

Report for Resolution

Report to Planning applications committee
Date 21 June 2012
Report of Head of planning services
Subject 12/00549/F 60 St Faiths Lane Norwich

Item
5(6)

SUMMARY

Description:	Conversion of offices (class B1) to 47 unit apart-hotel (class C1), including the erection of bin store.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Thorpe Hamlet
Contact Officer:	Mrs Joy Brown 01603 212542
Valid Date:	29 March 2012
Applicant:	Mr Nick Sutton
Agent:	Andrea Caplan

INTRODUCTION

The Site

Location and Context

1. The site is situated on the south side of St Faiths Lane and is a vacant four storey office building. The main block fronts onto St Faiths Lane with a further block located to the southeast, enclosing a rear courtyard located centrally within the site. The rear courtyard can be accessed via an alleyway between 58 and 60 Prince of Wales Road.
2. The surrounding area is mixed in terms of its uses. Within close proximity to the site are offices, retail units, restaurants, bars and residential properties. The site is situated adjacent to a recently completed housing development (Prospect Place). This residential development comprises of two and three storey town houses which front both St Faiths Lane and Cathedral Street.

Constraints

3. The site is situated within the City Centre Conservation Area and the Area of Main Archaeological Interest.

Planning History

07/01411/F - Change of use from office use B1 to 47 apart-hotel C1 use, replacement of windows and erection of bin store. (APPR - 12/05/2008). This permission expired in May 2011 has was not implemented.

Equality and Diversity Issues

There are no significant equality or diversity issues. The premises will have a ramped access from St Faiths Lane and lift access to all floors. In addition 3 no units on the ground floor will be designed specifically for wheelchair users. Condition 15 refers.

The Proposal

4. The application seeks the change of use of the building from office accommodation (B1) to an apart-hotel (C1) incorporating 47 apartments (39 x1 bed and 8x2 bed). The proposal also includes the erection of a bin and cycle store in the rear courtyard.
5. Servicing will be carried out via the main entrance onto St Faiths Lane and there is a secondary entrance to the rear of the property which will provide pedestrian access to Prince of Wales Road. Refuse Collection will also be carried out via the entrance to Prince of Wales Road. The proposal does not include any provision for car parking.

Representations Received

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Letters of representation have been received from 15 neighbouring residents citing the issues as summarised in the table below.

7.

Issues Raised	Response
Support the development of the site as the vacant building is a fire risk and possible source of antisocial behaviour.	See paragraph 21
The building is probably not suitable for modern office accommodation and this is an imaginative and positive use of a disused and currently derelict building.	See paragraph 21
The area has become much more residential in recent years and consideration should be given to converting the building to residential flats.	See paragraph 21. The Committee has to consider the application before it – and not possible and speculative alternative proposals.
The roads in the immediate vicinity of the St	See paragraphs 22-25, 30-32

<p>Faiths Lane entrance are not suited to an increase in pedestrian or vehicular traffic and will impact upon the quality of life of those that live in the Prospect Place residential development. The additional noise nuisance at unsociable hours in what is a peaceful residential neighbourhood would not be welcome. Noise from people as they move between Tombland and Prince of Wales Road is already a problem at night and the disturbances the residents have to endure at present are intolerable. The aparthotel will exacerbate this. It was a condition of the previous permission that the pedestrian access at night would be through the alleyway adjoining Prince of Wales Road. This should be a condition of this new application, although it is acknowledged that this would be difficult to enforce.</p>	
<p>If St Faiths Lane is used as the main entrance, vehicles reversing during day-time hours will pose a genuine hazard to the pupils from Norwich Schools who use the road to gain access to their sports hall.</p>	<p>See paragraphs 22-25</p>
<p>Where will people park? The lack of parking will make it the desirable for post-drinking revellers from the Prince of Wales Road night time economy.</p>	<p>See paragraph 23</p>
<p>Many of the nightclubs on Prince of Wales Road generate a significant amount of noise. We hope that the apart-hotel can cope with this noise.</p>	<p>See paragraphs 27-29</p>
<p>C1 use covers hotels, boarding houses and hostels. There is concern that the site could change into a hostel. Alternatively it is likely that rooms will be offered to people on housing benefits as temporary accommodation.</p>	<p>See paragraph 20</p>
<p>Misleading information has been provided in the planning application. The photographs and access route map for example do not show the new residential development adjacent to the site.</p>	<p>The assessment of the application has taken full consideration of the adjacent residential development.</p>

