

Committee name: Cabinet

Committee date: 14/12/2022

Report title: Article 4 Direction

Portfolio: Councillor Stonard, Cabinet member for inclusive and sustainable growth

Report from: Head of planning and regulatory services

Wards: Mancroft, Lakenham, Town Close, Thorpe Hamlet

OPEN PUBLIC ITEM

Purpose

To seek delegated authority for the Head of planning and regulatory services to formally ask the Secretary of State for Levelling Up, Housing and Communities to modify the proposed non-immediate Article 4 Direction to remove permitted development rights for the conversion of offices to residential within Norwich City Centre so it applies to a more targeted area.

Recommendation:

It is recommended that that Council proceeds with the introduction of an non-immediate Article 4 Direction and that delegated authority be given to the Head of planning and regulatory services to ask the Secretary of State for Levelling Up, Housing and Communities to modify the proposed non-immediate Article 4 Direction.

Policy framework

The council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

This report meets the first four priorities.

This report helps to meet the Local development plan for the city.

This report helps to meet business and local economy objective of the COVID-19 Recovery Plan

Report details

1. Norwich City Council made an Article 4 Direction on 28 July 2021 in order to remove permitted development rights for the conversion of offices to residential within the city centre. The Direction was confirmed on 8 December 2021 further to it being considered at [Cabinet](#) however due to the need to give 12 months' notice to avoid compensation claims it was not due to come into force until 29th July 2022. The Council feels that there is a need to bring into force an Article 4 Direction as since the introduction of permitted development to change from offices to residential in 2013, there has been a significant loss in office floorspace with around 30% of the total office stock since 2008 being lost. This has significantly impacted upon the supply of available office space in the city centre. An Article 4 Direction will enable the Council to manage the loss and to consider all material planning consideration including the impact that the loss of individual offices will have upon Norwich's economy as well as ensuring that housing is of good quality.
2. The Council received correspondence from Department of Levelling Up, Housing and Communities (DLUHC) about the Article 4 Direction in May 2022 which set out that they are not convinced that the Article 4 Direction complies with new national policy that where an Article 4 Direction related to change from non-residential to residential use, it should apply to the smallest geographical area possible. Whilst DLUHC found the evidence provided is helpful in setting the strategic context, and helps demonstrate the condition of the office market in Norwich, they consider that the Council has failed to take a sufficiently targeted approach to the assessment of the impacts of the permitted development rights in locations throughout the city centre. DLUHC highlights that such an approach is necessary to ensure that the Article 4 Direction meets the tests that they should apply only to the smallest geographical area possible. This was a risk that was identified within previous committee reports.
3. In order to make the Article 4 Direction more targeted, Norwich City Council commissioned Ramidus Consulting Ltd (Ramidus). Ramidus' research helped formulate additional evidence in the form of a study which recommends areas, streets and/or buildings which should be protected by virtue of the newly defined Article 4 Direction area. The purpose of this additional work was to inform a revised geographical area for the Article 4 Direction in the hope that we can successfully bring the Article 4 Direction into force.
4. Working closely with Ramidus officers have undertaken significant work and submitted a proposed revised geographical boundary to officers at DLUHC for their informal consideration and comment. Feedback was received on 19th October 2022 to say that officers at DLUHC are comfortable with our revised proposal. The proposed modification was also discussed at Sustainable Development Panel on 15th November 2022. Following a brief discussion, Members of this panel agreed unanimously with the officer recommendation to recommend to cabinet on 14th December 2022 that the Council formally ask the Secretary of State for Levelling Up, Housing and Communities to modify the proposed non-immediate Article 4 Direction so that it can be brought into force at the earliest possible opportunity. It is not proposed to withdraw the

existing Article 4 Direction and submit a new one as this would require a further 12 months' notice; however the Secretary of State is able to modify the Direction which means it can come into force a lot sooner.

5. The section below outlines the process which we went through to redefine the geographical area and the newly proposed boundaries for the Article 4 Direction are shown in the appendices to this report.

The process

6. The first stage of the process involved mapping all of Norwich's city centre offices using data obtained from Valuation Office Agency (VOA) records. This data includes any hereditaments that are recorded as being offices. Whilst this data is not 100% accurate it is a good starting position and it is expected that any non listed buildings that were not identified by the VOA records would have been detected during site visits. The mapping process also allowed officers to be able to identify which of these offices were statutory listed buildings. The decision was made that there would be no need to survey the statutory listed buildings as these do not need protection through an Article 4 Direction; however it is important to show them on our mapping exercises as it helps to identify clusters and accurately demonstrates how Norwich's offices are distributed across the city centre. Appendix 1 shows all offices within the city centre (including offices within statutory listed buildings) and Appendix 2 shows all offices other than those within listed buildings. One of the main observations gained from this mapping exercise is how scattered offices are across the city centre although there are some areas of the centre where clusters can be identified.
7. A spreadsheet containing details of occupiers and address points for all non-listed office buildings was supplied to Ramidus. In order to make the survey work more manageable, the city centre was broken down into seven key character areas, namely:
 - North of the River
 - Norwich Lanes
 - Whitefriars
 - St Stephens
 - Norvic House
 - Prince of Wales & King Street
 - Station area.
8. Local knowledge and desk-based research enabled some sifting of buildings, with for example offices situated within shopping centres and purpose built student accommodation being discounted along with those proposed for demolition as part of a wider redevelopment scheme.
9. Survey work was carried out by Ramidus, and for each site the following details were observed and recorded. Photographs were taken of all sites.
 - Occupier/owner
 - Address details
 - Occupied/vacant
 - Floors, use, condition and age
 - Typology, size and locational factors
 - Curb appeal, historic significance
 - Comments

10. Using the information and research gathered Ramidus applied a status to each office building (on a “red, Amber, green/RAG” basis). This separated the offices into the following categories:

Red – office premises that must be protected as their loss would be wholly unacceptable

Amber – very important premises but where there are uncertainties that needed discussion with the Council. These were subsequently recategorized as either red or green.

Green – A case could be made for their release despite some of the offices still being considered important as their loss could not be justified as ‘wholly unacceptable’.

