

**Report to** Planning applications committee

**Item**

09 March 2017

**Report of** Head of planning services

**Subject** Application no 16/01763/L - South-West Quadrant  
Pavilion Eaton Park, South Park Avenue, Norwich

**Reason  
for referral** Application by local member

4(c)

<b>Ward:</b>	Eaton
<b>Case officer</b>	Chris Brownhill - <a href="mailto:chrisbrownhill@norwich.gov.uk">chrisbrownhill@norwich.gov.uk</a>

Development proposal		
Installation of a defibrillator to the wall of the South-West Quadrant.		
Representations		
Object	Comment	Support
0	0	0

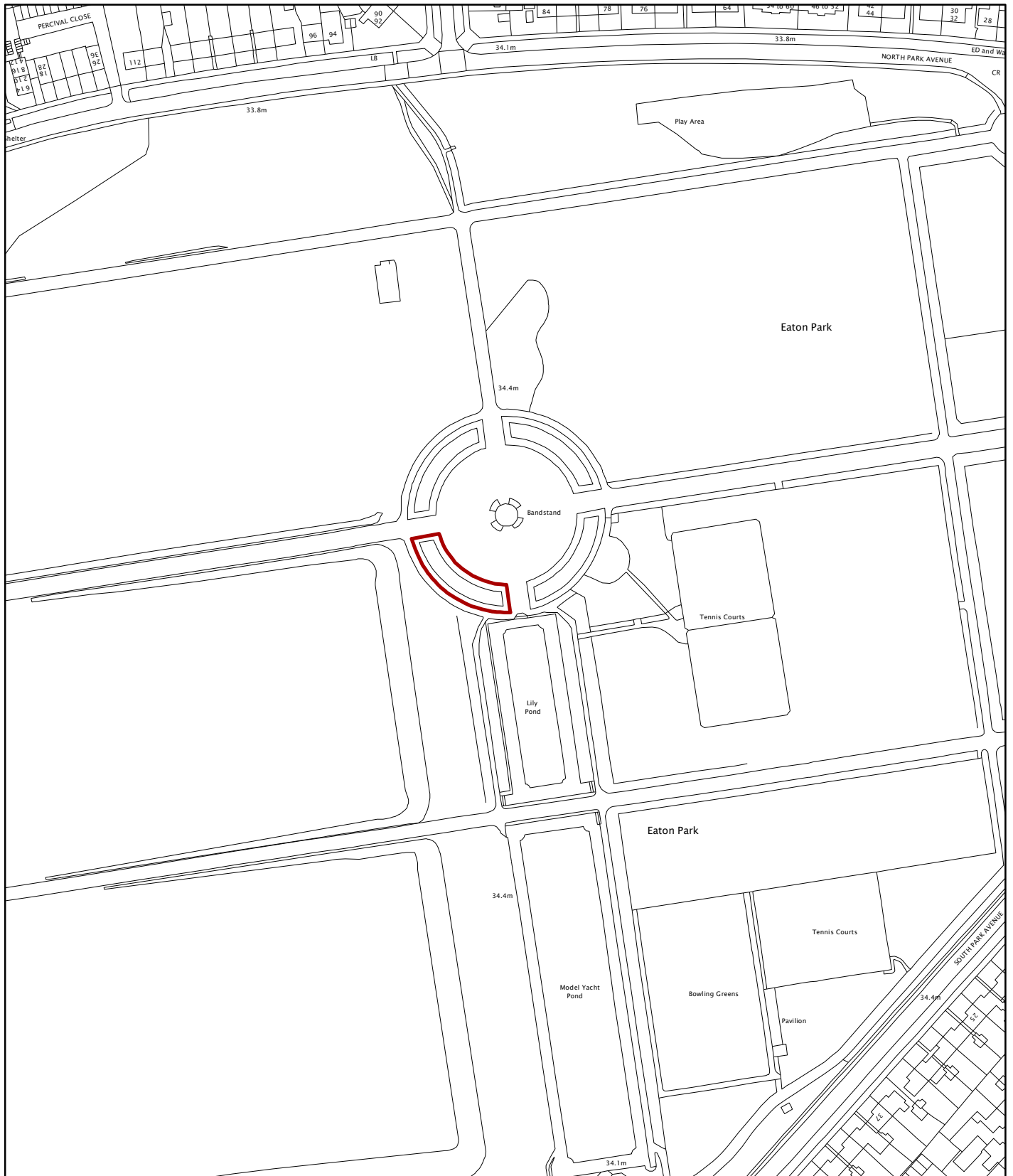
Main issues	Key considerations
1 Design and Heritage	Impact upon a Grade II* listed park and garden Impact upon a Grade II listed building
2 Landscaping & Open Space	Impact upon a Grade II* listed park & garden
<b>Expiry date</b>	25 January 2017
<b>Recommendation</b>	Approve subject to conditions

## The site and surroundings

1. The subject property is the South West Quadrant of the Pavilion in Eaton Park. Each of the Pavilion Quadrants and the Bandstand are Grade II Listed Buildings with individual list entries.
2. Eaton Park is a Grade II\* Listed Park & Garden.
3. The South West Quadrant is constructed from stone/cast stone and concrete in a classical colonnade style with Tuscan columns. It was designed by Captain A. Sandys Winch who oversaw the construction/design of much of Norwich's open spaces during his 34 year tenure as Norwich Parks Superintendent.