Consultation Responses

8. Anglian Water – No objection in principle subject to a condition being attached to any permission stating that works shall be carried out in accordance with the surface water strategy. See <http://planning.norwich.gov.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=MOTQC>

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9. Fire Officer – No comments received
10. Environment Agency – No comments received
11. Local Highway Authority - No objections from a transportation perspective. The operation of this building as an office would have a greater transport impact, as significantly more people would be likely to be using the building at any one time, and given the constraints of the site and the building, the servicing arrangements are acceptable.
12. Environmental Health Pollution Enforcement – No objection in principle. See <http://planning.norwich.gov.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=M0TQC>
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13. Housing (Private Sector Housing) – No comments
14. Norfolk Constabulary – No objection in principle. See <http://planning.norwich.gov.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=M0TQC>
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ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 1 – Building a strong, competitive economy

Statement 2 – Ensuring the vitality of town centres

Statement 7 – Requiring good design

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

Statement 11 – Conserving and enhancing the natural environment

Statement 12 - Conserving and enhancing the historic environment

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

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 5 – The economy

Policy 11 – Norwich City Centre

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

TVA6: Other proposals for hotels and visitor accommodation

NE9: Comprehensive landscaping scheme and tree planting

HBE8: Development in Conservation Areas

HBE12: Design

EP22: High standard of amenity for residential occupiers

TRA7: Cycle parking standards

TRA8: Servicing

Principle of Development

Policy Considerations

15. Planning permission was granted in 2008 for the change of use of the office to an apart-hotel but the permission was not implemented and the three year commencement period has now expired. The principle of the change of use has already been established as part of the previous application and therefore the main issue for consideration is whether the proposal accords with current policies and whether there have been any changes in the immediate locality.
16. Since the approval of the previous application the National Planning Policy Framework has been introduced which replaces all previous planning policy statements and government guidance and the Joint Core Strategy for Broadland, Norwich and South Norfolk was adopted in March 2011. In relation to the locality the main issues are the completion of new residential development adjacent to the site (Prospect Place) and changes that have occurred to premises on Prince of Wales Road. It should however be noted that planning permission was granted in September 2007 for the neighbouring residential development (Demolition of the existing building and redevelopment of the site with 14 dwellings – application 07/00080/F) prior to the approval of the previous application in May 2008.
17. In terms of national planning policy, the National Planning Policy Framework seeks to encourage sustainable economic growth and promote competitive town centre environments. The proposed apart-hotel is to be located within a central sustainable location which accords with the objectives of the National Planning Policy Framework.
18. With regards to the Joint Core Strategy it is considered that the proposal accords with the criteria set out within policy 11 which seeks to expand the use of the city centre to all and through strengthening the city's role as a visitor destination.
19. In terms of local policies, policy TVA6 of the City of Norwich Replacement Local Plan was a key consideration when determining the previous application. The policy still applies and although the immediate area is more residential than was previously the case, it still cannot be considered a predominately residential area and as such the proposal satisfies the criteria set out within the policy. Saved policy TVA6 does promote a mix of uses where hotels are proposed in a city centre location. In this case no mix of uses is proposed, however given the diverse mix of surrounding uses in the locality, the nature of the proposal and the constraints of the site, it is not considered appropriate to insist on a mix in this case.
20. The proposed use as an apart-hotel will have all the services of a hotel although the rooms are likely to be occupied over a longer term basis than is the case with many hotels. The rooms all have a small kitchenette for self-catering purposes. Any consent would need to be subject to an appropriate condition and informative notes to make clear the approved use is for an apart-hotel (C1 use) and not for long-term permanent occupation or for second home ownership which would fall under use class C3.

Loss of office accommodation

21. The office building has been empty for a number of years and could be liable to anti

social behaviour or other safety risks. It is no longer considered to meet the modern demands for office accommodation. The principle of the loss of office accommodation has already been established through the previous application and there have been no changes in policy which would justify a refusal of the application on this basis.

Transportation

22. The operation of this building as an office would have a greater transport impact, as significantly more people would be likely to be using the building at any one time. Therefore there is no need for a transport contribution in this instance.
23. There is no vehicular access to the site and no car parking is proposed. Given the central location of the hotel, this is considered to be acceptable. Customers would know this when arranging accommodation and so either public transport and walking / taxi to link to the premises would be expected or customers would have to use an off-site public car park for lengthy stays (or potentially on-street for overnight or short stay parking).
24. A cycle rack is proposed within the courtyard area which is acceptable in principle. Detail of the cycle storage should be conditioned.
25. Servicing will be carried out via the main entrance to St. Faiths Lane and refuse collection will be via Prince of Wales Road. The servicing arrangements are considered acceptable, given the constraints of the site.

