the new houses from noise in the EPIC building, neither as part of the change of use to create the TV studios, nor as part of building the housing development.
6. The lack of noise insulation or acoustic defence measures required of the Cross Keys Yard housing development is understandable given the EPIC building was at the time used as a television production and broadcasting studio. The authorised planning use established under permission 4/2006/4016 as granted by the County Council remains of a similar television and broadcasting and education nature, which is also not a significant noise generator.
7. The subsequent expansion of activities at EPIC in recent months is however considered to be outside the character of the planning permission that exists at the site. The various activities, which still include television and video production but which also range from nightclub evenings to boxing matches and band performances, takes place in the main TV studio at first floor level and is currently subject to separate planning enforcement investigations. It is likely

that the enforcement investigations might lead to a specific planning application being lodged to regularise the use, a part of which might need to include acoustic assessment and noise insulation measures being installed (although this is of course speculative at present).

The Proposal

8. The application proposes to make extensive internal alterations to expand the existing 257 sq.m. ground floor floorspace used by Access to Music to 1028 sq.m. by converting existing office space, TV studios, galleries, stores, control rooms, workshops and editing suites into facilities for the music college. The new facilities comprise tutor rooms, technician suites, recording studios, 5no. rehearsal rooms and two larger performance spaces or live venue facilities.
9. There are no external changes proposed, the service and refuse storage entrance remains the same (from Edward Street) and the main entrance / reception is retained on Magdalen Street. The college has its own toilets / facilities and does not extend to the first floor.
10. Access To Music is a further education provider for both part-time and full-time music industry courses and currently has sites at King Street, St George Street and the EPIC centre; it is proposed to consolidate all branches into EPIC if permission is granted, increasing student and staff numbers at EPIC from 110 to 265 (240 students and 25 staff). The applicant states that existing businesses on the ground floor will be relocated elsewhere in EPIC, potentially at first floor where some rooms are under-occupied.

Representations Received

11. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 3 letters of representation have been received citing the issues as summarised in the table below.
- 12.

Issues Raised	Response
There may be harm to neighbouring residential amenity. Events at EPIC already continue well beyond 11pm and music can be heard within the houses in Cross Keys Yard. EPIC was designed as a TV studio and can't contain the high volume noise of such activities, and the building needs much more specially-designed noise insulation. Noise appears to travel through structure-borne bass vibration and audible sound.	Such activities are generally found at first floor level but the issue is still pertinent to live performances at the future college, and has been considered. See paragraphs: 5-7, 13-15, 22-23 and 34-42.
Noise of current activities is also felt by non-abutting residents in the Cross Keys Yard housing development and has forced residents to move out of the area.	This should be resolvable by conditions. See paras 5-7, 13-15 and 34-42.
Disturbances in the street are causing a fear of	See paras 7, 22-23 and 42.

Consultation Responses

13. **Environmental Health (Pollution Control)** – The acoustic assessment provided initially (received 5th June) was not considered satisfactory; unfortunately the written data and noise measurements provided would not have stood up to any technical scrutiny in acoustic terms (the noise data presented indicated that the measurements were not taken to any industry-recognised format) and therefore made it difficult to make a properly informed decision. In particular, if noisy activities were likely to take place after 18:30 then any element of 'self policing' would be less likely as the lessons would have finished, and therefore any impact on any adjoining residences will have a greater significance.
14. Since then the applicant undertook another acoustic assessment to address this and to give confidence in the use being acceptable outside normal working hours. The revised assessment duly considered noise generated from all noisy activities within the whole of the application premises, including those parts that are not initially proposed to be subject to any further insulation and by measurement and calculation could provide details of the impact on the neighbouring premises, taking into account the current insulation properties of the noise generating areas, any proposed additional insulation, and an assumption regarding the attenuation provided by any party/ exterior walls.
15. The resultant revised acoustic assessment (dated 28th June 2013) undertook extensive measurements and calculations to ascertain the effect of the proposed use on the adjoining residential premises in both Cross Keys Yard (flats 1-4 which adjoin the north façade of the EPIC building) and the flat above the adjoining Escape bar. As a result, noise mitigation measures are proposed within the acoustic report, and, providing they are installed, will be able to make the new use acceptable.
16. **Transportation Planner**– The site is highly accessible and the use appropriate, but additional cycle storage should be provided close to the entrance on Magdalen Street (see paras 25-32)
17. **Norfolk County Council Fire Officer** – Contributions should be sought for providing fire hydrants at the site. One hydrant will be required (condition 8 refers).
18. **Norfolk Constabulary** – No comments to make.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Paragraph 14 – Presumption in favour of sustainable development

Paragraphs 203-206 – Planning conditions and obligations

Section 1 – Building a strong, competitive economy

Section 2 – Ensuring the vitality of town centres

Section 4 – Promoting sustainable transport

Section 7 – Requiring good design

Section 8 – Promoting healthy communities
Section 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 2 – Promoting good design
Policy 3 – Energy and water
Policy 5 – The economy
Policy 6 – Access and transportation
Policy 7 – Supporting communities
Policy 8 – Culture, leisure and entertainment
Policy 9 – Strategy for growth in the Norwich Policy Area
Policy 11 – Norwich City Centre

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE8 - Development in Conservation Areas
HBE12 - High quality of design in new developments
EP10 – Noise protection between different uses
EP22 - High standard of amenity for residential occupiers
EMP1 - Small scale business development
EMP2 - Expansion of existing businesses
EMP3 – Protection of business units and land reserved for their development
EMP19 – Development of education and training establishments
TRA3 – Modal shift measures in support of NATS
TRA5 - Approach to design for vehicle movement and special needs
TRA6 - Parking standards - maxima
TRA7 - Cycle parking standards
TRA8 - Servicing provision
TRA11 – Contributions for transport improvements in the wider area
TRA12 – Travel Plans for employers and organisations in the city

Northern City Centre Area Action Plan (March 2010)

LU1 – Mixed use development to promote regeneration and a distinctive identity
LU2 – Large District Centre
MV1 – Sustainable transport
BP1 – Beckham Place – mixed use redevelopment

Supplementary Planning Documents and Guidance

Transport Contributions (January 2006)

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011
Written Ministerial Statement: Planning for Schools Development, August 2011.
The Localism Act 2011 – s143 Local Finance Considerations

Emerging policies of the forthcoming new Local Plan: *Development Management Policies Development Plan Document – Pre-submission policies (April 2013)*

DM1 Achieving and delivering sustainable development
* **DM2** Ensuring satisfactory living and working conditions
* **DM3** Delivering high quality design
DM9 Safeguarding Norwich's heritage
* **DM16** Employment and business development
DM17 Supporting small business
* **DM28** Encouraging sustainable travel
* **DM30** Access and highway safety

- * **DM31** Car parking and servicing
- DM33** Planning obligations and development viability

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. The 2011 JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application.

The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

* In the case of policies DM2, DM3, DM16, DM28, DM30 and DM31 there are objections lodged against their proposed use in the emerging Local Plan. Therefore, very little weight has been afforded to them, but their objectives and principles are largely consistent with saved Replacement Local Plan policies EP22, HBE8, HBE12, EMP3, TRA3, TRA5, TRA6, TRA7 and TRA8.

Principle of Development

Policy Considerations

19. The proposed use for expanded city centre education, and in particular one with links to the creative and engineering employment sectors, and doing so in a way that promotes regeneration in the Northern City Centre Area, is supported by Joint Core Strategy policies 5, 7 and 11 and the Northern City Centre Area Action Plan policy LU1.
20. The potential loss of existing small business units at ground floor would ordinarily be a concern (and is contrary to objectives in the Area Action Plan) but there is an intention and ability on site to relocate the businesses to vacant spaces on the first floor and ensure there remains access to the studio facilities, so being able to comply with saved policy EMP3 of the Local Plan.
21. The site is currently non-retail and the frontage will remain in non-retail use, and the Local Plan allows non-retail uses at street level in this area of Magdalen Street. There is very strong support for new and expanded educational facilities at the national policy level, as stated in the National Planning Policy Framework and the Ministerial Statement on Schools Development, so overall the principle of the use is supported, and the activity will not prejudice delivery of allocated sites in the vicinity.

Impact on surrounding area

22. Noise is considered in detail at paragraph 34. Although the increased use and occupancy of the premises may cause neighbouring residents and business to feel occasional concern regarding presence of young people in the evening in particular, the overall benefits of bring the facility into greater use and creating

greater vibrancy in the area will greatly outweigh any marginal fear of crime.

23. It is understood that any EPIC studio / Magdalen Street activities that have given rise to local concern about evening activity in the recent past are related to the first floor (subject to separate procedures) and the nightclub within Anglia Square. The new use will be beneficial and able to improve security through increasing activity in the area.

Design

24. There are no changes proposed to the exterior of the building.

Transport and Access

Transport Assessment

25. The application has been made on the basis of student and staff attendance increasing from 110 currently (100 students and 10 staff) to 265 when expanded (240 students and 25 staff). No accommodation would be necessary on site as the facility is so accessible from public transport. Existing city centre parking charges are considered a deterrent to most students who might own a car.
26. Consolidating all activities in the city in the one location will reduce private transport being required into the city centre and improve the effectiveness of the travel plan and reduce the need for staff and students to travel between three sites. It is proposed to use a condition to restrict the occupancy of the facility to the maximum 240 proposed, to ensure the impact is consistent with the proposed transport measures and travel plan; any increase would need a variation to the condition with consequent expectations for including improved cycle and travel plan measures.

Vehicular Access and Servicing

27. Deliveries and servicing and refuse collections will continue from the existing loading bay area off Edward Street behind the public house, comprising two parking spaces for loading. This does not affect existing residents.

Car Parking

28. No car parking is available on site, but public parking is accessible on Edward Street and at Anglia Square; any increase in car demand can be accommodated there. Pupil loading and drop-off areas are available on Edward Street and in loading bays along Magdalen Street. Public transport links are excellent in this location.

Cycle Routes and Pedestrian Links

29. Magdalen Street, Cowgate and Edward Street are all part of the Strategic Cycle Network and cycling connections will be further improved if Anglia Square is redeveloped. Both cycling and walking links to the main city centre are direct and fairly quick and the location is very sustainable and accessible.

Cycling Parking

30. Cycle parking is not available on-site; there is very limited room available within the music college's demise in the building, and cycle storage within the building's stores and delivery area could be a safety and security concern.

Instead, it is proposed that cycle stores are provided on the public highway close to the centre, funded by the applicant by way of section 106 planning obligation. Highways officers have suggested the most appropriate location would be the wider pavement on Magdalen St outside the entrance, using chevron parking stand arrangement next to the vehicle loading bay.

31. The increase in visitors to the building and the frequency of use will increase cycling demand. The highways officer has suggested that £5,000 will provide sufficient storage on the highway. This will fund in the region of 10 stands located outside the entrance to the site. A unilateral obligation to cover this sum has been submitted and is acceptable. In the event that the financial contribution is not forthcoming (e.g. if another operator was to take up the permission) then proposed condition 2 will ensure the use will not be allowed to commence until a scheme for appropriate storage is agreed and the cycle stands provided.

Travel Plan

32. The applicant has submitted a proposed Travel Information Plan to promote sustainable travel and public transport amongst students and staff, including distribution of travel information packs and a funding resource for its promotion. This is considered acceptable and will be conditioned to be promoted upon first use, regularly updated and continuously made available to all students thereafter.