11. Using the status rating the Council then produced two maps. The first map shows the proposed modified Article 4 Direction (appendix 3) so this includes any offices that were identified as red within the RAG status. The second version of the map (appendix 4) not only shows the proposed direction but also shows offices that were discounted and offices that are listed buildings. This contextual map is not proposed to be published alongside the modified Direction however it is considered important to demonstrate how the proposed Article 4 Direction would relate to the wider office economy. A list of proposed buildings for Article 4 Direction protection is included within Appendix 5.
12. Ramidus also produced a short report which sets out their findings (appendix 6). One of the key things to note is that Norwich’s office economy would appear to be very different from a number of other cities. It does not have a central business district but instead offices are scattered across the city centre which in itself makes the office economy quite vulnerable. A number of very important clusters have been identified through the mapping exercise, but the exercise has also highlighted how important a number of our individual offices are too.
13. Ramidus undertook a very thorough assessment, and officers feel that a justified case has been made for each office that has been identified for protection. Each of these offices play an important role due to their size, location, character or affordability but each of them also plays a fundamental role in ensuring that Norwich retains a variety of premises from small, affordable offices to large corporate office buildings.
14. Norwich has lost around a third of its office accommodation since 2008 and through assessing all existing individual office buildings we have now identified a significant amount of office accommodation that we feel would not meet the ‘wholly unacceptable’ test and would need to accept its loss (in some instances rather reluctantly). Any office floorspace that we feel would not meet the ‘wholly unacceptable’ test has not been included with the proposed Article 4 Direction area. Officers are of the opinion that the loss of any of the premises identified for protection would not only be wholly unacceptable on an individual basis, but it would erode the office economy to the extent whereby the very survival of the city centre office market is at risk. Only through seeking to protect the identified offices will Norwich be able to meet need and demand and ensure that the office economy thrives. Therefore, it is officer’s opinion that the principle of the loss of any of the identified offices would be wholly unacceptable without being able to fully consider its impact through the planning application process. The

proposed Direction (if approved) does not necessary mean that all offices will be prevented from changing to residential. Instead, it will enable the Council to manage it and to consider all material planning considerations including the impact that the loss of offices will have upon our economy. In addition it would enable the Council to ensure that housing is of good quality.

15. It should be noted that the Direction does include some (circa 30) office buildings which do exceed 1,500sqm which officers at DLUHC have warned against doing. These are strategically important offices and whilst we acknowledge that the current wording of the General Permitted Development Order would prevent the building in its entirety being converted in one go, we do have concerns that the threshold could change or one floor at a time could be converted to residential which could have a significant and wholly unacceptable impact in itself. Therefore, it is proposed that these buildings be included as officers believe a justified case has been made; however it must be acknowledge that there is a risk that DLUHC will ask that these be removed.
16. We have now put forward the Council's case to DLUHC on an informal basis and feedback received from officers so far would suggest that they are comfortable with our revised proposal. The next step is to put forward a formal request to the Secretary of State to modify our Direction. Subject to the Secretary of State for Levelling Up, Housing and Communities agreeing that our case is now supported by overwhelming evidence and meets the test of applying to the smallest geographical area possible the Direction should be able to be brought into force on the revised boundaries.
17. One other minor change is also proposed to the Direction. Currently the wording of the Direction does not specifically exclude any building and land for which prior approvals have been granted or treated as being granted. This effectively means that any development falling into the description in Schedule 2 would need planning permission if the development had not been commenced, regardless of the stage the prior approval applications had reached. As officers we feel that where premises already benefit from prior approval consent they should be given the opportunity to build out that consent and therefore it is proposed to amend schedule 1 to specifically exclude any building and land for which prior approval have been granted and where the permission is still extant. The Direction would however apply if the permission expires. We have sought legal advice on this matter and their response is that they can understand the rationale for the proposed approach and that it seems completely reasonable. Their advice is that we engage with the Secretary of State to invite them to make this explicit within the direction. NPLaw does not feel that this change will be controversial as the Council would be seeking to retain rights rather than limit them. Appendix 7 sets out the proposed modification that the Council has put to officers at DLUHC but now response has been received on this matter so far.
18. If successfully brought into force, then any change of use from office to residential within the Article 4 Direction area will require full planning permission (save for those sites with an extant permission or prior approval as set out in the previous paragraph) and the assessment of planning applications will need to take into account the existing and emerging local plan which enables the LPA to consider all material planning matters.

19. It is envisaged that if approved, the Article 4 Direction would be consistent with the Council's policies. Currently policy DM19 seeks to protect high quality office space over 1,500sqm and policy DM17 seeks to protect smaller businesses. In terms of the emerging Greater Norwich Local Plan, the regulation 19 version of the plan set out that the loss of existing office floorspace will be resisted. A modification has since been proposed to take into account that the Article 4 Direction is going to be more targeted but to also add a clause that enables offices to change use if it can be demonstrated that the loss of the office accommodation would not be of detriment to Norwich's office economy. The proposed wording also seeks to protect offices within listed buildings as these will not be covered by the Article 4 Direction. The proposed wording is as follows:

To support this, loss of existing office floorspace will be resisted

a) within the area to be defined under the 'Article 4 direction relating to the conversion of offices to residential';

b) where the office accommodation to be lost would exceed 1,500sqm and the site is within the city centre (as defined by map 9), with the exception of any existing office building situated within site allocation GNLP0506; or

c) for all statutory listed office buildings situated within the city centre (as defined by map 9)

unless it can be demonstrated that its loss will not be of detriment to Norwich's office economy.

Consultation

20. A consultation took place when the Council made the Direction in July 2021. Responses to the consultation were set out within the November 2021 SD panel report. There is no requirement for a further stage of consultation where Ministers agree to modify a Direction; however the Council will be required to publicise the notice as soon as practicable and the Direction can then come into force from the date of publication.

21. Informal comments have been sought from the DLUHC on the modified boundary and officers have confirmed that they are comfortable with the revised proposal.

22. The proposed boundary modification was discussed at Sustainable Development panel on 15th November 2022 and members of this panel were keen to progress the Article 4 Direction and to formally ask DLUHC to modify the Direction based on the revised proposal.

Implications

Financial and resources

23. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan 2022-26 and budget.

24. There are no proposals in this report that would reduce or increase resources.

25. There will be a financial cost associated with further publicity for introducing an Article 4 direction. It is expected that this will be met from existing budgets.
26. The initial Ramidus study was funded through Towns Deal funding. The most recent study was met from existing budgets. We have already given 12 months notice of bring the direction into force which will avoid any compensation claims.
27. Any change of use from offices to residential will reduce business rates revenue but on the other hand will increase council tax income; the precise impact will depend on a number of factors that cannot be exemplified eg the rateable value of the business property including any reliefs, the council tax band and the circumstances of residents (eg if they qualified for the council tax reduction scheme or other discounts or reliefs). It is also likely to change the mix of services provided by the council.
28. Introducing an Article 4 Direction may prevent some offices from changing to residential where the change of use would not comply with local or national planning policy. The introduction of an Article 4 Direction could potentially have some implications on the total amount of business rates/council tax received but this is unlikely to be significant.

Legal

29. Legal advice has been sought through the process, Once brought into force, the Direction will need to be registered as a land charge.

