

Report to Planning applications committee
Date 12 September 2013
Report of Head of planning services
Subject 12/01444/F Norwich Family Life Church Heartsease Lane
Norwich NR7 9NT

Item
5(8)

SUMMARY

Description:	Erection of new church building (Class D1) incorporating preschool, sports and community facilities.
Reason for consideration at Committee:	Review of Committee resolution
Recommendation:	Approve subject to conditions
Ward:	Crome
Contact Officer:	Mr Lee Cook Senior Planner 01603 212536
Valid Date:	13 November 2012
Applicant:	Norwich Family Life Church
Agent:	Chaplin Farrant Limited

UPDATE FOR MEMBERS

1. Members will recall this item was presented to committee on 18 April this year when Members agreed to approve the application subject to a S106 agreement and conditions. Members also agreed enforcement action to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings after 15 months have expired from the date of the decision notice and the taking of legal proceedings, including prosecution if necessary. The earlier recommendation for enforcement action is unchanged by this report. Copies of the report and minutes are attached for information.
2. As reported previously the County Highways Authority has in the past routinely levied a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority can require a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge were therefore suggested as being secured by a Section 106 Legal Agreement in line with County Council comments on the application. To date, the applicant and agent have not progressed with the completion of a S106 agreement.
3. A review of the use of S106 agreements to secure travel plan Bonds and monitoring charges following the introduction of the Community Infrastructure Levy has been undertaken. It should also be noted that the County Council has not recently consistently requested the use of S106 agreements and has sought travel plan requirements through the use of conditions on planning permissions including on large major schemes. The County Council in this particular case, now state that a voluntary travel plan would be proportionate with the scale of development and likely travel patterns envisaged. As this would not be monitored (or bonded) a S106 would not be necessary.

Conclusions

4. Given the above and the option of securing travel plans through the use of planning conditions it is appropriate to revise the previous recommendation to avoid the need for a specific S106 in this instance. This will also help secure a release of planning permission for the applicant.

RECOMMENDATIONS

To approve Application No 12/01444/F Norwich Family Life Church Heartsease Lane Norwich NR7 9NT and grant planning permission, subject to:

(1) the following conditions:

1. Standard time limit;
2. In accordance with approved plans and drawings
3. Non-residential development to be used as D1 and D2 uses as shown on floor plan only
4. Details of recessed panels, joinery, glazing, roofs, brick and cladding finishes, bin store, external lighting and CCTV equipment to be agreed
5. Details of proposed levels to be agreed
6. Details of relocation of the existing portakabin buildings
7. Details of arboricultural supervision and method statement to be agreed
8. Development to be in accordance with submitted AIA, tree protection plan and details as above
9. Tree protection to be retained and no changes etc within tree protection areas unless agreed
10. Details of hard and soft landscaping, including surfacing materials, boundary treatments, enclosures within the site, additional replacement tree planting, replacement green space, biodiversity enhancements to include bat and bird boxes and fence gateways, implementation programme, written specifications and a management method statement detailing how the planting will be maintained, to be agreed
11. Development to be in accordance with submitted ecology report
12. Intrusive investigation and remediation, as necessary, for contamination to be undertaken
13. Submission of verification report in respect of remediation of contamination
14. Measures to deal with unexpected contamination
15. Details of verification of imported topsoil
16. Details of sustainable drainage and surface water drainage strategy
17. Details for standards and features for water conservation to be agreed
18. Details of all plant and machinery associated with the development
19. Details of all extract, fume and flue systems associated with the development
20. Details and setting of noise limiter
21. Details for boundary noise levels to be agreed
22. Details to be agreed to provide at least 10% of energy demand from decentralised low or zero carbon sources
23. Details of the access road, car and coach parking, cycle parking, loading/unloading and turning areas
24. Details of scheme for provision for on site parking for construction workers for the duration of the construction period

25. Details of wheel cleaning facilities for construction vehicles
26. For the duration of the construction period all traffic associated with the construction of the development shall use the approved wheel cleaning facilities
27. Details of Interim Travel Plan
28. Implementation of the Interim Travel Plan and details during the first year of occupation of a Full Travel Plan based on the Interim Travel Plan
29. No use to take place unless waiting restrictions have been installed from Rider Haggard Road to Salhouse Road on both sides of Heartsease Lane
30. No use to take place unless shared use cycle/footway has been installed from Valley Drive to Salhouse Road along Heartsease Lane
31. Details archaeological site monitoring
32. Details of provision of fire hydrants

Article 31(1)(cc) Statement

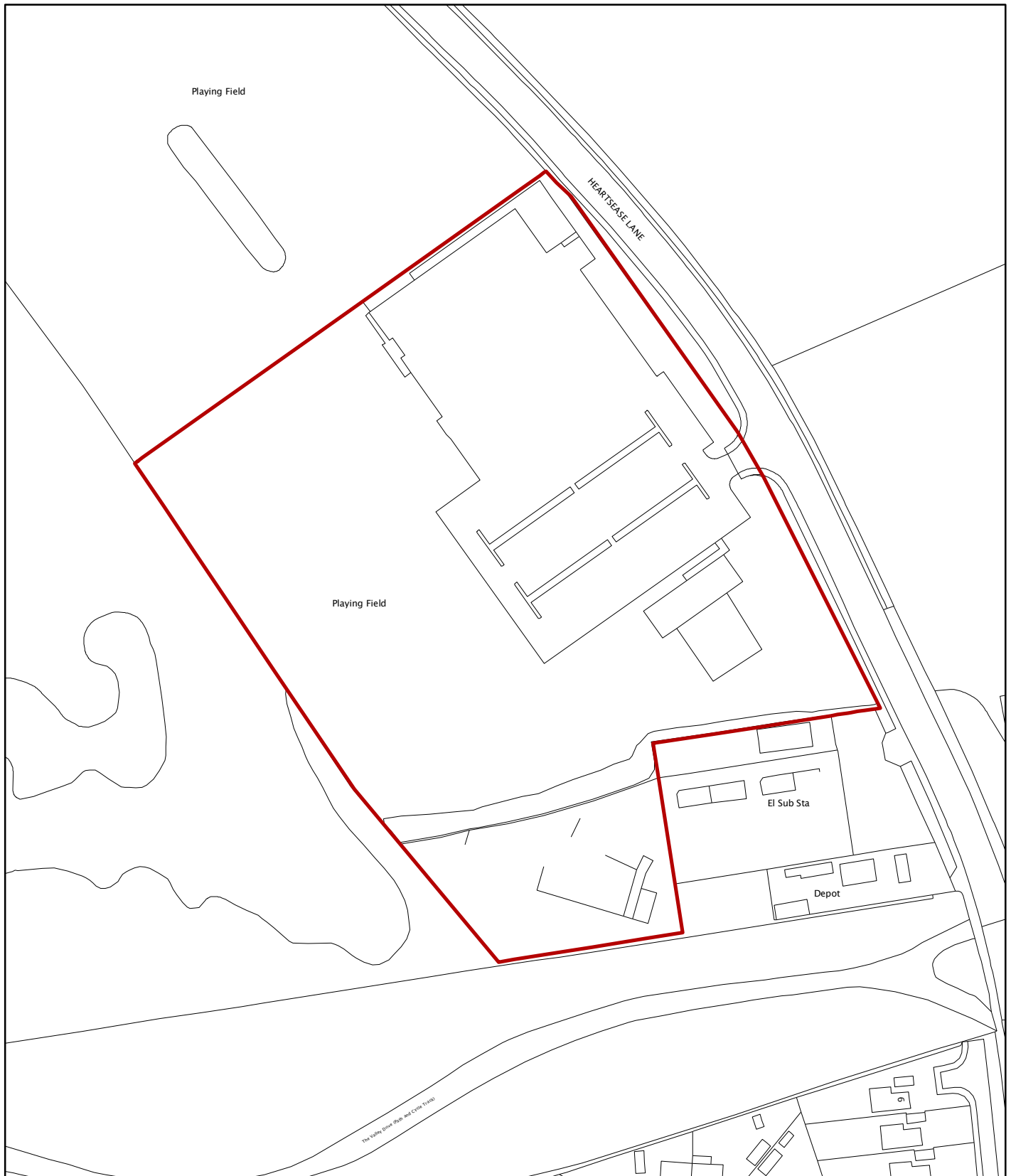
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report for the planning applications committee meetings on 18 April and 12 September 2013.