## Constraints

4. The property is a Grade II Listed Building
5. The Property is in a Grade II\* Listed Park & Garden



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Planning Application No 16/01763/L

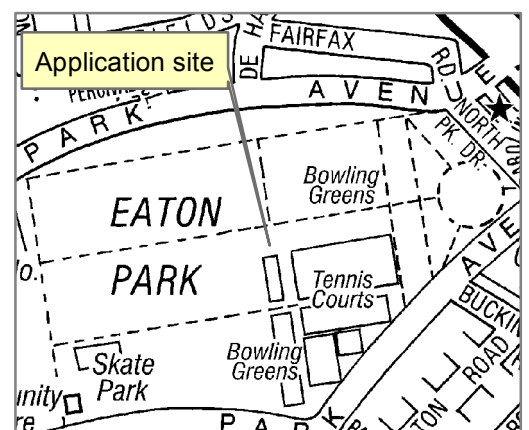
Site Address                      South West Quadrant  
Eaton Park Pavillion

Scale                                1:2,000



**NORWICH**  
City Council

PLANNING SERVICES



## Relevant planning history

Ref	Proposal	Decision	Date
16/01134/L	Internal works of refurbishment in connection with change of use to office / community facility.	Approved	01/08/2016
06/00955/L	Installation of protective screens to glazed cafe' doors (south west quadrant)	Approved	11/09/2006
04/01109/L	New railings.	Approved	29/09/2004
03/00057/L	Installation of CCTV cameras to quadrant pavilions & bandstand & new gates & screens to yacht pavilion	Approved	24/07/2003

## The proposal

6. The application proposes the installation of a public use defibrillator and lockable case onto the primary elevation of the South West Quadrant of the Pavilion. The defibrillator is accessible when a code is supplied by the emergency services during a 999 call.
7. The installation will require the defibrillator to be mechanically fixed to the elevation. This will require holes to be drilled for the fixings (screw type into nylon plugs) and a hole to be drilled through the elevation for a power cable.
8. The installation will require alteration internally to route a power supply to the rear of the unit from the main electrical board. This routing is surface mounted and extends from existing provision.
9. The defibrillator and case will impact upon the aesthetic of a classically designed elevation of a Grade II Listed Building.

## Representations

10. Advertised on site and in the press.
11. No letters of representation have been received. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

## Consultation responses

12. No consultations have been undertaken.

# Assessment of planning considerations

## Relevant development plan policies

13. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS7 Supporting communities
14. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM3 Delivering high quality design
  - DM9 Safeguarding Norwich's heritage
15. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF7 Requiring good design
  - NPPF8 Promoting healthy communities
  - NPPF12 Conserving and enhancing the historic environment

## Case Assessment

16. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

## Main issue 1: Design & Heritage

17. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128, 129, 131, 132, 134, 137 & 140
18. Although there has been development of the Pavilion within Eaton Park, most of the quadrant elevations have remained largely unaltered. Much of the development has been internal. The relatively unaltered elevations are a significant element of the architectural character of the Pavilion.
19. By their very nature the defibrillator and case are required to be highly visible. The stainless steel lockable case (in a fluorescent yellow finish) measures 50cm x 35cm x 15cm. The installation of the unit proposed will require the alteration of historic fabric.
20. Paragraph 132 of the NPPF requires there to be '*clear and convincing justification*' for any harm to a heritage asset. Paragraph 134 of the NPPF considers where the proposal will lead to '*less than substantial harm*', that the public benefits of the

proposal should be weighed against said harm and with consideration given to securing the assets optimum beneficial use.

21. The applicant has demonstrated an awareness of the significance of the asset and has supplied additional detail when required concerning the impact upon the significance of the asset and damage to historic fabric. The applicant has demonstrated that the location selected for the proposal requires the least impact to historic fabric.
22. The applicant has taken advice concerning the nature of the fixings and provision of service to the unit and amended the proposal accordingly to be as minimally invasive and highly reversible as possible.
23. In this circumstance it is considered that whilst some 'less than substantial harm' would arise, the installation of a potentially life-saving piece of equipment represents a public benefit which outweighs the harm, and is therefore in line with the objectives of the NPPF and local planning policy.

