

## Report for Resolution

**Report to** Planning Applications Committee  
22 October 2009

**Report of** Head of Planning Services

**Subject** 09/00735/VC Hall Road Retail Park And Bally Shoes Site  
Hall Road Norwich

Item  
**5(2)**

## SUMMARY

<b>Description:</b>	Variation of conditions 3, 6, 7, 8, 11 and 19 of planning permission 08/00319/O (Demolition of existing buildings, site clearance and redevelopment of the Bally Shoes and T.Gill and Sons sites for a mixed use district centre to include retail, leisure, hotel, housing, employment, arts centre, parking and public realm uses; the development of retail and leisure uses at the Hall Road Retail Park and the provision of associated parking and public realm enhancements between the two) to allow blocks D and E to be used as a single retail unit (5,667 sqm gross) with office accommodation above (1,962 sqm gross).	
<b>Reason for consideration at Committee:</b>	Major Development	
<b>Recommendation:</b>	Approve subject to conditions and S106 agreement	
<b>Ward:</b>	Lakenham	
<b>Contact Officer:</b>	Mark Brown	Senior Planner Telephone No: 01603 212505
<b>Date of Validation:</b>	1st September 2009	
<b>Applicant:</b>	Targetfollow Group Limited	
<b>Agent:</b>	Mr Mark Underwood	

## INTRODUCTION

### The Site

#### Location and Context

1. The site in question is located to the south of Norwich, east of Hall Road and is adjacent to Barrett Road which forms part of the Outer Ring Road. The site measures some 11.2 hectares in size.
2. To the west of the site is Hall Road beyond which is the Tuckswood estate. The playing fields of The Hewitt School are located to the northwest beyond the Outer Ring Road as is Lakenham to the North. The site is divided by Sandy Lane which runs from Hall Road under the Norwich to London Railway Line and towards Old Lakenham to the east.

## Planning History

3. Some members may recall that outline planning permission (app. no. 08/00319/O) for the redevelopment of the site for a mixed use district centre to include retail, leisure, hotel, housing, employment, arts centre, parking and public realm uses was resolved to be approved by Planning Committee in August 2008 and subsequently approved on 11 May 2009 following the signing of a S106 agreement.
4. This application relates to variations to the conditions of the previous consent 08/00319/O. To assist members consideration of the proposed variations the committee report and decision notice for application 08/00319/O are attached as appendices to this report. Further details of the proposed variations are given below.

## The Proposal

5. The proposal seeks variation of conditions 3, 6, 7, 8, 11 and 19 of planning permission 08/00319/O. The net effect of these variations is to allow use of retail blocks D and E as a single retail unit measuring 5,667 sq.m. gross floor space. A plan of the blocks is attached to the appended committee report for the previous consent 08/00319/O.
6. Block E currently has consent for a 4,032 sq.m. gross retail food store which by virtue of conditions 7 and 8 of planning permission 08/00319/O is restricted to 2,787sqm net convenience floor space and up to 500 sq.m. net comparison floor space.
7. Block D currently has consent for 1,635 sq.m. gross comparison retail floor space restricted by virtue of condition 6 to units of no greater than 500sqm net floor space. The block also has office accommodation above.
8. The proposals involve the combination of the retail floor space of blocks D and E to allow use as a single retail food store, now referred to on the revised parameters plan as block D. There is no overall increase in gross retail floor space as a result of the proposals. The changes relate to how the space is divided up in terms of net floor space, these changes are summarised in the table below:

Net Convenience floorspace	as approved as proposed change of	2,787sqm 3,174sqm +387sqm
Net Comparison floorspace	as approved as proposed decrease of	1,808sqm 1,360sqm -448sqm

9. As can be seen from the above table there would be an increase in net convenience floor space of 387 sq.m. and a decrease in net comparison floor space of 448 sq.m. Restrictions on maximum size of single comparison units of 500 sq.m. net within blocks D and E are also proposed to be removed to allow the comparison floor space to be used as a single unit.

10. In order to facilitate these changes, 6 conditions are proposed for amendment, these amendments are detailed in the table below.

Condition Number	Current Purpose of Condition	Proposed Amendment
3	Details the approved plans and refers to the previous parameters plan revision A06.	Change plan reference to the revised parameters plan revision A08.
6	Currently restricts floor space of any single retail unit within blocks D and F to 500sqm net.	Removal of reference to block D.
7	Currently restricts comparison retail floor space in block E to 500sqm net.	Revise to restrict comparison retail floor space to 1,360sqm net in block D.
8	Currently restricts convenience retail floor space in block E to 2,787sqm net.	Revise to restrict convenience retail floor space to 3,174sqm net in block D.
11	Currently requires a minimum of 60% of the frontage of blocks D, E and F to be in retail use.	Remove reference to block E as a block E will no longer exist under the proposals.
19	Restricts trading from block E until block F has been externally completed.	Revise reference to block E to block D.

## Representations Received

11. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

## Consultation Responses

12. **County Council Highways** – (summarised) Although the total retail floor space is the same, a change in the balance of different retail uses can affect the trip rate. A big anchor food store may raise the trip rates and grow traffic levels.

Trip rates for the previous application 08/00319/O were calculated on the basis of a shopping mall as it was argued that this represented the closest equivalent to the proposed District Centre and the uses proposed. There were concerns with this approach, however as the food store size was limited to 4,032 sqm in size this was not challenged.

The current application seeks to increase the size of the food store and decrease the scale of the other A1 retail. There is concern that this may change the balance of the development from a mall style development to an anchor food store with some ancillary retail units. They have carried out an analysis of the potential trip rates based on a larger store size and whilst trip rates have increased it is considered that the change is not so significant that Norfolk County Council as Strategic Highway Authority would wish to raise a highway objection. They stress that any further increases in size of the food store would require a re-examination of the trip rates, traffic impact and mitigation package of this development.

To sum up, the formal recommendation of Norfolk County Council as Strategic Highway Authority is no objection to the proposed variations to conditions 3, 6, 7, 8, 11, 19.

13. **Design and Conservation** – Concerns due to the potential to reduce the variety, interest and activity at ground floor level resulting from the amalgamation of blocks D and E into a single unit. The applicants should be made aware that we expect the detailed design of the elevation to mitigate the potential for a monotonous elevation and that this will influence whether permission is granted at reserved matters stage. Perhaps an informative could be attached to the permission indicating our preference for the supermarket to have more than one entrance and to maintain transparency of glass rather than obscuring activity within the building by positioning shelving or film inside the window.

## **ASSESSMENT OF PLANNING CONSIDERATIONS**

### **Relevant Planning Policies**

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

PPS1 – Delivering Sustainable Development  
Supplement to PPS1 – Planning and Climate Change  
PPS3 – Housing  
Draft PPS4 – Planning for Sustainable Economic Development  
PPS6 – Planning for Town Centres  
PPS9 – Biodiversity and Geological Conservation  
PPG13 – Transport  
PPS22 – Renewable energy  
PPS23 – Planning and Pollution Control  
PPG24 – Planning and Noise  
PPS25 – Development and Flood Risk

#### **Relevant East of England Plan Policies**

SS1 – Achieving Sustainable Development  
T14 – Parking  
ENV7 – Quality in the built environment  
ENG1 – Carbon dioxide emissions and energy performance  
WM6 – Waste Management in Development  
NR1 – Norwich Key Centre for Development and Change

#### **Relevant Saved Norfolk Structure Plan Policies**

T2 – Transport – New Development

#### **Relevant Saved City of Norwich Replacement Local Plan Policies**

NE3 – Tree protection, control of cutting, lopping etc.  
NE9 – Comprehensive landscaping scheme and tree planting  
HBE12 – High quality of design  
HBE19 – Design for safety and security including minimising crime  
EP10 – Noise protection between different uses  
EP16 – Water conservation and sustainable drainage systems  
EP17 – Protection of watercourses from pollution from stored materials  
EP18 – High standard of energy efficiency for new development  
EP20 – Sustainable use of materials  
EP22 – High standard of amenity for residential occupiers  
EMP4.3 – Policy for prime employment areas  
EMP6.1 – Hall Road – area for motor vehicle showrooms  
TVA6 – Other proposals for hotels and visitor accommodation  
SHO1 – Limit on major non-food shopping development

SHO2 – Major convenience goods stores – limited to small size  
SHO3 – Locational conditions for new retail development – sequential test  
SHO12 – Retail development in District or Local Centres  
SHO13 – Development of new District Centre at Hall Road  
SHO18 – Retail warehouses – conditions to limit use  
HOU4 – Element of affordable housing to be negotiated in private developments  
HOU6 – Contribution to community needs and facilities by housing developers  
HOU13 – Proposals for new housing development on other sites  
AEC1 – Major art and entertainment facilities – location and sequential test  
AEC2 – Local community facilities in centres  
SR4 – Provision of open space to serve new development  
SR7 – Provision of children's equipped playspace to serve development  
SR13 – Locational considerations for indoor sports activities  
TRA3 – Modal shift measures in support of NATS  
TRA5 – Approach to design for vehicle movement and special needs  
TRA6 – Parking standards – maxima  
TRA7 – Cycle parking standard  
TRA8 – Servicing provision  
TRA10 – Contribution by developers to works required for access to the site  
TRA11 – Contributions for transport improvements in wider area  
TRA12 – Travel Plans for employers and organisations in the City  
TRA18 – Major road network

### **Supplementary Planning Documents and Guidance**

Affordable Housing SPG – adopted September 2002  
Affordable Housing SPD Draft for Consultation – June 2008  
Trees and Development SPD adopted – October 2007  
Open Space and Play Provision SPD adopted – June 2006  
Transport Contributions from Development SPD Draft for Consultation – January 2006  
Energy Efficiency and Renewable Energy SPD adopted – December 2006

### **Other documents referred to and material to the consideration**

Norwich Sub Region: Retail and Town Centres Study (GVA Grimley) – October 2007  
Northern City Centre Area Action Plan Preferred Options Report – November 2007

### **Issues to be Assessed**

14. An assessment of the original proposed district centre against the development plan and other material considerations is given within the attached committee report for 08/00319/O. There have been no relevant changes to development plan policy since the granting of 08/00319/O. This report will therefore assess the impact of the proposed variations to conditions.
15. As the variations relate to changes to the retail floor space the main issue to consider is the retail implications of the proposals. However, in addition to this the proposals will have implications for design and transportation. It is not considered that the proposed variations would have any impact on amenity.

### **Retail Implications**

#### **Convenience Retail**

16. In terms of convenience retail the main aspect to consider is a quantitative

assessment of the changes which will result in a net increase of 387sqm convenience floor space.

17. The assessment under the previous consent for the District Centre considered that an anchor store of sufficient size at Hall Road was required in order to establish a District Centre in this location and that the scheme as a whole would have substantial benefits for the local area and the ability for local people to access local convenience facilities. It was considered that provision of convenience capacity to 2016 via Hall Road and Anglia Square proposals would be acceptable.
18. The Greater Norwich Retail Study identified convenience retail capacity to 2016 of 5,199 sq.m. net floor space. Since writing the previous committee report for application 08/00319/O the Anglia Square proposals have been approved. The Anglia Square approval involves the replacement of a large amount of existing retail floor space and in addition a new food store measuring 7,792 sq.m. gross internal floor space. This would equate to approximately 6,234 sq.m. net floor space which in the approved outline permission was indicatively split 60:40 convenience:comparison. This would indicatively equate to 3,740 sq.m. net convenience floorspace.
19. When combined with the revised Hall Road proposals this new permission would involve comparison floor space being expanded to a level in excess of the 2016 figure by approximately 1,700sqm net.
20. However, the retail assessment provided with the application the subject of this report further assesses the capacity for convenience floor space at Hall Road and calculates that there will remain surplus expenditure to 2016 of £4.8m following implementation of the proposals. This is on the basis that existing large food stores in Norwich are overtrading when compared to company averages. The retail assessment suggests the proposal will claw back trade from Tesco at Harford Bridge, an out of town food store, and limit leakage of expenditure to outside the primary catchment area for the Hall Road Store.
21. The retail assessment makes a number of assumptions which are considered questionable including a) that Anglia Square is identified as operating outside the same catchment area and would serve the north of the City, b) that leakage from the primary catchment area for Hall Road should be limited to 10% whilst 15% of trade for the new store should come from outside the primary catchment area and c) some of the expenditure calculations appear to omit the commitment to an ALDI store at Plumstead Road. Nevertheless, even when amending these assumptions by taking into account ALDI on Plumstead Road and restricting 10% of the stores trade from outside the Primary Catchment Area there remains a surplus of expenditure in the region of £1.5m to 2016.
22. Notwithstanding the above, the overall increase in convenience retail floor space of 387sqm net at Hall Road is not considered to represent a significant increase within the context of the stores size as a whole or its position within the retail hierarchy as a large convenience anchor store for the District Centre. The store may result in expenditure being clawed back from other large convenience stores in the area all of which, other than Waitrose at Eaton, are suggested to be overtrading. Neither is it considered that the increased competition between larger operators is something which should be restricted through the planning process, this is consistent with guidance at paragraph 1.7 of PPS6.