Informatives

1. Considerate constructors scheme (to avoid noise and disturbance)
2. Environment Agency advice on drainage and contamination
3. Anglian Water advice on AW assets
4. Norfolk County Council advice on travel information
5. Works within the highway and transport contact

(2) to note the earlier authorisation of enforcement action within the minutes of the meeting held on 18 April 2013 to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings and the taking of legal proceedings, including prosecution if necessary.

Appendices – extract from the minutes of the planning applications committee meeting held on 18 April 2013 and report to planning applications committee – 18 April 2013



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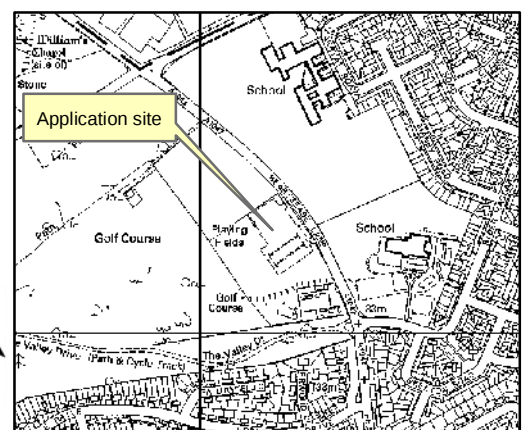
Planning Application No 12/01444/F
 Site Address Norwich Family Life Church
 Heartsease Lane

Scale 1:1,500



NORWICH
 City Council

PLANNING SERVICES





OPEN ACADEMY

HEARTSEASE LANE

EL SUB STN

MOUSEHOLD PITCH & PUTT COURSE

**EXTRACT FROM THE MINUTES OF
PLANNING APPLICATIONS COMMITTEE
HELD ON 18 APRIL 2013**

**8. APPLICATION NO 12/01444/F, NORWICH FAMILY LIFE CHURCH
HEARTSEASE LANE, NORWICH, NR7 9NT**

The senior planner (development) presented the report with the aid of plans and slides, and answered members' questions.

During discussion members considered the future use of the building and were advised that the use was limited to that stipulated in the application. Members also discussed the period that would be allowed before enforcement action was taken for the removal of the portakabin building. Members were advised that 15 months should be sufficient for the applicants to comply with the notice and a construction timetable had formed part of their submissions, indicating times when activities should be completed. The council would not take immediate enforcement action if after that time the new building was close to completion. The senior planner advised members that children attending the schools on the other side of Heartsease Lane had easier access as those schools served a large residential catchment on that side of the road. The portakabins on the proposal site were on the opposite side of the road where people had to cross a busy road or arrive by car which therefore limited use on this detached site and was deemed to be in location terms "not sustainable" for a pre-school venue. The travel plan and improved cycle access, plus the range of uses with the main application however made the site more acceptable, managed and accessible.

RESOLVED, unanimously, to approve application no 12/01444/F Norwich Family Life Church, Heartsease Lane, Norwich, NR7 9NT and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include costs of reviewing and monitoring a Travel Plan annually and Bond to ensure that the Travel Plan targets are met; and
- (2) subject to the following conditions:
 1. Standard time limit;
 2. In accordance with approved plans and drawings;
 3. Non-residential development to be used as D1 and D2 uses as shown on floor plan only;
 4. Details of recessed panels, joinery, glazing, roofs, brick and cladding finishes, bin store, external lighting and CCTV equipment to be agreed;
 5. Details of proposed levels to be agreed;
 6. Details of relocation of the existing portakabin buildings;
 7. Details of arboricultural supervision and method statement to be agreed

8. Development to be in accordance with submitted AIA, tree protection plan and details as above
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31. Details archaeological site monitoring
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Informatives

1. Considerate constructors scheme (to avoid noise and disturbance)
2. Environment Agency advice on drainage and contamination
3. Anglian Water advice on AW assets
4. Norfolk County Council advice on travel information
5. Works within the highway and transport contact

Reasons for approval:

1. It is considered that the clearance and redevelopment of the site for the erection of a new church building (Class D1) incorporating preschool,

sports and community facilities is acceptable in principle, subject to a legal agreement to secure the travel plan requirements.

2. Subject to conditions, the proposal is considered to be an appropriate use for this site, which although located outside of an existing centre is in an accessible location and the nature of the precise uses proposed would complement the surrounding predominantly residential area.
 3. The design and layout of the proposal is considered acceptable and provides adequate replacement green space and biodiversity and tree protection measures and would be unlikely to cause detriment to the visual amenity of the area or Mousehold Heath. The access and parking is considered suitable to meet the needs of the proposal and, subject to further details and travel plan, is unlikely to result in adverse impact on the adjoining highway network.
 4. Subject to conditions the development is considered to meet the requirements of the NPPF, policies 1, 2, 3, 5, 6, 7, 9, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies AEC2, EP16, EP18, EP20, EP22, HBE12, NE1, NE7, NE8, NE9, SR3, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11 and TRA12 of the City of Norwich Replacement Local Plan 2004 and relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013) and all other material considerations.
- (3) authorise enforcement action to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings after 15 months have expired from the date of the decision notice and the taking of legal proceedings, including prosecution if necessary.

APPENDED REPORT
Planning applications committee 18 April 2013

Report to Planning applications committee
Date 18 April 2013
Report of Head of planning services
Subject 12/01444/F Norwich Family Life Church Heartsease Lane
Norwich NR7 9NT

Item
5(6)

SUMMARY

Description:	Erection of new church building (Class D1) incorporating preschool, sports and community facilities.
Reason for consideration at Committee:	Objection
Recommendation:	Approve subject to conditions and a S106 agreement
Ward:	Crome
Contact Officer:	Mr Lee Cook Senior Planner 01603 212536
Valid Date:	13th November 2012
Applicant:	Norwich Family Life Church
Agent:	Chaplin Farrant Limited

INTRODUCTION

The Site

Location and Context

1. The application site forms part of open land to the south of Heartsease Lane, this roadway forms part of the outer ring road. The site was previously occupied by a Church building sited adjacent to the roadway. The site has been enclosed and used for a number of years for community uses and now temporarily holds classroom and office facilities in a small group of portakabins on the eastern side of the site. The car park for the former church also remains on the northern part of the site.

Constraints

2. The land in question also has various green spaces which are allocated in the Local Plan and the provision and appearance of these spaces links with other green spaces to the south and north of Heartsease Lane to form an open and attractive vista. The site also forms part of the approach and setting of Mousehold Heath to the south and west.

Topography

3. The site lies towards the top of Mousehold Heath and historically (in 19th and 20thC) has been used for military purposes. The areas surrounding the site also historically formed part of gravel workings in this area. More recently the site was used by the Gothic Social Club and areas of green space as now marked on the Local Plan reflect the areas of bowling green; rifle range and sports pitch on various parts of the site. Whilst most of the site is flat it does slope down to Mousehold Heath in the

south east corner.