Impact on Living Conditions

26. As the proposal is for the change of use of an existing building and does not include any new window openings or extensions it is not considered that the proposal will impact upon the living conditions of neighbouring residents, taking into consideration overlooking, overshadowing or loss of light. The main issue to consider is potential for increased noise and disturbance which is addressed in the following section.

Noise and disturbance (protection of future occupants)

27. A noise impact assessment has been submitted as part of the application. This was required in order to ensure that a reasonable level of noise protection can be achieved for future occupiers of the apart-hotel. The noise assessment indicates that the current noise levels in the area are high with regard to music and also human noise, particularly on the west, south west and south facades of the building which overlook the rear of Tao nightclub. The report suggests two alternative specifications for windows/ventilation on these aspects, para. 4.2 (a) and (b). Both of these specifications reduce noise levels within the room to theoretically acceptable levels, but also points out that option (b) will offer the best performance in relation to the human noise.
28. The human noise is likely to be considered the most intrusive, therefore should permission be granted, a condition should be attached requiring that any windows/ventilation on the west, south and south west facades should equal or better than the specification laid out in para. 4.2(b) of acoustic report named '10719 60 St Faith's Lane, Norwich' dated 11th May 2012, submitted by Adrian James Acoustics. The windows on the other facades should perform adequately if they are standard double glazed units with trickle vents.

29. Furthermore the noise experienced in the area is likely to be intrusive to guests in the proposed development and although the windows can be specified to provide adequate protection, this is not likely to be achieved if the windows are opened. As such consideration should be given by the applicant to specifying a non-opening window system with mechanical ventilation and in any case if permission is granted an informative should be added detailing that there are significantly high levels of noise in the area and that any assessment of nuisance would be undertaken with any acoustic treatments in place and functioning correctly, including windows being closed. These issues can be dealt with by condition.

Noise and disturbance (protection of nearby residents)

30. Consideration also needs to be given to potential noise and disturbance that will arise from the proposed use as the site is adjacent to residential dwellings. A number of local residents and the environmental protection officer have raised concerns that the main entrance is on St Faith's Lane and that they would like to see the layout redesigned so the main entrance can be located on an aspect of the building overlooking the central courtyard and with sole pedestrian entrance at night being via the alleyway to Prince of Wales Road to minimise the number of guests that will pass by the residential dwellings on Cathedral Street and St Faiths Lane. The applicant has confirmed that there will be a secondary entrance onto Prince of Wales Road for pedestrian access; however it is not considered reasonable or enforceable to require the front entrance to be locked after a certain time especially as the assumption cannot be made that all guests of the hotel will be using night time entertainment on Prince of Wales Road. It should also be noted that contrary to the comments made by local residents, this was not a condition of the previous application but instead mention was made in the committee report that a pedestrian access is proposed via the alleyway to Prince of Wales Road. However the agent has stated they are happy to encourage access in the late evening via the pedestrian access onto Prince of Wales Rd to minimise activity on St Faiths Lane by the use of signage. In any event occupants using this area for eating and drinking would be expected to use this route as it is the most direct. They also make the point that the premises is not designed to cater for the "stag do / hen do" market, group bookings will not be allowed for such parties, and as the units furnishings and facilities are much higher quality than in a typical budget hotel and occupation by rowdy guests will be discouraged due to the potential damage to the room's high quality facilities and furnishing. The target market is business visitors or leisure (family) visitors.

31. Although the proposed apart-hotel will inevitably increase the number of people using Cathedral Street and St Faiths Lane, it must also be acknowledged that this is an existing key pedestrian link between Prince of Wales Road and Tombland and as such the increased proportion of people passing the residential properties on Cathedral Street and St Faiths Lane to access the hotel will be negligible. Both the site and the neighbouring residential dwellings are in close proximity to the late night activity zone and due to the location it is not considered that the proposed apart-hotel will have a significant impact upon levels of noise and disturbance in the immediate area.

32. In order to preserve the amenities of nearby residents laundry pickup and delivery times should be conditioned to the hours of between 7:00 and 19:00. The agent has confirmed that as the premises will not offer any meal facilities there will be no need for daily deliveries of food which would be necessary at a typical hotel.