Statutory considerations

Consideration	Details of any implications and proposed measures to address:
Equality and Diversity	There are no direct equality implications arising from this proposal.

Consideration	Details of any implications and proposed measures to address:
Health, Social and Economic Impact	<p>There has been an uncontrolled loss of office accommodation within Norwich since the introduction of permitted development to convert offices to residential and it has been identified by Ramidus in July 2020 that Norwich's office economy is in a fragile and vulnerable condition. This report in itself will not have a direct impact in protecting Norwich's office economy but, once the direction is confirmed and comes into force, it will enable the LPA to consider whether the loss of an office building within the city centre is acceptable on a case by case basis. This will allow office stock that is truly redundant to change use while, on the other hand, being able to protect space of strategic value. This therefore has the potential to have a positive impact on economic development.</p> <p>In addition the size and quality of flats delivered through permitted development rights have often been substandard as they are not of sufficient size or provide sufficient natural light or external amenity space to provide a good quality of life for future residents. The impact of this report to make an article 4 direction will not have any direct impacts but, once the direction is confirmed and comes into force, removing permitted development rights will enable the LPA to consider all material planning considerations and ensure that internal and external amenity for future residents accords with planning policy.</p>
Crime and Disorder	Neutral impact
Children and Adults Safeguarding	Neutral impact

Consideration	Details of any implications and proposed measures to address:
Environmental Impact	<p>Under prior approval applications no physical alterations can be made to the building. If required these come forward as a separate application. The impact of this report to make an article 4 direction will not have any direct impacts but, once the direction is confirmed and comes into force, having one planning application for the change of use and physical alterations will enable the LPA to better consider the impacts of the development in order to ensure that the proposal enhances the built environment. It will also enable the LPA to secure landscaping via a condition which will have a positive upon both the natural and built environment.</p> <p>Under prior approval applications the LPA is not able to require 10% of energy to be from decentralised and renewable or low carbon energy sources. The impact of this report to make an article 4 direction will not have any direct impacts but, once the direction is confirmed and comes into force, the Article 4 direction will enable the LPA to consider energy for all sites of 10 or more dwellings.</p>

Risk management

Risk	Consequence	Controls Required
There is a risk that DLUHC do not accept the modification and that the article 4 direction may fail.	Given that the majority of work has already been done, the further financial resource implications are relatively minimal.	We have submitted our proposed modification to officers at DLUHC on an informal basis which should minimise the risk of failure. We feel that our case is supported by overwhelming evidence and is now geographically limited.

Other options considered

30. The alternative option is to not introduce an article 4 direction. This option is not recommended as it would prevent the Council from having any future control over the conversion of offices to residential through permitted development rights.

Reasons for the decision/recommendation

31. It is felt that our case is supported by overwhelming evidence and the Article 4 Direction will help protect Norwich's office economy.

Background papers: None

Appendices:

Appendix 1: All offices within Norwich City Centre

Appendix 2: All offices within Norwich City Centre (excluding offices within Listed building)

Appendix 3: Proposed modified Article 4 Direction geographical area

Appendix 4: Contextual map

Appendix 5: List of proposed office buildings for Article 4 Direction protection

Appendix 6: Summary of research to support the introduction of an article 4

Direction for Norwich City Centre, Ramidus, September 2022

Appendix 7: Proposed modified direction

Contact officer:

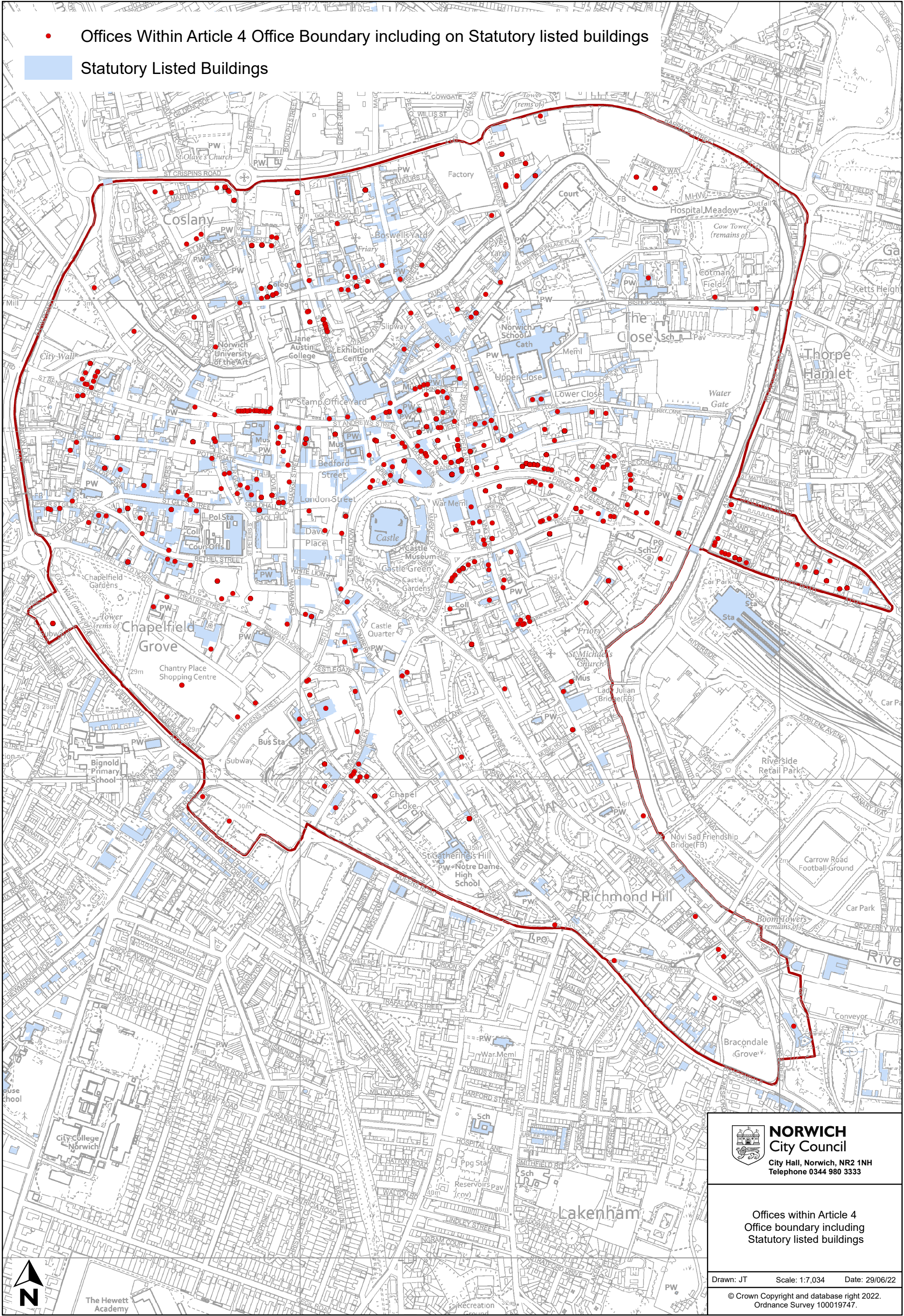
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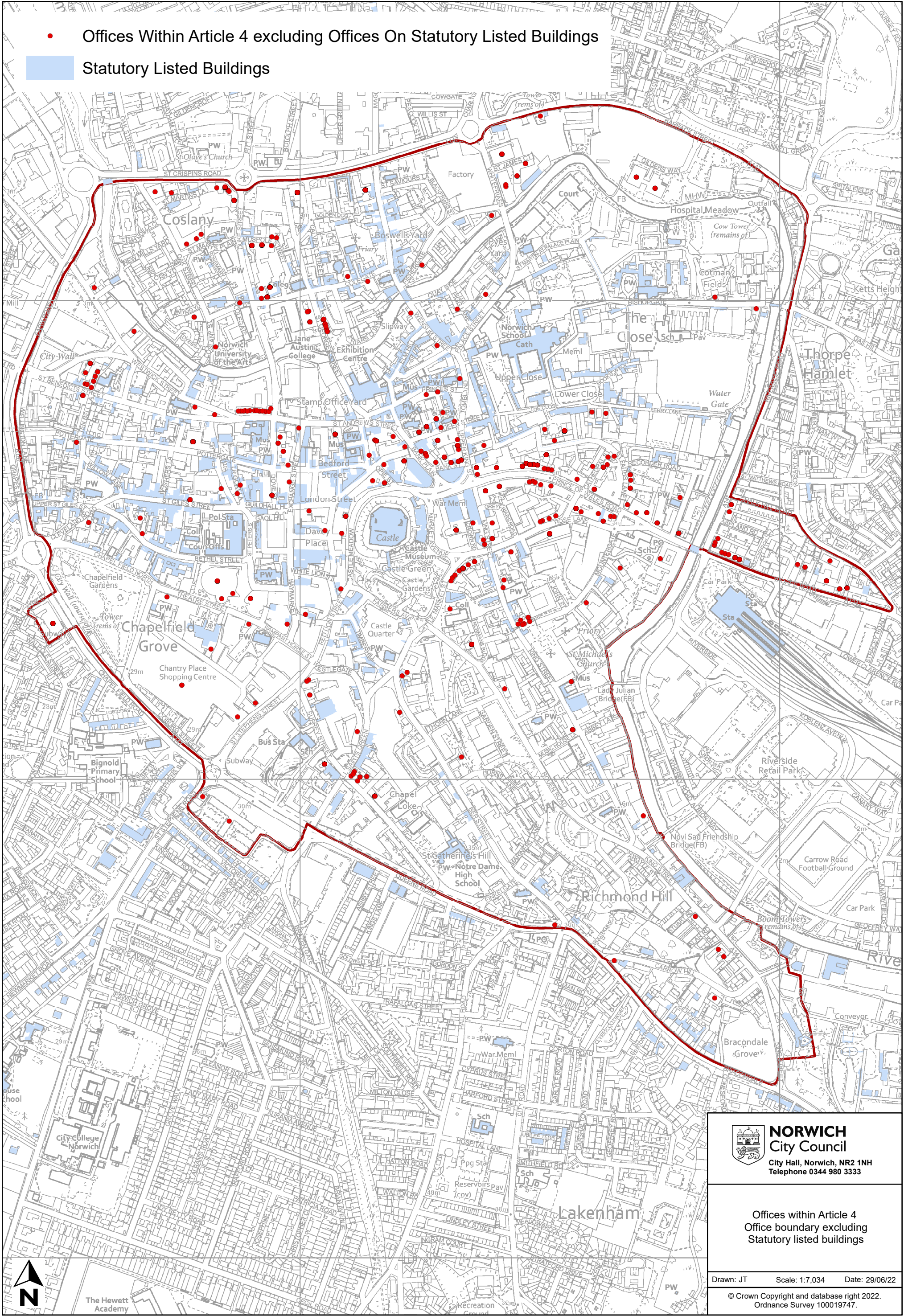


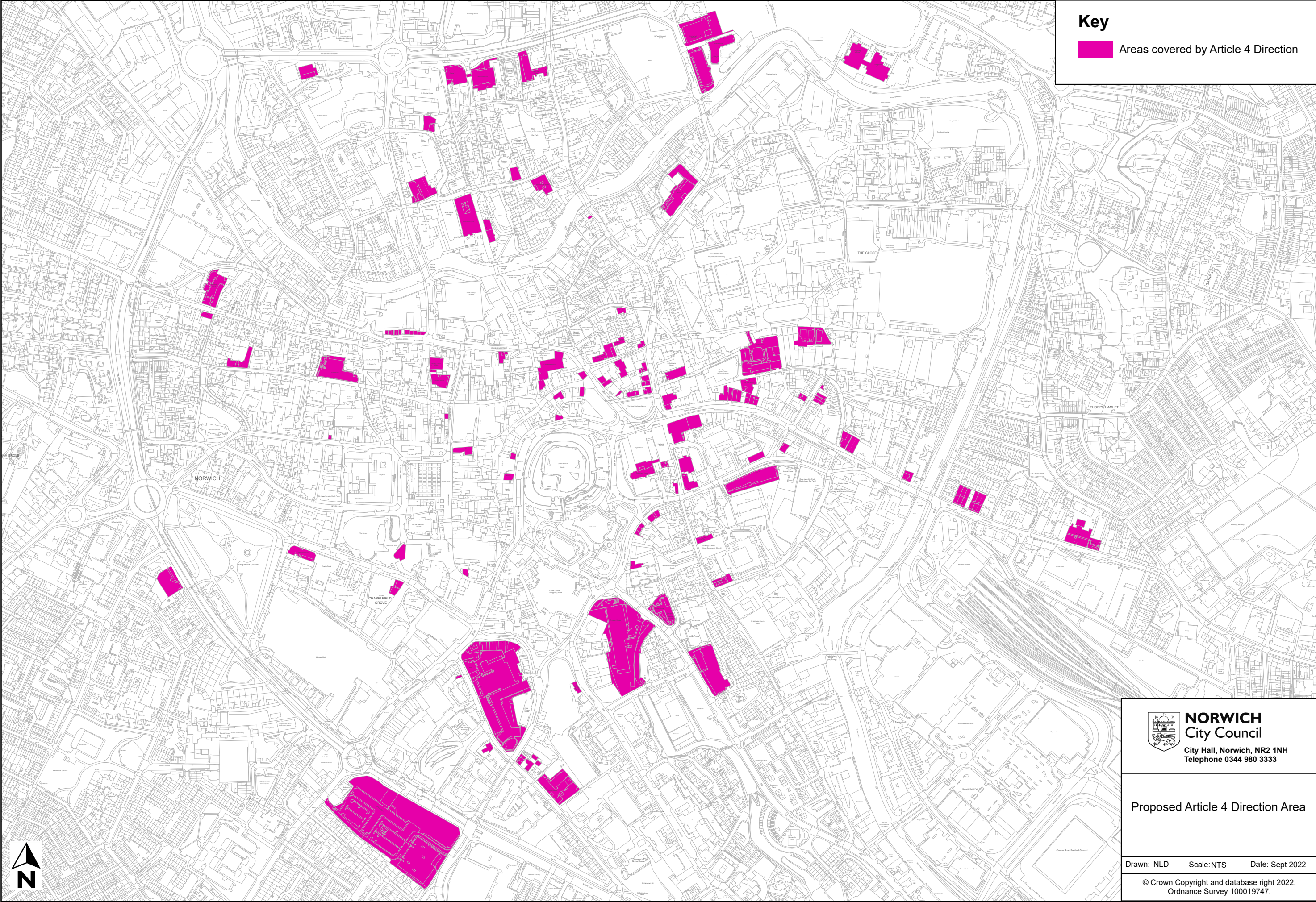
NORWICH
City Council
City Hall, Norwich, NR2 1NH
Telephone 0344 980 3333