Planning History

Application **4/1989/0859** for change of use from social club (Class D2) to a creche and community centre (Class D1) was approved in November 1989. This was followed by application **4/1991/0529** for the erection of church/community centre with associated access and parking which was refused by Committee in August 1991. The application was refused on grounds of visual impact and prominent building; poor landscape setting; design and materials; and lack of public access to/from adjacent areas. Members, however, accepted the principle of community use and encouraged further negotiation for an alternative scheme.

Application **4/1992/0105** for the erection of a revised church building/community centre with associated access and parking was approved by Committee in January 1994. The building had a smaller bulk and single storey elements surrounding a central hall. Application **4/2003/0155** for an amendment to the parking layout was approved in June 2003. Following construction and a period of occupation of the site the Council has been advised that the church was struck by lightning and burnt down. Following an approach to the Council for a means of reintroducing church activities on the site application **06/00323/F** for the temporary standing of portable classrooms and office building on site was granted temporary permission in May 2006. The permission expired on 18th May 2009. Some discussion about the site took place initially in 2006 and more active discussion about bringing the site back into use in an appropriate manner has continued since 2008.

In 2009 following appointment of architects the church were advised that it would be difficult to accommodate a further temporary building on site and, as no commitment appeared to be in place to build a permanent replacement in the short term, advice was also been given that an open ended temporary permission would also not be acceptable. The site appears to be too small for a very large church building being proposed at that time and further information requested to address the constraints identified for the site. The suggestion has also been made by Officers that a permanent building could be built in a phased manner to enable a managed and sustainable redevelopment which could be added to when funds became available.

Application **09/00249/F** for the erection of replacement temporary church building was refused by planning committee in June 2009. Application **09/00453/F** for use of land to extend the existing temporary standing of portable classroom and office for a further five years was refused in September 2009 and although the buildings are being shown on the layout for the proposed church, no formal resolution of this matter has been agreed and no application for renewal has been submitted and as such the buildings are unauthorised.

Equality and Diversity Issues

Various issues relating to the development are reviewed below. The proposals for a new church and associated facilities should help delivery of services to the local community however there are not considered to be significant equality or diversity issues.

The Proposal

4. The development is for the erection of a new church building (Class D1) incorporating preschool, sports and community facilities. The siting of the building is more central to the site than the previous church and through this revised layout also involves the reorganisation of green spaces within the site.

Representations Received

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.
6. **Norwich Society:** We are keen to encourage rebuilding on this site but the design needs refinement. The drawing was of blocks of colour so not easy to visualise. Fussy brickwork.

Consultation Responses

7. **Environment Agency:** No objection in principle but requests conditions and informatives in the event of consent being granted. See assessment below.
8. **Anglian Water:** No objection in principle and comments that foul drainage for the area has available capacity for the development but suggests informatives in relation to connections and on site AW assets. Also requests surface water strategy condition.
9. **Norfolk Constabulary:** No objection in principle but comment on Crime Prevention Measures and site history. Recommend that the development incorporates principles of "Secured by Design" and suggest detailing to ensure: overlooking of car park area to prevent nuisance; overlooked and secure bike stores; suitable landscaping; secure perimeter fencing and defensive parking; site lighting; and secure doorsets, glass and windows.
10. **County Council as Strategic Highway Authority:** No objection to the proposal given that it is for a replacement facility. Requests conditions and informative in the event of consent being granted. See assessment below.
11. **Historic Environment Service:** No objection in principle but requests conditions for monitoring of further works. See assessment below.
12. **Fire Service:** No objection in principle but requests the provision of fire hydrants on site by way of condition on any permission.
13. **Local highway authority:** No objection in principle to this and the layout is mostly fine in transport terms of parking restriction, off site works and travel plan etc, see assessment below.
14. **Natural areas (parks and gardens):** No objection in principle but comments on species known to be in the area; adoption of recommendations in the ecological report; boundary treatment for 'permeability', see assessment below.
15. **Environmental protection:** No objection in principle but comments raised on

matters of noise, contamination etc, see assessment below.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Promoting sustainable transport

Requiring good design

Promoting healthy communities

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

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 5 The economy

Policy 6 Access and transportation

Policy 7 Community facilities

Policy 9 Strategy for growth in the Norwich Policy Area

Policy 12 Urban renewal

Policy 20 Provision and support of infrastructure, services and facilities

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

AEC2 Local Community Facilities - criteria

EP16 Water conservation and sustainable drainage systems

EP18 High standard of energy efficiency for new development

EP20 Sustainable use of Materials

EP22 Amenity

HBE12 High quality of design, with special attention to height, scale, massing and form of development

NE1 Protection of Environmental Assets from inappropriate development

NE7 Protection of locally designated sites of nature conservation interest

NE8 Tree and habitat protection and enhancement

NE9 Landscaping of new development

SR3 Criteria for development on Urban Greenspace/PAROS

TRA3 Modal shift

TRA5 Approach to design for vehicle movement and special needs

TRA6 Maximum parking standards

TRA7 Cycle storage

TRA8 Servicing standards

TRA10 Contribution by developers for off-site works to access the site

TRA11 Contributions for transport improvements in wider area

TRA12 Travel plans for employers and organisations in the City

Supplementary Planning Documents and Guidance

Trees and Development SPD – September 2007

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011

The Localism Act 2011 – s143 Local Finance Considerations

Emerging policies of the forthcoming new Local Plan (submission document 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
- DM4** Providing for renewable and low carbon energy
- DM6** Protecting and enhancing the natural environment
- DM7** Trees and development
- DM8** Planning effectively for open space and recreation
- DM9** Safeguarding Norwich's heritage
- * DM11** Protecting against environmental hazards
- DM22** Planning for and safeguarding community facilities
- DM28** Encouraging sustainable travel
- * DM30** Access and highway safety
- DM31** Car parking and servicing
- DM33** Planning Obligations and development viability

* These policies are currently subject to objections or issues being raised at pre-submission stage and so only minimal weight has been applied in its content. However, the main objectives of ensuring appropriate design, protecting amenity and ensuring safe passage around and within a development and prioritising pedestrian and cycle passage remains in place through Local Plan policies HBE12, EP22, TRA3, TRA5 and TRA8.

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.

Principle of Development

Policy Considerations

16. The site has been used for several years by the Norwich Family Life Church and although the location on the Outer Ring Road is not within an existing centre it has accessibility to the nearby district shopping centre, community facilities in Heartsease and bus and cycle routes. Albeit that a good, safe crossing facility on the Ring Road is limited the location is generally consistent with Local Plan policy AEC2. Locally, Joint Core Strategy Policy 7 sets out the intention to provide sufficient, appropriate and accessible community and education facilities.
17. Within emerging new 2013 local planning policy, as well as generic policies regarding compatibility with neighbouring uses, promoting good design and using appropriate transport measures (which generally repeat the objectives of existing adopted Local Plan policy) the emerging local plan includes a city-wide policy for new community facilities and schools development. The current proposal seeks to expand the community use of the facilities above those previously provided and the

APPENDED REPORT
Planning applications committee 18 April 2013

principle of an expanded community use of the site is considered to be an acceptable one.

