

Report to Planning Applications Committee

Item

11 January 2018

Report of Head of planning services

Subject

Application 17/01602/F - 81 Rose Lane, Norwich,
NR1 1DJ

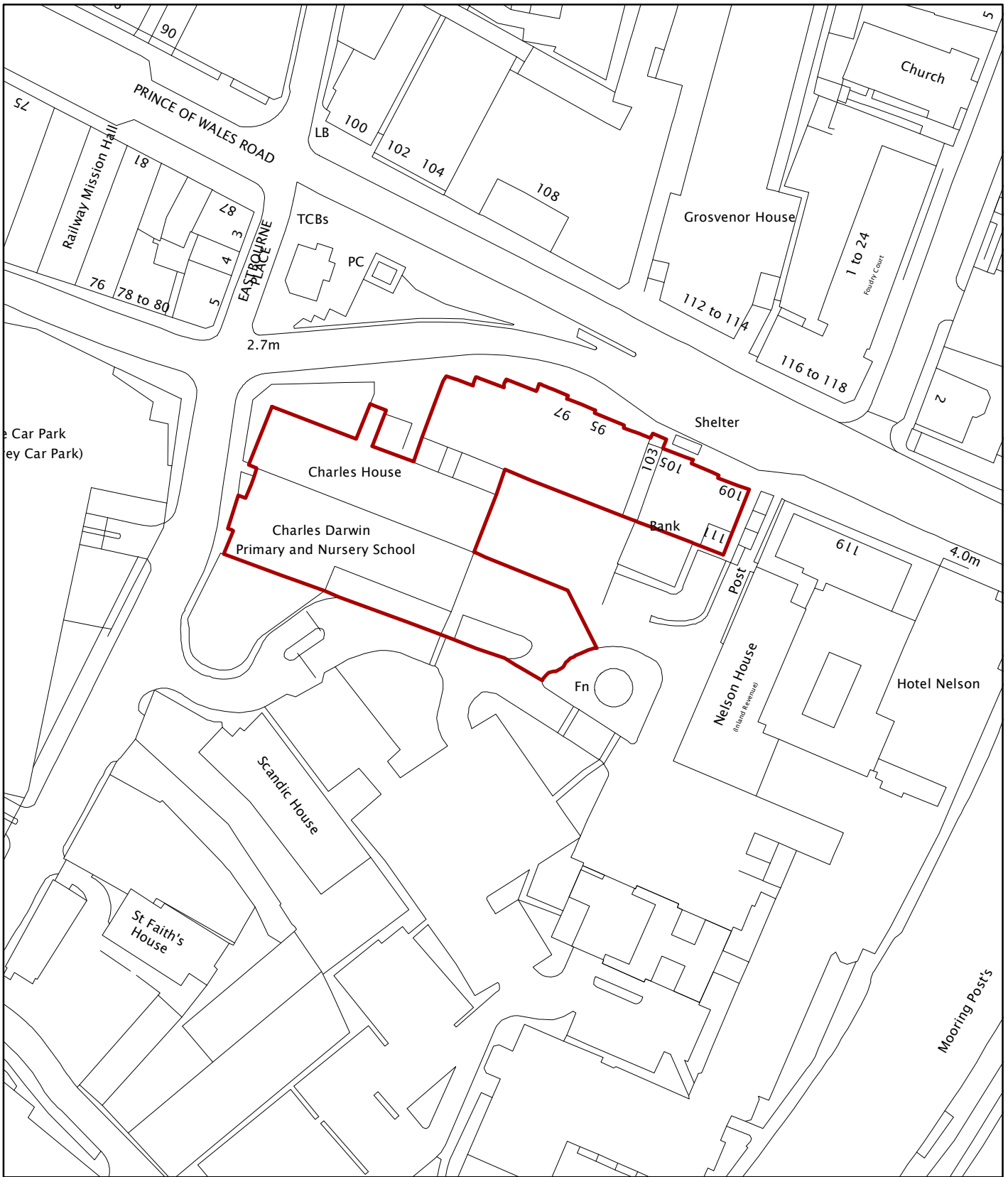
4(b)

Reason for referral Raises issues of wider concern

Ward:	Thorpe Hamlet
Case officer	Lara Emerson – laraemerson@norwich.gov.uk

Development proposal		
Change of use to state funded school (Class D1), replacement windows and associated works.		
Representations		
Object	Comment	Support
0	0	0

