

## Planning Applications Committee

### Section B

13 November, 2008

<b>Agenda Number:</b>	<b>B2</b>
<b>Section/Area:</b>	<b>OUTER</b>
<b>Ward:</b>	<b>CATTON GROVE</b>
<b>Officer:</b>	Neil Campbell
<b>Valid Date:</b>	6 September 2008
<b>Application Number:</b>	08/00823/O
<b>Site Address :</b>	Land And Buildings Rear Of And Including 293 - 293A Aylsham Road Norwich
<b>Proposal:</b>	Proposed mixed use development comprising 88 No. residences and 8,000 sq.ft. A2/B1 office space.
<b>Applicant:</b>	<b>George J Goff Ltd</b>
<b>Agent:</b>	<b>Chaplin Farrant Ltd</b>

### THE SITE

The site is located to the north of the city centre and is relatively flat. It has a frontage to Aylsham Road (A140) and is surrounded by residential, commercial, retail and entertainment uses. The site has been used for storage and distribution of heating oil since the 1960s. The rear part of the site accommodates fuel storage tanks, parking for a fleet of delivery vehicles and administrative and support facilities. Management functions and fleet servicing are also carried out on the site.

The part of the site with a frontage to Aylsham Road has been used as a car showroom again since the 1960s. This part of the site has been unused for the last six months with no interest shown by other tenants.

## **RELEVANT PLANNING HISTORY**

None.

## **THE PROPOSAL**

The applicant is proposing demolition and clearance of the site as the premises are no longer suitable due to insufficient capacity for growth, the use is in conflict with surrounding residential uses, commercial vehicle movements are excessive and the buildings meet neither current health and safety and accessibility standards, nor sustainability targets.

The application is in outline form, with only means of access included as part of the application. However, the Design and Access Statement (DAS) submitted to support the application provides information concerning the proposal. The proposal is to redevelop the site with a mixed use development, including offices, residential (family housing, retirement apartments and residential apartments). The applicant has provided indicative information concerning the type of development expected these include:

### **Residential:**

Private Housing (general): 10 townhouses of which;

4 are 4 bed

6 are 3 bed

Private Housing (Over 55s): 51 units of which;

38 are 2 bed

13 are 1 bed

Social Housing for rent: 27 units of which;

4 are 1 bed flats

12 are 2 bed flats

7 are 2 bed townhouses

4 are 3 bed townhouses

The social housing provision is in accordance with policy representing 30.7% of the total housing provision.

### **TOTAL HOUSING:**

88 units

### **A2/B1a/B1b/B1c offices:**

2 of 372 sq m (4,000 sq ft) Gross Internal Area. The office provision is consistent with adjacent offices.

## CONSULTATIONS

Advertised in the press, on site and neighbours notified. No letters of objection received from local residents.

**Anglian Water:** Raise no objection to the proposal.

**Norwich Society:** Considers there to be far too many buildings for this site and traffic problems are inherent with the proximity of a five way junction.

**Norfolk Constabulary:** Raise no objection to the proposal but make the following observations:

- A mix use of commercial and residential development would make it difficult to identify those that belong or have a reason to visit.
- Residents and employees parking are not adequate.
- The perimeter fence will need to be robust.
- Cycle store should be located under direct supervision and enclosed storage avoided.
- Gable ends of houses should have windows to provide surveillance.
- There are number of grassed areas where residents don't have implied control.

**Norfolk County Council Highways Officer:** Raises no objection to the development subject to conditions to cover the provision of a ghost island right hand turn facility on Aylsham Road and a Traffic Regulation Order to impose an 'At Any Time' waiting restrictions along Aylsham Road to safeguard visibility.

**Norfolk County Council:** Require contributions towards fire hydrants and library facilities in the area.

**Environment Agency:** No objection subject to conditions.

**Norwich International Airport:** No objection subject to conditions.

## PLANNING CONSIDERATIONS

### National Planning Policy:

PPS 1	Delivering Sustainable Development
PPS 3	Housing

### Regional Spatial Strategy

ENG1	Energy
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## **Saved Replacement Local Plan policies**

HBE 12	High quality of design, with special attention to height, scale, massing and form of development
HBE 19	Designs for Safety and Security including minimising crime
EMP1	Small scale business development
EP1	Contaminated Land
EP 16	Water conservation and sustainable drainage systems
EP 18	High standard of energy efficiency for new development
EP 20	Sustainable use of materials
EP 22	High standard of amenity for residential occupiers
HOU 1	Provision of new housing to meet needs and monitoring
HOU6	Requirements for Housing developments
HOU 13	Proposals for new housing development on other sites
TRA 6	Parking standards
TRA 7	Cycle parking standards
SR4/7	Open Space and Play
SR12	Green Links
NE9	Landscaping of new development

## **Principle of Development**

This site is not specifically allocated for development within the Replacement Local Plan. The site is in close proximity to Aylsham Road district centre which offers local facilities and has excellent links to the city centre.