Offices within Article 4
Office boundary including
Statutory listed buildings

Drawn: JT Scale: 1:7,034 Date: 29/06/22

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Ordnance Survey 100019747.







Key

- Article 4 Direction
- Offices
- Statutory Listed Buildings in office use



NORWICH
City Council
City Hall, Norwich, NR2 1NH
Telephone 0344 980 3333

Offices proposed for A4D protection
with contextual information

Drawn: NLD Scale: NTS Date: Sept 2022

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Ordnance Survey 100019747.

List of protected sites

1-3 Saint Court, All Saints Green
 47 All Saints Green
 49 All Saints Green
 51 All Saints Green
 Norwich Union Island Site, All Saints Green
 1 Bank Plain
 7 Bank Plain
 9 Bank Plain
 19 Bank Plain
 8-10 Bank Plain
 12 Bank Plain
 16 Bank Plain
 1 Bedding Lane
 17-23 Ber Street
 7 Castle Meadow
 10 Castle Meadow
 24 Castle Meadow
 10-12 Cathedral Street
 13-15 Cathedral Street
 17 Cathedral Street
 23 Cathedral Street
 The Old Drill Hall, 23 a Cattle Market Street
 26 Cattle Market Street
 27 Cattle Market Street
 28 Cattle Market Street
 Brancaster House, 30 Cattle Market Street
 Nadler House, 31 Cattle Market Street
 Norvic House, 29-33 Chapel Field Road
 1 Charing Cross
 3 Charing Cross
 5 Charing Cross
 7 Charing Cross
 9 Charing Cross
 11 Charing Cross
 15 Charing Cross
 17 Charing Cross
 19 Charing Cross
 21 Charing Cross
 23 Charing Cross
 25 Charing Cross
 St Clements House, 2 -16 Colegate
 21 Colegate
 47 – 49 Colegate
 The Guildhall, 51 Colegate
 55 Colegate
 Townshend House, 30 Crown Road
 32 Crown Road
 Mall Chambers, 40 Crown Road

12-14 Exchange Street
Dragonfly House, 2 Gilders Way
Kingfisher House, 1 Gilders Way
Netherconesford, King Street
31 King Street
Communications Centre, 33 King Street
46 King Street
61 King Street
10 London Street
56-58 London Street
68 London Street
Sackville Place, 44 – 48 Magdalen Street
2 Millennium Plain
19 Muspole Street
21 Muspole Street
3-5 Orford Place
Centenary House, 19 Palace Street
Kiln House, 27-43 Pottergate
1 Prince of Wales Road
2 Prince of Wales Road
11 Prince of Wales Road
32 Prince of Wales Road
34 Prince of Wales Road
36 Prince of Wales Road
38 Prince of Wales Road
40 Prince of Wales Road
44 Prince of Wales Road
46 Prince of Wales Road
48 Prince of Wales Road
100 Prince of Wales Road
Portland House, 102-104 Prince of Wales Road
15-17 Princes Street
Victoria House, Queens Road
2-4 Queen Street
5 Queen Street
16-18 Queen Street
Haldin House, Old Bank of England Court, Queen Street
Jacquard House, Old Bank of England Court, Queen Street
New Patrick's Yard, 2 Recorder Road
44 Rose Lane
Union Building, 51-59 Rose Lane
Rouen House, Rouen Road
20 Rouen Road
Prospect House, Rouen Road
3 St Andrews Hill
Lawrence House, 5 St Andrews Hill
Cavendish House, 28-32 St Andrews Street
Woolgate Court, St Benedicts Street
Woburn House, 80-84 St Benedicts Street

Stannard Place, St Crispins Road
90 St Faiths Lane
13 -15 St Georges Street
17 - 19 St Georges Street
The Atrium, St Georges Street
St Giles House, 27 St Giles Street
1 St James Court
Carmelite House, 2 St James Court
3 St James Court
Golden Lion House, 15 St John Maddermarket
Charing Cross Centre, 17-19 St John Maddermarket
Norfolk House, St John Maddermarket
Cotman House, 53 - 57 St Martins Lane
1-5 St Stephens Street
St Vedast House, 5-7 St Vedast Street
2 Surrey Street
5 Surrey Street
8 Surrey Street
25-27 Surrey Street
32-38 Surrey Street
Norfolk Tower, 48-52 Surrey Street
Boars Head Yard, Surrey Street
South Tower, Surrey Street
Holland Court, The Close
13 The Close
14 The Close
15 The Close
Dencora House, Theatre Street
4 Theatre Street
8 Thorpe Road
10 Thorpe Road
12 Thorpe Road
16 Thorpe Road
18-20 Thorpe Road
Yare House, 62-64 Thorpe Road
66-70 Thorpe Road
Compass House, 4 Upper King Street
8-10 Upper King Street
12 Upper King Street
Kingstreet House, 15 Upper King Street
19 Upper King Street
22 Wensum Street
1-17 Westlegate

NORWICH CITY COUNCIL

SUMMARY OF RESEARCH TO SUPPORT THE INTRODUCTION OF AN ARTICLE 4 DIRECTION FOR NORWICH CITY CENTRE

16th SEPTEMBER 2022



1. Context

Norwich City Council made an Article 4 Direction on 28th July 2021 in order to remove Permitted Development Rights allowing the conversion of offices to residential within the city centre. The Direction was due to come into force on 29th July 2022. However, in May 2022, the Department of Levelling Up, Housing and Communities informed the Council that the Article 4 Direction failed to comply with new national policy stating that Article 4 Direction should apply to the smallest geographical area possible.