18. Relocating the church back to this site could reduce the need to travel given that the majority of the existing local congregation are also required to travel to the alternative unauthorised site in Mason Road. A locally based place of worship would also tend to promote community cohesion, social inclusion and participation for all groups in the social, cultural, political and economic life of the city.
19. The Church now accepts that permanent redevelopment is the appropriate means to re-introduce the church facility to the site. A timescale and potential for identified funding for the church replacement has been indicated within the application. The temporary school, offices and play area adjoining were given permission for a limited time on the understanding that the buildings would be removed and the urban green space on which they were sited would be reinstated once a permanent church was in place.
20. It is now intended to build the finished shell of the church and provide the sanctuary area. The remainder of the building is to be fitted out as funds and resources become available. The Church will regain a presence within the area and the reasoning behind this application is appreciated and it is considered that this will be a way of providing a permanent replacement for the church. Discussion has been ongoing and the Church has invested in a scheme for a permanent building which addresses areas of concern which have been identified in relation to the capacity of development on this site.
21. The result of the proposal, however, would mean that the existing portakabin buildings would be required to remain for a further period but introduced elsewhere on the site whilst the class and play area were fitted out. This would be in a position without loss of green space close to the permanent replacement building. Whilst still a piecemeal development it would not be incrementally adding to temporary buildings on this site to the detriment of the area as with previous proposals.
22. The timing for the removal/replacement of the portakabin buildings with an assessment of helping to achieve the aims of the church whilst protecting the amenities of the site from unauthorised development has been discussed. It is therefore suggested that a fall back position is adopted whereby enforcement action is authorised to ensure the removal of the temporary buildings from the site in line with the proposed timetable for works.
23. The church currently occupies premises within an employment area on Mason Road. Following a report to committee in August 2010 concerning the unauthorised occupation of these premises by the church and enforcement implications from this use Members advised that they would wish to agree to a temporary permission for that site to give more time for the church to find permanent facilities. Temporary permission was approved under application 10/01081/U which has now expired. As such that building is occupied without the benefit of planning permission. Occupation of that building has been discussed and a time frame for the cessation of the use again indicated within this application. It is suggested that a separate enforcement report is presented to Members to authorise cessation of that use in line with the agreed timetable of works and occupation of the church on the Heartsease site.

Other Material Considerations

24. Various buildings have been placed on the site over a period of time with the last church being provided in the 1990's. The area was previously used by the Gothic Social Club and areas of green space as now marked on the Local Plan reflect the areas of former Bowling Green; rifle range; and sports pitch on various parts of the site. Negotiations have taken place in relation to the scale and size of a new church building and in order to minimize the impacts of a larger building if placed in the position of the former church the building it is proposed to place the new building central to the site with parking and services along its southern side. Whilst this will have obvious benefits it will result in building on the current urban green space.
25. However, the reorganisation of the green space around the new building is proposed and once the redevelopment of the site is complete will be available for use as an equivalent amenity space. Facilities also include a proposed sports hall and changing areas and through an enhanced landscaped environment and setting for the church, with the provision of, for example, garden areas and 'breakout' play space will add to the green space on site providing added benefit for the area. Therefore, subject to the imposition of conditions requiring the provision of the amenity space as proposed and the community use of the facilities being made available as indicated, the development is considered acceptable in this regard.

Impact on Living Conditions

Noise and Disturbance

26. With previous applications concerns have been expressed from residents of the nearby housing estate that noise disturbance had occurred from evening events (Friday afternoon/evenings were identified) and that the church was noisier than other faith congregations. This issue has been recognised with the current application and a noise impact assessment provided. It is stated that there is to be amplified music in both the Sanctuary and Youth Area. The Youth Area will have opening windows and a sound limiter installed.
27. The Pollution Control Officer broadly agrees with the reports recommendations and suggests that any noise limiter is set by Officers of the Council with the doors & windows closed, and that they shall remain closed whilst the amplification system is being used. It is also suggested that whilst the proposed maximum boundary noise level of 45dBLAeq (5min) for the entire site may be appropriate as suggested within the report, that this is assessed and agreed when the limiter is set. Conditions are therefore suggested to control noise levels at the site to reduce potential impacts on nearby residents.

Design

Layout and Scale

28. Heartsease Lane passes the site which is part of the busy outer ring road. The site itself is a site fairly detached from other buildings and development. The surrounding area in question is very open to both sides of the road when travelling towards Mousehold Heath. The new Open Academy building has been negotiated to be set back from the road to reduce its bulk but also in layout has been designed to enable additional landscaping and enhancement of tree planting towards the junction with Salhouse Road. This provision will add to the setting of the Heath. The former church was close to the road edge but was smaller than that now proposed with single storey elements surrounding a taller core building.

29. The principle of a larger building is considered acceptable subject to its location being back within the site. As with the Open Academy discussion has taken place to allow for a larger building without it becoming too dominant or oppressive within the street scene. The setting is a landscape one and the new church application scheme has had regard to the setting of the area.

Form

30. Being a church and a communal building situated on a main road, it was considered that it could be designed to be distinctive and to some extent be a local landmark building. In this respect the architecture achieves this with the focal point Cross and stained glass glazing on the NE corner, and the elements of stained glass throughout the building to provide legibility for the entrances. Although of considerable bulk, the massing has been broken up effectively with a combination of vertical brick plinths, vertical glazing and panelling.
31. The plan of the building appears well considered, with the main entrance, rear and side entrances all linked to a central café at ground floor level – the main axis link having some internal emphasis with a double height space and a central void with light-well over the internal entrance to the church. The play space is directly linked to the internal classrooms. Conditions are suggested to ensure all details such as materials are agreed particularly the brick and hard surfacing materials. There are large areas of brick on the NE (the principal elevation) and the NW elevation, and these will need to have a good multi or red brick blend to alleviate the impression of unrelieved bulk. Boundary treatments to areas such as the children's playground are also suggested to be agreed by condition.
32. With regard to landscaping, the building does have car parking on two sides to the south and west. Being a suburban site with a congregation based over a large area some parking is a reasonable expectation. Landscaping has however been retained at the front as requested, and around the site further planting has been indicated to soften the visual impact of the building and parking areas.

Transport and Access

Transport Assessment

33. The proposed use is related to the former use as church with extensive car park and extant use as primary schooling. Whilst these uses are normally subject to sequential locational test that encourages locations with better accessibility by sustainable modes it is accepted that the former use of the site is relevant to this application. The proposal, for a place of assembly for a significant number of visitors (up to 400 persons) in an outer urban area of the city, should aim to reduce car dependency on this site and ensure that the ring road is not compromised.
34. The site is reasonably constrained in terms of responding to a range of issues including protecting green space and Mousehold Heath. The existing vehicle access to the site is to be incorporated into the scheme, which is acceptable. Previous changes to the main carriageway have also been undertaken to serve the previous smaller church and additions to the access point will not be required. It is essential that all vehicles visiting the site may exit in a forward gear onto Heartsease Lane and do not lead to backing up of vehicles for those arriving onto this road.

Car Parking

35. Initial parking design proposed 165 car spaces using County standards rather than the City Council parking standards. Being mindful that the risk of parking displacement onto the outer ring road must be balanced with the Local Plan requirement for parking restraint an increase of 8 spaces to extant car park is now proposed bringing the level down to 151 spaces.
36. The revised design assists with movement around the site and for access onto the playing fields on foot. The internal pedestrian route to and from Heartsease Lane to the building is also acceptable however it is suggested that the site road is designed as a shared surface making the site more pedestrian friendly and accessible to disabled people. The car park, on site footpaths and cycle parking areas would need to be adequately lit. Conditions are proposed to ensure suitable detailing and surfacing of the circulation and parking spaces.

Cycling Parking

37. Cycling has been promoted, with cycle racks provided to the front of the entrances making them more secure and prominent features. The building also provides for changing facilities. Cycle parking figures are broadly similar to policy requirements and are acceptable. Conditions are proposed to ensure suitable detailing and provision of the parking spaces.

