

Report for Resolution

Report to Planning Applications Committee
Date 14 January 2009
Report of Head of Planning Services
Subject 09/01394/F Monastery Court Elm Hill Norwich

Item
5(3)

SUMMARY

Description:	Construction of a brick enclosed electrical substation adjacent to the Monastery Court building.
Reason for consideration at Committee:	At the request of the Head of Planning Services and a Member of Planning Committee.
Recommendation:	Approve subject to conditions
Ward:	Mancroft
Contact Officer:	Mark Brown Senior Planner 01603 212505
Valid date:	30th November 2009
Applicant:	Norwich University College of the Arts
Agent:	Hudson Architects

INTRODUCTION

The Site

Location and Context

1. The site is located at Monastery Court, between the Monastery Court Building, a large locally listed 2½ storey pitched roof building, and the rear of grade II listed properties at Monastery Court and Elm Hill. This part of the site is currently used for three private parking spaces. The site is also located within the City Centre Conservation Area and the main area of archaeological interest.

Planning History

2. Application no. 09/00033/F was approved on 20 March 2009 for modifications and alterations to the Monastery Court building. This application included the provision of a new sub-station on the same site with a timber structure and metal gates to screen it from view. This sub-station was designed around a Glass Reinforced Plastic (GRP) enclosure. Conditions on this consent included details of noise mitigation measures to be submitted and details of the colour and finish of the fence and gate to surround the sub-station.
3. A further application was approved in June 2009 (09/00282/F) for a brick enclosed electrical sub-station in the same location with powder coated louvered doors. The enclosure measured 3.3m x 3.6m with a height of 3.4m rising slightly at one end due to a small parapet to conceal the flat roof. This application was also subject to conditions relating to noise mitigation measures, although having reviewed the equivalent condition placed on permission 09/00033/F the wording was varied to improve its precision.
4. Application no. 09/00923/VC was submitted in September 2009 and sought to amend the sub-station noise mitigation condition on permission 09/00033/F to the wording of the condition placed on the permission for the brick enclosed sub-station 09/00282/F. This application was withdrawn in November when the applicants in consultation with EDF energy decided to pursue the brick enclosed sub-station.

The Proposal

5. The proposal is for a brick enclosed electrical sub-station with powder coated louvered doors. The proposal is in the same location as the sub-station approved via permission 09/00282/F. It varies in that the enclosure now proposed is approximately 0.55m lower and has an amended verge detail.

Representations Received

6. 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

7. **Norfolk Landscape Archaeology:** If planning permission is granted, we ask that this be subject to a condition for a programme of archaeological work in accordance with Planning Policy Guidance 16, Archaeology and Planning.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 – Delivering Sustainable Development

Supplement to PPS1 – Planning and Climate Change

PPG15 – Planning and the Historic Environment

PPG16 – Archaeology and Planning

PPG24 – Planning and Noise

Relevant Strategic Regional Planning Policies

East of England Plan 2008

ENV6 – The Historic Environment

ENV7 – Quality in the Built Environment

Relevant Local Plan Policies

City of Norwich Replacement Local Plan 2004

HBE3 – Area of main archaeological interest

HBE8 – Development in Conservation Areas

HBE12 – High Quality Design

EP22 – Amenity

Principle of Development

8. The sub-station is required in order to support the efficient running of the Monastery Court Building and electricity supply to the local area. The Monastery Court Building is currently used as studio space with little energy requirements but is to be utilised for the digital department which will have far greater energy requirements. The sub-station would provide for the needs of the art school but would also be able to provide for the future needs of the area.
9. The main issues to consider in this case are neighbour amenity and design including the impact on the setting of the Conservation Area and surrounding buildings.

