Report to	Planning applications committee	ltem
	26 February 2015	
Report of	Head of planning services	
Subject	Application no 14/01608/U - 1A Oak Street Norwich, NR3 3AE	4(D)
Applicant	Serco	
Reason for referral	Objections	

Ward:	Mancroft
Case officer	Caroline Dodden - carolinedodden@norwich.gov.uk

Development proposal		
Change of use from office to health clinic (Class D1).		
Representations		
Object	Comment	Support
12		

Main issues	Key considerations
1) Principle of development	Principle of health use in city centre
2) Office floor space	Assessment of loss of office floor space
3) Amenity	Impact on nearby residents
4) Accessibility and parking	Level of accessibility and adequacy of
	parking
Expiry date	5 March 2015
Recommendation	Approve



© Crown Copyright and database right 2015. Ordnance Survey 100019747. Planning Application No 14/01608/U Site Address 1A Oak Street

Scale

1:750





PLANNING SERVICES



The site and surroundings

- 1. No. 1A Oak Street is a flat roofed office building with a wedge shaped footprint, situated on the west side of the road. Residential dwellings within Dyers Yard and Indigo Yard bound the site to the north, south and west and the Grade I listed church of St. Michael Coslany is located on the opposite side of Oak Street on the corner of Colegate.
- 2. The immediate area is largely residential in nature with Barnards Yard, Dyers Yard, Indigo Yard and St. Miles Alley being the closest groups of residential dwellings. Oak Street Medical Centre is located approximately 160 metres away on Oak Street.

Constraints

- 3. The site falls within the city centre conservation area, being part of the Northern Riverside characterisation area, where the residential dwellings to the north and south of the building are identified as having positive frontages. The Grade I church of St. Michael Coslany, on the opposite side of Oak Street, is identified as a local landmark within the city centre conservation area appraisal.
- 4. The site is within the boundary of the Northern City Centre Area Action Plan, where it falls within an area of main archaeological interest, an area identified for city centre regeneration and an area for reduced parking.

Relevant planning history

Ref	Proposal	Decision	Date
4/2002/0438	Conversion of first floor from manufacturing use to offices including erection of entrance lobby and external ladder.	APPROVED	03/07/2002
04/01214/F	Installation of new windows to first floor offices.	APPROVED	14/12/2004
05/00882/F	Installation of 16 air conditioning units to flat roofed area on north side of building.	REFUSED	08/11/2005
06/00755/F	Retention of air conditioning units in a modified form.	APPROVED	06/11/2006
15/00044/F	Erection of new rooftop fence, ventilation units, refuse storage area and provision of cycle stands with minor associated alterations.	PENDING	

5.

The proposal

6. To change the use of the rear part of the ground floor and the first floor of the premises from offices to a health clinic (Class D1) with associated off-street parking.

Proposal	Key facts
Scale	
Total floorspace	740 square metres
Operation	
Opening hours (times open to members of	Mon & Wed: 9am – 7.30pm Tues, Thurs, Fri: 9am – 6pm
the public).	Sat: 10am – 2pm
Transport matters	·
Vehicular access	Vehicular access to the north side of the building leading to an existing car park at the rear
No of car parking spaces	17 parking spaces including 2 disabled spaces
No of cycle parking spaces	8 covered cycle parking spaces (existing)
Servicing arrangements	Bin storage proposed to rear of building (proposed details form part of pending application 15/00044/F)

Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Twelve representations from ten households have been received citing the issues as summarised in the table below. All representations are available to view in full at http://planning.norwich.gov.uk/online-applications/ by entering the application number.

Issues raised	Response
The building is an eyesore in the streescape and this proposal would extend the life of this building. It should be demolished and the site redeveloped for	Paragraph 20

Issues raised	Response
residential use	
Concerned about the intensiveness of the clinic as there would multiple treatment rooms and the clinic will sometimes be open beyond normal office hours in this predominantly residential area.	Paragraphs 29-31
Oak Street is narrow and the clinic will exacerbate existing parking, access and highway safety problems. No visitor parking should be available.	Paragraphs 36-38
Concerned about privacy, as obscure glazed windows facing on to Dyers Yard properties can be opened.	Paragraphs 32-34
There are vacant office buildings in more suitable locations in the city centre, such as St. Marys Works.	Paragraphs 23-26
The proposal is contrary to the local plan for residential and the proposal will downgrade our residential environment.	Paragraphs 19-20

Consultation responses

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

Environment Agency

9. The site lies in flood zone 2. The proposed change of use will result in the building moving from the less vulnerable to the more vulnerable use category. A flood risk assessment should be completed and assessed.