The Department advised the Council that it had failed to take a sufficiently targeted approach to the assessment of the impacts of Permitted Development Rights in locations throughout the city centre. In light of this advice, the Council asked Ramidus Consulting to undertake a study to help inform a revised geographical area for the Article 4 Direction and to produce the additional evidence base required to successfully bring the revised Article 4 Direction into force.

2. Study requirements

The Brief for the study required output which recommended areas, streets and/or buildings which should be protected by virtue of the newly defined Article 4 Direction area. The brief asked that the key outputs from the study should include the following.

- Map of existing offices within the A4D area (excluding listed buildings).
- Spreadsheet of existing offices within the A4D (excluding listed buildings).
- Spreadsheet of all offices (non-listed) including data which identifies factors such as user, class/typology, age, locational factors, historical significance and amenities.
- Identification of offices which would have a wholly unacceptable impact if they were lost to residential (taking into account size thresholds).
- List of buildings to be protected.
- Map identifying the streets and/or buildings for inclusion within the Article 4 Direction (possibly to be produced by Norwich City Council).
- Summary of key findings.

3. Study methodology

The Council provided Ramidus with maps and spreadsheets of all offices within Norwich city centre. This information was obtained from Valuation Office Agency records and includes any hereditaments that are recorded as being offices. Appendix One provides a map showing the buildings identified for detailed survey work. The Council and Ramidus identified a series of character areas to make the survey work more manageable, which resulted in the city centre being broken down into seven key character areas, as follows.

- North of the River Wensum
- Norwich Lanes
- Whitefriars
- St Stephens
- Norvic House
- Prince of Wales & King Street
- Station Area

RESEARCH TO SUPPORT ARTICLE 4 DIRECTION IN NORWICH CITY

Local knowledge/desk based research enabled some sifting of buildings at this stage to exclude, for example, any sites with little prospect of being converted due to being situated within shopping centres or those proposed for demolition as part of a wider redevelopment scheme.

Survey work was undertaken on Monday 1st, Tuesday 2nd, Wednesday 3rd and Sunday 21st August. Each building was visited, photographed and surveyed. Some 239 buildings were surveyed, and the following details were recorded. Appendix Two shows an extract from the spreadsheet.

- Occupier/owner
- Address details
- Occupied/vacant
- Floors, use, condition and age
- Typology, size and locational factors
- Curb appeal, historic significance
- Red-amber-green status
- Comments

Premises sizes and ages were estimated. Clearly this cannot be a precise exercise, and so categories were used in each case, as shown below.

Category	Approx. size ranges, sq m	Approx. size ranges, sq ft
1	<100	<1,000
2	100-500	1,000-5,000
3	500-1,000	5,000-10,000
4	1,000-1,500	10,000-15,000
5	1,500-3,000	15,000-30,000
6	>3,000	>30,000

The 1,500 sq m (15,000 sq ft) boundary was selected so that premises requiring a full planning permission prior to conversion to residential can be identified.

Category	Typology
1	Purpose built, since 2000 (est.)
2	Purpose built, 1980-2000 (est.)
3	Purpose built, post-war
4	Purpose built, pre-war
5	Former dwelling
6	Former commercial premises
7	Other (specify)

A fundamental aspect to the revised guidance on Article 4 Directions is that protected buildings must be identified as such only when their potential loss could be deemed to have a 'wholly unacceptable' impact. To this end the survey involved applying a 'RAG' status to each building – Red, Amber or Green. Red applied to buildings that should certainly be protected as the existing office meets a particular need and the loss of the individual office or cluster would have a wholly unacceptable impact upon Norwich's office stock; green was

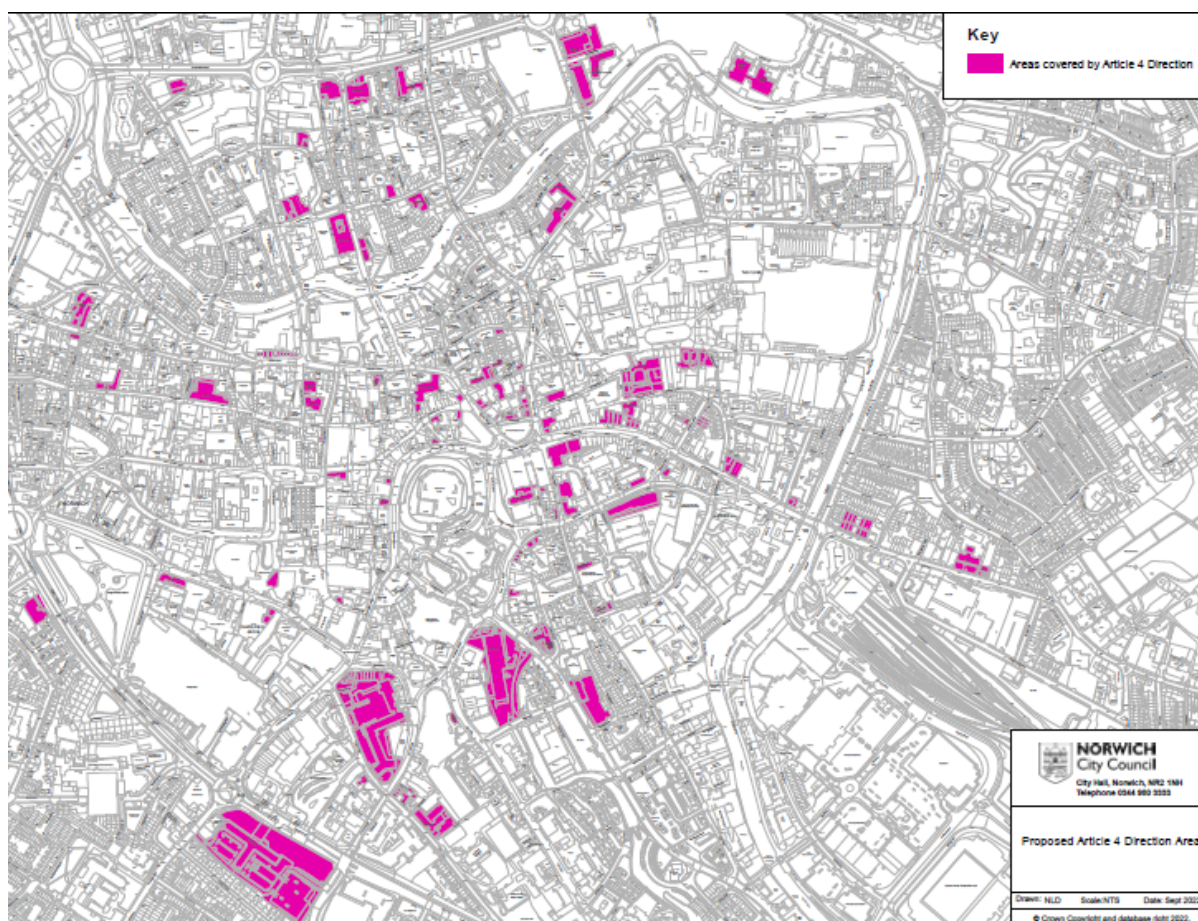
applied where there was a case for their release, and amber was used when there was uncertainty.

