

**Planning Applications Committee
14 May 2009
Section C**

Agenda Number:	C2
Section/Area:	OUTER
Ward:	NELSON
Officer:	Malcolm Dixon
Valid Date:	6th February 2009
Application Number:	09/00087/F
Site Address :	136 Dereham Road Norwich NR2 3AF
Proposal:	Proposed demolition of existing gospel hall and redevelopment of site with part 2.5 storey building (with accommodation within the roofspace) part 2 storey building comprising, "walk in" creche and 8 "car free" flat units. (Revised scheme reducing height of development on frontage).
Applicant:	Mr Alex Clark
Agent:	Lanpro Services

THE SITE

The site is located on south side of Dereham Road, between Belvoir Street and Gladstone Street, situated between a terrace of shops to the east and residential terraced properties to the south east and south west. Another detached residential property together with a derelict commercial building are located to the immediate west. The site abuts a domestic rear garden to the south and on the opposite side of the road to the north is one of the Notre Dame Preparatory School buildings. The scale of existing development adjacent to the site is, in the main, two storeys in height.

The site measures 0.075 hectares approximately and consists of a large detached single storey building previously used as a church hall with ancillary car parking which is accessed via a well used bus stop (and shelter) on Dereham Road.

It is just beyond the fringe of the restricted 'Controlled Parking Zone' (CPZ), restricting non-resident parking between 8 a.m and 6.30 p.m, which covers, in the immediate vicinity, Gladstone Street to the west, Stafford Road to the south whilst to the east the northern end of Belvoir Street (a cul-de-sac) has limited unrestricted parking on the west side and a single yellow line on the east side.

The premises are presently being used commercially, making sectional timber sheds and stables and fitting car radios. These uses are unauthorised and are being considered in parallel with the planning application following an inspection by the Council's Enforcement Officer.

PLANNING HISTORY

4/2003/0410 - Redevelopment to provide 3 houses and 1 maisonette. (Withdrawn - 02/12/2003)

03/00430/F - Redevelopment to provide 3 houses. (Approved- 09/01/2004)

08/00624/F - Demolition of redundant Gospel Hall and erection of new building comprising 'walk-in' creche and eight 'car free' dwelling units. (Withdrawn - 03/07/2008)

08/01210/F - Demolish redundant Gospel Hall and redevelop site with creche and eight flats. (Withdrawn - 16/01/2009)

THE PROPOSAL

The proposed development has been revised to reduce the height on the frontage from 3 to 2.5 storeys and as a result the development comprises: the proposed demolition of existing (single storey) gospel hall and redevelopment of site with part 2.5 storey building (including accommodation within the roofspace) and part 2 storey building comprising a "walk in" crèche (at ground floor level) and 8 self contained "car free" flat units. The (self contained) flats are broken down as follows: 1 two-bed flat at rear of ground floor level (behind the crèche), 3 one-bed flats (including one with a study) and 2 studio flats at first floor level and 2 one-bed flats at roof level.

Ancillary garden space of 340 sq.m approximately is included at the rear and refuse storage for collection is located alongside the western flank wall. Day to day bin storage is provided within the building, as is cycle storage for 16 bicycles. 3 cycle stands are included on the frontage private hard paved area.

The crèche is proposed to open Mondays-Fridays 07.00am to 19.00pm and will employ up to 10 staff responsible for between 40 and 45 children.

Following negotiation the scheme will also involve some re-engineering/ remodelling of the public footpath in order to facilitate the repositioning of the 'Bus Cage' (whilst retaining the bus shelter in its present location) to improve access to the site.

The scheme is supported by both a Design and Access Statement and a 'Highway Access Design Statement'.

A Section 106 Unilateral Undertaking was attached to the submitted application which included clauses to reinforce the credentials of a 'car free' development i.e.:

- Residential occupiers would not be allowed to apply for Permits to enable parking in streets controlled by the Councils CPZ
- Sales particulars of the flats to highlight the fact that cars must not be parked in the bus lay by
- Users/employees of the Crèche to be advised that they are not entitled to apply for CPZ Permits nor to park cars in the lay by (and signage to be displayed)
- Crèche operators to give priority to children whose parents/carers are living within walking distance
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However the Council's Solicitor is concerned that such an Agreement is unenforceable and therefore impracticable and as a consequence this agreement is no longer part of the application. An alternative Unilateral Undertaking is being considered which supports the use of a car club by future residents.

CONSULTATIONS

Anglian Water: No comments have been received.

