



PLANNING APPLICATIONS COMMITTEE

Date: **Thursday 7 August 2014**

Time: **9.30am**

Venue: **Mancroft room, City Hall**

COMMITTEE MEMBERS:

Councillors:

Gayton (chair)
Sands (M)
Ackroyd
Blunt
Boswell
Bradford
Button
Herries
Grahame
Jackson
Neale
Woollard

FOR FURTHER INFORMATION PLEASE CONTACT -

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Democratic services
City Hall
Norwich
NR2 1NH

AGENDA

Page No.

1. Apologies

2. Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to an item if the members arrive late for the meeting).

3. Minutes

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To agree the accuracy of the minutes of the meeting held on
3 July 2014.

- 4. Planning applications** **17**
(Report of the head of planning services and the deputy chief executive office (operations))
- Purpose** - To determine the current planning applications as summarised on pages **13-14** of this agenda.
- Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 4 above are required to notify the committee officer by 10am on the day before the meeting.
- Further information on planning applications can be obtained from the council's website:- <http://planning.norwich.gov.uk/online-applications/>
- 5. Performance of the Development Management Service, Apr- Jun 2014 (Quarter 1, 2014-15)** **141**
(Report of the head of planning services)
- Purpose** - To report the performance of the development management service to members of the committee.
- 6. Performance of the Development Management Service: Appeals: 1 April to 30 June 2014 (Quarter 1, 2014 - 15)** **147**
(Report of the head of planning services)
- Purpose** - To report the performance on planning appeals to members of the committee.
- 7. Performance of the Planning Enforcement Service, Apr - Jun, 2014 (Quarter 1, 2014-15)** **155**
(Report of the head of planning services)
- Purpose** - To report the performance of the planning service to members of the committee.

Please note:

- The formal business of the committee will commence at 9.30am.
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available.
- The committee will adjourn for lunch at a convenient point between 1pm and 2pm if there is any remaining business.

30 July 2014



If you would like this agenda in large print, audio, Braille, alternative format or in a different language, please call Jackie Rodger, Senior committee officer on 01603 212033 or email jackierodger@norwich.gov.uk

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Planning applications committee**10.15am to 12.30pm****3 July 2014**

Present: Councillors Gayton (chair), Sands (M) (vice chair following election), Blunt, Bradford, Boswell (from end of item 4, below), Button, Grahame, Herries, Jackson, Neale and Woollard

Apologies: Councillor Ackroyd

1. Commencement of meeting time

The chair explained that there had been a discrepancy between the times published on the council's website and the printed agenda. Therefore, to ensure that no agents, applicants or members of the public were disadvantaged the meeting had been put back to the time published on the website.

2. Appointment of vice chair

RESOLVED to appoint Councillor Sands (M) as vice chair of the committee for the ensuing civic year.

3. Declaration of interests

Councillors Boswell and Jackson declared a predetermined view in application nos 14/00528/U and 14/00527/U Castle Mall (item 5 below) in that as local members they had supported constituents in opposing the proposals. They would speak on behalf of local residents and then leave the room. Councillors Herries and Woollard also declared a predetermined view as they had signed petitions opposing the proposals and supporting the retention of a walk-in health centre in the city centre. (Councillor Button subsequently declared a predetermined view in these applications when she joined the meeting at the end of item 4.)

Councillor Grahame stated that she did not have a predetermined view in applications nos 14/00528/U and 14/00527/U Castle Mall and that she would be approaching the application with an open mind. She pointed out that there was new information regarding the application.

Councillor Blunt said that as a local member he had advised a constituent regarding application no 14/00613/O, land between 335 and 337 Dereham Road (item 8) by referring them to the county councillor for the division and therefore did not have a predetermined view on the application.

4. Minutes

RESOLVED to approve the minutes of the meeting held on 5 June 2014.

5. Application no 14/00445/F Old School Court, Bracondale, Norwich

The planning development manager referred to the supplementary report of updates to reports which was circulated at the meeting and said that officers were discussing amending the proposals in the light of a consultation response.

RESOLVED to defer consideration of application no 14/00445/F Old School Court, Bracondale, to a future meeting.

6. Application nos 14/00528/U Level 2 and 14/00527/U Level 4 (and parts of levels 3 and 5)

(The chair agreed that because the applications were closely linked the reports would be considered together as one item but each application would be considered separately in its own right.)

(Councillors Boswell, Button, Herries, Jackson and Woollard having declared a predetermined view in this item and did not take part in the determination of the item. Councillors Boswell and Jackson had indicated that they would speak as local members.)

The head of planning services introduced the reports with the aid of plans and slides and referred to the supplementary report of updates to reports, which was circulated at the meeting and summarised a further letter of objection to application no 14/00527/U. The committee was advised that there was a factual error on the plan showing the location of the application site 14/00527/U, which for clarification was on level 4 and parts of levels 3 and 5, and should include the photographic unit fronting Timber Hill. Late on the previous day, the council had received a letter from the practice manager of Timber Hill Walk-in and Health Centre, on behalf of Norwich Practices Limited (NPL) withdrawing its objections to the proposals and confirming that following further discussions with Infrared (the landlord for Castle Mall) terms were being agreed for a planned withdrawal of the health centre from the Castle Mall and to allow for a new health centre to be developed nearby in separate premises in the city centre. NPL was therefore prepared to support the proposals. The committee was advised that there were other objections which would need to be considered notwithstanding the late representation that had been received

The practice manager, Timberhill Walk-in and Health Centre, addressed the committee and confirmed the contents of his letter and added that the applications were still relevant as the practice did not want to prevent the option of using the other unit in the mall.

Councillors Boswell and Jackson addressed the committee on behalf of their constituents in Nelson and Mancroft wards and the wider community, and pointed out that the letter from the NPL withdrawing its objections did not remove concerns about the relocation of the health facility and where it would be in the vicinity. They asked the committee to defer consideration of the applications for further information on this issue. The committee considered that the current information did not comply with National planning policy framework (NPPF), paragraph 70.

The Castle Mall centre manager addressed the committee in support of the applications and said that the six new eateries would regenerate the mall and create 120 new jobs whilst preserving 170 other jobs of people working in the mall. The proposals made sense of the zones in the mall and the provision of a health centre on level 2 adjacent to the post office would create a community hub.

The asset manager for Infrared (owner of the Castle Mall) outlined the business reasons for the reconfiguration of level 4 to provide 6 eateries which would complement the cinema on level 5. He referred to the application for the change of use of the unit on level 2 to a health facility and that a 10 year lease for the unit had been offered which would be fitted out with no cost to the public purse.

(Councillors Boswell, Button, Herries, Jackson and Woollard left the meeting at this point.)

The head of planning services referred to the report and pointed out that regard had been given to the NPPF. He then answered members' questions about access by emergency vehicles to the medical centre if it was relocated to the lower floors and access by the public when the retail units were closed. There was a lift from the car park. There was adequate level access with two entrances at street level to level 2. Members were advised that the discussion between third parties was commercial and not a matter for the planning authority. It was unreasonable for the planning authority to require the landlord to provide the service. A member suggested that there should be a condition to ensure that there was adequate signage to the mall. Members were advised that it would be reasonable to expect that the landlord would ensure this was provided and therefore a condition would not be necessary.

Councillor Neale moved, seconded by Councillor Grahame, that consideration of application no 14/00527/U Level 4 (and parts of levels 3 and 5) should be deferred for further information on the relocation of the health centre which was an "essential asset" for the city and that it was not the right time to make a decision on this proposal. The head of planning services advised that the information was unlikely to be forthcoming and the applicant could appeal on the grounds of non-determination of the application within the statutory timescale. On being put to the vote, with 2 members voting in favour (Councillors Neale and Grahame), 2 members voting against (Councillors Gayton and Sands) and 2 members abstaining (Councillors Blunt and Bradford) and with the chair casting his vote against, the motion to defer consideration of the application was lost.

The committee then voted on the recommendations contained in the report.

RESOLVED:

(1) unanimously, to approve application no 14/00528/U 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 health centre hereby permitted shall not be open to patients or clients at any time when the main mall car park accessed from Market Avenue is closed.
4. The unit shall only be used as a health centre and for no other use within the D1 use class.

5. Should the health centre vacate the premises, the unit shall revert to retail use (class A1).

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.

(2) with 3 members voting in favour (Councillors Gayton, Sands and Bradford), 0 members voting against, and 3 members abstaining (Councillors Blunt, Grahame and Neale) to approve application no 14/00527/U and grant planning permission, subject to the following conditions:-

1. Commencement of development within three years.
2. Development in accordance with approved plans and drawings.
3. Submission of details of plant and machinery.
4. Submission of details of extract ventilation.
5. Closed to the public between the hours of 00:00 hours and 07:00 hours on any day.

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 the appropriate conditions and for the reasons outlined in the officers report.

(Councillors Boswell, Button, Herries, Jackson and Woollard were readmitted to the meeting at this point.)

7. Application no 14/00555/MA site of 118 Magdalen Road, Norwich, NR3 4AN

The planning team leader (development) presented the report with the aid of plans and slides and referred to the supplementary report of updates to reports which was circulated at the meeting and contained further clarification to paragraphs 10, 23 and 30 of the report relating to the ridge height of block B.

Discussion ensued in which the planning team leader referred to the report and answered members' questions.

RESOLVED, unanimously, to approve application no 14/00555/MA at site of 118 Magdalen Road, Norwich, and grant planning permission, subject to the following conditions:-

1. Time limit;
2. In accordance with the approved plans;
3. Details of the timber cycle storage to the rear of the retail unit;
4. Details of boundary wall treatment;

5. Details and samples of external materials (windows, bricks, roof tiles and shop frontage);
6. Implementation of landscaping.

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, following negotiations with the applicant and subsequent the application has been approved subject to appropriate conditions and for the reasons outlined above.

(The committee had a short break at this point.)

8. Application no 14/00169/F Land adjacent to 36 Sunningdale, Norwich

The planning team leader (development) presented the report with the aid of plans and slides. He referred to the report and answered members' questions in relation to the neighbour's concern about loss of light; and, explained that the construction method would protect the roots of the oak tree.

RESOLVED with 10 members voting in favour (Councillors Gayton, Sands, Blunt, Button, Boswell, Grahame, Herries, Neale, Woollard and Bradford) and 1 member voting against (Councillor Jackson) to approve application no 14/00169/F land adjacent to 36 Sunningdale and grant planning permission, subject to the following conditions:-

1. Time limit.
2. In accordance with the approved plans.
3. Submission of samples.
4. Details of landscaping.
5. Submission of details of water conservation measures.
6. In accordance with the arboricultural method statement and tree protection plan and TPP tree protection plan.
7. Pre-commencement meeting and arboricultural supervision.
8. Appropriate condition in accordance with the recommendations of the natural areas officer.

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, following negotiations with the applicant and subsequent the application has been approved subject to appropriate conditions and for the reasons outlined above.

9. Application no 14/00613/O Land between 335 and 337 Dereham Road

The planner (development) presented the report with the aid of plans and slides.

A relative of the adjacent neighbour at 337 Dereham Road and Councillor Morgan, Wensum division, as proxy for the neighbour, outlined the objections to the proposed

development which included: concern about loss of light and amenity; that the original developer's intention was not to build on the land as the house at 337 faced onto it; that development on the site would be overbearing and create a tunnel between the front door of 337 and the fence. The committee was advised that the resident of 337 had cultivated the land for over 50 years and about the treatment that she had received from the county council in terminating the lease.

The agent spoke on behalf of the applicant and explained that the leader of the county council had written to the family to explain the reasons for the sale of the land. The proposal would provide an additional house in a sustainable location. He said that 337 Dereham Road would not be overlooked as it was not proposed to have windows on the first floor of that side of the new dwelling.

Discussion ensued in which the planner and the planning development manager referred to the report and answered questions and explained that the application was for outline planning permission. Members were advised that there would need to be a further application for reserved matters before the site could be developed which could be dealt with under delegated powers unless the number of objections received or a member request met the criteria for the committee to determine the application.

Councillor Blunt moved and Councillor Neale seconded that the application be refused because of the overbearing nature of the proposed development on 337 Dereham Road. They also expressed concern about the insensitive way the agent had treated the leaseholder. The planning development manager said that the application was for the principle of a dwelling on the site and that it could be set further back than indicated on the plans. The distance of the dwelling from the boundary was a consideration for reserved matters. Councillor Jackson pointed out that the reasons for refusal were not defensible and that it was not possible when determining an outline planning application to dictate conditions for reserved matters. The committee concurred with a proposal from Councillor Grahame that if the application were to be approved an additional informative were added to propose that the dwelling was situated with careful regard to the proximity of 337 Dereham Road.

On being put to the vote the motion to refuse application no 14/00613/O was lost with 3 members voting in favour of refusal (Councillors Blunt, Boswell and Neale) and 7 members voting against (Councillors Gayton, Sands, Button, Herries, Jackson, Woollard and Bradford) and 1 member abstaining (Councillor Grahame).

The chair then moved the recommendations in the report with the additional informative as proposed by Councillor Grahame.

RESOLVED, with 7 members voting against (Councillors Gayton, Sands, Button, Herries, Jackson, Woollard and Bradford), 3 members voting in favour of refusal (Councillors Blunt, Boswell and Neale) and 1 member abstaining (Councillor Grahame) to approve application no 14/00613/O at land between 335 and 337 Dereham Road and grant planning permission, subject to the following conditions:

1. Standard time limit for outline application.
2. No development until approval of reserved matters including appearance, landscaping, layout and scale.
3. Development in accordance with plans in respect to access.

4. Water conservation.
5. No development in pursuance of this permission until an AIA has been submitted and approved in writing by the local planning authority.
6. Details of secure cycling storage and refuge storage.

Informatives:

1. Refuse and recycling bins to be purchased by applicant with agreement from the council's citywide services.
2. Any hard standing to be of a permeable material.
3. Street name and numbering enquiries.
4. Construction working hours.
5. The application is for outline permission only. No permission is granted for specific layout or design of the development. However, a single-storey or more than two-storey property is unlikely to be considered an acceptable design as it would be out of character with the surrounding area. Careful consideration should also be given to the distance between the proposed dwelling and number 337 Dereham Road in order to avoid any sense of overbearing. Further submission of reserved matters is required

10. Application no 14/00733/F 117, George Borrow Road, Norwich, NR4 7HX

The planner (development) presented the report with the aid of plans and slides.

In reply to a member's question she advised the committee that planning permission was not required for multiple-occupation of up to six individuals.

RESOLVED with 9 members voting in favour (Councillors Blunt, Button, Boswell, Grahame, Herries, Jackson, Neale, Woollard and Bradford) and 2 members abstaining (Councillors Gayton and Sands) to approve application no 14/00733/F for 117 George Borrow Road and grant planning permission, subject to the following conditions:

1. Standard time limit.
2. In accordance with plans.

Chair

Applications for submission to planning applications committee

ITEM 4

7 August 2014

Item No.	Case Number	Page	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
4(1)	14/00818/VC	17	Former Bally Shoe factory, Hall Road	Tracy Armitage	Asda - Variation of conditions relating to previous planning permission	Objections	Approve
4(2)	14/00742/F	63	44A Mount Pleasant	James Bonner (IW presenting)	Demolition of existing dwelling and erection of 1 No. four bed replacement dwelling [revised].	Objections	Approve
4(3)	14/00673/F	77	Notcutts, Daniels Rd	Caroline Dodden	Part c/u to pre-school activity centre	Objections	Approve
4(4)	14/00713/NF3	85	Towers Park, Heartsease	Kian Saedi	Foot and Cycle Path	Council application	Approve
4(5)	14/00719/F	93	222 Sprowston Rd	Kian Saedi	c/u from flat & butchers to flat & takeaway	Objections	Approve
4(6)	14/00924/F	101	180 Angel Road	Joy Brown (IW presenting)	Two storey extension to rear	Objections	Approve
4(7)	14/00445/F	109	Old School Court, Bracondale	Lara Emerson	Reconfiguration of car park to provide 5 no. additional car parking spaces.	Objections	Approve

Item No.	Case Number	Page	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
4(8)	14/00693/O	117	36 Broadhurst Road	John Dougan (MB presenting)	Erection of 1 No. one bed dwelling.	Objection	Approve
4(9)	14/00716/NF3	131	St James House, St James Close	Joy Brown (IW presenting)	Proposed refurbishment of sheltered housing; installation of new PVCU windows, Juliet balconies, reconfiguration of layout of flats and subdivision of bungalow into two units, and erection of a single storey front extension to form new entrance.	Council application	Approve

STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

Crime and Disorder Act, 1998 (S17)

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

Natural Environment & Rural Communities Act 2006 (S40)

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Planning Act 2008 (S183)

- (1) Every Planning Authority should have regard to the desirability of achieving good design

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law

Article 8 – Right to Respect for Private and Family Life

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

Report to Planning applications committee
Date 7 August 2014
Report of Head of planning services
Subject 14/00818/VC Former Bally Shoe Factory Ltd Hall Road
 Norwich NR4 6DP

Item
4(1)

SUMMARY

Description:	Variation of conditions relating to previous planning permission 12/02003/F to allow for minor material amendments to the design and layout of the food store (including the service area to the rear) and retail units, revisions to the layout of the car park and service access, revisions to landscaping, a new electrical sub-station. Variations to conditions to allow for a revised comparison and convenience floorspace ratio in the food store and to revise the energy efficiency scheme. Variations to the S106 agreement to remove community use provisions for the use of the Gym.	
Reason for consideration at Committee:	Objection	
Recommendation:	Approve	
Ward:	Lakenham	
Contact Officer:	Tracy Armitage	Senior Planner - Development 01603 212502
Valid Date:	10th June 2014	
Applicant:	McLagan Investment Limited	
Agent:	Deloitte LLP	

INTRODUCTION

The Site

The Site & Background

1. Full planning permission was granted in July 2013 for redevelopment of the former Bally Shoe factory site on Hall Road , to provide a new district centre to include a food store, customer café, retail units (Class A1, A2, A3/A5), community use, restaurant /public house, business units (Class B1 and B8), gym and associated access ,car parking and public realm. The consent was granted following the completion of a legal agreement and the resolution of planning applications committee to approve the application on 20 September 2012. The committee report is appended and minutes of that meeting are available at the link below:
<http://www.norwich.gov.uk/CommitteeMeetings>
2. The application site is located to the east of Hall Road, bounded by Sandy Lane to the

North and Bessemer Road to the east. The site measures 3.4 hectares in size and consists of the former Bally Shoe Factory and former T. Gill & Sons sites. A full description of the site and its constraints along with a planning history is given within the committee report for the full application. These have not materially changed since that report was written.

3. The redevelopment of the site is approved to come forward in two phases. Condition three of the permission requires the external completion of all parts of the scheme with the exception of business unit 1 prior to the superstore first trading. The permission allows for flexibility in the completion of the family pub/restaurant and a timescale of 5 months from the supermarket first opening has been agreed.
4. Since the granting of planning permission the site has been purchased by McLagan Investment Limited (ASDA's wholly owned property company). The owners are now at the detailed pre-commencement stage and have identified a number of changes they wish to make to the approved scheme

Constraints

5. The site slopes eastwards down towards Bessemer Road. There are three groups of trees subject to Tree Preservation Orders (TPO's) these are located on the corners of Sandy Lane with Bessemer Road and Sandy Lane with Hall Road and just to the south of the main Shoe Factory building.

Planning History

6. The report considered by planning applications committee on 20 September 2012 details the planning history of the site. www.norwich.gov.uk/CommitteeMeetings .
7. More recent planning history includes 14/00723/D which related to condition 4 (12/02003/F) and the agreement of a timescale for the delivery of the family pub/restaurant. A timescale for the external completion of the family pub/restaurant no later than 5months from the date of the superstore first trading has been agreed (July 2014).

Equality and Diversity Issues

8. The application includes revised access arrangements which have an implication for disabled access within the site. The changes however are considered satisfactory and are considered in more detail in para. 39- 42.

The Proposal

9. The application seeks to make a number of changes to the approved scheme. The changes relate to details shown on the approved plans, detail included in supporting documents and matters agreed in the S106 Obligation. The changes include:
10. Revisions to detailed layout, car parking and servicing/access arrangements –
 - Revised layout of the car park to allow for the introduction of 'click and collect' facility
 - Alterations to facilitate a change in the direction of circulation in the car park from clockwise to anti-clockwise
 - Reduction in the total number of car parking spaces from 330 to 304. The number of disabled/Parent and child and spaces with electric charging points remain as

approved, 'standard spaces' are reduced in number.

- Repositioning of disabled parking spaces, cycle parking and taxi/drop off bay
- Minor re-positioning of supermarket to allow improved access to service yard
- Re-siting of sprinkler tank and re-organisation of service yard and marshalling area to allow improved circulation/operation
- Amendments to pedestrian arrangements through the site and from Hall Road

11. Design amendments

- Change to the pallet of approved construction materials – replacement of stone gabions with a split face blockwork (limestone colour).
- Revisions to the design and configuration of the proposed block of retail units to provide flexibility for sub-division for up to 8 rather than up to 6 units. The total amount of floorspace remains substantially unchanged.
- Changes to the elevations of the community centre building in response to operational requirements of future user groups
- Minor fenestration changes to the supermarket elevations
- Revision to front elevation of the supermarket to include provision of 3 x ATMs
- Minor repositioning of supermarket entrance
- Details of locations of service buildings and structures – substations/trolley storage bays

12. Amendment to the ratio of convenience: comparison retail floorspace (food/everyday goods: long term use products eg electrical items/clothing) within the supermarket. A planning condition imposed on the approved supermarket scheme restricts the proportion of floorspace from which comparison goods can be sold to 33 %. An increase to 40% is sought.

13. Energy strategy amendments

- Details submitted of technologies to be used to generate energy from renewable /low-carbon energy – Measures include photovoltaic panels on the roof of the supermarket and the use of air source heat pump technologies and will generate 28% of the stores energy requirements and 18% of the energy needs of the whole district centre.

14. Landscaping scheme amendments

- Revised planting scheme within the main car parking area.

15. Revision to the S106 Obligation

- The agreed S106 legal agreement requires that prior to the occupation of the D2 (gym) building that a community use scheme be agreed in writing with the council. This should

allow use of the D2 building by:

- Local social, community or sports clubs for not less than 20 hours per week at a charge which shall be at least 50% below the usual price; or
- By local schools or colleges for not less than 10 hours per week free of any charge

The applicant requests that this clause is removed

Representations Received

16. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation has been received citing issues that are summarised below.

Issues Raised	Response
Opposition to changes which might reduce community access to the gym. The gym will be a local health facility and benefit residents in Lakenham and staff of the supermarket.	Para. 45-50
Concerns over proximity of car park entrance to the traffic light junctions of Sandy Lane with Hall Road, Whitlingham Road and Bessimer Roads - possible problems at peak flow periods	Vehicular access arrangements are approved and not subject to revision.

Consultation Responses

- Environmental Health – No objections to revised proposals
- Tree Protection Officer – No objection subject to agreement of detailed construction methods.
- Local Highway Authority – No objection
- South Norfolk – No comments
- Environment Agency – No objection
- Norwich Society – Raise concern over the variations to the S106 agreement to remove the community use clauses and consider the increase in the number of retail units to be more than a minor change to the original planning application.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Presumption in Favour of Sustainable Development

1. Building a strong, competitive economy;
2. Ensuring the vitality of town centres;
4. Promoting sustainable transport;
7. Requiring good design;
8. Promoting healthy communities;
10. Meeting the challenge of climate change, flooding and coastal change;
11. Conserving and enhancing the natural environment;
12. Conserving and enhancing the historic environment.

Planning Practice Guidance 2014

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing Climate Change and Protecting Environmental Assets

Policy 2 – Promoting Good Design

Policy 3 – Energy and Water

Policy 5 – The Economy

Policy 6 – Access and Transportation

Policy 7 – Supporting Communities

Policy 8 – Culture, Leisure and Entertainment

Policy 19 – The Hierarchy of Centres

Policy 20 – Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE3 – Tree protection, control of cutting, lopping etc.

NE4 – Street Trees

NE8 – Management of Features of Wildlife Importance and Biodiversity

NE9 – Comprehensive landscaping scheme and tree planting

HBE12 – High quality of design

EP16 – Water conservation and sustainable drainage systems

EP17 – Protection of watercourses from pollution from stored materials

EP18 – High standard of energy efficiency for new development

EP20 – Sustainable use of materials

EP22 – High standard of amenity for residential occupiers

EMP4.3 – Policy for prime employment areas

EMP6.1 – Hall Road – area for motor vehicle showrooms

SHO1 – Limit on major non-food shopping development

SHO2 – Major convenience goods stores – limited to small size

SHO3 – Locational conditions for new retail development – sequential test

SHO12 – Retail development in District or Local Centres

SHO13 – Development of new District Centre at Hall Road

AEC1 – Major art and entertainment facilities – location and sequential test

AEC2 – Local community facilities in centres

SR6 - Dual Use of Open Space and Recreational Facilities

SR13 – Locational considerations for indoor sports activities

TVA8 – Heritage Interpretation

- TRA3 – Modal shift measures in support of NATS
- TRA5 – Approach to design for vehicle movement and special needs
- TRA6 – Parking standards – maxima
- TRA7 – Cycle parking standard
- TRA8 – Servicing provision
- 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
- TRA18 – Major road network

Other Material Considerations

- 17 During the time that passed between the resolution of planning committee for full planning consent (20th September 2012) there have been some changes to material considerations which were assessed by officers. These changes are that the 12 month anniversary of the NPPF has passed and therefore existing policies needed to be assessed for their consistency with the NPPF and the new local plan consisting of the Site Allocations Development Plan Document and the Development Management Policies Development have been subject to independent examination and now at an advanced stage in the plan preparation process .
18. All policies in the adopted local plan have been assessed for their compliance with the NPPF. All adopted local plan policies used in the assessment of the development 12/02003/F are considered to be consistent with the NPPF.
19. In relation to policies of the new Local Plan, policy R3 Site allocations development plan allocates the Hall Road site for a new district centre. The development is considered broadly consistent with this emerging policy and where there is a level of conflict this is discussed in the Retail implications section below.
20. In relation to emerging policies in the Development Management Policies Development Plan Document, the following policies are considered relevant:
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM7 Trees and development
 - DM8 Planning effectively for open space and recreation
 - DM18 Retail, leisure and other main town centre uses
 - DM21 Management of uses within district and local centres
 - DM22 Provision and enhancement of community facilities
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety
 - DM31 Car parking and serving
21. The Development Management Policies plan has now been subject to formal examination and a number of modifications proposed by the Inspector are currently subject to a period of public consultation. Significant weight can now be attached to these policies.

Principle of Development

22. This former factory site has been vacant since the 1990's and the policy objective of developing a new district centre in this location is well established through local Plan policy SHO13, JCS19 and emerging site allocations policy R3. Development presents the opportunity to regenerate the Hall Road area to provide a district centre to meet the everyday shopping needs of the south of Norwich with retailing, employment and community facilities. The granting of planning permission in July 2013 represented a significant step forward in delivering these development benefits and the purchase of the site by McLagan Investment Limited (ASDA's wholly owned property company) is a strong indication that development will now come forward.
23. Many of the changes sought to the approved development have arisen as a result of the detailed design process progressing and the retailer understanding more about the site and the precise manner in which the site and supermarket will operate. The application is to vary the details of the approved scheme and therefore it is only the question of the conditions subject to which planning permission should be granted that can be considered. Therefore no opportunity is provided to reassess the principle or acceptability of the development in general. In considering the proposed modifications officers have been mindful of the planning policy context for this site and the core objective of delivering a form of development which delivers broad environmental, social and economic benefits.
24. A substantial number of the proposed changes fall into the category of non-material amendments. A number of minor changes are proposed to the internal arrangement of the car park and servicing areas. These changes improve the circulation and usage and do not result in any adverse environmental or design consequences. For instance the change in the direction of circulation of the car park reduces traffic movements outside of the superstore entrance and the changes to the arrangement of the service yard will create more operational space. In addition many of the proposed design changes flow from the practical consideration of future maintenance and the needs and convenience of customers. For instance the substitution of stone block work for stone gabions is proposed because of concerns over short and long term maintenance and the repositioning of the supermarket entrance and the installation of ATMs close by, are proposed for the convenience of shoppers. These minor changes are considered acceptable and do not detract from the overall quality of the development.
25. Other changes are considered to be positive and an improvement to the approved scheme. In particular the remodelling of the block of retail units on the Hall Road frontage allows for subdivision to up to 8 retail units (rather than 6 units). This format provides greater flexibility than the approved scheme and broadens appeal to a wider range of retail uses and operators.
26. A number of the proposed changes raise specific policy considerations and require more detailed assessment. These are considered in the following paragraphs

Retail Implications

27. The approved supermarket has a restricted sales area of 3406sqm of which 1362sqm (33%) can be used for the sale of non-food products (comparison goods). The application seeks to vary the planning condition imposing this restriction, to allow for an increase in the percentage of comparison goods that can be sold to 40%. This change will result in a 238sqm increase in comparison floorspace and a corresponding decrease in convenience floorspace from which food and other everyday items can be sold. The size of the

supermarket and the level of companion goods floorspace were significant factors in the consideration of application 12/02003/F.

28. The Hall Road new district centre is identified in JCS policy 19 as forming part of the retail hierarchy serving the Norwich policy area and therefore the principle of retail development is acceptable and in accordance with both the development plan and the NPPF. However, key to the acceptability of specific development schemes is the scale and type of retail proposed and whether that is consistent with the planned role and function of that centre. Hall Road is planned as a district centre aimed at meeting everyday shopping, employment and community needs. Given this planned function, adopted policy seeks to limit the retailing of comparison goods such as clothes, in order that trade is not diverted from the city centre and large district centres where such retail is the main function. In this instance saved policy SHO13 and emerging policy R3 impose a 500sqm limit.
29. In considering application 12/02003/F it was concluded that although the supermarket proposal exceeded the 500sqm limit, the level of comparison floorspace proposed was unlikely to have an impact on the vitality or viability of any other defined centre particularly as the floorspace would be part of a predominantly food store and therefore unlikely to create an additional pull in its own right. An increase in the amount of comparison floorspace by 238sqm is unlikely to materially add to this pull and neither would it reduce the amount of convenience floorspace to a level where day to day shopping needs could not be met. This change has been sought by the retailer to provide flexibility in the goods sold throughout the year and is considered acceptable

Landscaping considerations

30. The approved district centre scheme includes a landscape masterplan detailing areas of new soft planting – including grass, shrub and tree planting. The current application seeks to revise the landscape masterplan by creating new planting areas to the east of the main car park area and through the re-arrangement of new tree planting across the site.
31. The new planting areas to the east of the car park are considered a positive addition and offer the potential to provide a landscaped gateway into this part of the site.
32. The revised tree planting scheme as originally submitted maintained the approved number of new trees to be planted across the development but re-sited seventeen trees from the main car park to locations adjacent to it. In a letter supporting the application the applicant indicated that trees are planted in appropriate locations within landscape beds and that trees within car park areas can be subject to damage and interfere with visual permeability and CCTV coverage. A key design objective for this development is the creation of a district centre where visitors can access shops and other daily services and facilities within an attractive high quality environment. A key issue in the consideration of application 12/02003/F was the layout of the site, and the dominance of the supermarket and car park as components parts. The approved landscape masterplan which includes tree planting within landscaped bays assists in raising the visual quality of the scheme by providing visual interest and reducing the expanse of tarmac area. It is for this reason that officers raised concerns over the revised landscape plan as first submitted.
33. In response to officer concerns amended plans have been submitted which re-introduce tree planting into the main car parking area. Although these trees are not sited within planting beds, combined with the reduction in the number of car parking spaces overall and the creation of additional planting areas to the east the revised landscape scheme is acceptable and will be effective in creating visual interest and softening views across the car park area.

Energy Efficiency and Renewable Energy

34. The approved application (12/02003/F) was accompanied by an energy efficiency statement which indicated that the development had been designed to achieve a BREEAM excellent rating and that the detailed design of the building, fitting and future retail procedures/operations were designed to achieve energy savings. The statement identified a number of technologies that could be used to provide renewal or low carbon sources of energy to the supermarket – including air source heat pumps, solar thermal, photovoltaic and combined heat and power technologies. The employment of all these technologies could provide up to 47% of the energy needs of the sites energy needs. This percentage is well in excess of the minimum level set by JCS policy 3 of 10% and condition 42 of the permission required full details of the technologies to be employed to be agreed prior to development proceeding.
35. The current application has been accompanied by a revised energy efficiency statement which proposes to utilise photovoltaic and air source heat pump technology to provide energy to the supermarket and to utilise other inherent energy saving measures within the store. These technologies have been selected following: an analysis of the particular energy needs of the store; consideration of the potential to integrate energy generation measures into the construction of the food store and experience in other stores, where certain technologies have been shown either to be impractical or not viable. In particular, experience of CHP at other stores has shown that the technology is less suited to food stores compared to hotels/swimming pools where there is a higher and more constant demand for hot water. By contrast the roof design of the store provides a significant opportunity for photovoltaic panels to be installed and over the past two years both the cost of purchase and feed in tariffs have improved. The revised energy strategy seeks to expand the use of PV over and above previously indicated and that in combination with the air source heat pump would provide approximately 25% of the energy needs of the supermarket or just over 17% of the energy needs of the district centre taken as a whole.
36. JCS policy 3 requires 1) all development of this scale to include sources of decentralised and renewable or low carbon energy to provide for at least 10% of the schemes expected energy requirements and 2) to demonstrate whether or not there is a viable and practicable scope for exceeding that minimum percentage provision. Although the amended scheme still exceeds the 10% by a significant amount, the level is well below the exceptional 47% level previously indicated and what could have been considered as an exemplar scheme. Although the rationale provided by ASDA for the dismissal of CHP as a viable and practicable technology is accepted, the impact on the overall the sustainability credentials of the wider development is considered unfortunate. Given the full requirements of policy JCS3 the applicant's agent were asked whether there was viable and practicable scope to extend the technologies over other buildings within the centre.
37. The applicant has indicated that they do not consider it feasible to include PV cells or air source heat pumps in the business or retail units given it is not known who the end users of these units will be, how the units will be subdivided, how much plant space will be required on the roof or the energy requirements of the potential operators. However, since the operator and end users of the community centre are known the applicant has indicated that it may be possible to include renewal energy generating measures into the design of that building. At the time of this report being written a feasibility study was being undertaken by the applicant's agents. It is recommended that this matter be subject of condition.
38. This response is considered justified. Given these potential additional measures and on the basis that the new supermarket will continue to meet BREEAM excellent standards and the

level of renewable/low carbon energy being generated is well in excess of the 10% minimum target, the revised energy strategy is considered acceptable.

Pedestrian and disabled access consideration

39. The application includes a number of changes that revise arrangements for pedestrians accessing and moving around the site. The most significant changes affect the approved access arrangements from Hall Road.
40. There is an existing and significant change in levels across the site which will result in the new development fronting Hall Road sitting at a higher level than the supermarket and main car park area. The approved plans indicate two points of pedestrian access from Hall Road down to this lower, located either side of the block of new retail units. On the approved plans both would be suitable for disabled access.
41. Following a more detailed site survey it has been established that the change in level in the vicinity of the proposed community centre is more significant and abrupt than previously known. On the revised plans this has resulted in the introduction of steps in this position. Given the 2.0m drop in levels in this location, the position of approved buildings and of existing tree covered by TPOs, there is insufficient space for a DDA compliant ramp to also be included. Although this is regrettable it is accepted that there are significant physical constraints frustrating provision and that a DDA compliant ramp is being provided in close proximity, on the southern side of the new shops. In addition the applicant has sought to mitigate the change through both the inclusion of a disabled parking facility on Hall Road and the inclusion of a push channel within the new flight of steps to allow easier access for cyclists.
42. It should be noted that modifications to the detailed design of the ramp and steps to the south of the shops are also proposed. These are considered acceptable and result in the creation of larger planting areas and allow for a continuous hand rail to be provided.

Other changes

43. The revised plans indicate two new electricity sub-stations on the site. The plans as first submitted included a new substation immediately adjoining the approved community centre building. This siting raised a number of concerns particularly in relation to how this would impact on both the amount and quality of outdoor space available to the community centre. The provision of outdoor space broadens the appeal of the facility to user groups and allows pre-school groups to meet Ofsted requirements. Given this part of the site is already constrained by levels changes the location of a sub-station would further reduce the scope for an appropriate amount of space to be made available. Given these concerns the applicant was asked to consider an alternative location. Following discussions with the council's tree officer a site on Sandy Lane has been identified. Although this will require the removal of 1x tree, subject to appropriate replacement planting the location, is considered acceptable and would not unduly detract from the visual appearance of this street frontage.
44. It should also be noted that to facilitate the provision of outdoor space to serve the community centre, the construction of a raised veranda to the north of the building is likely to be required. The detailed specification of this structure is currently at design stage and will be determined by site levels and operational requirements.

Planning Obligations

45. Application 12/02003/F included a S106 Obligation which secured transportation contributions, the delivery and future lease arrangements for the new community centre and a clause to secure a community use scheme in relation to the new D2 Sports building / gym.

It is this latter clause that the applicant is seeking to revise as part of this current application.

