

Planning Applications Committee
20 August 2009
Section B

Agenda Number:	B1
Section/Area:	Inner
Ward:	Thorpe Hamlet
Officer:	Sarah Platt
Valid Date:	18th July 2009
Application No:	09/00590/F
Site Address	6A Albion Way Norwich NR1 1WR
Proposal:	Creation of 3,779 sq.m of additional retail floor space at Mezzanine level.
Applicant:	HRWF (Norwich) Ltd
Agent:	Savills

THE SITE

The site is located to the South East of the City Centre, adjacent to the Inner Ring Road and in the Primary Retail area of Riverside. At present the application site is vacant and has a gross area of 5,975sqm retail floor space. To the South of the site are residential flats; to the North West is the rear of the Odeon cinema complex and various other leisure activity units. The application site unit is based on the end of a line of 3 retail units.

The whole Riverside Retail Park site comprises a food superstore and various retail outlets over 3 zones. The food superstore and petrol filling station operate on one side of the retail park with their own car park. On the second side of the retail park are approximately 8 retail outlets with another car parking zone. The third section has 3 outlets with 2 further zones of parking. The retail parks primary transport access road, Albion Way leads to a roundabout from which the 4 car parking zones can be reached. There is a secondary entrance and exit which is primarily for the use of delivery vehicles, residents and users of the

Riverside Swimming Pool car park on Wherry Road. Free car parking is provided throughout the site for customers within the 4 parking zones.

The site is not within a Conservation Area.

PLANNING HISTORY

08/00812/F - Creation of 3,779 sq.m. of additional retail floorspace at mezzanine level. This application was for an identical proposal to the application the subject of this report. The application was **refused on 08.01.2009** on transport grounds. There is currently an ongoing appeal relating to this refusal with a Public Inquiry scheduled for October 6-7th.

07/01268/CLP - Certificate of Lawfulness for unrestricted use within use class A1 retail for Units 6, 6A and 6B Albion Way, Riverside Retail Park – **Approved 28.01.2008**

04/01336/F - External alterations to the shop front and creation of rear service entrance – **Approved 11.01.2005**

04/01092/F - External alterations to building to facilitate subdivision into two retail units – **Approved 12.01.2005**.

4/1996/0583 - Redevelopment of site to provide retail units, offices, catering outlets, leisure uses, petrol filling station, swimming pool, light industrial units, residential units and a site for a tyre depot together with associated roads, footpaths/cycleways, car parking and public transport interchange - (Revised Boundary) – **Approved 04.06.1997**

THE PROPOSAL

Creation of 3,779 sq.m of additional retail floorspace at mezzanine level.

CONSULTATIONS

Neighbours – Advertised on site, in the press and adjoining retail units notified, no representations have been received.

The East of England Regional Assembly – no objections.

Norfolk County Council Highways – no objections.

Norfolk County Council Travel Plan Team:

Further information surrounding the role of the Travel Plan Coordinator, how long per week they would dedicate to the role and what their position would be was

requested. This has been received and is considered acceptable in the Revised Travel Plan received 06.08.09

Environment Agency:

The site is within Flood Zone 2 (1 in 1000 years). The proposed development is considered to place greater numbers of people at risk in the event of a flood and the submitted FRA has not assessed the safety of the inhabitants within and around the development. Due to the commercial nature of the development it is considered acceptable to manage this through the use of A Flood Warning and Evacuation Plan which is recommended as a condition of any approval.

PLANNING CONSIDERATIONS

Relevant National Policies:

PPS6 – Town Centres
PPG13 – Transportation
PPS25 – Development and Flood Risk

Relevant Regional Policies

Adopted East of England Plan:

T2 – Changing Travel behaviour
T4 – Urban Transport
T14 – Parking
NR1 – Norwich Key Centre for Development and Change

Relevant Development Plan Policies

Saved policies of the adopted Norfolk Structure Plan:

T2 – New Development

Saved policies of the adopted City of Norwich Replacement Local Plan:

SHO1 – Limit on major non-food shopping development
SHO3 – Locational conditions for new retail development – sequential test
SHO7 – Smaller scale expansion of existing retail units
EMP2 – Expansion of existing businesses
TRA3 – Modal Shift Measures supported by NATS
TRA6 – Parking Standards - maximum
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
TRA21 – Tariffs on Car Parks in the City Centre
TRA22 – Participation in Car Park Variable Message Signing

Supplementary Planning Documents

Transport Contributions (Draft for Consultation January 2006)

Introduction

In 2006 the Government introduced new legislation (through the 2004 Act, amendments to the General Permitted Development Order and Circular 01/2006) which required that internal alterations to increase floor space including mezzanine floors beyond the permitted development right of 200sqm would now require planning permission.

