

## Report for Resolution

**Report to** Planning Applications Committee  
**Date** 29 March 2012  
**Report of** Head of Planning Services  
**Subject** 11/02156/F Archway Between 11 To 14 And 15 - 18 Peel  
Mews And Archway Between 4 To 8 And 9 To 16 Mulberry  
Close Norwich

Item  
**5(3)**

### SUMMARY

<b>Description:</b>	Installation of two self-closing, lockable security gates.	
<b>Reason for consideration at Committee:</b>	Objections	
<b>Recommendation:</b>	APPROVE	
<b>Ward:</b>	Mancroft	
<b>Contact Officer:</b>	Miss Sarah Platt	Senior Planning Officer - Development Management 01603 212500
<b>Valid Date:</b>	7th January 2012	
<b>Applicant:</b>	Coppen Estates Ltd	
<b>Agent:</b>	Bush Management	

### INTRODUCTION

#### The Site

##### Location and Context

1. The application site can be found on the north side of Westwick Street. The archways form two pedestrian accesses into the development at Mulberry Close and Peel Mews, connecting to Robert Gybson Way. The development comprises of several three storey blocks of residential flats and townhouses. Red brick built with concrete pantiles the blocks are orientated to provide two internal courtyards with associated parking provision. Coslany Street and Robert Gybson Way to the north provide the main vehicular access into the site with associated pedestrian accesses also.

## Constraints and Topography

2. The site lies within the City Centre Conservation Area and is within flood zone 2. The land is level at this point but slopes up towards the city centre in a southerly and easterly direction.

## Planning History

None relevant

## Equality and Diversity Issues

There are no significant equality or diversity issues.

## The Proposal

3. The application seeks the installation of 2no (3m high, 2.14m) wide self-closing lockable security gates in the archways between Westwick Street and Peel Mews and Mulberry Close. The gates will be constructed from mild steel and powder coated in jet black paint (RAL ref 9005).

## Representations Received

4. 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.
- 5.

Issues Raised	Response
Design – The design of the gates is not acceptable.	See paragraphs 15 & 16
Noise – The opening and closing of the gates may result in noise reverberation throughout the adjacent buildings and in particular the buildings to which they are attached and noise echoing in the carriage archways.	See paragraph 17.
These accesses are public rights of way.	See paragraphs 13 & 14.
Utilities companies will have to use Robert Gybson Way to gain access to read meters rather than the two archways.	See paragraph 12.
Will the owners of the freehold parking spaces at the top of Robert Gybson Way be given the appropriate access codes?	See paragraph 12.
Who will pay for maintenance and installation?	Installation and maintenance will be the responsibility of the management company for the common parts.
Closing these accesses will not prevent people accessing Peel Mews and Mulberry Close.	See paragraph 11.

## **Consultation Responses**

### **6. Transportation:**

The alley ways are adopted highway. Whilst there normally is a presumption in favour of retaining adopted highway as public rights of way this must be balanced with crime reduction objectives. Whilst alleyways and site entrances can help to enliven the streetscene, they can also present an opportunity for crime and disorder especially within the inner urban and central area.

Neither alleyway to Mulberry Court or Peel Mews is a major thoroughfare and their primary purpose is for local residents to access their development. An alternative route via Coslany Street across and across to Oak Street via St Miles Bridge is available nearby and offers an acceptable alternative walking route, there is very little or nil detriment to pedestrians to do so.

All residents would have access to a key which would help maintain local access rights into the development.

The written representations from residents and Norfolk Constabulary evidence the extent of anti social behaviour problems endured by residents which could be alleviated by the gating of these alleyways.

A separate Stopping Up Order is required in addition to planning permission.

Recommendations : to objections on transportation grounds

## **ASSESSMENT OF PLANNING CONSIDERATIONS**

### **Relevant Planning Policies**

#### **Relevant National Planning Policies**

PPS1 - Delivering Sustainable Development  
PPS5 - Planning for the Historic Environment  
PPG24 – Planning and Noise

#### **Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008**

ENV7 - Quality in the Built Environment  
ENV6 - The Historic Environment

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

Policy 2 – Promoting good design  
Policy 6 – Access and transportation

#### **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  
EP22 - High standard of amenity for residential occupiers  
TRA14 - Enhancement of the pedestrian environment and safe pedestrian routes

## **Supplementary Planning Documents and Guidance**

City Centre Conservation Area Appraisal (September 2007)  
Draft National Planning Policy Framework (July 2011)

### **Written Ministerial Statement: 23 March 2011: Planning for Growth**

Support of enterprise and sustainable development.