46. At this pre-construction stage the developer is seeking to secure commercial interest in the new sports building. They are currently in negotiation with a gym operator who specialises in providing cardiovascular and fitness gyms, with 24/7 access on a no membership contract basis. The operator has indicated that given the nature of the equipped gym it would be unsuitable for school use and that given the level of monthly membership fees it would not be viable to offer a 50% discount to local social, community or sports clubs. On the basis that the facility is likely to be available at a low standard membership fee it is requested that the clause be removed as currently it dissuades commercial investor interest.
47. Saved Local Plan Policy SR6 seeks to ensure that new recreational facilities (indoor and outdoor) will only be permitted where adequate provision is made for their use by the general public, including the local community and specific appropriate provision is made for groups with difficulties accessing recreational facilities. In addition Site Allocation Plan policy R3 seeks to ensure that development at Hall Road includes community uses in order that the location not only meets retail needs but delivers other social benefits. The approved scheme delivers substantial community benefit in the form of a new purpose built community centre which is likely to be suitable for a wide range of groups and activities. The sports' building compliments this provision by providing a local facility with scope to deliver health and well-being benefits to the local residents.
48. At this stage it is uncertain how the sports building will be used but it is likely that given the cost and scale of the building the occupier is likely to be a commercial gym operator. It is acknowledged that if this were to be the case the facility may be of limited benefit to schools and depending on pricing, may also prove unattractive to local social and sports. It is also accepted that as drafted, the clause within the S106 may actively dissuade low cost operators. This would be an undesirable consequence since an affordable health/fitness facility would clearly bring broad benefits to this part of the city. Notwithstanding these considerations the removal of the community access clause from the S106 is not considered acceptable without first considering whether the development is able to deliver local health benefits by some other means.
49. The council's Sports and equity development officer has been consulted and provided advice on measures which would best produce health benefits for the local population. It is advised that in terms of reducing barriers to entry and encouraging people to take up sporting activities and exercise, a package of short courses designed to respond to local demographics and need would result in the best health improvement outcomes. Given uncertainty about the future use / opening of the gym building the new community centre offers a location from which to provide this activity. This would have the added benefit of extending the range of activities at the community centre and generating income from additional hire groups. Norwich city council will be taking the lease on the new community centre and the Neighbourhoods team strongly support the use of the community centre for such health improvement activities.
50. The council's Sports and equity development officer has considered the cost of delivering such a health improvement programme, which in the short term would involve Active Norfolk in designing and commissioning courses. The programme would be designed to become self-funding and managing within three-four years. The cost of the programme including the purchase of resources and delivery is estimated to be £20,400. The applicant has agreed to meet this cost and for this commuted sum payment to replace the existing clause. Given the considerations outlined above this option is preferable to the approved

clause and most likely to deliver greater health and well-being benefits to the local community.

Conclusions

51. The revisions to the approved scheme are considered acceptable and will result in a development which continues to broadly comply with relevant development plan policies and deliver substantial economic, environment and social benefit to this part of the city. The effect of an application made under section 73 of The Town and Country Planning Act 1990 (as amended) is that a new decision notice is issued, with planning conditions reflecting agreed changes. In this case the 42 planning conditions previously imposed on application 12/02003/F will be revised to reflect agreed details and revised plan references. In addition changes to the S106 requirements will be secured through a deed of variation.

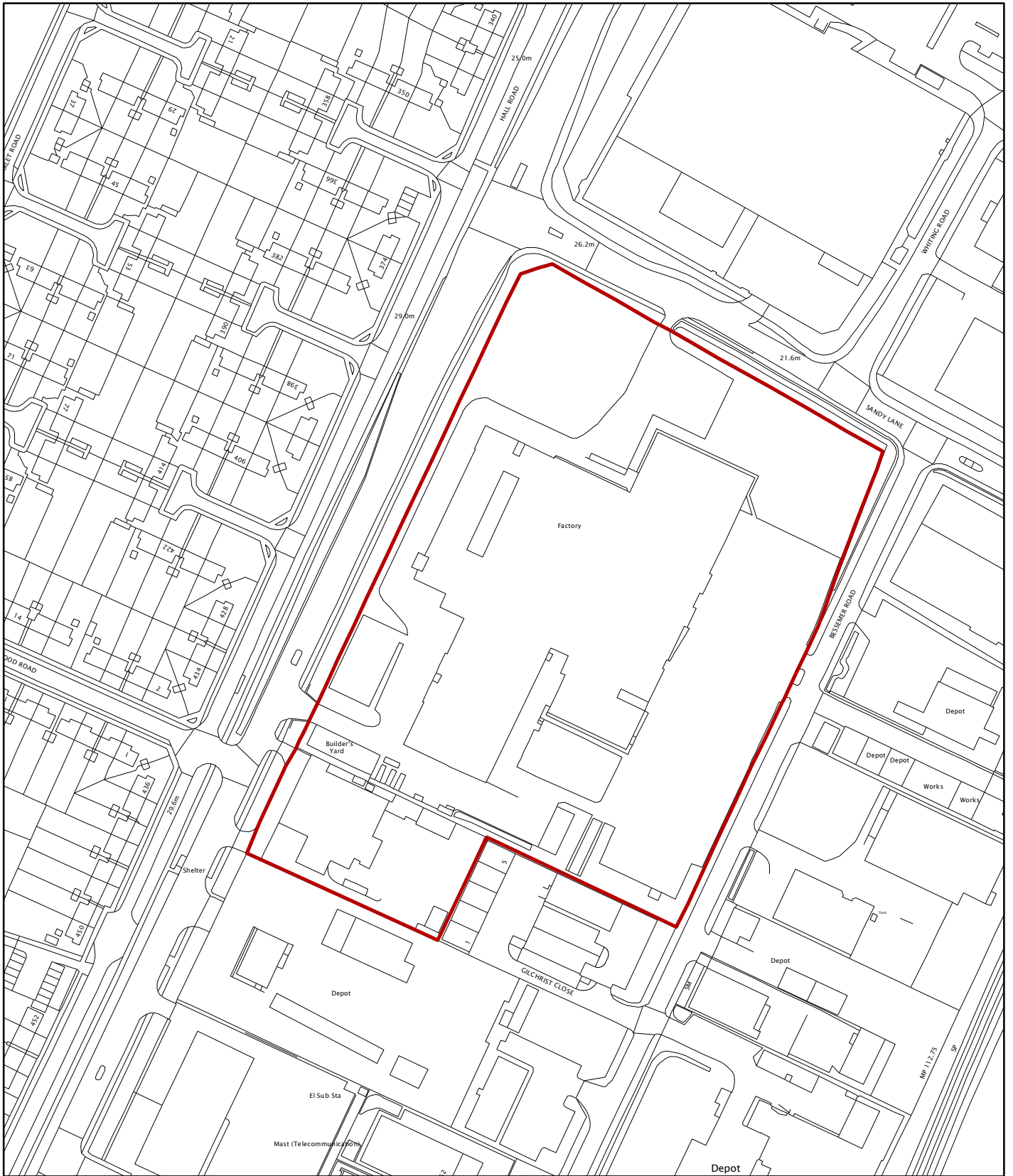
RECOMMENDATIONS

To approve Application No 14/00818/VC and grant planning permission, subject to:

the completion of a Deed of Variation to agree changes to the S106 Obligation signed previously in relation to application ref:12/02003/F, to allow the payment of commuted sum for the resourcing of a health improvement programme and subject to the following conditions:

1. Non-standard time limit – 3 July 2016
2. Development undertaken in accordance with approved plans and documents;
- 3 Phasing details.
- 4 Phasing of family pub – as agreed 14/00723/D
- 5 No subdivision of superstore;
- 6 Comparison retail not to be accessed separately to the convenience foodstore or run independently;
- 7 Net floorspace within the ASDA store not to exceed 3,406sqm net (excluding the first floor cafe) and comparison floorspace to be limited to 1,362sqm net;
- 8 Café to be provided at first floor level of the ASDA store
- 9 Details of the café glazing to be agreed;
- 10 Removal of permitted development rights for the insertion of a mezzanine floor within the ASDA store;
- 11 'Retail units' to be A1, A2, A3 or A5 only/shall not be combined to form less than 4 units in total/at least 1 retained in A1 use and no more than 2 of each of A2, A3 or A5;
- 12 Community centre only to be used as a community centre;
- 13 Details of the ongoing management and maintenance of the community centre to be agreed;
- 14 The D2 'gymnasium' restricted to a D2 sports use;
- 15 Removal of permitted development rights at the restaurant/pub to change to A2;
- 16 No use of the public house between 00:01 and 06:59 on any day;
- 17 No use of the any hot food takeaway at the upper level of the retail units beyond 23:00 on any day (until 07:00 on the following day);

- 18 Business units only to be used for B1 or B8 use only;
- 19 Submission of landscaping details for each phase, including all hard and soft treatments, also including lighting plans and the provision of offsite landscaping on highway land/Landscaping to be maintained and any new trees/shrubs lost to be replaced;
- 20 Compliance with the submitted arboricultural statement and submission of further method statements to be agreed;
- 21 Root protection measures
- 22 Arboricultural details
- 23 Service/soak-away details
- 24 Agree details of materials including samples where necessary;
- 25 Agree details and provision of heritage interpretation;
- 26 Agree details and provision of bat and bird boxes;
- 27 Provision of access, parking and servicing areas;
- 28 Agreement of a construction traffic management plan and access route;
- 29 Provision of construction vehicle wheel cleaning facilities;
- 30 Provision of off-site highway improvement works;
- 31 Agree details of the interim travel plan;
- 32 Agree a full travel plan following occupation;
- 33 Details of any plant or machinery including details of noise mitigation;
- 34 Details of dust suppression;
- 35 Unloading of vehicles shall only take place directly to/from the designated delivery docking bay;
- 36 Delivery vehicle engines and refrigeration units fitted to delivery vehicles shall be switched off at all times when on site and stationary;
- 37 Contamination conditions for a scheme to deal with contamination
- 38 Contamination – verification stage;
- 39 Unknown contamination
- 40 Surface water pollution control
- 41 Surface water drainage
- 42 Scheme for water, energy and resource efficiency measures to be submitted in accordance with the energy efficiency statement and to additionally provide for photovoltaic panels on the community centre building and details of the provision of the sites energy from decentralised and renewable or low carbon sources.
- 43 Details of the design of the external veranda to the rear of the community centre.



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Planning Application No 14/00818/VC

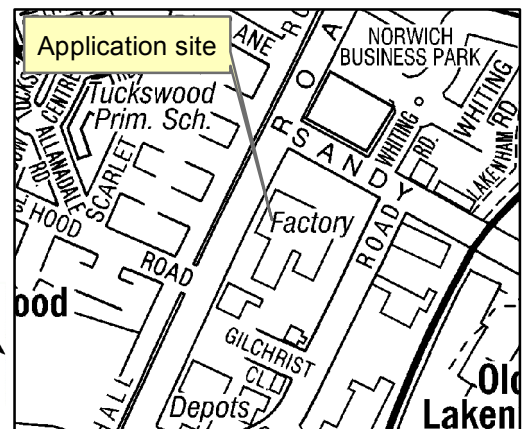
Site Address Former Bally shoe Factory
Hall Road

Scale 1:2,000



NORWICH
City Council

PLANNING SERVICES



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 Materials known to contain asbestos contaminated materials (ACM's) in the manufacture or installation process have not been specified and will not be used on this project.
NEW HIGHWAYS IN ACCORDANCE WITH HIGHWAYS CONSULTANTS DRAWINGS



- Slab Paving
- Buff Coloured Tarmac
- Vehicular Tarmac
- Pedestrian Tarmac
- Hoggin Gravel

SANDY LANE

BESSEMER ROAD

HALL ROAD



- SITE**
- ASDA STORE (including Home Shopping Pod)**
 Total Gross Area, 5,790 sqm (including ASDA escape corridor)
 Total Net Sales Area, 3,260 sqm
- ADDITIONAL RETAIL UNITS (FOOTPRINT)**
- Retail Unit 1: 210 sqm
 - Retail Unit 2: 102 sqm
 - Retail Unit 3: 102 sqm
 - Retail Unit 4: 208 sqm
 - Retail Unit 5: 108 sqm
 - Retail Unit 6: 108 sqm
 - Retail Unit 7: 115 sqm
 - Retail Unit 8: 120 sqm
- Total Gross Area, 1067 sqm
- GYM**
 Ground Floor, 608 sqm (excluding ASDA escape stairs)
 First Floor, 438 sqm
- Total Gross Area, 1,110 sqm
- FAMILY PUB / RESTAURANT**
 Total Gross Area, 590 sqm
- COMMUNITY USE BUILDING**
 Total Gross Area, 422 sqm
- CAR PARK**
 Parent and Child spaces: 20
 Disabled Spaces: 24
 ECP Spaces: 4
 Click and Collect spaces: 4
 Standard Spaces: 252
- Total: 304 parking spaces
- Motorcycle Spaces: 2
 - College Cycle spaces: 18
 - Customer Cycle spaces: 46
- BUSINESS ENTERPRISE UNITS**
- Enterprise Unit 1: 440 sqm
 - Enterprise Unit 2: 220 sqm
 - Enterprise Unit 3: 220 sqm
 - Enterprise Unit 4: 220 sqm
- Total Gross Area, 1,100 sqm
- BUSINESS ENTERPRISE UNIT PARKING**
- Standard Spaces: 18
 - Delivery Spaces: 6
 - Disabled Spaces: 2
 - Motorcycle Spaces: 2
 - Customer/Staff Cycle Spaces: 16
- BUILDING LEVELS**
 Buildings are illustrated at maximum design levels on this plan and within the sections.
 Actual building levels may be locally reduced by up to 0.25m during construction to achieve minimum waste to landfill.
- SITE AND CAR PARK FALLS**
 General indication of the car park and site falls are shown as indicative only.
- All car park and internal site road levels to be locally varied with some falls potentially reversed during construction to achieve minimum waste to landfill.
- NOTE:**
 Highway subject to specialist design.
 RT: Retaining wall indicative only, subject to specialist design.
 SB: Shopping Shelter.
 S: 21/07/14 Layout updated to Local Authority's requirements.
 R: 08/07/14 Layout updated to move ATM pod within the store outline.
 G: 07/07/14 Layouts updated to incorporate comments from the Planning Officer.
 P: 18/06/14 Layouts updated with latest levels information.
 O: 12/06/14 Ramp Layout Updated.
 N: 26/04/14 Updates to car parking and for Section 73 Submission.
 M: 31/03/14 Updates to planning package.
 L: 12/03/14 Planning scheme amended due to Employers requirements.
 K: 31/06/12 Final highway design added.
 J: 10/06/12 no right turn to main access.
 I: 18/07/12 highway re-routed.
 H: 21/06/12 Speed humps added & Community building area updated.
 F: 08/06/12 revised parking layout with pathway added and corner centre updated.
 G: 22/03/12 FINAL PLANNING ISSUE.
 E: 21/03/12 jwb updated.
 D: 18/03/12 Cycle lanes updated, colleague access to Asda updated, bin stores added to site.
 C: 24/01/12 Roads updated to reflect latest highway drawings.
 B: 23/01/12 Revised Area pack.
 A: 20/01/12 UPDATED TO PLANNING STATUS.
 NB: Date Description By: Client



PROJECT: HALL ROAD, NORWICH

TITLE: PROPOSED LOWER GROUND SITE PLAN

DRAWING STATUS: Sketch

DRAWN: KB CHECKED: DPB

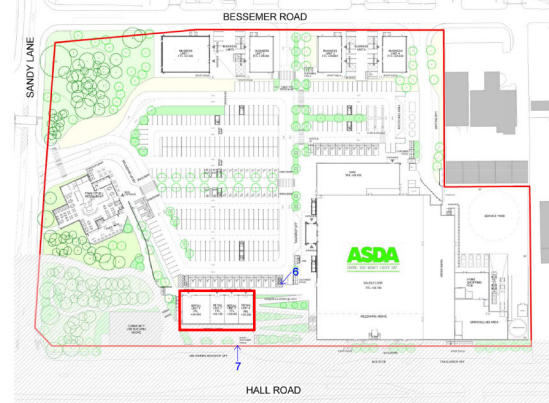
SCALE: 1:500 @ A1

DATE: 09/14/11

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5 Location Plan

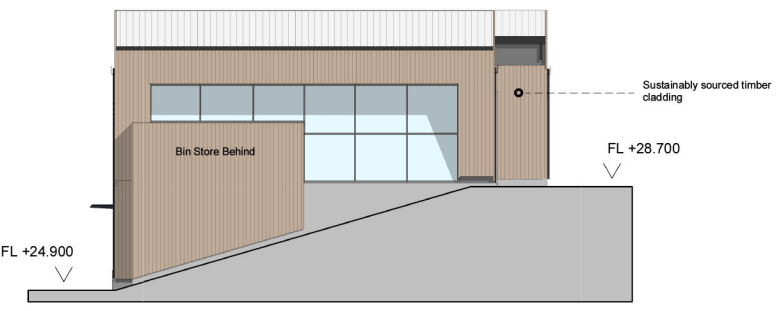
- NOTE:
- Signage Zone Subject to Separate Application
 - Obscure Glazing will be required subject to individual Tenants fit out requirements
 - Vertical and Horizontal Brise Soleil subject to specialist design



1 Car Park Elevation
1:100

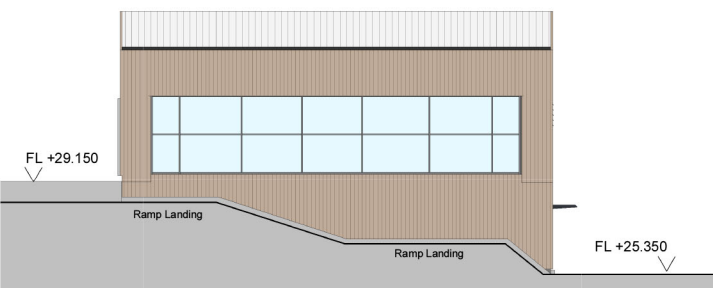


2 Hall Road Elevation
1:100



3 Community Centre Elevation
1:100

NOTE: Level shown indicative only



4 Asda Elevation
1:100



6 - View of the Retail Units looking North from the front of the Asda



7 - View of the Retail Units from Hall Road looking South towards the Asda

NOTE: Images Indicative Only

G	19/05/14	Layouts updated with latest levels information	MAL	KB
F	29/04/14	Updated for S73 Submission	MAL	AJD
E	31/03/14	Up dates to drawing package	MAL	KB
D	12/03/14	Planning scheme amended due to employer's requirements	MAL	KB
C	22/03/12	FINAL PLANNING ISSUE	EB	DPB
B	14/03/12	Site plan and plot added	KB	DPB
A	19/01/12	Drawings updated for Planning	KB	DPB
NB:	Date	Description	By	Cltd



CLIENT
 ASDA NORWICH

TITLE
 RETAIL UNIT ELEVATIONS

DRAWING STATUS
 Planning

DRAWN	KB	CHECKED	DPB
SCALE	1:100 @ A1		
DATE	05/01/12		

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JOB NO.	DRAWING NO.	REV
06-120	PL-19	G

Report for Resolution

Report to Planning Applications Committee
Date 20 September 2012
Report of Head of Planning Services
Subject 12/00739/F Former Bally Shoe Factory Ltd Hall Road
 Norwich NR4 6DP

Item
5 (1)

SUMMARY

Description:	Demolition of existing buildings and redevelopment of site to provide a new district centre to include a food store, customer cafe, retail units (Class A1, A2, A3 or A5), community unit, restaurant/public house unit, business units (Classes B1 and B8), gym, car parking, public realm and associated access and servicing.
Reason for consideration at Committee:	Objection/Contrary to Policy
Recommendation:	Approve subject to S106 agreement and conditions
Ward:	Lakenham
Contact Officer:	Mark Brown Senior Planning Officer 01603 212505
Valid Date:	18th April 2012
Applicant:	ASDA Store Limited and Healthweb (UK) Limited
Agent:	Drivers Jonas Deloitte

INTRODUCTION

The Site

Location and Context

1. The application site is located to the east of Hall Road, bounded by Sandy Lane to the North and Bessemer Road to the east. The site measures 3.4 hectares in size and consists of the former Bally Shoe Factory and former T. Gill & Sons sites.
2. The site is to the south of Norwich located between the Tuckswood estate to the west and Old Lakenham to the east beyond the railway line. Areas to the east beyond Bessemer Road and south of the site are characterised by a mixture of light industrial and business uses including a number of car showrooms. To the north of the site beyond Sandy Lane is the Hall Road Retail Park. To the east of the retail park is Whiting Road and the Norwich Business Park.
3. The site slopes eastwards down towards Bessemer Road. There are three groups of trees subject to Tree Preservation Orders (TPO's) these are located on the corners of Sandy Lane with Bessemer Road and Sandy Lane with Hall Road and just to the south of the main Shoe Factory building. Currently glimpses of the Yare Valley can be seen from Hall Road past the Shoe Factory. Buildings on the site are now vacant and disused and much of the curtilage of the buildings is hard surfaced with the exception of the areas occupied

by TPO trees and a landscaping strip along Hall Road.

4. There are currently access points into the site from Hall Road, Sandy Lane and Bessemer Road with Hall Road forming a main arterial route into the City Centre.

Planning History

5. Outline planning permission was granted in May 2009 under application number 08/00319/O for the redevelopment of a wider site (including some development in the Hall Road Retail Park to the north) for a mixed use district centre to include retail, leisure, hotel, housing, employment, arts centre, parking and public realm uses; the development of retail and leisure uses at the Hall Road Retail Park and the provision of associated parking and public realm enhancements between the two. The committee report and minutes provide further information and can be viewed at the following link and by navigating to the committee meeting of 21 August 2008:- www.norwich.gov.uk/CommitteeMeetings
6. Permission 09/00735/VC was approved in December 2009 and approved variations to conditions of 08/00319/O which had the effect of allowing two of the blocks (D and E) to be used as a single retail unit, essentially allowing for a larger retail superstore. The committee report and minutes provide further information and can be viewed at the following link and by navigating to the committee meeting of 22 October 2012:- www.norwich.gov.uk/CommitteeMeetings. Within the confines of the Bally Shoe Factory and T. Gill & Sons site this consent permitted a total 20,984sqm gross commercial floorspace with up to 220 flats and associated decked car parking as per the following:
 - a. A food superstore of 5,667sqm gross (4,534sqm net) of which a maximum of 3,174sqm net would be convenience floorspace (everyday essential items including food, drinks, newspapers/magazines and confectionary) and a maximum of 1,360sqm net would be comparison floorspace (items not obtained on a frequent basis including clothing, footwear, household and recreational goods).
 - b. 1,962sqm gross B1 office floorspace;
 - c. 1,178sqm gross of A1/A2/A3 (retail/professional services/café/restaurant) floorspace restricted to maximum retail unit sizes of 500sqm net;
 - d. A maximum of 7,195sqm gross floorspace which could be used as a C1 hotel and of which 1,877sqm gross floorspace could be used as either B1 office floorspace or D1 non-residential institution floorspace. Of the D1 floorspace a minimum of 800sqm gross was to be provided as a community arts centre;
 - e. 3,040sqm gross D2 fitness club floorspace;
 - f. 1,346sqm gross A1 retail floorspace restricted to be associated directly with the fitness club;
 - g. 596sqm gross A2/A3/A4 floorspace (professional services/café/restaurant/drinking establishments);
 - h. Circa 220 residential flats and houses.
 - i. A decked car park providing 673 spaces, 452 associated with the commercial elements of the scheme and 221 spaces associated with the residential elements. 144 spaces were provided at surface level and 529 spaces were provided within the underground car park.
7. Application 12/01018/ET (which was submitted by the owners of the Hall Road Retail Park and not the applicants of the current application) sought an extension of time to 08/00319/O. The application was submitted just before the expiry of 08/00319/O however was made invalid and subsequently cancelled as it was no longer possible to validate the application following the expiry of 08/00319/O. As a result consent 08/00319/O has

expired unless an appeal is submitted.

The Proposal

8. The application seeks full planning permission for the demolition of existing buildings on the site and redevelopment to provide the following:
 - a. A food superstore of 5,796sqm gross floorspace (3,406sqm net) of which 2,282sqm net are proposed as convenience floorspace and 1,124sqm net is proposed as comparison floorspace. The store is proposed to the southwest corner of the site with service yard to the south (roughly in the location of the T Gill & Sons site).
 - b. A community centre of 422sqm gross floorspace located to the northern corner of the site close to the junction of Sandy Lane and Hall Road.
 - c. An A3/A4 restaurant/public house of 590sqm gross floorspace located to the centre and north of the site adjacent to Sandy Lane and the main access to the site.
 - d. Four business/light industrial/storage and distribution units, use classes B1 and B8 providing a total of 1,100sqm gross floorspace in four blocks along the eastern boundary with Bessemer Road, three measuring 220sqm and one measuring 440sqm.
 - e. A D2 (assembly and leisure) building of 1,110 sqm gross floorspace located adjacent to and to the east of the food superstore.
 - f. Four A1/A2/A3/A5 (retail/professional services/café-restaurant/hot food takeaway) units providing a total gross floorspace of 1,075sqm gross floorspace. Due to the sites topography these are split level with frontage both to Hall Road and the surface car park in the centre of the site.
 - g. A surface car park located in the centre of the site providing 334 car parking spaces including 24 disabled spaces, 20 parent and children spaces and 4 electrical charging spaces. 6 motorcycle spaces are provided along with 40 staff cycle spaces and 56 customer cycle spaces. An area for household recycling is proposed to the southern end of the car park.
 - h. In addition 24 car parking spaces are provided for the business units (including 2 disabled spaces) and 2 motorcycle spaces.
9. Access to the main car park is proposed from Sandy Lane and Bessemer Road. Access to the service area is from Bessemer Road. The business units have their own accesses onto Bessemer Road. Cycle and pedestrian access is provided via Hall Road, Bessemer Road and Sandy Lane. On Hall Road the main access down to the store is via a number of steps and a Lombard Street style series of ramps this leads to an east-west link through the site onto Bessemer Road. A north-south pedestrian route is also proposed through the car park between the frontage to the D2 building and the pub/restaurant. Pedestrian and cycle routes are also provided cutting the corner of Hall Road and Sandy Lane.

Representations Received

10. The full content of representations is available on Norwich City Councils Planning Public Access website by entering the application number at the following link:
<http://planning.norwich.gov.uk/online-applications/>
11. The application has been advertised on site and in the press, adjacent and neighbouring properties have been notified in writing. 3 letters of representation have been received making the following comments and objections to the proposals:

Issues Raised	Response
Concern over noise from deliveries particularly if 24 hours. Noise from reversing alarms would reduce neighbour amenity and limit the ability to open windows during the night.	See paragraphs 96-97
Concern over loss of view as a result of the service yard fencing along Hall Road which is 6.5m in height.	See paragraph 91
The Hall Road/Robin Hood Road junction is congested and increased traffic would worsen congestion and lead to traffic collisions.	See paragraphs 82-83
Concern that the new junction onto Sandy Lane is likely to cause unnecessary traffic problems and that it would be preferable to have ingress only from Hall Road and egress only via Bessemer Road.	See paragraphs 82-84

12.24 letters of representation have been received in support of the proposals and making the following comments.

- the proposals would provide local job opportunities and boost the economy;
- it is closer and easier to access than alternatives;
- the proposals would provide for the redevelopment of a derelict site;
- it would be easier to access than alternatives for the elderly and disabled;
- it would promote competition;
- one of the letters in general support comments that a mini-roundabout or some improvements should be made to the junction of Hall Road and Robin Hood Road as increased traffic is likely to make turning out of Robin Hood Road extremely difficult;
- A further letter generally in support raises potential concern over congestion and the impact on cyclists and promotes any improvements to cycle routes.

13. **Capital Shopping Centres** – Comments have been submitted on behalf of Capital Shopping Centres who are owners and operators of Chapelfield Shopping Centre. They comment that the store is significantly larger than the site allocation allows for and specifically that the 1,124sqm of comparison floor space is far larger than the 500sqm policy limit. Given the policy allocation, retail and town centres study and the precedent set by planning history capital shopping centres accept the level of convenience and comparison floor space proposed is acceptable. However, to ensure that the retail floor space is of a scale appropriate for a district centre serving the surrounding area, the following conditions are requested to control the scale and mix of A1 retail floor space:

- A limit on the size of retail units 1-4 to 500sqm net and a restriction on units being amalgamated to units in excess of 500sqm net;
- Removal of permitted development rights for mezzanine units to be installed in retail units 1-4;
- A limit on the maximum net floor space of the supermarket;
- A limit on the maximum net comparison floor space of the supermarket.

14. Norwich Cycling Campaign – make the following comments:

- There has been no effort to engage cycle groups such as Norwich Cycling Campaign;
- The large amount of car parking will be a disincentive to travel by cycle and other modes of sustainable transport;
- The cycle parking is below City Council cycle parking standards;
- Both crossings on Hall Road should be toucan crossings with shared surfaces leading to them;
- Facilities should be provided for cycle crossing across Bessemer Road;
- The path between the pub and community building should be shared use;
- Wheeling channels should be incorporated adjacent to the steps next to unit 1 and from Hall Road down to the site;
- Cycle parking to the rear of the retail units should be relocated to the front;
- Cycle parking with a higher level of security should be provided for employees.

Consultation Responses

The full content of consultation responses is available on Norwich City Councils Planning Public Access website by entering the application number at the following link:

<http://planning.norwich.gov.uk/online-applications/>

15. South Norfolk Council – Make no comments on the proposal.

16. Local Highway Authority – No objection subject to S106 obligations and conditions.

17. Environmental Health – No objection subject to conditions.

18. Anglia Water – No objection subject to conditions.

19. Environment Agency – No objection subject to conditions

20. Sport England – No objection to the proposed gym and comment that the community centre could be of use to the local population for classes such as dance or yoga.

21. Norfolk Historic Environment Service – No comments.

22. GNDP Design Review Panel – (Comments based on a pre-application review of an earlier but similar scheme). The Panel recognised that there are industry standards with regard to the design of large superstores but there was an overall disappointment that the opportunity to present an area of positive public realm had not been further explored.

The Panel acknowledged that the landscaped areas around the edges of the site offered areas of enhanced public space for the local community. However, it was felt that the large car park in the centre of the site detracted from these with the overall visual impact of the site being one of concrete. The Panel were disappointed that a sub-level carpark, which it was felt the geography of the site would have allowed, had not been explored further.

The Panel discussed the design of the superstore building and expressed concerns over the treatment of the timber cladding to comply with fire regulations. The saw tooth roof design over the Hall Road end of the building was noted as a statement but the Panel felt that the flat roof over the remainder of the building was lacking inspiration and that a more imaginative design could have been worked up. However, the limitations on superstores

around usable space and ceiling height were recognised.

The Panel felt that the café frontage at ground level on Hall Road presented an opportunity to open an access point to the store and questioned why this had not been further explored. The removal of the need for pedestrians to walk through the car park could have enhanced access.

The deliverability and credibility of the scheme as a district centre was questioned by the Panel. It was considered that the scheme lacked the range of facilities or the density of development capable of establishing a district centre, being essentially a superstore with peripheral units. The panel felt that a phased approach should be followed if a larger scheme was not viable at this stage. However, the developer's intention to provide a building for community use was welcomed and the Panel was encouraged by efforts made to engage the local community in the use and management of the building.

In summary the Panel understands the challenge and difficulties faced but as a Design Panel feel disappointed at the solution being presented which it felt did not exploit the potential of the site and would not fulfil the local planning authority's policy for a District Centre.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Presumption in Favour of Sustainable Development

1. Building a strong, competitive economy;
2. Ensuring the vitality of town centres;
4. Promoting sustainable transport;
7. Requiring good design;
8. Promoting healthy communities;
10. Meeting the challenge of climate change, flooding and coastal change;
11. Conserving and enhancing the natural environment;
12. Conserving and enhancing the historic environment.

Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008

SS1 – Achieving Sustainable Development

T14 – Parking

ENV7 – Quality in the built environment

ENG1 – Carbon dioxide emissions and energy performance

WM6 – Waste Management in Development

NR1 – Norwich Key Centre for Development and Change

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing Climate Change and Protecting Environmental Assets

Policy 2 – Promoting Good Design

Policy 3 – Energy and Water

Policy 5 – The Economy

Policy 6 – Access and Transportation

Policy 7 – Supporting Communities
Policy 8 – Culture, Leisure and Entertainment
Policy 19 – The Hierarchy of Centres
Policy 20 – Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE3 – Tree protection, control of cutting, lopping etc.
NE4 – Street Trees
NE8 – Management of Features of Wildlife Importance and Biodiversity
NE9 – Comprehensive landscaping scheme and tree planting
HBE12 – High quality of design
EP16 – Water conservation and sustainable drainage systems
EP17 – Protection of watercourses from pollution from stored materials
EP18 – High standard of energy efficiency for new development
EP20 – Sustainable use of materials
EP22 – High standard of amenity for residential occupiers
EMP4.3 – Policy for prime employment areas
EMP6.1 – Hall Road – area for motor vehicle showrooms
SHO1 – Limit on major non-food shopping development
SHO2 – Major convenience goods stores – limited to small size
SHO3 – Locational conditions for new retail development – sequential test
SHO12 – Retail development in District or Local Centres
SHO13 – Development of new District Centre at Hall Road
AEC1 – Major art and entertainment facilities – location and sequential test
AEC2 – Local community facilities in centres
SR6 - Dual Use of Open Space and Recreational Facilities
SR13 – Locational considerations for indoor sports activities
TVA8 – Heritage Interpretation
TRA3 – Modal shift measures in support of NATS
TRA5 – Approach to design for vehicle movement and special needs
TRA6 – Parking standards – maxima
TRA7 – Cycle parking standard
TRA8 – Servicing provision
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
TRA18 – Major road network

Supplementary Planning Documents and Guidance

Trees and Development SPD adopted – October 2007
Transport Contributions from Development SPD Draft for Consultation – January 2006

Other Material considerations

Norwich Sub Region: Retail and Town Centres Study (GVA Grimley) – October 2007
The Localism Act 2011 – S143 Local Finance Considerations
Site Allocations and Site Specific Policies Development Plan Document Regulation 19 Pre-Submission Draft Plan for Consultation – August 2012 – Site R3

Principle of Development

Main Town Centre Uses Sequential Test

23. The NPPF requires Local Planning Authorities to apply a sequential test to planning

applications for main town centre uses that are not in an existing centre and not in accordance with an up-to-date development plan. The development plan including saved policies of the local plan is considered to be up-to-date within the context of paragraphs 211 – 214 of the NPPF. The sequential test is therefore only applied where the proposals are not in an existing defined centre. In this case the site is defined as a proposed centre and therefore it is not considered necessary to apply the sequential test in this case.

Main Town Centre Uses Impact Assessment

24. Under the NPPF proposed main town centre uses located outside of town centres, which are not in accordance with an up-to-date development plan are subject to the impact assessment to assess the impact of the development on investments in centres and the impact on town centre vitality and viability.
25. In this case the proposals are located within a proposed centre. Unlike previous iterations of national policy the impact assessment in the NPPF does not give regard to the scale of proposals within that centre and if they are of an appropriate scale to the position of the centre in the hierarchy. The emphasis in the NPPF is on local policies setting out the location and hierarchy of centres. In this regard saved local plan policy SHO3 details that retail development will only be permitted where it is of a scale consistent with the catchment appropriate to a centre's position in the hierarchy and states that new retail development will only be permitted if there is no significant detrimental impact on the vitality and viability of existing centres. These matters are discussed further in the sections below.

Site Allocation and Scale of Proposals

26. The northwest corner of the site is allocated for a new district centre under policy SHO13. This is to include a foodstore of no more than 1,300sq m net together with at least three local shops of not more than 500sq m net each.
27. The policy also allows for residential, office and service facilities. Food and drink uses are acceptable subject to 60% of the total frontage being in retail use. The principle of a district centre on the site is therefore established by this policy.
28. The National Planning Policy Framework defines district centres as a form of town centre for the purposes of retail policy. District Centres are defined in the JCS as a group of shops containing at least one supermarket or superstore and other services, providing for a catchment extending beyond the immediate locality. This is fairly consistent with the definition in former PPS4 which defines a district centre as usually comprising groups of shops often containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library.
29. It is acknowledged as it was under the previous approvals that an anchor store of sufficient size at Hall Road is required to establish a District Centre and indeed a superstore is generally recognised (as a result of the former definition within PPS4) to be a predominately convenience goods store of 2,500sqm or more and a supermarket of 2,500sqm or less. However clearly the store must anchor the provision of a variety of other town centre uses appropriate to the scale of a district centre in the retail hierarchy. It is considered that to be policy compliant what is proposed must constitute a 'district centre' and not a superstore with a small number of ancillary units.

30. The site allocations pre-submission document continues to take forward an allocation for a district centre on the site although allowing for a larger anchor store of a maximum of

4,000sqm gross (with comparison goods floorspace in the store limited to 500sqm) and a minimum of 6 other A class units of no more than 300sqm net each, with employment uses focused on Bessemer Road and community uses.

31. In the context of the previous approvals under 08/00319/O and 09/00735/VC the anchor store was considered to be of an appropriate size given the quantum of development it was anchoring. The current proposals are considered to tread a fine line in this regard. The district centre elements of the proposals consist of the superstore, 4 small A class units, a D2 building, a small community centre and a public house/restaurant. The ratio of the foodstore to other main town centre floor space (64:35) is not representative of other district centres in the Norwich Area (at least 50:50) nor is the number of units on a par (for other district centres in the Norwich area this is in the region of 13-27 units to 1 food or super store, the majority of which have anchor stores less than 2,500sqm).
32. Saved local plan policy SHO3 details that retail development will only be permitted where it is of a scale consistent with the catchment appropriate to a centre's position in the hierarchy. The centre's allocation is at the district centre level and whilst it can be argued that an anchor convenience store of the size proposed can fit in to the district centre level of the hierarchy it is considered that the size of the superstore also needs to relate to the size of the centre proposed as a whole. In this regard the level of floorspace within the superstore is considered to be disproportionately large when compared to the amount of other town centre uses, the quantum of which is considered to be more at the local centre scale when a comparison is made to other centres in the area.