## **Comparison Retail**

23. In quantitative terms the comparison floor space is being reduced and therefore there is no need for further quantitative assessment.
24. The proposals do however propose the floor space as a single unit (albeit within the convenience food store). The main assessment is therefore the qualitative impact and the impact on other centers by having a single larger comparison unit as opposed to a number of smaller units.
25. The main issue here relates to the size of the units being larger than the maximum in policy SHO13 of 500sqm. The comparison retail in blocks D, E and F were restricted by condition under permission 08/00319/O to units of no more than 500sqm to accord with saved policy SHO13. This was to ensure that the comparison retail provision was consistent with the centres position within the retail hierarchy, to ensure there was provision of smaller units to serve the district centre and to ensure that the units were not of a scale which would compete with other centres in particular the City Centre.
26. Under the approved consent block D could be utilised as three units of up to 500sqm net floorspace. It is likely that based on the indicative drawings submitted with the approved application that a larger number of smaller units would be located within block F.
27. The retail statement submitted with the current application details that despite exceeding the 500sqm threshold for a single comparison unit, the proposals are likely to have a lesser impact on other comparison retail centres than the existing approval. This is on the basis that likely operators of units within the approved block D could well include high street names such as Superdrug, Boots, New Look and Clarks which would in themselves create a retail destination of greater scale than a district centre. The retail statement goes on to suggest that such operators would have a greater impact on the City Centre than a larger food store incorporating a single comparison retail area.
28. On investigation it is considered that the likely operators listed within the submitted retail statement are realistic, indeed many of these operators already operate similar sized (500sqm net) stores in edge-of-centre and out-of-centre locations. On balance it is considered that despite being contrary to the size limit within saved policy SHO13, a larger area of comparison retail floor space within a food store is unlikely to have a more significant impact on the City Centre than the existing proposals. Smaller comparison retail units are still provided through the proposals within block F.
29. The assessment above has been made based on block D operating as a single food store with 1,360sqm net comparison floor space. It is considered that subdivision of the proposed block D into multiple units could result in comparison retail units operating independently from the food store and in excess of 500sqm net floor space. This could have a significantly different impact to that assessed above and therefore it is considered appropriate to add a new condition to any approval restricting the subdivision of Block D.
30. It should be noted that whilst the application for variations to the conditions are contrary to the 500sqm threshold within saved policy SHO13, the proposals are not

considered to represent a departure from the Development Plan.

## **Design**

31. As the proposals involve variations to conditions on an outline application which only included matters of access, the design is not formally considered under this application. However, it is appropriate for the Local Planning Authority to be satisfied that an appropriate design can be presented at reserved matters stage based on the parameters proposed.
32. The variations to conditions have implications for design to the extent that there will be a reduction in the number of units on the site which will result in a large north facing elevation of the food store. Concern has been raised by the design and conservation section that this has the potential to reduce the variety, interest and activity at ground floor level. It is considered that a large monotonous ground floor north elevation to the food store would be unacceptable in design terms. However, this issue could be resolved at reserved matters stage by introduction of uninterrupted glazing with views through to internal floor space and consideration of multiple entrances to the food store.
33. The above has been relayed to the applicant who has advised that they will provide indicative information on the design of the elevation before the planning committee meeting. It is important to stress that any such indicative drawings are not for determination at this stage.

## **Transport**

34. As detailed within the County Council consultation response, there is concern that the proposal may change the nature of the development in transport terms, however on balance as detailed within the County Council response it is not considered that this change would be so significant so as to merit refusal of the application.

## **Procedural Matters**

35. As the application is contrary to the 500sqm threshold within saved policy SHO13 it will require referral to the government office under the Town and Country Planning (Consultation) (England) Direction 2009, prior to the Authority determining the application.
36. All un-amended conditions from the previous consent will need to be reapplied to any approval of the application, including the time limit which is not extended and will relate to the decision date of the previous consent 08/00319/O of 11 May 2009.
37. A deed of variation will need to be completed to relate the S106 agreement for the previous consent to this application, this will need to be completed prior to the expiry date of 01 December 2009. It is not expected that there should be any delays with the variation which should be a fairly simple document to agree, it is expected that this should be completed well within the time period. However, where this is not completed (and has not been unreasonably held up by the Local Planning Authority) by the 01 December 2009 the recommendation is for delegated authority to refuse the application in the absence of such an agreement.



## Conclusions

38. The proposed variations to conditions would involve the reconfiguration of retail floor space to allow for the provision of a single retail unit. There is no overall increase in gross floor space. Whilst the reconfiguration is contrary to the 500sqm threshold within saved policy SHO13, having considered the provisions of the Development Plan and other material considerations it is considered that the proposed variations of conditions would not result in any demonstrable harm to matters of acknowledged interest including retail implications, design and transportation. Therefore, subject to referral to the government office, the conditions listed below and completion of a deed of variation the proposed variations are considered to be acceptable.

## RECOMMENDATIONS

- (1) To approve application no 09/00735/VC and grant planning permission, subject to:
  - a) Referral of the application to the government office under the Town and Country Planning (Consultation) (England) Direction 2009; and
  - b) Completion of a deed of variation to relate the S106 agreement for 08/00319/O to this application 09/00735/VC; and
  - c) The amended conditions:
    - 3 – The development hereby permitted shall be carried out and completed in accordance with the parameters plan (drawing number BNY - SA 08 2006 Rev A08) received by the Local Planning Authority on 27 August 2009, the application form and plan (drawing number BNY- SA 08 2004 Rev A03) received by the Local Planning Authority on 28 March 2008 and, so far as they relate to matters of access, plans (drawing numbers 0582/66C, 0582/66D, 0582/66E, 0582/66F, 0582/66G and 0582/69D) received by the Local Planning Authority on 24 November 2008 unless otherwise first agreed in writing by the Local Planning Authority.
    - 6 – The maximum floor space of any A1 retail unit (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block F as shown on the approved parameters plan (as detailed in condition 3) shall not exceed 500sqm net.
    - 7 – The maximum comparison (as defined by PPS6) A1 retail floor space (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block D as shown on the approved parameters plan (as detailed in condition 3) shall not exceed 1,360sqm net.
    - 8 – The maximum convenience (as defined by PPS6) A1 retail floor space (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block D as shown on the approved parameters plan (as detailed in condition 3) shall not exceed 3,174sqm net.
    - 11 – A minimum of 60% of the combined total frontage of Blocks D and F (defined as the north elevations of blocks D and E and the south and east elevations of block F) as shown on the approved parameters plan (as detailed in condition 3) shall be in A1 retail use (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended).

19 – No trading shall take place from Block D until Block F as shown on the approved parameters plan (as detailed in condition 3) has been externally completed in accordance with details submitted under condition 2 of this consent (for the avoidance of doubt this does not include the provision of any specific shop front or advertisements of any tenant of block F).

- d) The re-imposition of all un-amended conditions from the previous consent 08/00319/O; and
- e) The following additional condition:
  - The ground floor retail unit within Block D as shown on the approved parameters plan (as detailed in condition 3) shall not be sub-divided and shall be used as a single retail unit.

(2) Where a satisfactory S106 agreement is not completed prior to 1 December 2009 that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 09/00735/VC for the following reason:

1. In the absence of a legal agreement or undertaking relating to the provision of affordable housing, open space, children's play space, education contributions, library contributions, transportation contributions and highway improvements the proposal is contrary to saved policies HOU4, HOU6, HOU13, SR4, SR7, TRA3, TRA10 and TRA11 of the adopted City of Norwich Replacement Local Plan Adopted Version (November 2004), saved policy T2 of the adopted Norfolk Structure Plan (October 1999), policy NR1 of the adopted East of England Plan (May 2008), PPS1, PPS3, PPS6 and PPG13.

### **Reason for Recommendation (1)**

The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies of the adopted East of England Plan Regional Spatial Strategy, saved policies of the adopted Norfolk Structure Plan and saved policies of the adopted City of Norwich Replacement Local Plan, relevant Planning Policy Guidance, Planning Policy Statements, Supplementary Planning Guidance and Supplementary Planning Documents.

Having considered all of the above and other material planning considerations it is considered that subject to the conditions listed and the contents of the S106 agreement, as amended by the deed of variation, that the proposals are inline with the provisions of the Development Plan establishing a new district centre within the existing network, offering better access to services, facilities and employment.

Planning Applications Committee  
21 August 2008

<b>Agenda Number:</b>	
<b>Section/Area:</b>	OUTER
<b>Ward:</b>	LAKENHAM
<b>Officer:</b>	Mark Brown
<b>Valid Date:</b>	2nd April 2008
<b>Application Number:</b>	08/00319/O
<b>Site Address:</b>	Hall Road Retail Park And Bally Shoes Site Hall Road Norwich
<b>Proposal:</b>	Demolition of existing buildings, site clearance and redevelopment of the Bally Shoes and T.Gill and Sons sites for a mixed use district centre to include retail, leisure, hotel, housing, employment, arts centre, parking and public realm uses; the development of retail and leisure uses at the Hall Road Retail Park and the provision of associated parking and public realm enhancements between the two.
<b>Applicant:</b>	<b>Targetfollow Group Limited</b>
<b>Agent:</b>	<b>Drivers Jonas</b>

## THE SITE

### *Location and Context*

The total site measures some 11.2 hectares in size and is located to the south of Norwich to the east of Hall Road and is adjacent to Barrett Road which forms part of the Outer Ring Road.

To the west of the site is Hall Road beyond which is the Tuckswood estate. The playing fields of The Hewitt School are located to the northwest beyond the Outer

Ring Road as is Lakenham to the North. The site is divided by Sandy Lane which runs from Hall Road under the Norwich to London Railway Line and towards Old Lakenham to the east. Those parts of the site to the south of Sandy Lane include the former Bally Shoe Factory and former T. Gill & Sons sites (from hereon the shoe factory site) which are bounded by Bessemer Road to the east and the South Lodge Business Park to the south. Areas to the east beyond Bessemer Road and south of the site are characterised by a mixture of light industrial and business uses including a number of car showrooms.

The site to the north of Sandy Lane consists of the Hall Road Retail Park (from hereon the retail park site) which is currently occupied by Homebase, Bennetts Electrical, Aldiss and Pets at Home all of which are separated by a large surface car park. To the east of the retail park is Whiting Road and the Norwich Business Park.

### *Site Constraints*

The retail park site is relatively flat although lower than the Outer Ring Road to the North, access is via Hall Road and Whiting Road, an electricity sub station is located to the west of the car park. Other than this there are few constraints on this part of the site.

The shoe factory site slopes eastwards down towards Bessemer Road. There are three groups of trees subject to Tree Preservation Orders (TPO's) these are located on the corners of Sandy Lane with Bessemer Road and Sandy Lane with Hall Road and just to the south of the main Shoe Factory building. Currently glimpses of the Yare Valley can be seen from Hall Road past the Shoe Factory.