Following the fieldwork, all of the 'Ambers' were then discussed with the Council. Combining local knowledge and policy background, the Ambers were then allocated either Red or Green status, depending on the outcome of the discussion. Black was used when survey work identified that the building was no longer in commercial office use.

4. Summary findings

The key output from this study is the Excel spreadsheet recording the detailed survey work. This, along with the photographic record, should be read alongside this summary. Figure One provides a visual record, prepared by the Council, of all those buildings allocated a 'Red' status in the RAG assessment described above. Having visited and surveyed in detail each of these premises, and the context within which they sit, it is our opinion that each of these buildings should be subject to an Article 4 Direction as the loss of any of these offices would be wholly unacceptable. The map excludes Listed buildings.

Figure One Map showing buildings proposed for Article 4 Direction protection



There are a number of points that can be drawn from the spreadsheet and the map.

- The office stock in Norwich city centre is scattered rather than concentrated. There is no 'central business district', nor are there identifiable concentrations, where office use is dominant.

- The scattered nature of the office stock increases the vulnerability of the individual parcels. Without policy protection, these could be gradually denuded until the point where the whole office market is further weakened.
- The strongest areas in terms of office use include the following.
 - Bank Plain/St Andrew's Street
 - Charing Cross
 - North of River Wensum
 - Prince of Wales Road/Cattlemarket Street
 - Surrey Street/St Stephens Street
 - Thorpe Road
 - Whitefriars
- The stock of office premises is enormously variable, ranging from small, period offices above retail premises to large, modern corporate office buildings.
- The range of types and sizes of office space in Norwich is essential for meeting a diverse demand profile, including the need for affordable offices.
- A significant proportion of Norwich's offices are in 19th century and earlier buildings, often town houses. These work exceptionally well for small, professional firms, providing sub-divisibility, natural light and air, and a central location.
- A number of self-contained, office buildings – particularly those dating from the 1960s-1980s – have already been converted to residential use and those remaining are particularly vulnerable due to the relative ease with which they can be converted.
- The premises surveyed were, on the whole, well occupied, with little evidence of vacancy. There was minimal indication of neglect or obsolescence.

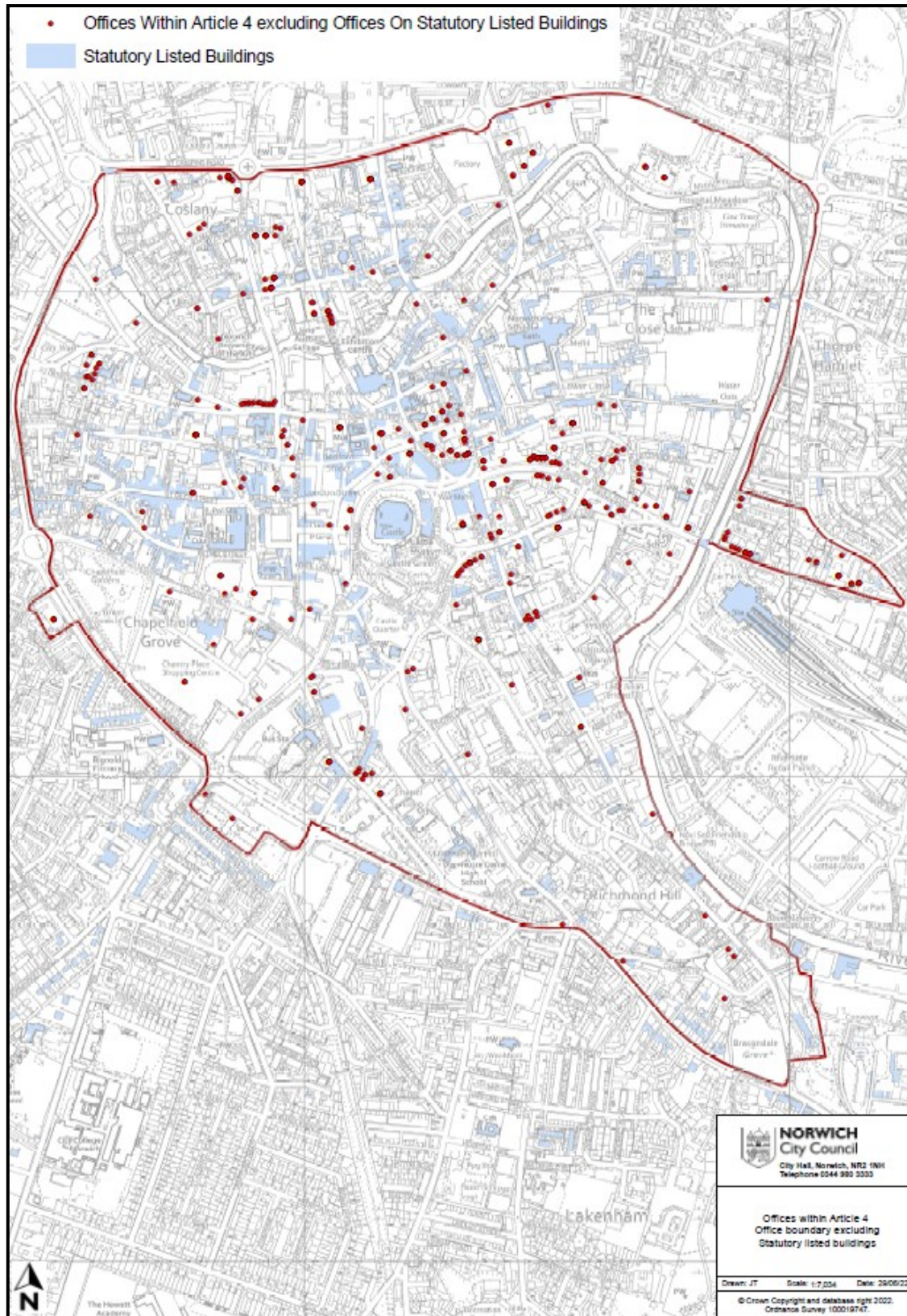
5. Concluding remarks

Norwich has lost a significant amount of office floorspace since the extension of Permitted Development Rights to ease the change of use from office to residential. This has left the office economy in a fragile state. The existing office stock is scattered across the city centre which leaves it highly vulnerable. It is fundamental that Norwich retains a variety of premises from small, affordable offices to large corporate office buildings in order to meet need and demand and to ensure that Norwich's office economy thrives.