Layout and Intensity of Development

33. Coupled with the concerns raised above relating to the scale of the store in comparison to the rest of the proposed town centre uses there are also concerns over the layout of the store and intensity of the development. The centre of the site is occupied by a surface car park located below the level of Hall Road with the main entrance to the superstore located at this lower level fronting onto the car park. This broad approach to the layout has a number of implications (many of which are discussed in further detail within the design sections below) as detailed below:
- a) The overall quantum of development is much less than the site has the capacity to deliver. For example the former approvals on the site permitted 20,984sqm of gross commercial floorspace along with up to 220 flats around a decked car park. In comparison the current scheme delivers 10,093sqm of commercial floorspace with no residential around a surface car park.
 - b) Surface car parking takes up a significant proportion of the site and this coupled with the scale of the superstore limits the extent of the site available for other main town centre uses.
 - c) An entire group of TPO'ed trees is proposed for removal to make way for surface level car parking and partly for the D2 building (the same group of trees was approved for removal under the previous schemes; however this made way for a far more intensive and substantially improved overall approach to the design of the development in line with policy NE3);
 - d) No entrance to the superstore is provided directly onto Hall Road and alternatively the entrance is located at a lower level fronting onto a car park. It is considered that this approach fails to favour sustainable transport modes of access to the site.
34. For the above reasons it is not considered that the proposals optimise the potential of the site to accommodate development in line with the objectives of the NPPF.

Viability

35. The applicants have argued that the previous approvals for the site (under consents 08/00319/O and 09/00735/VC) are not viable and that the current scheme represents a viable proposal for the site which can be delivered. The applicants also argue that more intense alternatives with decked parking would not be viable. This is considered to be material to the consideration of the proposals to the extent that whilst there are concerns over the form of development proposed as outlined above, if this form of development is the only form of development likely to be viable on the site in the near future it may be considered appropriate to accept such a form of development in order to bring forward development on the site in the short term.
36. The applicants have submitted a viability assessment with the application which has assessed the viability of the following:
- a) The former approvals for the site under consent 09/00735/VC (see paragraph 6 above);
 - b) A scheme based on the development plan policy for the site under policy SHO12 (see paragraph 26 above);
 - c) The current proposal; and
 - d) An alternative scheme with a similar sized superstore, retail units and community centre built around a decked car park with land reserved for future development.
37. The viability assessment submitted outlines that the only viable scheme out of the above is the development currently proposed. Officers have sought external advice on the submitted viability assessment. This confirms that scenarios a) and b) are not viable and that scenario c) the current proposals are viable. With regard to scenario d) external advice suggests that the viability of such a scheme is better than the applicants appraisals appear to suggest and that such a scenario could be marginally viable.
38. In sum it is considered that it may be possible to make an alternative decked scheme work in terms of viability although it is likely to be marginal. The current scheme is viable and the former scheme and development plan allocations are not viable. Given these findings it is not considered that the current form of development is necessarily the only form of viable development on the site. Having said this the weight given to the above should be limited given the limitations of the viability assessment and the external advice sought which did not involve a full detailed design or the involvement of quantity surveyors to review development costs.

Comparison Retail

39. The application includes proposals for 1,124sqm net of comparison floorspace exceeding the 500sqm net limit within saved policy SHO13. It is considered that this in itself is unlikely to have a significant impact on the vitality or viability of any other defined centre. However this is considered to be the case on the basis that the comparison floor space would be part of a larger predominantly convenience food store and as such is unlikely to create an additional pull away from other defined centres and is unlikely, in transportation terms, to create further unlinked trips to the centre. It is considered that sub-division of the superstore or independent operation of the comparison floor space could have a significantly different impact in terms of vitality and viability of existing centres in the context of saved policy SHO3 and, as such, appropriate conditions should be imposed on any consent.
40. Four 'A class' units are proposed providing a total of 1,075sqm of gross floorspace. Policy SHO13 sets a 500sqm net floor space limitation for each unit, which would potentially mean that only two were provided. SHO13 seeks at least three local shops and as discussed above ideally a greater number of small main town centre units would be

proposed within the scheme to ensure that what is developed on site constitutes a district centre and that the scale of the centre as a whole is commiserate with the scale of the anchor superstore. With this in mind and with a view to ensuring the vitality of the future district centre, it would be considered appropriate to restrict the combination of the retail units to less than four units via condition.

41. It has been suggested that permitted development rights should be removed for mezzanine floors within the retail units. This has been considered, however is not considered necessary as the floor to ceiling heights of the units would not allow for mezzanine floors.
42. SHO13 also seeks 60% of the frontage in retail use to ensure retail vitality. With the current design and number of units it is not considered that this would be practical to impose on the retail units. However, whilst it is considered acceptable in principle to permit a range of A1, A2, A3 and A5 uses it is considered appropriate to restrict the number of A2, A3 or A5 units to no more than 2 units of each use and for at least 1 unit to be in A1 use. It is considered that such an approach should provide adequate flexibility to the operator but also ensure that the vitality of the centre is not detrimentally affected by a large proportion of one particular use.

Other Main Town Centre Uses

43. The proposals also include a public house, community centre and D2 building. All three uses are main town centre uses which are considered to be appropriate to the proposed use of the site as a District Centre.
44. In order to ensure the future vitality of the centre it would not be appropriate for the pub/restaurant to change to an A2 (financial and professional services) use. The pub/restaurant is located in a prominent location within the site adjacent to the main access. Certain A2 uses which have fairly inactive frontages would not be appropriate in this location and as such permitted development rights should be removed via condition for a change of use to A2.
45. Whilst community facilities are not a requirement of policy SHO13 (although they are referred to in the site allocations pre-submission document) community uses are considered to be an important function of a district centre. District centres have the ability to provide a location for equitable access to such facilities. Policy AEC2 also supports local community facilities within District Centres. In this case a community centre has been proposed and discussions have taken place between the applicants, the local planning authority and the communities and neighbourhoods team to ensure that the facility is of a size which would provide for a workable local facility. The community facility has been enlarged as a result of these discussions. Certain D1 (non-residential institutions) uses may not be appropriate in this location and are likely to have a negative impact on the vitality of the centre. As such the community centre should be conditioned as such.
46. With regard to the building in D2 use, certain D2 (assembly and leisure) uses are not considered to be appropriate to the district centre level of the town centre hierarchy. This would include uses such as cinemas or bowling alleys which serve larger than district level needs and should normally be located in the City Centre. In addition the applicants are suggesting that a D2 sports use could provide some community benefit via community use of the building/rooms within it for a minimum of 10 hours per week by local schools or colleges for free or 20 hours per week by local social, community groups or sports clubs at a 50% discount. It is therefore suggested that the use be conditioned as a D2 sports

use.

Employment Land

47. The proposals include four business units along the Bessemer Road frontage; this is consistent with policy EMP4.3. Their proposed use is for B1 Business (including offices and light industrial) or B8 (storage and distribution). Evidence from the economic development team suggests that there is a need for investment in units such as this especially incubator and grow-on premises which could be met by the proposals. Three of the units are small and measure 220sqm, the design allows them to be further subdivided if demand necessitates to two 110sqm units. A single unit is 440sqm and again can be subdivided to two 220sqm units if needed.

Car Sales Allocation

48. As per the previous scheme on the site the district centre extends beyond the boundaries of the district centre allocation within the Local Plan and into the EMP6.1 allocation for the sale and repair of motor vehicles. The proposals do not include the provision of any vehicle sale or repair facilities. The explanatory text to EMP6 explains that such uses take up large amounts of space, whilst generating little employment, and are generally not consistent with the character of employment areas. The explanatory text goes on to state that the Hall Road frontage was allocated to provide a specific location for this development where it was already the dominant user. The area of the allocation taken up by these proposals is a relatively small part of the car sales allocation in total. It is considered that in practice the retention of a small corner of the site in use for vehicle repair and sales would not be consistent with the overall scheme and is unlikely to be compatible with the redevelopment of the site. In practice most car showroom development since 2004 has occurred on windfall sites elsewhere in the City. Therefore it is not considered that the loss of this part of the EMP6.1 allocation would be significantly detrimental or warrant refusal of the application.

Economic Development and Regeneration

49. Bringing forward development which brings about economic growth is a key strand of the NPPF. The proposals will clearly have the benefit of redeveloping a brownfield site which has now been out of viable economic use for a considerable amount of time.

50. In addition to the main town centre uses the proposals also include B1/B8 units which are fairly flexible in their design allowing for a range of sizes of units and can provide for start up units. Delivering a supply of adequate and affordable units such as this will assist a number of priorities of the Greater Norwich Economic Strategy and is in line with policy 5 of the JCS to meet the needs of small, medium and start-up businesses through new employment sites. It is considered that a significant amount of weight can be given to the provision of these as part of the development particularly if they can be provided speculatively towards the beginning of the development.

51. In terms of job creation the submissions detail that the store will provide a variety of part and full time jobs at a range of levels. Up to 300 full time equivalent employment positions are estimated to be provided within the store and it is estimated that a further 125 jobs could be created over the rest of the development.

52. The proposals provide for a community centre as part of the scheme which is intended to serve the local community. This is consistent with policy AEC2 which seeks the provision of such uses within district centres to ensure easy access for all residents. The Council are in discussion with the developers over how such a facility would be provided and managed. It is considered that significant weight can be given to the community benefits

of delivering such a centre at an early stage of the development and putting mechanisms in places for the centres management to allow use by local community groups.

Design

Layout

53. The broad layout of the site is based on the location of the ASDA superstore to the southwest of the site and a surface car park occupying the centre of the site with other uses located along the east, west and northern boundaries. The layout results in the large majority of the sites developable area being taken up by the store and associated car park. It is not considered that this broad approach optimises the use of the site and that alternative or more innovative solutions to the provision of car parking, particularly given the topography of the site which arguably lends itself to a decked car parking solution, would allow greater opportunities for development on the site and either allow for a greater mix and quantity of town centre uses to be proposed in addition to the superstore or a proportion of the site to be retained for future development.
54. It is understood that the proposed layout is desired for operational reasons and avoids changes of levels between the store and the car park and also for economic reasons to avoid additional costs of a decked car parking solution.
55. Although a significant area of the site is devoted to surface car parking the proposals have improved through pre-application negotiations since earlier iterations and do successfully screen the car parking from the wider public realm via the retail units on Hall Road, the pub to the north and the business units to the east. Therefore whilst in the context of policy TRA5 a large proportion of the site is dominated by car parking, it is fairly successfully screened.
56. The general layout of the site with the store to the southwest corner is considered to be appropriate. This provides for an active frontage to Hall Road via a first floor café but also allows the store and retail units to relate to the car park. However, no pedestrian access is provided to the store from Hall Road and pedestrians or cyclists would have to navigate down to the lower level in order to access the store. Whilst unfortunately no access is provided to the store at the upper ground level, it is considered that provision of the café at the first floor level in the northwest corner of the store should form a condition of any consent to help ensure that there is active frontage onto Hall Road at this corner.
57. The topography of the site is dealt with adjacent to Hall Road via the retail units which are split level with frontage to the east and the car park at the lower ground level and west and Hall Road at the upper level. This does have the affect of providing active frontage onto Hall Road where a small hard surface public space is proposed. The community building is also located adjacent to Hall Road with frontage onto it.
58. Trees are discussed further in the section below, however the majority of the tree groups on the corners of Sandy Lane with Hall Road and Bessemer Road are retained. The proposals do however result in the loss of an entire group of trees in the centre of the site which are lost to surface car parking and partly the location of the D2 building.
59. The proposals allow for links across the site, cutting the northwest corner which is desirable as well as east-west and north-south routes through the site and car park. Amendments have been made to the layout to enhance these routes and ensure the width allows use by various users including cyclists. Further detail of the zebra crossings would

need to be a condition of any consent to ensure that the detail promotes pedestrian priority whilst not hindering trolley movement. A further link has also been provided as a result of discussions on the application to provide a level route between the retail units and public house.

External Appearance

60. The general treatment of elevations is welcomed and the monotonous white retail box has been successfully avoided. The saw tooth design of the store adjacent to Hall Road helps reflect the sites industrial past and this form has been followed through to the design of other buildings on the site. It is disappointing that the saw tooth approach does not continue across the whole of the store frontage, however the mass is still broken by the use of materials. The saw tooth design also supports innovative ventilation solutions and the use of solar panels as detailed further in the energy efficiency section below.
61. Predominant materials include sustainably sourced timber panelling, grey metal rainscreen cladding and stone gabion walls which it is suggested could support climbing plants such as hydrangea. Certain areas of green cladding and flashing are proposed, it is assumed to provide a corporate identify to the building. The approach to elevation design is welcomed and is considered to be appropriate in the context of the area.
62. Although a good amount of detail has been provided, it is recommended that any decision be subject to conditions for exact details of materials including exact colours and samples were required.

Trees

63. The site is subject to a TPO with three tree groups located at the corners of the site with Sandy Lane and a further group located towards the centre and south of the site.
64. The tree group on the corner of Bessemer Road and Sandy Lane is largely retained with the exception of one B category (moderate quality) tree removed to provide an improved visibility splay at the junction.
65. The group to the corner of Hall Road and Bessemer Road is affected by the removal of a number of B (moderate quality), C (low quality) and R (dead or dying). These are mainly located to the northeast of the group to improve the visibility splay from the junction and where the community centre is proposed. All 'A category' (high quality) trees are retained and in general the larger 'B category' trees are also retained in this group. It is suggested that this group would be supplemented by some additional new planting.
66. Existing shrubbery and tree groups are also removed along the Hall Road frontage. These are of lesser quality and value (category C) than the TPO'ed tree groups. The development proposals allow for some replacement tree planting along the Hall Road frontage.
67. The main area of tree loss is the TPO group of 41 Corsican Pines identified as B category trees. Which are roughly in the location of the proposed D2 building and an area of surface car parking. Whilst these trees are in an awkward location in the site, representing a significant constraint to any development proposals it is considered that a more innovative layout could secure their retention. The same trees were lost as part of the previous approvals, however in that case it is considered that their loss allowed for a substantially improved overall approach to the design via a decked parking solution and

more intensive form of development. The same cannot be said for the current proposals where the majority of the site which is unconstrained by trees is taken up by surface level car parking.

68. A further area of tree removal is around the access to Sandy Lane to provide both the access and necessary visibility splays. Five trees are also proposed for removal around the service access from Bessemer Road.
69. In total approximate 130 trees would be lost as a result of the development. It is suggested that this will be mitigated by replacement tree planting in the groups to the corners of Sandy Lane, along the Hall Road frontage and via new planting within the car park (circa 110-120 tree shown on the landscaping plans submitted). Given that tree planting would to an extent be an expectation for any design it is not considered that replacement planting within the site would fully mitigate for the loss proposed.
70. This tree loss will need to be weighed up against other aspects of the proposal in determining the application however if approved it will be essential to ensure compliance with the arboricultural implications assessments and for further method statements to ensure the protection of those trees to be retained and for replacement tree planting.

Landscaping

71. Detailed landscaping proposals have been submitted with the application which, notwithstanding the comments regarding layout and trees above, are broadly considered to be acceptable. There are certain areas which require further detail, such as thin strips of grass adjacent to the employment units and further consideration of proposed species for new trees is necessary. Landscaping proposals will also be needed which relate to each phase of development to show how any areas not implemented in the first phase will be treated in the interim. Therefore a landscaping condition should form part of any approval.

Ecology

72. The application is submitted with an ecology report. This identifies the existing ecological value of the site as limited. The existing trees on site clearly have some local wildlife benefit and the loss of a number of trees, particularly the tree groups is likely to have some negative affect. Replacement tree planting and small areas of wildflower planting will go some way to mitigating this.
73. Based on the finding of the ecological surveys there is limited potential for bat roosts within the buildings. Two features were identified as having potential for bat roosts, however during dusk and dawn inspections no activity was identified. The report concludes based on these surveys that the buildings are not currently being used for bat roosts.
74. The northern section of the site which is currently heavily planted with trees is suitable for bat foraging and commuting. Within these areas it is suggested that lighting has been designed to avoid artificial lighting affecting activity. This is not necessarily consistent with the lighting details submitted with the scheme and there it is suggested that lighting details be conditioned, notwithstanding the details submitted with the application.
75. The ecology report suggests mitigation and enhancements such as bat and bird boxes within the site to provide further nesting and roosting opportunities. These are welcomed

and should be conditioned as a requirement of any approval.

76. A number of fox holes are located on the site and whilst foxes are not protected species the holes are in areas of trees to the north of the site which are to be retained as part of the development.

Archaeology and Heritage Interpretation

77. The application has been submitted with an archaeological desk based assessment which concludes that based on current available evidence the site has been arable since the mid C20th and based on this it is unlikely to have any archaeological significance. Norfolk historic environment service concurs with these findings.

78. In terms of heritage the value of the site is from its use as a factory for a well known international shoe brand which was connected to Norwich and important in terms of the connection of people who worked at the factory. The form of the developments elevational design reflects the industrial heritage, however it is considered that further interpretation of the social history should be secured. It is suggested by the applicant that this would be in the form of an interpretation plaque, however it could equally be in the form of an interpretation piece or sculpture. It is suggested that any consent be subject to a condition requiring further details of heritage interpretation to be agreed.

Transport and Access

Access & Transport Impact

79. The accessibility of the site to non-car modes is a principle consideration in achieving a sustainable scheme which is in accordance with Local Plan Policy TRA3. The site is located in an urban location which is accessible and has relatively good public transport facilities located immediately adjacent to the site on Hall Road an arterial route into Norwich. The site is also fairly well located for the residential catchment it serves being immediately opposite Tuckswood and in fairly close proximity to Old Lakenham although given its size the catchment of the superstore will extend beyond these immediate residential areas.

80. The proposals include a number of enhancements to encourage access to the site via non-car modes of transport these include:

- Bus stop infrastructure;
- Bus information improvements;
- An amended Toucan crossing on Hall Road (previously proposed as a pelican);
- Puffin and Toucan crossings on Sandy Lane;
- Toucan crossing on Barratt Road with shared pedestrian and cycle pathway linking it to Hall Road;
- Shared cycle and pedestrian routes along the eastern side of Hall Road linking the site to Barratt Road;
- Shared cycle and pedestrian routes along Bessemer Road;
- Shared cycle and pedestrian routes to the north of Barratt Road on the western side of Hall Road as far as St Johns Close;
- Zebra crossing on Hall Road near Walton Road (north of Barratt Road).

81. Cycle and pedestrian access to the site is provided from all three surrounding roads with 3m wide paths within the site to allow for shared use of key routes across the site. The lack of access to the ASDA store on Hall Road is not considered to favour use by

pedestrians or cyclists and the stepped/ramped arrangement down from Hall Road is not considered to be particularly user friendly. Cycle parking is however now provided at both ends of these ramps down from Hall Road. It has been suggested that a toucan crossing be provided as opposed to a puffin crossing directly adjacent to the development on Hall Road. Whilst the applicant originally advised that this was not possible due to levels along Hall Road, a solution has now been established and the crossing amended to a toucan crossing.

82. The main car based accesses to the site are on Sandy Lane and Bessemer Road. Traffic surveys have been conducted at key junctions on the local highway network and the transport assessment concludes that subject to the non-car improvements identified above and junction improvements to the Hall Road/Sandy Lane/Whiting Road/Bessemer Road signal controlled junction and the Hall Road/Lakenham Road Roundabout the development can be successfully accommodated within the existing highway network.
83. At the junction of Hall Road and Robin Hood road priority is to Hall Road the major route. Although increased changes in traffic movements may increase the time it takes to exit onto Hall Road there is no evidence to suggest that this would result in highway safety issues or that any changes are necessary to this junction.
84. Concern has been raised with officers over allowing a right turn out of the main access to the site onto Sandy Lane and that this is likely to conflict with the junction of Sandy Lane, Whiting Road and Bessemer Road. Following a safety audit the proposals have been amended to remove this right turn.
85. A draft interim travel plan has been prepared for the District Centre to ensure that effort is made to promote modal shift. The provision and implementation of a travel plan should form a condition of any consent to ensure compliance with TRA12.
86. Inevitably, there will be increased vehicle movements associated with the development of this site, but the proposals do provide walk-in facilities in an area that currently lacks them, and many of the car-based trips to the site will replace existing trips to sites that are further afield. Therefore, having considered the implications of the proposals and the package of highway improvements it is considered that the proposals accord with the NPPF and development plan policy.

Parking

87. The central car park provides for the whole site with the exception of the employment units which have their own allocated car parking. The level of car parking is in line with and below the maximum car parking standards set out at TRA6 of the local plan.
88. Cycle parking is not provided to the minimum standards set out at policy TRA7, however on discussion with the Local Highway Authority it is understood that these standards are more suited to small scale development, and for large schemes such as this the level of provision can be scoped on an individual basis. 40 staff and 56 customer cycle spaces are provided within the development. This provision is considered to be acceptable in this case. It is however unfortunate that staff cycle provision particularly for the superstore has not be provided within a fully enclosed and secure staff facility. It is instead provided via covered Sheffield cycle stands. These are however in areas with relatively good natural surveillance.

Servicing

89. Servicing of the main store will be via a dedicated delivery area to the southwest corner of

the site. This is accessed via Bessemer Road and screened from Hall Road by the superstore itself and also fencing. The business units will be serviced from the frontage and have been provided with refuse stores to the side. The other main town centre uses will be serviced from the car park and/or Hall Road where a deliveries bay has been provided. All units have been provided with refuse storage areas.

Residential Amenity

Overlooking & Overshadowing

90. The site is sufficiently detached from residential properties for there to be no material impacts in terms of overlooking or overshadowing from the development. The nearest residential dwellings are 43m from the site on the west side of Hall Road.
91. Concern has been raised by one resident of Hall Road over the loss of views over the valley to the east as a result of the service yard fencing which is 6.5m high. The fencing in question is 6.5m above the height of the service yard and not Hall Road which is 3.6m above the level of the service yard. From the context of Hall Road the fence will therefore be just under 3m in height. Properties on the west side of Hall Road are also approximately a further 1.3m above the height of Hall Road. It is not therefore considered that there would be any significant impact. The purpose of the fence is also to limit the impact of noise from the service yard.

Noise and Disturbance

92. The application is submitted with a noise assessment which can be broken down into impacts from various sources as detailed below.
93. The report recognises that there will be some fixed plant/machinery at the proposed development and also that BS4142 is the appropriate method to assess the noise from this. If permission is granted a condition should be imposed to require details of any fixed plant including noise levels and measures for noise mitigation where necessary.
94. The restaurant/public house is located to the north of the site adjacent to the main vehicular access. It is some distance from the nearest residential property and screened by vegetation and other buildings on the site. Nevertheless activity associated with the use could have a negative impact on the amenities of neighbouring properties and therefore is recommended that any consent be subject to an hours of use restriction limiting use between midnight and 07.00am.
95. The retail units are likely to have some fixed plant and therefore the comments above are relevant. Flexibility is also being sought for a variety of A class uses including A5 hot food takeaways. Such uses if located at the upper level are likely to have amenity implications for properties on the opposite side of Hall Road particularly from customers using the new deliveries lay-by. Given the proximity of residential properties to this part of the site it is recommended that the use of any A5 unit in the upper level be restricted beyond the hours of 11pm.
96. Lorry deliveries and unloading is likely to be the most disturbing aspect of the noise from the proposed development, particularly during the night time hours given that 24 hour deliveries are sought. This is due to the noise being intermittent and also of a much higher level than the other noise sources at the site. The noise from the reversing alarms on the lorries and the rattling of the cages as the goods are loaded/unloaded is likely to be particularly disturbing to the nearby residents, especially if undertaken outside. The delivery area for the ASDA store also backs onto Hall Road and is within fairly close

proximity to residential dwellings along Hall Road.

97. The report includes noise measurements taken from another typical delivery system and these have been compared against the existing noise levels at the residential properties. The night time noise levels of the delivery activities have been averaged over 5 minutes and whilst this assessment method is in line with British Standards given that in some cases the activity measured has continued for less than this time, it means that the actual noise levels are higher for a shorter period, and therefore likely to be more disturbing. The noise measurements also show that not using the reversing alarms makes a significant difference to the noise level. The delivery bay has been designed so far as possible to mitigate the impact of noise. It is located at a lower level and docking bays are provided for delivery lorries. The delivery area is also screened from Hall Road by the store itself and fencing along Hall Road. The noise assessment considers that the noise impact would be negligible and well below World Health Organisation Guidelines. The impacts can be mitigated to an extent via conditions on any consent including that the unloading of vehicles shall only take place directly to/from the designated delivery docking bay, delivery vehicle engines and refrigeration units fitted to delivery vehicles shall be switched off at all times when on site and stationary, delivery docking bay and associated rubber buffers shall be maintained in a good state of repair at all times to prevent egress of noise. It has been suggested that a condition restricting reversing alarms during the night also be imposed. This in practice is difficult to control and enforce and needs to be balanced against the level of impact and the health and safety issues of not using them. On balance given the negligible impact such a condition is not considered necessary.
98. The business units located to the west of the site are proposed for B1 (business/light industrial use) and B8 (storage and distribution use), it is not considered that in these uses and subject to a condition requiring details of plant and machinery that the units are not likely to give rise to any significant amenity implications. More intensive industrial use in class B2 could have greater implications which would need to be assessed further and there it is considered appropriate to restrict their use to B1 or B8 use only.

Contamination

99. An intrusive investigation has been undertaken on the site and the results submitted, suggesting that there is little risk of contamination on the site. The report does however identify former underground fuel storage tanks which will require removal and the ground around them investigated for contamination. Appropriate conditions on any approval will therefore be necessary.

Air Quality

100. An air quality assessment has been undertaken and indicates that the overall impact of the development in terms of pollutants is negligible and there will be no exceedences of air quality objectives. The report does however recognise that there is a likelihood of dust emissions from the site during the construction phase. A condition for details of dust suppression should form a condition of any consent.

Flood Risk

101. The site lies outside any medium or high probability flood zone, nevertheless given the scale of the development a surface water flood risk assessment is required and has been submitted with the application. The assessment has adequately demonstrated that the

proposed surface water scheme will ensure that the proposed development will not increase flood risk and will incorporate sustainable urban drainage in the form of six soakaways to drain the building and parking areas.

Energy Efficiency

102. The application has been submitted with an energy efficiency statement. The development has been designed and a pre-assessment undertaken indicating that the development will achieve a BREEAM excellent rating. The schemes design seeks to achieve energy savings by maximising natural daylight to the store, using advanced natural ventilation systems, using water efficient sanitary fittings and low energy lighting.
103. The energy efficiency statement identifies a number of technologies to provide onsite renewable or low carbon sources of energy. These include air source heat pump, solar thermal, photovoltaic and combined heat and power technologies which based on current calculations could provide up to 47% of the sites energy (8.5% from air source heat pumps, 0.7% from solar thermal, 0.4% from photovoltaic and 37% from combined heat and power). The statement indicates that these technologies would be installed within the ASDA building. The proposals are consistent with JCS policy 3 and policy ENG1 of the East of England Plan, however further details and more accurate calculations should be conditioned through the detailed design stage.

Local Finance Considerations

104. The main local finance considerations for the development will be the potential retention of future business rates from the development although this is considered to be largely immaterial in this case as this does not directly relate to the planning merits of this case.
105. The Council are also in discussion with ASDA to take over the running of the community centre. Given the intended use as a community facility it is likely than any rental arrangements for such a facility would be negligible. The financial implications are again considered to be largely immaterial to the determination of the application. Of greater weight are the benefits associated with the potential to successfully deliver a community centre on the site as part of the scheme.

Town and Country Planning Consultation Direction

106. For the avoidance of doubt as the proposals are located within a proposed centre it is not considered necessary for the proposals to be referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009.

Planning Obligations

107. Planning obligations for the development will relate to the mitigation of the transportation impacts of the development and securing certain community benefits proposed as part of the development. These will include:
- a) A travel plan bond and monitoring charge to allow the strategic highway authority to implement the travel plan should it be required to do so. The bond would be £15,000 per annum for five years (£75,000 total) and monitoring charge of £2,500.
 - b) A transport contribution under TRA11 of £915,800 towards the delivery of non-car based transport improvements in the area. From the total transport condition the

costs of some works undertaken as part of the development to enhance public transport, pedestrian and cycle access to the site will be deducted.

- c) Clauses to be agreed by officers for the delivery of the community centre.
- d) Clauses to be agreed by officers for the provision of community use of the D2 sports building or rooms within it for a minimum of 10 hours per week by local schools or colleges for free or 20 hours per week by local social, community groups or sports clubs at a 50% discount.

108. The improvements detailed at the access and transport impact section above are located either within the applicants land or on highway land and can be secured via condition.

Phasing

109. In terms of phasing the applicant has indicated that they are willing to construct the whole of the scheme with the exception of the larger employment unit (unit 1) as one phase to be externally complete prior to first use of the superstore. The applicant has also asked for some flexibility for the pub/restaurant unit to agree a later date for its construction should they be unable to secure a pre-let, this is because the shape and design of the unit is limited in terms of its versatility and whilst it has been designed with a specific end user in mind if such a user does not come forward amendments may be needed to its design at a later stage.

Equality and Diversity Issues

Disabled Access

110. The site has been designed with level access to the main entrances of the site and DDA compliance can be secured via the building control process. As a result of the sites topography there are a number of ramped access routes through the site. These perhaps are not ideal in terms of ease of access to those with mobility difficulties (or indeed pushchairs) although do provide level access. The design also results in a number of fire escape stairs which are unavoidable given the design in question. Disabled refuge areas have however been detailed on the plans.

Amendments

111. Since the last round of consultations there have been some amendments to the scheme including the change of a pelican crossing to a toucan on Hall Road, with associated amendments to the footpath and shared surface. The provision of cycle stop lines to the Hall Road/Sandy Lane junction and the removal of a right turn from the site onto Sandy Lane. The amendments are all considered to be relatively minor and respond positively to comments made via the consultation process. It was therefore not considered necessary to re-consult on the amendments and not considered that any interested party would be prejudiced by this.

Conclusions

112. The proposals provide for the redevelopment of the site to provide a convenience superstore (5,796sqm gross), retail units (1,075sqm gross), a community centre (422sqm gross), a pub/restaurant (590sqm gross), a D2 building (1,110sqm gross) and business units (1,100sqm gross). The site is allocated for a district centre although with a far smaller anchor convenience store than that proposed.

113. Whilst in retail planning terms a convenience store of the size proposed can be said to be of an appropriate scale for the district centre level of the retail hierarchy it is considered that the size of the superstore also needs to relate to the size of the centre proposed as a whole. In this regard the level of floorspace within the superstore is considered to be disproportionately large when compared to the amount of other town centre uses. It is considered that what is proposed must constitute a 'district centre' and not a superstore with a small number of ancillary units.
114. Coupled with the concerns raised above relating to the scale of the store in comparison to the rest of the proposed town centre uses is the layout of the store and intensity of the development. The centre of the site is occupied by a surface car park located below the level of Hall Road with the main entrance to the superstore located at this lower level fronting onto the car park. This broad approach to the layout has a number of implications. Firstly the surface car parking takes up a significant proportion of the site and this coupled with the scale of the superstore limits the extent of the site available for other development or main town centre uses. Secondly, an entire group of TPO'ed trees is proposed for removal to make way for surface level car parking and partly for the D2 building and thirdly no entrance to the superstore is provided directly onto Hall Road and alternatively the entrance is located at a lower level fronting onto a car park. It is considered that this approach fails to favour sustainable transport modes of access to the site.
115. For the above reasons it is not considered that the proposals optimise the potential of the site to accommodate development in line with the objectives of the NPPF. A more innovative solution could in officers opinion feasibly and viably provide for a greater degree of development on the site whilst responding better to site constraints such as trees.
116. Having said the above, it is considered that for the form of development in question (i.e. a superstore with a small number of ancillary units arranged around a surface car park) the proposals have generally, with the exception of certain tree constraints, been designed well. The car park is well screened from the surrounding area and the appearance and elevational treatment is considered to be high quality within the context of a suburban location such as this.
117. Against the context of the above, the decision needs to be balanced against a number of economic and community benefits which would be delivered by the proposals. Bringing forward development which brings about economic growth is a key strand of the NPPF. The proposals will clearly have the benefit of redeveloping a brownfield site which has now been out of viable economic use for a considerable amount of time.
118. In addition to the main town centre uses the proposals also include B1/B8 units which are fairly flexible in their design allowing for a range of sizes of units and can provide for start up units. Delivering a supply of adequate and affordable units such as this will assist a number of priorities of the Greater Norwich Economic Strategy and is in line with policy 5 of the JCS to meet the needs of small, medium and start-up businesses through new employment sites. It is considered that a reasonable amount of weight can be given to the provision of these as part of the development particularly given that three smaller units will be provided speculatively towards the beginning of the development.
119. In terms of job creation the submissions detail that the store will provide a variety of part and full time jobs at a range of levels. Up to 300 full time equivalent employment positions are estimated to be provided within the store and it is estimated that a further 125 jobs could be created over the rest of the development. In this case it is considered that a

significant amount of weight can be given to this in balancing the merits and dis-merits of the application.

120. The proposals provide for a community centre as part of the scheme which is intended to serve the local community. This is consistent with policy AEC2 which seeks the provision of such uses within district centres to ensure easy access for all residents. It is considered that significant weight can be given to the community benefits of delivering such a centre at an early stage of the development and putting mechanisms in place for the centres management to allow use by local community groups.
121. Community benefits are also proposed as part of the provision of the D2 sports building on the site via provision of the building or parts of it for use by local schools/colleges and local social/community/sports groups. This is consistent with policy SR6 which seeks dual use of such facilities by the local community. It is considered that a reasonable level of weight can be given to the community benefits of securing such provision.
122. There are a number of other issues and considerations which have been discussed in this report. Where there is an impact, it is considered that these could be overcome via conditions on any approval or via a S106 agreement.
123. This is a finely balanced decision and on balance it is considered that the economic and community benefits delivered by the proposal and described above outweigh the shortfalls of the application proposals also described above. The recommendation is therefore to approve the application subject to conditions and a S106 agreement.

RECOMMENDATIONS

To approve Application No (12/00739/F Former Bally Shoe Factory Ltd Hall Road Norwich NR4 6DP) and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include the provision of a transport contribution of £915,800 minus deductibles, the provision of a travel plan bond and monitoring charge, clauses for the delivery of a community centre on the site, clauses for the delivery of community use of the D2 sports building and subject to the following conditions:
1. Standard time limit;
 2. Development undertaken in accordance with approved plans and documents;
 3. Phasing conditions to require the retail units, pub/restaurant, sports/D2 building, community centre and 3 of the four employment units to be complete prior to trading from the superstore. There will be a provision to allow an alternative timetable for construction of the pub/restaurant subject to agreement including details of interim landscaping;
 4. No subdivision of superstore;
 5. Comparison retail not to be accessed separately to the convenience foodstore or run independently;
 6. Net floorspace within the ASDA store not to exceed 3,406sqm net (excluding the first floor cafe) and comparison floorspace to be limited to 1,124sqm net;
 7. Café to be provided at first floor level of the ASDA store and details of the glazing to be agreed;
 8. Removal of permitted development rights for the insertion of a mezzanine floor within the ASDA store;
 9. 'Retail units' to be A1, A2, A3 or A5 only;

10. 'Retail units' shall not be combined to form less than 4 units in total;
11. 'Retail units' at least 1 retained in A1 use and no more than 2 of each of A2, A3 or A5;
12. Community centre only to be used as a community centre;
13. Details of the ongoing management and maintenance of the community centre to be agreed;
14. The D2 'gymnasium' restricted to a D2 sports use;
15. Removal of permitted development rights at the restaurant/pub to change to A2;
16. No use of the public house between 00:01 and 06:59 on any day;
17. No use of the any hot food takeaway at the upper level of the retail units beyond 23:00 on any day (until 07:00 on the following day);
18. Business units only to be used for B1 or B8 use only;
19. Submission of landscaping details for each phase, including all hard and soft treatments, also including lighting plans and the provision of offsite landscaping on highway land;
20. Interim landscaping for parts of the site not developed under phase 1 to be agreed;
21. Landscaping to be maintained and any new trees/shrubs lost to be replaced;
22. Compliance with the submitted arboricultural statement and submission of further method statements to be agreed;
23. Agree details of materials including samples where necessary;
24. Agree details and provision of heritage interpretation;
25. Agree details and provision of bat and bird boxes;
26. Provision of access, parking and servicing areas;
27. Provision of surface water drainage to the accesses;
28. Provision of cycle storage and stands;
29. Provision of refuse storage;
30. Agreement of a construction traffic management plan and access route;
31. Provision of construction vehicle wheel cleaning facilities;
32. Provision of off-site highway improvement works;
33. Agree details of the interim travel plan;
34. Agree a full travel plan following occupation;
35. Details of any plant or machinery including details of noise mitigation;
36. Details of dust suppression;
37. Unloading of vehicles shall only take place directly to/from the designated delivery docking bay;
38. Delivery vehicle engines and refrigeration units fitted to delivery vehicles shall be switched off at all times when on site and stationary;
39. Delivery docking bay and associated rubber buffers shall be maintained in a good state of repair at all times to prevent egress of noise.
40. Contamination conditions for a scheme to deal with contamination to be agreed including verification;
41. Agree a scheme for pollution control for the discharge of water to soakaways;
42. Scheme in accordance with the FRA for the provision, implementation and management of surface water drainage to be agreed;
43. Scheme for water, energy and resource efficiency measures to be submitted in accordance with the energy efficiency statement and details of the provision of 10% of the sites energy from decentralised and renewable or low carbon sources.