Highways (local)

10. The existing car parking area and cycle parking provision is acceptable for this city centre location. A condition requiring a Travel Information Plan would be appropriate based on the floorspace of the proposed clinic.

Assessment of planning considerations

Relevant development plan policies

11. Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)

- JCS1 Addressing climate change and protecting environmental assets
- JCS6 Access and transportation
- JCS7 Supporting communities
- JCS11 Norwich city centre
- JCS19 The hierarchy of centres

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM5 Planning effectively for flood resilience
- DM17 Supporting small business
- DM22 Planning for and safeguarding community facilities
- DM31 Car parking and servicing

Other material considerations

- 13. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):
 - NPPF0 Achieving sustainable development
 - NPPF2 Ensuring the vitality of town centres
 - NPPF4 Promoting sustainable transport
 - NPPF8 Promoting healthy communities
 - NPPF10 Meeting the challenge of climate change, flooding and coastal change

Case Assessment

14. 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 polices 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

- 15. Key policies and NPPF paragraphs JCS7, DM22, NPPF paragraph 70.
- 16. Paragraph 70 of the NPPF states that planning policies and decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
- 17. The proposed use as a health clinic falls within use class D1. As such, it is not a defined main town centre use within the NPPF. The principle of the proposal is assessed against Policy DM22 which permits new or enhanced public or community facilities where they are located within or adjacent to the city centre or existing and proposed local and district centres. It continues that proposals

within centres will be accepted where their location is appropriate to, and their scale and function is compatible with, the centre in which they are proposed.

- 18. The health clinic would be provided for people living in Norwich and the surrounding area. In addition, the proposed clinic would deliver two sessions per week from Thetford, Cromer and Swaffham, in order to offer services closer to patient's homes, which should also reduce the footfall of patients through the proposed central hub at Oak Street. These locations have been identified by the commissioning authority, Norfolk County Council, following the completion of a health needs assessment, which identified these as high need areas.
- 19. The proposed site at Oak Street is located within the city centre and given the proposed scale and function of the clinic, as described above, it is considered that this central position is fully consistent with the requirements of DM22.
- 20. The site is surrounded by residential properties, but it is not an identified housing site within the adopted site allocations and site specific policies plan. Consequently, there is no planning requirement to seek the redevelopment of the site for residential purposes, as suggested by a number of the objectors to the application.

Main issue 2: Loss of office space

- 21. Key policies JCS5, DM17
- 22. The front section of the ground floor is currently in office use and this proposal does not affect this continuing Class B1 use.
- 23. Policy DM17 permits proposals where the possibility of re-using the building or site for similar or alternative business purposes has been fully explored and it can be demonstrated that there is no demand for small and medium scale business units in this area and that there would be an overriding community benefit from a new use which could not be achieved by locating that use in a more accessible or sustainable location.
- 24. A letter has been submitted from property and business consultants confirming that the premises has been marketed in a number of ways from April 2014 and that the general market for offices in Norwich has been very difficult throughout the recession.
- 25. In addition, information has been provided detailing seven other premises within the city centre that were considered. These include St. Crispins and St. Marys House on Duke Street and Wensum House on Prince of Wales Road. The seven premises were considered unsuitable for a number of reasons including the lack of a lift for 1st floor accommodation, no parking, too small or too big and the accommodation being split over too many floors.
- 26. Bearing in mind the evidence provided and that the office accommodation at Oak Street is not considered to be of high quality, the loss of approximately 75% of the office floor space to a health clinic, which would provide a community benefit to the wider Norwich area, is considered to be acceptable in this particular case. It is also relevant to note that the specific proposed use

is comprised of a mixture of office space and consulting rooms and in this sense can be considered to be an alternative form of business use.