Main issues	Key considerations
1. Principle of development	Loss of office space, creation of school.
2. Transport	Sustainability of location. Arrangements for drop-off, coach set down, cycle parking, walking bus.
3. Amenity	School environment - noise & air quality. Impact on surrounding occupiers.
4. Design & heritage	Design of replacement windows and other minor external works. Impact on heritage assets.
Expiry date	17 January 2018 (Extended from 1 December 2017)
Recommendation	Approve

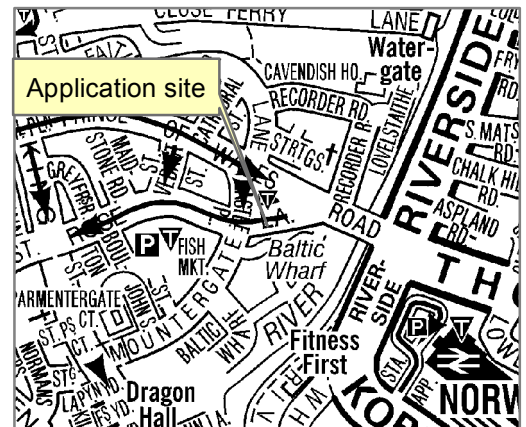


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Planning Application No 17/01602/F
 Site Address Charles Darwin Free School
 Rose Lane
 Scale 1:1,000



NORWICH
 City Council
 PLANNING SERVICES



The site, surroundings & constraints

1. The site is situated on the corner of Rose Lane and Mountergate.
2. The building is a late 20th Century, 3 storey former office block with some retail space on the ground floor. As a result of permitted development rights (GPDO Schedule 2, Part 4 Class C.2), the building is currently in lawful use as a school for a temporary period of 2 years (up to September 2018). The east side of the building is known as Wensum House and the west side of the building is known as Charles House.
3. The office block was served by a car park to the rear which has been partly converted to a playground.
4. The site sits within the City Centre Conservation Area and there are a number of locally and statutorily listed buildings in the vicinity. There is a tree in front of the building which is outside the application site and covered by a Tree Protection Order (TPO).

Relevant planning history

Ref	Proposal	Decision	Date
16/00822/TMPCOU	Temporary change of use as a state-funded school for a single academic year (notification under GPDO Schedule 2, Part 4 Class C.2).	Approved	25/05/2016
16/01917/TPO	Purple Norway Maple (T1): Crown reduction removing 1.5m radial spread and 0.5m off the height.	Approved	25/01/2017
17/00512/PDS	Change of use to state-funded school.	Withdrawn	03/05/2017

The proposal

5. Permanent change of use of part of the ground floor and the whole of the first and second floors to a primary school serving 420 students, accompanied by a nursery serving 60 children. The floor area affected by this proposal is 2,190m².
6. The permanent change of use from office to a state funded school would normally fall into a prior approval permitted development category under GPDO Schedule 2, Part 3, Class T. However, the wording of the legislation means that buildings which are already in temporary use as a state funded school cannot utilise the permitted development right set out in Class T. As such, the school requires full planning permission to operate on a permanent basis.
7. The proposal involves significant internal remodelling to create classrooms, offices, receptions spaces, a hall and other spaces associated with the school and nursery. Associated external works include replacement windows (aluminium frames to match existing), provision of cycle parking and of a small number of car parking spaces. A playground has already been created within a part of the rear car park to accommodate the small number of students currently attending the school, but this is proposed to double in size under the current application.

Representations

8. 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

9. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Design and conservation

10. This is not an application that I intend to provide conservation and design officer comments on because it does not appear on the basis of the application description to require our specialist conservation and design expertise. This should not be interpreted as a judgement about the acceptability or otherwise of the proposal.

Environmental protection

11. I have reviewed this application. The issues of air quality and noise have been satisfactorily dealt with by the applicant and I therefore have no comments.

Highways (local)

12. *Initial comments:* This is a highly accessible location for a school in close proximity to a number of public transport modes. Concern about the area's poor air quality and noisy road environment. Concern about a very narrow section of pavement on Mountergate and subsequent highway safety issues. Scooter parking will also be appropriate for this use to encourage sustainable modes of transport. Need to identify a reliable coach parking facility to serve the school.
13. *Following discussions with the applicant and subsequent submission of additional information:* No objections on highway/transportation grounds. Please note that there is a private streetlight/CCTV camera adjacent to the proposed coach parking location that would need removal/relocation. I presume that the CCTV is for car park management purposes for the hotel, as the car park barrier and island have been removed recently. Hopefully this can be resolved by the applicant in liaison with Premier Inn.