Environmental Issues

Waste Management

33. There will be no notable increase in waste but it would be managed as it is currently.

Noise

34. The Environmental Health Officer was able to liaise with the applicant to advise on the parameters of the second acoustic assessment and considered the report an effective assessment which provides details of the proposed additional acoustic attenuation necessary. By way of background, it is generally accepted that noise from music becomes inaudible when the average (Leq) level from the music at a given frequency is at least 10 dB below the background (L09) noise level at that frequency.
35. There are three categories of room use proposed: 'red' areas with loud amplified music (including 2 large performance spaces, 5 rehearsal rooms, 2 recording studio live rooms); 'blue' areas where recorded music may be played at moderate levels (including demonstrations in lessons, monitoring in technical rooms and studio work); and 'white' rooms comprising offices, stores and staff rooms. The assessment assumed highest levels of music being played in both red and blue rooms and tested music noise transmission from the closest live space (performance studio room 3) as received in the living room of the closest residential flat (Cross Keys Yard flat 4).
36. The assessment has assumed the separating wall between the site and Cross Keys Yard is breeze-block construction and no additional sound insulation treatments have been applied on the residential side other than a plaster or plasterboard finish. The measured levels received in Flat 4 of Cross Keys Yard exceeded the ideal internal criterion level but were at or below the ambient

noise level at all other frequencies, although test levels were played at levels much below the assumed music levels of the new use operation so future noise levels would be much more discernable and potentially detrimental. Music from rooms other than Studio 3 are unlikely to be audible in practice at Cross Keys Yard. Studio 3 is of most concern because the primary path for noise transmission is via a single door and stairwell inside the flank wall abutting Flat 2 and Flat 4. This transmission route needs mitigation.

37. The calculated music noise received at the managers flat above the Escape pub would be dominated by music from Rehearsal Rooms 2 and 3 and exceeded the ideal internal level. These are currently store rooms of lightweight construction and need mitigation.
38. Overall, the proposals include a number of internal soundproofing works to reduce sound leakage from rehearsal rooms and studios into corridors (as described in the initial acoustic soundproofing report), but the second acoustic assessment report goes further and makes a number of recommendations to ensure any additional noise generated does not affect adjoining residents. The stairwell adjacent to Studio 3 should be fitted with an acoustic lobby to studio 3. The internal works are specified in Chapter 6 of the report so the measures may be installed and be checked later should there be any issues/complaints at a later stage.
39. Even with the works described the noise experienced in the managers flat from rehearsal rooms 2 and 3 may still be excessive, but the highest permitted noise levels can be restricted by conditions. Effectively, the report suggests the restrictions would be suitable for singers and unamplified acoustic instruments, but not for heavily-amplified rock or dance music, which is something for site management to facilitate.
40. To summarise:
 - a. The proposed use, without further noise mitigation, is likely to result in some noise intrusion to the adjoining residential properties on both sides of the application site.
 - b. Noise mitigation measures are proposed and these will be sufficient to remove the possibility of noise intrusion to the properties in Cross Keys Yard. These include extra insulation and upgrading the sound containment of lobbies/doors.
 - c. The proposed measures will not entirely remove the possibility of intrusion to the Escape managers flat in the 63Hz frequency band when high levels of music are played in the closest ground floor rehearsal rooms 2 and 3. However, the report recommends that these rooms use maximum noise levels (specifically of an overall 99dB LAeq(5 mins) and 97dB Leq(5 mins) in the 63Hz frequency band), which can be required by appropriate planning conditions.
41. It is important to note the acoustic assessment did not consider the impacts of the noise generated from activities at the wider EPIC venue and first floor in particular, such as live performances, events or recording in the larger, main studio. As mentioned at paragraph 7, this is subject to a separate planning enforcement process.

Hours of use

42. The planning application form initially requested opening hours of 0800-1830 hours when the college would be teaching. Given that some evening use would be anticipated, perhaps for private studio hire for example, it is considered appropriate to extend the hours later into the evening, but still account for protecting residential amenity. It is therefore proposed to use planning conditions to restrict hours of use to 0800 – 2130 Monday to Friday, and 0900 – 1700 on Saturdays, Sundays and Public Holidays (despite what was shown on the application form). Environmental Health Officers have confirmed this would be an acceptable situation.

Renewable Energy

43. Technically the development is large enough to ordinarily be required by policy to provide at least 10% renewable energy through on-site generation. However, the proposals concern only a change of use of part of the building and the applicant has no control of the property in their demise to be able to create on-site energy. In this exceptional circumstance it is considered practicable to meet the policy requirement.

Water Conservation

44. Water efficiency improvements are normally sought from all commercial changes of use but in this instance the scheme will not be increasing bathroom or WC facilities, so it is not considered necessary to require water efficiency improvements, particularly as there is no standard in policy to achieve set water reduction targets.

Plant and Fire Hydrants

45. A condition will be used to prevent internal plant and machinery installation without prior agreement of details to secure noise protection for adjoining residents.
46. A fire hydrant has been requested by the Fire Officer and can be installed within three months of the applicant's first use of the premises. The condition is needed to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Local Finance Considerations

47. The development does not create any new / increases floor space so is not liable to make payments under the Community Infrastructure Levy. Some additional business rates may be received from EPIC but it may also cause a loss from creating the vacancies at the existing King Street and St Georges Street premises.

Planning Obligations

Transport Improvements

48. Once received, the Council will need to spend the £5,000 received for additional cycle storage in the public highway promptly in the area suggested by Highways officers.

Equality and Diversity Issues

49. Access is currently level and will benefit those with mobility problems by using a consolidated single college site rather than requiring travel over three existing sites.

Conclusions

50. The development will provide additional education facilities and make use of underused facilities to promote further education and provide links to the creative industry employment sector. The site is accessible and sustainable, and the proposals will include additional measures to further improved accessibility and confidence in public transport and cycling. In its interior design and installations the facility will provide a high quality of education and performance environment and subject to conditions will provide a range of suitable measures and hours of use sufficient to reduce the impacts on residents from the music and noise created by the development.

RECOMMENDATIONS

To approve Application No 13/00737/U at 112-116 Magdalen Street, Norwich, NR3 1JD and grant planning permission, subject to the terms of a satisfactory S106 obligation to include the provision of contributions towards off-site cycle storage, and subject to the following conditions:

1. Development to commence within 3 years;
2. Development to be in accordance with the approved plans, including the interior layout / uses of each room as per approved proposed ground floor plan 01-01-14-2-1059 04;
3. Development to be restricted to a maximum of 240 students at any time;
4. In the event of the applicant not fulfilling the planning obligation the use shall not commence until a scheme has been submitted to and agreed in writing by the LPA in consultation with the Highways Authority for the provision of appropriate levels of off-site cycle storage, and the cycle storage has been provided and made available for use in accordance with the approved scheme.
5. No amplified music to be played until the noise mitigation measures have been installed in accordance with the approved acoustic assessment recommendations within Chapter 6 of the Adrian James Acoustics Ltd report ref 10720/1, received 01st July 2013.
6. Maximum sound levels in the rooms marked 'Rehearsal Room 2' and 'Rehearsal Room 3' on Proposed Ground Floor Plan ref no. 01-01-14-2-1059 04, shall be limited to 99dB LAeq(5 mins) in total across all frequency bands and also 97dB Leq(5 mins) in the 63Hz octave band.
7. Upon commencement of the use, the Travel Information Plan is to be implemented and made available to all users of the development, and promoted in accordance with the provisions of the Travel Information Plan.

8. Within three months of commencement of the use, suitable fire hydrant provision equivalent to delivering a minimum of 20 litres of water a second shall be provided and made available for use in accordance with the requirements of the Norfolk Fire Service.
9. Hours of use to be restricted to 0800 – 2130 Monday to Friday, and 0900 – 1700 on Saturdays, Sundays and Public Holidays.
10. No external plant and machinery to be installed without prior approval of the LPA in respect of noise containment and protection of residential amenity.

3 PROPOSED USES AND MUSIC LEVELS

The proposed Access to Music accommodation will comprise teaching rooms, performance and rehearsal spaces, recording studios, music technology rooms and ancillary accommodation including offices, stores and small tutorial rooms. Figure 1 shows a ground floor plan of the complex with the proposed Access to Music accommodation outlined in yellow and the nearest residences shaded green.

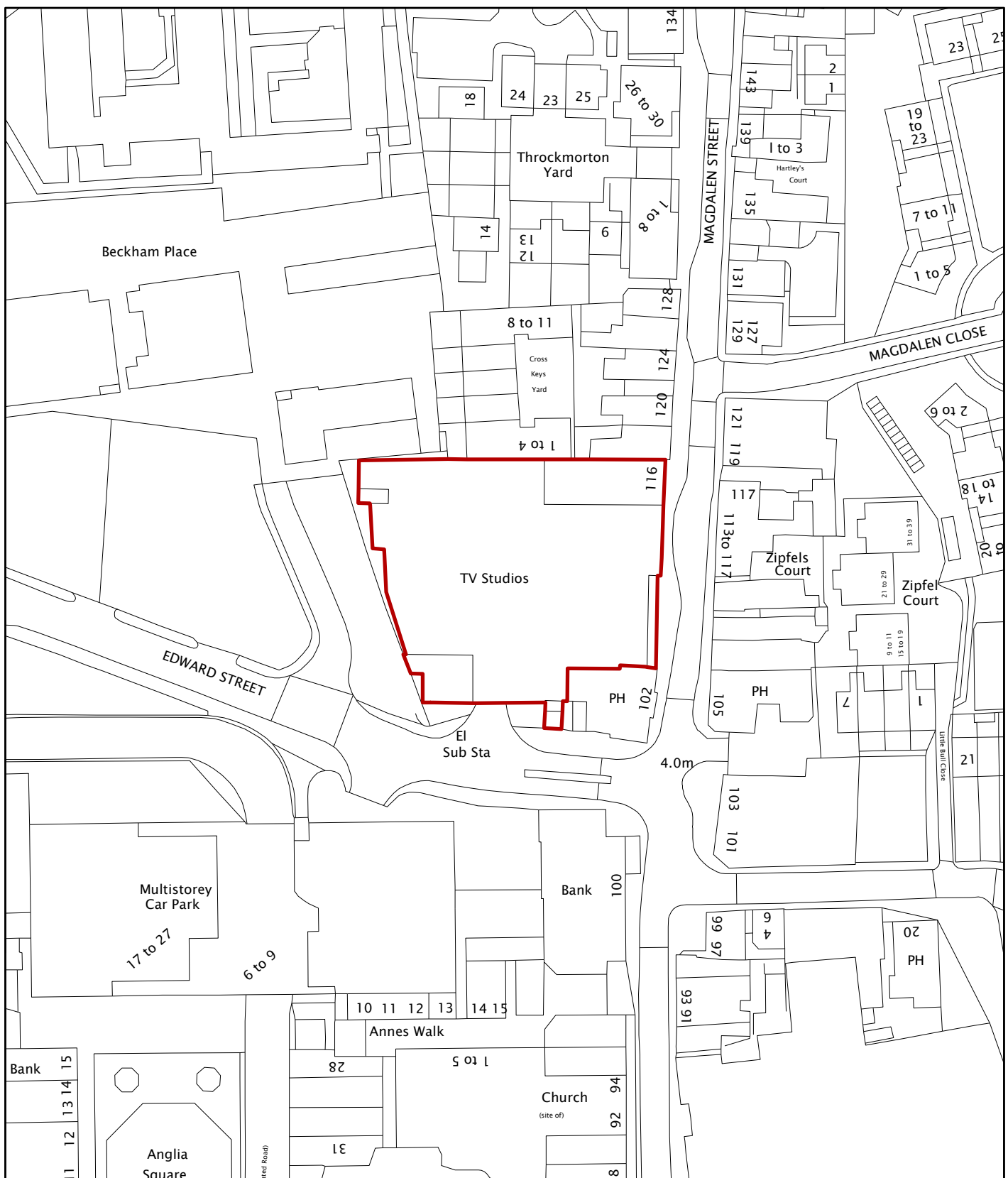


Figure 1 – Proposed ground floor plan

Rooms shaded red in Figure 1 indicate areas where loud amplified music may be played. These include two large performance spaces, five rehearsal rooms and two recording studio live rooms.