The comprehensive survey work has identified those buildings which must be retained as offices as their loss would be considered wholly unacceptable. It has also identified offices which could be released for other uses. The loss of a number of these more marginal offices would be considered regrettable; however it is unlikely that Norwich City Council could justify that their loss would be wholly unacceptable.

Appendix One

Norwich City centre Offices (excluding offices within statutory Listed buildings)



Appendix Two Extract from data sheet

NORWICH LANES							
Occupier/owner	Name	Number	Street	Postcode	Occupied or vacant	Floors	Use
Watsons Trustees Of The Georgics Pension Fund		1	Bank Plain	NR2 4SF	occupied	1-3	estate agent office
		7	Bank Plain	NR2 4SF	vacant (to let)	G-2	retail + office
		9	Bank Plain		occupied	g-2	offices over estate agent
Dna Norwich Limited/Northwood Lettings Fosters Solicitors		11	Bank Plain	NR2 4SF	retail unit		
	William House	19	Bank Plain	NR2 4FS	occupied	1-2	solicitor
		8-10	Bank Street	NR2 4SE	occupied	g-1	professional office
BUILD Na Marketing Services Limited		12	Bank Street	NR2 4SE	occupied	g-1	Build Charity
		16	Bank Street	NR2 4SE	occupied	g-2	estate agent office
		1	Bedding Lane	NR3 1RG	occupied	g-1	law firm
Howes Percival LLP Uttings Limited Ymca	Flint Building	60	Bethel Street	NR2 1NR	occupied	g-1	parcel collection point
	Graphics House	62	Bethel Street	NR2 1NR	occupied		
		2	Castle Meadow	NR1 3PY	vacant	1	office over f&b
Miss Mia Boorman T/A La Cala/Suntrap First Eastern Counties Buses Limited Don'T Paye Too Much Ltd Cambridge Accountancy Services Ltd	Davey House	7	Castle Meadow	NR1 3DE	occupied	g-2	office over travl centre
		10	Castle Meadow	NR1 3DE	occupied	g-2	accountancy
			24	Castle Meadow	NR1 3DH	occupied	2-3
Mrs Natalie Bussey T/A Fossi Hair & Beauty Malmains & Co Ltd T/A Martin & Co Philip Noble & Son		8	Castle Street	NR2 1PD	occupied	1-2	office over shop
		1	Charing Cross	NR2 4AL	occupied	g-2	estate agent
		3	Charing Cross	NR2 4AX	occupied	g-2	property management
Root Norwich Ltd/Howards Residential Lettings		5	Charing Cross	NR2 4AX	occupied	g-2	Root

Appendix Two Extract from data sheet (cont'd)

Condition	Age	Type	Size	Locational Factors	Curb Appeal	Historic Significance	RAG status	Comments
very good	1930s	4	3	good, high street	yes	some		upper floors of ground floor estate agent; quality space
fair	1920s	4	3	high street	yes	some		niche space, but good quality
fair	1970s	3	2	in a cluster	no	no		
	1970s							ground floor retail unit beneath Fosters
very good	1970s	3	5	high street	limited	no		tired but useful office stock
good	19th	5	2	side street	limited	no		good quality space; recently refurbished
poor	1910s/1920s	5	1	side street	yes	some		multiple businesses
poor	1900s	5	1	side street/corner	no	no		three businesses listed; good affordable space
very good	2000s	1	5	quiet location	yes	yes		part historic/modern office building
fair	1900s	5	1	quiet street	no	no		former resi property converted to quasi office use
								building been converted to YMCA
very poor	1890s	4	1	off pitch, Fair location	no	no		poor quality office above f&b; poss beauty parlour
good	1920s	4	4	off pitch, fair location	no	no		quality, regular space; must be protected
good	1950s	3	3	off pitch, fair location	yes	no		quality, affordable space over ground retail
good	1960s	3	2	off pitch, fair location	no	no		upper floors of travel business
poor	1880s	5	1	central	no	no		very small scale; difficult to protect; maybe access issues
very good	1990s	2	3	busy road, corner plot	yes	no		quite vulnerable
very good	1980s	3	3	busy road	no	no		quite vulnerable
very good	1970s	3	3	busy road	no	no		quite vulnerable

NORWICH CITY COUNCIL ARTICLE 4 DIRECTION

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (As amended)

DIRECTION MADE UNDER ARTICLE 4(1) WITHOUT IMMEDIATE EFFECT

WHEREAS Norwich City Council ("the Council") being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the Order") is satisfied that it is expedient that development of the description set out in Schedule 1 should not be carried out on the land shown ~~edged and hatched shaded~~ in red on the map attached hereto in Schedule 2 unless planning permission for it is granted on an application made under Part III of the Town and Country Planning Act 1990 (as amended).

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4(1) of the Order hereby direct that the permission granted by Article 3 of the Order shall not apply to development on the said land (being that identified at Schedule 2 hereto) of the description set out in Schedule 1 hereto.

THIS DIRECTION is made under Article 4(1) of the Town and Country Planning (General Permitted Development) (Order) 2015 (as amended) and shall come into force on the 29th July 2022. [To be updated once the Council has agreed with DLUHC the date that the Direction should come into force].

SCHEDULE 1

Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (g) (i) (an office to carry out any operational or administrative functions) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 to a use falling within Class C3 (dwellinghouses) of that Schedule, being development comprised within Class MA of Part 3 of Schedule 2 to the Order and not being development within any other class, save for when prior approval has already been granted (under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)) and development so approved is completed within a period of 3 years starting with the prior approval date.

SCHEDULE 2

This Direction shall apply to those parts of the City of Norwich shown ~~edged and hatched shaded~~ in red on the attached Plan.

MADE under the COMMON SEAL of Norwich City Council thisDay of
.....20.....

This COMMON SEAL of the Council was affixed to this Direction in the presence of
.....
Authorised Signatory

CONFIRMED under the Common Seal of the Norwich City Council thisDay of
.....20.....

This COMMON SEAL of the Council was affixed to this Direction in the presence of
.....
Authorised Signatory
SCHEDULE 2