Historic Environment Service

14. No comments.

Assessment of planning considerations

Relevant development plan policies

15. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS2 Promoting good design
 - JCS6 Access and transportation
 - JCS7 Supporting communities
 - JCS9 Strategy for growth in the Norwich policy area

- JCS11 Norwich city centre

16. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM9 Safeguarding Norwich's heritage
- DM16 Supporting the needs of business
- DM18 Promoting and supporting centres
- DM19 Encouraging and promoting major office growth
- DM22 Planning for and safeguarding community facilities
- DM23 Supporting and managing the evening and late night economy
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

17. Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)

- CC4 Land at Rose Lane & Mountergate

Other material considerations

18. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF12 Conserving and enhancing the historic environment

Case Assessment

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

Main issue 1: Principle of development

20. Key policies and NPPF paragraphs – DM19, DM22, CC4, NPPF paragraph 72.
21. This site sits on the edge of the allocated site CC4 which covers a large area of land on Rose Lane and Mountergate. Part of the site was recently developed as the Rose Lane car park, but the rest of the site remains in a number of uses and ownerships. The site is allocated for mixed-use office led development. The conversion of this building to a school will result in the loss of larger office space (2,190m²) which is resisted by local policy DM19 and may cause delay to the

redevelopment of this part of the site. However, the allocation at CC4 is large and in multiple ownerships. The application site sits on the edge of the allocation and is for the conversion of an existing building. As a result, any conflict with CC4 is not likely to cause significant harm to the policy objectives of the allocation. There are also a number of benefits that this proposal brings which are material planning considerations and must be considered when determining the current application.

22. First of all, this building provides poor quality office space, which the applicant has demonstrated has been difficult to let for a number of years. Having a building of this scale standing vacant is detrimental to the wider area, and an appropriate conversion should be supported to aid in the regeneration of the area. A school is a highly active use which encourages foot traffic from visitors throughout the school day thus enlivening the area. The proposed change of use will therefore support the wider regeneration of the area and may make the redevelopment of other parts of the allocation more attractive to landowners. The school use will also generate 46 full-time jobs, supporting the aims of the site allocation to encourage employment uses.
23. Secondly, the reuse of an existing building is a highly sustainable form of development. The conversion of existing buildings is encouraged within the core planning principles set out within paragraph 17 of the NPPF. The conversion of the building also allows for the retail uses on the ground floor of Wensum House to be retained, supporting the city centre retail offer and providing shops on this key route into the city.
24. Finally, national planning policy strongly supports the provision of new state funded schools, especially through the conversion of existing buildings such as this one. Moreover, the County Council has identified a specific deficiency of primary school spaces in the city centre.
25. Paragraph 72 of the NPPF states:

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- *give great weight to the need to create, expand or alter schools; and*
- *work with schools promoters to identify and resolve key planning issues.*

26. This is further reiterated within 2011's "Policy statement – planning for schools development" which is very strongly worded to encourage council's to approve applications for state funded schools. The policy statement is a material planning consideration.
27. Policy DM22 sets out the criteria for new school development and the proposal addresses each part of the policy since the site is located in a highly accessible location; adequate provision is made for sustainable travel; highway safety concerns have been addressed; and there is a clear need for more primary school spaces within the city centre. This proposal is considered to accord with all parts of the policy, subject to the detailed matters discussed below.

28. The development is considered acceptable in principle.

Main issue 2: Transport

29. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
30. The site sits in a highly accessible city centre location which is appropriate for a school in transport terms. Prince of Wales Road is served by most of the city's key bus routes, and the rail station is only a short walk away. There are many residential properties nearby, with the St Annes Wharf development soon to provide hundreds of dwellings only 200m from the site. Moreover, parents who live further afield but work in the city may choose this school so that they can combine drop-off with their trips to work.
31. The site provides eleven parking spaces accessed via Mountergate (one space for visitors, one disabled space and nine spaces for nursery drop off). The applicant has provided a Transport Statement which sets out ways in which primary school students will be encouraged to travel to school. There is a walking bus which operates from Morrison's car park. Groups of 12 students are supervised by 2 members of staff. This prevents cars from needing to drive all the way to the site itself and prevents highway congestion on the surrounding streets. Parents are advised not to stop on the surrounding streets, which are covered by strict waiting restrictions in any case.
32. There are 5 public cycle stands (providing 10 cycle parking spaces) immediately adjacent to the site's main entrance, and the applicant is proposing to provide an additional 4 stands in a covered and secure area of the site. Overall, this provides 18 cycle parking spaces. Whilst this number is below the policy requirement of 160 spaces the Transport Officer notes that the policy requirement is inappropriate for a primary school where children are unlikely to cycle to school, at least in the earlier years at the school. In addition, the site is so well located that there are many other options to travel sustainably to school. Scooter parking is also proposed within the building itself, which is a more likely method of travel for younger children.
33. During the school day pupils will be able to make many journeys on foot to nearby facilities with a swimming pool, museums and other destinations in close proximity to the site. However, the school will still need to be served by a coach for school trips approximately twice per week to destinations further afield. To facilitate this, an informal arrangement has been agreed with the Premier Inn adjacent to the site so that coach set down and pick up can be provided within the hotel car park. Should this arrangement come to an end, the applicant has demonstrated that the nursery drop off spaces, which would not be in use during the day, could be utilised for coach parking.
34. There have been some discussions between officers and the applicant regarding a section of pavement on the south-east side of Mountergate which is particularly narrow and would not be appropriate for accommodating large numbers of pedestrians (especially not those accompanying young children). The applicant has offered some solutions in order to preserve highway safety and to reduce the need to use this stretch of walkway. Pedestrians will be directed away from this stretch of pavement since students will use routes through the playground to the rear of the school during drop-off and pick-up. Students travelling from Mountergate to the