Rooms shaded blue in Figure 1 indicate areas where recorded music may be played at moderate levels. Activities in these rooms would include playback of recorded music for demonstration purposes during teaching sessions in Seminar Rooms and Tech Rooms and personal or near-field monitoring in Tech Suites and Studio Control Rooms.

We have assumed typical highest music levels for each of these types of spaces based on measurements taken in similar facilities. These are shown in Table 1.

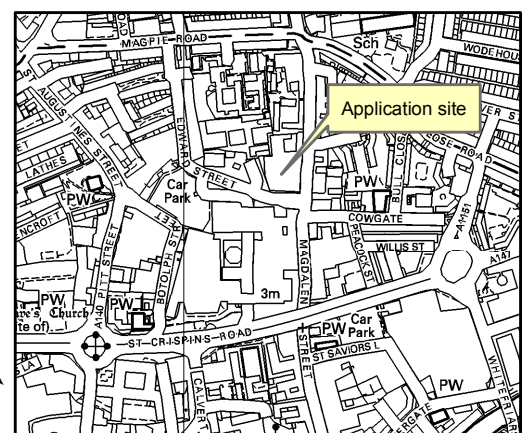


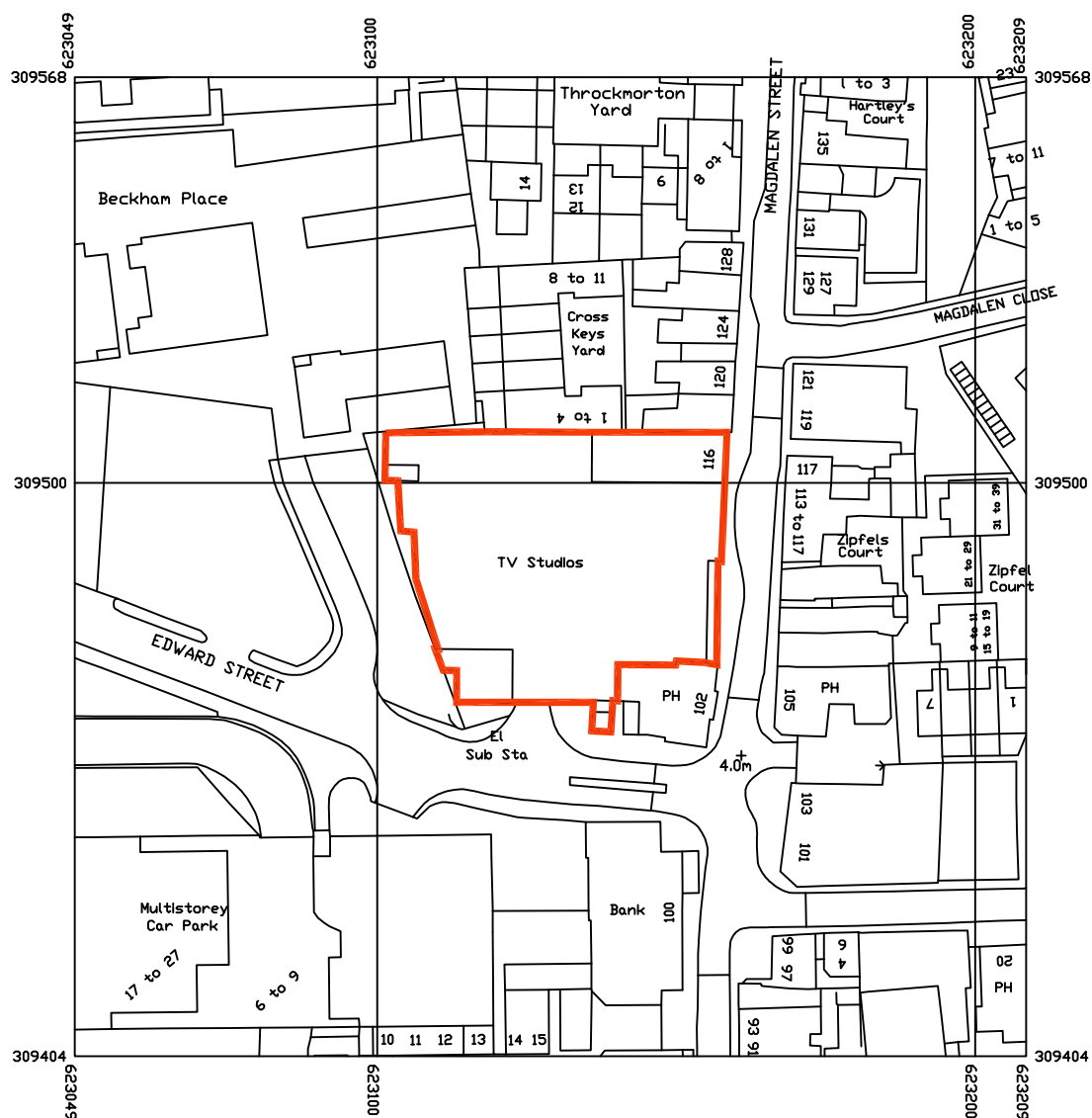
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Planning Application No 13/00737/U
 Site Address EPIC Centre,
 112-116 Magdalen Street,
 Norwich NR3 1JD
 Scale 1:1,000

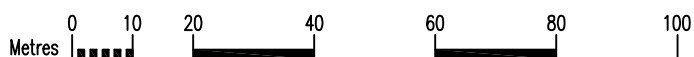


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 PLANNING SERVICES





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REV	DATE	DESCRIPTION
Address. 112-116 Magdalen Street		
Title. Location Plan		
Plan No. 01-01-14-2-1059 01		
Scale 1:1250 @ A4		
Date: March 2013	DRAWN BY	MP/LW
	CHECKED BY	RS

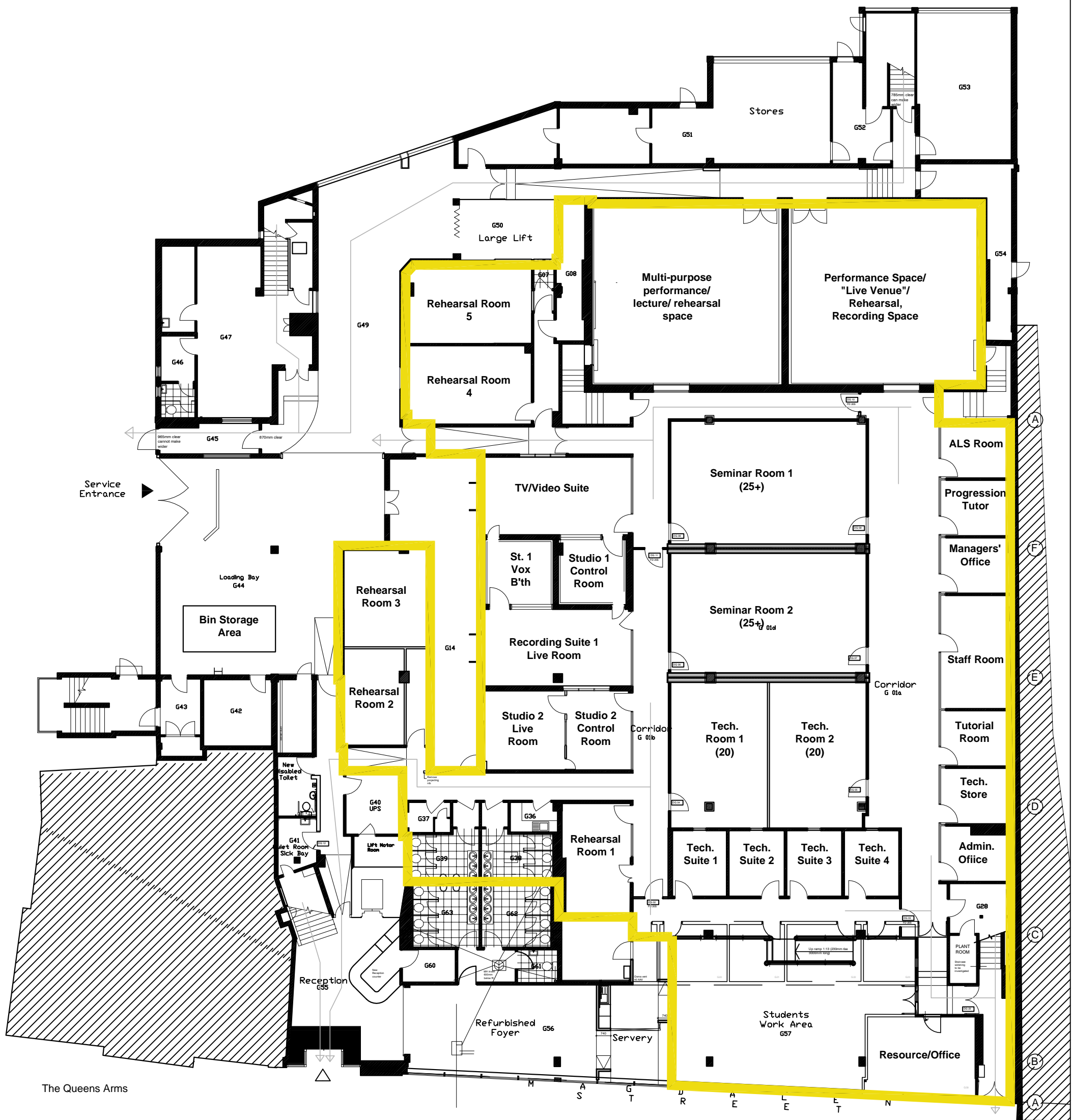
NPS Property Consultants LTD

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PROPOSED GF PLAN

	A		15.05.13		Revised WC boundary	
	REV	DATE	DESCRIPTION			
	Address.					112-116 Magdalen Street
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	Plan No.		01-01-14-2-1059 04			
	Scale		1:200 @ A3			
	Date:		March 2013		DRAWN BY	MP/LW
					CHECKED BY	DC

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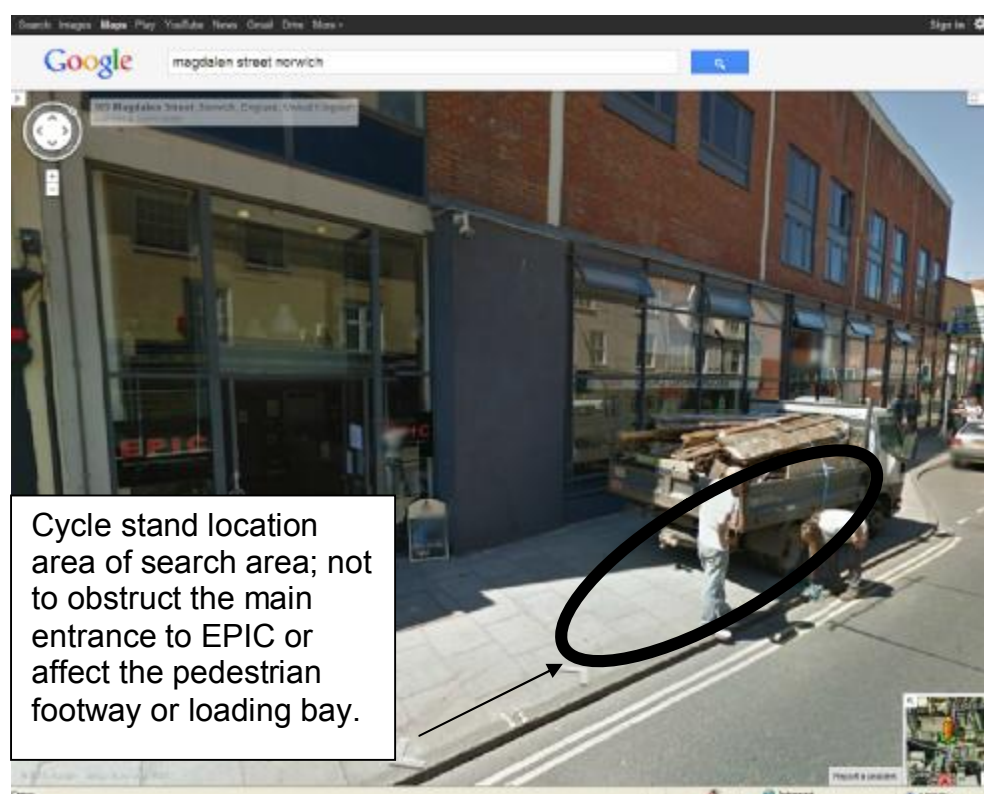
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☐ KING'S LYNN TEL: 01553 778240 FAX: 01553 778241