Vehicular Access and Servicing

38. As the floorspace exceeds 1,000 sq metres space for an articulated vehicle would normally be required. The layout shows a coach parking bay which is welcome and could be used for other large vehicles. Tracking movements for large vehicles demonstrate vehicles may turn and exit in forward gear. Collections would be by commercial refuse collections and the proposed location of the bin store adjacent to the site access road is appropriate and final design and provision of the store area is suggested as a condition.

Cycle Routes and Pedestrian Links

39. Discussion has taken place to encourage a link into the site from the southern boundary for cyclists and pedestrians. The applicant has raised concern about security and anti-social behaviour and has not pursued this option. It is regrettable that there could not be a direct cycle/footway link from Valley Drive into the site. This necessitates use of Heartsease lane which is a 40mph speed limit and a much less attractive route.
40. Whilst there are pavements and cycles may of course use Heartsease Lane this is not an attractive place to walk and cycle on a 40mph speed limit heavily trafficked route. A shared use cycle/footway is located on the opposite side of Heartsease Lane but this is not readily available to all visitors to the proposed church. Investment in Valley Drive to make it an all year round cycle/footway is underway and will enable use of the toucan crossing nearby. The pedestrian island on Heartsease Lane offers a limited facility for pedestrians/cyclists.
41. Due to the high numbers of visitors, constrained parking space and sensitivity of Heartsease Lane as a strategic route, and policy requirement to facilitate access by sustainable modes we would require the applicant to fund conversion and improvement of the pavement from Valley Drive to the pedestrian island on Heartsease Lane and into the site as a shared use cycle/footway to ensure linkages to local cycle/foot infrastructure for sustainable modes are optimised.

Potential impact on Heartsease Lane

42. With a congregation of 400 persons, plus staff and any use of the football pitch, proposed car parking provision would need to achieve occupancy of at least 2.7 persons per vehicle if there was low take up of walk/cycle/bus. There is a risk that the car park would be oversubscribed and vehicles parked on Heartsease Lane. The applicant has been unable to provide traffic/parking data from similar establishments in an outer urban area. For these reasons waiting/loading restrictions are required from Rider Haggard Road to Salhouse Road on both sides of Heartsease Lane (no waiting/no loading at any time) and a condition is suggested requiring submission of details and implementation of these works.
43. In terms of impacts during construction the County Council have also suggested conditions relating to construction parking and wheel washing for construction vehicles leaving the site onto the ring road.

Travel Plan

44. A draft Travel Plan is also submitted with the application which is welcome and has been subject to assessment by the County Council. Conditions are suggested relating to the implementation of an Interim Travel Plan and following that during the first year of occupation an approval of a Full Travel Plan. The Highways Authority also requires a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge are secured by a Section 106 Legal Agreement.

Environmental Issues

Site Contamination and Remediation

45. This proposal is on an area of land historically used as a cavalry exercise/drill ground amongst other uses. The proposed use is not an overly sensitive one, and it is not envisaged that any significant pollutant linkages exist on this site. The Environment Agency also notes that the development would appear to pose a low risk to controlled waters. This is acknowledged in the site investigation documentation supplied with the application. However, the report does refer to the potential for contamination and recommends intrusive investigation and soil testing is carried out, along with possible gas monitoring or gas protection of the buildings as appropriate. The Pollution Control Officer concurs with this recommendation. The developer should address risks including those to controlled waters from any potential contamination at the site and conditions to address any contamination remediation and verification including imported soil are suggested.

Noise and Plant and Machinery

46. In terms of construction phases an informative is suggested for the permission in relation to considerate construction as recommended by the Pollution Control Officer. Equipment to be used with the building should be housed within the building within plant rooms. However to ensure control over the installation of extract systems and plant and machinery to avoid any amenity or external design issues conditions are suggested requiring submission of details for such equipment. Other amenity impacts are discussed above.

Flood Risk

47. As the site is greater than 1ha a flood risk assessment has been provided to show how the proposal will impact on the site and surrounding area. Without appropriate surface water drainage the site could be at risk of on-site flooding. Proposals are

APPENDED REPORT
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suggested to incorporate a soakage system north of the building for roof drainage and porous surfaces to road and parking areas to cope with 1 in 100 year storm event plus climate change without any above ground flooding or risks to the surrounding area. The Environment Agency has commented on the application and suggests a condition in relation to surface water drainage. Soakaways or other infiltration systems should only be used in areas on site where they will not present a risk to groundwater. In relation to potential impacts from land contaminants this would be controlled through conditions on contamination remediation and verification and incorporation of pollution prevention measures within the drainage system.

Archaeology

48. The Historic Environment Service (HES) advises that the development sits within a former prisoner of war camp and prior to this the site was used as a military training area. The Heath itself is of archaeological interest as containing prehistoric remains. An archaeological report has been submitted with the application recording information found at four trial trenches across the site. Any areas of deposits not disturbed by the use of the site as a training area or church could be well preserved and if planning permission is granted HES have requested that this is subject to a condition for monitoring of further works.

Renewable Energy and Energy Efficiency

49. The building is designed to host several different functions and at different levels of activity throughout the week. Assessment of energy use has therefore been broken into zones of use of floorspace to provide for calculation of baseline energy data on usage. The preferred option is for use of an 8kW air source heat pump within the first floor plant room. The proposed heat pump is calculated as providing 12% of the baseline energy assessment and as such would be acceptable. It would therefore be reasonable to impose a condition for the scheme.
50. With building use being predominantly as a church the requirement of BREEAM assessment can be limited. The agent has however indicated a number of measures aimed at enhancing solar gain and improved performance of the building envelope to reduce heat and light demand from non-renewable sources. Quality control on construction and use of internal lobbies to entrance points will also help reduce heating energy demand.

Sustainable Construction

51. It is suggested within the submitted documents that modified construction methods will be adopted which reflect the standards proposed for commercial type buildings under the BREEAM process. Specific construction measures could also include local sourcing of materials, recycling and reducing site waste.

Water Conservation

52. Equally the building being described as being designed to BREEAM standards with incorporating water saving facilities there is an expectation that facilities such as: dual flush WC cisterns; flow reducing aerating taps; grey water recycling etc could be used. It would therefore be reasonable to impose a condition for the scheme requiring the development to meet appropriate levels of water usage as promoted by JCS policy 3.

Lighting and CCTV

53. Given the location of the site there are not considered to be impacts on adjoining users or residents arising from use of lighting or CCTV. However to ensure control over the installation of such systems to avoid any visual amenity, ecology or external design issues conditions are suggested requiring submission of details for such equipment.

Trees and Landscaping

Loss of Trees or Impact on Trees

54. The site is mostly open ground with established trees and other shrub planting to site boundaries with the exception of the north side where there are wild grass features separating the site from the adjoining playing field. Shrub and tree planting along the road frontage is part of the previous planting put in place with the previous building and creates the basis of an attractive site frontage. More established trees and planting run along the west and south boundaries linking the site into the adjoining green space and heath.
55. Along part of the southern boundary a Leyland Cypress hedge has been established acting as a screen between the application site and adjoining sub station and commercial site. The AIA advises that these are reaching post maturity but do afford some amenity value within the area. Construction should not affect any of the trees to be retained on site with the exception of the Leyland Cypress hedge and two trees close to the south-west edge of the proposed car park area. However temporary construction exclusion zones during works should prevent impacts on the root protection areas and conditions are suggested to ensure compliance with the submitted tree protection plan and submission of additional method statement as a supplement to the AIA to ensure appropriate forms of protective fencing are provided. An auditable system of arboricultural site supervision and inspection is also suggested as a condition.