Design, landscape and impact upon the conservation area

33. The proposal involves very little external alterations and as those which are proposed (bin and cycle store) are within the courtyard area, it is not considered that the proposal will have an impact upon the character of the conservation area.
34. The timber bin store and bike store are acceptable in principle; however to ensure that the proposal is of good design, details of the external finish should be conditioned.
35. The bin store is within relatively close proximity to a number of trees within the rear courtyard. At the time of writing the report, no comments have been received from the Arboricultural officer. Should any comments be received these will be reported verbally at the committee meeting. Should it be considered that there is potential for the bin store to impact upon the trees on site, it should be possible to overcome this by controlling the foundation design which could be conditioned.

Flood Risk

36. The site is situated within flood zone 2 and therefore a flood risk assessment has been submitted with the planning application. This details that the proposal would be safe to both people and property. The Environment Agency has not commented on the application. The Environment Agency did however comment on the previous application to which their response was that they have no objection subject to conditions and as such it is considered that these conditions should be reinstated on the new permission should this application be approved. The conditions relate to the need for a flood response plan. In accordance with paragraph 104 of the National Planning Policy Framework, the proposal is not subject to the sequential test as the proposal is for a change of use.

Energy and Water

37. Policy 3 of the Joint Core Strategy sets out that development proposals of a minimum of 1,000 sqm of non residential floorspace should provide at least 10% of the scheme's expected energy requirement through decentralised and renewable or low carbon energy. As part of the design and access statement it is stated that there are a number of measure that the applicant will consider as part of the specifications for refurbishing the building which includes the potential for the installation of photovoltaic cells on the roof of the building. Although details have not been provided of these measure or details given of the percentage of energy that they are likely to generate, it is considered that due to the orientation, positioning and style of the building, it will be possible to include energy efficiency and renewable energy measures without having a detrimental impact upon the visual appearance of the building or conservation area and as such, in this instance, it is considered reasonable for this to be conditioned.
38. Policy 3 of the Joint Core Strategy sets out that all development should seek to maximise water efficiency. Again the developer has stated that they will investigate the use of water efficiency measures such as dual flush units on toilets and aerated shower heads within the hotel room. A condition should be attached to any permission requiring details of these measures.

Security and lighting

39. Comments received from Norfolk Constabulary include that a carefully designed Lighting Plan should be in place to cover all vulnerable areas and to deter and reveal potential offenders. Furthermore they have commented that the rear

courtyard has the potential to attract inappropriate loitering and anti-social behaviour so consideration should be given to securing this area with gates and fencing and that ideally only one entrance should be used to allow staff to monitor who is entering and leaving the premises and the entrance should be easily viewed from behind the reception desk. A condition should be attached to any permission requiring details of lighting to help reduce crime and anti-social behaviour.

Conclusions

40. The proposal for the change of use from office accommodation to an apart-hotel is considered acceptable and is in accordance with saved policy TVA6 of the City of Norwich Replacement Local Plan. Furthermore it will provide an appropriate reuse of a redundant building within the city centre. It is not considered that the proposal will have a detrimental impact upon highway safety, the living conditions of neighbouring residents or the conservation area, subject to conditions. Furthermore it is considered that the proposal will provide acceptable conditions for guests provided that the recommendations within the noise impact assessment are taken into considerations.
41. As such it is recommended that the application be approved subject to the conditions listed below.