## **Principle of Development**

### **Policy Considerations**

7. There are three issues for consideration as a result of these proposals; Access, design and noise.
8. Policy 6 of the Adopted Joint Core Strategy (JCS) and saved policy TRA14 of the Adopted Replacement Local Plan (RLP) both seek improved accessibility and the development of a network of safe pedestrian routes. In addition policy 2 of the JCS also requires consideration of ways of designing out crime.
9. Policy 2 of the JCS and saved RLP policies HBE8 and HBE12 also seek that new development is of a high design standard which reflects the character of the surrounding area, taking into consideration Conservation Areas.
10. PPG24 and saved local plan policy EP22 seeks a high standard of residential amenity, including the avoidance of noise pollution.

### **Other Material Considerations**

11. The gates are proposed as a result of increased anti-social behaviour within the parking courtyards in the internal spaces of the development at Peel Mews and Mulberry Court. It is recognised that access can still be achieved to the internal spaces both by car and on foot via Coslany Street and Robert Gybson Way but it is the intention that the installation of such gates will deter those partaking of anti-social behaviour from entering the site and loitering within it.

## **Transport and Access**

### **Vehicular Access and pedestrian links**

12. Concerns have been raised that the installation of the proposed gates will block access for pedestrians. Indeed this is the intended aim, save for residents and those requiring access, who will be issued with the relevant keys or access codes. As transportation colleagues have noted, neither alleyway to Mulberry Court or Peel Mews are a major thoroughfare and their primary purpose is for local residents to access their development. An alternative route via Coslany Street across and across to Oak Street via St Miles Bridge is available nearby and offers an acceptable alternative walking route, there is very little or nil detriment to pedestrians to do so. other people requiring access such as utilities companies will need to contact the building manager prior to access being required..
13. Subsequent to the granting of planning permission the applicant/agent will need to apply to the local highway authority to either apply to the Magistrates Court under Section 116 of the Highways Act 1980 for a Stopping Up Order for these two public highway routes, or for a Gating Order under separate Legislation. This is outside of the planning process and the application should be determined on the basis that the applicant/agent will be required to do this prior to the installation of the gates.

14. A condition will be placed on any permission granted to ensure that the installation of the gates does not occur until such time as either a Stopping Up Order or Gating Order has been obtained.

## **Design**

15. The proposed design of the gates as initially proposed had a somewhat utilitarian design. Revised elevations have been received which incorporate elements of the design of the existing split barriers giving the gates a less utilitarian but more domestic appearance. The new design is considered to sit comfortably with the appearance of the existing building and will not appear out of place in the wider street scene or Conservation Area. As such, the proposed design is considered acceptable.
16. The objector who raised concerns with regards to the design of the initial gates has not objected again following the revisions.

## **Impact on Living Conditions**

### **Noise and Disturbance**

17. The application includes details of the type of mountings that will fix the gates to the walls and these include acoustic rubber spacing blocks to ensure that any vibration does not transmit through the building structure. In addition, a rubber strip buffer will be placed on the edge of the opening section of the gate so that when it closes it also has a buffer. A hydraulic self closer is proposed to ensure that the gates close slowly and automatically thereby reducing the potential for any harsh closing.