Ecology

56. Apart from hard surfaces remaining from the former development a large part of the site is managed grassland which graduates into scrub and woodland habitat. The site was found to have limited botanical interest with habitats of low conservation value despite the proximity to Mousehold Heath. Ecological assessment of the site has been undertaken and recommendations submitted with the application.
57. In addition to the BAP species mentioned in the ecological report (notably birds, bats, badgers, common lizard and slow worm) Grass Snake (recorded since the Mousehold Heath management plan was published in 2008) and Hedgehog are present on Mousehold Heath and could, therefore, conceivably forage on the proposed development site also. The report provides suggestions for working methodologies, habitat enhancement and installation of features to benefit reptiles, bats and birds. To ensure a positive outcome for the maintenance and enhancement of habitats on the site and boundaries adjacent to Mousehold Heath Local Nature Reserve all the recommendations in the ecological report for this proposal should be implemented to minimise adverse impacts on wildlife.
58. The ecological survey found significant evidence that Badger is present on the site. Historically, badgers have been rare in Norfolk, but there is evidence that they may be increasing in numbers locally and colonising sites on the edges of Norwich. If badgers are living permanently on this site, their foraging range almost certainly

takes in parts of Mousehold Heath, so it is important that any boundary treatment for this site allows for 'permeability' so that badgers and other animals, such as hedgehog, are able to pass freely between the two areas. Attention should also be paid to lighting, as any which is poorly positioned may be detrimental to some species, particularly bats. Conditions are suggested to ensure suitable provision on site.

Replacement Planting

59. Discussion has also taken place in terms of the landscape importance of the site and potential for site links and enhancements through site landscaping. The scheme as submitted provides a good level of detail and is a well considered and acceptable scheme. The level of parking has been reduced and as such this has further potential for site landscaping. Minor amendments will therefore be required to the submitted landscape drawings to reflect this change in layout. The thinning of shrubs and trees at the specification of the Landscape Architect on the north eastern frontage of Heartease Lane is acceptable however a plan should be submitted at the detail stage showing what is to be retained along with any replacement planting – including additional tree planting, if required. An implementation programme, written specifications and a landscape management plan are also required.

Local Finance Considerations

60. The proposal might, if approved, result in additional business rate revenue for the Council and under section 143 of the Localism Act the council is required to consider the impact of new development proposals on local finance. However, it is also important to take into account other material considerations in assessing the merits of proposals, which in this case include the provision and siting of community services, impact on residential amenities, design, transport and environmental considerations, amongst other things.

Planning Obligations

Transport Improvements

61. The Local Plan would normally require a transport contribution for development of this use and size to be assessed on its merits, usually using TRICs data for comparable developments as part of a Transport Assessment. A Transport Statement has been provided that does not offer this information; however, the former use as a church is a material consideration as well as the previous funding of access improvements to serve the site. If the recommended measures for cycling provision on Heartsease Lane are provided we would not seek to request a financial transport contribution or TA exercise. The off site improvements are therefore suggested as a condition to the permission.

62. The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority also requires a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge are suggested as being secured by a Section 106 Legal Agreement.

Equality and Diversity Issues

Age

63. The proposal will result in the change of an educational facility on the site, which is likely to have a disproportionate impact on young people. However, this use is currently unauthorised and a view taken not to seek action to remove site buildings

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pending negotiation with the Church for permanent site solutions. The facilities provided are intended to be first relocated within the site (subject to further detail of the relocation of the buildings) and then following construction works the use will be relocated to within the new building. The proposal also includes other new community and sport uses which are likely to be of particular benefit across the population spectrum. In this instance, therefore, it is considered that the proposal would not have an unacceptable impact on people of a particular age group within the community.

Disability

64. The proposals would provide purpose built and accessible church and community facilities located within an accessible location close to a predominantly residential area. The new building should be easier to access and use than existing temporary site buildings and is provided with level or ramped access, a lift to upper floors and other facilities. It is considered that the development is unlikely to result in any detriment to people with disabilities.

Religious Belief

65. A locally based place of worship would also tend to promote community cohesion consistent with policy aimed at social inclusion and full participation for all groups in the social, cultural, political and economic life of the city.

Conclusions

66. It is considered that the clearance and redevelopment of the site for the erection of a new church building (Class D1) incorporating preschool, sports and community facilities is acceptable in principle, subject to a legal agreement to secure the travel plan requirements. Subject to conditions, the proposal is considered to be an appropriate use for this site, which although located outside of an existing centre is in an accessible location and the nature of the precise uses proposed would complement the surrounding predominantly residential area.
67. The design and layout of the proposal is considered acceptable and provides adequate replacement green space and biodiversity and tree protection measures and would be unlikely to cause detriment to the visual amenity of the area or Mousehold Heath. The access and parking is considered suitable to meet the needs of the proposal and, subject to further details and travel plan, is unlikely to result in adverse impact on the adjoining highway network. The development is therefore considered to meet the NPPF, policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies of the City of Norwich Replacement Local Plan, relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013) and all other material considerations

RECOMMENDATIONS

To approve Application No 12/01444/F Norwich Family Life Church Heartsease Lane Norwich NR7 9NT and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include costs of reviewing and monitoring a Travel Plan annually and Bond to ensure that the Travel Plan targets are met; and
- (2) subject to the following conditions:
 1. Standard time limit;

APPENDED REPORT
Planning applications committee 18 April 2013

2. In accordance with approved plans and drawings
3. Non-residential development to be used as D1 and D2 uses as shown on floor plan only
4. Details of recessed panels, joinery, glazing, roofs, brick and cladding finishes, bin store, external lighting and CCTV equipment to be agreed
5. Details of proposed levels to be agreed
6. Details of relocation of the existing portakabin buildings
7. Details of arboricultural supervision and method statement to be agreed
8. Development to be in accordance with submitted AIA, tree protection plan and details as above
9. Tree protection to be retained and no changes etc within tree protection areas unless agreed
10. Details of hard and soft landscaping, including surfacing materials, boundary treatments, enclosures within the site, additional replacement tree planting, replacement green space, biodiversity enhancements to include bat and bird boxes and fence gateways, implementation programme, written specifications and a management method statement detailing how the planting will be maintained, to be agreed
11. Development to be in accordance with submitted ecology report
12. Intrusive investigation and remediation, as necessary, for contamination to be undertaken
13. Submission of verification report in respect of remediation of contamination
14. Measures to deal with unexpected contamination
15. Details of verification of imported topsoil
16. Details of sustainable drainage and surface water drainage strategy
17. Details for standards and features for water conservation to be agreed
18. Details of all plant and machinery associated with the development
19. Details of all extract, fume and flue systems associated with the development
20. Details and setting of noise limiter
21. Details for boundary noise levels to be agreed
22. Details to be agreed to provide at least 10% of energy demand from decentralised low or zero carbon sources
23. Details of the access road, car and coach parking, cycle parking, loading/unloading and turning areas
24. Details of scheme for provision for on site parking for construction workers for the duration of the construction period
25. Details of wheel cleaning facilities for construction vehicles
26. For the duration of the construction period all traffic associated with the construction of the development shall use the approved wheel cleaning facilities
27. Details of Interim Travel Plan
28. Implementation of the Interim Travel Plan and details during the first year of occupation of a Full Travel Plan based on the Interim Travel Plan
29. No use to take place unless waiting restrictions have been installed from Rider Haggard Road to Salhouse Road on both sides of Heartsease Lane
30. No use to take place unless shared use cycle/footway has been installed from Valley Drive to Salhouse Road along Heartsease Lane
31. Details archaeological site monitoring
32. Details of provision of fire hydrants