Norfolk County Council Strategic Highways: Indicated support for a car free scheme and advised that although servicing will have to take place from the bus lay-by refusal of planning permission would not be sustainable; and therefore would recommend the imposition of conditions requiring

- the submission of an Interim Travel Plan before commencement of development and a Full Travel Plan (FTP) to be submitted within a year of first occupation. This will ensure that the development will offer a wide range of travel choices in order to reduce the impact of travel and transport on the environment.

Norfolk CC Planning Obligations Co-ordinator: Notified but no requests for contributions have been received.

Environment Agency: Has responded advising that it has no interest in this particular development.

Norfolk Police Architectural Liaison Service: Suggested that security may be compromised by the introduction of concealed side passageways and a rear garden without sufficient natural surveillance and this also applies to the safety of occupants of the ground floor flat where the access corridor is adjacent to the cycle store. Concern was also expressed over management of bins on collection day and the possibility that occupants may own cars which will need to be parked off site thus making them more vulnerable to vandalism and theft.

Transportation: Advises that although the flats do not comply with Policy TRA9 in so far as the site is not within a 24 hour Controlled Parking Zone (CPZ) where car free housing can be encouraged, a car free development with small flats in this location may be acceptable as there are benefits in removing the current vehicular access from the site, via the bus stop, onto Dereham Road. Servicing of both the flats and the crèche would currently give rise to vehicles stopping in the bus lay-by. To reduce any impact on the bus service, the applicants have agreed to re-align the footpath and move the 'Bus Cage' position slightly westwards. These works are considered essential to ensure that the site operates without detriment to bus services, and therefore a 'Grampian' planning condition(s) would be required to ensure that:

- the required Traffic Regulation Order was in place; and
- these works are carried out in advance of the commencement of construction of the proposed development.

Environmental Health (Pollution): Not raised any objections but requests conditions be imposed requiring the submission of :

- a Desk Top Study be carried out to screen for possible contamination and mitigation as necessary
- details of insulation to frontage doors and windows to protect occupants from traffic noise on Dereham Road.
- details of any external plant and machinery necessary to mitigate against noise and vibration arising from the development.

Environmental Health (Health and Safety): No adverse comments.

28 neighbouring properties were notified on the original and revised proposals. One objection has been received from No.113/115 Belvoir Street on the grounds that the development is

- Too close to 113 Belvoir Street thus compromising potential to extend this property in the future.
- Overlooking from rear window serving a studio flat at first floor level and a landing window compounded by a difference in land levels (113 is lower).
- Poor design and excessive scale including odd roof pitches
- Security along side passage serving the flats
- Pressure on unrestricted parking in Belvoir Street because of car free nature of development.

PLANNING CONSIDERATIONS

Relevant National Planning Policy

PPS1 Delivering Sustainable Development
PPS1 Supplement Planning and Climate Change
PPS3 Housing
PPG13 Transport

Relevant Regional Planning Policy

NR1 Norwich Key Centre for Development and Change (14100 dwellings in City)
ENV7 Quality in Built Environment

Relevant saved Local Plan Policies:

AEC3 Loss of buildings for community use
AEC7 Childcare provision
HBE12 High quality of design
EMP1 Small scale business development
EP1 Contaminated land
EP22 High standard of amenity for residents
HOU13 Proposals for new housing developments
TRA3 Modal shift measures in support of NATS
TRA6 Parking standards (maxima)
TRA7 Cycle parking standards
TRA8 Servicing provision
TRA9 Car free housing criteria

Principle of Development

The proposed crèche use falls within the same Use Class (D1) as the previous use as a gospel hall and therefore there is no loss of community based facilities on the site which is in a very accessible location and residential catchment area. It is therefore considered that as community facilities will not be lost, the provision of a crèche complies with the aims of both Policies AEC3 and 7. Furthermore the inclusion of flats at this location is also welcome in accordance with Policy HOU13 and reflects adjacent development to the east in particular and therefore the principle of a mixed development on this site is considered to be acceptable. The development also accords with the aspirations of PPS1 and PPS3 in terms of the site being in a sustainable brownfield location and providing a variety of dwelling types.

Layout, Scale and Design

The layout utilises the site well in terms of the shared use and ancillary facilities and the provision of a secure large communal garden at the rear (284 sq. m). It is considered that the scale and massing of development as revised is comparable to adjacent existing development returning along the side streets to the east and

west. This follows on from negotiations to reduce the height of the development on the frontage and, at 2.5 storeys in height, the scheme is compatible with premises alongside. The Design Officer concurs with this view.

The inclusion of traditional dormer windows at roof level adds visual interest to the scheme. It is therefore considered that the proposed development complies with the aims of Policies HBE12 and EP22.

Highways

The location is excellent in terms of accessibility to alternative modes of transport (i.e. to the motor car) with 5 bus services stopping directly outside and opposite the site on Dereham Road. Furthermore buses arrive at 5 minute intervals between 6.30am and 11.30pm.

Furthermore, there is a very high population density within an 800 metre catchment area of the proposed crèche and therefore it is considered that this use is likely to generate significant pedestrian movements.

Indeed the intention is to incorporate within a Travel Plan an enrolment programme to ensure no car borne trips are made by clients. Other measures in the FTP will include welcome packs containing an enrolment restriction on users travelling from further away to ensure use of public transport and advice on the parking restrictions in the vicinity with penalties where breaches occur (following any complaints from local residents to Norwich City Council).

Staff recruitment would be selective i.e. from the local area or from areas with good public transport links. They will also be assisted financially to purchase bicycles or obtain bus passes. Public car parking is available at the Exeter Street 'Pay and Display' Car Park approximately 250m to the east. Emergency vehicles will be able to park in the bus lay by or on the forecourt.

The flats also benefit from the sustainable location. There are a significant number of services within convenient walking distance and generous cycle storage facilities have been provided. The frequency of local bus services is high, even by City standards.

The scheme will include membership of the nearby Car Club for new residents. However, the site is on the edge of a CPZ and the residents would be able to park any cars they did own in nearby side streets. Nonetheless given the relatively sustainable location, coupled with the benefit of removing the current vehicular access to the site are, on balance, sufficient to support the scheme despite the potential parking issues and the non compliance with Policy TRA9 in respect of the site being outside of the 24 Hour CPZ.

Taking into account improvements to the bus stop, financial contributions to the 'Car Club' through the unilateral undertaking provided by the developers and the formulation of a FTP, then it is considered that the development is acceptable in

highways term conforming with the aims of saved policies TRA3, TRA6 and TRA7, and PPS1, PPS3 and PPG13.

Other Considerations

Privacy:

There will be no direct overlooking to windows of properties adjacent to the site by virtue of the relationship of existing and proposed development reinforced on the eastern and southern boundaries of the site by the presence of a tall conifer hedge. Views from habitable windows at first floor level to rear gardens will occur but such views are relatively oblique. Furthermore where limited views may be possible from bathroom, landing and hallway windows, oblique glazing can be required by condition to overcome this possibility.

Security:

Despite concerns raised by the Architectural Liaison Officer, a condition can be included requiring a self closing system for the side gates together with a secure locking system to provide protection to occupants of the proposed flats. In addition the Design and Access Statement indicates that refuse collection will be dealt with by a site manager for both the crèche and flats, thus complying with the spirit of saved Policy TRA8.

Conclusion

The scheme has been well thought through and will make good use of a brownfield site providing jobs, a community based community facility and residential accommodation. At the same time it aims to achieve a very sustainable form of development whilst also removing the existing car park and thus a potential highway hazard.

Subject to the various safeguards mentioned above and the imposition of appropriate planning conditions the proposal is considered to be an acceptable form of development.

RECOMMENDATIONS

GRANT PLANNING PERMISSION subject to the submission of an acceptable unilateral undertaking ensuring support for a car club by future residents and the imposition of conditions covering the following:

1. Standard 3 year time limit for commencement.
2. Pre-commencement-Details of external materials, eaves and verges, additional fittings (e.g. gas boxes)and external/security lighting.
3. Pre-commencement –Hard and soft landscaping and maintenance; including minor artifacts and structures (e.g. sheds).
4. Pre-commencement-Surface water drainage details.
5. Pre- commencement-Interim Travel Plan.

6. Post occupation (1 year) Full Travel Plan.
7. Pre- commencement- 1:500 scale details of bus cage and re-engineered footpath and timetable for completion and TRO agreed.
8. Pre- occupation - completion of approved details under 7) above.
9. Pre –occupation –details of self closing gates and appropriate locking system to side passageways gates.
10. Pre-commencement- Contamination Desk Top Study and mitigation as necessary.
11. Pre- commencement –details of 1) sound insulation measures to doors and windows on frontage and 2) acoustic ventilation.
12. Pre commencement-details of any external proposed plant and machinery in connection with crèche use.

Reasons for approval:-

It is considered that the scheme is acceptable in terms of the mix of uses proposed, layout, scale and design. It will also revitalise an under-used brownfield site in a sustainable location thus according with the following saved policies from the City of Norwich Replacement Local Plan 2004: AEC3, AEC7, HBE12, EMP1, EP1, EP22, HOU13, TRA3, TRA6, TRA7, TRA8 and TRA9, together with relevant national and regional policies and all material considerations.



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 Site Address - 136 Dereham Road
 Scale - 1:1,250



NORWICH
City Council

DIRECTORATE OF REGENERATION
 AND DEVELOPMENT