Amenity

10. In relation to the issue of height and overshadowing, the proposed sub-station will be approximately 550mm lower than the currently approved sub-station. This will be in the region of 150mm higher than the wall and trellis along the boundary with 1 Monastery Court and set back just under half a metre from this boundary. Given the sub-stations location to the north of the Elm Hill and Monastery Court gardens it is not considered that the proposal would cause any overshadowing.
11. With reference to noise, part of the reasoning behind the application for a brick enclosed structure is to improve acoustic insulation. The noise mitigation condition on the previous permission for a brick built sub-station required the specification of the sub-station and details of noise mitigation measures to be submitted to ensure that noise from the sub-station did not exceed background noise levels at the window of the nearest habitable room of the nearest residential property. The current application has been submitted with an acoustic report which has taken readings from two similar sub-stations, one older representing a worst case scenario and another more recently constructed sub-station. With no further acoustic insulation other than the enclosure itself the report concludes that when compared to background noise levels at the site, sub-station noise is at least 10 decibels below background noise during the day. During the night it is 5 decibels lower in most frequencies with the exception of the lowest frequencies which are approximately the same as background noise. These low frequencies are at the border of human hearing.
12. On the basis of this report it is recommended that any consent be subject to a condition requiring noise from the substation to be below existing background noise levels in any octave band at the window of the nearest window of the nearest habitable room of the nearest residential property.

13. The issue of electromagnetic fields, as far as they have implications for health, are a material planning consideration. There is no specific Government guidance on sub-stations and the planning system, however, the government have adopted the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines which electricity operators follow. For the purposes of telecommunications equipment under PPG8 the Government have advised that subject to compliance with these guidelines there should be no further need to consider the health implications further under the planning system. On this basis it is considered that the proposals are acceptable in terms of their health implications.

Design

14. The sub-station will be a utilitarian building in an area which is dominated by significant and important buildings in the Conservation Area. However, in this context the proposed location is considered to be the most appropriate. The location is in a small service yard used for parking and with views from one side. Public views of the substation would be limited to a relatively small area of the Monastery Court Car Park. The sub-station would not be seen from the river and nor would it obstruct any key views or aspects of Listed Buildings.
15. The building will be marginally higher than the boundary walls of the Elm Hill properties. This is partly due to the need to raise the site for level access to avoid water running down into the sub-station. The height would partly obscure views of the rear of Elm Hill properties. This revised application has, however reduced the height of the enclosure when compared to the already approved sub-station.
16. The previous permission for a brick built enclosure included a condition requiring details of materials to be used. Further details have been provided with this revised application including brick details and colour of the louvered doors. These details are considered to be acceptable and therefore this condition is not required on any permission for this revised proposal.

Archaeology

17. Norfolk Landscape Archeology has requested that any consent be subject to a condition requiring archaeological monitoring of the works. Although an archeological historic building record and monitor has been carried out for the purposes of permission 09/00033/F, this has not covered the monitoring of the foundations for the sub-station and as such it is necessary to impose the archeological condition on this consent.

Conclusions

18. It is considered that the proposals are acceptable and subject to the conditions listed below the proposals would not have any significant detrimental impact on neighbour amenity, the appearance of the conservation area or the setting of any Listed Building.

RECOMMENDATIONS

To approve Application No (09/01394/F) and grant planning permission, subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted;
2. The development hereby approved shall be carried out in accordance with the plans and details as specified on this decision notice;
3. Noise from the substation, hereby permitted, measured as a five-minute Leq in octave bands (with a frequency range of 20-20,000HZ) shall not exceed the existing background (L90) noise levels in those octave bands at the window of the nearest habitable room of the nearest residential property.
4. No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

(Reasons for approval: The decision has been made with regard to the provisions of the development plan, so far as material to the application including policies WM6, ENV6 and ENV7 of the adopted East of England Plan (May 2008), saved policies HBE3, HBE8, HBE12 and EP22 of the City of Norwich Replacement Local Plan (November 2004), PPS1, Supplement to PPS1, PPG15, PPG16, PPG24 and other material considerations. It is considered that the proposals are acceptable and subject to the conditions listed the proposals would not have any significant detrimental impact on neighbour amenity, the appearance of the conservation area or the setting of any Listed Building.)