## **PLANNING HISTORY**

Recent permissions at the site relate only to advertisement consents. There is no relevant recent planning history on the shoe factory site which ceased manufacturing in the 1990's although continued to use the buildings as a factory outlet until 2004. The retail park in its current form was given consent in the mid 1990's.

## **THE PROPOSAL**

The application is for outline planning consent including matters of access with all other matters reserved. The application is formally submitted with a parameters plan which indicates a rough layout of blocks with maximum floor sizes and maximum heights of blocks. This layout also includes a number of minimum set back distances from the road. The Design and Access Statement is submitted with further indicative information including elevations and artists impressions, however these elements are not for determination under this application and are only indicative of one way in which the proposals may evolve.

The application has been submitted with the following supporting documents:

- Design and Access statement;
- Planning Statement;
- Retail Statement;
- Statement of Community Involvement;
- Energy Efficiency Statement;
- Ecological Assessment;
- Arboricultural Assessment;
- Land Quality Assessment and Ground Investigation;
- Flood Risk Assessment;
- Noise, Air and Vibration Assessment;
- Archaeological Assessment;
- Transport Assessment;
- Residential Interim Travel Plan;
- Retail Park Interim Travel Plan
- District Centre Interim Travel Plan

For ease of reference only the proposals are explained in two parts. First proposals on the retail park then proposals for the shoe factory.

#### *Retail Park*

The proposals are for the erection of two blocks. The first (Block A) a mixed use block of A1 retail with maximum floor space of 3,680sq m gross and D2 leisure with maximum floor space of 3,217sq m located to the northwest of the site and adjoining the unit currently occupied by Pets at Home. It is the applicants intention that the D2 leisure use would be a Bingo Hall. This block would have a maximum height of 15m or two storeys.

The second block (Block B) is a single storey building, 6m in height with a gross floor space of 482sq m. The proposed use is Class A3 Restaurant/Café and A5 Hot Food Takeaway. The proposed block is located on the eastern edge of the existing car park.

#### *Shoe Factory*

The proposal for the shoe factory site is to form a new District Centre which comprises the following (note 1. the block numbers relate to the plan inserted at Appendix A 2. all heights are based on the proposed new level for the centre of the site which is similar to the height of the junction between Hall Road and Sandy Lane):

- Blocks C and H. Residential development is proposed along the frontage onto Bessemer Road (Block C) and on the upper floors of a block in the centre of the frontage to Sandy Lane (Block H), the parameters for these blocks are as follows:

- Block C, a maximum height of 6 storeys or 21.5m with a maximum gross floor area of 16,205sq m, this is shown as 200 units on the indicative plans, although the number of units is not for determination only the overall floor space.
  - Block H, a maximum height of 7 storeys or 25.5m with a maximum gross floor area of 1,799sq m of residential which is shown as 30 units on the indicative plans. In addition Block H includes 596sq m of gross floor space for which consent for A2 Financial and Professional Services, A3 Restaurant or Cafés or A4 Drinking Establishments is seek sought.
- Block D is a mixed use block of comparison retail and office. 1,635sq m gross floorspace of A1 retail is proposed along with 1,962sq m gross floorspace of B1 office use. The block has a maximum height of 22m or 4 storeys.
- Block E is proposed as a superstore with gross floor area of 4,032sq m. This has been detailed within the retail statement as a total of 2,787sq m of net floorspace with 2,323sq m net convenience goods floorspace and 454sq m of net comparison floorspace. The maximum height is 14m or two storeys.
- Block F is a mixed use block with maximum height of 20m or 4 storeys the parameters for the block break down as follows:
  - Class A1 Retail maximum gross floorspace 1,178sq m;
  - Class A2 Financial and Professional Services minimum gross floorspace 400sq m;
  - Class A3 Restaurants and Cafés minimum gross floorspace of 200sq m;
  - Class B1 Office maximum floorspace of 1,877sq m;
  - Class C1 Hotel gross floorspace of 5,318sq m to maximum of 7,195sq m, this is shown indicatively as 5,318sq m and 131 bed, although it is the maximum that should be considered;
  - Class D1 Non-residential Institutions maximum gross floorspace of 1,877sq m this includes 800sq m as a community arts centre and a doctors surgery which has been demonstrated indicatively.
- Block G has a maximum height of 12m or 2 storeys and is proposed as a fitness centre with gross floor area of 3,040sq m with associated A1 comparison retail use with gross floor area of 1,346sq m.
- Block J is car parking at lower and upper ground floor levels.
- In addition to the above the indicative plans demonstrate how the above can be provided and also indicate public spaces such as plaza's and child play spaces which would be part of any reserved matters application.

## Access

Matters of access are applied for in full. Access to the retail park is as existing with access into the site only off Hall Road although with improvements to the current layout and from Whiting Road.

Access to the shoe factory/district centre elements are via two new accesses one for the residential in the centre of the frontage to Bessemer Road and the other to access parking for all non-residential elements in the centre of the frontage to Sandy Lane. Due to site topography the majority of the parking is located at a lower ground floor level and is hidden from view, a ramp leads up to a smaller surface car park at an upper ground floor level.

Two new service accesses are proposed one off Hall Road to the rear of the superstore and one off Sandy Lane to service Blocks G and H. Pedestrian access is via Sandy Lane and Hall Road.

## **CONSULTATION RESPONSES**

1 letter from a nearby resident raising the following concerns:

- Why are the flats being allowed in an industrial and retail area. Would Bessemer road be opened up to more housing developments;
- Concern over the height and that this would block views of the Yare Valley from Hall Road;
- Concern of the impact of the development on the Tuckswood Centre;
- The likely increase in traffic and concern over an increase in parking on Hall Road;
- Concern over traffic, noise and light pollution as a result of times of operation and deliveries;
- Concern over loss of wildlife.

1 letter received on behalf of WJ Aldiss Ltd welcoming the proposals for the Harford Place [i.e. to the south of Sandy Lane] but raising the following objections to the Hall Road Retail Park elements of the scheme:

- the scheme reduces parking on the site by 45% whilst increasing the amount of retail and leisure floor space by 54%. Concern that the proposals will result in insufficient parking at the site, particularly as many units have a slow customer turnaround;
- the scheme does not provide for a satisfactory service access or yard;
- the hot food takeaway will also reduce parking and increase traffic;
- the retail elements are contrary to Policy SHO3 of the city of Norwich Replacement Local Plan;
- the leisure uses are in conflict with policy SHO18 and AEC1 of the city of Norwich Replacement Local Plan;
- no details for the provision of waste storage or recycling have been provided.

1 letter of objection received on behalf of WM Morrison Supermarkets PLC raising the following comments and objections:

- the supermarket element is contrary to the adopted Development Plan and the emerging Local Development Framework;
- the proposed supermarket is over 100% larger than Saved Local Plan Policy SHO13 states it should be;
- the proposal is also contrary to Saved Local Plan Policy SHO2;

- the application if approved could prejudice the Council's aspiration of delivering a supermarket scheme at Anglia Square which is required to anchor its successful regeneration.

Norwich Society – Whilst welcoming the redevelopment of this redundant site with its mixed use, it is regretted that not more use is made of underground parking to obviate the need for any surface parking which kills the ambience of the scene and spoils what could be a pleasant piazza. The overall design is also a poor imitation of post-war architectural style.

EERA – The application is in general conformity with the Regional Spatial Strategy (RSS) provided precise agreements are made on:

- Proportion of affordable housing in line with policy H2 of the RSS. EERA suggest that the City Council should seek 35% affordable housing in line with policy H2 of the RSS;
- Installation of viable sources of renewable energy;
- Methods to manage water and waste and the submission of a waste management plan.

Highways Agency – does not intend to issue a direction and would not wish to comment further on the application.

Anglia Water – request conditions be imposed to any grant of consent.

Environment Agency – No objection subject to conditions

County Council – require contributions towards education and library facilities in the area.

County Council Highways – No objection subject to conditions and S106 contributions

Norfolk Landscape Archaeology – No comments

Norfolk Constabulary – If the development is of such a scale to impact on the level of local policing required to serve the development financial contributions may be requested to improve Policing Infrastructure.

## **PLANNING CONSIDERATIONS**

### **Relevant National Planning Policy**

PPS1 – Delivering Sustainable Development

Supplement to PPS1 – Planning and Climate Change

PPS3 – Housing

Draft PPS4 – Planning for Sustainable Economic Development

PPS6 – Planning for Town Centres

PPS9 – Biodiversity and Geological Conservation

PPG13 – Transport



PPS22 – Renewable energy  
PPS23 – Planning and Pollution Control  
PPG24 – Planning and Noise  
PPS25 – Development and Flood Risk

**Relevant East of England Plan Policies:**

SS1 – Achieving Sustainable Development  
T14 – Parking  
ENV7 – Quality in the built environment  
ENG1 – Carbon dioxide emissions and energy performance  
WM6 – Waste Management in Development  
NR1 – Norwich Key Centre for Development and Change

**Relevant Structure Plan Policies:**

Adopted Norfolk Structure Plan Saved Policies:  
T2 – Transport – New Development

**Relevant Local Plan Policies:**

Adopted City of Norwich Replacement Local Plan Saved Policies:  
NE3 – Tree protection, control of cutting, lopping etc.  
NE9 – Comprehensive landscaping scheme and tree planting  
HBE12 – High quality of design  
HBE19 – Design for safety and security including minimising crime  
EP10 – Noise protection between different uses  
EP16 – Water conservation and sustainable drainage systems  
EP17 – Protection of watercourses from pollution from stored materials  
EP18 – High standard of energy efficiency for new development  
EP20 – Sustainable use of materials  
EP22 – High standard of amenity for residential occupiers  
EMP4.3 – Policy for prime employment areas  
EMP6.1 – Hall Road – area for motor vehicle showrooms  
TVA6 – Other proposals for hotels and visitor accommodation  
SHO1 – Limit on major non-food shopping development  
SHO2 – Major convenience goods stores – limited to small size  
SHO3 – Locational conditions for new retail development – sequential test  
SHO12 – Retail development in District or Local Centres  
SHO13 – Development of new District Centre at Hall Road  
SHO18 – Retail warehouses – conditions to limit use  
HOU4 – Element of affordable housing to be negotiated in private developments  
HOU6 – Contribution to community needs and facilities by housing developers  
HOU13 – Proposals for new housing development on other sites  
AEC1 – Major art and entertainment facilities – location and sequential test  
AEC2 – Local community facilities in centres  
SR4 – Provision of open space to serve new development  
SR7 – Provision of children's equipped playspace to serve development  
SR13 – Locational considerations for indoor sports activities  
TRA3 – Modal shift measures in support of NATS

TRA5 – Approach to design for vehicle movement and special needs  
TRA6 – Parking standards – maxima  
TRA7 – Cycle parking standard  
TRA8 – Servicing provision  
TRA10 – Contribution by developers to works required for access to the site  
TRA11 – Contributions for transport improvements in wider area  
TRA12 – Travel Plans for employers and organisations in the City  
TRA18 – Major road network

**Supplementary Planning Documents and Guidance (SPD and SPG):**

Affordable Housing SPG – adopted September 2002  
Affordable Housing SPD Draft for Consultation – June 2008  
Trees and Development SPD adopted – October 2007  
Open Space and Play Provision SPD adopted – June 2006  
Transport Contributions from Development SPD Draft for Consultation – January 2006  
Energy Efficiency and Renewable Energy SPD adopted – December 2006

***Other documents referenced in the assessment below***

Norwich Sub Region: Retail and Town Centres Study (GVA Grimley) – October 2007  
Northern City Centre Area Action Plan Preferred Options Report – November 2007

***Issues to be Assessed***

The main issue to assess is the principle of the proposed uses and scale of the uses proposed on the site. The first section of the assessment below deals with matters of principle before moving onto other issues to be assessed including:

- Design, limited to the extent of details within the parameters plan;
- Planning Obligations;
- Access and Highways, including:
- Environmental issues, including the following:

***Principle***

The northwest corner of the shoe factory site is allocated for a new district centre under policy SHO13. This is to include a foodstore of no more than 1,300sq m net together with at least three local shops of not more than 500sq m net each. The policy also allows for residential, office and service facilities. Food and drink uses are acceptable subject to 60% of the total frontage being in retail use. The principle of a district centre on the site is therefore established by this policy.