(Reasons for approval: The decision has been made with particular regard to policies SS1, T14, ENV7, ENG1, WM6 and NR1 of the adopted East of England Plan 2008, policies 1, 2, 3, 5, 6, 7, 8, 19 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies NE3, NE4, NE8, NE9, HBE12, EP16, EP17, EP18, EP20, EP22, EMP4.3, EMP6.1, SHO1, SHO2, SHO3, SHO12, SHO13, AEC1, AEC2, SR6, SR13, TVA8, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11, TRA12 and TRA18

of the adopted City of Norwich Replacement Local Plan 2004, the National Planning Policy Framework and other material considerations.

The proposals provide for the redevelopment of the site to provide a convenience superstore (5,796sqm gross), retail units (1,075sqm gross), a community centre (422sqm gross), a pub/restaurant (590sqm gross), a D2 building (1,110sqm gross) and business units (1,100sqm gross). The site is allocated for a district centre although with a far smaller anchor convenience store than that proposed.

Whilst in retail planning terms a convenience store of the size proposed can be said to be of an appropriate scale for the district centre level of the retail hierarchy it is considered that the size of the superstore also needs to relate to the size of the centre proposed as a whole. In this regard the level of floorspace within the superstore is considered to be disproportionately large when compared to the amount of other town centre uses. It is considered that what is proposed must constitute a 'district centre' and not a superstore with a small number of ancillary units.

Coupled with the concerns raised above relating to the scale of the store in comparison to the rest of the proposed town centre uses is the layout of the store and intensity of the development. The centre of the site is occupied by a surface car park located below the level of Hall Road with the main entrance to the superstore located at this lower level fronting onto the car park. This broad approach to the layout has a number of implications. Firstly the surface car parking takes up a significant proportion of the site and this coupled with the scale of the superstore limits the extent of the site available for other development or main town centre uses. Secondly, an entire group of TPO'ed trees is proposed for removal to make way for surface level car parking and partly for the D2 building and thirdly no entrance to the superstore is provided directly onto Hall Road and alternatively the entrance is located at a lower level fronting onto a car park. It is considered that this approach fails to favour sustainable transport modes of access to the site.

For the above reasons it is not considered that the proposals optimise the potential of the site to accommodate development in line with the objectives of the NPPF. A more innovative solution could in officers opinion feasibly and viably provide for a greater degree of development on the site whilst responding better to site constraints such as trees.

Having said the above, it is considered that for the form of development in question (i.e. a superstore with a small number of ancillary units arranged around a surface car park) the proposals have generally, with the exception of certain tree constraints, been designed well. The car park is well screened from the surrounding area and the appearance and elevational treatment is considered to be high quality within the context of a suburban location such as this.

Against the context of the above, the decision needs to be balanced against a number of economic and community benefits which would be delivered by the proposals. Bringing forward development which brings about economic growth is a key strand of the NPPF. The proposals will clearly have the benefit of redeveloping a brownfield site which has now been out of viable economic use for a considerable amount of time.

In addition to the main town centre uses the proposals also include B1/B8 units which are fairly flexible in their design allowing for a range of sizes of units and can provide for start up units. Delivering a supply of adequate and affordable units such as this will assist a number of priorities of the Greater Norwich Economic Strategy and is in line with policy 5

of the JCS to meet the needs of small, medium and start-up businesses through new employment sites. It is considered that a reasonable amount of weight can be given to the provision of these as part of the development particularly given that three smaller units will be provided speculatively towards the beginning of the development.

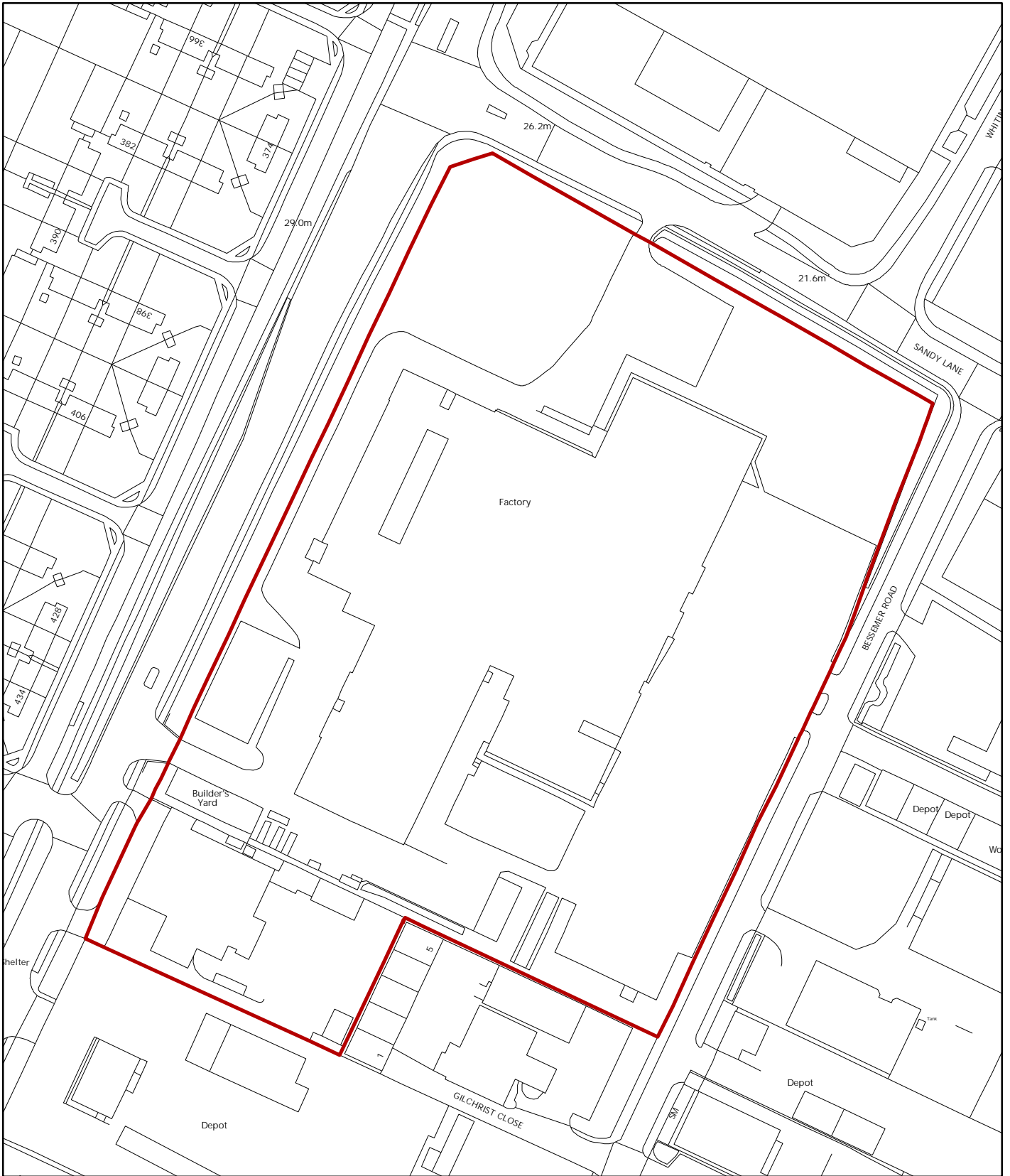
In terms of job creation the submissions detail that the store will provide a variety of part and full time jobs at a range of levels. Up to 300 full time equivalent employment positions are estimated to be provided within the store and it is estimated that a further 125 jobs could be created over the rest of the development. In this case it is considered that a significant amount of weight can be given to this in balancing the merits of the application.

The proposals provide for a community centre as part of the scheme which is intended to serve the local community. This is consistent with policy AEC2 which seeks the provision of such uses within district centres to ensure easy access for all residents. It is considered that significant weight can be given to the community benefits of delivering such a centre at an early stage of the development and putting mechanisms in places for the centres management to allow use by local community groups.

Community benefits are also proposed as part of the provision of the D2 sports building on the site via provision of the building or parts of it for use by local schools/colleges and local social/community/sports groups. This is consistent with policy SR6 which seeks dual use of such facilities by the local community. It is considered that a reasonable level of weight can be given to the community benefits of securing such provision.

This is a finely balanced decision and on balance it is considered that the economic and community benefits delivered by the proposal outweigh the shortfalls of the proposals.

There are a number of other issues and considerations which have been taken into account in determining the application and where there is an impact, it is considered that these can be overcome via conditions on any approval or via a S106 agreement.)



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Planning Application No 12/00739/F

Site Address Former Bally Shoe Factory Ltd Hall Road

Scale 1:1,500



NORWICH
City Council

PLANNING SERVICES



THIS DRAWING IS PREPARED AND CHECKED BY THE ARCHITECT OR ARCHITECTS IN ACCORDANCE WITH THE PROFESSIONAL SEAL OF THE ARCHITECTS ACT. THE ARCHITECTS ACCEPT RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE DESIGN OF THE WORK. THE ARCHITECTS ACCEPT RESPONSIBILITY TO ENSURE THAT THE WORK IS COMPLETED IN ACCORDANCE WITH THE PROFESSIONAL SEAL OF THE ARCHITECTS ACT. THE ARCHITECTS ACCEPT RESPONSIBILITY TO ENSURE THAT THE WORK IS COMPLETED IN ACCORDANCE WITH THE PROFESSIONAL SEAL OF THE ARCHITECTS ACT. THE ARCHITECTS ACCEPT RESPONSIBILITY TO ENSURE THAT THE WORK IS COMPLETED IN ACCORDANCE WITH THE PROFESSIONAL SEAL OF THE ARCHITECTS ACT.



NEW HIGHWAYS IN ACCORDANCE WITH HIGHWAYS CONICAL STANDARDS DRAWING

LANDSCAPE DESIGN IN ACCORDANCE WITH LANDSCAPE ARCHITECTS DRAWING CHART L102

ASDA STORE (including Home Shopping Pod)
 Total Gross Area: 3,700 sqm (including Home Shopping Pod)
 Total Floor Area: 3,400 sqm

ADDITIONAL RETAIL UNITS
 Retail Unit 1: 100 sqm
 Retail Unit 2: 100 sqm
 Retail Unit 3: 100 sqm
 Retail Unit 4: 100 sqm (incl. Home Shopping Pod)

COMMUNITY USE BUILDING
 Total Gross Area: 1,070 sqm

FAMILY PUB RESTAURANT
 Total Floor Area: 1,110 sqm

CAR WASH
 Forecourt and Wash Equipment: 20
 Customer Waiting: 10
 Total: 30

BUSINESS ENTERPRISE UNITS
 Enterprise Unit 1: 100 sqm
 Enterprise Unit 2: 200 sqm
 Enterprise Unit 3: 200 sqm
 Total Gross Area: 1,100 sqm

BUSINESS ENTERPRISE UNIT PARKING
 Business Enterprise: 4
 Disabled: 2
 Motorcyclist: 2
 Total: 8

BUSINESS UNITS
 Building and structure of maximum design depth on this plan and all the building.

Actual building levels may be located and/or design depth on this plan may vary from the information provided on this plan. For more information, please refer to the relevant site plan or planning application. Planning and Building Regulations apply.

SITE AND CAR PARK FIELDS
 All site ground and level information is shown on this plan and all the building.

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BESSEMER ROAD

SANDY LANE

HALL ROAD

ASDA
 ASDA STORE
 ASDA STORE

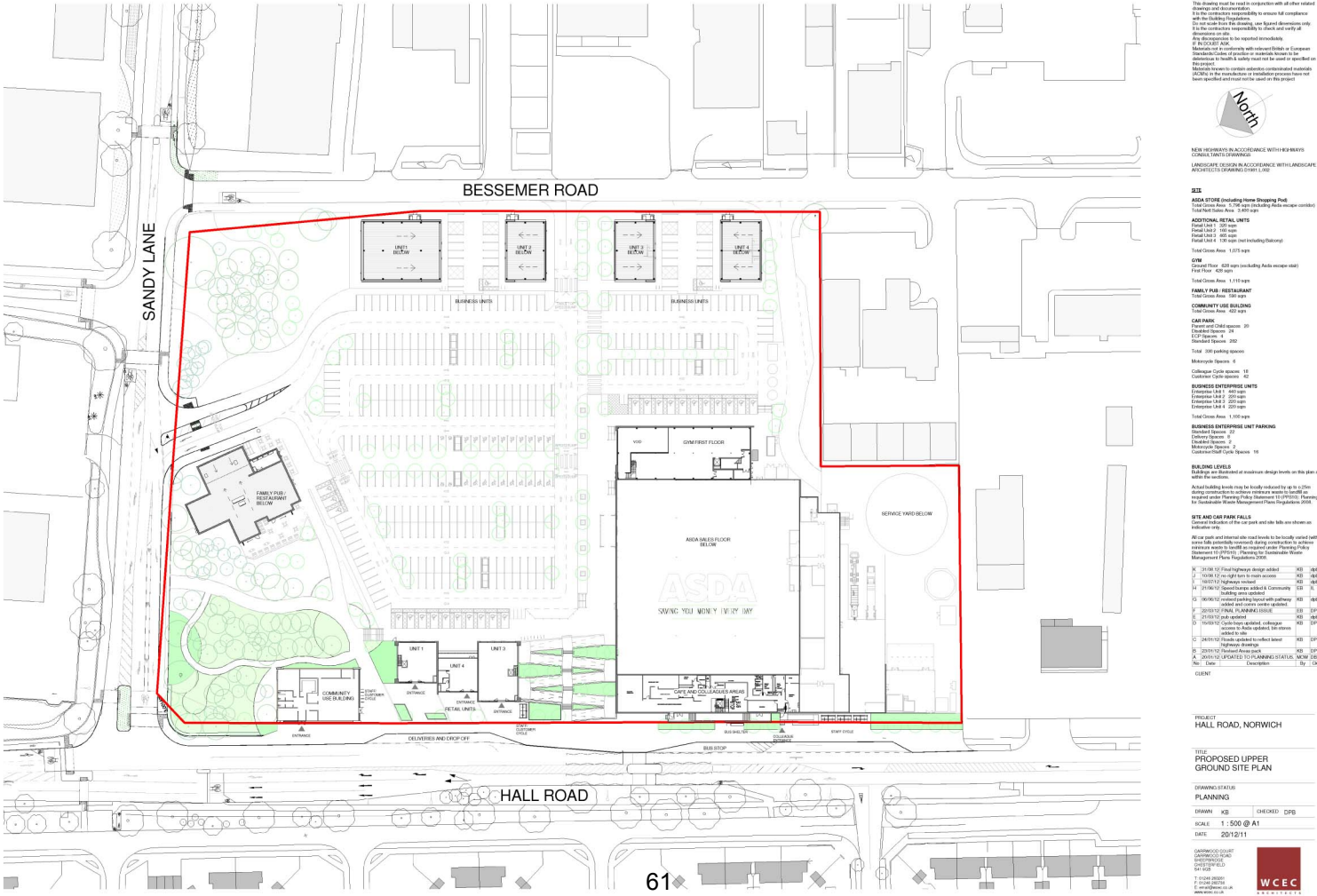


1 PROPOSED LOWER GROUND SITE PLAN
 1:500

60



JOB NO. DRAWING NO. REV
 06-120 PL-06 K



BESSEMER ROAD

SANDY LANE

HALL ROAD

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The drawing shall be read in conjunction with all other related drawings and specifications. It is the contractor's responsibility to ensure full compliance with all local, state and federal regulations, and to obtain all necessary permits. It is the contractor's responsibility to check and verify all dimensions on-site.

The architect is not responsible for any errors or omissions. The architect is not responsible for any construction-related accidents or injuries. The architect is not responsible for any damage to property or personal injury. The architect is not responsible for any health & safety related matters. The architect is not responsible for any construction-related accidents or injuries.

REVISIONS
 R-1
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 R-3
 R-4
 R-5
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NEW HOMEOWNERS IN ACCORDANCE WITH HOMEOWNERS CONSENT STATUTE DOWNSIDE ARCHITECTS DRAWING OFFICE LINE

- ADA STORE (Including Home Shopping Pod)**
 Total Floor Area: 170 sqm (including Home shopping Pod)
 Total Floor Area: 2,450 sqm
- ADDITIONAL RETAIL UNITS**
 Retail Unit 1: 100 sqm
 Retail Unit 2: 100 sqm
 Retail Unit 3: 100 sqm
 Retail Unit 4: 100 sqm (including Drive-up)
 Total Floor Area: 400 sqm
- CAFÉ**
 Total Floor Area: 400 sqm (including drive-up area)
 First Floor: 400 sqm
- FAMILY PUB RESTAURANT**
 Total Floor Area: 1,100 sqm
- COMMUNITY USE BUILDING**
 Total Floor Area: 400 sqm
- CAFÉ KITCHEN**
 Permit and Café space: 20
 Storage Room: 10
 Washroom: 10
 Total Floor Area: 200
- MOBILEPHONE REPAIR**
 Total Floor Area: 100 sqm
- COLLEGE CLUB SPACES**
 College Club spaces: 10
 Customer Club spaces: 40
- BUSINESS ENTERPRISE UNITS**
 Enterprise Unit 1: 200 sqm
 Enterprise Unit 2: 200 sqm
 Enterprise Unit 3: 200 sqm
 Enterprise Unit 4: 200 sqm
 Total Floor Area: 1,000 sqm
- BUSINESS ENTERPRISE UNIT PARKING**
 Disabled Spaces: 40
 Disabled Spaces: 2
 Motorcycles: 10
- BUSINESS UNITS**
 BUILDUP are situated at maximum depth both on the plan and within the building.
- Actual building levels may be located indicated by up to 30cm being completed to produce a level surface against 1:000.00 on vertical axis (Home Policy Statement 12 (R170)). Drawing for Homeowner Management Plans (Registration Code).
- SITE AND CAR PARK FALLS**
 All car parking and site level falls to be made as shown on this drawing.
- All car parking and site level falls to be made as shown on this drawing. All car parking and site level falls to be made as shown on this drawing. All car parking and site level falls to be made as shown on this drawing.
- NOTES**
- 1. TO USE: Final highway design advice: AS
 - 2. TO USE: Final highway design advice: AS
 - 3. TO USE: Final highway design advice: AS
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 - 20. TO USE: Final highway design advice: AS
- LEGEND**
- ASDA STORE (Including Home Shopping Pod)
- ADDITIONAL RETAIL UNITS
- CAFÉ
- FAMILY PUB RESTAURANT
- COMMUNITY USE BUILDING
- CAFÉ KITCHEN
- MOBILEPHONE REPAIR
- COLLEGE CLUB SPACES
- BUSINESS ENTERPRISE UNITS
- BUSINESS ENTERPRISE UNIT PARKING
- BUSINESS UNITS

PROJECT: HALL ROAD, NORWICH

TITLE: PROPOSED UPPER GROUND SITE PLAN

DRAWING STATUS:
 PLANNING

DRAWN BY: [Name]
 CHECKED BY: [Name]

SCALE: 1:500 @ A1
 DATE: 20/12/11



1 PROPOSED UPPER GROUND SITE PLAN 1:500

0 5 10 25 50
 Scale: 1:500 @ A1; 1:1000 @ A3



Report to Planning applications committee
Date 7 August 2014
Report of Deputy chief executive (operations)
Subject 14/00742/F 44A Mount Pleasant, Norwich, NR2 2DH

Item
4(2)

SUMMARY

Description:	Demolition of existing dwelling and erection of 1 No. four bed replacement dwelling [revised].
Reason for consideration at Committee:	Objections
Recommendation:	Approve subject to conditions
Ward:	Town Close
Contact Officer:	Mr James Bonner Planner 01603 212542
Valid Date:	4th June 2014
Applicant:	Mr Nigel Garioch
Agent:	A Squared Architects

INTRODUCTION

The Site

Location and Context

1. The application site is located on the north east side of Mount Pleasant, ~50m north west of Newmarket Street. Currently the site contains a 1950s detached bungalow with garage.
2. The surrounding area is almost entirely residential in character with a mixture of small terraces, semi-detached and detached properties set back at varying distances along Mount Pleasant. To the rear of the application site are terraced properties along Bury Street (~19m from the existing bungalow).

Constraints

3. The existing property is not of any historical or architectural significance but is within the Newmarket Road conservation area. Sitting either side and opposite are a number of locally listed buildings and numbers 36 and 38 Mount Pleasant (on the corner with Newmarket Street) are grade II listed.
4. There are a number of trees in and around the site; those most affected being the two in the front garden and two in the back.

Planning History

5. None.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

6. Proposed is the demolition of the existing house and garage (~182m²) and the erection of a two storey four bedroom dwelling (~311m²). Included is a substantial single storey wing at the rear which will house the kitchen. Beyond this is an air raid shelter which will be retained and used for storage.
7. The scheme has been amended slightly to replace the render on the front with brick and to amend the front door surround and the windows. A side facing dormer has been relocated to the rear and the garage has been reduced in height.

Representations Received

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Eleven letters of representation have been received (from nine different parties) citing the issues as summarised in the table below. The application has been re-advertised and this consultation period ends on August 1.

Issues Raised	Response
<p>(1) While the existing property is not in keeping with the general profile of the road, a modern house is inappropriate for what is now a conservation area.</p> <p>A major concern raised with contractor vehicles during demolition and construction. The traffic situation is already at a premium, especially during term time. Issue also raised with possibility of multi-vehicle household adding to difficulties already experienced in road.</p>	<p>Design – paragraphs 24 - 28.</p> <p>Traffic – paragraphs 29 and 30.</p>
<p>(2) Render finish would not be sympathetic to area though shape of new house would.</p> <p>The mature Leylandii tree in rear provides privacy. New planting would not be possible along boundary as single storey building is right up against wall.</p> <p>Maintenance of new building and old boundary wall would be compromised unless moved away from wall.</p>	<p>Design – paragraphs 24 - 28.</p> <p>Tree – paragraph 34.</p> <p>Maintenance – paragraph 36.</p>
<p>(3) This design is mediocre, poor quality and pastiche and should not be happening in a conservation area.</p>	<p>See paragraphs 24 - 28.</p>
<p>(4) The NPPF (and associated guidance) sets out need to raise standards of design. High standards needed in conservation area with careful analysis of the local environment. This application fails on: 1. Attention to aspect; 2. Attention to sustainability; 3. No attention to the aesthetic quietness of the street scene; 4. An opportunity lost to produce a sensitive contemporary home as an</p>	<p>See paragraphs 24 - 28.</p>

<p>example of design excellence; 5. No consideration of opportunities offered for private and public space. Mediocrity is simply not acceptable in this day and age.</p> <p>Following re-consultation:</p> <p>I again object to this application. There is always a sense of disappointment with pastiche architecture. NPPF enables us to be more creative and raise design standards - why is it not happening here? The drawings as submitted do not attempt to embody any part of NPPF and sadly lay in our very negative pastiche past. Chronological progression is important within our historic areas. Reference made to NPPF paragraphs 56 and 59 to 64. Drawings as submitted have not been part of a creative exercise and certainly cannot be justified as a well-considered design. Change to brick does not raise the lack of quality in this application. It still scores a zero out of 10 and needs to go back to the drawing board. Research and development needs to be done in order to unlock a creative solution.</p>	
<p>(5) Generally very supportive of the proposed application but feel the use of reclaimed bricks at the front would be more in keeping with the surrounding houses.</p>	<p>Amendment replaced render with brick on front elevation.</p>
<p>(6) We have a small garden backing onto the application site and the large coniferous tree in 44A blocks sunlight to our garden. We'd like to request this be trimmed/ removed to allow us to enjoy our garden. Also requested no structure erected blocks direct sunlight to garden for the whole day.</p>	<p>Tree is being removed. Overshadowing addressed in paragraph 19.</p>
<p>(7) No objection to the demolition but the proposed replacement is not in keeping with the adjoining houses in what is a historic conservation area. It is disproportionately large for the plot and the rendered style is deeply unattractive, two mature trees would be felled. There is insufficient detail in the plans about the front garden but the low wall at the front should be retained.</p> <p>Following re-consultation:</p> <p>The use of brick over render is improvement but still object on grounds of (i) disproportionate size for plot; (ii) brick/lintel/soldier coursing not matching neighbouring properties; (iii) mature trees being removed; (iv) nothing said about fate of low wall at front boundary wall which matches those along the road.</p>	<p>Design – paragraphs 24 - 28.</p> <p>Trees – paragraph 34.</p> <p>Landscaping – paragraph 35.</p>
<p>(8) The proposed dwelling needs to be in keeping with the rest of the properties in the immediate area. This includes careful consideration of colour and type of materials used as well as positioning of chimney stack and roof pitch. The front elevation does not currently convey this [<i>following re-consultation</i>].</p>	<p>See paragraph 24.</p>
<p>(9) <i>Norwich society</i> – support the change from render to brick but it must be an appropriate colour to match, as near as possible, the surrounding properties [<i>following re-consultation</i>].</p>	<p>Noted. Strict detailing referred to in paragraph 27.</p>

Consultation Responses

9. **Local highway authority** – Proposed development suitable in transportation terms for its location. Access is suitable and cycle and refuse storage would need to be conditioned. Hardstanding for driveway should be porous and there may be more suitable materials for this purpose than suggested. As a replacement dwelling it would be eligible for parking permits.
10. **Tree officer** – Proposals are acceptable providing a condition to ensure full compliance with the Arboricultural Impact Assessment and Arboricultural Method Statement. There should be a landscaping scheme that covers tree species selection, tree planting specification and a five year maintenance plan which can be subject to condition.
11. **Landscaping** – Concern raised over pleached trees for the ‘live boundary’ in terms of their maintenance as access to all sides will be required. N.B. Landscaping plans to be conditioned.
12. **Environmental Health** – No comment.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 4 – Promoting sustainable transport

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

Statement 10 – Meeting the challenge of climate change, flooding and coastal change

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014:

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 4 – Housing delivery

Policy 6 – Access and transportation

Policy 9 – Strategy for growth in the Norwich Policy Area

Policy 12 – Remainder of Norwich area

Policy 20 – Implementation

Relevant Saved Policies of the adopted City of Norwich Replacement Local Plan 2004:

NE3 – Tree protection control of cutting, lopping etc.

NE9 – Comprehensive landscaping scheme and tree planting

HBE8 – Development in Conservation Areas

HBE9 – Listed Buildings and development affecting them

HBE12 – High quality of design

EP16 – Water conservation and sustainable drainage systems

EP22 – High standard of amenity for residential occupiers
HOU13 – Proposals for new housing development on other sites
TRA3 – Modal shift measures in support of NATS
TRA7 – Cycle parking standard
TRA8 – Servicing provision

Other Material Considerations including:

Written Ministerial Statement: Planning for Growth March 2011

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2014 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

Emerging DM Policies

DM1 - Achieving and delivering sustainable development

***DM2** - Ensuring satisfactory living and working conditions

***DM3** - Delivering high quality design

DM7 - Trees and development

DM9 - Safeguarding Norwich's heritage

***DM12** - Ensuring well-planned housing development – **no weight can be applied**

***DM28** - Encouraging sustainable travel

***DM30** - Access and highway safety – **only limited weight can be applied**

***DM31** - Car parking and servicing

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011

Principle of Development

Policy Considerations

13. The principle of residential use is accepted here. The replacement dwelling is subject primarily to consideration of design, amenity, trees and transport. Given the redevelopment of the site is within the same application, the principle of demolishing the existing property is fine given its neutral status within the conservation area.

Impact on Living Conditions

Noise and Disturbance

14. This is a larger property but the increase in day-to-day noise from the existing levels will be negligible.

15. During demolition and construction there is expected to be a degree of disruption but not to the extent that could be considered unacceptable. There is a generous area at the front of the property that would enable construction vehicles to have minimised impacts upon the surrounding street.

Overlooking

16. The introduction of habitable rooms at first floor level will introduce the potential for increased overlooking. The replacement dwelling is the same distance (~15m) from the rear boundary as the existing building and the nearest habitable rooms to the rear are at least 22.5m away at Bury Street. This does not give the potential for unacceptable levels of overlooking. Three of the four side facing windows on the first floor belong to bathrooms or en-suites; the fourth is a secondary window for a bedroom. All will be conditioned to be obscure glazed and fixed shut.
17. The combination of the loss of the large tree and the addition of habitable rooms at first floor level will lead to some loss of privacy in the garden of 46 Mount Pleasant in particular. This in itself is not considered a reason to substantiate refusal, particularly given the assessment of the tree and the fairly tight knit urban nature of the site. The applicant has the intention to landscape the garden of the family home which should bring about an overall improvement to amenity levels (given the overshadowing the large tree causes to other gardens). Subject to condition there are no outstanding overlooking or privacy concerns.

Overshadowing

18. The additional storey will lead to some overshadowing to the neighbours either side, but given the orientation and the building line, this will only have a noticeable impact on side windows. With the separation distance between the two storey aspect and the neighbours (both around 4.5m) this is unlikely to be significant, a position supported by the use of a hipped roof.
19. Due to the distance between the new house and the rear neighbour (Bury Street) there are no concerns for overshadowing to their property or garden. The single storey part does not raise concerns for loss of amenity given its scale compared to the north and west boundary walls.
20. Despite the loss of the large tree, there are no significant concerns for overshadowing or loss of light as a result of the development.

Overbearing Nature of Development

21. While the replacement dwelling is larger, it is of a scale that is more in-keeping with the neighbouring houses than the existing dwelling. The design and separation distances ensure that the development will not be overbearing.

Amenity for Future Occupiers

22. The property would be served by a rear garden slightly smaller than that which serves the current house. For a dwelling of this size it is considered acceptable and further landscaping detail will be required to ensure a decent level of amenity. Accordingly the proposal complies with saved policy EP22 of the RLP and emerging policy DM2, to which some weight can be attached.

Design

23. The design of the front elevation takes reference from 50 Mount Pleasant and, although clearly pastiche in its approach, presents a dwelling of form and scale that is much more appropriate to its surroundings than the existing dwelling. Excluding the single storey wing, its footprint is essentially the same as the existing property. Including this, it is not considered over-intensive for the size of the site.

24. When viewed in the street scene the proposed roof is at odds with those neighbouring. A 3-D visualisation was provided which shows a shallower hip roof to match the prevailing roof form, but given the depth of the new house within the plot this involved the top of the roof being chopped off. While this may have looked fine in some views, in others it would look peculiar and having a flat roof on top may introduce maintenance issues. The originally proposed roof with the dormer relocated to the rear is considered the most sensible option and subject to condition on the eaves and materials, would still look acceptable in street views. The inclusion of a chimney in this position is unlikely to look incongruous and subject to condition is fine.
25. The front elevation originally included a number of design features which required addressing, in particular the cramped feeling the windows and door surrounds. These have been reduced in size alongside the height of the garage. One fairly consistent objection was the use of render on the front elevation which has now been replaced with brick (a reclaimed Costessey white was discussed as an appropriate choice). There are a number of properties in the surrounding area that utilise a similar approach of differing materials on the front and side elevations and this would suitably address the concern. The design shown on the front elevation is appropriate in the context of the surrounding properties and further detail on the brick and render will be secured through condition.
26. Contrasting from the traditional approach of the main house, the contemporary single storey element at the rear feels more like an extension. It is of generous footprint but its height and design ensure its impact will be minimal, particularly as it will not be visible from the street.
27. It is accepted that there is a risk in attempting to emulate the prevailing style of property in an area instead of opting for a contemporary approach (despite the lack of a clear dominant architectural style in the wider area). While certainly not an innovative design, it will provide a house of more sympathetic form and scale that will sit much more comfortably in the street scene than the existing bungalow. Attention to detail will be crucial to avoid cheapening and drawing undue attention to the pastiche design. The proposed conditions should ensure a high quality build that sits comfortably in its surroundings. In particular this will require concentration on crucial elements such as the brickwork, render, joinery, and door/window surrounds.
28. Although it could be argued as a missed opportunity, the reality is that this is the client's preference for their future home. Subject to conditions there is no substantive reason to refuse this scheme on the basis of visual harm to the street scene or conservation area as the proposal will successfully preserve its character. There are no adverse impacts on the setting of the locally or statutory listed buildings, particularly when viewed against what it replaces.

Vehicular Access and Servicing

29. The development will utilise the existing dwelling and no significant transportation issues are raised. Refuse storage has not been indicated but has been agreed to be conditioned. Given the space on the site there is no reason to suggest this would not be feasible.

Car Parking

30. Five existing spaces will be retained. Layout and access will be confirmed through condition. With the generous space provided and the potential to use on-street permits there is no concern for impact on traffic compared to the existing situation.

Cycling Parking

31. As with refuse storage, cycling provision will be conditioned.

Environmental Issues

Sustainable Construction

32. The use of local materials has been indicated but again this detail is more appropriate at a later stage.

Water Conservation

33. Given the scale of development the dwelling would not need to have on-site renewable energy provision. Water efficiency would need to meet Code for Sustainable Homes level 4 for water usage and a condition is recommended to ensure this.

Trees and Landscaping

Loss of Trees or Impact on Trees

34. The proposal involves the loss of two trees, the most significant of which is a mature to over-mature Cypress species tree in the rear garden. In the submitted AIA the tree has been assessed as overly large for its location with an extremely wide crown spread covering approximately one third of the back garden area. It features over-weighted limbs and poor branch attachments and causes a substantial amount of shading to the neighbouring properties. Also lost is a small Holly species tree in the front garden which is considered of little arboricultural or landscape value. This assessment and the method statement provided have been viewed by the council's tree officer and are considered acceptable. As part of the justification for the loss of the trees, the planting of new trees is suggested in the AIA and this will be conditioned as part of the landscaping scheme. Providing compliance with the protection measures for the existing trees, the development is acceptable from this perspective and there are no objections from the tree protection officer.

Landscaping

35. Nothing on the proposed plans suggests that the front boundary wall will be removed. The agent has confirmed that the landscaping of the front garden has not been considered in detail. Any changes to the front boundary would form part of the conditioned landscaping scheme and any impact on the visual amenity of the street will be assessed when it is submitted.

Other matters

36. Despite being right up against the boundary the issue of maintenance is not material to this consideration and does not raise any significant concerns, as it does not in numerous other similar scenarios in other residential areas. Whether this restricts the landscaping scheme is conjectural at the moment as a scheme has not been formulated. When this is submitted a maintenance scheme will also be expected which will be assessed for its practicality.

Local Finance Considerations

37. Under Section 143 of the Localism Act the council is required to consider the impact or

local finances. It is a material consideration when assessing this application. The benefits from the finance contributions for the council however must be weighed against the above planning issues. In this case the financial considerations are relatively limited and therefore limited weight should be given to them.

Financial Liability	Liable?	Amount
New Homes Bonus	No	-
Council Tax	Yes	Band not yet known
CIL	Yes	311sq m of proposed floorspace minus 182sqm of lawful floorspace = 129sqm of chargeable area, at £75 per square metre = at least £9675 (unless any relief for self-build is successful).

Conclusions

38. The amended scheme provides a replacement dwelling of a form and scale that is more sympathetic to the surrounding area than the existing bungalow. While pastiche in its approach, subject to high quality detailing, there are no concerns that the proposed development would fail to preserve or enhance the character of the wider conservation area. The dwelling would sit comfortably within the street scene and would have no adverse impacts upon the setting of the locally or statutory listed buildings.
39. Although the proposal involves the loss of trees, this is considered justified providing a comprehensive planting plan is submitted and approved prior to commencement. Given the lack of significant amenity or transport concerns, subject to conditions, the proposal is acceptable as it accords with the objectives of the National Planning Policy Framework (2012), policies 1, 2, 3, 4, 6, 9, 12 and 20 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), saved policies NE3, NE9, HBE8, HBE9, HBE12, EP16, EP22, TRA3, TRA7 and TRA8 of the City of Norwich Replacement Local Plan (2004) and all other material considerations.