EPIC: Access to music



Suggest chevron parking is used to align with loading bay



Recommend use of Camden style cycle stands in black

<http://www.broxap.com/camden-m-stand-1>

Detailed layout subject to condition. Stands to be installed prior to completion of work inside EPIC Seek to have min of 5, max of 10 stands. Total cost estimated to be up to £5k based on costs of similar work completed recently. NB Number of stands depends on capacity of footway to accommodate these stands

Prefer that stands are installed by a streetworks accredited contractor rather than installed by City Council highways. Approval of road opening notice to be agreed with Network Management (Glen Cracknell)

K Yates

Report to Planning applications committee
Date 15 August 2013
Report of Head of planning services
Subject 13/01163/F Maybank 8 Poplar Avenue Norwich NR4 7LB

Item
5(4)

SUMMARY

Description:	Installation of mini treatment drainage system (retrospective application to amend position of previous permission 12/01873/F).
Reason for consideration at Committee:	Previous committee item
Recommendation:	Approve
Ward:	Eaton
Contact Officer:	Jo Hobbs Planner 01603 212526
Valid Date:	13th July 2013
Applicant:	Mr E Strachan
Agent:	Mr Kevin Cole

INTRODUCTION

Reason for application at committee

1. At the time of writing the committee report no objections had been received. However, this application was previously approved at planning committee on 6th December 2012 due to neighbour objections. This revised application seeks retrospective permission for the revised siting of the mini treatment plant.

The Site

Location and Context

2. The site is located on Poplar Avenue and the area is predominantly residential. The site is located at the end of a cul-de-sac off Newmarket Road.
3. The dwelling is a detached two storey dwelling set in a fairly spacious garden. There are mature trees and vegetation along the SW and NE boundaries, although some adjacent to the house on the SW boundary has been removed to enable installation of the mini treatment tank.
4. The site slopes down significantly from the south east to the north west of the site, as the site is on the edge of the River Wensum valley.

Planning History

5. Planning permission was granted for a rear two storey extension in 2010 and with a revised design in 2011 (11/01132/F). The two storey extension was being built at the time of the site visit for this application. The only other relevant application is 12/01873/F which this application seeks to formally amend as described in the

proposal section below.

Equality and Diversity Issues

6. There are no significant equality or diversity issues.

The Proposal

7. The application is to regularise the installed mini treatment plant previously permitted under application 12/01873/F. The position of the mini treatment plant in the rear garden has moved further south east of the previously approved scheme. This is to enable easier servicing of the tank from the road adjacent to the south west boundary.
8. The mini treatment plant would treat all foul water drainage from the site. Surface water from drains is dealt with through existing soakaways on the site. It is entirely underground and sealed, with only an inspection cover visible on the surface. The plant produces clear water which drains into the surrounding soil through perforated underground pipes.
9. The plant was required to address an existing sewerage problem that was created when the dwelling was first built. The existing sewer pipes were located above ground. This was most likely due to the fact when the development was built in the 1930s plots of land were purchased and built out in a form of ribbon development along the road.
10. The main sewer pipe runs through the front gardens of dwellings along Poplar Avenue. This most likely would have been set down in the ground deep enough for the development at 1 Poplar Avenue or earlier development along Poplar Avenue. However due to the required fall of 1:80 in the sewer pipe, the pipe would be at a shallower point in the land by 8 Poplar Avenue. In this instance the invert for the sewer connection was above the ground floor level of 8 Poplar Avenue.
11. Due to the pipes being out of the ground and above the ground floor level, in winter months pipes have frozen, become blocked and flowed back down the site and into the kitchen of the dwelling. Application 12/01873/F sought to rectify this existing issue.

Representations Received

12. Adjacent and neighbouring properties have been notified in writing. No letters of representation had been received at the time of writing the committee report.

Issues Raised	Response
Smell	Paragraphs 23-27
Health concerns	As above
Contamination	Paragraphs 23-24
Justification for treatment plant	Paragraph 16-21
Maintenance	Paragraph 31

Consultation Responses

13. Environment Agency – no response received.

14. Environmental Health – no comments.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 7 – Requiring good design

Statement 10 – Meeting the challenge of climate change, flooding and coastal change

Statement 11 – Conserving and enhancing the natural environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE8 – Management of features of wildlife importance

HBE12 - High quality of design

EP22 – Protection of residential amenity

Supplementary Planning Documents and Guidance

Trees and Development (Adopted September 2007)

Other Material Considerations

Planning Circular 03/1999 – Planning requirement in respect of the use of non-mains sewerage

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

Emerging DM Policies

(Please note that these policies were submitted to the Planning Inspectorate on 17th April 2013. After this time some weight can be applied to these policies. Some policies subject to objections have not been included in this list as these issues are unlikely to be resolved within the time frame of the application, and therefore should not be given much weight.)

DM2 Ensuring satisfactory living and working conditions

- DM3** Delivering high quality design
- DM6** Protecting and enhancing the natural environment
- DM7** Trees and development
- DM11** Protecting against environmental hazards

Principle of Development

Policy Considerations

- 15. There are two key considerations for the proposed mini treatment plant. The first is the justification for disconnecting from the main sewers and secondly the impact the plant would have on the surrounding environment from smell and water drainage.

Principle

- 16. There is a general direction for new development to be served by mains sewers under planning circular 03/99. Although this circular relates to new development and this application is for the sewage treatment to an existing dwelling, the principles of justifying the disconnection are relevant to this case.
- 17. Under paragraph 6 of the circular requires a justification to be given for the proposal, and lists the grounds that may be acceptable. Ground c) identifies if there is a risk to public health or is likely to cause a nuisance then it may be justified.
- 18. The existing situation as seen on site has shown the current sewage disposal pipes and routes. There is potential for pipes to freeze, as has happened leading to subsequent back-ups into the house which would be of nuisance and danger to public health of the occupants of the dwelling.
- 19. The feasibility of connecting to the main sewer must therefore now be considered. As outlined in paragraphs 9 to 11 of this report the existing sewer connection is above the level of the ground floor rooms. To sink these pipes and sewer connection to beneath ground level would not be feasible as the main sewer in the front gardens of Poplar Avenue is already not that far beneath the ground surface.
- 20. To sink this down to a depth that would enable all sewer pipes to be underground and to create the correct slope of the pipe to enable sewage to drain down into the main sewer, a significant number of properties would have to have the existing sewer pipe excavated and re-laid at a deeper depth along Poplar Avenue. This would be an extremely extensive undertaking and be reliant on all landowners agreeing to the works.
- 21. It is therefore considered acceptable in principle to accept the provision of non-mains sewage disposal, provided that there are no adverse impacts on neighbours or the environment.

Impact of development

- 22. The waste products and smell from the treatment plant must be considered in relation to the surrounding environment and neighbouring amenity.

Disturbance to neighbours

- 23. The unit is sealed with only an inspection chamber cover visible on the ground surface. Within the unit a settlement tank enables the accumulation of sludge which is removed periodically. The only other by-product from the system is filtered waste water that drains into underground soakaway pipes. The unit is hermetically sealed preventing any odours from the unit.
- 24. The existing sewerage situation is a key consideration in the determination of this planning application. There is an existing problem that leads to sewage backing up into the residential dwelling. The over-ground installation of the sewage pipes already leads to a potential for odours.
- 25. The proposed mini treatment plant would provide an improved longer term sewage

disposal system for the house, which is considered to be the only feasible option given the topography of the existing house and sewer connections.

26. The revised location of the plant has been considered for impact on amenity. The previously approved location was 25m from the back of the dwelling at 8 Poplar Avenue. The new distance is 4m. This brings the plant closer to both 7 Poplar Avenue to the east and 8C to the south west of the site.
27. The plant however is fully enclosed and if maintained would not lead to any smell or pollution. The reason for the revised location was to ensure easier yearly removal of sludge from the plant. Given that the impacts of the unit through smell are minimal as the unit is sealed the revised siting is therefore still considered to be acceptable.

Water drainage

28. Building Control were involved in the pre-application discussions for the proposals. It was suggested that only 8m of perforated soakaway pipes are required for adequate dispersal of the waste water from the plant. The rear garden is of a significant size to enable adequate water dispersal without this water entering the adjoining neighbouring gardens.
29. Following ground condition investigations it has been determined that the soil in the rear garden is predominantly sandy gravel which enables the adequate water drainage. The water logging of the ground or neighbouring properties is therefore not considered to be likely.
30. Rainwater is already disposed via soakaways on the site. The mini treatment plant would not be required to deal with rainwater, only foul sewage from the dwelling. Therefore at times of adverse weather conditions the treatment plant would not be inundated.

Maintenance

31. The maintenance of the mini treatment plant is recommended to be conditioned to ensure the unit remains in good working order.

Conclusions

32. The general provisions of planning circular 03/99 are for mains sewer connections to be used where possible. In this instance however an unacceptable sewer arrangement was installed in the original property in the 1930s. This application seeks to rectify this issue with no adverse impacts to the amenity of the surrounding neighbours or natural environment. A condition is recommended that the unit is maintained in accordance with the manufacturer guidelines.
33. It is considered that the mini treatment plant would improve the existing sewage disposal from 8 Poplar Avenue, which on balance is considered to be acceptable. The proposal will not have a significant adverse impact on the amenities of the immediate neighbours or the wider area, by virtue of the fact the plant would lead to minimal odours with waste water dispersing into the existing large rear garden adequately. As such the proposal accords with the criteria set out within policies HBE12, NE8 and EP22 of the City of Norwich Replacement Local Plan, policies 1 and 2 of the Joint Core Strategy and sections 7, 10 and 11 of the National Planning Policy Framework.