## **Conclusions**

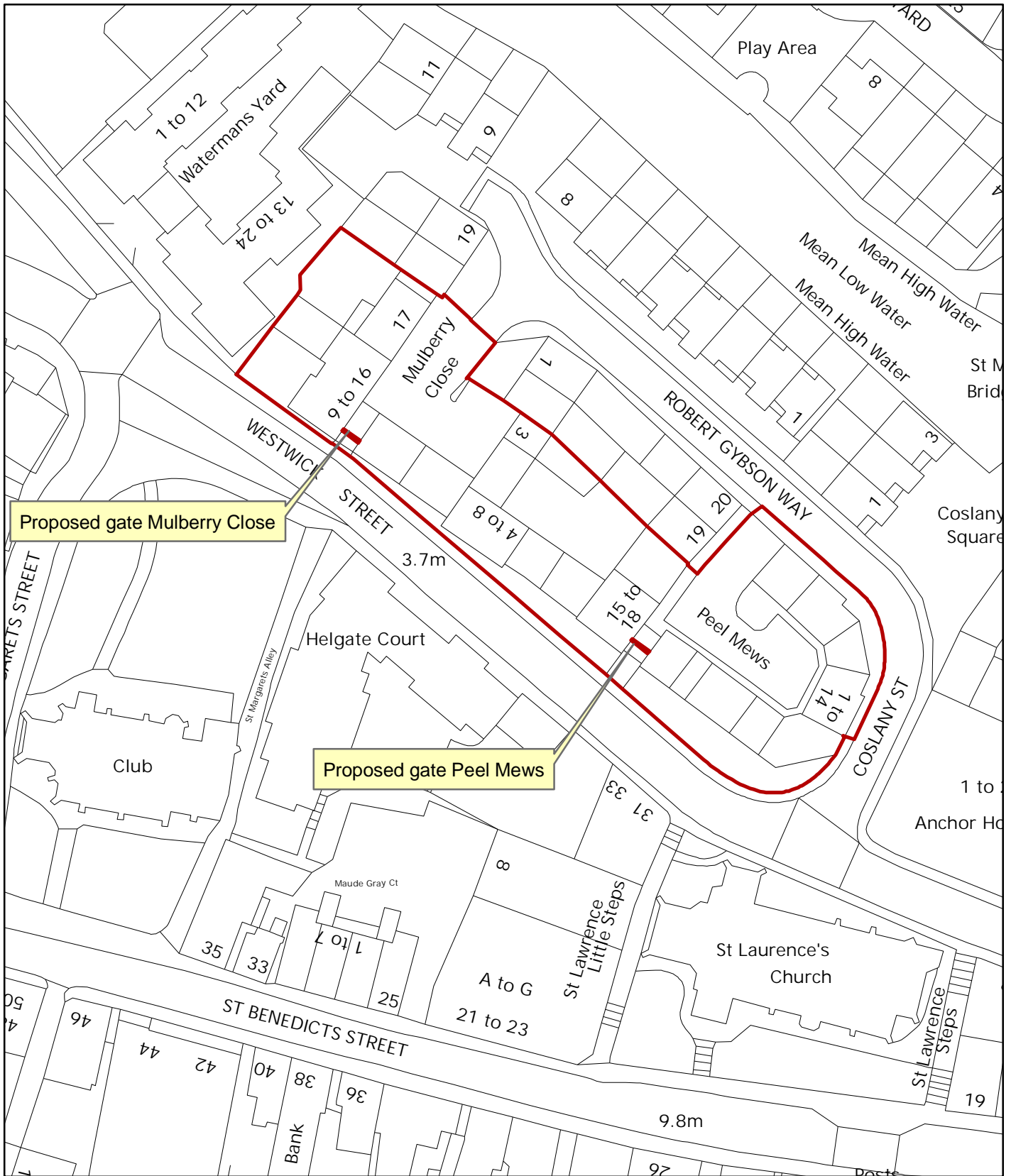
18. The 2 alleyways to Mulberry Court and Peel Mews are not major thoroughfares. Their primary purpose is for local residents to access these developments. An alternative route via Coslany Street across and across to Oak Street via St Miles Bridge is available nearby and offers an acceptable alternative walking route, meaning that there is very little or nil detriment to pedestrians to access the site via alternative routes. The proposed design of the gates incorporates elements of the design of the existing split barriers and is considered to sit comfortably with the appearance of the existing building and will not appear out of place in the wider street scene or Conservation Area. The application includes details of the type of mountings that will fix the gates to the walls and these include acoustic rubber spacing blocks to ensure that any vibration does not transmit through the building structure. In addition, a rubber strip buffer will be placed on the edge of the opening section of the gate so that when it closes it also has a buffer. A hydraulic self closer is proposed to ensure that the gates close slowly and automatically thereby reducing the potential for any harsh closing. The proposals are therefore considered to be in accordance with the objectives of PPS1, PPS5 and PPG24, policies ENV6 and ENV7 of the East of England Plan (May 2008), policies 2 and 6 of the Adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and saved policies HBE8, HBE12, EP22 and TRA14 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

## RECOMMENDATIONS

To approve Application No 11/02156/F (Archway Between 11 To 14 And 15 - 18 Peel Mews And Archway Between 4 To 8 And 9 To 16 Mulberry Close Norwich) and grant planning permission, subject to the following conditions:

1. Time Limit (Full);
2. In accordance with the details submitted (Full);
3. No installation until either a Stopping Up Order or Gating Order is obtained.