## **Main issue 2: Landscaping & Open Space**

24. Key policies and NPPF paragraphs – DM6, DM8, DM9 & DM22 NPPF paragraphs 126, 128, 129, 131, 132, 134, 137, 140.
25. Paragraph 129 of the NPPF requires local authorities to identify heritage assets which may be affected by a proposal. In this instance it is not considered that the proposal will have a significant impact upon the character or significance of the Grade II\* listed park & garden, as the alterations required for the proposal are to the Grade II listed building within the park & garden setting and the defibrillator unit will only be visible from within the Rotunda itself.
26. Paragraphs 126 and 131 of the NPPF require local authorities to account for the;  
  
*'desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'*

In this instance the installation of a defibrillator (which would be publicly accessible when required) is considered to sustain the heritage asset, as it is a modern amenity in line with the consistent and optimal use of the asset.

## **Equalities and diversity issues**

27. There are no significant equality or diversity issues.

## **Local finance considerations**

28. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
29. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
30. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

31. The proposal would allow for a potentially life-saving piece of equipment to be made available to the public should it be necessary. The harm caused upon the architectural character and significance of a Grade II Listed Building is considered to be 'less than substantial' and outweighed by the public benefit. There is minimal impact upon the significance of the Grade II\* Listed Park & Garden.
32. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

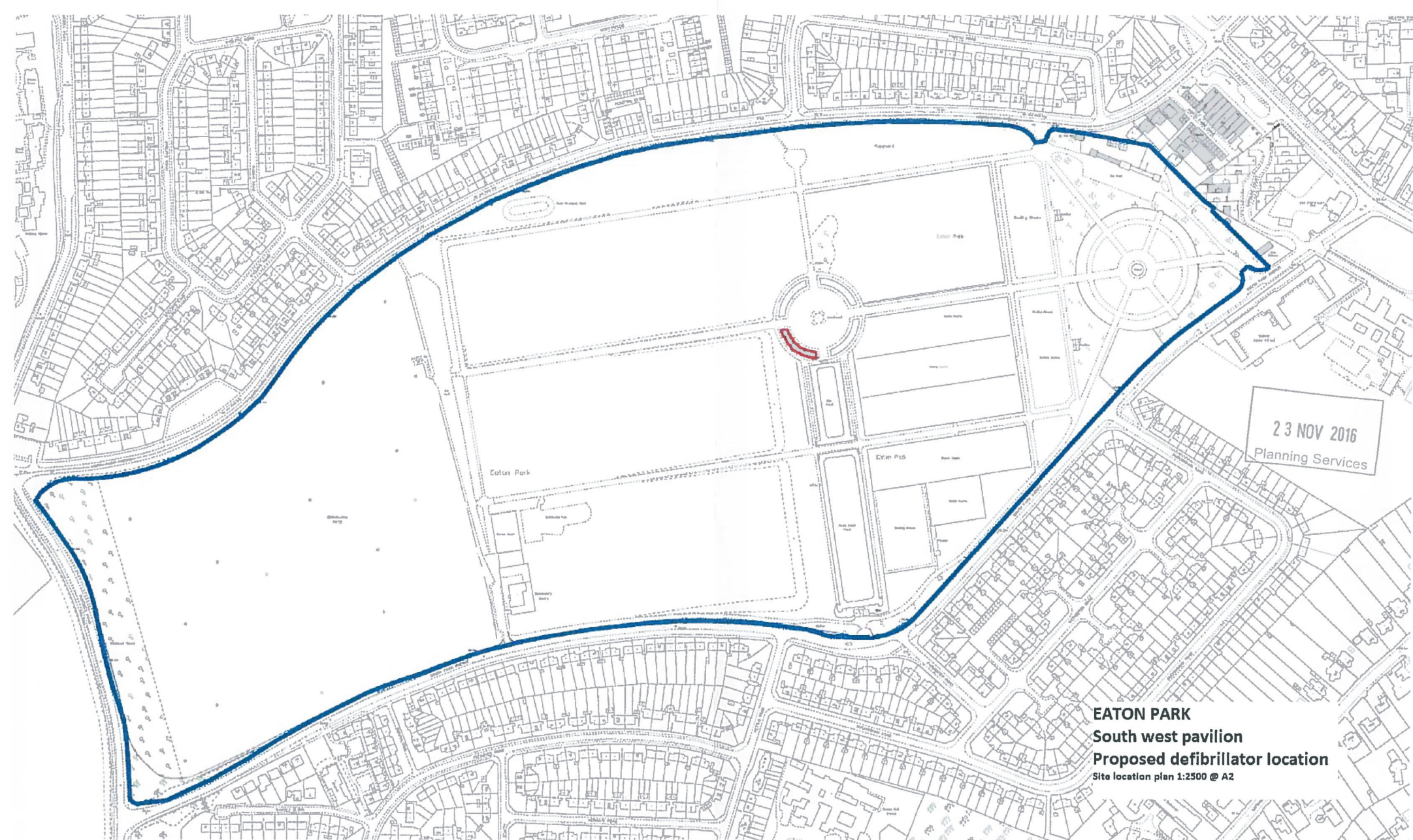
To approve application no. 16/01763/L - South-West Quadrant Pavilion, Eaton Park, South Park Avenue, Norwich and grant listed building consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Listed buildings; making good