Principle of development

The site is within the Primary Retail Area as defined in the City of Norwich Replacement Local Plan (Adopted Version November 2004), and therefore policy SHO7 applies. It states that new development of up to 500sqm. net retail floor space in the central retail area will be accepted, but that development in excess of this threshold will need to be considered against policy SHO1 which seeks to direct development towards sites already allocated for shopping.

However, Government guidance in Planning Policy Statement 6: Planning for Town Centres, which was adopted in March 2005, supersedes the provision of the Replacement Local Plan. This states that it is not necessary for developers to demonstrate a need for retail proposals within designated Primary Retail Areas.

The principle of the proposed additional retail floor space is therefore considered to be in line with national policy and consistent with the objectives of PPS1 and PPS6.

Flood Issues

The application site is within Flood Zone 2 which is classified as medium probability flood risk. The Environment Agency have indicated that they would recommend a condition requiring the submission and prior approval of an emergency flood evacuation plan. It is considered that such a condition is appropriate and in line with guidance given within PPS25.

Transportation Issues

There are existing significant traffic problems associated with the Riverside Retail Park site and therefore this proposal causes us to have significant concerns over the transportation impact of this development.

Both Norwich City Council and Norfolk County Council have serious concerns about the limited parking management at the site and the consequent traffic movements and congestion that regularly occur in the area, causing further road blockages on the main road network which at this point functions as the main Inner and Outer Ring Roads.

Whilst the principle of the retail development is considered acceptable any resultant increased demand for parking and increased traffic movements would need to address the increased traffic movements and parking problems. Further, it should provide mitigation measures to address the existing local problem which is substantially greater than that associated with other car parks in the city.

It was considered that the measures proposed under the previous application (08/00812/F) failed to adequately address the transport impact the development would have.

Our previous concerns centred around the limited parking management at the site and the consequent traffic movements and congestion which have regularly occurred at this location, causing further congestion on a busy and strategically important stretch of road that functions both as the Inner and Outer ring road in this location. It was considered that adequate mitigation measures were not addressed in the previous Travel Plan and the application was refused.

The policy stance has not changed: PPG13 advises that reducing the amount of parking in new development (and in the expansion of existing development) is essential. The East of England Plan (May 2008) policy T14 states that the level of parking supply and charges should be used to promote change in travel behaviour. The level of parking provision is substantially higher in the Riverside area than in any other part of the city (with around three times the availability). There is no Variable Message Signing for this area and whilst the free short stay parking does deter commuter parking, the lack of a charging regime encourages car journeys to the site in a location which is potentially accessible by a range of transport modes.

It is considered that the future management of the car park has to be addressed as a fundamental pre-requisite if the level of floor space at Riverside is to increase at all as any additional traffic movement will only exacerbate the currently unsatisfactory situation. A suitable strategy for car parking would be needed as part of this proposal to ensure that the site begins to operate satisfactorily, given the substantial scale of the proposed increase in floor space and the potential scope for further additional floor space increases and intensification.

The applicant has expressed a difficulty in altering existing tenant leases in order to introduce car park management measures at this time and so the revised Travel Plan submitted under the present application has introduced three commitments to deal with this issue, these are:

- If the applicant submits any future applications for further A1 retail development at the retail park they will enter into discussions with Norwich City Council regarding car park management at the site;
- The applicant will seek to reach an agreement with tenants (existing and new) in order to facilitate the introduction of a car park management scheme at the site, and;

- Within 5 years from the first occupation of the mezzanine floor at 6A, the applicant will seek to introduce a charging regime for parking in the car park, the charging regime to be equivalent in charge and nature to a comparable car park.