Main issue 3: Amenity

- 27. Key policies and NPPF paragraphs DM2, NPPF paragraphs 9 and 17.
- 28. Under Policy DM2 development will be permitted where it would not result in an unacceptable impact on the amenity of the area or the living or working conditions or operations of neighbouring occupants. Particular regard is given to matters including overlooking, loss of privacy and disturbance from noise.
- 29. The site is surrounded by residential properties to the north, south and west. The vehicular access to the rear car park is located adjacent to the access road in to Indigo Yard on the north side, from where a number of dwellings overlook the site. Dyers Yard has two garage courts and residential gardens that back onto the southern side of the site. A number of the dwellings within Dyers Yard overlook either the application building (which forms the southern boundary of the site) or the rear car park.
- 30. The health clinic is proposed to be open five and a half days a week, with approximately 10 clinical staff and 10-15 administration and health promotion staff operating both drop-in sessions and appointments throughout the week. A comparable service is currently provided in Ipswich, which has approximately 300 service users per week over 6 days (including Saturday morning) attending. This equates to approximately 50 people visiting per day (or half day) or about 6 people per hour, on average.
- 31. Other than the extended hours to 7:30pm on two days a week and four hour opening on Saturdays, the operating times are comparable to typical office hours which could currently operate from the premises. Bearing in mind, it is likely that these extended times of opening are likely to be generally quieter periods for the clinic, it is considered that its general activity would not cause significant harm to the residential amenities of the neighbouring properties by way of noise disturbance.
- 32. There is concern from neighbours regarding the potential for overlooking and loss of privacy. This application relates to the proposed change of use of part of the ground floor and all of the first floor of the building only. There are a number of first floor windows to the northern elevation of the building that face on to residential properties at Indigo Yard, where there are a number of mainly small secondary windows looking towards the building. On the south side of the building there are four small obscure glazed windows, which it is understood are fitted with opening restrictors.
- 33. Given the distance between the properties to the north of the site and the likely need for privacy of the consulting rooms, it is considered that the potential for overlooking or loss of privacy to residents facing the northern side of the building is likely to be minimal. The first floor accommodation on the southern side of the building is proposed to be used as offices. Bearing in mind the existing nature of the first floor windows, it is considered that the proposed change of use would not increase the potential for overlooking or loss of privacy to residential occupiers located on the south side of the building. It

should be noted that clearly the exact internal layout could change at a future date, however it is not considered that this would lead to any harm to neighbour amenity.

- 34. It is proposed to attach a condition to ensure that the southern first floor windows remain obscure glazed and fitted with restrictors.
- 35. In addition, it is proposed to attach a condition that would restrict the use of the floorspace for a health centre only within the D1 use class, as other D1 uses, such as day nurseries or places of worship are likely to have different noise implications that would need separate assessment.

Main issue 4: Accessibility and parking

- 36. Key policies and NPPF paragraphs JCS6, DM31 and NPPF paragraph 39.
- 37. Being in the city centre, the location of the proposed clinic is considered to be sustainable, within walking distance of many bus stops and the train station. In addition, the site is located approximately 300 metres from St. Andrews multi-storey car park and there is on-street parking bays located on Colegate, adjacent to the church of St. Michael Coslany and near St. Mary's works to the north of the site.
- 38. The proposed clinic would utilise the existing car park to the rear of the building for staff and visitors, which can accommodate approximately 17 car parking spaces, including two disabled spaces. There is an existing cycle store located along the northern side of the building, which would be adequate for the proposed use.
- 39. If committee members are minded to approve the application, a condition would be attached to require the submission of a Travel Information Plan to ensure that staff and customers are made aware of all of the transport opportunities available.

Compliance with other relevant development plan policies

40. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable

Requirement	Relevant policy	Compliance
Water efficiency	JCS 1 & 3	Not applicable
Sustainable urban drainage	DM3/5	Not applicable

Flood risk

- 41. The site falls within Flood Zone 2 and a Flood Risk Assessment (FRA) was submitted to take account of the Environment Agency advice regarding 'more vulnerable' development.
- 42. Data within the FRA shows that the site would not flood during a 1:100 event and that safe refuge on the first floor of the clinic would be available during a 1:1000 event. It is proposed to attach a condition to require the submission of a Flood Response Plan.

Equalities and diversity issues

43. There are no significant equality or diversity issues. It is recognised that there is not a lift up to the second floor accommodation, however, all necessary facilities would be available on the ground floor, which has ramped access to the main entrance door.

Local finance considerations

- 44. 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.
- 45. 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.
- 46. In this case local finance considerations are not considered to be material to the case.

Conclusion

- 47. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.
- 48. It is considered that the proposal would provide much needed health facilities at a sustainable, city centre location, which has adequate existing car and cycle parking provision.

Recommendation

To approve application no. 14/01608/U - Julian Housing Support Trust 1A Oak Street Norwich NR3 3AE and grant planning permission subject to the following conditions:

- 1. Commencement of development within three years;
- 2. In accordance with approved plans and details;
- 3. The premises shall be used as a health centre and for no other purpose (including any other purpose in Class D1);
- 4. Provision of car parking and cycle parking prior to occupation;
- 5. The existing first floor glazed windows on the southern elevation of the premises shall remain obscure glazed and have opening restrictors unless otherwise agreed in writing with the council, as local planning authority;
- 6. Submission of a Travel Information Plan;
- 7. Submission of a Flood Response Plan.

Article 31(1)(cc) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer

report.

Informative notes:

This use would not be eligible for on street parking permits.





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