With regards to national policy, there is no objection in principle to the proposed redevelopment of this site. The proposal accords with government policy PPS 1 which aims to ensure that planning promotes sustainable development and PPS 3 which promotes the sustainable location of new housing. The proposal complies with local policy affordable housing policy at an appropriate density in an urban area with excellent access to public transport, local services and facilities.

It is considered that the principle of housing development in this location is acceptable in terms of policies HOU 1 and HOU 13 of the City of Norwich Replacement Local Plan. It also provides small scale employment opportunities on the edge of the district centre in compliance with policy EMP1. As such there is no policy objection to the proposal in principle.

## **Assessment of Other Issues**

### **Design/Layout**

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 and private gardens can be achieved. The details of any fencing/walls, particularly along the boundaries and lighting around the site should be controlled at detail stage by condition to ensure appropriate detailing of the scheme. The 88 dwellings proposed on the 1.29 hectare site equates to a density of approximately 68 dwellings per hectare.

In terms of the massing of the buildings, the bulk and heights are considered appropriate to this location 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.

### **Transport and Access**

A transport assessment has been provided with the application. The content of the assessment has been noted, and accepted by the County Highways Officer. It is considered that it would be beneficial to the operation of the Aylsham Road if a ghost island right turn facility is provided at the junction and that visibility along Aylsham Road from the estate road is safeguarded by the imposition of 'At Any Time' waiting restrictions. Therefore it has been suggested a condition should be placed on any consent so that no works shall commence on site until a detailed scheme for the off-site highway improvement works to provide a right turning provision with Ghost Islands has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, and any signing and lining required as a consequence of any Traffic Regulation Order shall be provided.

The access road in to the site for the residents via Aylsham Road has been designed to standards appropriate for this number of dwellings. The space for the car parking proposed accords with the Councils Parking Standards. It is considered that the level of parking shown would be able to cater for the parking requirements that the development would demand. However, some form of protective measures is suggested to prevent cars from parking on the public open space and this could be controlled by condition.

In light of the imposition of conditions related to the provision of off site highway improvements the Council considers the proposal to be acceptable in highways and parking terms and that the aims of the Council can be achieved by this development.

## **Landscaping and Trees**

The application has been supported with an Arboricultural Impact Assessment (AIA). The Councils Tree Officer states that he generally concurs with the findings of the submitted AIA. He also states that the AIA and Tree Protection Plan would need to be revised at the detailed Planning Application stage and also be supplemented in landscape terms by a detailed landscape scheme for the site. This can be secured through condition and will ensure that the development can proceed and that any trees likely to be affected will be replaced with more appropriate specimens around the site which in turn will enhance the amenity of the area.

## **Contamination**

In considering planning applications, the potential for contamination to be present must be considered in relation to the existing use and circumstances of the land, the proposed new use and the possibility of encountering contamination during development. Government guidance contained in PPS23 (Planning and Pollution Control) considers that Local Planning Authorities should satisfy themselves that the potential for contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to deal with unacceptable risks. Developers should be able to assure Local Planning Authorities they have the expertise, or access to it, to make such assessments.

The current use on site of storage and distribution of heating oil clearly has potential for contamination therefore a desk study assessing the current uses of the site and the potential for contamination has been included in this application. In response to this the Environment Agency and the Councils Environmental Health Officer both raise no objection subject to suitable conditions. Therefore Officers are satisfied that the information provided to date is adequate for this application to be determined. Further information relating to the potential for contamination and any necessary remediation and subsequent management measures to deal with unacceptable risks would be required for any detailed application.

## **Drainage**

The proposed development site lies in Flood Zone 1. Flood zone 1 is defined from PPS 25 (Development and Flood Risk) Table D.1 as Low Probability of flooding. It also states that for development proposals over one hectare or above the vulnerability to flooding from other sources as well as from river or sea flooding increases. The potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off, should be incorporated in a Flood Risk Assessment (FRA).