Informatives

1. Considerate constructors scheme (to avoid noise and disturbance)

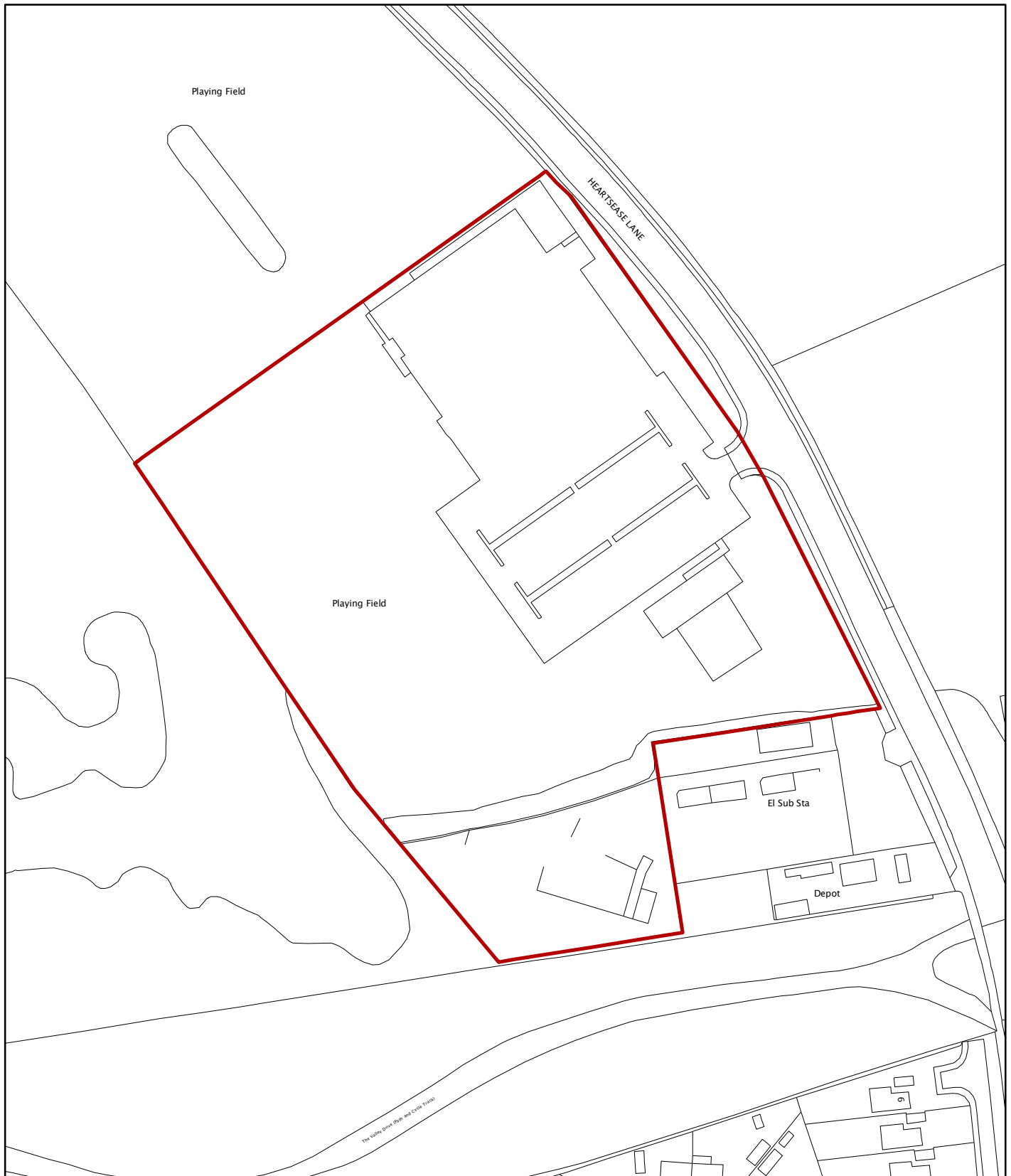
APPENDED REPORT
Planning applications committee 18 April 2013

2. Environment Agency advice on drainage and contamination
3. Anglian Water advice on AW assets
4. Norfolk County Council advice on travel information
5. Works within the highway and transport contact

Reasons for approval:

1. It is considered that the clearance and redevelopment of the site for the erection of a new church building (Class D1) incorporating preschool, sports and community facilities is acceptable in principle, subject to a legal agreement to secure the travel plan requirements.
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3. The design and layout of the proposal is considered acceptable and provides adequate replacement green space and biodiversity and tree protection measures and would be unlikely to cause detriment to the visual amenity of the area or Mousehold Heath. The access and parking is considered suitable to meet the needs of the proposal and, subject to further details and travel plan, is unlikely to result in adverse impact on the adjoining highway network.
4. Subject to conditions the development is considered to meet the requirements of the NPPF, policies 1, 2, 3, 5, 6, 7, 9, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies AEC2, EP16, EP18, EP20, EP22, HBE12, NE1, NE7, NE8, NE9, SR3, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11 and TRA12 of the City of Norwich Replacement Local Plan 2004 and relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013) and all other material considerations.

(3) authorise enforcement action to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings and the taking of legal proceedings, including prosecution if necessary.



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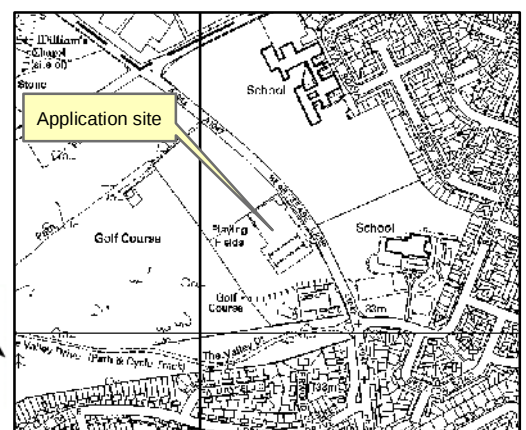
Planning Application No 12/01444/F
 Site Address Norwich Family Life Church
 Heartsease Lane

Scale 1:1,500



NORWICH
 City Council

PLANNING SERVICES





OPEN ACADEMY

HEARTSEASE LANE

EL SUB STN

MOUSEHOLD PITCH & PUTT COURSE

**EXTRACT FROM THE MINUTES OF
PLANNING APPLICATIONS COMMITTEE
HELD ON 18 APRIL 2013**

**8. APPLICATION NO 12/01444/F, NORWICH FAMILY LIFE CHURCH
HEARTSEASE LANE, NORWICH, NR7 9NT**

The senior planner (development) presented the report with the aid of plans and slides, and answered members' questions.

During discussion members considered the future use of the building and were advised that the use was limited to that stipulated in the application. Members also discussed the period that would be allowed before enforcement action was taken for the removal of the portakabin building. Members were advised that 15 months should be sufficient for the applicants to comply with the notice and a construction timetable had formed part of their submissions, indicating times when activities should be completed. The council would not take immediate enforcement action if after that time the new building was close to completion. The senior planner advised members that children attending the schools on the other side of Heartsease Lane had easier access as those schools served a large residential catchment on that side of the road. The portakabins on the proposal site were on the opposite side of the road where people had to cross a busy road or arrive by car which therefore limited use on this detached site and was deemed to be in location terms "not sustainable" for a pre-school venue. The travel plan and improved cycle access, plus the range of uses with the main application however made the site more acceptable, managed and accessible.