Policy SHO13 is aimed at providing a local foodstore and local facilities to the area of Tuckswood and Old Lakenham which is identified as having no such facilities within easy access.

District Centres are defined in PPS6 as usually comprising groups of shops often containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library. PPS6 goes on to describe supermarkets as having a trading floorspace of less than 2,500sq m and superstores as having a trading floorspace of more than 2,500sq m.

The proposals for the district centre includes an extensive mix of uses, primarily retail with leisure, community, residential, hotel and office uses. The general principle of the uses proposed is considered to be in line with the description of a District Centre within PPS6 although the scale of the proposals are discussed further below.

The proposals for the district centre extend beyond the boundaries of the district centre allocation within the Local Plan and into two employment allocations as follows:

- EMP4.3 allocates a thin strip along the eastern edge of the shoe factory site as B1 Business, B2 General industry and B8 Storage and Distribution uses;
- EMP6.1 allocates a small southern section of the shoe factory site for the sale and repair of motor vehicles.

The proposals do include the provision of up to 3,800sq m of office space although as the proposal involves a comprehensive redevelopment of the site the exact location of the district centre and employment uses differs from the proposals map. It is considered, in general, that this allows for the better integration of the scheme as a whole.

The proposals do not include the provision of any vehicle sale or repair facilities. The explanatory text to EMP6 explains that such uses take up large amounts of space, whilst generating little employment, and are generally not consistent with the character of employment areas, the explanatory text goes on to state that the Hall Road frontage was allocated to provide a specific location for this development where it was already the dominant user.

The area of the allocation taken up by these proposals is a relatively small part of the car sales allocation in total. It is considered that in practice the retention of a small corner of the site in use for vehicle repair and sales would not be consistent with the overall scheme and is unlikely to be compatible with a comprehensive scheme for the redevelopment of the site. Furthermore, the proposals for the district centre would be significantly more beneficial in overall job creation. On balance therefore and given the comprehensive regeneration proposed it is not considered that the loss of this part of the EMP6.1 allocation could outweigh the principle of the proposals presented in this application.

On the basis of the above, the overall principle of the uses proposed is considered acceptable and in line with the development plan.

### *Convenience Retail*

A convenience retail unit with gross internal floorspace of 4,032sq m is proposed, within the retail statement submitted with the application this breaks down to 2,787sq m net floorspace and is therefore significantly larger than the 1,300sq m allowed for under policy SHO13. The explanatory text to SHO13 details that a larger store would not be acceptable under the provision of policy SHO2, as there is no overall need for further large convenience goods retail outlets. Policy SHO3 requires development to be consistent with the centres position within the hierarchy and for a sequential approach to be adopted in the location of new retail development.

The Local Plan Inquiry Inspectors Report, however does state that with respect to the foodstore 'it would be possible to take account of any studies undertaken after the adoption of the Plan together with the Policies of the Plan'. Since the adoption of the Local Plan a retail needs assessment, the Norwich Sub Region: Retail and Town Centres Study (October 2007) has been undertaken and has been used to inform the applicants retail statement.

This identifies the following additional convenience goods floorspace capacity for the Norwich Urban Area.

	2011		2016		2021	
	£4,000 /sqm	£12,000 /sqm	£4,000 /sqm	£12,000 /sqm	£4,000 /sqm	£12,000 /sqm
Norwich Urban Area convenience goods floorspace capacity sq m net	10,782	3,567	15,696	5,199	20,942	6,981

The above is based on two sales densities the higher £12,000 per sq m density is roughly equivalent to the major foodstore operators and the lower £4,000 per sq m sales density equivalent to smaller or budget supermarket operators. Given the size of the proposals it is considered appropriate to use the higher sales density figure.

There is therefore sufficient surplus floorspace capacity to support the proposals. On this basis and on the basis that there are no other convenience allocations it is not considered that the convenience proposals would prejudice the development plans policies and proposals. However, an assessment of other opportunity sites and sequentially preferable sites must be made.

The only other opportunity site identified for convenience retailing is Anglia Square for which there is a commitment to redevelopment under the Northern

City Centre Area Action Plan Preferred Options Report November 2007. This is a sequentially preferable site to Harford Place and includes provision for a 3,500 sq m net convenience foodstore. The net floorspace increase with the loss of existing convenience retailing at Anglia Square would be in the region of 2,200sq m, this in addition to Harford Place at 2,787sq m gives a total net floorspace of 5,032sq m for the two schemes.

The total floorspace provided by the two schemes would be in excess of the 2011 capacity although within the 2016 capacity of 5,199sq m.

It is considered that an anchor store of sufficient size at Hall Road is required in order to establish a District Centre in this location and that the scheme as a whole would have substantial benefits for the local area and the ability for local people to access local convenience facilities. Furthermore the Local Plan, backed up by the recent retail study, has long identified this area as a priority within the City for convenience goods development.

It is considered unlikely that both the Hall Road and Anglia Square proposals would come to fruition before 2011, nevertheless there is strong commitment to both schemes to aid the regeneration of the areas both of which are identified as deprived within the Index of Multiple Deprivation. No other significant convenience retail proposals are identified prior to 2016. On balance it is considered that provision of the capacity identified to 2016 via the proposals is acceptable and on the basis of the above the convenience elements of the Hall Road proposals are considered acceptable.

### *Comparison Retail*

The proposals include the provision for up to 8,293sq m of gross comparison floorspace which breaks down as follows:

- up to 3,680sq m of bulky goods retail within the Hall Road Retail Park;
- up to 2,813sq m of 'other' comparison retail.
- up to 454sq m net within the superstore;
- up to 1,346sq m linked to the fitness centre;

Dealing with the bulky goods retail at the Hall Road Retail Park first. Policy SHO18 of the Local Plan seeks to continue to restrict retail activity on the site to sale of bulky goods. The policy itself does not deal with new proposals, although the explanatory text details that there is no further demand for expansion and that Hall Road does not have good links to an existing centre.

The Retail and Town Centres Study does, however, identify a significant capacity for further comparison retail floorspace. It also identifies that the Hall Road Retail Park has potential to expand. In addition, the other proposals on the shoe factory site would result in the retail park being directly adjacent to a District Centre and would benefit from better links to the city centre as a result of highway and transport improvements. Subject to a condition limiting the sale of goods to bulky

goods, the retail proposals on the retail park site are therefore considered acceptable.

Turning to the 'other' comparison retail and comparison retail located within the foodstore. Local Plan Policy SHO13 identifies that comparison retail consisting of at least three local shops of not more than 500sq m would be acceptable. The Retail and Town Centres Study identifies a capacity for 12,945sq m net floorspace of comparison goods to 2011 increasing to 39,395sq m by 2016.

Nevertheless, it is considered that in order for the proposals to be consistent with their position within the hierarchy it is necessary to condition the size of the units to a maximum of 500sq m net each in line with policy SHO13. On the basis of such a condition the proposals are considered acceptable.

Whilst it is desirable to have some food, drink and professional service facilities at the District Centre, policy SHO13 requires that at least 60% of the frontage is in A1 retail use. It is therefore considered that a condition be applied to any grant of consent to ensure that the combined frontage of blocks E, F and D shall have a minimum of 60% A1 retail frontage.

It is proposed that the retail within block G be operated in conjunction with the leisure use as a fitness centre. This comparison retail component is in excess of the 500sq m within policy SHO13 at 1,346sq m. In considering the implications of such a proposal it is essential that the resultant use is not of more than local significance and is not something which should be located in a more central location or detract from the vitality of the City Centre. Having given due consideration to this it is considered that such a linked fitness leisure and retail use would be appropriate to a District Centre location and would not detract from the vitality of the City Centre but would assist the vitality of regeneration proposals and local facilities offered at the site.

### *Food and Drink Uses*

To aid the vitality of the centre some food and drink uses are considered appropriate to the District Centre. The amount will however be limited by the 60% retail frontage condition proposed within the previous section.

It is considered that such uses within Block H will need to be subject to opening hours restrictions given the proximity to the proposed new residential development on the site.

### *Leisure Uses*

Some form of leisure use is considered to be appropriate to the role of a District Centre to provide facilities for the locality. Restrictions on the exact type of use are however essential to ensure that the uses are relevant to the centres position in the hierarchy and are not uses which should be located within a City Centre location to accord with policy AEC1. In this case open D2 uses are applied for,

however indicatively a fitness centre and bingo hall are identified as potential uses.

Given the proposed link between the fitness centre and retail element described above it is considered essential to restrict the leisure use within Block G to a fitness centre and link this to the retail use, particularly as it is not considered that the retail element would be acceptable without such conditions.

In relation to leisure uses in Block A, it is considered appropriate to restrict a change to uses which would have a greater than local significance such as a cinema or bowling alley.

### *Office Uses*

Policy SHO13 allows for office uses on upper floors, which is as proposed in this case. The office uses are also considered to be in line with the provisions of Local Plan Policy EMP4.3. Given the allocation of the site as a District Centre this location is considered to be a sequentially appropriate location for office uses.

### *Residential*

As with office accommodation policy SHO13 supports some residential uses on the site on upper floors. This is as proposed in Block H and this element is therefore considered acceptable.

In relation to Block C this is located within the EMP4.3 allocation for business, light industrial and storage and distribution uses. Policy HOU13 allows for residential development on unidentified sites where it meets a number of layout, design and amenity criteria.

In this case it is not considered that the residential elements would be acceptable on their own, however, as a package with the rest of the proposals on the site it is considered appropriate. This is on the basis that office space is provided elsewhere in the District Centre and that the proposals as a whole will involve significant job creation, a comprehensive physical redevelopment for the site and offer better access for the community to services, facilities and employment. Phasing plans will be conditioned to ensure that the residential is not brought forward in isolation.

In addition the proposals are considered to be in conformity with PPS3 which promotes the use of such sites for housing and promotes the inclusion of housing in local service centres to promote the vitality of the area.

### *Hotel*

Policy TVA6 of the Local Plan allows for hotel proposals outside the City Centre subject to a number of criteria. In this case a District Centre is considered to be a sequentially preferable location for a Hotel as opposed to any other out of town location. The Hotel and users would also benefit from improved non-car access to the surrounding area and City Centre as a result of transport improvements.

### *Arts Centre*

Whilst community facilities are not a requirement of policy SHO13, policy AEC2 supports local community facilities within District Centres. PPS6 also identifies community uses as a key element of a District Centre. In this case a community arts centre is proposed which is a facility which could be of considerable cultural and community benefit, it is understood that the centre would be free for community use and operated and maintained by the applicants. The exact details of the management, ongoing maintenance and operation of this facility would need to be conditioned.

### *Doctors Surgery*

A doctors surgery is proposed and is considered to be an appropriate use for the District Centre. There is no policy requirement for this provision, nevertheless it is welcomed. There is provision for alternative office or hotel use of this space should it not be practical for the local surgery to relocate to the premises.

### ***Design***

In terms of the design the main issues to consider are the bulk and height of blocks which would result from the floorspace proposed and the general layout, although matters of exact layout and siting are reserved.

It is considered that under the parameters presented that a satisfactory detailed scheme can be presented at reserved matters stage. It is important to stress that the indicative drawings are not for determination. Nevertheless these indicate how a general layout which creates good quality public spaces can be achieved.

In terms of the massing of the buildings, the bulk and heights are considered appropriate to this location given the District Centre allocation and will assist in creating a physical centre within the community. More importantly the bulk and layout are considered to respond well to the constraints of the site.