A FRA dated September 2008 was submitted with the application. In response to this the Environment Agency and the Councils Environmental Health Officer both raise no objection subject to suitable conditions.

### **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.
- Provision and management of Public Open Space (land to remain in private ownership).
- Transportation matters in line with policies TR10 and TR11 and the transportation contributions SPD:
- Library contributions as required by HOU6.
- Payment to promote traffic regulation order.

### **CONCLUSION**

The design, scale, height, massing, form and materials are, in the view of the Councils Design and Conservation Officer, appropriate to the surrounding areas, with the central open space proposed providing a key element of the design.

The development minimises the threat of crime to public and residents. Contamination issues are addressed, water efficiency is maximised, sustainable drainage systems are included, a high standard of energy efficiency is achieved in compliance with ENG1 and sustainable materials are considered (all are referred to in Design and Access Statement). Clarification should be sought on the Code for Sustainable Homes levels to be achieved in the development. Accessibility and transport issues are addressed.

The development is landscaped to promote biodiversity and a green link (and possibly a vehicular link) is established towards the north of the site to link with any future development at Arminghall Close. There is little evidence of this in the current submission.

Therefore for the reasons outlined above the principle of residential and office development accords with both national guidance and the City of Norwich Replacement Local Plan and the proposal is considered acceptable, providing that the detailed design ensures that

## **RECOMMENDATIONS**

### **RECOMMENDATION A.**

APPROVE PLANNING PERMISSION subject to the signing of a S106 by 6 December 2008 to include the following:

1. Affordable Housing as required by HOU4 and the Affordable Housing SPG.
2. Open Space and Play Space Contributions in accordance with policies SR4, SR7 and the Open Space and Play Space SPD.
3. Provision and management of Public Open Space (land to remain in private ownership).
4. Transportation matters in line with policies TR10 and TR11 and the transportation contributions SPD:
5. Library contributions as required by HOU6.
6. Payment to promote traffic regulation order.

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. Submission of a landscaping details, including all hard and soft treatments, also including lighting plans and the provision of offsite landscaping on highway land;
4. Landscaping to be maintained and any new trees/shrubs lost to be replaced;
5. Submission of an Arboricultural method statement;
6. Scheme for the provision and implementation of surface water drainage to be submitted;
7. Scheme for the provision and implementation of foul water drainage to be submitted;
8. Scheme for the provision and implementation of pollution control to be submitted;
9. All surface water from the car park to be passed through a petrol/oil interceptor;
10. Scheme to manage contamination to be submitted;
11. Scheme for water, energy and resource efficiency measures to be submitted;
12. Details for the provision of 10% of the sites energy from decentralised and renewable or low carbon sources;
13. Scheme for provision of sufficient capacity in the public sewerage system to meet the needs of the development to be submitted;
14. Details and specifications for all plant and machinery to be submitted;
15. Submission of a Waste management plan;



16. Submission of a servicing management plan, including details of proposed delivery times;
17. Submission of full details of cycle storage;
18. Submission of a fire strategy including details for the provision of fire hydrants;
19. Vehicular access to be constructed to Norfolk County Council Specification;
20. No gates shall be erected across the access unless otherwise agreed with the Local Planning Authority;
21. Servicing, turning areas to be provided prior to first occupation;
22. Scheme for drainage measures to prevent surface water run-off onto the highway;
23. Detailed scheme for off-site highway improvements including the right turn ghost island;
24. Off site highway improvement works referred to in condition 24 shall be completed prior to first occupation;
25. Construction traffic management plan to be submitted;
26. 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.