RECOMMENDATIONS

To approve 14/00742/F (44A Mount Pleasant) and grant planning permission, subject to the following conditions:-

- 1) STLC (3 years)
- 2) In accordance with the approved plans
- 3) External facing materials
 - a) Brickwork (including sample panel)
 - b) Render (including sample)
 - c) Roof material (including sample)
 - d) Chimney detail
 - e) Window and door surrounds (including sample and scale drawings)
 - f) Window and door joinery (including material, finish and scale drawings)
 - g) Eaves detail (including material, finish and scale drawings)
 - h) Rooflights specifications
 - i) Dormer design and materials

- 4) Landscaping
- 5) Bin and cycle store details
- 6) Side windows fixed shut and obscure glazed
- 7) Water conservation

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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

Informatives:

- 1) Considerate construction
- 2) CIL
- 3) Parking permits
- 4) Permeable hardstanding



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Planning Application No 14/00742/F

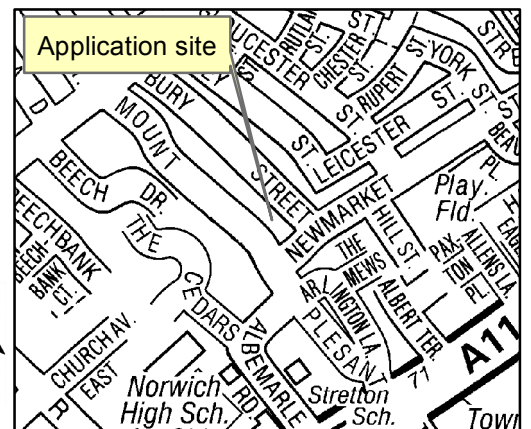
Site Address 44a Mount Pleasant

Scale 1:720



NORWICH
City Council

PLANNING SERVICES

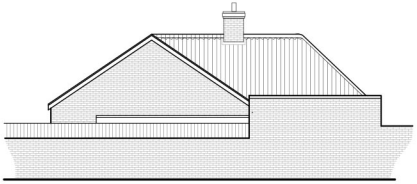


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No.	Revisions	By	Date
A	Revisions following discussion with planning officer	mja	27.05.14

EXISTING ELEVATIONS 1:100



Side (North-West)



Side (South-East)

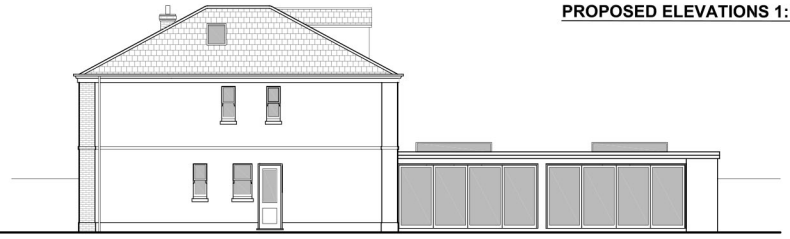


Rear (North-East)



Front (South-West)

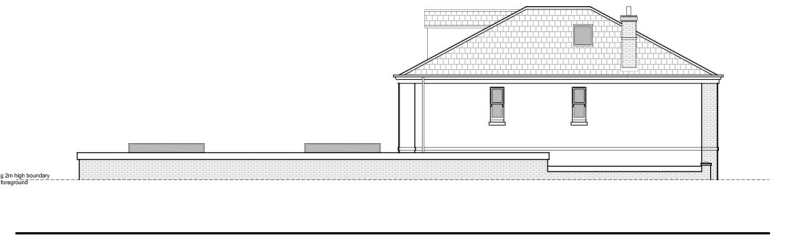
PROPOSED ELEVATIONS 1:100



Side (South-East)



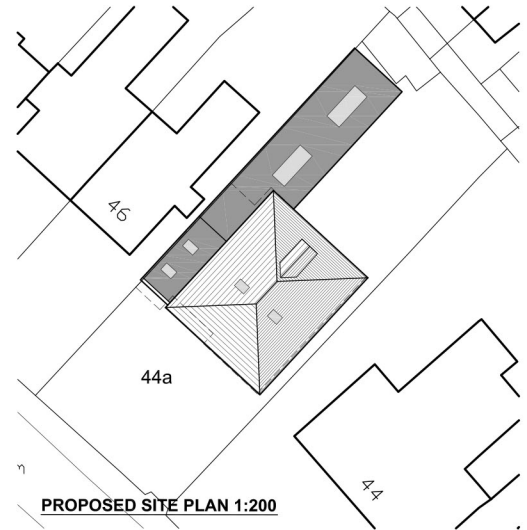
Front (South-West)



Side (North-West)



Rear (North-East)



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Client
Mr N Garioch

Job
**Extensions & Alterations to
 44a Mount Pleasant
 Norwich**

Drawing Title
**Elevations & Site Plans
 Existing & Proposed**

Scale
1:100/200@A1

Date
February 2014

Drawn By
mja

Checked By

Drawing No. **14** Rev. **13** Job No. **02 A**

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No.	Revisions	By	Date
A	Revisions following discussion with planning officer	mja	27.06.14

EXISTING STREET ELEVATION 1:100



PROPOSED STREET ELEVATION 1:100



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Client
Mr N Garioch

Job
**Extensions & Alterations to
44a Mount Pleasant
Norwich**

Drawing Title
**Street Elevations
Existing & Proposed**

Scale
1:100@A1

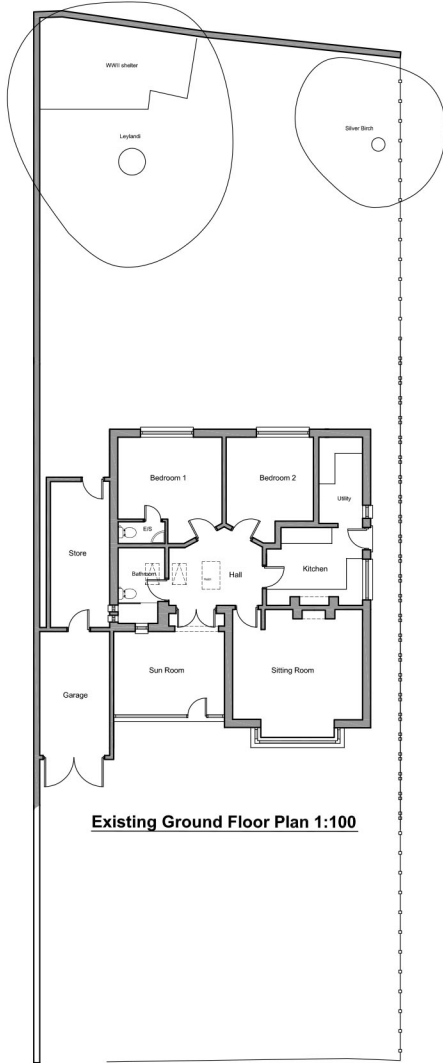
Date
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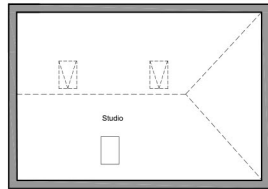
Checked By

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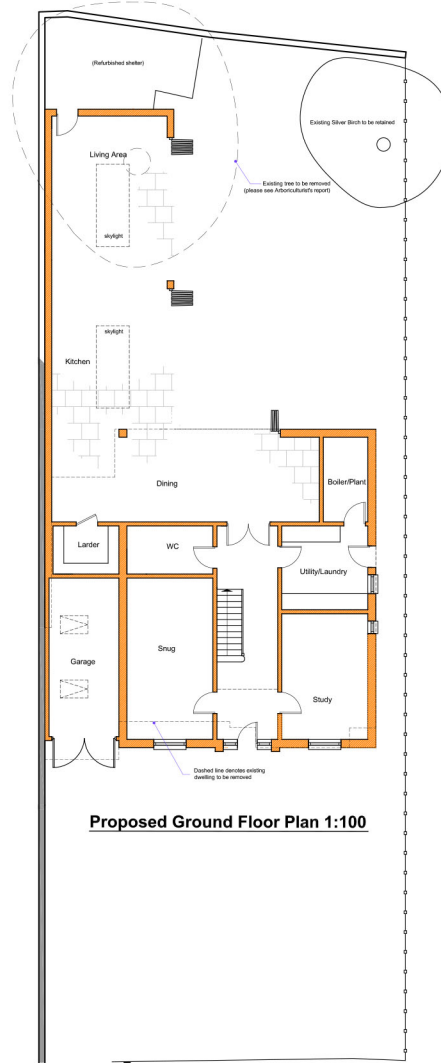
Rev. Job No.



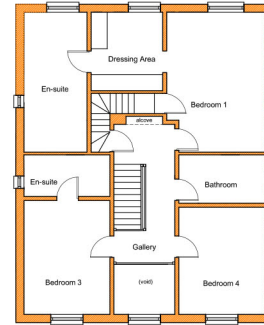
Existing Ground Floor Plan 1:100



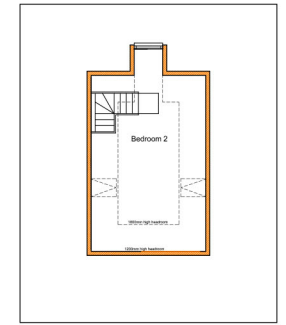
Existing First Floor Plan 1:100



Proposed Ground Floor Plan 1:100



Proposed First Floor Plan 1:100



Proposed Second Floor Plan 1:100



Site Location Plan 1:1250

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No.	Revisions	By	Date
A	Revisions following discussion with planning officer	mja	27.06.14

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Client
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Job
**Extensions & Alterations to
44a Mount Pleasant
Norwich**

Drawing Title
**Plans
Existing & Proposed**

Scale
1:100/1250@A1

Date
February 2014

Drawn By
mja

Checked By

Drawing No. 14
Rev. 13
Job No. 01 A

Report to Planning applications committee
Date 7 August 2014
Report of Head of planning services
Subject 14/00673/U Notcutts Garden Centre Daniels Road Norwich
 NR4 6QP

Item
4(3)

SUMMARY

Description:	Change of use from retail (Class A1) to a pre-school activity centre (Class D2).
Reason for consideration at Committee:	Objections
Recommendation:	Approve
Ward:	Eaton
Contact Officer:	Mrs Caroline Dodden
Valid Date:	17th May 2014
Applicant:	Ms E McDonald, Notcutts Ltd.
Agent:	Mr Simon Henry, Bidwells

INTRODUCTION

The Site

Location and Context

1. Notcutts garden centre is situated on the southwest side of Daniels Road, which is part of the Outer Ring Road. Residential properties surround the site to the southeast, southwest and northeast (on the opposite side of Daniels Road). A playing field bounds the garden centre to the northwest.
2. The garden centre comprises of a series of buildings, covered and open sales areas and an associated car park.
3. The application relates to a detached building situated in the southeast part of the site. The unit was granted planning consent in January 2008 for the retail sale of camping equipment alongside an extension to an existing external camping display area.
4. The building has a rectangular footprint with a dual pitched roof, a brick plinth and metal clad walls and roof. The former external space associated with the camping business does not form part of the application site.

Planning History

4/2002/0871- Redevelopment to provide extended garden centre retail area. Approved February 2003.

07/01270/F - Extension to camping equipment display area and erection of a camping equipment display unit. Approved January 2008.

12/01656/VC - Variation of condition 6 - the sale of certain goods within specified areas of planning permission 4/2002/0871 'Redevelopment to provide extended garden centre retail area'. Approved 22 March 2013.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

5. The application seeks to change the use of the former camping equipment retail unit (Class A1) to a pre-school activity centre offering gym, music, art and educational sessions (Class D1).

Representations Received

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Five letters of representation have been received citing the issues as summarised in the table below.

7.

Issues Raised	Response
Concerned about the implications for this largely residential area if some other D2 uses were to be taken up by Nottcutts or any subsequent owner of this site. Please consider limiting the application to a 'Personal Permission' so that it could be used only for 'Gymboree' purposes and that if vacated, it should revert back to A1 use.	Paragraph 27
No objection to the use of the building by Gymboree for pre-school children and accompanying parent as we note they will not be using the outside space and access to the property will be via the existing carpark and walkways through Notcutts.	Paragraph 20 -25
The roads in the area ie. Ipswich Road, Newmarket Road, Daniels Road and Mile End Road are already heavily congested at school arrival and leaving times. An additional school will only serve to exacerbate the peak traffic time problems	Paragraphs 18, 19, 22 and 23
Loss of privacy/overlooking and noise disturbance	Paragraphs 20 and 21

Consultation Responses

8. **Local Highway Authority:** The proposal can be accommodated within the wider site without causing detriment to the traffic operation of the outer ring road due to the

extant vehicle access to the garden centre and its car park. It is also acknowledged that there are good bus services and it is walkable and cyclable within the locality.

9. Access by foot is unclear and existing cycle parking is limited and not covered. In addition, a travel information plan should be utilised to help staff and visitors to make informed travel choices.
10. **Environmental Protection:** As the proposal would not involve the use of the external space associated with the former camping equipment business, it is considered that there would not be a significant impact in terms of noise disturbance to nearby residents.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

- Statement 1 – Building a strong, competitive economy
- Statement 2 – Ensuring the vitality of town centres
- Statement 4 – Promoting sustainable transport
- Statement 8 – Promoting healthy communities

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014

- Policy 5 – The economy
- Policy 7 – Supporting communities
- Policy 12 – Remainder of Norwich area
- Policy 19 – The hierarchy of centres

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

- EP22 - High standard of amenity for residential occupiers
- EMP1 - Small scale business development
- TRA6 – Maximum parking standards
- TRA7 - Cycle parking standards
- TRA8 - Servicing provision

Development Management Policies Development Management Document – April 2013

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM17 Supporting small business
- DM18 Promoting and supporting centres
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011

Procedural Matters Relating to the Development Plan and the NPPF

11. The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. The 2014

JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

Principle of Development

Policy Considerations

12. The proposed pre-school activity centre (Class D2) is classed as a main town centre use within the NPPF, where a sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of town centre locations, with preference for accessible sites which are well connected to the town centre.
13. Policy 19 of the Joint Core Strategy sets out the hierarchy of centres for town centre uses with Norwich city centre being first down to local centres being fourth in the hierarchy.
14. Emerging Policy DM18 states that proposals for main town centre uses, which are not within a defined centre, will be permitted where the proposal doesn't conflict with the overall aims of sustainable development, where equal weight is placed and that it can be justified by a sequential site assessment.
15. The garden centre site does not fall within a defined retail centre, but its operation is classed as restricted retail use. The sequential test submitted generally centres on the southwest sector of the city due to the large number of primary schools, nurseries and pre-schools in the area and its proximity to the city centre and a large number of residential areas.
16. The search revealed that premises available within the sector would not be suitable for the proposed use for a number of reasons including high cost, lack of accessibility and lack of facilities.
17. Although a sequential test should not technically be restricted to one particular sector of the city, it is recognised that the parameters of the search were set in order to maximise accessibility to its focussed customer base.

Proposed business operation

18. The Gymboree franchise is a pre-school children's activity centre that runs gym, art, music and educational sessions. The proposed activity centre would be open Monday to Saturday 09:30am to 5:00pm, where seven individual 45 minute lessons would be run with a 15 minute change over time between classes. On Sundays, the centre would be open from 10.30am to 4.00pm, for three classes and up to two pre-booked birthday parties.
19. Each class or birthday party would have a capacity of 15 children, where a parent stays with the child for the duration of the session.

Impact on Residential Amenity

Noise and Disturbance

20. The existing building is situated in the southeast part of the site, approximately 20 metres from the southern boundary of the garden centre and over 30 metres from the eastern boundary. The activities would take place within the building and as such, it is considered that there would not be a significant increase in noise disturbance that could

be attributed to the proposed use, over and above the wider noise from the general garden centre activities.

Overlooking and loss of privacy

21. The southern and eastern boundaries are reasonably well screened by hedging and other landscaping. Taking account of the distances and screening to the boundaries and the limited number of windows within the unit, it is considered that there would be little impact in terms of overlooking or loss of privacy to adjoining residents' houses or gardens from this existing commercial unit.

Transport and Access

Accessibility

22. It is considered that the traffic created by the proposal can be accommodated within the larger garden centre site and would not have a detrimental impact on the traffic operation of the outer ring road due to the existing access to the garden centre and its car park. Pedestrian pathways are clearly demarcated within the car park and although access to the site is through the external part of the garden centre, it is level and is easily accessible.
23. There are good bus services in the locality and the site is within a catchment where people could walk or cycle.
24. Although existing cycle parking is limited within the Notcutts site, it is considered that the requirement to provide additional cycle parking for the unit would be difficult to achieve because the application does not include any specific associated external space where cycle stands or a store could be provided.
25. It is proposed to attach a condition requiring the submission of a travel information plan in order that staff and visitors would have the ability to make informed travel choices.

Conclusions

26. Given the requirements of the operator and the information provided within the sequential test, it is considered that the proposed change of use from a former camping equipment retail unit (Class A1) to a pre-school activity centre offering gym, music, art and educational sessions (Class D1) is acceptable.
27. It would not be appropriate for many other D2 uses, particularly more intensive uses, to operate from the premises. Consequently, if members are minded to approve the application, it is proposed to attach a condition limiting the use to a pre-school children's' activity centre only. However a personal permission would not be justified as the particular identity of the applicant is of little planning relevance, the key issue being the type of use proposed.

RECOMMENDATION

To approve Application No 14/0000673/U at Notcutts Garden Centre, Daniel Road and grant planning permission, subject to the following conditions:-

1. Commencement of development within three years
2. The development approved shall be in accordance with the approved drawings, plans and details
3. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification), the premises, the subject of this permission,

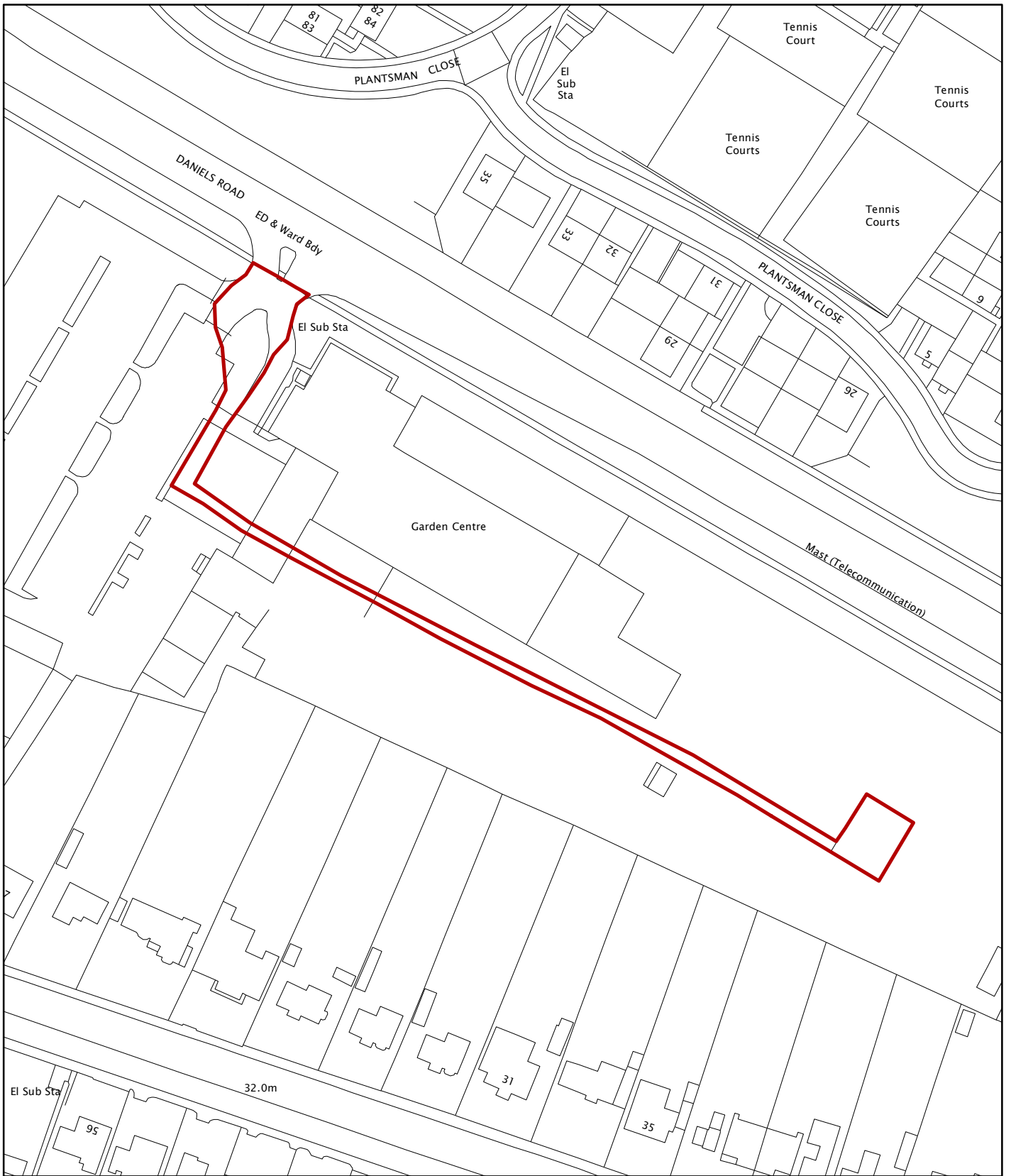
shall only be used as a pre-school children's activity centre (D2 use class) and for no other purposes including any other purpose in Class D2 of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

4. No use of the premises as a pre-school children's activity centre shall take place until:
 - (a) a Travel Information Plan has been prepared and submitted to and agreed in writing with the local planning authority. The Travel Information Plan shall:
 - (i) make provision for travel information to be publicised to staff and existing and potential future visitors to the site; and
 - (ii) specify the different methods to be used for publicity and the frequency of review; and
 - (b) the travel information has been made available in accordance with the Plan as agreed and, once made available, shall be maintained thereafter in accordance with the agreed review details.

This information shall include details of the public transport routes and services available within half a mile walking distance of the site, cycle parking provision and facilities for cyclists on site and any other measures which would support and encourage access to the site by means other than the private car.

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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report



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Planning Application No 14/00673/F

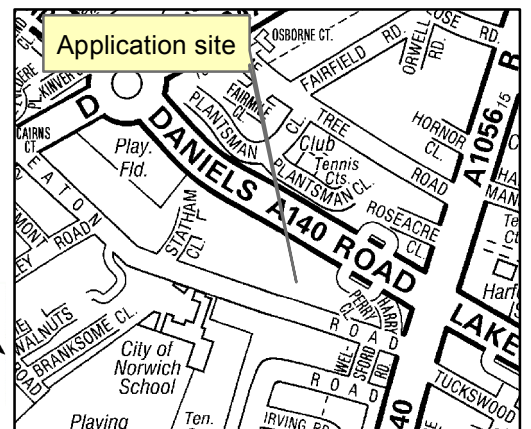
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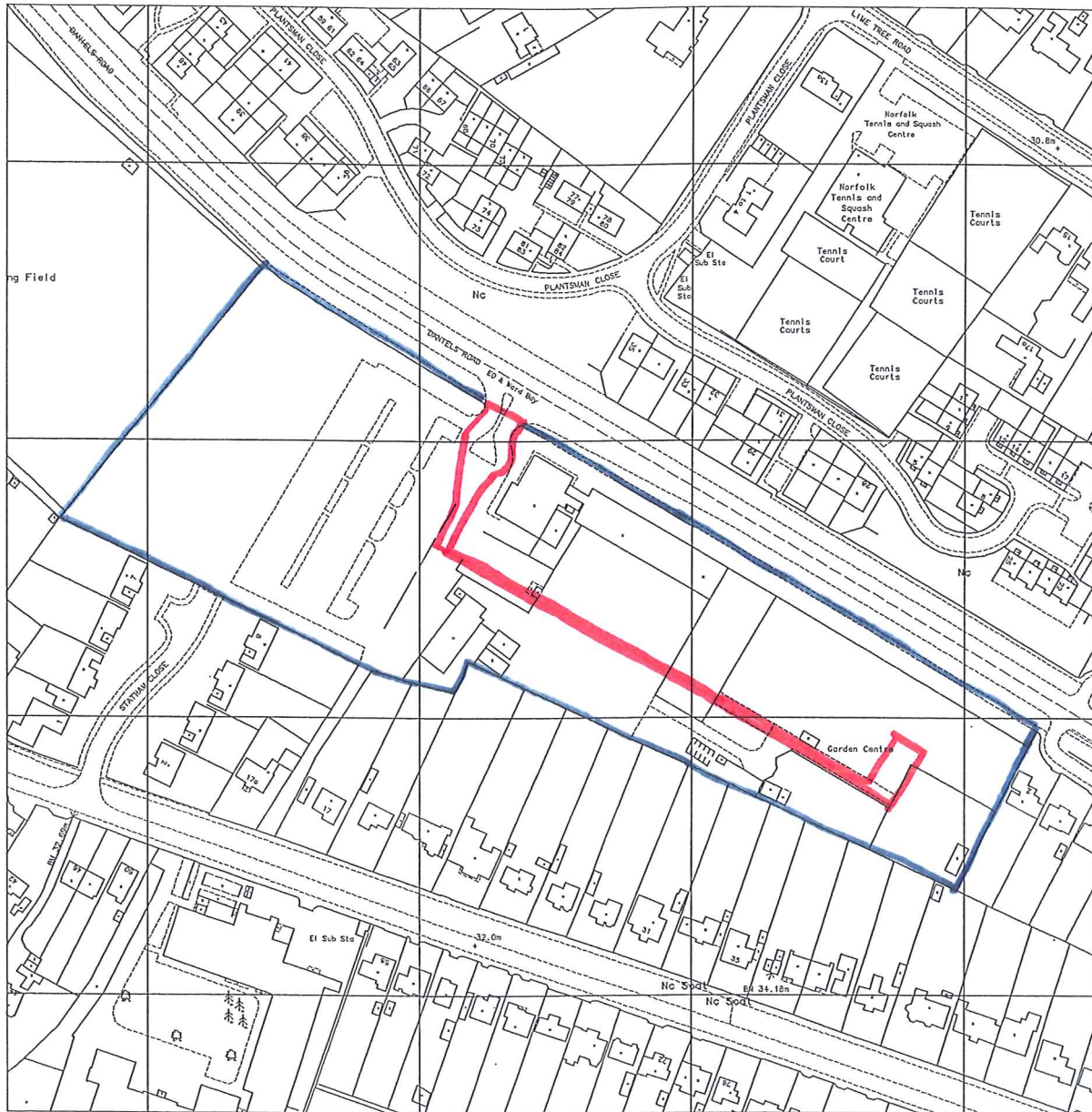
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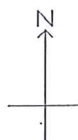
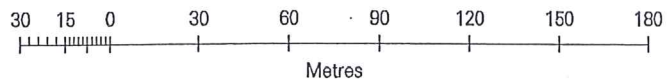




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NOTCUTTS NURSERIES LTD
84 DANIELS ROAD
NORWICH NR4 6QP

Report to Planning applications committee
Date 7 August 2014
Report of Head of planning services
Subject 14/00713/NF3 Heartsease Towers Park Sale Road
 Norwich

Item
4(4)

SUMMARY

Description:	Construction of new foot and cycle access route including associated landscaping, lighting and street furniture.
Reason for consideration at Committee:	Self-elected – Application made by the council
Recommendation:	Approve
Ward:	Crome
Contact Officer:	Mr Kian Saedi Planner 01603 212524
Valid Date:	23rd May 2014
Applicant:	Mr Jerry Massey
Agent:	Eleanor Hacon

INTRODUCTION

The Site

Location and Context

1. The application site comprises of a 0.4 hectare strip of the recreation ground running east-west between Sale Road and Munnings Road. The park is currently used for sport, leisure and recreation and has a range of associated facilities including formal areas for play, a skate ramp and earth bunds for BMX riding. A multi-use sports court is located alongside a club building to the north west corner of the site and informal football pitches are marked out on the central green space.
2. The site is a publicly accessible open green space as identified by saved policy SR3 of the adopted Local Plan.

Planning History

4/1988/1539 - Formation of play area. (APPR - 18/11/1992)

Equality and Diversity Issues

There are no significant equality or diversity issues. Level access will be provided from existing footpaths to the cycle/foot path and will enable access for wheelchair users and buggies/pushchairs.

The Proposal

3. It is proposed to construct a dual purpose foot/cycle access route across Heartsease

Towers Park including associated landscaping works, lighting and street furniture.

4. The proposals are part of a wider programme to improve a cycle route from Norfolk and Norwich University Hospital and UEA, through the city centre, to Heartsease and Broadland. The programme, referred to as 'push the pedalways' will see a series of programmes for improvements to the eight-mile pink pedalway and connections leading to it.

Representations Received

5. 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

6. Norfolk Constabulary – No comments to make.
7. Tree Protection Officer – Proposal is fine but any planning permission should be conditioned to ensure full compliance with the AIA.
8. Transportation – The proposed development is suitable in transportation terms as a contribution to the cycle network for the city. It would be preferable if there was a footway build-out to give cyclists more prominence and inter-visibility.
9. Environmental Protection Officer – No comments to make.
10. Landscaping – The proposals would improve the space by providing a strong structural element. This will bring visual enhancement and create more use. The lighting is likely to encourage use of the path which in turn will bring a greater sense of security. Kerb lines should be built out across the parking lay-by in order to prevent parked cars blocking cycle and wheelchair access.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 4 – Promoting sustainable transport

Section 7 – Requiring good design

Section 8 – Promoting healthy communities

Section 11 – Conserving and enhancing the natural environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014:

Policy 2 – Promoting good design

Policy 12 – Remainder of Norwich area

Policy 6 – Access and transportation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE3 - Tree protection, control of cutting and lopping

NE8 - Management of features of wildlife importance and biodiversity

NE9 - Comprehensive landscaping
HBE12 - High quality of design in new developments
SR3 – Criteria for development of Urban Greenspace and Recreational Open Space
TRA3 – Modal shift measures in support of NATS
TRA14 - Enhancement of the pedestrian environment and safe pedestrian routes
TRA15 - Cycle network and facilities

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011

Emerging DM Policies (submitted for examination):

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM1 Achieving and delivering sustainable development
DM2* Ensuring satisfactory living and working conditions
DM3* Delivering high quality design
DM9 Safeguarding Norwich's heritage
DM6* Protecting and enhancing the natural environment
DM8* Planning effectively for open space and recreation
DM28* Encouraging sustainable travel
DM30 *Access and highway safety

*This policy is currently subject to objections or issues being raised at pre-submission stage. Even where DM policies have been objected to, the objection may concern only one aspect of the policy and significant weight may be applied to that policy depending on what extent the objection relates to this proposal. For clarity, the level of weight that can be attributed to each DM policy has been indicated above.

Principle of Development

Policy Considerations

11. Saved policy SR3 of the adopted Local Plan seeks to retain sports pitches, sporting and recreational facilities. The proposal involves the creation of a cycle/foot path through the centre of the path with associated landscaping works and installation of street furniture. The proposal does not involve the loss of any recreational space, but rather provides infrastructure that will encourage greater use of an existing recreational space.
12. Heartsease Towers Park can be said to be lacking somewhat in identity and a sense of place, which may account for a relative under-use of the recreational asset. The proposal will provide a strong structural element, visually enhance the park through the planting of trees and the provision of a dedicated and well lit cycle/foot path will encourage greater use of the path which in turn will create a greater sense of security. The proposal will not only retain valuable recreational space but will enhance the quality of this space at the

benefit of the local community.

13. The proposed route for the cycle/foot path runs between two football pitches used by Heartsease Youth Football Club and representatives from the Christian League. Consultation has taken place with both of these parties in order to design out any potential conflict between the proposed route and the clubs requirements for space. It was agreed that whilst the football pitches would require relocation, there would be no overall loss to the provision of space and facilities. It is proposed to relocate two 7-a-side football; pitches north of the path and for an 11-a-side pitch to be located south of the path.
14. The proposal will not only retain the recreational space of the park but will generate a greater identity for it, encourage the use of it and enhance the appearance and security of it.

Design

15. The route of the path has been designed to achieve the most direct and convenient connection with the junction at Lishman Road and Munnings Road via the existing footpath running alongside Compass Tower. Part of the proposal will involve minor highway improvements to the Munnings Road and Sale Road connection points in order to make the route fit for purpose and this will also carry the benefit of enhancing the appearance of the route and encouraging its use.
16. The cycle/foot path has been designed to provide level access from the existing footpaths and foot traffic and cyclists have been segregated in order to avoid conflict between users. The paths will incorporate ground level symbols and textured surfacing to indicate the use of the intended facility.
17. An avenue of trees is proposed both through the middle and on either side of the path and street furniture and lighting will also be provided along the route. Slightly different materials have been proposed for the surfacing of the paths in order to disaggregate the cycle path from the foot path but further details will be conditioned in order to ensure a satisfactory appearance.
18. Lighting columns are also proposed along the route which will both encourage use of the route and enhance the sense of security at the park as a whole.
19. The proposal will provide a greater identity for the park and enhance the appearance of the area in accordance with saved policy HBE12 of the adopted Local Plan.

Transport and Access

20. The push the pedalways programme aimed at improving links between major development sites in the city to the cycle network and encouraging more people to travel by bicycle in a safe environment. In this respect the proposal will chime positively with the Norwich Area Transport Strategy (NATS), part of which seeks to provide new links to help to improve pedestrian and cycle environment.
21. Saved policy TRA3 of the adopted Local Plan seeks to encourage a modal shift from car use to walking and cycling. The proposal would enhance both the pedestrian and cycling environment connecting the park to the surrounding area. It is hoped that as part of the wider 'push the pedalways' project, this will encourage more people to adopt cycling as a mode of transport, which in turn will carry benefits for health, the environment and the economy.

22. The proposal will improve the quality of both the pedestrian and cycling environment in accordance with TRA14 and TRA15 of the adopted Local Plan.
23. The proposal will incorporate bike locking facilities and this will make it easier for people to cycle to and make use of the park in a safe and secure manner. The lay-by at the entrance to Munnings Road is to be reduced and the pavement built-out in order to prevent vehicles from parking in front of the entrance to the park and to assist cyclist access and inter-visibility with the highway.

Trees and Landscaping

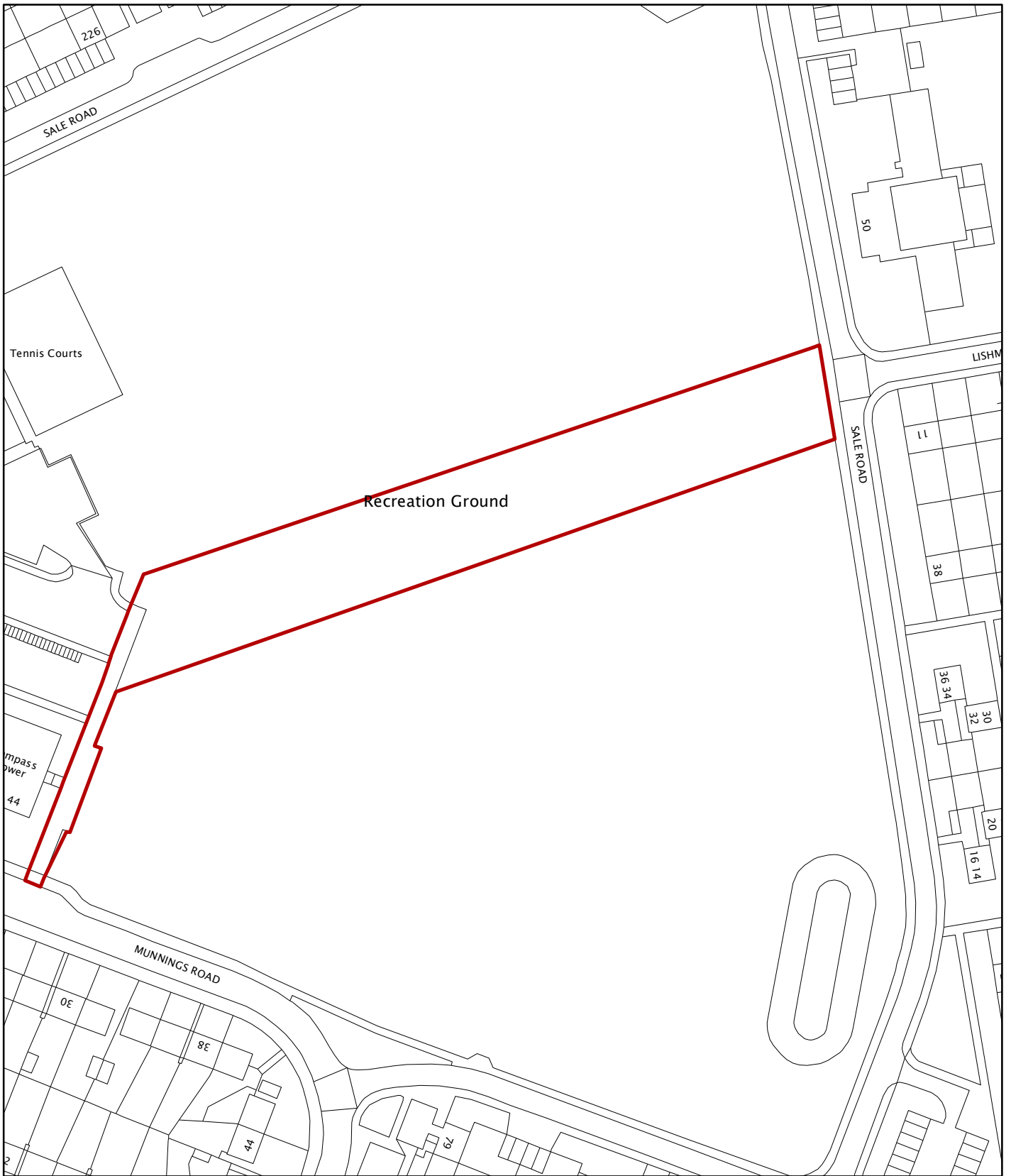
24. Several trees are to be removed in order to facilitate the development. The loss of these trees. The loss of trees will be mitigated by the planting of trees along the cycle route. The Council's Tree Protection Officer has expressed satisfaction with the proposal provided that planning permission is conditioned to require full compliance with the AIA submitted with the application.

Conclusions

25. The proposed cycle/foot path will contribute to the wider 'push the pedalways' project aimed at improving the cycle route from Norfolk and Norwich Hospital and UEA, to Heartsease and Broadland. The new and improved cycle and pedestrian links will encourage a greater number of people to travel by bicycle rather than less sustainable modes of transport. More locally, the proposal will provide the park with a stronger identity and provide a direct and convenient connection to the surrounding area. The landscaping works will enhance the appearance of the park and encourage a greater number of people to use the recreational public space. Subject to conditions the proposal is acceptable and in accordance with Sections 4, 7, 8 and 11 of the National Planning Policy Framework (2012), policies 2, 6 and 12 of the Joint Core Strategy for Broadland, Norwich or South Norfolk (2014), saved policies NE3, NE8, NE9, HBE12, SR3, TRA3, TRA14 and TRA15 of the City of Norwich Replacement Local Plan (2004), relevant policies of the Development Management Policies Development Plan Document – Pre submission (April 2013) and all other material considerations.