Concerns have been raised over the detailed design in consultation responses and over views of the Yare Valley. Both of these issues can be addressed under any Reserved Matters application when the detailed design is considered.



## ***Planning Obligations***

The proposal will trigger the following planning obligations:

- Affordable Housing as required by HOU4 and the Affordable Housing SPG;
- Open Space and Play Space Contributions in accordance with policies SR4, SR7 and the Open Space and Play Space SPD;
- Transportation matters in line with policies TR10 and TR11 and the transportation contributions SPD:
  - MOVA (signal control system) on the Hall Road /Sandy Lane junction and the Sandy Lane/ Whiting Road /Bessemer Road junction;
  - CCTV covering the Hall Road /Sandy Lane junction and the Sandy Lane/ Whiting Road /Bessemer Road junction;
  - Introduction of a 30mph speed limit on Hall Road from the Lakenham Rd roundabout extending south beyond the frontage of the new development including the traffic regulation order process and appropriate signing;
  - Local Plan transportation contribution to be agreed by City Council officers;
  - £100,000 contribution to bus service enhancement;
  - £2,500 per annum for 5 years contribution to West Norwich Community transport;
  - Provision of real time bus information display within the district centre with £7,500 for 10 years maintenance;
  - A number of other transport improvements to the surrounding area will be secured by condition.
- Education contributions as required by HOU6; and
- Library contributions as required by HOU6.

In relation to the response from Norfolk Constabulary there is no material planning basis to require developer contributions towards police services, although at reserved matters stage consideration will need to be given to the degree in which the design mitigates against crime.

The developer has expressed concern over the ability to provide all of the above whilst maintaining a viable development, particularly in relation to the residential elements of the proposal and in the current climate. It is standard practice in such circumstances to invite the developer to enter into an open book viability appraisal for the whole site. Whilst the developer is open to such an appraisal, this would significantly delay any decision on the application and potentially any redevelopment of the site.

In addition to the above the developer is keen to provide the community arts centre which is a significant investment and community facility which is not required by policy.

As such the developer has offered to provide 25% affordable housing, this would be at an 80:20 social rented:shared ownership ratio. Such a provision is 5% below that required by the Affordable Housing SPG. The developer has agreed to all other contributions in line with policy requirements.

In assessing the above it is considered important to assess the overall package of contributions offered and the alternatives and if this is acceptable to merit approval of the scheme. It is considered that the relative community investment of the arts centre is significant and would outweigh the equivalent community investment lost from the lack of 5% of affordable housing and on this basis the whole package of contributions is considered appropriate to the scale of the scheme. Furthermore the overall regeneration benefits of the scheme are considered to be substantial and would significantly assist the social, economic and physical development of the area.

The alternative to the above offer would be a viability appraisal across the whole site, which in the current economic climate could lead to a lesser extent of contributions. It is therefore considered by officers that the above be accepted. It is not considered that the above would set a precedent for lower percentages of affordable housing on future applications as it is unlikely that benefits such as the community arts centre which are not required by policy and not required due to impacts of the scheme are likely to be offered on a regular basis. In any case any proposal would need to be assessed on the individual merits of the scheme involved.

### ***Access and Highways***

The accessibility of the site to non-car modes is a principle consideration in achieving a sustainable scheme which is in accordance with Local Plan Policy TRA3. The site is located in an urban location which is accessible and has relatively good public transport facilities located immediately adjacent to the site. The site is also well connected by existing pedestrian and cycle routes which are enhanced by the proposals and has a significant walk-in catchment that will be enhanced by the inclusion of housing within this mixed use scheme. Additionally, the integration of the new district centre with the existing retail park, which is to be enhanced by the provision of leisure activities provide the opportunity for linked trips, even when the primary trip is made by car.

The proposal includes substantial transportation enhancements. Those which are to be achieved through a planning agreement have been detailed earlier in this report, but the scheme also includes:

- Upgrading of the existing pedestrian crossing facilities at the junction of Hall Road and Sandy lane;
- A new signalised pedestrian crossing at the southern end of the Hall Road frontage providing direct access from Tuckswood to the main shopping plaza;

- New signalised crossing points on Sandy Lane, improving pedestrian and cycle access along Hall Road, and between the new district Centre and the existing retail Park;
- A new Toucan Crossing on Barrett Road, improving access to the north
- Improved bus stops;
- New cycle links, both south and north of the Ring Road, and links to Lakenham Way from the site;
- Enhancements to crossing facilities on Hall Road north of the Ring Road, complementing those that have already been installed in the area.

These improvements have been informed by traffic surveys to establish existing patterns of movement across the site as well as safety assessments all of which are detailed within the submitted Transport Assessment.

Inevitably, there will be increased vehicle movements associated with the development of this site, but the proposals do provide walk-in facilities in an area that currently lacks them, and many of the car-based trips to the site will replace existing trips to sites that are further afield. Therefore, having considered the implications of the proposals and the package of highway improvements it is considered that the proposals accord with PPG13 and Development Plan Policy.

### *Parking*

Currently the retail park has 669 parking spaces which are to be reduced to 508. The Transport Assessment has identified that existing parking facilities at the retail park are underutilised. It is considered that the revised levels of parking would be appropriate to this location and the scale of activities proposed.

Parking provision for the non-retail elements of the District Centre are at 476 spaces which is in line with the maximum parking standards of policy TRA6, as is the provision of 221 spaces for the residential elements. The proposals also propose the provision of significant levels of cycle parking although exact details will need to be conditioned to be in line with policy TRA7.

### *Travel Plans*

A Travel Plan (Policy TRA12) is a required integral part of any substantial new development. Draft interim travel plans have been submitted although further interim travel plans should be conditional of any approval with full travel plans following occupation.

### *Servicing*

At this outline stage, certain details of servicing have been submitted with the transport assessment however further details including times of delivery and

waste management plans should be conditional of any approval to accord with Local Plan policy TRA8 and East of England Plan policy WM6.

### ***Environmental issues***

#### ***Trees & Ecology***

The majority of the shoe factory site consists of hardstandings or existing buildings, these areas are identified as having negligible ecological value within the submitted Ecological Assessment.

There are three groups of trees which largely consist of Scots Pine and Corsican Pine and which are subject to a group TPO. These areas are identified as having low ecological value and are not considered to support any protected species. It is considered that these trees are primarily of visual amenity value to the area.

The arboricultural survey submitted with the application identifies that of 48 trees in TPO Group 1 three are identified as dead or dying and of the 45 remaining healthy trees nine are to be removed. Within Group 2 there are 119 trees of which 13 are dead or dying and of the remaining 106 healthy trees 43 are to be removed. Within Group 3 all 41 trees will be lost.

In addition to the above further loss of trees and shrubs will occur along the western verge of Hall Road although these trees are considered to be of little value. The scheme does, however allow for extensive replanting and replacement and commits to replacement on at least a 1:1 basis.

Local Plan Policy NE3 allows for the removal of trees the subject of a TPO where the proper maintenance of the remaining/replacement trees would be secured, other remaining trees are enhanced and the removal would allow for a substantially improved overall approach to the design of the development which would outweigh the loss of any tree.

In this case, it is considered that a comprehensive redevelopment of the site would be seriously compromised without the loss of those trees identified. The proposals still retain a large amount of trees in the most visually dominant corners of Sandy Lane with Hall Road and Bessemer Road. Subject to details for the protection of remaining trees during development, replacement and new planting the protection ongoing maintenance and management of remaining trees the proposals are considered acceptable.

#### ***Contamination***

The site is located over a major aquifer and source protection zone. A preliminary ground investigation has identified contaminates. It is therefore recommended that any approval is subject to conditions for further investigation and agreement on mitigation measures.

### *Noise and Air Quality*

In line with PPG24 a noise assessment has been submitted with the application. Existing noise is primarily from road traffic, however there could be further impacts on future residents of the site by the car park and car park ramps. In addition, whilst the industrial uses on Bessemer Road currently do not create significant levels of noise disturbance their use could change in the future. It is therefore recommended that any grant of consent be subject to conditions for details to mitigate against noise from these sources. It is also recommended that details of measures to mitigate against any air quality impacts of the adjacent industrial units on the residential blocks be conditioned.

### *Energy Efficiency*

The application has been submitted with an Energy Efficiency Statement in line with Local Plan policy EP18 and the Energy Efficiency SPD. The statement commits to BREEAM sustainability levels of Very Good to Excellent for the commercial elements of the development and Code for Sustainable Homes levels of 3 to 6 for the residential elements.

The developers have also confirmed that policy ENG1 of the East of England Plan can be complied with and that details for the provision of 10% of the sites energy from decentralised and renewable or low carbon sources can be supplied when the detailed submission are made. This would need to form a condition of any approval.

### *Flood Risk and Sustainable Urban Drainage*

The site lies outside any medium or high probability flood zone, nevertheless given the scale of the development a flood risk assessment which primarily focuses on surface water management is required and has been submitted with the application. The Environment Agency have not raised an object to this subject to a number of conditions relating to details of surface and foul water management.

### *Archaeology*

An archeological report has been submitted with the application and has identified that the sites past activity is limited to arable land until its current state of development in the mid 20<sup>th</sup> century. It is likely that any archeological remains which may have existed on the site would have been disturbed significantly when the site was previously developed, the archeological potential of the site is therefore extremely low and no further archeological details are considered necessary.

### ***Summary***

The proposals involve the provision of a new centre within the existing hierarchy of centers within the Norwich urban area. It is considered that the proposals are in general conformity with objectives for sustainable development and the economic growth of Norwich as a regional focus for housing, employment, retail, leisure and cultural facilities. It is also considered that the proposals will contribute to the physical regeneration of the area as well as establishing new facilities, services and employment opportunities in a part of the City long identified as in need of such amenities.

Having considered the provisions of the Development Plan and all other material considerations it is considered that subject to the conditions listed and the contents of the S106 agreement, that the proposals are inline with the provisions of the Development Plan and do not prejudice its objectives. The recommendation is therefore to approve the application subject to the signing of a S106 agreement and conditions listed below.

## **RECOMMENDATIONS**

APPROVE PLANNING PERMISSION subject to the signing of a S106 to include the following:

1. Affordable housing at 25% and 80:20 social rented:shared ownership split;
2. Open space and play space contributions in line with policy requirements;
3. Transportation contributions as detailed in the planning obligations section above;
4. Education and library contributions as per County Council requirements;

and appropriate conditions including the following:

1. Standard outline time limit;
2. Reserved matters shall relate to the Appearance, Landscaping, Layout, Scale of the proposed development;
3. Details of approved plans;
4. Block A, A1 uses restricted to sale of bulky comparison goods only;
5. Maximum size of any A1 unit within Block A to be 2,900 sq m gross;
6. Limit the size of any single A1 comparison retail goods units in blocks D and F to a maximum of 500 sq m net;
7. No more than 500 sq m net of comparison floorspace in Block E;
8. No more than 2,787 sq m net of convenience floorspace in Block E;
9. Minimum of 800 sq m of floorspace in block F to be set aside for arts centre only and for no other use unless otherwise agreed with the LPA;
10. Details for the long term management, maintenance and ongoing operation of the arts centre to be submitted;
11. The combined frontage of blocks E, F and D shall have a minimum of 60% A1 retail frontage;
12. Personal consent for the operator of Block G which links the fitness centre to the retail element;

13. The D2 Leisure use within Block G shall be used as a fitness centre and for no other use without the prior express consent of the Local Planning Authority;
14. Block H to have a minimum of one A2 or A3 or A4 unit;
15. Opening hours of any A3/A4 use in block H restricted to the hours of 10:00am and 12:00 midnight;
16. The D2 leisure use permitted within Block A shall not be used for any of the following D2 uses without the prior express consent of the Local Planning Authority:
  - a. Adventure games place within building;
  - b. Aeroplane display place;
  - c. Air pistol/rifle shooting place within building;
  - d. Bowling alley including ten-pin bowling;
  - e. Cabaret club for dancing;
  - f. Casino including gambling place or club (for the avoidance of doubt, not including a Bingo Hall);
  - g. Cinema, including multiplex and mulitscreen;
  - h. Club offering live entertainment;
  - i. Combat sports place;
  - j. Competing places for animals;
  - k. Concert arena or hall including music hall or orchestral hall;
  - l. Convention centre;
  - m. Discotheque;
  - n. Display arena of Stadium;
  - o. Dog show area;
  - p. Sex club premises;
  - q. War games place within building including gas gun or laser war games;