Several measures have been proposed under the travel plan in terms of reducing staff parking on site and methods of travel to the site for staff members. These include the following:

- Currently there is no cap on the number of staff parking permits issued to tenants of each unit. Therefore, all staff working on site can park all day for free at this location. This is not in accordance with saved policy TRA6 (and Appendix 4 of the Local Plan) which states that car parking is not normally permitted for staff in the central retail area. Whilst Riverside is considered to constitute part of the City Centre Retail Area it is also accepted that there is currently no agreement on this site restricting staff parking. A cap of 10% per unit of staff parking has been negotiated for this unit and this is considered acceptable. The amount of staff parking will be significantly reduced, thereby freeing up spaces for customers, and reducing the amount of cars travelling to the site during peak hours;
- A 10% cap on staff parking is also proposed to be phased in for other units in the retail park (with the exception of Morrison's which is in separate ownership) whether there is any further development of the site or not;
- Promotion of non-car opportunities for staff, including car sharing, public transport opportunities and schemes for loans to buy bicycles etc, and;
- A staff travel information board detailing methods of non-car transport methods to the site.

In addition a number of other measures which were proposed under the previous application remain. These include consideration of secure cycle parking provision for customers, a customer travel information board detailing methods of non-car transport methods to the site and a public transport marketing campaign to take place over a 5 year period. It is proposed to spend £60,000 on the marketing campaign over the 5 years, it is however considered that this would have a limited impact on reducing customer travel behaviour without some form of car park management system and it was not considered to be acceptable as the primary measure for influencing customer travel behaviour.

Under saved policy TRA11 of the adopted City of Norwich Replacement Local Plan a transport contribution would normally be required. On the basis of the submitted transport assessment the peak hour trip generation of the development would be 18 vehicular trips which would equate to a £68,400 contribution. Such a contribution would be required in addition to measures proposed under the travel plan to promote more sustainable staff transport.

However, the applicants have now prepared and submitted a travel Plan that (as previously discussed) reduced the level of parking available for staff on the site (a major part of peak traffic to retail areas), and aims to reduce the share of

journeys made to the site by car. Additionally, PPG 13 advises that the best method of promoting more sustainable modes of travel in this location is to introduce car park management including parking charges and Officers have agreed with the applicants that this is an appropriate way forward on this site, but in the short term, due to leasing constraints, the applicants will be unable to implement any car park charging regime. The Travel Plan therefore also includes proposals to introduce parking charges on the site and the consequence of this, together with the other travel plan initiatives should result in no net increase in traffic to the site, thus negating the need for any Transport Contribution

It is therefore considered that subject to a condition requiring the introduction of a car park charging regime within 5 years of the first use of the mezzanine floor space that a transport contribution will not be required. This is not an ideal situation as it would be preferable for a car park charging regime to be introduced on first use of the mezzanine. However, on balance taking a pragmatic approach and given the current problems the applicant has with introducing such a scheme, this is considered to be appropriate.

Sub-division

The traffic generation figures given within the transport assessment submitted with the application are based on an assumption that the expansion of an existing retail unit would have a limited impact on increased traffic generation. This argument is accepted in principle and the application has therefore been assessed on the basis of these figures. It is considered that an increase in the number of units at the site could have a more significant affect on traffic generation and as this scenario has not been fully assessed it is considered appropriate to apply a condition restricting the sub division of the unit.

Conclusions

The principle of the development is considered acceptable, however any further development of the site which would lead to a more intensive use of the site by private car would be unacceptable. On balance it is considered that subject to the conditions listed below the transport implications of this development would be satisfactorily appeased and the proposals are therefore considered acceptable.

The application is considered to be in accordance with the objectives of PPS6, PPS25 and PPG13, policies T2, T4, T14 and NR1 of the East of England Plan (May 2008), saved policy T2 of the adopted Norfolk Structure Plan and saved policies SHO1, SHO3, SHO7, EMP2, TRA3, TRA6, TRA10, TRA11, TRA12, TRA21 and TRA22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