(Reasons for Approval: The 2 alleyways to Mulberry Court and Peel Mews are not major thoroughfares. Their primary purpose is for local residents to access these developments. An alternative route via Coslany Street across and across to Oak Street via St Miles Bridge is available nearby and offers an acceptable alternative walking route, meaning that there is very little or nil detriment to pedestrians to access the site via alternative routes. The proposed design of the gates incorporates elements of the design of the existing split barriers and is considered to sit comfortably with the appearance of the existing building and will not appear out of place in the wider street scene or Conservation Area. The application includes details of the type of mountings that will fix the gates to the walls and these include acoustic rubber spacing blocks to ensure that any vibration does not transmit through the building structure. In addition, a rubber strip buffer will be placed on the edge of the opening section of the gate so that when it closes it also has a buffer. A hydraulic self closer is proposed to ensure that the gates close slowly and automatically thereby reducing the potential for any harsh closing. The proposals are therefore considered to be in accordance with the objectives of PPS1, PPS5 and PPG24, policies ENV6 and ENV7 of the East of England Plan (May 2008), policies 2 and 6 of the Adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and saved policies HBE8, HBE12, EP22 and TRA14 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).)



© Crown Copyright and database right 2012. Ordnance Survey 100019747.

Planning Application No 11/02156/F

Site Address Archway Between 11-14 & 15-18 Peel Mews and  
Archway between 4-8 & 9-16 Mulberry Close

Scale 1:750



**NORWICH**  
City Council

PLANNING SERVICES

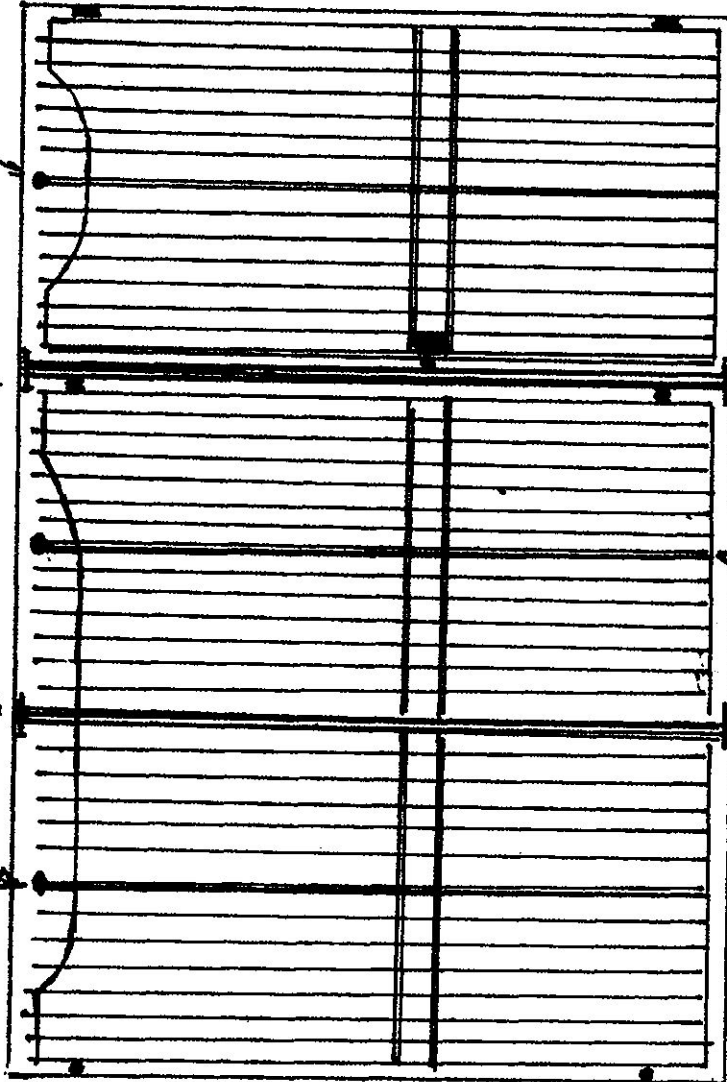


REVISION

ALL CONSTRUCTED  
FROM MILD STEEL.  
FRAME 40X8  
UPRIGHTS 10X10  
ALSO 20X20.

40X40 POSTS.  
20X20 UPRIGHT

20X20 UPRIGHT



20X20 UPRIGHT