(for the avoidance of doubt the above uses and descriptions have been taken from the Land Use Gazetteer 3rd edition).
17. Submission of a development phasing plan to be agreed;
18. Phasing conditions to be agreed by officers;
19. Submission of a landscaping details, including all hard and soft treatments, also including lighting plans and the provision of offsite landscaping on highway land;
20. Landscaping to be maintained and any new trees/shrubs lost to be replaced;
21. Submission of an Arboricultural method statement;
22. Scheme for the provision and implementation of surface water drainage to be submitted;
23. Scheme for the provision and implementation of foul water drainage to be submitted;
24. Scheme for the provision and implementation of pollution control to be submitted;
25. All surface water from the car park to be passed through a petrol/oil interceptor;
26. Scheme to manage contamination to be submitted;

27. Scheme for water, energy and resource efficiency measures to be submitted;
28. Details for the provision of 10% of the sites energy from decentralised and renewable or low carbon sources;
29. Scheme for provision of sufficient capacity in the public sewerage system to meet the needs of the development to be submitted;
30. Details of measures to mitigate against noise to residential dwellings in Block C from the car park ramp;
31. Details of measures to mitigate against noise to residential dwellings in Block C from the adjacent industrial estate;
32. Details of air quality and measures to mitigate against any air quality impacts of the adjacent industrial units on the Block C residential dwellings;
33. Details and specifications for all plant and machinery to be submitted;
34. Noise mitigation measures for fitness centre;
35. Submission of a Waste management plan;
36. Submission of a servicing management plan, including details of proposed delivery times;
37. Submission of full details of cycle storage;
38. Submission of a fire strategy including details for the provision of fire hydrants;
39. Vehicular access to be constructed to Norfolk County Council Specification;
40. Gradient of vehicular accesses to Bessemer Road and Sandy Lane to not exceed a gradient of 1:12;
41. No gates shall be erected across the access unless otherwise agreed with the Local Planning Authority;
42. Servicing, turning areas to be provided prior to first occupation;
43. Scheme for drainage measures to prevent surface water run-off onto the highway;
44. Detailed scheme for off-site highway improvements as indicated on the approved drawings;
45. Off site highway improvement works referred to in condition 33 shall be completed prior to first occupation;
46. Interim travel plans to be submitted;
47. Interim travel plans as detailed in condition 35 to be implemented prior to first occupation. Full travel plans to be submitted within the first year of operation and implemented;
48. Construction traffic management plan to be submitted;
49. Construction traffic is to comply with the details of the construction traffic management plan agreed;

note. The above conditions are paraphrased for the purposes of this report, it may be necessary to merge or split some of the above conditions although the principle content will remain the same.

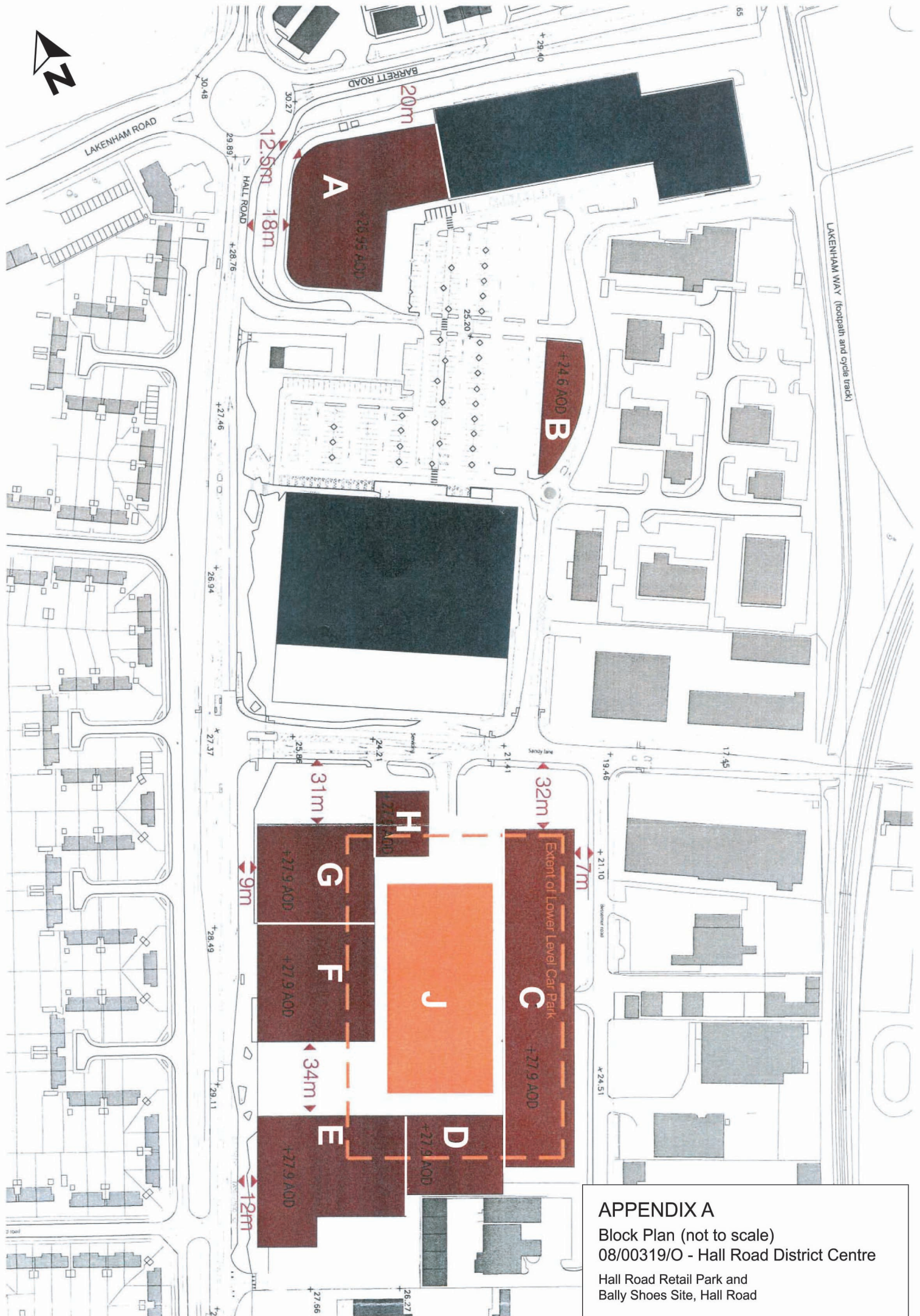


## **REASONS FOR RECOMMENDATION**

The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies of the adopted East of England Plan Regional Spatial Strategy, saved policies of the adopted Norfolk Structure Plan and saved policies of the adopted City of Norwich Replacement Local Plan, relevant Planning Policy Guidance, Planning Policy Statements, Supplementary Planning Guidance and Supplementary Planning Documents.

Having considered all of the above and other material planning considerations it is considered that subject to the conditions listed and the contents of the S106 agreement that the proposals are inline with the provisions of the Development Plan establishing a new district centre within the existing network, offering better access to services, facilities and employment.

## **APPENDIX A: Block Plan**

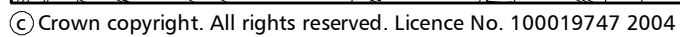


## APPENDIX A

Block Plan (not to scale)  
08/00319/O - Hall Road District Centre

Hall Road Retail Park and  
Bally Shoes Site, Hall Road





Scale - 1:3000





**NORWICH**  
City Council

DNPA-6

**Application submitted by:**

Drivers Jonas  
9 Bond Court  
Leeds  
LS1 2JZ

**On behalf of:**

Targetfollow Group Limited  
Riverside House  
11/12 Riverside Road  
Norwich

**TOWN AND COUNTRY PLANNING ACT 1990**

**OUTLINE PLANNING PERMISSION**

**Application Number: 08/00319/O**

**Valid date of application: 2<sup>nd</sup> April 2008**

**Decision date: 11<sup>th</sup> May 2009**

**Location:** Hall Road Retail Park and Bally Shoes Site, Hall Road, Norwich.

**Proposal:** Demolition of existing buildings, site clearance and redevelopment of the Bally Shoes and T. Gill and Sons sites for a mixed use district centre to include retail, leisure, hotel, housing, employment, arts centre, parking and public realm uses; the development of retail and leisure uses at the Hall Road Retail Park and the provision of associated parking and public realm enhancements between the two.

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**Conditions:**

1. Application for approval of all reserved matters must be made not later than the expiration of three years beginning with the date of this permission. Approval of these reserved matters (referred to in condition 2) shall be obtained from the Local Planning Authority in writing before any development is commenced. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. These reserved matters shall relate to the Appearance, Landscaping, Layout and Scale of the proposed development and this condition shall apply notwithstanding any indication as to these matters which have been given in the current application.
3. The development hereby permitted shall be carried out and completed in accordance with the parameters plan (drawing number BNY - SA 08 2006 Rev A06) received by the Local Planning Authority on 12 August 2008, the application form and plan (drawing numbers BNY- SA 08 2004 Rev A03) received by the Local Planning Authority on 28 March 2008 and, so far as they relate to matters of access, plans (drawing numbers 0582/66C, 0582/66D, 0582/66E, 0582/66F, 0582/66G and 0582/69D) received by the Local Planning Authority on 24 November 2008 unless otherwise first agreed in writing by the Local Planning Authority.

**DECISION SENT MAY 11 2009**



4. Except with the prior written approval of the Local Planning Authority, the retail class A1 use (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block A as shown on the approved parameters plan (as detailed in condition 3) shall not be used other than for the sale of furniture, carpets and other floor coverings, DIY and home improvement goods, electrical goods, gardening goods and building materials, bicycles and bicycle accessories, car accessories and for no other purpose within Class A1 of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order (other than ancillary to the principle use of the premises for the sale of authorised goods).
5. The maximum floor space of any A1 retail unit (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block A as shown on the approved parameters plan (as detailed in condition 3) shall not exceed 2,900sqm gross.
6. The maximum floor space of any A1 retail unit (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Blocks D and F as shown on the approved parameters plan (as detailed in condition 3) shall not exceed 500sqm net.
7. The maximum comparison (as defined by PPS6) A1 retail floor space (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block E as shown on the approved parameters plan (as detailed in condition 3) shall not exceed 500sqm net.
8. The maximum convenience (as defined by PPS6) A1 retail floor space (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block E as shown on the approved parameters plan (as detailed in condition 3) shall not exceed 2,787sqm net.
9. A minimum of 800 sqm gross floor space in Block F as shown on the approved parameters plan (as detailed in condition 3) shall be used as an arts centre in line with the details to be agreed under condition 10 of this consent and for no other use unless otherwise agreed in writing with the Local Planning Authority.
10. Prior to the first occupation of the arts centre within Block F as shown on the approved parameters plan (as detailed in condition 3), details of the management, maintenance and ongoing operation of the arts centre shall be submitted to the Local Planning Authority in writing. Use of the arts centre shall continue in accordance with the submitted details unless otherwise agreed in writing with the Local Planning Authority.
11. A minimum of 60% of the combined total frontage of Blocks D, E and F (defined as the north elevations of blocks D and E and the south and east elevations of block F) as shown on the approved parameters plan (as detailed in condition 3) shall be in A1 retail use (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended).



12. The A1 retail use and D2 leisure use (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block G as shown on the approved parameters plan (as detailed in condition 3) shall not be operated independently.
13. The D2 leisure use (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block G as shown on the approved parameters plan (as detailed in condition 3) shall be used as a fitness centre and for no other use.
14. The ground floor of Block H as shown on the approved parameters plan (as detailed in condition 3) shall be used for either a class A2 use, class A3 use or class A4 use (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended).
15. Any class A3 or class A4 unit (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block H as shown on the approved parameters plan (as detailed in condition 3) shall not be open to customers outside the times of 10:00am and 12:00pm midnight on any day unless otherwise agreed in writing with the Local Planning Authority.
16. The D2 leisure use (as defined by the Town and Country Planning (Use Classes) Order 1987 as amended) within Block A as shown on the approved parameters plan (as detailed in condition 3) shall not be used for any of the other following D2 uses:
  - a. Adventure games place within building;
  - b. Aeroplane display place;
  - c. Air pistol/rifle shooting place within building;
  - d. Bowling alley including ten-pin bowling;
  - e. Cabaret club for dancing;
  - f. Casino including gambling place or club (for the avoidance of doubt, not including a Bingo Hall);
  - g. Cinema, including multiplex and multiscreen;
  - h. Club offering live entertainment;
  - i. Combat sports place;
  - j. Competing places for animals;
  - k. Concert arena or hall including music hall or orchestral hall;
  - l. Convention centre;
  - m. Discotheque;
  - n. Display arena or Stadium;
  - o. Dog show area;
  - p. Sex club premises;
  - q. War games place within building including gas gun or laser war games;
17. No development shall take place until a development phasing plan has been submitted to and agreed by the Local Planning Authority in writing. The development shall thereafter be constructed in accordance with the approved phasing plan.



18. No residential units within Block C shall be occupied until Block F as shown on the approved parameters plan (as detailed in condition 3) has been constructed and fitted out to a stage of completion as agreed in writing with the Local Planning Authority prior to the commencement of development.
19. No trading shall take place from Block E until Block F as shown on the approved parameters plan (as detailed in condition 3) has been externally completed in accordance with details submitted under condition 2 of this consent (for the avoidance of doubt this does not include the provision of any specific shop front or advertisements of any tenant of block F).
20. Prior to the commencement of the development hereby permitted, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail proposals for each phase of the development as agreed under condition 17 of this consent. The scheme shall also include:
  - a. the species, number and size of all new trees and shrubs at the time of their planting;
  - b. full details of all hard landscaping, including surface materials, lighting, street furniture and boundary treatments;
  - c. details of all off site landscaping works on highway land.

The scheme as approved shall be carried out prior to the first occupation of any part of any phase of the development as agreed under condition 17 or such further period as the Local Planning Authority may allow in writing.
21. Any new tree or shrub which within a period of five years from the date of planting dies, is removed or becomes damaged or diseased, shall be replaced during the next planting season with another of a similar size and species to the Local Planning Authority's satisfaction, unless prior written agreement is given to any variation.
22. No development shall take place until a detailed Arboricultural Method Statement has been submitted to and approved by the Local Planning Authority in writing. The statement shall provide a scheme of protection measures, including details of protective barriers, an auditable system of site monitoring by an Arboriculturist, and any special engineering to be employed in order to minimise disturbance to the ground in identified root protection areas. The development shall then be carried out in full accordance with the agreed details.
23. Prior to the commencement of each phase of development (as agreed under condition 17 above), detailed design schemes for the provision and implementation of surface water drainage for that phase shall be submitted to and agreed in writing with the Local Planning Authority in consultation with the Environment Agency. The schemes as approved shall be constructed and completed before occupancy of that phase of the development.
24. Prior to the commencement of each phase of development (as agreed under condition 17 above), schemes for the provision and implementation of foul water



drainage for that phase shall be submitted to and agreed, in writing, with the Local Planning Authority. The schemes as approved shall be constructed and completed before occupancy of that phase of the development.

25. Prior to the commencement of each phase of development (as agreed under condition 17 above), schemes for the provision and implementation of pollution control to the water environment for that phase shall be submitted to and agreed in writing with the Local Planning Authority. The schemes as approved shall be constructed and completed before occupancy of that phase of the development.
26. Prior to being discharged to any soakaway, watercourse or surface water sewer, all surface water drainage from impermeable vehicle parking areas shall be passed through a petrol/oil interceptor designed and constructed in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be constructed and completed prior to the first use of any impermeable vehicle parking areas.
27. Prior to the commencement of development, the following components of a scheme to manage the risks associated with contamination of the site shall be submitted to and approved in writing with the Local Planning Authority:
  - 1) Preliminary risk assessment which has identified:
    - a. all previous uses;
    - b. potential contaminants associated with those uses;
    - c. a conceptual model of the site indicating sources, pathways and receptors;
    - d. potentially unacceptable risks arising from contamination at the site.
  - 2) A site investigation scheme based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken
  - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutants linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved, prior to the first occupation of any part of the development.

28. Prior to the commencement of each phase of development (as agreed under condition 17 above), energy and resource efficiency measures, during the





construction and occupational stages of that phase of the development shall be submitted to and agreed in writing with the Local Planning Authority. The schemes shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The schemes shall be constructed and the measures provided and made available for use in accordance with the agreed timetable.

29. Prior to the commencement of each phase of development (as agreed under condition 17 above), schemes for the provision of energy from decentralised and renewable or low carbon sources for that phase of the development shall be submitted to and agreed in writing with the Local Planning Authority. The schemes shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The schemes, which shall cumulatively result in a total of 10% of the developments energy from decentralised and renewable or low carbon sources, shall be implemented in full in accordance with the agreed timetable.
30. Notwithstanding the provisions of sections 94, 98 and 106 of the Water Industry Act 1991, no development shall commence until details of a scheme, including phasing, for the satisfactory provision of sufficient capacity within the public sewerage system to meet the needs of the development has been submitted to and approved in writing with the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the scheme so approved unless otherwise agreed in writing with the Local Planning Authority.
31. Prior to the commencement of development on Blocks C and H as shown on the approved parameters plan (as detailed in condition 3) a scheme of measures to mitigate against noise to residential dwellings from both the proposed adjacent car park ramp and nearby land uses on Bessemer Road shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall detail mitigation measures to achieve noise levels not exceeding 30db. The scheme as approved shall be implemented prior to the occupation of Blocks C or H.
32. Prior to the commencement of development on Blocks C and H as shown on the approved parameters plan (as detailed in condition 3) a scheme of measures to mitigate against potential air quality impacts from general activity within the adjacent industrial areas shall be submitted to and approved in writing with the Local Planning Authority. The scheme as approved shall be implemented prior to the occupation of Blocks C or H.
33. Prior to the installation of any plant, machinery, extractor or ventilation system on any part of the development, hereby permitted, a scheme for noise and odour control shall be submitted to and approved in writing by the Local Planning Authority. The equipment/system shall be installed and thereafter maintained in full accordance with the approved details.
34. Prior to the commencement of development on block G as shown on the approved parameters plan (as detailed in condition 3) a scheme to prevent noise leakage from the fitness centre shall be submitted to and agreed in writing with the Local



Planning Authority. The scheme as approved shall be implemented in full prior to the first use of the fitness centre.

35. Prior to the commencement of each phase of development (as agreed under condition 17 above), schemes for the storage, separation, sorting and collection of waste including recyclables for that phase of the development shall be submitted to and agreed in writing with the Local Planning Authority. The schemes as approved shall be implemented in full prior to the first occupation of that phase of the development.
36. Prior to the commencement of each phase of development (as agreed under condition 17 above), servicing management plans for that phase of the development shall be submitted to and agreed in writing with the Local Planning Authority. The plans shall include full details of delivery times and location of servicing for each part of the development. Servicing shall then take place in full accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.
37. Prior to the commencement of each phase of development (as agreed under condition 17 above) full details of covered and secure cycle parking for that phase of development shall be submitted to and agreed in writing with the Local Planning Authority. The cycle parking shall then be provided prior to the first occupation of that phase of the development.
38. Prior to the commencement of each phase of development (as agreed under condition 17 above) a fire strategy, including details for the provision of fire hydrants, shall be submitted to and agreed in writing with the Local Planning Authority in consultation with the Norfolk Fire Service. The strategy/strategies shall provide for:
  - a) the provision of one fire hydrant for every 50 dwellings (served by a 90mm main water supply) for the benefit of the residential development; and
  - b) the provision of 0.75 fire hydrants per hectare (served by a 180mm main water supply) for the benefit of the commercial development;

The fire strategy as approved shall be implemented in full prior to the first occupation of that phase of the development.

39. Prior to the commencement of the development hereby permitted full details of all accesses shall be submitted to and agreed in writing with the Local Planning Authority. The accesses shall be constructed in full accordance with those details prior to first occupation of the development and additionally shall be constructed in accordance with the Norfolk County Council residential or industrial access construction specification, as appropriate, for the first five metres into the site as measured back from the near edge of the adjacent carriageway for all accesses other than the foodstore service entrance which shall be constructed in accordance with the Norfolk County Council industrial access construction specification for the first fifteen metres into the site as measured back from the near edge of the adjacent carriageway.



40. The gradient of the vehicular accesses onto Bessemer Road and Sandy Lane shall not exceed 1:12 for the first 5 metres into the site as measured from the near edge of the highway carriageway. The gradient of the foodstore service access onto Hall Road shall not exceed 1:12 for the first 15 metres into the site as measured from the near edge of the highway carriageway.
41. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking, amending or re-enacting that Order) no gates shall be erected across the approved accesses unless details have first been submitted to and approved in writing by the Local Planning Authority.
42. Prior to the first occupation of any part of each phase of development (as agreed under condition 17 above) hereby permitted the proposed accesses / on-site car and cycle parking / servicing / loading, unloading / turning / waiting areas for that phase shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
43. The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.
44. No works shall commence on site until a detailed scheme for the off-site highway improvement works as indicated on drawing numbers 0582/66C, 0582/66D, 0582/66E, 0582/66F, 0582/66G and 0582/69D have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The off-site highway improvement works shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority prior to the first occupation of any part of the development hereby permitted.
45. Prior to first occupation of each phase of the development (as agreed under condition 17 above) hereby permitted Interim Travel Plans for the residential, retail and District Centre shall be submitted to, approved and signed off by the Local Planning Authority in consultation with the Highway Authority, such Travel Plans shall accord with Norfolk County Council document 'Guidance Notes for the Submission of Travel Plans' or be produced using the Workplace Travel Plan Generator Tool, ([www.worktravelplan.net](http://www.worktravelplan.net))
46. No part of the development hereby permitted shall be occupied prior to implementation of the relevant Interim Travel Plans referred to in condition 45 above. During the first year of occupation Approved Full Travel Plans based on the relevant Interim Travel Plans referred to in the first part of this condition shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The Approved Full Travel Plans shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.



47. Prior to the commencement of any works a Construction Traffic Management Plan and Access Route shall be submitted to and approved in writing with the Local Planning Authority in consultation with The Highway Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
48. For the duration of the construction period all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the Construction Traffic Access Route and no other local roads unless approved in writing with the Local Planning Authority in consultation with the Highway Authority.

## Reasons:

1. The time limit condition is imposed in order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2005.
2. The application is submitted in outline form only and the details required are pursuant to the provisions of Article 3(1) to the Town and Country Planning (General Development Procedure) Order 1995 as amended.
3. For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans.
4. To ensure the use of the retail unit is sequentially appropriate to the centres position in the retail hierarchy and to accord with the objectives of PPS6 and saved policies SHO3 and SHO18 of the adopted City of Norwich Replacement Local Plan.
5. To ensure that the size of any unit is consistent with the centres position in the retail hierarchy and to accord with saved policy SHO3 of the adopted City of Norwich Replacement Local Plan.
6. To ensure that the size of any unit is consistent with the centres position in the retail hierarchy and to accord with saved policy SHO13 of the adopted City of Norwich Replacement Local Plan.
7. To ensure that the primary function of the unit remains convenience retail and to ensure the size of comparison floor space is consistent with the centres position in the retail hierarchy and to accord with saved policy SHO13 of the adopted City of Norwich Replacement Local Plan.
8. To ensure that the size of any unit is consistent with the centres position in the retail hierarchy to accord with saved policy SHO3 of the adopted City of Norwich Replacement Local Plan.
9. To ensure the provision of the arts centre as a local public facility and vital part of the District Centre the provision of which has justified the lesser provision of



affordable housing than required by saved policy HOU4 of the adopted City of Norwich Replacement Local Plan and the adopted Affordable Housing Supplementary Planning Document.

10. To ensure the satisfactory ongoing operation of the arts centre as a local public facility and vital part of the District Centre.
11. To ensure the vitality of the District Centre and to accord with saved policies SHO13 and SHO15 of the adopted City of Norwich Replacement Local Plan.
12. The A1 unit, by virtue of its size, is of a scale which would not normally be appropriate in this location or consistent with the centres position in the retail hierarchy under saved policy SHO13 of the adopted City of Norwich Replacement Local Plan. In this case having considered the type and operation of such a linked use it is not considered that the linked use would have a more than local significance and is not something which should be located in a more central location or would detract from the vitality of the City Centre.
13. The use for other uses under use class D2 could have a more than local significance and as such would not be compatible with the centres position in the hierarchy and as such contrary to the objectives of saved policy AEC1 of the adopted City of Norwich Replacement Local Plan and PPS6. Also due to the linked use of the fitness centre and A1 use within block G which has justified the A1 use the Local Planning Authority wishes to retain control over the D2 use to ensure it is compatible with the A1.
14. In order to ensure a mix of uses within this part of the district centre to ensure the vitality of area.
15. In the interests of residential amenity and to accord with saved policy EP22 of the adopted City of Norwich Replacement Local Plan.
16. To accord with saved policy AEC1 of the adopted City of Norwich Replacement Local Plan and the objectives of PPS6. The use of the premises for any of the other D2 uses listed would have a more than local significance and would not be consistent with the centres position in the hierarchy.
17. To ensure that any phasing of the development is satisfactory in terms of the sites operation and visual appearance to accord with saved policy HBE12 of the adopted City of Norwich Replacement Local Plan.
18. The residential elements of the scheme are only considered acceptable alongside the wider redevelopment of the site for a district centre in accordance with saved policy SHO13 of the adopted City of Norwich Replacement Local Plan.
19. The superstore is only considered acceptable alongside the wider redevelopment of the site for a district centre in accordance with saved policy SHO13 of the adopted City of Norwich Replacement Local Plan.
20. To enhance the character and appearance of the site and to accord with saved policy NE9 of the adopted City of Norwich Replacement Local Plan.



21. To enhance the character and appearance of the site and to accord with saved policy NE9 of the adopted City of Norwich Replacement Local Plan.
22. To protect those trees to be retained on the site in accordance with saved policy NE9 of the adopted City of Norwich Replacement Local Plan.
23. To ensure a satisfactory method of surface water drainage and to ensure there is no increased flood risk to accord with the objectives of PPS25 and saved policy EP16 of the adopted City of Norwich Replacement Local Plan.
24. To ensure a satisfactory method of foul drainage.
25. To prevent the increased risk of pollution to the water environment and to accord with the objectives of PPS23.
26. To ensure a satisfactory method of pollution control and to accord with saved policy EP17 of the adopted City of Norwich Replacement Local Plan.
27. To ensure that the proposed development does not cause pollution of controlled waters and to accord with the objectives of PPS23 and saved policy EP1 of the adopted City of Norwich Replacement Local Plan.
28. To enhance the sustainability of the development through better use of water, energy and materials to accord with PPS1 and saved policies EP18 and EP20 of the adopted City of Norwich Replacement Local Plan.
29. To enhance the sustainability of the development to accord with the objectives of PPS1, saved policy EP18 and policy ENG1 of the adopted East of England Plan.
30. To prevent environmental and amenity problems arising from flooding and to ensure a satisfactory method of foul drainage.
31. In the interests of residential amenity and to accord with saved policy EP22 of the adopted City of Norwich Replacement Local Plan.
32. In the interests of residential amenity and to accord with saved policy EP22 of the adopted City of Norwich Replacement Local Plan.
33. In the interests of residential amenity and to accord with saved policy EP22 of the adopted City of Norwich Replacement Local Plan.
34. In the interests of residential amenity and to accord with saved policy EP22 of the adopted City of Norwich Replacement Local Plan.
35. To ensure satisfactory facilities are provided to minimise waste and facilitate recycling to accord with policy WM6 of the adopted East of England Plan.



36. To ensure satisfactory measures are in place for the servicing of the site and to ensure that this does not conflict with the general use of the site, to accord with saved policy TRA8 of the adopted City of Norwich Replacement Local Plan.
37. To ensure the satisfactory provision of cycle parking facilities to accord with saved policy TRA7 of the adopted City of Norwich Replacement Local Plan.
38. To ensure the provision of adequate fire safety facilities.
39. To ensure satisfactory access into the site to accord with the objectives of PPG13 and saved policy T2 of the adopted Norfolk Structure Plan.
40. In the interests of highway safety to accord with the objectives of PPG13 and saved policy T2 of the adopted Norfolk Structure Plan.
41. In the interests of highway safety to accord with the objectives of PPG13 and saved policy T2 of the adopted Norfolk Structure Plan.
42. To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety to accord with the objectives of PPG13 and saved policy T2 of the adopted Norfolk Structure Plan.
43. To prevent extraneous material being deposited on the highway.
44. To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor to accord with the objectives of PPG13 and saved policy TRA10 of the adopted City of Norwich Replacement Local Plan.
45. To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment and to accord with saved policy TRA12 of the adopted City of Norwich Replacement Local Plan.
46. To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment and to accord with saved policy TRA12 of the adopted City of Norwich Replacement Local Plan.
47. In the interests of maintaining highway efficiency and safety.
48. In the interests of maintaining highway efficiency and safety.

### **Reasons for Approval:**

The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies of the adopted East of England Plan Regional Spatial Strategy, saved policies of the adopted Norfolk Structure Plan and saved policies of the adopted City of Norwich Replacement Local Plan, relevant Planning Policy Guidance, Planning Policy Statements, Supplementary Planning Guidance and Supplementary Planning Documents.



Having considered all of the above and other material planning considerations it is considered that subject to the conditions listed and the contents of the S106 agreement that the proposals are inline with the provisions of the Development Plan establishing a new district centre within the existing network, offering better access to services, facilities and employment.

**Informatives :**

1. The applicant will be required to undertake a Site Waste Management Plan (SWMP). Further information regarding the information a SWMP should contain can be found on the Netregs website at: [www.netregs.gov.uk/netregs/sectors/1842950/1843542/1865635](http://www.netregs.gov.uk/netregs/sectors/1842950/1843542/1865635).
2. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). SuDS techniques seek to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches, which involve piping water off site as quickly as possible. Further information regarding the use of SuDS and the surface water drainage hierarchy that should be followed in all new development can be found on our flood risk standing advice website [www.pipernetworking.com/floodrisk/operational.html](http://www.pipernetworking.com/floodrisk/operational.html).

**Note: This notice applies to the following drawings:**

BNY - SA 08 2004 Site Plan Version A03 Received 28th March 2008

BNY - SA 08 2006 Parameters Plan Version A06 Received 12th August 2008

0582/66C So far as it relates to highways matters Received 24th November 2008

0582/66D So far as it relates to highways matters Received 24th November 2008

0582/66E So far as it relates to highways matters Received 24th November 2008

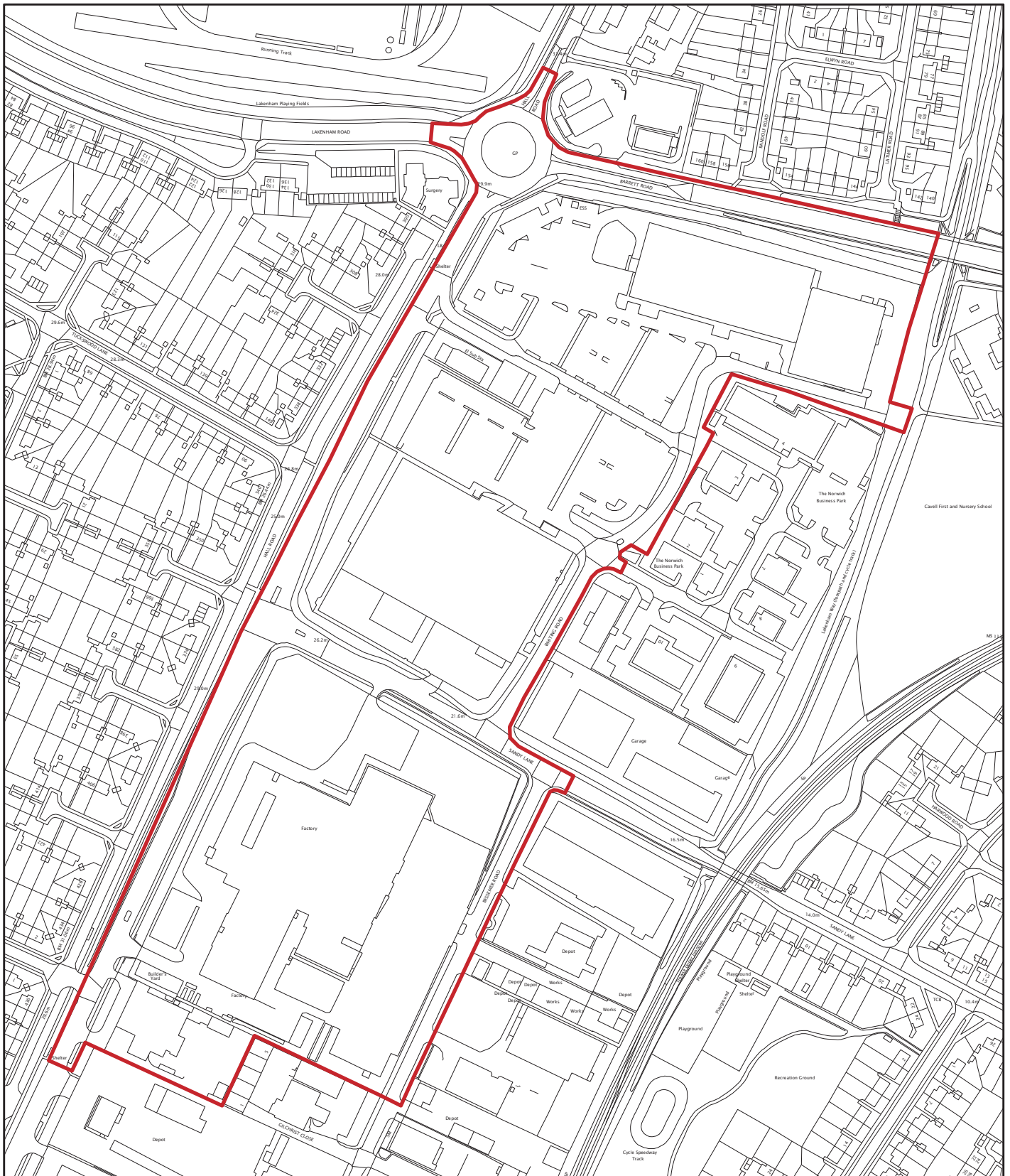
0582/66F So far as it relates to highways matters Received 24th November 2008

0582/66G So far as it relates to highways matters Received 24th November 2008

0582/69D So far as it relates to highways matters Received 24th November 2008

Graham Nelson  
Head of Planning and Regeneration Services





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Planning Application No - 09/00735/VC

Site Address - Hall Road Retail Park & Bally Shoes Site, Norwich

Scale - 1:3000



**NORWICH**  
City Council

DIRECTORATE OF REGENERATION  
AND DEVELOPMENT