school (from St Annes Wharf or King Street) are encouraged to use the north-west side of Mountergate. A new green-man pedestrian crossing is soon to be provided as part of programmed improvements in the Prince of Wales Road area connecting the north-west and south-east sides of Mountergate.

35. The site is large enough to accommodate an area for refuse storage. This is to be agreed by condition.
36. Overall, officers are satisfied that the proposed development will not have an adverse impact on highway congestion or highway safety.

Main issue 3: Amenity

37. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
38. The applicant has submitted a noise impact assessment which demonstrates that surrounding uses will experience some increase in noise created as a result of construction activity and playground activity. The immediate surrounding uses include shops, a car park, offices and a hotel. There are residential dwellings on Prince of Wales Road and Recorder Road. The development results in a reduction in noise from traffic.
39. Given the nature of the surrounding uses, works to convert the existing building are unlikely to give rise to material levels of disturbance.
40. With regards to the playground noise, the Noise Impact Assessment proposes that a Noise Management Plan is submitted to effectively manage noise created within the playground.
41. The school is proposed to be served by mechanical ventilation so that windows fronting Prince of Wales Road/Rose Lane do not have to be opened. This will protect the occupants from excessive noise and air pollution.
42. It is worth noting that the outside space available to pupils on this site is less than usually provided within primary schools and is also substandard with no soft landscaping. However, since there is no local or national planning policy setting out specific requirements for school developments this is not an issue that the council can place any great weight on. In any case, the site's location means that there are a number of green spaces and outside learning opportunities available to children in the vicinity of the site. Close by are the Riverside Walk, Castle Gardens and the Cathedral Precinct; slightly further away is Mousehold Heath.

Main issue 4: Design and heritage

43. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
44. External works include provision of a playground to the rear of the site (including a boundary wire fence and ancillary structures) and upgrading of windows.
45. The boundary fence and ancillary structures within the playground will not cause any harm to the character and appearance to the building or wider conservation area and are appropriate given the proposed use.

46. The replacement windows are proposed to be aluminium with a design to match the existing so the external appearance of the building will not be altered significantly. The colour is to be agreed by condition.

Equalities and diversity issues

47. There are no significant equality or diversity issues.

Local finance considerations

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

Conclusion

49. The proposal involves the loss of low quality office space but provides a much needed primary school in a sustainable city centre location. Whilst there is some conflict with the Local Plan allocation at CC4, the proposed re-use of an existing building on the edge of the allocation is unlikely to cause significant delay to the redevelopment of the wider site.
50. There are other material planning considerations that must be taken into account when determining the application. These are outlined in the body of the report above. Significant amongst these is the clear and strong guidance from central government that applications for extra school capacity should be considered favourably, which is expressed through the National Planning Policy Framework and ministerial statements.
51. Given the above, it is recommended that the application should be approved.