RECOMMENDATIONS

- 1) Standard time limit
- 2) Development in accordance with approved plans
- 3) Landscaping (to include details of paving material and 'conservation cut')
- 4) Development in accordance with the AIA

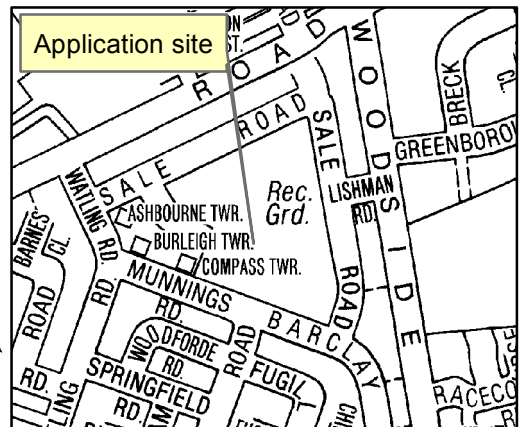


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Planning Application No 14/00713/NF3

Site Address Towers Park Heartsease

Scale 1:1,250



NORWICH
City Council

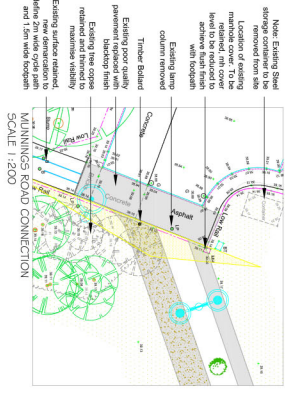
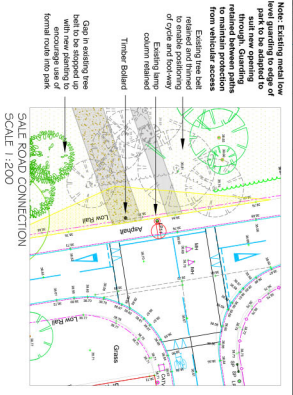
PLANNING SERVICES





NOTES

- LEGEND**
- PROPOSED FOOTWAY 1.5m
 - BLACKTOP
 - PROPOSED CYCLEWAY 3.0m BLACKTOP WITH GOLDEN AGGREGATE ROLLED IN
 - PROPOSED MARKINGS (SUBJECT TO HIGHWAYS ENGINEERS DESIGN)
 - STREET LIGHTING (SUBJECT TO SPECIALIST DESIGN)
 - PROPOSED AVENUE TREE PLANTING
 - EXTENT OF GRASS WITHIN CONSERVATION CUT
 - VISIBILITY SPAY



REVISIONS

NO.	DATE	REVISIONS	INT.	CHKD.
A/08/05/14		Drawing revised in accordance with new planning permission	EH	DC
B/22/05/14		Drawings revised in accordance with new planning permission	EH	DC
C/19/06/14		Footpath and cyclepath surface finishes switched.	EH	DC
		Build out provided Munnings Rd		

The
Push The Pedalways
Munnings Rd - Greenborough
(Project 17)
Proposed Site Plan

Scales (S) 1:500 & 1:200 @A0
Date: APR 2014
DWG No. CCAG17/PLA03C
Designed By: DC/AM
Drawn By: EH
Checked By: DC

Jerry Massey
Deputy Chief Executive
City Hall, Norwich, NR2 1NH
Tel 0344 980 3333
pedalways@norwich.gov.uk

Report to Planning applications committee
Date 7 August 2014
Report of Head of planning services
Subject 14/00719/F 222 Sprowston Road Norwich NR3 4HT

Item
4(5)

SUMMARY

Description:	Change of use from Butchers (Class A1) and flat to hot food take away (Class A5) and flat including the installation of an external extraction flue.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Sewell
Contact Officer:	Mr Kian Saedi Planner 01603 212524
Valid Date:	2nd July 2014
Applicant:	Mr Xun Qiang Zhou
Agent:	Mr Xun Qiang Zhou

INTRODUCTION

The Site

Location and Context

1. The site is located on the corner of Sprowston Road and Tillett Road East, opposite St George's RC Church and neighbouring "Golden Chicken and Fish Bar" hot food takeaway.
2. The application building has most recently operated as a Butchers across part of the ground floor with the remaining floor space at ground and first floor occupied as a single dwelling.

Planning History

3. No relevant planning history

Equality and Diversity Issues

There are no significant equality or diversity issues. Level access is provided to the shop front.

The Proposal

4. The proposal is for a change of use from a Butchers (Class A1) and flat to a hot food takeaway (Class A5) and flat including the installation of an external extraction flue.

Representations Received

5. Adjacent and neighbouring properties have been notified in writing. A total of eight letters of objection have been received from a total of three persons citing the issues as summarised in the table below.

6.

Issues Raised	Response
Noise pollution from extraction	Paras 10-13
Inadequate parking	Paras 19 & 21
Oversupply of food outlets in the area	Para 23
Antisocial behaviour	Para 16
Odour	Paras 14 & 17
Concern over location of refuse	Paras 17 & 20
Unacceptable opening hours	Paras 15 & 16
Various issues with the application form	Para 24

Consultation Responses

7. Environmental Health – No objection subject to the imposition of conditions.

8. Transportation – No objection on transportation grounds subject to condition requiring cycle parking/refuse detail.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 1 – Building a strong, competitive economy

Section 4 – Promoting sustainable transport

Section 7 – Requiring good design

Section 11 – Conserving and enhancing the natural environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014

Policy 2 – Promoting good design

Policy 5 – The economy

Policy 6 – Access and transportation

Policy 12 – Remainder of Norwich area

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE12 - High quality of design in new developments

EP5 – Air pollution emissions and sensitive uses

EP22 - High standard of amenity for residential occupiers

TRA5 - Approach to design for vehicle movement and special needs

TRA6 - Parking standards - maxima

TRA7 - Cycle parking standards

TRA8 - Servicing provision

Other Material Considerations

Emerging DM Policies (submitted for examination):

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

- DM1 Achieving and delivering sustainable development
- DM2* Ensuring satisfactory living and working conditions
- DM3* Delivering high quality design
- DM11* Protecting against environmental hazards (objection received in relation to noise)
- DM24 Managing the impacts of hot food takeaways
- DM30* Access and highway safety
- DM31* Car parking and servicing

*These policies are currently subject to objections or issues being raised at pre-submission stage. Even where DM policies have been objected to, the objection may concern only one aspect of the policy and significant weight may be applied to that policy depending on what extent the objection relates to this proposal. For clarity, the level of weight that can be attributed to each DM policy has been indicated above.

Principle of Development

Policy Considerations

9. The site is not located within a district or local centre and the loss of the retail unit does not therefore need to be assessed. The proposal would help support the development needs of a small business in line with the objectives of the NPPF and policy 5 of the JCS.

Impact on Living Conditions

Noise, Odour and Disturbance

10. The proposed takeaway use could lead to additional noise and odour disturbances, especially when taking into consideration the extraction associated with the kitchen. The site neighbours residential properties both to the west (number 1 Tillett Road East) and to the north where a flat is located at first floor level above the "Golden Chicken and Fish Bar". In order to prevent noise and odour from harming the amenity of the neighbouring households several conditions are recommended to mitigate against the activities associated with the takeaway use.
11. The operators of the proposed takeaway business will also be the occupant of the flat, much in the same way as the Butchers has operated previously. There is no need for additional noise attenuation measures to be required between the takeaway element and the flat but this would only be the case if the residential space were to remain ancillary to the use of the takeaway business and occupied by persons having a close connection with the takeaway. This will be conditioned as part of any

planning permission therefore.

12. The most significant aspect of the proposal in terms of raising potential for noise and odour disturbance to the surrounding environment comes from the extract plant. The extraction system is proposed to extend up the north elevation of the building facing the neighbouring “Golden Chicken and Fish Bar”. The neighbouring premises also has residential occupants living at first floor but it is understood that they are not associated with the takeaway business at ground floor level. There are two windows at first floor level facing onto the application building which would also be adjacent to the proposed extraction system. Whilst there are already two extraction flues positioned between the two windows on the wall of the neighbouring premises (pertaining to “Golden Chicken and Fish Bar”), it will be important to ensure that the additional flue does not increase background noise levels to an unacceptable level with reference to the noise policy statement for England and WHO guidelines for internal noise levels.
13. Planning permission will be conditions would prevent the use of any extraction plant/machinery until it has been enclosed with sound insulating material and installed in such a way to ensure that noise levels emanating from the premises are of an acceptable level. This will require a noise assessment to be undertaken and scheme to be submitted to the local planning authority for approval before any extract ventilation can be used.
14. A condition shall also be added to any permission requiring a scheme to be submitted for the position of the ventilation flue and type of filtration or other fume treatment to be used in pursuance of this permission, together with a schedule of maintenance. This will ensure that the extract ventilation does not cause any odour disturbance to the neighbouring residential premises.
15. In the absence of a noise impact assessment to demonstrate that later opening hours would not result in harm to the residential amenity of neighbouring properties it is considered necessary to restrict operational opening hours to no later than 23:00 hours on any day, which would then not permit the takeaway to open into “night-time” hours as defined by the WHO. Sprowston Road is a busy road creating a fairly significant background noise and it is possible that later opening hours (in line with that proposed by the applicant) would be acceptable but without any supporting evidence to demonstrate otherwise, the earlier opening hour restriction is appropriate. If later opening hours were desired by the applicant then it would be necessary to apply to vary the opening hour condition with a supporting noise impact assessment to demonstrate no unacceptable increase in background noise would ensue.
16. There is no reason to suggest that the takeaway business will result in an increase in anti-social behaviour that could harm the amenities of neighbouring properties. Opening hour restrictions will ensure that people do not visit the site during later hours.
17. An objection has been received relating to the potential for odour from refuse storage. The applicant has now proposed to store refuse away from any neighbouring property although further details of refuse storage will need to be agreed by condition to ensure sufficient storage capacity and suitable location.
18. With the imposition of conditions the takeaway will not give rise to any unacceptable environmental impacts and the proposal is therefore considered in accordance with

policy DM24 of the emerging development management plan which can be attributed significant weight in the absence of any objections having been received prior to submission to the Secretary of State for inspection.

Design

19. The only element of the proposal in need of assessment in design terms is the extraction flue. Details of the flue, including position, will be agreed by condition but the proposed location on the north elevation of the premises is discreetly located in terms of minimising any impact on the street scene.

Transport and Access

Vehicular Access and Servicing

20. There is adequate parking both on site and on the street to enable deliveries to be made to the business, which are unlikely to be significant in scale or frequency given the relatively small scale of the business.
21. Policy DM24 of the emerging development management plan only permits hot food takeaways if the proposal has safe and convenient access and would not be detrimental to highway or pedestrian safety. The site benefits from adequate on-site parking for staff with a small capacity for on-site customer parking. Unrestricted on-street parking exists in the vicinity of the site which customers would be able to benefit from. The use of the on-street parking spaces by customers will not have a significant impact on local parking provision due to the small scale of the business proposed. The site benefits from adequate pedestrian access.
22. Details of refuse storage will be conditioned to ensure sufficient storage capacity and acceptable location.

Car Parking

23. A total of five car parking spaces are located on site and there is also parking available on the street. These parking spaces are available for both business and residential use. The business is likely to benefit from passing trade and is unlikely to be a major destination that could otherwise place too much strain upon parking provision in the surrounding area.

Cycling Parking

24. Both the proposed takeaway and existing residential use require cycle parking provision for visitors and occupants of the flat. Details of cycle parking will be conditioned upon any planning permission.

Other issues

25. Concern has been raised that there is an oversupply of food outlets in the surrounding area. Competition and supply of similar businesses are not reasons to restrict granting of consent, indeed the NPPF promotes such competition.
26. Various issues have been raised with the application form. The applicant has submitted a revised copy of the application form and sufficient information has been submitted to enable an assessment to be made of the proposal.

Conclusions

27. The proposal would help support the development needs of a small business and will avoid any harm to the amenities of the surrounding area subject to conditions controlling extract ventilation, occupation of the associated flat and opening hours. The proposed takeaway business is relatively small in scale and parking provision is sufficient to meet likely demand and delivery requirements. Subject to conditions therefore the proposal is acceptable and in accordance with the objectives of Sections 1, 4, 7 and 11 of the National Planning Policy Framework (2012), policies 2, 5, 6 and 12 of the Joint Core Strategy for Broadland, Norwich or South Norfolk (2014), saved policies HBE12, EP5, EP22, TRA5, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan (2004), relevant policies of the Development Management Policies Development Plan Document – Pre submission (April 2013) and all other material considerations.

RECOMMENDATIONS

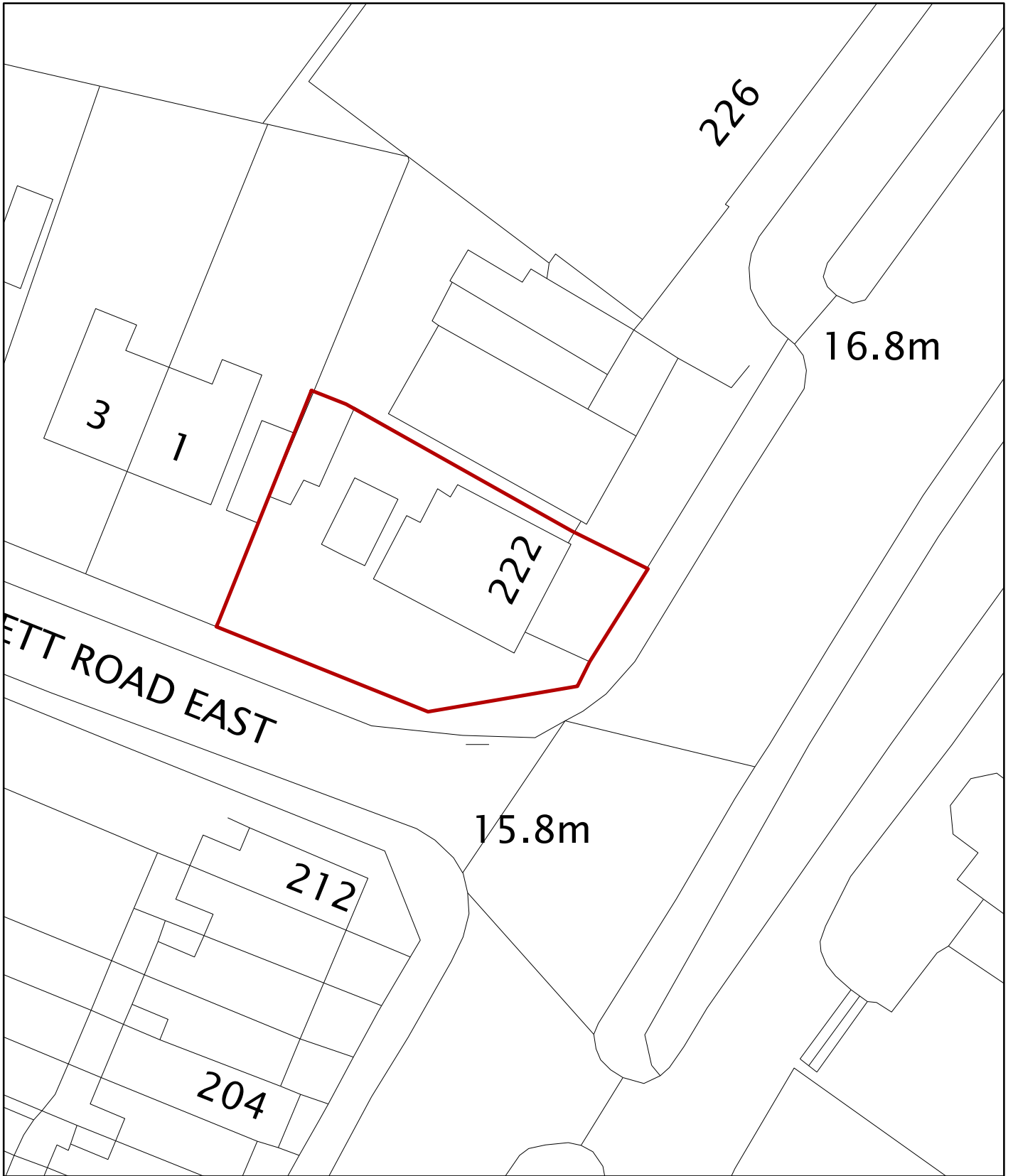
Approve application ref.14/00719/F subject to the following conditions:

- 1) Standard time limit
- 2) Development in accordance with plans
- 3) Details of refuse storage and cycle parking
- 4) Use of the residential space contained within the premises to remain ancillary to the use as a takeaway and shall only be occupied by those persons having a close connection with the takeaway within this address
- 5) No use of extract ventilation plant and/or machinery shall take place on the premises unless and until it has been enclosed with sound insulating/absorbing material and mounted in such a way which will minimise transmission of structure borne sound and will ensure that noise levels emanating from the application premises shall not exceed 45dB at 63Hz C.B.F., 40dB at 125Hz C.B.F. and NR30 over the frequency range from 250Hz to 8KHz as measured at a position 1 metre outside any noise sensitive premises and shall not exceed 37 Db AT 63Hz C.B.F., 30dB at 125Hz C.B.F and NR20 over the frequency range from 250Hz to 8KHz as measured inside any adjoining noise sensitive premises, in accordance with a scheme to be first approved in writing by the local planning authority and once enclosed, it shall be retained as such thereafter.
- 6) No extract ventilation or fume extraction system shall be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority. The detailed scheme shall include the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment to be installed and used in the premises in pursuance of this permission, together with a schedule of maintenance. No use of the premises as hereby permitted shall take place until the approved scheme has been installed and is operational and thereafter it shall be retained in full accordance with the approved details and the maintenance of the system, including any flue, shall be carried out in accordance with the scheme as agreed.

- 7) No operational use of the premises which form the subject of this permission and outlined in red on the approved location plan shall take place other than between the hours of 07:00 and 23:00 on any day.

Informatives:

- 1) Refuse and recycling bins for residential development: All bins to be purchased by the applicant prior to occupation, in agreement with Norwich City Council city wide services department. Customer Contact Team: 0344 980 3333, info@norwich.gov.uk Contact transport@norwich.gov.uk for the refuse guide for developers.
- 2) Street naming and numbering: Contact Kay Baxter at Norwich City Council, tel 01603 21 2468 (Mons & Tuesdays only)
- 3) Cycle stands: covered and secure or freestanding stands ii) Sheffield Stand: Brushed stainless steel.



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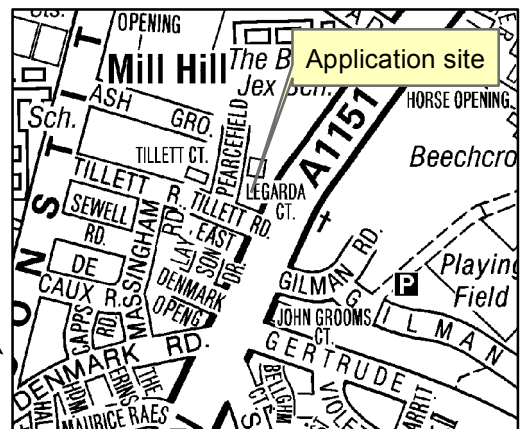
Planning Application No 14/00719/F
 Site Address 222 Sprowston Road

Scale 1:348



NORWICH
 City Council

PLANNING SERVICES



Report to Planning applications committee
Date 7 August 2014
Report of Head of planning services
Subject 14/00924/F 180 Angel Road Norwich NR3 3JD

Item
4(6)

SUMMARY

Description:	Erection of two storey rear extension.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Sewell
Contact Officer:	Mrs Joy Brown Planner 01603 212543
Valid Date:	1st July 2014
Applicant:	Mr Martyn South
Agent:	Mr Kevin Harman

INTRODUCTION

The Site

Location and Context

1. The site is located on the east side of Angel Road opposite the junction with Suffield Court. It is a two storey semi-detached property which is cream rendered with a hipped pantile roof. The property is unusually well set back within the curtilage with the front elevation being around 12m from the highway whereas most of the other properties including the neighbouring property to the north are only around 6m from the highway. The property has not previously been extended.
2. The surrounding area is mainly residential with the majority of properties being two storey semi-detached or detached dwelling houses.

Constraints

3. The site is not situated within a conservation area and there are no particular constraints on the site.

Topography

4. The front curtilage is relatively flat however there is a significant change in level to the rear of the property with there being a retaining wall of around 1m in height.

Planning History

5. No recent relevant planning history

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

6. The application seeks planning permission to erect a two storey rear extension. The proposed extension is 4m deep and extends across the entire width of the property (although it is set away from the boundary of the neighbouring property to the south by around 25cm to ensure that all foundations and guttering do not encroach on neighbouring land). The extension is set away from the neighbouring boundary to the property to the north by around 1.3m which will allow an access to the rear garden to be retained.
7. The proposed extension will enlarge the kitchen and lounge at ground floor level and will provide an additional bedroom and bathroom at first floor level. The eaves height of the proposed extension is around 4.6m and the ridge height is 6.8m. The proposed extension will have a double pitch and the roof is hipped. Materials will match the existing.

Representations Received

8. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below.

Issues Raised	Response
The proposed extension will block light and morning sunshine to the lounge and main bedroom of the property to the south (178 Angel Road)	See paragraph 13
The main outlook from the lounge and main bedroom of the property to the south (178 Angel Road) would be of a blank wall.	See paragraph 16
The proposed extension will take away a great deal of sunlight from the property to the north (182 Angel Road). The garden is a suntrap and the proposed extension will create large shadows across the garden. It will also increase shadows to 178 Angel Road.	See paragraphs 14 and 15.
The proposed extension will be too obtrusive and will affect the view from the neighbouring property to the north (182 Angel Road).	See paragraph 17
Garden privacy would decrease.	See paragraphs 11 and 12.
The new extension is too large for the plot and will visually dominate the garden estate and sky-line and would resemble almost another blank walled house bolted on to the present semi-detached property.	See paragraphs 18 and 19.
Had the extension building been in place when I had bought my house I would have not have bought it. Furthermore it will	This is not a material planning consideration.

devalue my property and affect the saleability.	
I am unsure about the situation regarding foundations close to the boundary	The foundations will not encroach on the neighbouring property.

Consultation Responses

9. No consultations undertaken

ASSESSMENT OF PLANNING CONSIDERATIONS

National Planning Policy Framework:

Section 7: Requiring good design

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014:

Policy 2: Promoting good design

Relevant Saved Policies of the adopted City of Norwich Replacement Local Plan 2004:

HBE12 - High Quality of Design;

EP22 - General Amenity

Other Material Considerations including:

Written Ministerial Statement: Planning for Growth March 2011

The Localism Act 2011 – s143 Local Finance Considerations

Emerging DM Policies (submitted for examination):

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM2* Ensuring satisfactory living and working conditions - **Significant weight can be applied.**

DM3* Delivering high quality design – **Several objections, only limited weight.**

*These policies are currently subject to objections or issues being raised at pre-submission stage. Even where DM policies have been objected to, the objection may concern only one aspect of the policy and significant weight may be applied to that policy depending on what extent the objection relates to this proposal. For clarity, the level of weight that can be attributed to each DM policy has been indicated above.

Principle of Development

Policy Considerations

10. The principle of extending the property to the rear is acceptable with the main considerations being design and impact upon residential amenity. These issues are discussed below.

Impact on Living Conditions

Overlooking

11. No windows are proposed within the southern elevation of the extension and the windows within the north elevation are all high level which will mean that there is no direct overlooking to the property to the south or north. Windows are proposed at first floor level within the rear elevation of the extension and due to the extension being 4m deep and the rear garden being relatively small compared to others in the area, there may be a slight increase in overlooking to properties to the rear on Blyth Road. This level of overlooking is not uncommon in urban residential environments and is considered to be at an acceptable level. It is not considered that there will be a significant increase in overlooking to neighbouring properties to the north or south.
12. A condition should however be attached to any future permission ensuring that the windows in the north elevation are obscure glazed to prevent overlooking and to provide privacy for the residents of the application site.

Overshadowing and loss of light

13. The proposed extension is situated in extremely close proximity to the boundary of the neighbouring property to the south (178 Angel Road). However due to the orientation and as the neighbouring property has a wide elevation, it is not considered that the proposal will result in any significant loss of light or overshadowing.
14. The proposal will lead to some overshadowing and loss of light to the rear curtilage of the property to the north (182 Angel Road). However due to the neighbouring property being situated significantly further forward in the plot than the application site, due to there being a gap of around 0.3m between the two properties and due to the positioning of windows within the rear elevation of the neighbouring property, the addition of a large two storey rear extension is not likely to have a significant impact upon any of the habitable rooms within the property. The neighbours have raised concerns about overshadowing to their garden and it is acknowledged that this two storey property will result in significant overshadowing to the rear garden area closest to the house. Saved policy EP22 of the local plan is of particular importance and this sets out the main factors to be considered where development such as this occurs in residential areas and although one of the criteria is loss of daylight this refers only to the loss to main habitable room windows. Furthermore policy DM2 of the emerging Development Management Policies Development Plan Document concerns the impact that development would have upon existing occupiers. This sets out that development will be permitted where it would not result in an unacceptable impact on the amenity of the area and the living conditions of neighbouring occupants and therefore the level of harm needs to be carefully considered.
15. As referred to above it is acknowledge that the proposal will overshadow the garden of the neighbouring property; however in this instance it is considered that the level of overshadowing would not be of significant harm and therefore would not be at an unacceptable level, particularly given that the neighbouring garden is of a reasonable size. Therefore it is felt that it would be difficult to refuse an application solely on the loss of light to a residential garden of this size.

Overbearing Nature of Development

16. The proposed extension will result in some loss of outlook and will feel slightly overbearing to the ground floor lounge of the neighbouring property to the south due to the proximity of

the lounge window to the proposed extension. It would be preferable if the extension was set back from the boundary of the neighbouring property to the south but the application does need to be considered on its own merits. Although it is acknowledged that there will be some harm, on balance, it is not considered that the harm is significant enough to justify a refusal, particularly given the wide rear elevation of the property.

17. With regards to the neighbouring property to the north, there is a gap of around 3m between the properties which helps create a sense of separation. Furthermore all windows to habitable rooms on the rear elevation of the neighbouring property are situated towards the northern side of the property and therefore from within the house it is not considered that the proposal will have a significant overbearing impact despite the positioning of the two dwellings within their curtilages. There will be some loss of outlook from the rear garden of the neighbouring property but on balance it is not considered that this is so significant a detriment to the living conditions of the neighbouring residents to justify a refusal.

Design

18. There are very few examples of rear extensions on this part of Angel Road and it is considered that the proposed extension is relatively large in relation to the existing dwelling house; however due to the extension being situated to the rear of the property it is not considered that it will impact upon the principle elevation of the property or the character of the street scene and it is considered that the plot is of sufficient size to accommodate the extension.
19. The design of the roof with a double pitch and hipped roof has helped reduce the overall mass and bulk of the extension and given that the materials and detailing will match the original dwelling house it is considered that the proposal ties in relatively well. Therefore it is considered that the design of the proposal is acceptable.

Local Finance Considerations

20. The sum of the new floorspace is under the minimum of 100 sq. m. so no CIL is payable.

Conclusions

21. The proposed extension is relatively large in relation to the size of the existing dwelling house however due to its positioning and due to the design of the roof it is considered that the overall bulk and mass has been reduced enough for the proposal to be considered acceptable in design terms. Although the proposal will have an impact upon the neighbouring residents to the south and to the north, on balance, it is not considered that the impact is of such significant harm to justify a refusal. However this is a relatively finely balanced judgement and members are asked to particularly consider the photographs and plans presented at Committee to make a properly informed consideration of the merits of the objectors concerns.
22. On balance, it is considered that the proposal accords with the criteria set out within the National Planning Policy Framework, policies HBE12 and EP22 of the City of Norwich Replacement Local Plan, policy 2 of the Joint Core Strategy and policy DM2 and 3 of the emerging Development Management Policies Development Plan Document.

RECOMMENDATIONS

To approve Application No 14/00924/F, 180 Angel Road and grant planning permission, subject to the following conditions:-

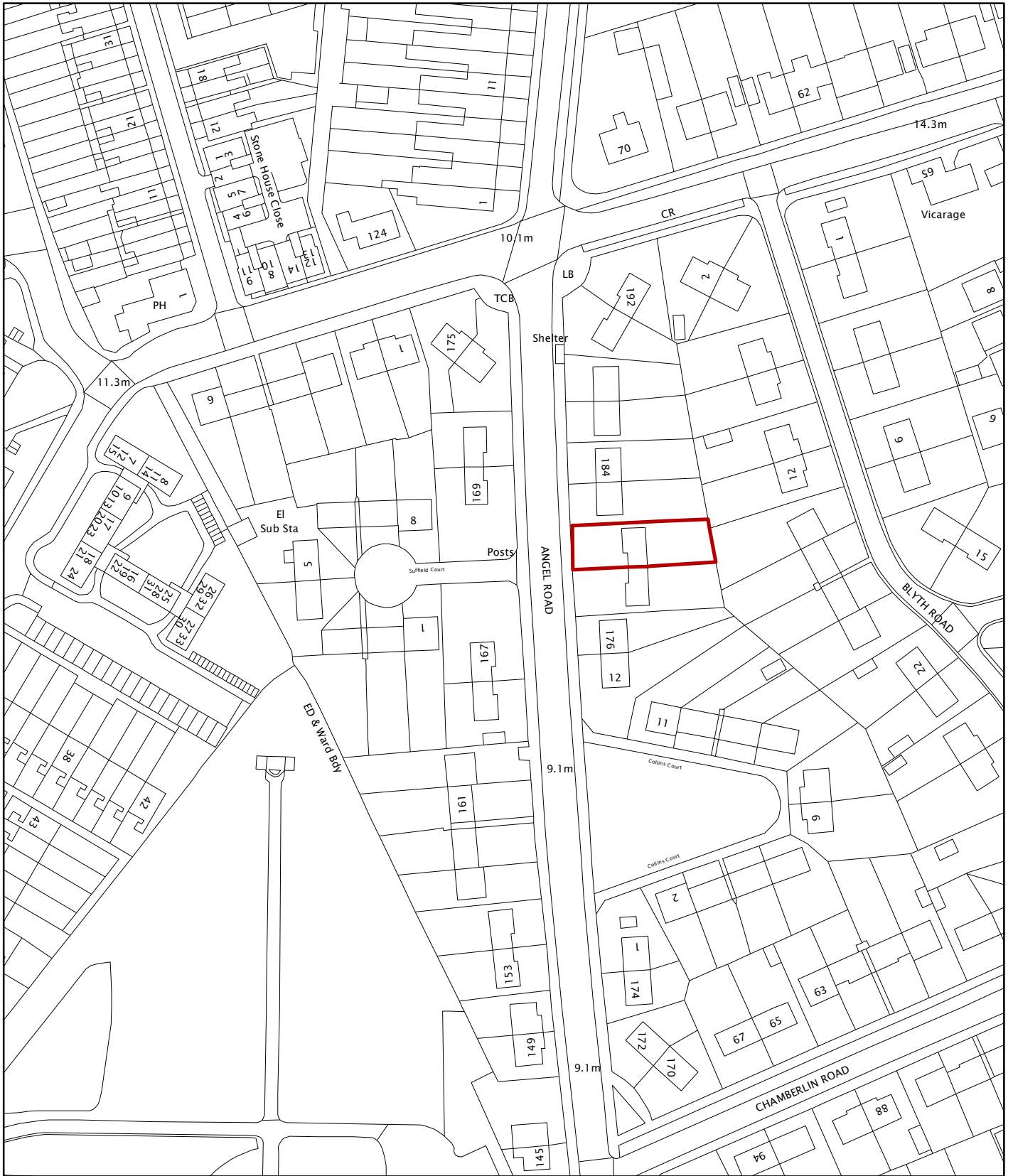
- 1) Standard time limit
- 2) In accordance with plans
- 3) Materials to match
- 4) Windows in northern elevation to be obscure glazed

Informatives:

- 1) CIL

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.



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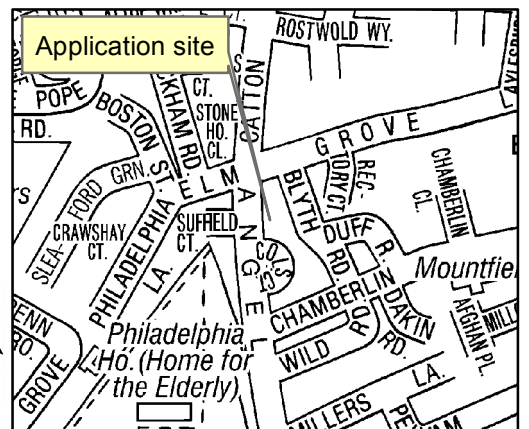
Planning Application No 14/00924/F
 Site Address 180 Angel Road

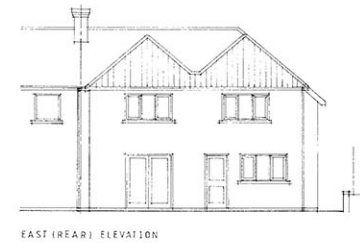
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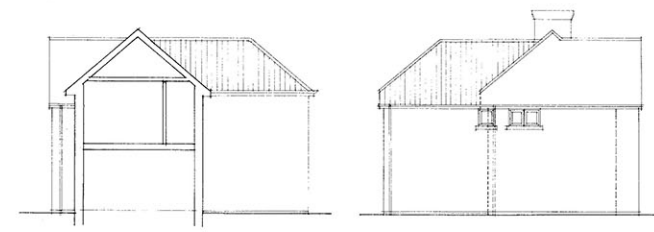
NORWICH
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PLANNING SERVICES



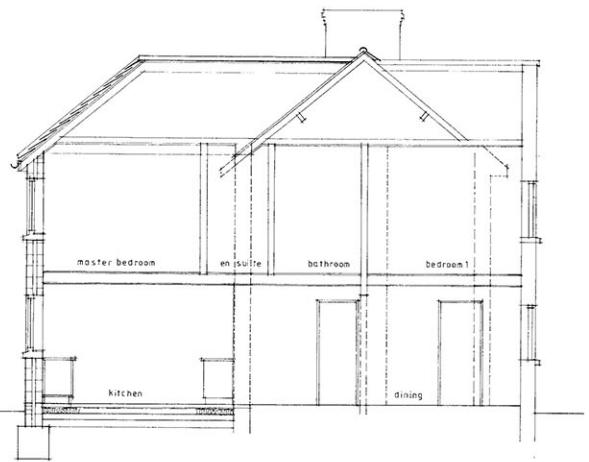


EAST (REAR) ELEVATION

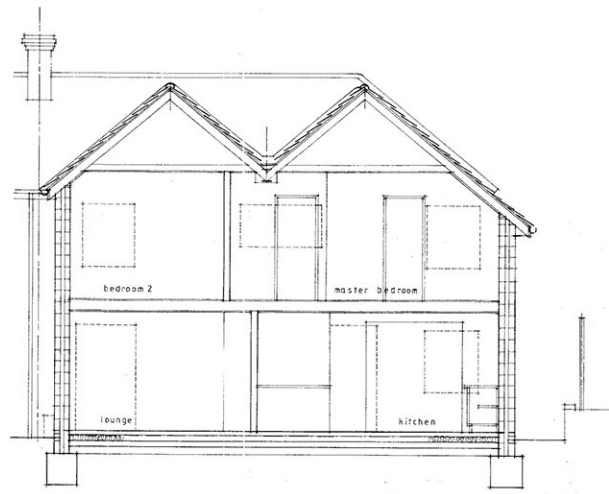


SOUTH (SIDE) ELEVATION
ELEVATIONS

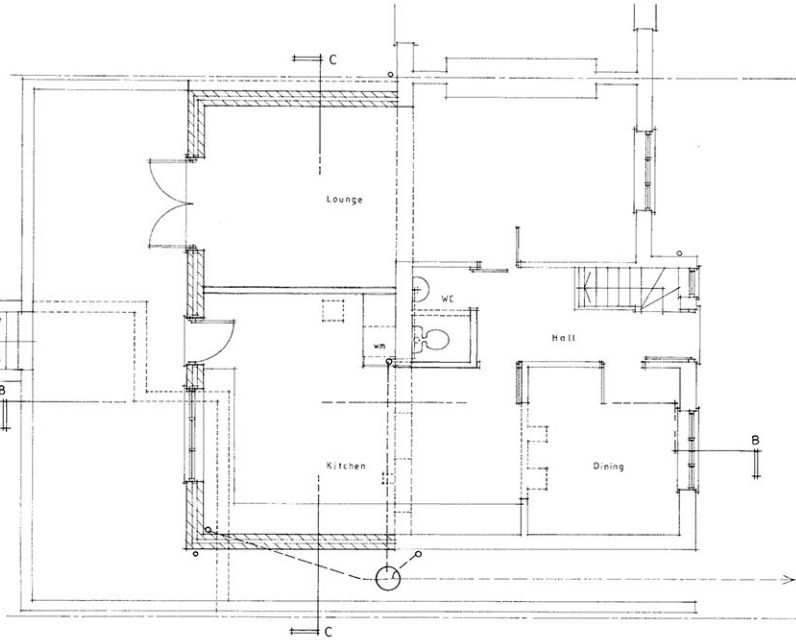
NORTH (SIDE) ELEVATION



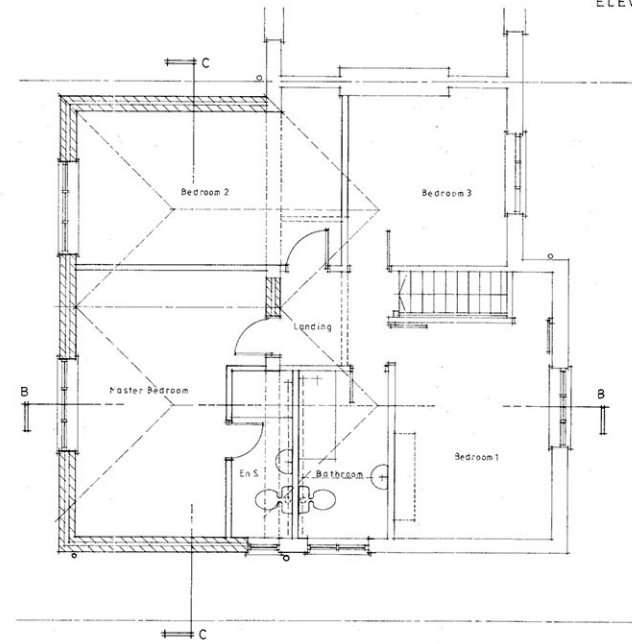
SECTION BB



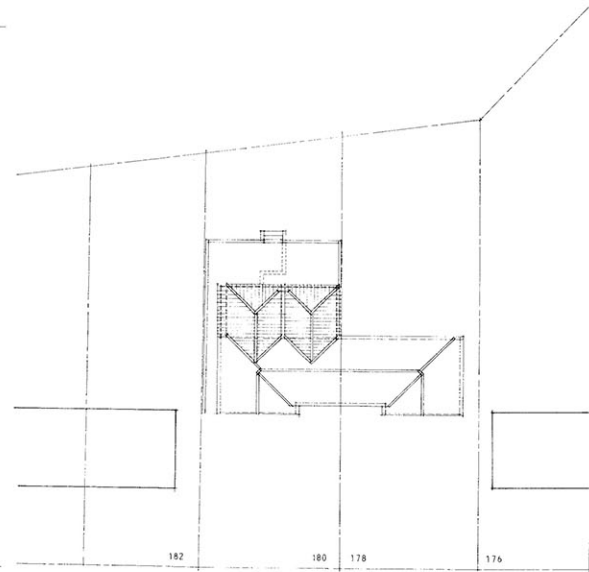
SECTION CC



GROUND FLOOR LAYOUT PLAN



FIRST FLOOR LAYOUT PLAN



SITE / ROOF / BLOCK PLAN

Organisational Development
30 JUN 2014
Post Room



DATE JUNE 2014
PROJECT 180 ANGEL ROAD NORWICH REAR EXTENSION
SCALE 1:50, 1:100
SUBJECT PROPERTY AS PROPOSED

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REVISIONS
DATE

HDS

harman design services
18 ISBETS DALE THORPE MARRIOTT
NORWICH NORFOLK. NR8 6XA
Tel:/Fax: 01603 261019
PROJECT NUMBER REV
180 ANGEL ROAD 658 103

Report to Planning applications committee
Date 7 August 2014
Report of Head of Planning Services
Subject 14/00445/F - Old School Court Norwich

Item
4(7)

SUMMARY

Description:	Re-configuration of existing car park to provide 5 No. additional car parking spaces.
Reason for consideration at Committee:	Objections
Recommendation:	Approve
Ward:	Lakenham
Contact Officer:	Lara Emerson – Planner – 01603 212257
Valid Date:	31st May 2014
Applicant:	Norwich Housing Society Ltd
Agent:	Mr John Shanks

INTRODUCTION

The Site

Location and Context

1. Old School Court is an assisted-living complex located on the site of and within the curtilage of the Grade II listed Old School building. The site is located on the east side of Bracondale to the south of the city centre and the area is made up of a variety of detached, semi-detached and terraced residential dwellings. Opposite the site there is a three-storey block of flats.