RECOMMENDATIONS

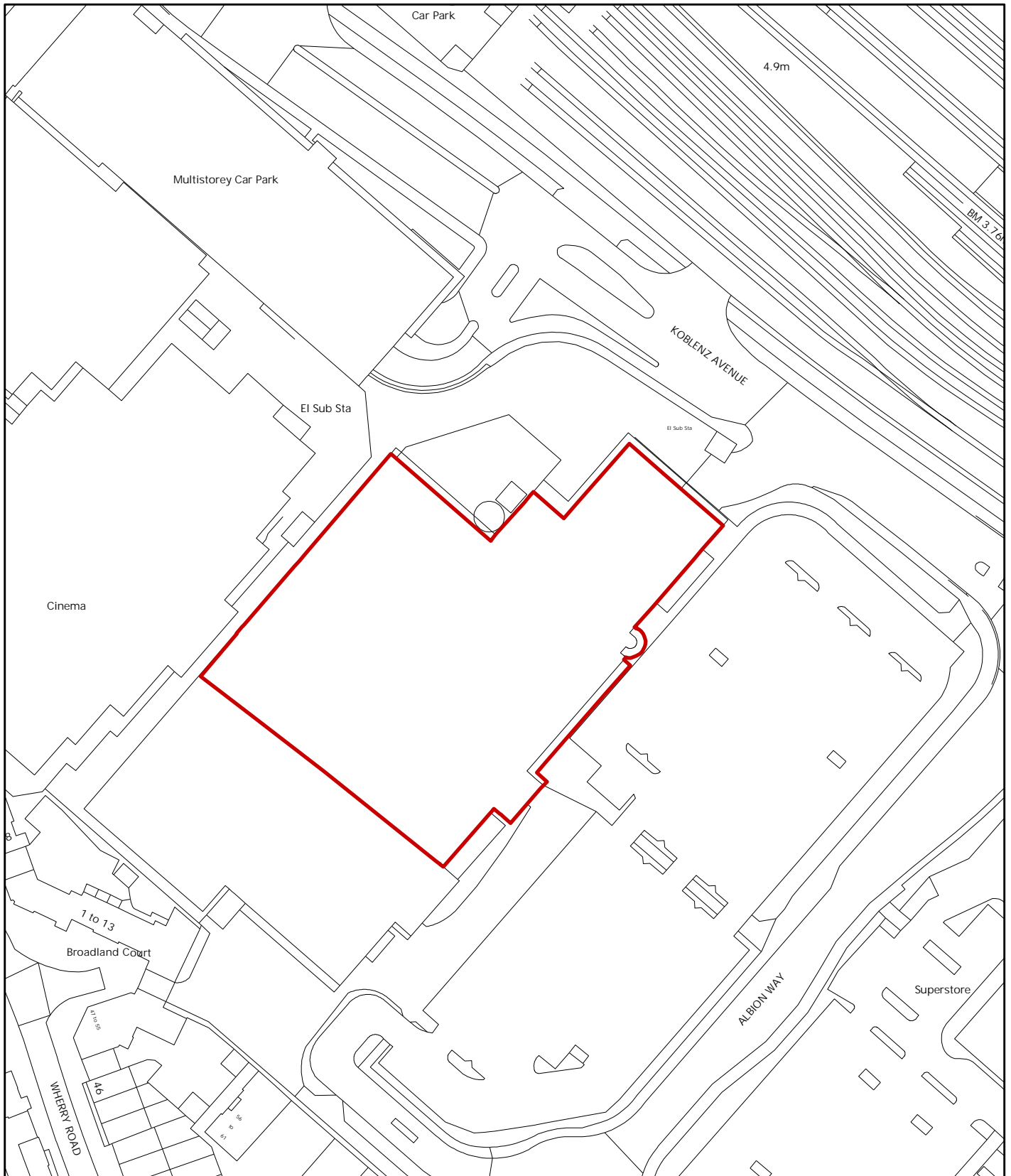
APPROVE PLANNING PERMISSION subject to the following conditions:

1. Standard time limit;
2. The unit the subject of this permission shall not be sub-divided;
3. Implementation of the travel plan on first occupation of the mezzanine floor;
4. Provision of a scheme of car park management for the site including a charging regime to be submitted and implemented within 5 years of first occupation of the mezzanine floor;
5. A flood warning & evacuation plan to be submitted.

Reason for Recommendation

The principle of the development is considered acceptable; however any further development of the site which would lead to a more intensive use of the site by private car would be unacceptable. On balance it is considered that subject to the conditions listed below the transport implications of this development would be satisfactorily appeased and the proposals are therefore considered acceptable.

The application is considered to be in accordance with the objectives of PPS6, PPS25 and PPG13, policies T2, T4, T14 and NR1 of the East of England Plan (May 2008), saved policy T2 of the adopted Norfolk Structure Plan and saved policies SHO1, SHO3, SHO7, EMP2, TRA3, TRA6, TRA10, TRA11, TRA12, TRA21 and TRA22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).



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Site Address - 6A Albion way
Scale - 1:1250



NORWICH
City Council

DIRECTORATE OF REGENERATION
AND DEVELOPMENT