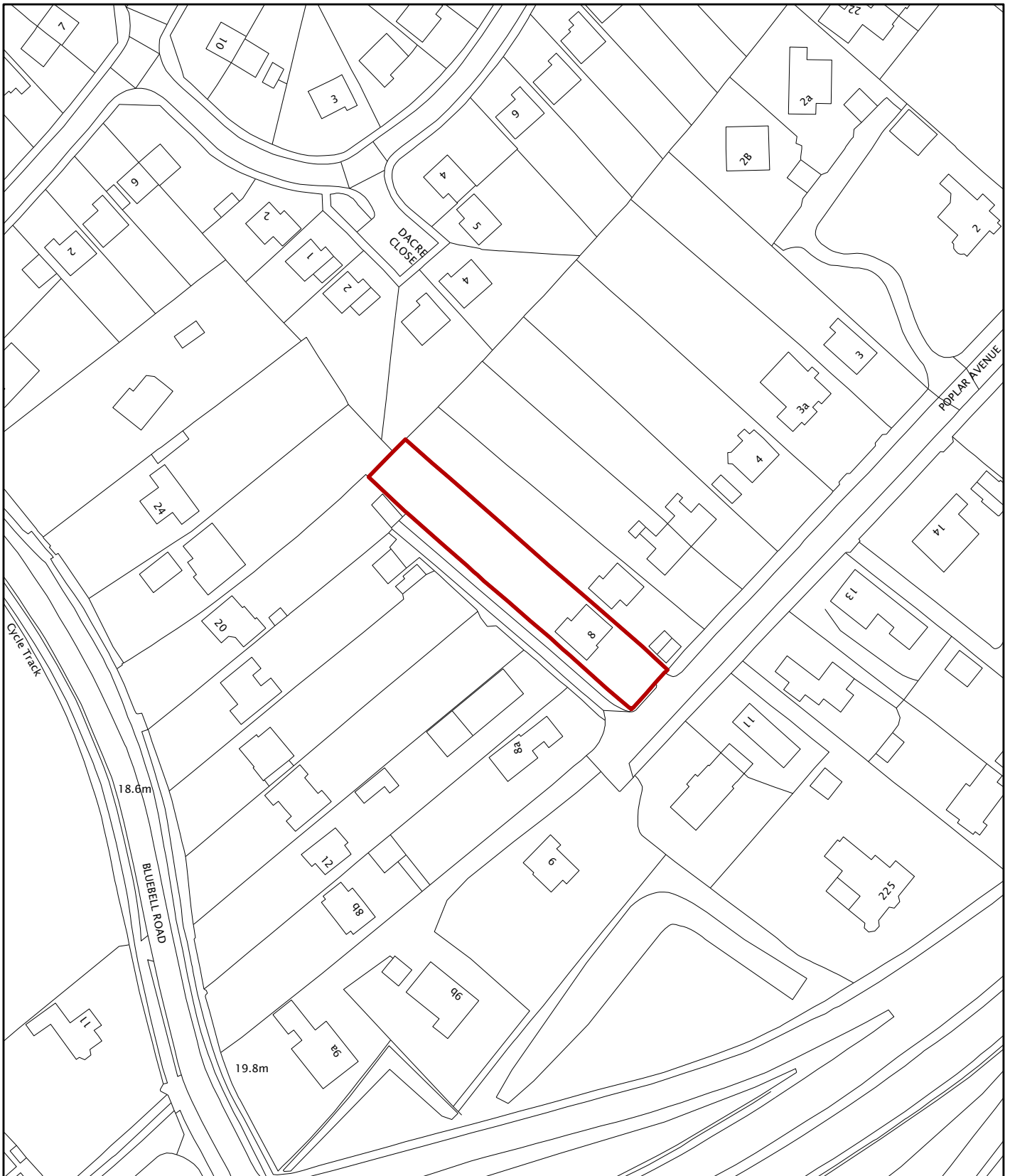
RECOMMENDATIONS

To approve Application No 13/01163/F at 8 Poplar Avenue and grant planning permission, subject to the following conditions:-

- 1) Maintenance in accordance with manufacturer guidelines

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined above.



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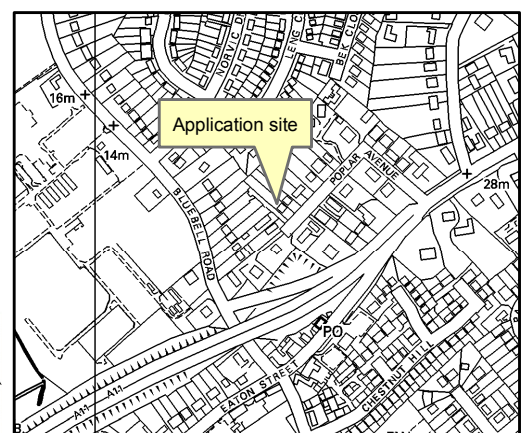
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 Site Address Maybank, 8 Poplar Avenue
 Norwich NR4 7LB

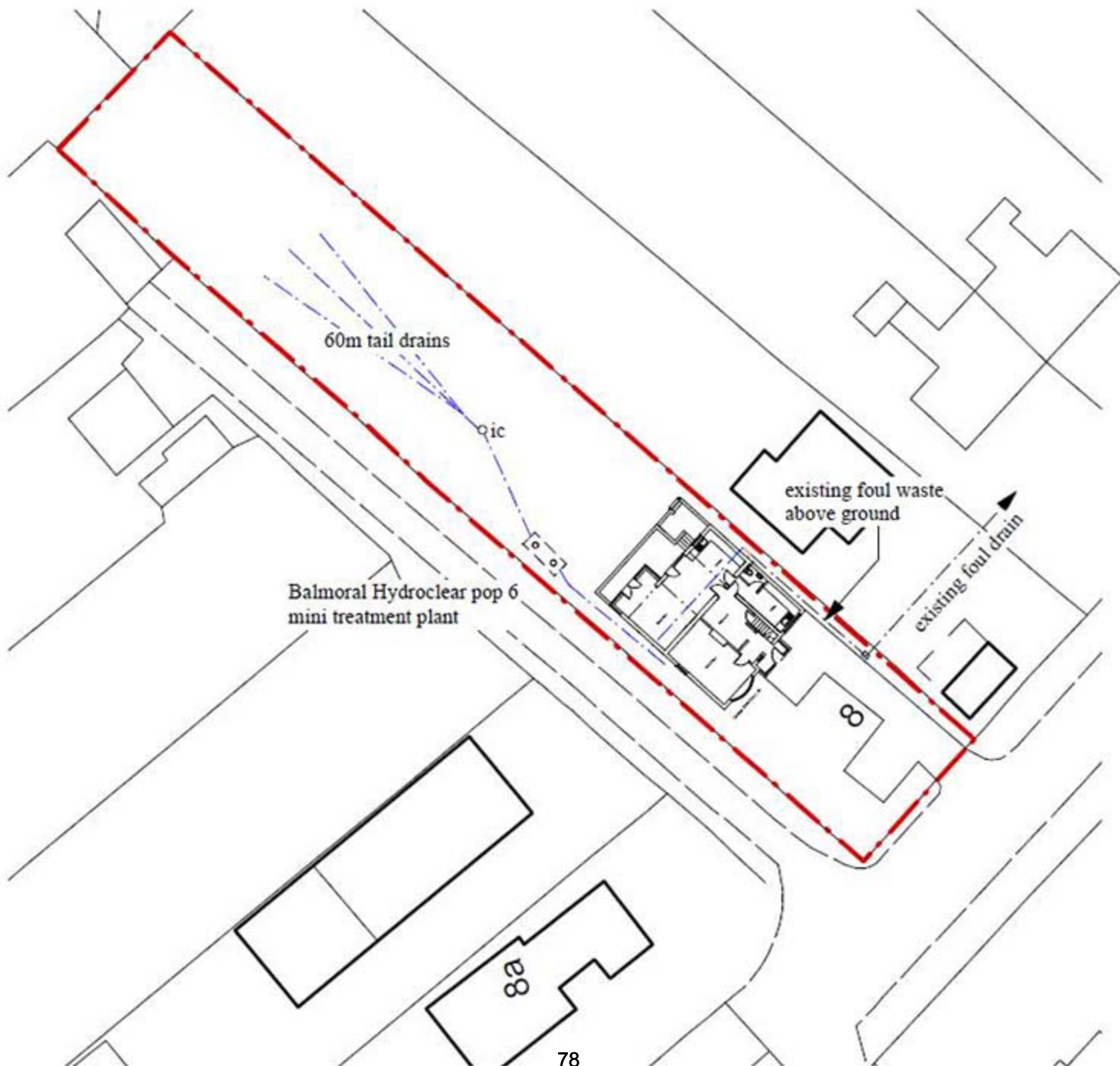
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NORWICH
 City Council

PLANNING SERVICES





Report to Planning applications committee
Date 15 August 2013
Report of Head of planning services
Subject 13/01034/F Merchants Court St Georges Street Norwich

Item
5(5)

SUMMARY

Description:	Reconfiguration of existing roof structure to erect 3 No. penthouse apartments. Reconfiguration of the external car park area to create refuse stores, car parking and cycle provision. Erection of new external canopy to residential entrance and addition of rooflights.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Mancroft
Contact Officer:	Jo Hobbs Planner 01603 212526
Valid Date:	10th July 2013
Applicant:	Mr Kevin Boylan
Agent:	Mrs Patricia Bessey

INTRODUCTION

The Site

Location and Context

1. The site is located on St Georges Street to the north of the river Wensum in the city centre. Merchants Court forms a three storey office building which is a locally listed building, and is in the city centre conservation area. The site is currently in use as an office, although not all of the building is occupied.
2. There are a variety of other uses surrounding the site. The Playhouse bar and theatre are to the south of the site. There are offices directly adjacent to the west of Water Lane dividing the two sites. To the east of the site is a row of two storey buildings forming commercial uses at ground floor with storage and ancillary uses at first floor.
3. Directly to the north of the application site are other residential units known as Amelia House. Also within this building there is a restaurant and bar at ground floor and some other smaller commercial uses within the building.
4. The surrounding area contains a mix of buildings, including a number of older buildings including listed buildings forming 25 to 29 St Georges Street which are closest to the application site. The Playhouse bar and theatre is a locally listed building. The streets also retain the medieval street patterns through the area.
5. The site contains some trees and shrubs within the parking area to the south of the building. The site is also within flood zone 2, in the area of main archaeological interest, the city centre leisure area and visitor attraction area. The site is also

within the Northern City Centre Area Action Plan boundary. Within this plan St Georges Street is defined as a key cycle and pedestrian route through the area, the car park of the application site an existing public square and the nearby open space a proposed public square, and the view south along St Georges Street a strategic view. The site is also visible from the river Wensum which forms part of the Broads Authority area, which has national park status.

6. Within the emerging local plan policies the site also falls within the city centre regeneration area and an area for reduced parking.

Planning History

7. There is no planning history relating to new dwellings within this building. There is an associated application for the conversion of floor 1 and 2 of this building to residential. This has been approved under a prior approval process (reference 13/01037/PDD), further information is provided on this in the report below.
8. There are a number of previous applications on the site that indicate the current use as offices and previous attempts to demolish the former shoe factory and redevelop with offices and flats which were refused.

Equality and Diversity Issues

There are no significant equality or diversity issues. The new dwellings would be in an accessible location. All new dwellings would be subject to Building Regulations to ensure accessibility for disabled persons where possible.

The Proposal

9. The application is for the extension of the building to create a third floor. Within this new floor would be 2no. three bedroom flats and 1no. two bedroom flat.
10. The ground floor of the building is proposed to be retained as offices. The first and second floor are to be converted to 17 residential flats. These are not subject to this planning application as new regulations enable these to convert to residential without needing to apply for Full planning permission. Prior Approval is required, and has been approved under application 13/01037/PDD.
11. The only parts of the development that require planning permission are the external alterations to the building. In this instance it only includes alterations to the car parking area to provide refuse storage, cycle parking, a revised separate residential entrance, rooflights to second floor flats and the creation of three flats on the third floor as this area is not currently in office use and is a roof void.

Representations Received

12. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below.

Issues Raised	Response
Loss of light within building	Para 54
Water drainage off roof through building	Para 55
Loss of trees and shrubs	Paras 37 - 38
Noise from adjacent uses disturbing future residents of flats	Paras 45 - 47

Consultation Responses

13. Environment Agency – no objections in principle; advise use of flood risk standing advice. No additional comments.
14. Local Highway Authority – no comments received.
15. Natural Areas Officer – no objections subject to mitigation measures.
16. Environmental Health – no objections in principle but some concern over noise from nearby plant, but can be addressed through condition.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 2 – Ensuring the vitality of town centres

Statement 4 – Promoting sustainable transport

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

Statement 10 – Meeting the challenge of climate change, flooding and coastal change

Statement 11 – Conserving and enhancing the natural environment

Statement 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 4 – Housing delivery

Policy 6 – Access and transportation

Policy 9 – Strategy for growth in the Norwich Policy Area

Policy 11 – Norwich City Centre

Policy 18 – The Broads

Policy 19 – The hierarchy of centres

Policy 20 – Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE8 – Management of features of wildlife importance

NE9 - Comprehensive landscaping scheme and tree planting

HBE3 – Archaeological assessment in Area of Main Archaeological Interest

HBE8 – Development in conservation areas

HBE12 – High quality of design

EP10 – Noise protection between different uses

EP16 – Water conservation and sustainable drainage systems
EP18 – High standard of energy efficiency for new development
EP22 – High standard of amenity for residential occupiers
HOU18 – Conversion of larger properties to multiple occupation
TRA3 – Modal shift measures in support of NATS
TRA5 – Approach to design for vehicle movement and special needs
TRA6 – Parking standards
TRA7 – Cycle parking provision
TRA8 – Servicing provision
TRA26 – Design and materials in streetscape

Relevant policies of the adopted Northern City Centre Area Action Plan 2008

LU1 – Mixed use development to promote regeneration and distinctive identity
LU3 – Residential development
MV1 – Sustainable transport
PR1 – New squares
TU1 – Design for the historic environment
TU2 – Key landmarks and views
ENV1 – Climate change mitigation and adaption

Supplementary Planning Documents and Guidance

Trees and Development (Adopted September 2007)
Flood Risk and Development (Adopted June 2006)
City Centre Conservation Area Appraisal (September 2007)

Other Material Considerations

The Localism Act 2011 – s143 Local Finance Considerations
Written Ministerial Statement: Planning for Growth March 2011

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

Emerging DM Policies

(Please note that these policies were submitted to the Planning Inspectorate on 17th April 2013. After this time some weight can be applied to these policies. Some policies subject to objections have not been included in this list as these issues are unlikely to be resolved within the time frame of the application, and therefore should not be given much weight.)

DM1 - Achieving and delivering sustainable development
DM2 - Ensuring satisfactory living and working conditions
DM3 - Delivering high quality design
DM4 - Providing for renewable and low carbon energy
DM6 - Protecting and enhancing the natural environment
DM7 - Trees and development

- DM9** - Safeguarding Norwich's heritage
- DM12** - Ensuring well-planned housing development
- DM13** - Communal development and multiple occupation
- DM28** - Encouraging sustainable travel
- DM29** - Managing car parking demand in the city centre
- DM30** - Access and highway safety
- DM31** - Car parking and servicing
- DM32** - Encouraging car free and low car housing

Principle of Development

Policy Considerations

17. The proposed residential development in this location would be on previously developed land in an accessible and central location. Whilst there are some policies to protect main town centre uses within the city centre, the proposed development within this application would only maximise the use of part of the building which is currently inaccessible and not used. The principle of development is therefore considered to be acceptable, whether in isolation with the existing offices retained or as part of the residential conversion explained in para 7.
18. The key considerations would be residential density, transport, access and provision of car parking, cycle storage and refuse storage, design and impact on designated heritage assets, impact on residential amenity of existing neighbouring residents and future residents of the flats, flood risk, impact on protected species and trees, landscaping, archaeology, water conservation and local finance considerations.

Transport and Access

Access

19. The proposed development would be within a building that is currently used for offices. The car parking for the offices is proposed to be used for the residential units. Given the existing commercial use of the building, the level of car trips would if anything reduce with the proposed use. The site is in a highly accessible location to the city centre which would reduce the need to travel to a certain degree.

Car Parking

20. It is proposed to add one parking space to provide 11 parking spaces in total. These spaces are not just to be used for the proposed three units, but all 20 (as previously noted, prior approval application 13/01037/PDD allowed 17 flats on the first and second floors) that will result in the building as a whole. To ensure that the flats within this application do not exceed the maximum parking standards a condition is recommended to ensure no more than 5 spaces are used in conjunction with the flats.

Cycling Parking

21. A cycle store for 20 bikes has been indicated on the site plan. This would be sufficient for the proposed units in the whole building. A condition is recommended for provision as such.

Servicing

22. A communal refuse store is proposed. The size of the store is nearly sufficient, although the depth may need to be increased to accommodate the 12no. 1100 litre bins. This store would serve the retained ground floor offices, 17 flats on the first and second floor along with the 3 flats proposed at roof level under this application. The refuse store would be large enough for all of these to store refuse.
23. The refuse store should also be within 5m of the public highway with level access to

enable collection. The store is as close to the nearest adopted road as possible with a level access route. The potential for the refuse store to be located further away from St Georges Street is being considered, with refuse collection from Water Lane. Either arrangement would be acceptable, subject to appropriate appearance of the refuse store within the streetscene on St Georges Street. A condition is recommended for the precise location, size and appearance of the refuse store to be agreed.

Housing Proposals

Residential density

24. The application is only for three additional units. However as has been mentioned, an additional application has also been approved through prior notification to convert the first and second floor to residential. As considered in the section below, a condition is recommended to ensure implementation of this scheme in terms of noise and ensure parking standards are not exceeded for the proposed dwellings. Therefore the residential density of the area includes the conversion of the first and second floor to residential.
25. Within policy 11 of the Joint Core Strategy and policies LU1 and LU3 of the Northern City Centre Area Action Plan (NCCAAP) there is a target to regenerate the area in a sustainable manner, providing 900 dwellings within plan period, with higher densities accepted in the city centre. The surrounding area is developed to a similar high density and so the proposed development would not be out of character. Provided that the considerations into amenity can be met below the density is considered acceptable.

Design and heritage assets

Scale, form and design

26. The proposals would lead to the reorganisation of the existing roofslope, increasing the height of the roofs running parallel to St Georges Street by 0.8m. The section of the building containing the lift would also increase in height by 2.3m to accommodate the lift to the third floor.
27. The alterations to the roofslope would largely retain the existing roof slope and design. The height of the lift roof would increase, and this would be visible from St Georges Street as a prominent feature with no windows. However, the development would only extend the existing section of the building housing the lift shaft, and this component would be lower than the section of the main building fronting onto St Georges Street. The overall scale and form of the building would therefore be acceptable. A condition is recommended for external materials to be agreed to ensure a good quality to the appearance of the new development.

Impact on conservation area and listed buildings

28. The building is locally listed and was previously in use as a shoe factory. The original factory building which does not form part of this application was constructed around the mid 19th century. The building was later extended south to form the application site. This was constructed between 1914 and 1928 according to historic maps. The southern elevation was subsequently altered in the 1970s.
29. The site is within the City Centre Conservation Area and within the accompanying appraisal it is identified within the Colegate Character Area. The character area is partly defined by large 19th century leatherworking factories
30. The industrial heritage of the area leads to taller buildings being in keeping with the scale and form of development. The conversion of the roof to additional living space would lead to a noticeable increase in height of the building, but not to a degree that would be out of character to the surrounding area. The overall scale and form of development is therefore considered to be acceptable.

31. The proposals also entail the loss of a pre-1927 glazed roof lantern to create the internal atrium, but to ensure a good quality design finish a condition is recommended for the fenestration and elevation treatment of these internal elevations and terraces. Details are also recommended to be conditioned for the location and type of any rainwater drainage goods and any ventilation mechanisms for new bathrooms and kitchens.

Other alterations to the building

32. To enable the conversion of the building there are also a number of rooflights proposed on existing second floor roofslopes to be retained or rearranged to the north west of the building. These rooflights would not be highly visible to the surrounding area, and provided conservation rooflights are used would be of acceptable appearance. A condition is recommended for details of these to be agreed.
33. A glazed canopy is also proposed over the new entrance to the residential area. The canopy would be of minimal intrusion to the appearance of the existing building and therefore considered acceptable. The precise appearance is recommended to be agreed through condition.

Residential amenity

Existing neighbouring residents

34. There are residential units on the south side of the river at some distance on Duke Street, but also in more close proximity there are residential units to the north of the site in Amelia House. These however are at a lower level than the proposed development at third floor and on the same building line as the proposed rooflights and terraces. There may be limited views when standing on the edge of the terrace area to neighbouring dwellings, but the existing roofslope leads to the terraces being recessed to a certain degree that would prevent most overlooking.
35. The additional height would not reduce outlook, daylight or direct sunlight for any adjacent neighbouring dwellings due to the absence within close vicinity of residential units, and the absence of south facing windows at roof level on Amelia House to the north.

Noise

36. There would also be significant separation of windows and terraces from neighbouring windows to reduce the potential for noise disturbance from the new residential use.
37. The new dwellings would need to meet building regulation standards for noise insulation. As there is a separate prior approval for the first and second floor to be used as residential. The potential for this prior approval not being implemented, and the first and second floor remaining as flats has been considered. This could result in noise from offices directly underneath the proposed three flats at third floor. Although a condition to ensure the dwellings came into use at the same time as this use is an option however building regulations would ensure any noise insulation is installed between the floors. The loss of office space in this location, which is currently occupied, would not be something promoted by planning policy and therefore no such condition is recommended.
38. The noise from adjacent uses is also of consideration. The key windows on the three flats would be at sufficient height or facing away from the potentially noisy uses of the Playhouse theatre and bar to the south and wine bar and restaurant to the north, to not have any significant noise disturbance to future residents of these three flats.

Future residents

39. The residents of the three penthouse flats would have access to terrace areas and

so some form of private outdoor amenity space. Further to this adequate space has been provided for refuse and cycle storage.

40. The outlook from these flats would be provided through rooflights and the terrace area. Whilst this is not ideal, in a city centre location of high density of development, this is considered to be a suitable solution. Mechanical ventilation may be needed for some bedrooms close to the proposed plant area, to ensure ventilation without noise disturbance at night time. Conditions are recommended for further noise surveys to be carried out to ensure adequate acoustic screening around the plant and mechanical ventilation where required to allow ventilation whilst windows are shut at noise sensitive hours such as night time. Rooflights facing south within the roofslope would be at a sufficient distance and change in level to separate the rooflights from potential sources of noise disturbance from the theatre and bar to the south. Although noise may be audible, this is unlikely to be significant enough to lead to an unacceptable noise disturbance to future residents.

Alterations to form flats at first and second floor

41. Additional rooflights are proposed to the north west of the building for the flats at second floor. These require full planning permission as they form external alterations to the building. These rooflights would be to flats permitted under the prior approval application as referred to above. The provision of rooflights would lead to the potential for overlooking from neighbouring uses, although the majority of windows would be at a lower level. However, given the distance of the majority of these to the neighbouring commercial windows and the fact the rooflights would be at high level there is considered to be an acceptable level of amenity for future residents of the flats.
42. The atrium area proposed will have glazing enabling views up to the flats. However, given the distance, angle and absence of windows there would only be overlooking when people are accessing their flats. This would not lead to a significant loss of privacy.

Environmental Issues

Flood risk

43. The site is located within flood zone 2. As all residential development is located on the third floor the risk of flooding only relates to the access and egress from the building. For this reason a sequential assessment to consider other sites is not considered to be reasonable or necessary, subject to the suggested conditions below. Further to this the new buildings of a cycle store and refuse store would only be a very small additional amount of built form within this flood zone. The proposal is therefore not considered to increase flood risk elsewhere.
44. A number of mitigation measures are outlined in the flood risk assessment accompanying the application. These include flood proof doors, registering properties for Flood Warnings Direct with the Environment Agency and an evacuation plan agreed by planning condition. Conditions are recommended as such to cover these mitigation measures.

Trees and landscaping

45. The proposal entails the removal of one small tree and some low-lying shrubs to remodel the car park to enable the car parking, cycle storage and refuse storage. The loss of any biomass should be replaced where possible. However, this site is very constrained and whilst the loss of biomass is regrettable replacement tree planting would not be possible.
46. The existing trees on the site to be retained form an important part of the streetscape along St Georges Street, providing a visual break and softening of the appearance of the development along the street. An arboricultural implications

- assessment has been submitted detailing tree protection measures during works to the building. A condition is recommended to ensure full compliance with the report.
47. A landscaping condition is recommended however for the existing landscaped areas to be enhanced with improved planting where possible and hard landscaping to be permeable where possible.

Protected species

48. The likelihood of bats using the existing roof structure has been considered. No evidence of bats has been found within the building. As a precautionary measure a condition is recommended in line with the mitigation measures recommended in the submitted ecology report, to ensure removal of ridge tiles by hand in case any bats are encountered. An informative note is recommended to remind developers of the requirement to obtain a licence from Natural England if any protected species are encountered.
49. The proposals entail the removal of some vegetation as detailed above. This vegetation is fairly mature and could contain nesting bird species. A condition is therefore recommended that removal only occurs outside of bird nesting season unless first agreed with the council.

Archaeology

50. The site is within the area of main archaeological interest in the city centre. The only new buildings are the cycle store and refuse store. These are on areas of existing hardstanding and so it is likely that any artefacts would have already been disturbed and removed from the site. However, as the site is within the main area of interest a condition is recommended for works to stop if any artefacts are found.

Water Conservation

51. Given the scale of development the dwelling would not need to have on-site renewable energy provision. Water efficiency would need to meet Code for Sustainable Homes level 4 for water usage. A condition should be applied to any consent to ensure as such.

Local Finance Considerations

52. Under Section 143 of the Localism Act the council is required to consider the impact on local finances. It is a material consideration when assessing this application. The benefits from the finance contributions for the council however must be weighed against the above planning issues however.

Financial Liability	Liable?	Amount
New Homes Bonus	Yes	Based on council tax band. Payment of one monthly council tax amount per year for six years.
Council Tax	Yes	Band yet known
Community Infrastructure Levy	Yes	£29,025 (indexed)
Business Rates	No	-

53. Community Infrastructure Levy would be liable for the three flats as they are new development. The former use was roof void that was not accessible to useable by the previous office use. For that reason the development would be liable for CIL.

Other issues raised

54. The amenity of occupiers of the offices has been raised. This is not an issue that

can be taken into account under current planning policies. In any case the internal atrium could be blocked at any point without the need for planning permission. The maintenance of rooflights and glazing is a consideration to ensure the amenity of future residents (for example, adequate outlook and natural daylight), but again cannot be considered under current planning policies for occupiers of offices.

55. The removal of rainwater from the building is only a planning issue insofar as to the appearance of the rainwater goods. The capacity of these pipes and internal location within the building are not matters covered by planning law.

Conclusions

56. The proposed three flats at roof level would lead to an appropriate form and design of development that would be acceptable to the overall appearance of the existing building and streetscene in the context of the conservation area, given the existing large factory buildings that have been built in the area in the 19th century. The distance of the nearest residential units would ensure there is no significant loss of amenity from overlooking, outlook, loss of daylight or direct sunlight.
57. The proposed development would have external private amenity space along with adequate cycle storage and refuse storage and some car parking.
58. Subject to conditions relating to landscaping, car parking, protected species, archaeology, flood proofing and site evacuation, water conservation, external materials and details of alterations to the building, the development is considered to be acceptable.

RECOMMENDATIONS

To approve Application No 13/01034/F at Merchants Court, St Georges Street and grant planning permission, subject to the following conditions:-

- 1) Standard time limit
- 2) In accordance with plans
- 3) Approval of external materials of bricks, tiles, windows and doors
- 4) Details of internal elevations of the new atrium area and terraces
- 5) Details of rainwater goods types and locations, ventilation mechanisms and locations for bathrooms and kitchens, conservation rooflights and entrance canopy
- 6) Compliance with Arboricultural Implications Assessment
- 7) Landscaping – including permeable paving
- 8) Removal of vegetation outside of bird nesting season
- 9) No more than 5 car parking spaces to be used in conjunction with flat
- 10) Provision of cycle storage
- 11) Details of location, size and appearance of refuse store
- 12) Archaeology – works to stop if artefacts uncovered
- 13) Water conservation for new dwellings
- 14) Flood proofing measures
- 15) Flood warning and evacuation plan
- 16) Additional noise survey to assess appropriate noise attenuation around plant and mechanical ventilation to flats where required

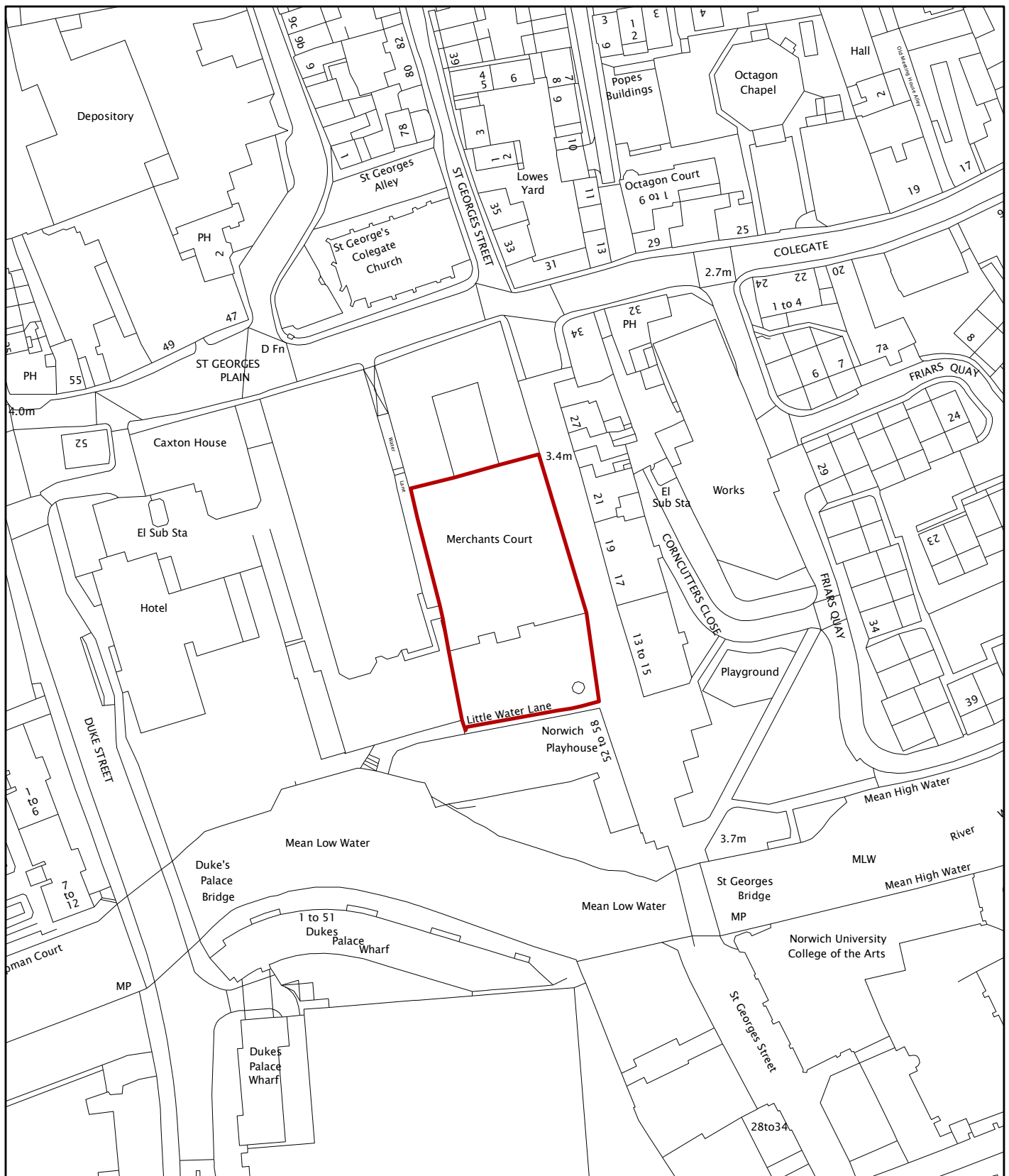
Article 31(1)(cc) Statement:

The local planning authority in making its decision has had due regard to paragraph

187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined above.)

Informative Note:

- 1) Requirement for protected species licence
- 2) Tree protection barriers



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Planning Application No 13/01034/F

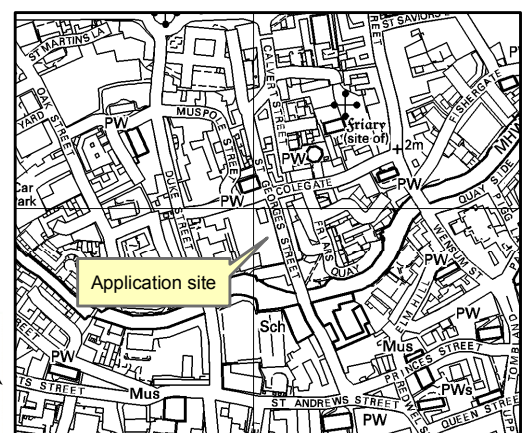
Site Address Merchants Court, St Georges Street
Norwich NR3 1AB

Scale 1:1,250



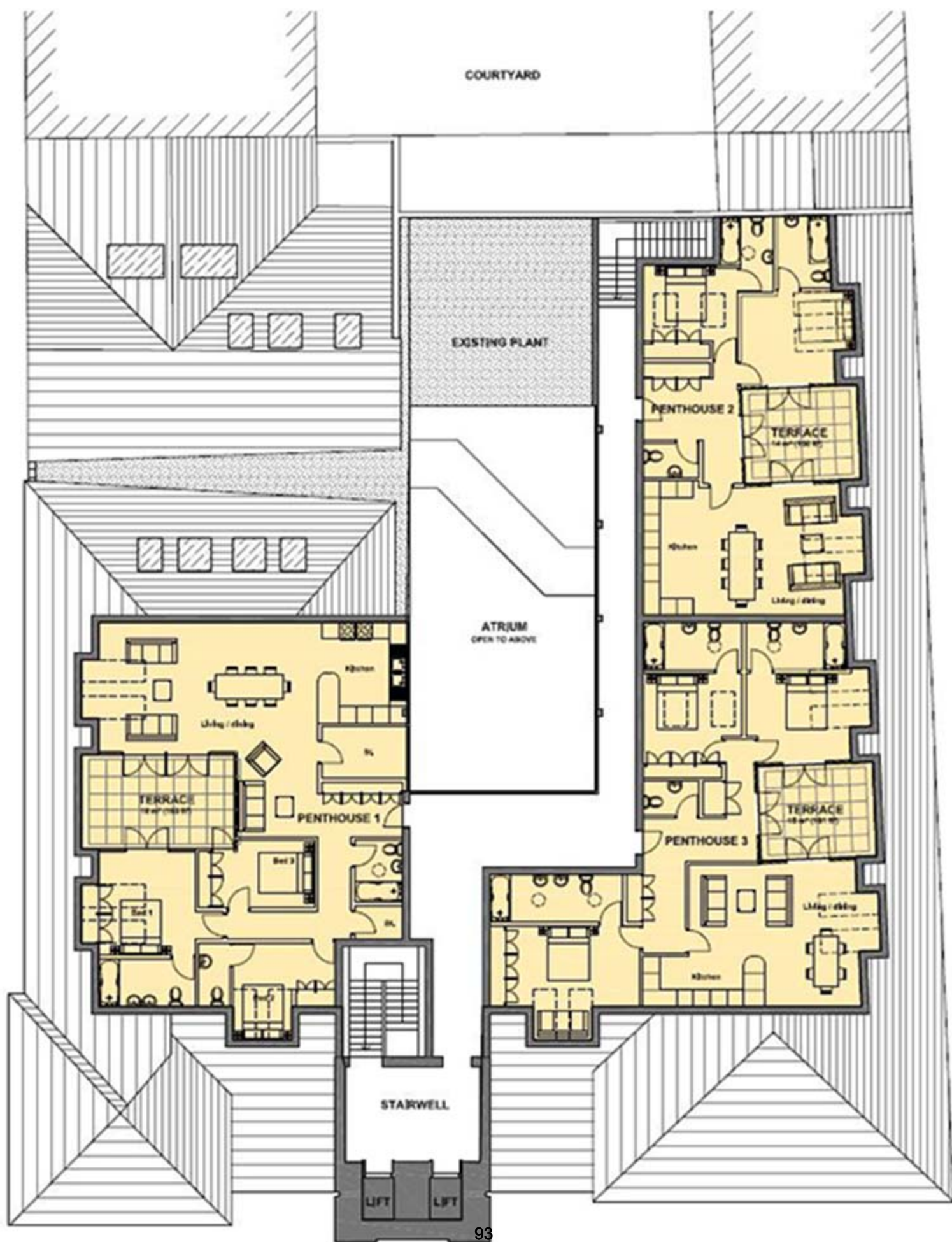
NORWICH
City Council

PLANNING SERVICES









Report to Planning applications committee
Date 15 August 2013
Report of Head of planning services
Subject 13/00892/U 5A St Stephens Street Norwich NR1 3QL

Item
5(6)

SUMMARY

Description:	Change of use from shop (Class A1) to betting shop (Class A2).
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Mancroft
Contact Officer:	Mr Kian Saedi Planner 01603 212524
Valid Date:	14th June 2013
Applicant:	Jennings Racing Limited
Agent:	Ms Emma-Lisa Shiells

INTRODUCTION

The Site

Location and Context

1. The site is located on the corner of St Stephens Street and Surrey Street and consists of the ground floor of the unit known as 5A St Stephens Street, which is understood to have last been occupied in October 2012 and has a current lawful use as a retail unit (Class A1).
2. The site is located within the St Stephens Street Primary Retail area and forms part of a locally listed row of terraced buildings within the City Centre Conservation Area.
3. The site is identified as contributing towards a positive frontage within the St Stephens Character Area of the City Centre Conservation Area.

Constraints

4. The site is located within the City Centre Conservation Area and within the St Stephens Street Primary Retail Area.

Planning History

5. No relevant planning history.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

6. The application seeks a change of use from a shop (Class A1) to a betting shop (Class A2).

Representations Received

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below.

8.

Issues Raised	Response
The use as a betting shop is wholly inappropriate for such an important city centre location.	Paragraphs 12-13 and 17
Norwich already has an excessive number of betting shops.	Paragraphs 12-13
Norwich and trading shops will be compromised by yet another betting shop.	Paragraphs 12-13

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 1 – Building a strong, competitive economy

Section 2 – Ensuring the vitality of town centres

Section 4 – Promoting sustainable transport

Section 11 – Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 5 – The economy

Policy 6 – Access and transportation

Policy 11 – Norwich City Centre

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE8 - Development in Conservation Areas

EP22 - High standard of amenity for residential occupiers

EMP1 - Small scale business development

SHO10 - Changes of use in retail frontages in the Primary Retail Area

TRA6 - Parking standards - maxima

TRA7 - Cycle parking standards

TRA8 - Servicing provision

Supplementary Planning Documents and Guidance

City Centre Conservation Area Appraisal (September 2007)

Other Material Considerations

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM1 Achieving and delivering sustainable development – **Significant weight can be applied.**

DM2* Ensuring satisfactory living and working conditions - **Significant weight can be applied.**

DM9 Safeguarding Norwich's heritage – **Significant weight can be applied.**

DM20* Protecting and supporting city centre shopping - **Significant weight can be applied.**

DM31* Car parking and servicing – **Significant weight can be applied.**

*These policies are currently subject to objections or issues being raised at pre-submission stage. Even where DM policies have been objected to, the objection may concern only one aspect of the policy and significant weight may be applied to that policy depending on what extent the objection relates to this proposal. For clarity, the level of weight that can be attributed to each DM policy has been indicated above.

Principle of Development

Policy Considerations

9. The application site is located in the Primary Retail Area of St Stephens Street, which is directed by saved policy SHO10 of the adopted Local Plan as an area where the proportion of Class A1 at ground floor level should not drop below 85% and where non-retail uses in classes A2 and A3 will be permitted where they would not have a harmful impact upon the vitality and viability of the area and individual street.
10. Policy DM20 of the emerging Local Plan further seeks to strengthen the retail offer of the City in accordance with section 2 of the NPPF, which sets out to ensure the vitality and competitiveness of town centres and promote customer choice and a diverse retail offer. DM20 very much echoes the principles set out in saved policy SHO10 of the adopted Local Plan.
11. The proportion of non-retail frontages in the area stood at 10.6% as of July 2013 and the proposal would increase the proportion of non-retail ground floor frontages in the area by 1.7%, resulting in the proportion of non-retail frontage in the St Stephens area increasing to 12.3%. The proportion of retail units in the area would therefore remain well above the recommended minimum level of 85% and the scheme's acceptability against adopted policy SHO10 and emerging policy DM20 should be measured by whether the conversion of the vacant retail unit to a betting shop would have a harmful effect upon the vitality and viability of the area.
12. Objections to the proposal have been raised with regard to the perceived

excessive number of betting shops already in the area and concern that allowing an additional betting shop will compromise shops already trading in the City. As mentioned already, St Stephens Street is already served by a high proportion of retail units and this would still be the case following the conversion of the unit to a betting shop. There is only one other betting shop (Coral) along the street and it is not considered therefore that allowing the conversion would result in an over-saturation of betting shops in this particular area of the City, which may otherwise carry the potential of harming the retail character and vitality of the area.

13. It is understood that the retail unit has stood vacant since October 2012. The betting shop would also be open through daytime working hours until 10pm Mon-Sat and 8pm on Sundays and bank Holidays. It is therefore considered that the proposal will have a positive impact upon the vitality of the area and would be consistent with policy 11 of the JCS, which seeks to expand the early evening economy of the City.
14. The proposal must also be weighed against saved policy EMP1 of the adopted Local Plan, which sets out the terms of acceptability for new business development in the City Centre. The site is highly accessible, provides satisfactory servicing arrangements and will not result in any adverse environmental harm to the amenity of neighbouring properties. The proposal is also consistent with the NPPF in terms of meeting the development needs of business.
15. It is also of relevance to the proposal that under the most recent revisions to permitted development legislation, the premises could be converted to a betting shop for a period of two years without the requirement for express planning consent. Permitted development rights were recently extended in a move by Central Government to promote regeneration, assist start up businesses and enhance the vitality of town centres.

Impact on Living Conditions

16. The activities associated with the betting shop will not have any harmful impact upon the living conditions of neighbouring properties.

Design

17. The applicant proposes no external alterations that may otherwise affect the character of the locally listed building. The unit is currently vacant and bringing the unit back into use will be beneficial in terms of encouraging activity at the site and avoiding what is currently a 'dead frontage'. It is not considered therefore that the proposal will have any negative impact upon the character of the conservation area.

Transport, Access and Servicing

18. The City Centre location of the site is highly accessible to non-car users and well served by public transport. Although cycle parking is not proposed on-site, the surrounding area already benefits from a high number of public cycle stands and the conversion to a betting shop is unlikely to increase traffic flows to and from the site above the levels associated with the current retail use of the building.
19. Refuse will be stored in waste receptacles located along Boars Head Yard, which acts as a service yard for the application site and neighbouring properties. Waste will be collected on a daily basis by a commercial operator.

20. The Council's Highways Officer has raised no objection to the scheme.

Conclusions

The conversion of the premises will not result in the proportion of retail units in the Primary Retail Area falling below 85%, nor will the change of use to a betting shop result in any harm to the vitality and viability of the area. The proposal will help support the needs of the application business and does not carry any negative implications for the amenity of neighbouring properties. Servicing arrangements are considered to be acceptable and it is not considered that the proposal will result in any harm to the character of the wider conservation area. The proposal is therefore considered to be acceptable and in accordance with the objectives of Sections 1, 2, 4, 11 and 12 of the National Planning Policy Framework (March 2012), Policies 5, 6 and 11 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), saved policies HBE8, EP22, EMP1, SHO10, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan 2004, relevant policies of the Development Management Policies Development Plan Document – Pre submission (April 2013) and all other material considerations.

RECOMMENDATIONS

To approve Application No 13/00892/U at 5a Stephens Street and grant planning permission, subject to the following conditions:-

- 1) Standard time limit
- 2) Development in accordance with plans

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined above.



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Planning Application No 13/00892/U
 Site Address 5A St Stephens Street

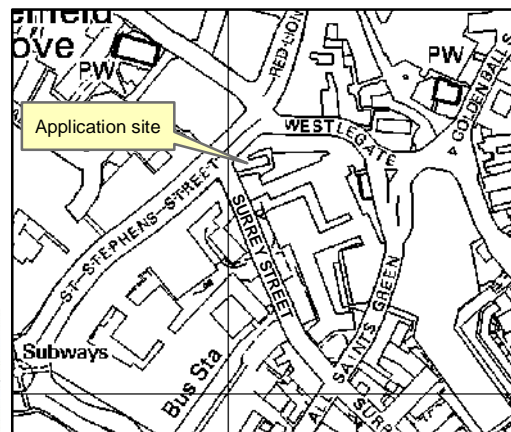
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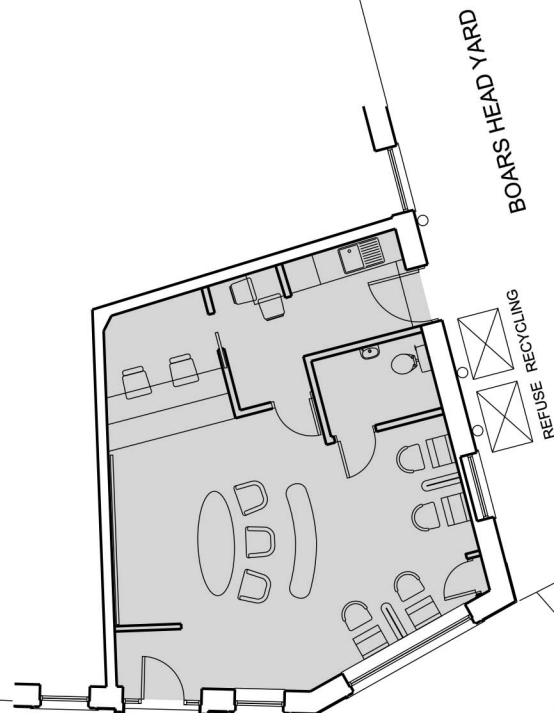
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NOTES

ORIGINAL A3

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REVISIONS

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PROJECT

5A ST. STEPHENS STREET
NORWICH

DRAWING

PROPOSED UNIT PLAN

dobsonARCHITECTURE

Design Studio, 44 Farnham Lane, Langton Green, Tunbridge Wells, Kent, TN3 0DQ.
T +44 (0)1892 863803 E info@dobsonarchitecture.co.uk W www.dobsonarchitecture.co.uk

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