Constraints

2. The site lies within the Bracondale Conservation Area and there are various statutorily and locally listed buildings within the vicinity. There are a number of trees on the site. The site lies within the area of Main Archaeological Interest.

Planning History

No relevant planning history.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

3. The proposal is for the re-configuration of the car park and landscaping area within Old School Court. The proposals provide an additional 5 parking spaces and involve the removal of 1 tree and the planting of a replacement tree. The proposed paving is to match existing. The proposed works are required in order to provide additional parking spaces for the carers and wardens who regularly visit the semi-sheltered housing.
4. The original scheme provided 7 additional parking spaces which were less ordered and the scheme involved the removal of 4 trees. Through negotiations between the council and the agent, the current scheme was conceived. This is

considered to be an improvement, primarily in terms of landscaping treatment.

Representations Received

5. Advertised on site and in the press. Adjacent and neighbouring occupiers have been notified in writing. One letter of representation has been received in support of the application. Four letters of objection have been received citing the issues as summarised in the table below.

Issues Raised	Response
There are enough parking spaces already, additional spaces are not needed	Paragraph 9
The proposal leads to the loss of attractive green spaces and landscaped gardens	Paragraph 22
The large Locust tree which is to be removed provides screening between 15 Bracondale and Old School Court	Paragraphs 17 & 21
The planned removal of trees and insertion of additional parking spaces would harm the outlook of the flats and cottages	Paragraph 22
The Whitebeam trees to be removed provide privacy to various flats and cottages	Paragraph 21
The replacement trees will take many years to become as mature as the trees to be removed	Paragraphs 17-19
Loss of light	Paragraph 20
Safety of drivers and pedestrians using the car park	Paragraph 15
The trees and gardens attract wildlife and provide a pleasant environment for the elderly residents	Paragraphs 18 & 19

Consultation Responses

6. NCC Tree Protection Officer

Comments: The original design was acceptable as long as it is carried out in accordance with the AIA. Now that the scheme has been revised, the AIA will need to be updated and should be requested by condition.

7. NCC Landscaping

Concerns about the loss of trees and arrangement of the parking spaces in the original design. Amendments have been made and the scheme is now acceptable.

8. NCC Highways and Transportation.

No response.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework

Statement 4 – Promoting sustainable transport

Statement 7 – Requiring good design

Statement 11 – Conserving and enhancing the natural environment

Statement 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 2 – Promoting good design

Policy 6 – Access and transportation

Policy 7 – Supporting communities

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE3 – Tree protection

NE9 – Landscaping and tree planting

HBE3 - Archaeological assessment in Area of Main Archaeological Interest

HBE8 - Development in conservation areas

HBE9 - Listed Buildings and development affecting them

HBE12 - High quality of design

TRA6 – Parking standards

Emerging DM Policies

DM3 - Delivering high quality design

DM7 - Trees and development

DM9 - Safeguarding Norwich's heritage

DM28 - Encouraging sustainable travel

DM30 - Access and highway safety

DM31 - Car parking and servicing

Supplementary Planning Documents and Guidance

Trees and Development (Adopted September 2007)

Bracondale Conservation Area Appraisal (March 2011)

Principle of Development

Policy Considerations

9. The principle of the proposal must be considered in relation to policy TRA6 which sets out parking standards. The provision of 5 additional parking spaces is acceptable in principle since the total proposed number of spaces (14 spaces for the 27 semi-sheltered housing units) is below the maximum parking standards for C3 housing in this location. Old School Court can be considered as use C3 rather than C2 because there is no resident warden and tenants appear to live relatively independently.
10. Therefore, the most relevant policies are NE3, NE9, HBE8, HBE9 and HBE12 relating to design, impact on the conservation area and listed building, landscaping and impact on trees.

Design

Layout

11. The proposed layout of parking spaces is acceptable in itself. Landscaping implications are discussed separately in paragraph 20 below.

Materials

12. The materials used in the surfacing of the parking spaces are important to the acceptability of the proposals. A condition is therefore recommended which ensures that the materials used match those in the existing parking area.

Impact on Setting of Conservation Area

13. The proposals will have a minimal impact on the conservation area since Old School Court is enclosed. The tree which is to be removed is currently visible from the street and adds to the visual amenity of the area. However, the replacement tree planting on a one for one basis is considered to acceptably mitigate this loss.

Impact on Setting of Listed Building

14. The Grade II listed Old School building, which is on site, is largely unaffected by these proposals. The other buildings on site, along with the associated car parking and landscaping, are not historic, having been part of a scheme approved in 1997.

Transport and Access

Vehicular Access and Car Parking

15. The access to and from Bracondale is considered sufficient to accommodate the extra traffic which may result from the additional car parking spaces. The parking spaces themselves are of adequate dimensions and configuration. The proposals are not considered to have an effect on highway safety.

Environmental Issues

Archaeology

16. The site is within the area of Main Archaeological Interest but the construction works will not involve any significant excavation.

Trees and Landscaping

Loss of Trees and Replacement Trees

17. The council's tree protection officer is satisfied that the development can be carried out without unnecessary harm to the trees which are to be retained. It is understood that the replacement tree will be capable of offering similar visual amenity to the existing tree. An Arboricultural Report and Tree Protection Plan has been submitted but refers to the original scheme rather than this revised scheme. Therefore, an updated report will be requested by condition and the development will be required to be carried out in accordance with it.

Landscaping

18. A number of mature trees are to be retained. A replacement tree is to be planted near to the large Locust tree which is to be removed. Attractive dwarf hedges and the majority of the planted flower beds are also to be retained throughout the site. It is therefore considered that the proposals do not have a detrimental impact on the site's landscaping.

Residential Amenity

External Amenity Space

19. The gardens at Old School Court provide an attractive environment for the residents as well as providing usable external amenity space. The proposed works involve the removal and replacement of a tree and a very slight reduction in the amount of green space within the development. However, the car parking spaces have been carefully placed so that sufficient external amenity space is retained within the grounds.

Loss of Light

20. Since no structures are proposed, no loss of light can be expected to result from the proposed works.

Loss of Privacy

21. The trees offer screening between the 27 residences within Old School Court and adjacent properties. However, there are no properties which are particularly close to one another (minimum distance approx. 20m) or have windows facing directly towards each other. As such, it is not considered that any significant loss of privacy will result from these works.

Loss of Outlook

22. The attractive outlook is retained for the residents of Old School Court since a number of trees are to be kept and replaced on site.

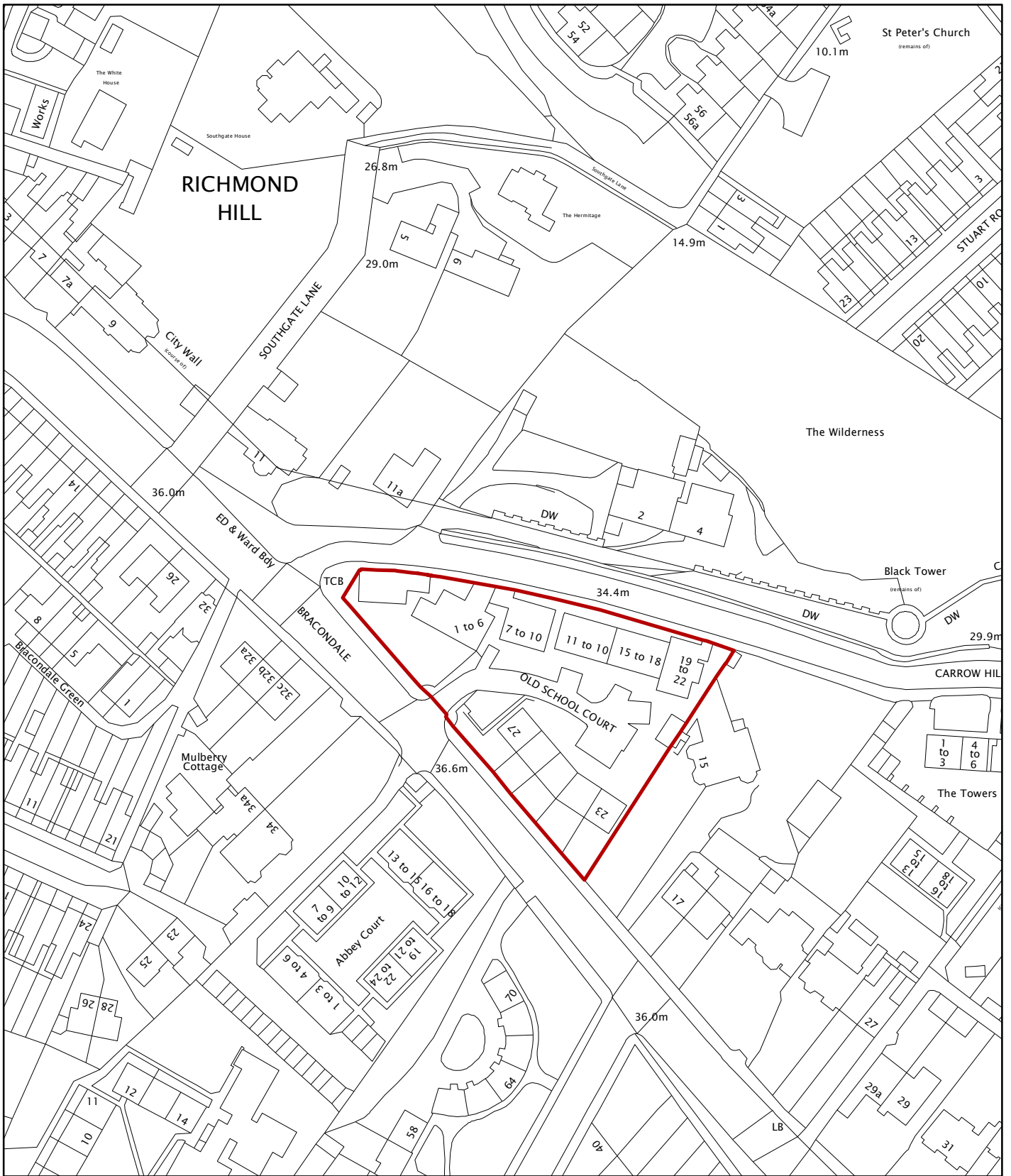
Conclusions

23. The proposal is considered to be acceptable in terms of its impact on design, residential amenity, landscaping, trees and car parking. As such, the application accords with the relevant policies and should be approved.

RECOMMENDATIONS

Approve application 14/00445/F for Old School Court and grant permission subject to the following conditions:

- 1) Standard time limit
- 2) In accordance with plans
- 3) Materials to match
- 4) AIA to be submitted and approved prior to commencement



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Planning Application No 14/00445/F

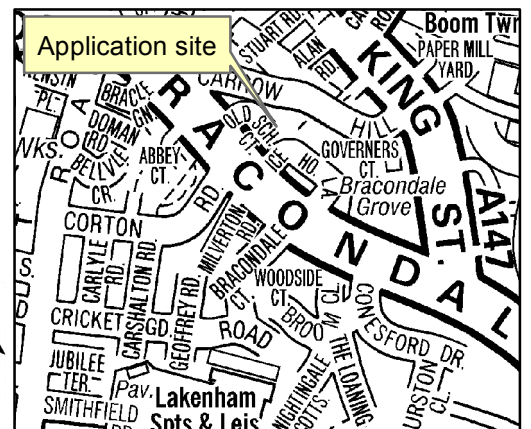
Site Address Old School Court Bracondale

Scale 1:1,250

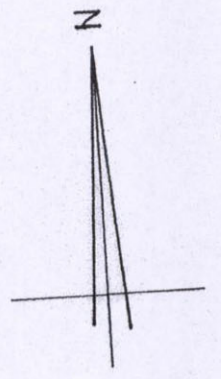


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C A R R O W
H I L L



OFFICES

reception

Cycles

Gate

1/6

7/10

11/14

15/18

19/22

visitor

O L D
S C H O O L
C O U R T

staff

bins

B R A C O N D A L E

27

26

25

24

23

re-position lamp post

remove T9

revise paving

replacement tree

SHELTER / STORE

boundary wall

REVISIONS
A. 9-07-2014 car-parking layout revised.

Organisational Development
11 JUL 2014
Post Room

John Shanks MRICS
Chartered Building Surveyor and Designer

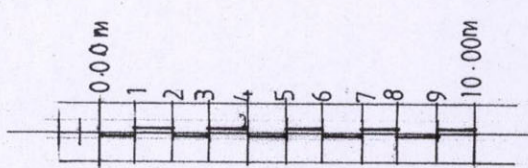
Cedar House, 41 Thorpe Road, Norwich NR1 1ES.
Tel/Fax: 01603 761344
john.shanks@btcltck.com

Client NORWICH HOUSING SOCIETY LTD

Project OLD SCHOOL COURT BRACONDALE NORWICH

Drawing SITE PLAN proposed additional car-parking

Date	Scale	Job No.	Drawing No.
24-03-2014	1:200	718	2 A



Report to Planning applications committee
Date 07 August 2014
Report of Head of planning services
Subject 14/00683/O 36 Broadhurst Road Norwich NR4 6RD

Item
4(8)

SUMMARY

Description:	Erection of 1 No. one bed dwelling.	
Reason for consideration at Committee:	Objection and member referral	
Recommendation:	Approve	
Ward:	Eaton	
Contact Officer:	Mr John Dougan	Planner (Development) 01603 212504
Valid Date:	6th June 2014	
Applicant:	Mr Mike Watts	
Agent:	Frith Associates	

INTRODUCTION

The Site

Location and Context

1. The area can be characterised as residential comprising single and two-storey detached / semi-detached properties each predominantly have good sized gardens to the front and to the rear many having mature trees, hedging and shrubs within them.
2. The majority of the dwellings in this area are in red brick, but the style and roof structure is quite varied e.g. some are gable fronted whilst others having hipped frontages. However, there are examples of dwellings which have used white render to their frontages.
3. The existing site is known as 36 Broadhurst Road was a two-storey detached dwelling with double garages to its northern elevation, its walls being in white render / brick. However, on completion of the officer site visit, the existing dwelling had been recently refurbished using timber cladding to part of its external walls, with a 1.8 metre high fence being erected to the Welford Road / Broadhurst Road frontages together with shrub planting.
4. The site is not representative of the area in that the main garden areas are to the sides with limited amenity space to the rear (adjoining no.34 Broadhurst Road). This close proximity means that there is a certain amount of indirect overlooking from the east elevation of the existing two-storey property to the rear garden of no. 34 Broadhurst Road. The same layout arrangement is evident on the site on the opposite side of the Welford Road.

5. Boundary treatment to the frontage with Broadhurst Road includes a low level brick wall to Welsford Road and a 1.8 metre close boarded fence set back from the road. Boundary treatment to the north with (no.87 Welsford Road) comprises a close boarded fence and the boundary to the east (no.34 Broadhurst Road) comprising a 1.8 metre high fence. There is a line of trees on the other side of the east boundary fence in the neighbour's garden indicated on the site plan submitted.
6. It is noted that the subject site had a low level retaining wall running west to east through the centre of the site. The application site is slightly lower than the adjoining property to north (no.87 Welsford Road.), meaning that the garden area is overlooked from the dining room window of 87 Welsford Road. Although, the site has recently been levelled to leave a fairly flat site.
7. There are no other constraints associated with this site except that there are street trees and small trees within the rear garden of no.34 Broadhurst Road) within falling distance of the development area.
8. One of the existing garages has been removed, a new 1.8 metre high close boarded fence being erected between the existing dwelling and the application site.

Planning History

13/00832/F - Conversion of loft to habitable space including the construction of a dormer and associated minor demolitions. (REF - 03/09/2013)

13/00839/O - Subdivision of curtilage and erection of 1 No. three bedroom house. (REF - 09/08/2013)

9. Whilst the previously refused application was outline and indicated as being a two-storey flat roof dwelling. It was refused for the following reasons:
 - The scale and layout by virtue of the size of the proposed dwelling within the current size of the plot is considered to be a significant deviation to the existing character and local distinctiveness of the area which is predominantly of houses with large plots with high levels of amenity space. Similarly, the footprint and height will also result in a cramped form of development which would be detrimental to the visual amenities and character of the street scene. There are also considered to be insufficient levels of on-site amenity space provided to serve the needs of a house of this scale, and to provide a satisfactory level of amenity to future residents. As a result of the above, it is considered that the harm caused to the character and local distinctiveness of the area would outweigh benefits and on balance is considered to be unacceptable.
 - It has not been demonstrated that the proposal would not have a detrimental impact on the residential amenity of the adjoining property to the north (no.87 Welsford Road), specifically in relation to additional loss of outlook and overshadowing to a primary window serving a main habitable room.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

10. Erection of a dwelling indicated as being one bedroom and single storey. The application is submitted in outline form with all matters reserved.
11. There are a couple of anomalies in the plans and details submitted. Whilst this may be the case, these are in the indicative details and therefore are adequate for the purposes of assessing an application for outline planning approval.
12. It is acknowledged that the design and access statement has referred to access, appearance, landscaping, layout and scale, with the plans submitted providing details of layout including parking, also indicating that the building is to be single storey with a pitched roof.
13. However, the application form has indicated that matters including access, appearance, landscaping, layout and scale are reserved.

Representations Received

14. Adjacent and neighbouring properties have been notified in writing. 8 letters of representation have been received citing the issues as summarised in the table below.

Issues Raised	Response
Not in keeping with the character and local distinctiveness of the area	See paras 26 - 35
The open environment is distinctive promoting a healthy environment and crime reducing asset and should be preserved as such.	See paras 26 - 30
Overdevelopment of a small site	See paras 26 – 35 and 36 - 41
The dwelling will appear cramped being at odds with the open feel evident in the area	See paras 26 – 35 and 36 - 41
A one bedroom property is not typical of other properties in the area	See paras 26 – 35 and 36 - 41
The design e.g. folding glass doors to the frontage is not appropriate and inconsistent	See para 37
Inadequate amenity space for the occupants	See paras 40 – 41
Lack of amenity space for the remaining site	See paras 38 and 44
Any planning permission would set a precedent for other infill development. A similar application at 2 Lyhart Road was refused in 1990	See paras 18 - 25
Loss of amenity for adjoining property 87 Welsford Road (outlook, overshadowing, noise disturbance, loss of light)	See paras 47 - 56
Any garden building would impact on neighbour properties	See paras 34 and 40
The open garden and raised beds was enjoyed by the previous owners and neighbouring properties	See para 33
The plans are not accurate (access) and floor space	See para 11
The remaining garage is being used as a workshop not a car, with the applicant parking their car on the main road.	See paras 57 - 63
The development is too close to a busy cross roads and private access	See paras 57 - 63
The new access would have an adverse impact on the Silver birch tree	See para 66
The design brief says that the use is for the family of the owner and close to a bus stop. The latter is a considerable distance away i.e. on Ipswich Road and that a granny annexe would be more appropriate than a new dwelling.	See paras 18

15. Norwich Society – The site is on a corner with Welsford Road and therefore prominent. Several schemes have been proposed for this land and we continue to feel that this new one is still a “garden grab” and is not appropriate in this area.

Cllr Lubbock has objected to the application on the grounds of loss of amenity, over-intensification of the site and the proposal is too close to the adjoining property and has requested the application be considered by the planning applications committee.

Consultation Responses

16. Transportation – no objection

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

- Statement 6 - Delivering a wide choice of quality homes
- Statement 7 – Requiring good design
- Statement 12 – Conserving and enhancing the natural environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

- Policy 1 – Addressing climate change & protecting environmental assets
- Policy 2 - Promoting good design
- Policy 3 – Energy and water
- Policy 4 - Housing delivery

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

- HOU13 – Proposals for housing development in other sites
- NE3 – Tree protection
- HBE12 - High quality of design, with special attention to height, scale, massing and form of development
- EP22 – High standard of amenity for residential occupiers
- TRA6 – Parking standards (maxima)
- TRA7 – Cycle parking standards
- TRA8 – Servicing provision

Other Material Considerations

- Written Ministerial Statement: Planning for Growth March 2011
- Emerging policies for the forthcoming new Local Plan (submission document for examination April 2013):

Development Management Policies Development Plan Document – Pre-submission policies (April 2013).

- DM2 - Ensuring satisfactory living and working conditions
- DM3 – Delivering high quality design
- DM7 - Trees and development
- DM12 - Ensuring well-planned housing development
- DM31 - Car parking and servicing

Procedural Matters Relating to the Development Plan and the NPPF
The Joint Core Strategy and Replacement Local Plan (RLP) have been

adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. The 2011 JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

Policy DM2 is subject to a single objection raising concern over the protection of noise generating uses from new noise sensitive uses, this is not relevant here and therefore significant weight can be given to policy DM2

Policy DM3 has several objections so only limited weight can be applied. However, paragraph 216 of the NPPF does state that where there are unresolved objections, the less significant the unresolved objections, the greater the weight that may be given. With this in mind, no objection has made to local distinctiveness. Therefore significant weight can be applied to this element of the policy.

Policy DM12 has several objections so only limited weight can be applied. However, paragraph 216 of the NPPF does state that where there are unresolved objections, the less significant the unresolved objections, the greater the weight that may be given. With this in mind, no objection has made to matters relating to character and amenity of the area so significant weight can be applied to these elements.

Policy DM31 is also subject to objections relating to car parking provision and existing baseline provision of car parking in considering applications it is considered that limited weight should be given the car parking standards of this policy at the present time with substantive weight to the other matters.

Housing supply

The NPPF states that where a 5 year land supply cannot be demonstrated, applications for housing should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date. In the light of the recent appeal decision on part of the former Lakenham Cricket Club it has been established that the Norwich Policy Area (NPA) is the relevant area over which the housing land supply should be judged. Since the NPA does not currently have a 5 year land supply, Local Plan policies for housing supply are not up-to-date. As a result the NPPF requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted".

The lack of an adequate housing land supply is potentially a significant material consideration in the determination of the proposals for housing. This is likely to considerably reduce the level of weight that can be attributed to existing and emerging Local Plan policies which restrict housing land supply, unless these are clearly in accordance with specific restrictive policies in the NPPF. In this case there are no such policies that restrict housing land supply.

Principle of development

17. The applicant has stated within their design and access statement that the proposed house is within the grounds of their own plot, designed specifically for use by the family. Whilst a family member may choose to use the dwelling, it is not considered to be living quarters which are incidental to the enjoyment to the existing dwelling house. The proposed dwelling is considered to be a new dwelling with its own separate access, parking and amenity space.
18. Every application is assessed on a case by case basis. The principle of a one bedroom house in an established residential area with relatively easy access to public transport is acceptable under policy HOU13, subject to a number of criteria as listed below:
 - Provision of a range of types and sizes of housing
 - Good accessibility to shops and services
 - No detrimental impact on the character and amenity of the area
 - Provision of private garden space around the dwelling
19. Given that the application is submitted in outline form with all matters reserved the main issue for consideration is if the site can provide for a residential dwelling broadly in line with the parameters indicated (i.e. a one bedroom single storey dwelling broadly in line with the height and footprint indicated in the indicative plans). It is necessary to consider if an acceptable and feasible scheme can be achieved at the reserved matters stage.
20. Paragraph 50 of the NPPF states that local authorities should deliver a wider choice of quality homes. A dwelling of this scale is considered to form part of the mix of residential accommodation, contributing to the City housing stock.
21. The site is considered to be an accessible residential location, there being bus stops Ipswich Road providing access to the city centre and other services in the area.
22. Paragraph 53 of the NPPF states that local authorities should consider the case for out policies to resist inappropriate development in residential gardens, for example development would cause harm to the local area. The council does not have any specific policies restricting new dwellings in the gardens of existing properties. Nevertheless paragraph 58 does state that proposals should also respond to local character.
23. Consideration also has to be given to emerging policy DM3 which also makes reference to the fact that proposals should achieve a density inkeeping with the existing character and function of the area including local distinctiveness. In light of the fact that no objectives have been made to these criteria within the policy, it should be given some weight in the determination of this application.
24. Emerging policy DM12 states that proposals should have no detrimental impacts upon the character of the area. Another criterion of this policy states that proposals should achieve a density inkeeping with the existing character of the area. Some weight can be given

the first criteria, but none on the issue of density as an objection has been received.

Character

25. A residential use replicates the residential character of the area.
26. A key characteristic or feature that makes this area distinctive is the fact that the dwellings in this established residential area sit on generous plots with good sized gardens to the front and to the rear, providing ample usable levels of amenity space normally considered appropriate for a family house. It is also acknowledged that many of the garden frontages in the area contain small trees and hedges, all of which contribute to the relatively 'leafy' character.
27. The applicant has replicated similar spatial characteristics evident in some of the other plots in the area and that the indicative roof height (single storey) will have the effect of reducing its impact on the street scene.
28. However, on inspection of the plans submitted it is clearly evident that the proposal is a deviation from the density and well-proportioned plots evident in the area. Although it is acknowledged that the indicative scale and footprint has been reduced in size compared to the previously refused application (13/00839/O).
29. Concern has been raised that the open nature of the area promotes a healthy environment and crime reduction asset. Good design can help reduce crime in an area. That being said, it is also unlikely that the scale and type of development would result in a demonstrable erosion of the amenity of the area or increase in crime levels.
30. Whilst the plans submitted are only indicative, the scale of the proposal has been reduced from a 3 bedroom to a single storey 1 bedroom dwelling. Whilst a one bedroom dwelling does not reflect the predominant size in the area, being family homes, all of these factors will have a significant positive effect on how the proposal will respond to the character and local distinctiveness of the area.
31. This is an important change, in that the creation of a low profile single storey dwelling is considered achievable, reducing the dwellings presence in the street scene and the perceived deviation from the character of the area.
32. Whilst some neighbouring properties may view the existing garden contributing to the character of the area, any works such as the recent clearance of the site is not subject to any planning control. Regarding the current application, further mitigation can be delivered by the addition of appropriate landscaping and boundary treatment, helping reduce the presence of the dwelling further and also delivering added value in terms of contributing to the other leafy frontages evident in the area.
33. It should also be acknowledged that the applicant's theoretical fall-back position could be to construct a 9 x 9 metre outbuilding with a ridge height of 4 metres using with no restriction on materials under householder permitted development rights. Such a development could arguably have a greater visual impact on the visual amenities of the street scene and character of the area.
34. Taking all these factors into consideration, the erection of a dwelling in this location is not considered to cause significant harm to the character and local distinctiveness of the area.

Scale, design and layout

35. The previous refusal was deemed to appear overdeveloped when viewed from the street. This is due to the profile of the two-storey proposal being in close proximity to the dwelling to the north, resulting in a rather cramped arrangement when viewed from the street. The reduction in size to a single storey and shifting the footprint further south, is considered to be an improvement, delivering a development which is likely to be subordinate to the adjoining properties helping retain the spatial characteristics between 87 Welsford Road and 36 Broadhurst Road. As a guide a single storey flat roof structure is considered to be the most appropriate form of development, although further details of existing and proposed ground levels and finished floor levels would be needed at the reserved matters stage, ensuring that the dwelling sits sensitively in the street scene.
36. The sensitive use of materials for both the dwelling and landscaping can deliver a development which is appropriate and responds to its surroundings, all of which can be secured at the reserved matters stage. The reduction in scale of the development from three to one bedroom will also result in a more proportionate occupant to amenity space ratio, parking and servicing.
37. Whilst the proposal would reduce the size of the existing plot, the resulting plot size for the existing dwelling is still considered to provide adequate amenity space and parking for the existing dwelling. It is noted that this would mean that the majority of the space would be shifted to the Broadhurst Road frontage, in effect deleting any level of private amenity space for the occupants. However, an improved arrangement is considered achievable and could be sought at the reserved matters stage.
38. Details of water conservation measures are considered to be achievable, so can be sought at the reserved matters stage.
39. It should be noted that the scale and footprint of the dwelling on the plans submitted are for illustrative purposes only, providing the local planning authority with an indication that the principle of a dwelling is feasible. All matters including scale, design, layout, access and landscaping would be subject to a further planning application (reserved matters).

Impact on Living Conditions

40. Policy EP22 requires that development have a suitable level of private amenity space adjoining the dwelling. Emerging policy DM2 also states that the amenity space should be of a high standard and given that no objections have been made some weight can be given to the fact that amenity space should be of a high standard.
41. Whilst the footprint is indicative, it provides an indication of the scale of the building and the resulting external amenity space. The key issue is the quality and quantity of space to be provided.

Provision of amenity space

42. The primary private amenity spaces within the indicative layout are to the northern side of the proposed dwelling, and a narrow section to the east. The proposed arrangement is considered adequate to serve a one bedroom dwelling, the level of privacy being improved in the form of appropriate boundary treatment. Given the small amount of private amenity space, it is important that this space not be eroded

further by other structures such as secured covered cycle storage, garden sheds and bin storage. Such matters can be secured at the reserved matters stage, particularly ensuring that the development deliver usable levels of private amenity space for the occupants.

43. The creation of a new dwelling within the plot would obviously reduce the amount of amenity space available to the existing property. That being said, this dwelling could still be adequately served with amenity space to each side, with the main amenity area likely to be to the south.
44. Whilst such an arrangement is not representative of the wider area it does broadly reflect the existing arrangement at 36 Broadhurst Road. This main amenity area could be made more private by supplementing the frontages to Broadhurst Road and Welsford Road with more landscaping. The applicant has recently undertaken these works i.e. a 1.8 metre high fence and associated soft planting. Whilst the fence has not been subject to any formal approval, it can be formalised at the reserved matters stage.

Overlooking

45. Whilst policy EP22 does not specifically refer to protection of privacy in private amenity space areas, it is still a material planning consideration. Although, emerging policy DM2 specifically refers to protection of overlooking and loss of privacy of an area and given that no objections have been made some weight can be given to this emerging policy.
46. A single storey dwelling would mean that it is likely that amenity of the neighbouring property to the east (no.34) is achievable and can be fully assessed at the reserved matters stage.
47. A key consideration is whether or not securing the privacy of no.87 Welsford Road's dining room area served by the large window on the south elevation is achievable. Presently, this window overlooks part of the applicant's existing garden area due their dwelling being slightly higher than the application site and the boundary fence being slightly lower.
48. It is considered that with appropriate levels of boundary treatment, no significant overlooking of each party should result. In fact, any new boundary treatment is likely to improve the levels of privacy for both properties.

Overbearing nature of development

49. The key receptor is the adjoining property to the north (87 Welsford Rd). One of the reasons for refusing the previous application was because it was not demonstrated that the two storey dwelling would not have a detrimental impact on the amenity of that property, principally due to the close proximity of the two-storey elevation relative to their main dining room window of that property.
50. The key difference since the previous refusal, is that the dwelling has been shifted further to the south of the site and indicated as being only single storey. These changes in the context of lower site levels will mean that the development is unlikely to appear significantly overbearing to result in significant loss of amenity of that property.

51. It will be important that the reserved matters stage clarify finished levels of the building and the height of any new boundary treatment.
52. The protection of the amenity of the neighbouring property is considered to be achievable.

Overshadowing

53. The key receptor is the adjoining property to the north (87 Welsford Rd). The previous application concluded that due to the size constraints of the site, there would be limited scope to move the dwelling further to the south to ensure that no.87 Welsford Road would not be significantly overshadowed.
54. The site has now been levelled highlighting that the site is set at a lower level than the adjoining site to the north. This means that through a combination of a low profile roof, moving the dwelling further to the south and it only being single storey will mean that no significant overshadowing of the neighbours internal habitable living space should result. Therefore, this matter is considered achievable at the reserved matters stage.

Transport and Access

55. The applicant has not sought approval of access to the site at this stage. However, it is important to determine if it is feasible.
56. Regarding the existing use of the site, the owner is not choosing to use the garage to park a car and parking on the road is considered to be quite typical in most modern homes. Indeed, there are no parking restrictions.
57. The key issue is whether or not the existing and proposed sites can accommodate safe access and adequate levels of parking which would not compromise highway safety or other nearby accesses.
58. The application site is in relatively close proximity with the intersection with Broadhurst Road with the likely point of access to the site, together with the accesses of other properties. Whilst this may be the case, the local highway authority do not view this section of road to be particularly busy or congested and that the development is not of a scale that would result in significant levels of additional on street parking or highway safety issues.
59. The applicant has indicated that the site can accommodate 2 parking spaces on the application site, with the remaining site having the capacity to accommodate at least two cars
60. Providing two cars for the application site is considered to be in excess of what would be required for a 1 bedroom property. Given the constraints of the site, the over-subscription of parking could have a negative effect on the sites ability to provide adequate levels of private amenity space and servicing.
61. Nevertheless, adequate access and parking is considered to be achievable and could be addressed at the reserved matters stage subject to further details to ensure protection of the nearby street tree and adequate site layout.
62. Details of secure and covered cycle storage and considered to be achievable within

the confines of the site so can be secured at the reserved matters stage.

Environmental Issues

Water Conservation

63. This matter is considered to be achievable at the reserved matters stage.

Trees and Landscaping

64. The protection of the street tree and trees and hedges in the adjoining property to the east are an important consideration. Discussions with the Council's tree officer indicate that the protection of these features are achievable subject to further details at the reserved matters stage.

65. The provision of appropriate levels of hard and soft landscaping is an important factor in softening the appearance of the dwelling when viewed from the street scene and adjoining properties. Such measures will also ensure adequate amenity of the existing occupant and new occupants and neighbouring properties.

66. Some of above has already been undertaken in the form of a 1.8 metre high fence to part of the Welsford Road frontage and the Broadhurst Road frontage. Whilst no formal approval has been given, they can be formalised at the reserved matters stage.

Local Finance Considerations

67. It is noted that the development would be liable for Community Infrastructure Levy payments.

68. Under Section 143 of the Localism Act the council is required to consider the impact on local finances, through the potential generation of grant money from the New Homes Bonus system from central government. The completion of the new dwelling would lead to grant income for the council.

69. This too is a material consideration but in the instance of this application the development plan and other material planning considerations.