## **Article 35(2) 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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

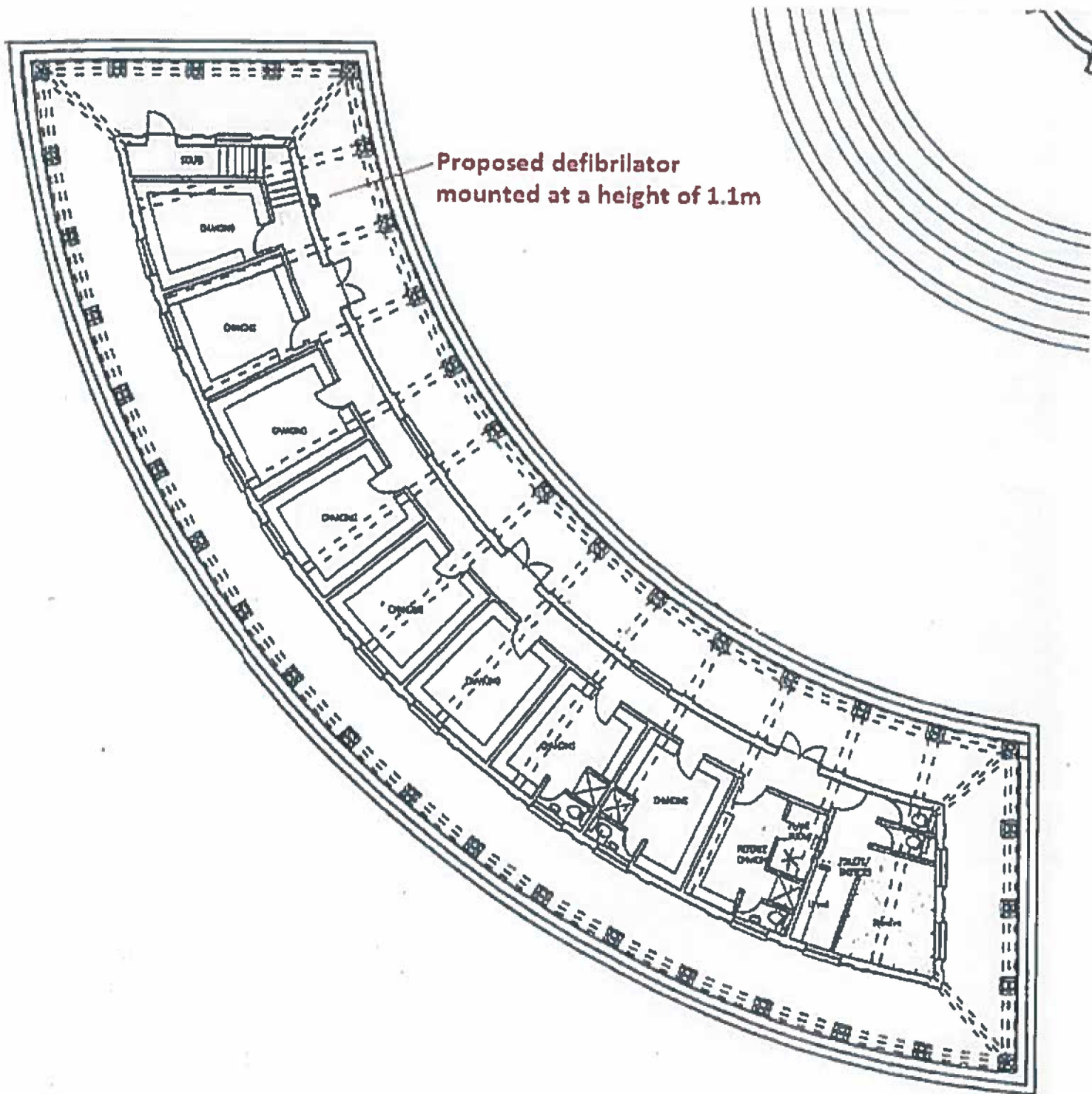




23 NOV 2016  
Planning Services

**EATON PARK**  
**South west pavilion**  
**Proposed defibrillator location**  
Site location plan 1:2500 @ A2





**EATON PARK**  
**South west pavilion**  
**Proposed defibrillator location**

Site location plan 1:200 @ A4

23 NOV 2016  
Planning Services





2016/12/12  
11:55

EMERGENCY LIFE SAVING EQUIPMENT