RESOLVED, unanimously, to approve application no 12/01444/F Norwich Family Life Church, Heartsease Lane, Norwich, NR7 9NT and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include costs of reviewing and monitoring a Travel Plan annually and Bond to ensure that the Travel Plan targets are met; and
- (2) subject to the following conditions:
 1. Standard time limit;
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5. Works within the highway and transport contact

Reasons for approval:

1. It is considered that the clearance and redevelopment of the site for the erection of a new church building (Class D1) incorporating preschool,

sports and community facilities is acceptable in principle, subject to a legal agreement to secure the travel plan requirements.

2. Subject to conditions, the proposal is considered to be an appropriate use for this site, which although located outside of an existing centre is in an accessible location and the nature of the precise uses proposed would complement the surrounding predominantly residential area.
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- (3) authorise enforcement action to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings after 15 months have expired from the date of the decision notice and the taking of legal proceedings, including prosecution if necessary.



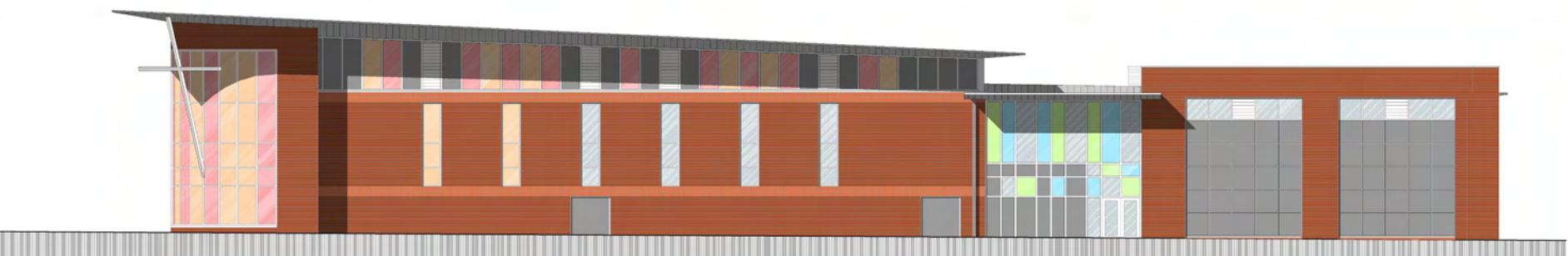
NORTH-EAST (A-A)



SOUTH-WEST



SOUTH-EAST



**NORTH-WEST
ELEVATIONS** 1:200

MATERIALS:

Roofing:
Samafit or profiled aluminium mill finish. Exposed soffit finished in metal colour merlin grey.

Windows, doors, brise soleil, structural supports & cross:
PPC metal colour mid grey

Rainwater goods:
Metal mill finish or natural finish

Curtain walling:
PPC metal colour merlin grey, tinted glazing either neutral grey, green, blue, orange or red, some transparent and opaque (mid-grey) panels

Walling:
Clay facing brickwork colour red in two contrasting tones.

Walling panels:
Mid grey resin composite board

Kitchen vent cowl:
Stainless steel "chinese coolie hat" style

Enclosure to outdoor play area:
Natural timber boarding min 2.2 m high, top cut to shallow radius dropping down to 1.5 m high. PPC metal framed section beneath overhang with inset polycarbonate panels in colours to match glazing on church. Hedge over timber boarding section only dressed to 1.2 m high as landscape architect's drawing.

B	140312	OS issue	job	
A	150212	general minor revisions following planning comments	job	
REV	DATE	DESCRIPTION	DRAWN	CHECKED BY
Revisions				

PLANNING

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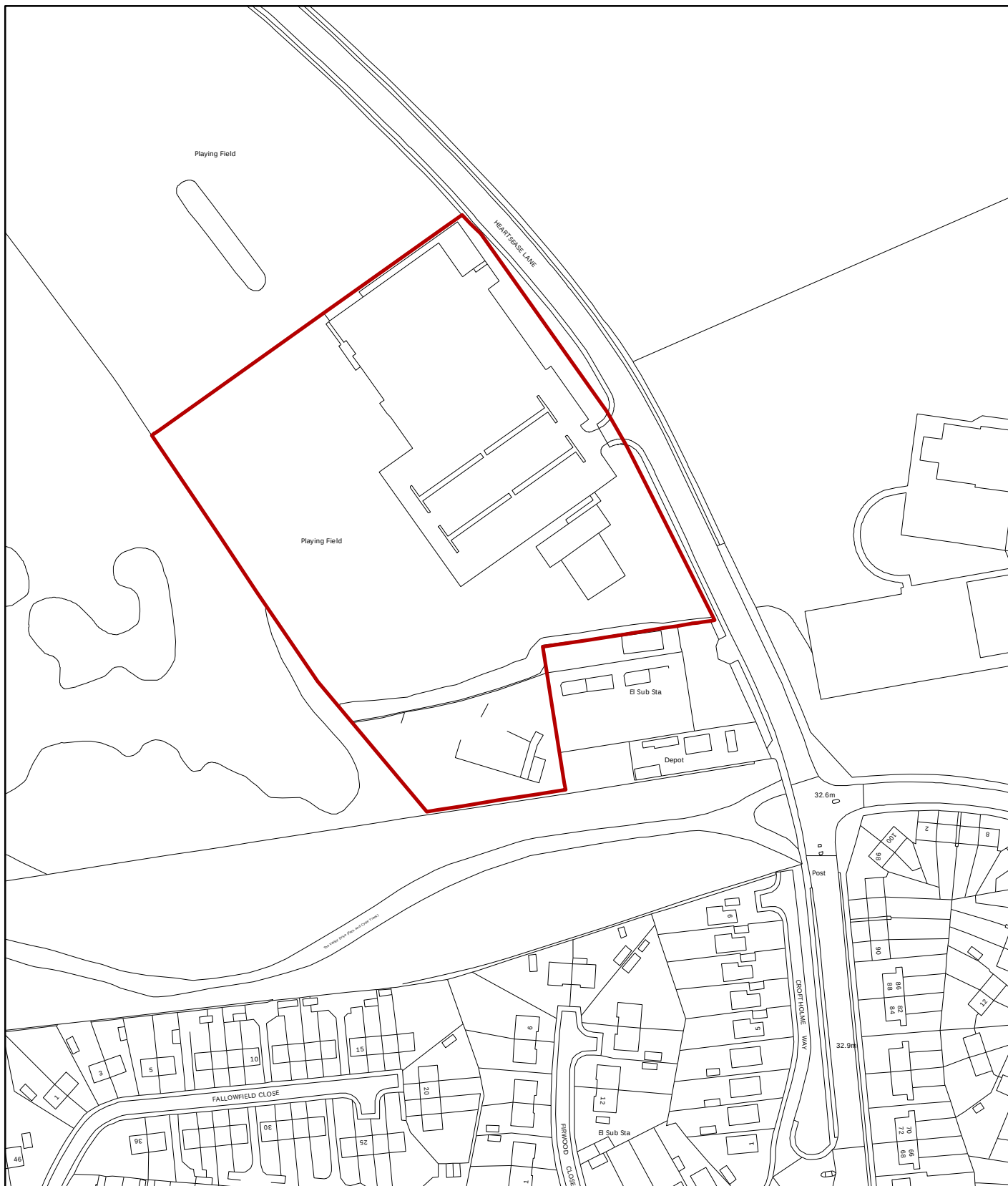
Nonch Family Life Church
 Replacement Church
 Heartsease Lane
 Norwich
 Norfolk

Proposed Elevations

3800

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 PB





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Planning Application No 12/01444/F

Site Address Norwich Family Life Church Heartsease Lane

Scale 1:2,000



NORWICH
City Council

PLANNING SERVICES





MOUSEHOLD PITCH
& PUTT COURSE

OPEN ACADEMY

HEARTSEASE LANE

EL SUB STN