#### REASON FOR RECOMMENDATION:

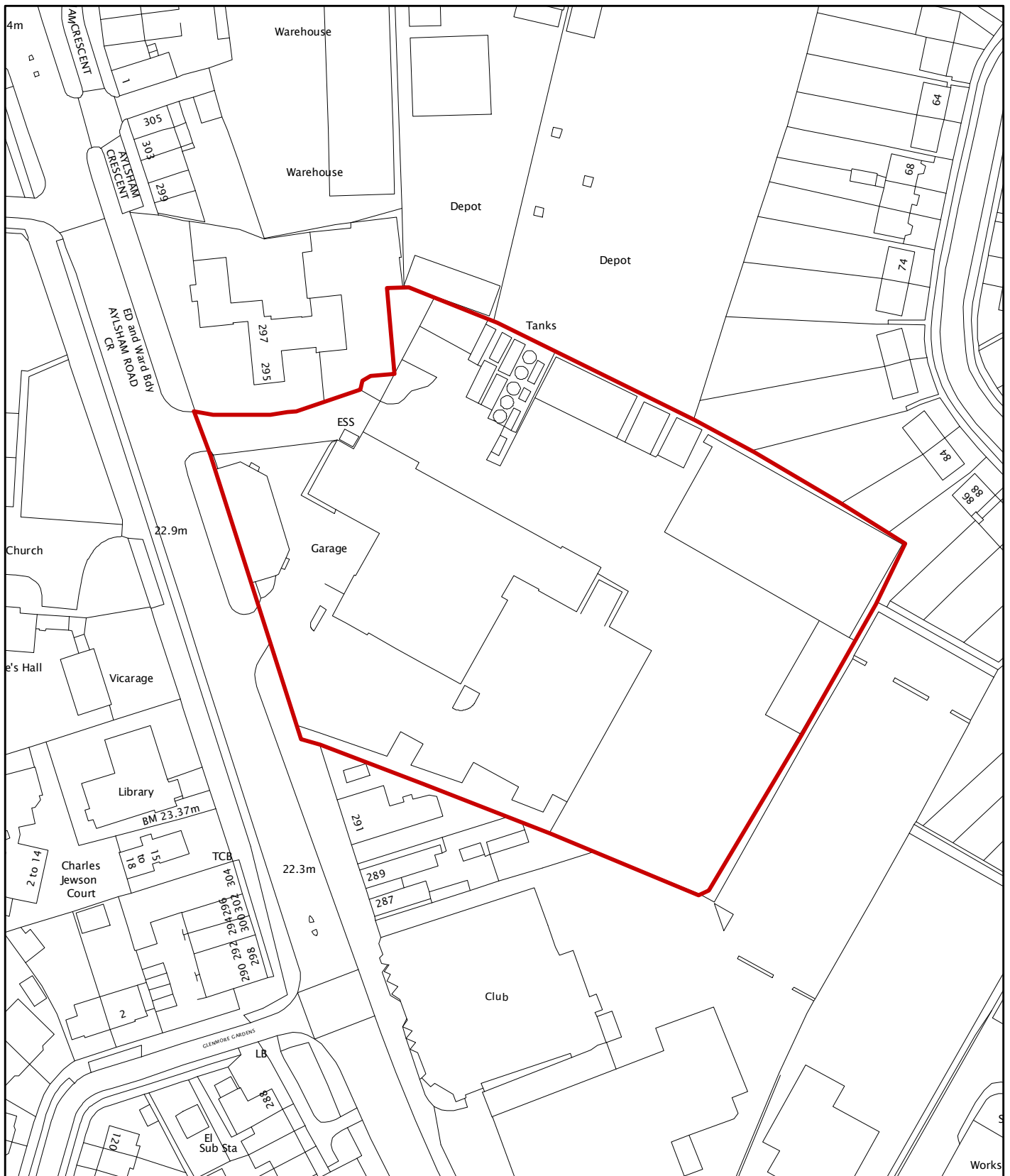
Having considered all of the above and other material planning considerations it is considered that subject to the conditions listed and the contents of the S106 agreement that the proposals are inline with the provisions of the Development Plan. The proposal would result in an appropriate and satisfactory form of development that would enhance this site. As such, the proposal would comply with Policies HBE 12, HBE 19, EMP1, EP1, EP 16, EP 18, EP 20, EP 22, HOU 1, HOU6, HOU 13, TRA 6, TRA 7, SR4, SR7, SR12 and NE9 of the City of Norwich Replacement Local Plan Adopted Version, November 2004 and policy ENG1 of the East of England Plan, Adopted May 2008.

The proposal is considered to make more efficient use of the land by introducing additional housing and provide sustainable development in line with policy guidance within PPS1 and PPS3. It is also considered that the proposals would enhance this part of the City and improve the buildings relationship with the surrounding public realm.

#### RECOMMENDATION B

Delegate authority to the Head of Planning and Regeneration Services to REFUSE the permission if the S106 is not completed prior to 6<sup>th</sup> December 2008 for the following reason:

In the absence of a legal agreement or undertaking relating to the provision of affordable housing, children's play provision, public open space, transportation contributions and education contributions the proposal is contrary to saved policies SR7, SR4, TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan.



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Planning Application No - 08/00823/O

Site Address - Land and Buildings rear of and including 293-293A Aylsham Road

Scale - 1:1250



**NORWICH**  
City Council

DIRECTORATE OF REGENERATION  
AND DEVELOPMENT