Equality and Diversity Issues

70. The site is relatively flat. Therefore, a dwelling of this scale with appropriate access for wheel chair users is achievable

Conclusions

71. The principle of a dwelling reflects the residential character of the area. It will also contribute to the city's housing stock.

72. The development is not reflective of the layout and density of the majority of other plots in the area. However, a dwelling of the scale and layout indicated is considered to be achievable ensuring that the new built form will appear sympathetic to the character and local distinctiveness of the area and the visual amenities of the street scene.
73. The site can provide for adequate levels of amenity for a dwelling of this size, without comprising the layout of the existing dwelling. Details of appropriate layout including access, parking, landscaping, tree protection and water conservation measures are also achievable at the reserved matters stage.
74. The acceptability of the proposal is finely balanced, given the reservations about impact on the character of the area and the size of the site. Taking this impact into consideration alongside the positive aspects of the development, including the lack of five year housing land supply with the NPA, the proposal is on balance considered to be acceptable.

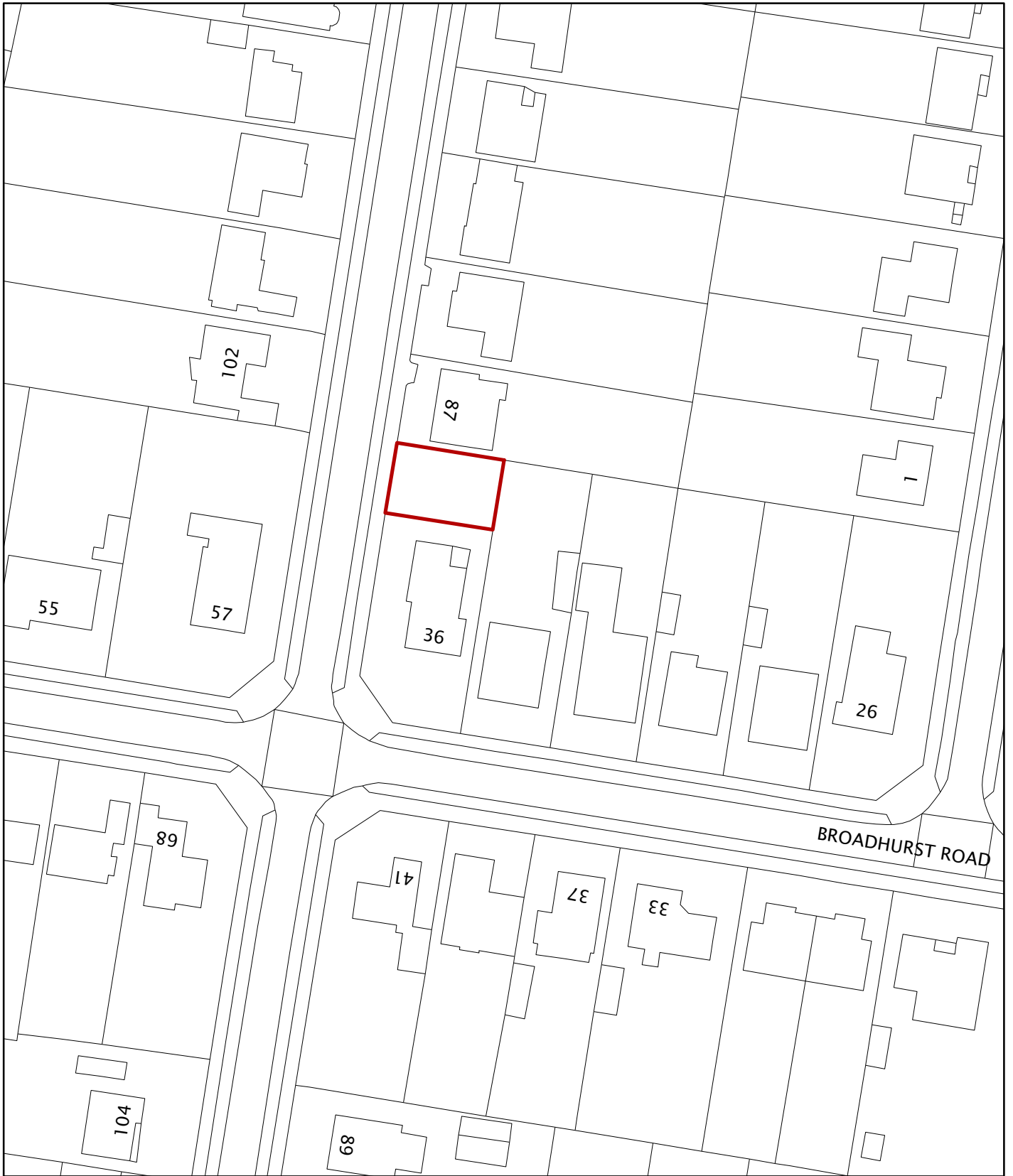
RECOMMENDATIONS

To approve Application No (14/00683/O at 36 Broadhurst Road) and grant planning permission, subject to the following conditions:-

1. Application for the approval of all reserved matters shall be made to the local planning authority not later than the expiration of three years beginning from the decision date. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. No development shall take place in pursuance of this permission until approval of the reserved matters has been obtained from the local planning authority. The reserved matters shall relate to the access, layout, scale, external appearance, landscaping. Any site plan and elevations shall include details of existing and proposed ground levels.

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 above.



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Planning Application No 14/00683/O

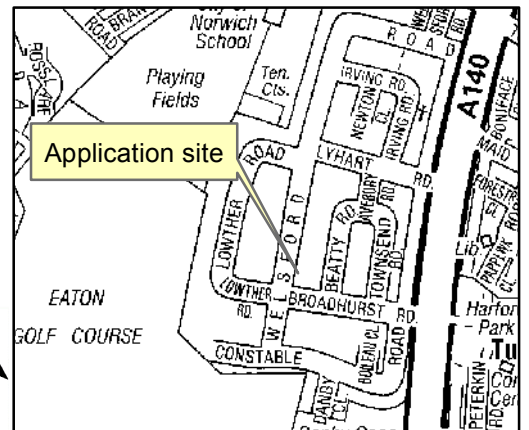
Site Address 36 Broadhurst Road, Norwich

Scale 1:750



NORWICH
City Council

PLANNING SERVICES



Report to Planning applications committee
Date 7 August 2014
Report of Head of planning services
Subject 14/00716/NF3 St James House St James Close Norwich
 NR3 1NU

Item
4(9)

SUMMARY

Description:	Proposed refurbishment of sheltered housing; installation of new PVCu windows, Juliet balconies, reconfiguration of layout of flats and subdivision of bungalow into two units, and erection of a single storey front extension to form new entrance.	
Reason for consideration at Committee:	Application submitted by the city council, relating to council owned property	
Recommendation:	Approve	
Ward:	Thorpe Hamlet	
Contact Officer:	Mrs Joy Brown	Planner 01603 212543
Valid Date:	21st June 2014	
Applicant:	Mr J Massey	
Agent:	Mr Terry Dartnell	

INTRODUCTION

The Site

Location and Context

1. The site is situated on the corner of St James Close and Cannell Green which is to the north of Barrack Street. It is a two storey 1970s H shaped block with a single storey element attached by a linkway. It is currently used for sheltered housing and provides 1 and 2 bedroom flats for residents over the age of 60.
2. The surrounding area is mainly residential with the majority of properties being two and three storey flats.

Constraints

3. The site is not situated within a conservation area and there are no listed buildings in close proximity. There are a number of well-established trees on and near the site.

Planning History

4/2001/1088 - Installation of two Scooter Stores. (Approved - 15/01/2002)
4/1999/0446 - Installation of replacement UPVC windows to flats. (Approved - 15/07/1999)

Equality and Diversity Issues

There are no significant equality or diversity issues. The proposal will enhance disabled access to the building.

The Proposal

4. The application seeks planning permission to refurbish St James House and includes alterations to the adjacent bungalow which will be converted from on site manager accommodation to two flats which will then be incorporated into the scheme. The proposal therefore provides a net gain of one additional unit of accommodation.
5. The internal area will be refurbished and windows replaced which do not require planning permission; however the proposal also includes a number of external alterations which are summarised below:
 - The provision of a 2.3m x 6.7m extension on the south elevation which will provide a new entrance. A roof canopy is also proposed to provide cover over the new entrance. The eaves of the proposed extension is 2.2m and the height to the ridge is 3.3m.
 - As well as replacing all the windows on the building (this does not require planning permission as is permitted by the Local Development Order for the replacement of windows and doors), some of the existing windows are to be replaced with patio doors and/or Juliet balconies. Furthermore some of the existing doors are to be replaced with windows which will involve the blocking up of the lower part of the existing opening.
 - The installation of solar panels on the south elevation of the building.
 - The replacement of the existing walkway between the single and two storey elements with a new walkway.
 - The conversion of the existing garage, refuse store and oil store into a new scooter store and the provision of a new bin store to the north of the bungalow.
 - A new ramped access which will be DDA compliant
 - Landscaping enhancements including the provision of new patios, paths, seats and a pergola.

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. None

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014:

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 4 – Housing delivery

Policy 9 – Strategy for growth in the Norwich Policy Area

Policy 12 – Remainder of Norwich area

Policy 20 – Implementation

Relevant Saved Policies of the adopted City of Norwich Replacement Local Plan 2004:

NE9 – Comprehensive landscaping scheme and tree planting

HBE12 – High quality of design

EP22 – High standard of amenity for residential occupiers

TRA7 – Cycle parking standard

TRA8 – Servicing provision

Other Material Considerations including:

Written Ministerial Statement: Planning for Growth March 2011

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2014 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

Emerging DM Policies

DM1 - Achieving and delivering sustainable development

DM2 - Ensuring satisfactory living and working conditions

DM3 - Delivering high quality design

DM12 - Ensuring well-planned housing development

A recent appeal decision has identified that the council does not have a five-year housing land supply for the greater Norwich area. Under paragraph 49 of the NPPF, housing policies within a local plan should be considered not up-to-date if there is no demonstrable five year housing land supply. In this instance this means that policy

HOU13 and HOU18 of the local plan can be given no weight in determining this planning application.

The NPPF states that where a 5 year land supply cannot be demonstrated, applications for housing should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date.

Since the Norwich Policy Area does not currently have a 5 year land supply, Local Plan policies for housing supply are not up-to-date. As a result the NPPF requires planning permission to be granted unless:

- "Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits ... or
- Specific policies in the NPPF indicate development should be restricted".

Principle of Development

8. The principle of subdividing the existing manager's accommodation into two units and incorporating it in with the rest of the scheme is acceptable and will help meet the housing needs within Norwich. In terms of the provision of an additional dwelling, it is considered that the site is able to accommodate this with there being satisfactory bin storage facilities and shared external amenity space for an additional dwelling. There is no cycle parking provision indicated on the proposed plans; however there is a scooter store. There are no car parking facilities on site and the provision of an additional car free dwelling is acceptable due to the proximity to the city centre, public transport and other town centre facilities. The site is situated within an existing controlled parking zone and the new dwelling will not be eligible for residential parking permits.
9. With regards to the other external alterations the main issues for consideration are set out below.

Impact on Living Conditions

10. It is considered that the proposed refurbishment of these flats will provide improved living conditions for existing residents that will return to the site once works have been completed and any future residents of the site. The flats are of adequate size and the existing and new openings will provide satisfactory daylight into all of the flats. The provision of Juliet balconies at first floor level and patio doors at ground floor level will give the residents a sense of having some form of private external space even though it will be of minimum size. Furthermore although the provision of Juliet balconies and small private patio areas may result in some increased overlooking, this is considered to be minimal and at an acceptable level. The proposed landscaping is also a significant enhancement and will provide the residents with a communal outdoor area which is of good size and quality.
11. With regards to the proposed extension and new bin store it is not considered that this will affect any of the residents taking into consideration overlooking, overshadowing and loss of light due to their size and positioning.

Design

12. All of the proposed external alterations are considered acceptable in design terms and subject to the appropriate use of materials will tie in well with the existing building. The size, positioning and form of the proposed extension are appropriate and will provide a much improved entrance to the building. Furthermore the landscaping will help create a more attractive approach to the flats and will create a good external amenity area for residents. Subject to conditions relating to the use of materials and landscaping it is considered that the proposal is of good design.

Transport and Access

13. The proposal will not impact upon vehicular access. Enhanced storage for scooters will be provided and the proposal provides better pedestrian access into the block.

Energy and Water

14. The proposal includes the provision of solar panels which will help contribute towards the energy requirement for the site. Although it would be preferable for all of the refurbished flats to meet Code for Sustainable Homes level 4 for water efficiency, it is not considered that it would be reasonable to condition this. Due to the bungalow being subdivided which will create a new unit, it is considered that it would be reasonable to require that flats 1 and 2 meet Code for Sustainable Homes level 4 for water efficiency.

Trees and Landscaping

15. There are a number of well-established trees on and in close proximity to the site. There are two trees relatively close to the new entrance; however Norwich City Council's tree officer has confirmed that these will not be affected by the proposed works subject to tree protection barriers being installed.
16. The proposal includes enhanced landscaping which will be an improvement to the site. A landscaping condition should however be attached to any permission as limited details have been provided.

Local Finance Considerations

17. Under Section 143 of the Localism Act the council is required to consider the impact on local finances. It is a material consideration when assessing this application. The benefits from the finance contributions for the council however must be weighed against the above planning issues. In this case the financial considerations are relatively limited and therefore limited weight should be given to them.

Financial Liability	Liable?	Amount
New Homes Bonus	Yes as net gain of one dwelling	Based on council tax band. Payment of one monthly council tax amount per year for six years

Council Tax	Yes as net gain of one dwelling	Band not yet known
Community Infrastructure Levy	No	The additional floorspace created is less than 100 square metres so no CIL payment is required.

Conclusions

18. The proposed refurbishment of this block will help improve living conditions for residents and the subdivision of the existing bungalow will help contribute towards housing need within Norwich. It is not considered that the proposal will have a detrimental impact upon any neighbouring residents taking into consideration loss of light, overshadowing and overlooking. The proposal is considered to be of good design, will provide enhanced access to the flats and will provide a proportion of the energy requirement from renewable sources. As such it is considered that the proposal is acceptable and accords with the objectives of the National Planning Policy Framework, policies 1, 2, 3, 4, 9, 12 and 20 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014, saved policies NE9, HBE12 and EP22 of the City of Norwich Replacement Local Plan 2004 and policies DM1, DM2, DM3 and DM12 of the emerging Development Management Policies Development Plan Document.

RECOMMENDATIONS

To approve Application No 14/00716/NF3, St James House, St James Close and grant planning permission, subject to the following conditions:-

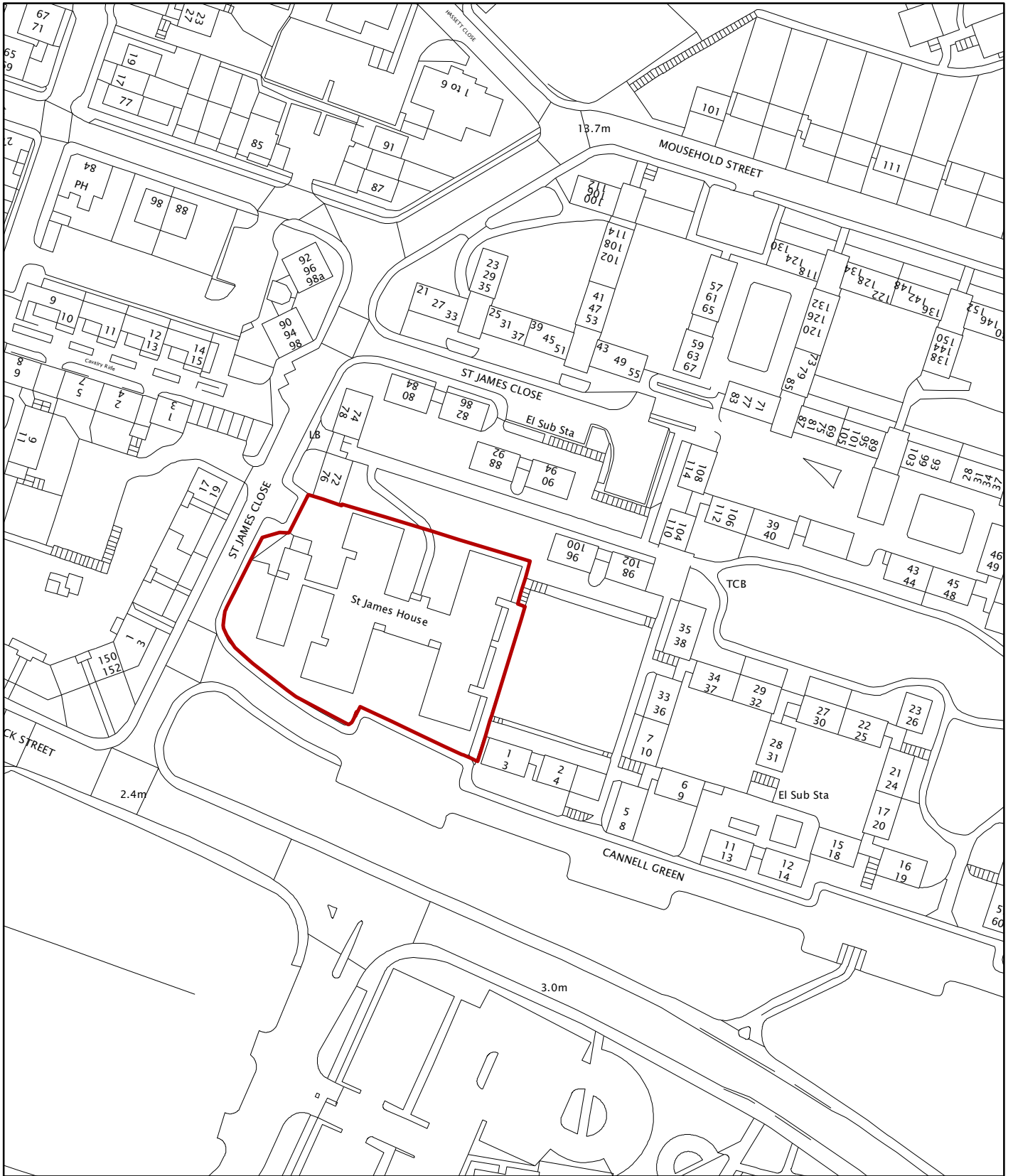
- 1) Standard time limit
- 2) In accordance with plans
- 3) Roofing materials of extension and brickwork where existing doors or windows are to be blocked up to match existing.
- 4) Details of timber cladding to bin store and extension to be agreed
- 5) Bin store and scooter store to be provided prior to occupation of the units following the refurbishment
- 6) Protective barriers to trees
- 7) Details of landscaping to be agreed
- 8) Water efficiency measures for flats 1 and 2

Informatives

- 1) CIL
- 2) Tree protection barriers
- 3) New dwelling will not be eligible for parking permits

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.



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Planning Application No 14/00716/NF3

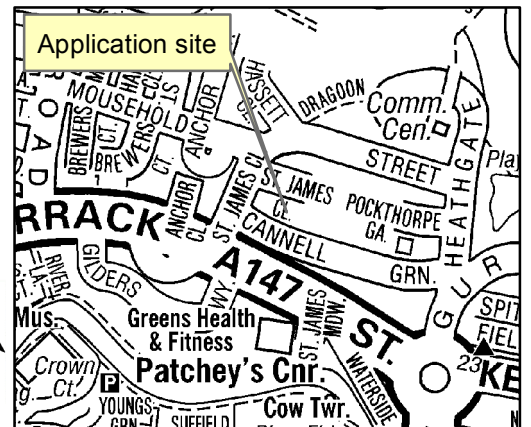
Site Address St James House St James Close

Scale 1:1,250



NORWICH
City Council

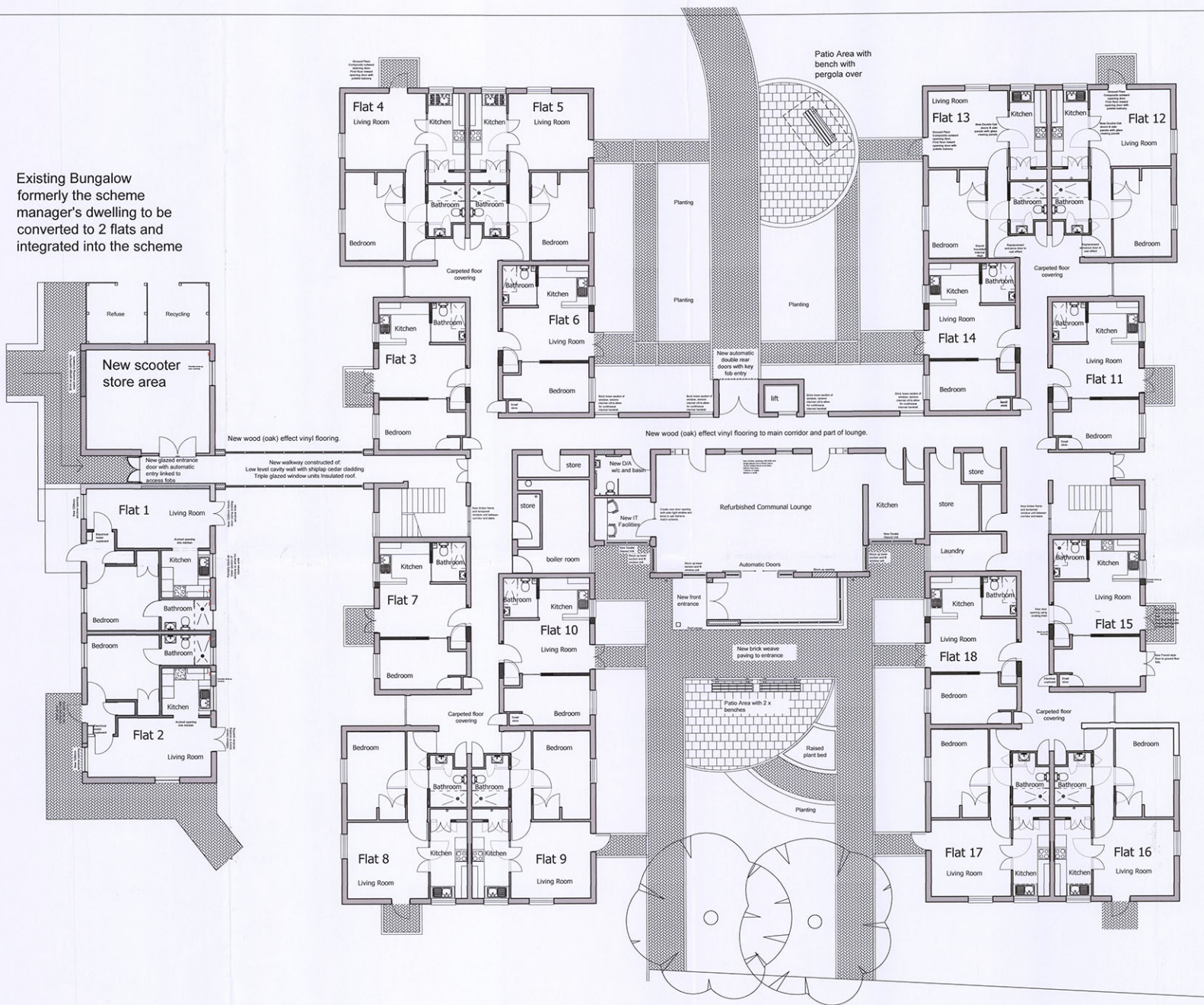
PLANNING SERVICES



Existing Bungalow formerly the scheme manager's dwelling to be converted to 2 flats and integrated into the scheme

New ramped access to DDA compliance

Organisational Development
10 JUN 2014
Post Room



Title
**PROPOSED REFURBISHMENT OF ST. JAMES HOUSE
GROUND FLOOR PLAN AS PROPOSED**

138

Date 05/2014	Scale(s) 1:100	No.	Date	Notes	REVISIONS	Int.	Ckd.	Property Services NPS Norwich Ltd 30 Crown Road, Norwich NR1 3DT
Designed by S CLEVELAND	NEG. No.							
Drawn By (NPS Norwich) S CLEVELAND	Checked By (NCC)							
DWG. No. SJH/17								

Remove complete existing redundant brick chimney.



External Wall Finish:
New extension to be cavity wall and clad in a sliplap
solar or similar finish timber.

External Roof Finish: Concrete tiles to match existing or
nearest match. Parach supported by Structural Timber
Column.

Windows: UPVC white finish double glazed windows.

Rainwater goods: to be white to match existing and link
into existing down pipe.

All doors to be replaced with white upvc french or single
opening doors. 1st floor flats to have Juliette style
balcony.

Proposed South Elevation



PROPOSED REFURBISHMENT OF ST. JAMES HOUSE
SOUTH ELEVATION AS PROPOSED 139

Date 05/2014	Scale(s) 1:100	No.	Date	Notes	REVISIONS	Int.	Ckd.	Property Services NPS Norwich Ltd 30 Crown Road, Norwich NR1 3DT
Designed by S CLEVELAND	Checked By (NCC)							
Drawn By (NPS Norwich) S CLEVELAND								
DWG. No. SJH/09								

Report to	Planning Applications Committee 7 August, 2014	Item 5
Report of	Head of Planning Services	
Subject	Performance of the Development Management Service, Apr- Jun 2014 (Quarter 1, 2014-15)	

Purpose

To report the performance of the development management service to members of the committee.

Recommendations

That the report be noted.

Financial Consequences

The financial consequences of this report are none.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority “Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future” and the implementation of the planning improvement plan.

Contact Officers

Graham Nelson, Head of Planning Services	01603 212530
Ian Whittaker, Planning Development Manager	01603 212528

Background Documents

None.

Report

Background

1. On 31 July 2008 Planning Applications Committee considered a report regarding the improved working of the Committee which included a number of suggested changes to the way the Committee operates. In particular it suggested performance of the development management service be reported to the Committee and that feedback from members of the Committee be obtained.

Performance of the development management service

2. Table 1 of the appendix provides a summary of performance indicators for the development management service. The speed of determining applications is National Indicator 157 (NI157). Table 2 shows the numbers received, pending and on hand at the end of the quarter. The number of applications received was higher than the previous three quarters.
3. Major schemes achieved 85.7% on time with 6 out of 7 within 13 weeks. 72.9% was achieved for minors and 90.5% for others. The English averages for 2013-14 being 58%, 70% and 83% respectively i.e. these are all exceeded by between 2.9 and 27.7 percentage points.
6. Overall the data for is generally positive and results from improvements to processes to speed up the early stages of processing, a good quality pre-application advice service and improved information on the website, and more effective ways of working. There are very few old applications still pending and the future performance of the planning service should be close to target levels in the coming months.
6. There is a dip in performance for minors but few of the items are delayed significantly and partly result from a change in working practices so that applicants are given some time to amend a scheme in minor ways to secure a satisfactory outcome rather than issuing a refusal with the associated costs and delay to both applicants and the council in dealing with a re-submission.
6. The government will take action if councils perform poorly on major applications or have a very poor appeal success rate. This will result in "designation" and applicants would then have the right to bypass the local planning authority and have the application dealt with by the planning Inspectorate. It is not anticipated that there will be any issues in Norwich with the appeal rate of success. However, care will have to be taken with respect to the monitoring of the speed of handling major applications over the coming months. "Designation" will be linked to previously submitted NI157 data over a two year period. If designated applicants would then have the option of submitting applications direct to the Planning Inspectorate and the council would lose the planning fee. However, and more importantly, designation would have reputational harm, and have negative impacts on trust by developers in the proper working of the planning function.

7. For the two years ending 30 June 2014 the figure for determination of major applications in 13 weeks was 59.6%, well above the government's floor this year for "designation" of 40%. It is of note that the figure for the most recent 12 months was 83.7% and as this will be the first year of two in the 2015 designation round this provides an excellent basis for determination rates well above any likely level for next year.
8. The percentage of decisions delegated to officers was 88.9% (previous quarter 91%). The national average for district council's is 91%.

Table 1

Speed of determination of planning applications recorded by National Indicator 157

	2008-09	2009-10	2010-11	2011-12	2012-13	20-13-14					2014-15			
						Q1	Q2	Q3	Q4	Year	Q1	Q2	Q3	Q4
Major % in time	37%	72.5	75.7	52.9	35%	50%	68.5%	100%	100%	75.9%	85.7%			
Minor % in time	75%	88.4	78.9	67.2	73.4%	70%	86.5%	88.8%	78.9%	80.4%	72.9%			
Other % in time	80%	90.3	89.6	81.6	81.1%	85.5%	83.9%	92.6%	85.9%	86.7%	90.5%			

Table 2**Numbers of planning applications recorded by National Indicator 157**

	2011-12				2012 - 2013				2013 - 2014				2014 - 2015			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Received	184	245	176	221	273	255	171	207	223	193	188	199	215			
Withdrawn/called in	9	21	10	8	17	6	8	8	5	25	9	9	15			
On hand (pending) at end of quarter	169	160	119	179	190	154	149	173	168	104	106	126	131			
Decisions	212	232	203	157	246	223	167	175	223	231	178	167	168			

Report to Planning Applications Committee
7 August 2014

Item
6

Report of Head of Planning Services

Subject Performance of the Development Management Service:
Appeals: 1 April to 30 June 2014 (Quarter 1, 2014 - 15)

Purpose

To report the performance on planning appeals to members of the committee.

Recommendations

That the report be noted.

Financial Consequences

The financial consequences of this report are none.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority “Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future”.

Contact Officers

Graham Nelson, Head of Planning Services
Ian Whittaker, Planning Development Manager

01603 212530
01603 212528

Background Documents

None.

Report

Background

1. The purpose of this report is to ensure members are aware of the outcome of planning appeals.
2. Appendix 1 provides details of appeals lodged which are pending. There were six planning appeals pending or awaiting decision at the end of the quarter. Five of the appeals are delegated officer decisions where the application was refused. The remaining appeal was a member decision relating to moorings on the river bank which was refused against officer advice (application no. 13/01540/VC) for Land and Buildings on the north-east side of King Street, Norwich.
3. Appendix 2 shows there were two appeals dismissed during this quarter. These cases were both delegated decisions to officers.
4. There were no appeals allowed during this quarter, however application no. 13/00637/F for refusal of planning permission for the demolition of existing property and erection of convenience store and 2 no. residential flats at 195 – 197 Sprowston Road (Rush Lighting) was Allowed on 2 July 2014. This case was a member decision which was refused against officer advice. Copies of the Inspector's decision letter were circulated by email to all committee members.

Planning Appeals in Progress – Quarter 1 (1 April to 30 June) 2014 / 2015

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
14/00001/REF Application No. 13/01593/CLP	APP/G2625/X/14 /2211377	8 Taylors Buildings Magdalen Road Norwich NR3 4AL	Refusal to grant a certificate of lawful use or development for application for a Lawful Development Certificate for a single storey side extension.	9th January 2014	Written Reps	In Progress
14/00003/REF Application No. 13/01090/F	APP/G2625/A/14 /2216867	148 Magdalen Street Norwich NR3 1JD	Refusal of planning permission for demolition of rear outbuildings and extension and construction of 4 No. two bedroom residential flats in two blocks.	23rd April 2014	Written Reps	In Progress

Appendix 1

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
14/00004/REF Application No. 13/01091/L	APP/G2625/A/14 /2216869	148 Magdalen Street Norwich NR3 1JD	Refusal of Listed Building Consent for Demolition of rear outbuildings and rear extension to facilitate construction of 4 no. residential units in rear curtilage.	23rd April 2014	Written Reps	In Progress
14/00005/REF Application No. 14/00308/F	APP/G2625/D/14 /2219234	80 Thorpe Road Norwich	Refusal of planning permission for erection of single storey orangery to rear of dwelling.	30th May 2014	Householder	In Progress
14/00007/REF Application No. 13/01650/VC	APP/G2625/A/14 /2220286	81 Dereham Road Norwich NR2 4HT	Refusal to vary condition 5 of previous planning permission 10/01751/F from 'The kitchen area hereby permitted shall not be in use before 0700 hours or after 2330 hours on any day' to 'The kitchen area hereby permitted shall not be in use between 0200 hours and 0700 hours Monday to Saturday and between 0100 hours and 0700 hours on Sundays'.	17th June 2014	Written Reps	In Progress

Appendix 1

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
14/00006/REF Application No. 13/01540/VC	APP/G2625/A/14 /2220356	Land And Buildings On The North East Side Of King Street Norwich	Refusal to vary a condition 9 of planning permission (App. No. 04/00274/F) ' from "Prior to the first occupation of the development mooring provision shall be provided on the river frontage in accordance with a scheme to be first submitted to and approved by the Council as Local Planning Authority and shall thereafter be permanently retained" to "Within 3 months of the date of this decision moorings shall be provided in full accordance with drawing numbers 046-M-1001, 046-SW-220 _ 046-FY-264/1 and shall be retained as such thereafter" of planning permission (App. No. 04/00274/F) 'Conversion of former flour mills and redevelopment of site to provide 160 residential apartments and restaurant (Class A3) with associated car parking and landscaping' for the provision of moorings.	20th June 2014	Written Reps	In Progress

Planning Appeals Dismissed – Quarter 1 (1 April to 30 June) 2014 / 2015

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
13/00008/REF Application No. 13/00726/F	APP/G2625/A/13/2202491	Performance House Barrow Close Sweet Briar Road Industrial Estate Norwich NR3 2AT	Refusal of planning permission for change of use from light industrial (Class B1) to a children's nursery (Class D1) with internal and external alterations.	5th August 2013	Written Reps	Dismissed
14/00002/ADVT Application No. 13/02081/A	APP/G2625/H/14/2216502	Advertising Hoarding Near To Canary Way And The Train Station. Koblenz Avenue Norwich NR1 1HA	Refusal of advertisement consent for display of 2 No. externally illuminated hoardings.	9th April 2014	Written Reps	Dismissed

Report to	Planning Applications Committee 7 August, 2014	Item 7
Report of	Head of Planning Services	
Subject	Performance of the Planning Enforcement Service, Apr - Jun, 2014 (Quarter 1, 2014-15)	

Purpose

To report the performance of the planning service to members of the committee.

Recommendations

That the report be noted.

Financial Consequences

The financial consequences of this report are none.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority “Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future”.

Contact Officers

Graham Nelson, Head of Planning Services	01603 212530
Ian Whittaker, Planning Development Manager	01603 212528
Michael Stephenson, Public Protection Manager	01603 212283

Background Documents

None.

Report

Background

1. During 2013 members of the planning applications committee expressed a desire to see information relating to enforcement cases that had previously been referred to the Committee and where enforcement action had been recommended. This is the second report produced.
2. The day to day work of planning enforcement is undertaken by officers within public protection and who deliver an integrated enforcement role and covers other related areas such as noise, contamination etc.

Performance of the planning enforcement service

3. Table 1 of the appendix provides a summary of the key data showing the numbers of cases received and being investigated, together with data on the formal actions instigated.
4. Table 2 identifies the current status of all the cases that have previously been referred to Planning Applications Committee since 1st April, 2014. The intention will be to keep members abreast of what has actually happened in relation to the case where they have agreed to take action. Please note that it is not a comprehensive summary of all cases where action is being undertaken – and therefore the data in table 2 does not match table 1.
5. There are currently 194 (179) pending cases. This is a large number but is substantially lower than it was some two years ago.

Table 1
Planning enforcement – key data

	2012-13				2013-14				2014-15			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
No. of new cases received	123	104	108	64	91	101	72	107	70			
No. of cases closed down*	n/a	n/a	n/a	n/a	139	74	54	79	64			
Formal action instigated**	5	15	3	13	11	6	11	11	0			

n/a - data not available

*No. of cases closed down includes a variety of outcomes such as the issue being not development, of such minor scale and causing no harm that it is not expedient to pursue further, resolved by removal of the offending structure or cessation of use or a planning application being submitted and agreed.

** Formal action includes enforcement notices, breach of condition notices, prosecutions, stop notices, cautions, fixed penalty notices etc

Table 2
Enforcement action previously agreed by Committee after 1st April, 2013.

Case no.	Address	Development	Date referred to Committee	Current status	Actions completed*
13/00080/CONSRV/ENF	33 Grosvenor Road	Replacement windows (Art. 4)	25 July, 2013	Enforcement Notice is currently subject to an appeal, awaiting outcome.	No
13/00068/EXTEN/ENF	268 Heigham Street	Unauthorised development - (shipping container on land)	7 November, 2013	Notice served and time period has expired for compliance. Officers are awaiting a court date	No
EH12/8433	64-66 Westwick Street	Unauthorised development – (conservatory fronting the river)		Notice served and appealed, appeal was dismissed, the notice has not been complied with. Officers are awaiting a court date	No
Planning ref 13/01484/A	Sweet Briar Rd	Hoarding	6 March, 2014	Letter sent to the Head of City Development Services requesting removal of the sign given its location on council owned land. One sign removed others pending	No
Planning ref 13/01982/F	463-503 Sprowston Rd	Aldi foodstore fire escape steps	6 March, 2014	Aldi advising of need to work with local access groups, a meeting is being set up mid May with stakeholders to discuss the matter. Breach of condition notice to be issued pending outcome of this meeting.	No
Planning ref 13/02087/VC and 13/02088/VC	Football ground area	River bank, landscaping, mooring points, roads, street trees	6 March, 2014	Various compliance dates between August 2014 and August 2017	No
13/01540/VC	King Street	Read Mills – moorings on river bank	7 May 2014	Appeal lodged against refusal, the outcome should be awaited before further action is taken.	No

*If the actions have been concluded a “yes” indicates that the item will be deleted from the next quarterly review. Items with ongoing actions will continue to be reported.