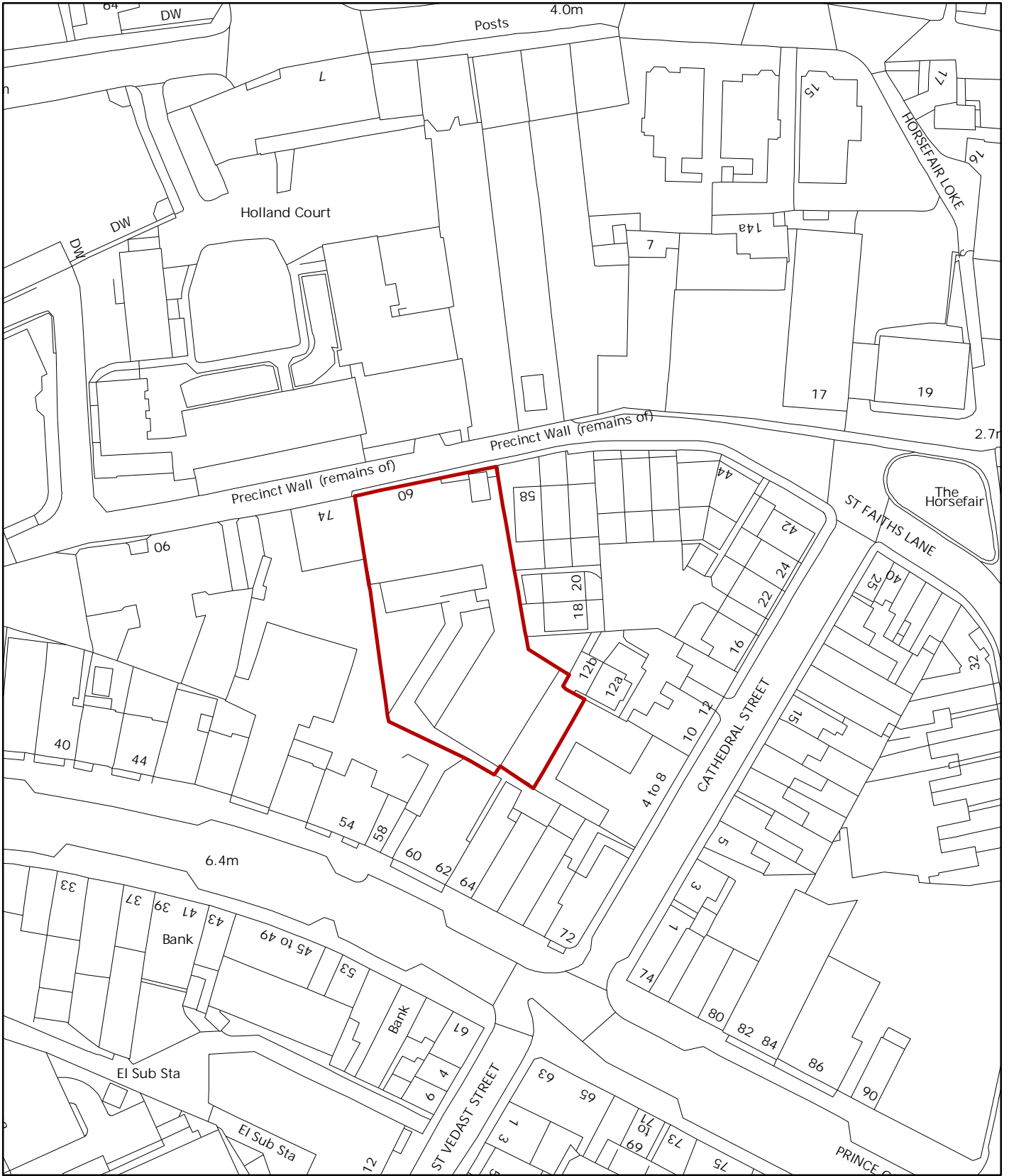
RECOMMENDATIONS

Recommendation

To approve Application No 12/00549/F, 60 St Faiths Lane and grant planning permission, subject to the following conditions:-

- 1) Standard time limit
- 2) In accordance with plans
- 3) The accommodation shall be used for C1 use only. A register of bookings shall be maintained and made available for inspection
- 4) No development until full details of the foundations to the bin store have been agreed.
- 5) Details to be provided of the external colour of the bin store. Bin storage to be provided prior to occupation
- 6) Details to be provided of cycle storage. Cycle storage to be provided prior to occupation
- 7) Any windows/ventilation on the west, south and south west facades should equal or better than the specification laid out in para. 4.2(b) of acoustic report named '10719 60 St Faith's Lane, Norwich' dated 11th May 2012, submitted by Adrian James Acoustics.
- 8) Details of a non-opening window system with mechanical ventilation to be agreed prior to occupation.
- 9) Details of fire hydrant to be agreed
- 10) Flood response plan to be agreed
- 11) No occupation until works have been carried out in accordance with the surface water strategy approved
- 12) No development until details of energy measure have been agreed
- 13) No occupation until water efficiency measure have been agreed
- 14) Laundry pickup and delivery times restricted to hours of 7:00 and 19:00
- 15) Full details of disabled access arrangements to include minimum of 3 no. ground floor room.

(Reasons for approval: The decision to approve this has been taken having regards to saved policies TVA6, NE9, HBE8, HBE12, EP22, TRA7 and TRA8 of the City of Norwich Replacement Local Plan (adopted November 2004), policies 2, 3, 5 and 11 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (Adopted March 2011), the National Planning Policy Framework and all material planning considerations. The proposals provide an appropriate reuse of a redundant building within the city centre, will provide acceptable living conditions for future occupiers of the hotel and will not have a detrimental impact upon highway safety, the living conditions of nearby residents or the conservation area subject to conditions.



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Planning Application No 12/00549/F
 Site Address 60 St Faiths Lane
 Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES