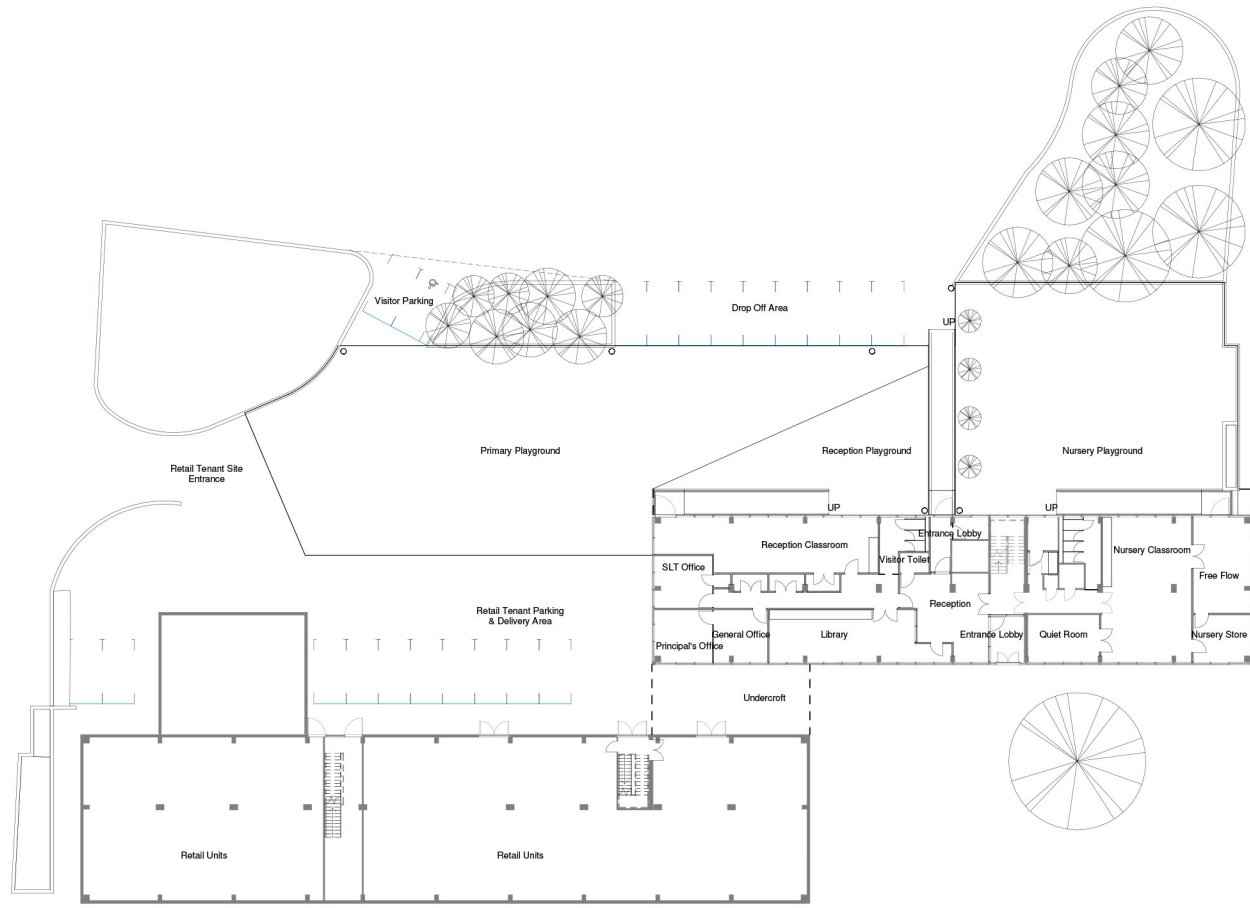
Recommendation

To approve application no. 17/01602/F - 81 Rose Lane Norwich NR1 1DJ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Colour of windows;
4. Noise management plan for the use of the play area;
5. Cycle & refuse details.

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CDM - RESIDUAL RISKS
 The following are considered to be significant risks relevant to this drawing, which could not be fully mitigated or removed through design. Further possible control measures have been identified within the Design Risk Assessments which may help to mitigate these and other identified risks further during the construction / maintenance process.



Revision	Date	Drawn	CGI	CSI
P01 - First Issue	08.07.16			

This document references the following file:-

Reference Name	Status	Revision
INS010-PE-XX-ZZ-M3-A-0001	SO	P01.1

CLIENT
 Inspiration Trust

Architects
 Consulting Engineers
 Project Managers
 Surveyors

PICK EVERARD

PROJECT
 Charles Darwin Primary

Castle House
 Unit 3 Ynys Bridge Court
 Queens-Y-Garth
 Cardiff
 CF15 8SS
 Tel: 0345 845 0000
 Email: Cardiff@pick-everard.co.uk
 www.pick-everard.co.uk

DRAWING TITLE Proposed Site Plan - Phase 2	PICK EVERARD PROJECT No. 151805
	SCALE - unless otherwise stated 1 : 200 of A1
	STATUS PURPOSE OF ISSUE S2 PRELIMINARY
DRAWING NUMBER CDP-PE-P2-XX-DR-A-0202	REV P01

Project	Originator	Volume	Location	Type	Scale	Number