

**Planning Applications Committee**  
**11<sup>th</sup> June, 2009**  
**Section C**

<b>Agenda Number:</b>	
<b>Section/Area:</b>	Outer
<b>Ward:</b>	Town Close
<b>Officer:</b>	Malcolm Dixon
<b>Valid Date:</b>	2nd April 2009
<b>Application No:</b>	09/00243/F
<b>Site Address :</b>	Land At Brazen Gate Southwell Road Brazen Gate Norwich
<b>Proposal:</b>	Renewal of permission for Norwich Union temporary staff car park (previous application: 06/00053/F).
<b>Applicant:</b>	<b>Norwich Union Central Services</b>
<b>Agent:</b>	<b>Bidwells</b>

### **THE SITE**

The car park (343 spaces) is bounded by Southwell Road to the north, Brazengate to the east, a residential street, Sigismund Road to the south and a Scout Headquarters at the rear of Rowington Road to the west. The overall site including landscaping along the eastern and southern boundaries is approximately 1.15 hectares of which the car parking area covers 0.93 hectares.

### **PLANNING HISTORY**

In May 1996 use as a car park was granted a 5 year temporary permission on behalf of Norwich Union staff, attached to which was a Section 106 Legal Agreement enabling public access on a restricted basis (18.30-07.30 on week days and 24 hours at week ends and Public Holidays). All proceeds are donated to charitable causes. Subsequently temporary permissions have been given in 2001 and 2006 (expiring on 31<sup>st</sup> March 2009, reference 06/00053). The original agreement was varied in 2004 reducing public accessibility to 18.30-23.30 on week days and 08.00-20.00 on week ends and Public Holidays.

## **THE PROPOSAL**

The application seeks the renewal of permission for the Norwich Union staff car park on a temporary basis and the submission of a Full Travel Plan (FTP). The application is accompanied by a short Planning Statement covering the company's operational requirements and makes reference to the commitment to submit the FTP. The applicants have also requested support for the continued availability for public parking on a limited basis.

### **Applicants Operational Requirements:**

- NU occupies 75,500 sq.m. gross internal floor space within the city, whilst it has approximately 7000 employees in total in both the city and at Broadland Business Park.
- It provides 1338 car parking, 305 cycle and 43 motorcycle spaces (for staff and visitors) within the city centre.
- There are no intentions to reduce staff numbers within the city centre but since 2006, some 131 car parking spaces have been removed (e.g. parking at Imperial House and Rouen Road is no longer available.)
- As explained when the previous application was determined, it remains the case that up to 200 people are working at any one time during unsociable hours. Accessibility is therefore hampered because Park and Ride facilities together with other bus and train services are not in service outside of conventional operating hours.
- The problem of inaccessibility should also be considered in the context of the fact that NU as an employer has responsibilities to its staff with regard to health, safety and security.

### **Travel Plan:**

- Commitment to provide a Travel Plan presently underway involving Norfolk County Council Travel Plan co-ordinator.
- Taking into account NU's present position i.e car sharing, company shuttle buses, use of public transport (including discounts with Park and Ride operators), cycle rack provision (305) with ancillary locker and shower facilities in NU buildings.

In addition to the above the applicants wish to continue to offer the car park on a limited basis to the general public, particularly at weekends, as all proceeds are devoted to charitable causes (£90,000 in 2008) which NU suggest is a significant community benefit.

## **CONSULTATIONS**

### **Norfolk County Council (Strategic) Highway Authority:**

Agree with Norwich City Council's Transportation comments whilst adding the following:

A FTP is required as part of the application together with a bond secured through a S106 Legal Agreement to ensure adequate monitoring of the FTP. However, should the LPA decide to pursue the FTP by means of conditions, rather than a S106, a suitable form of wording has been suggested i.e.:

- A) Within 3 months of the date of this (temporary 3 year) permission, an Interim Travel Plan (ITP), including Monitoring and Review requirements and a timetable indicating implementation, shall be submitted to, and approved in writing by, the Local Planning Authority.
- B) Within 12 months of this permission an Approved Full Travel Plan (AFTP), based on the ITP referred to in A) above, shall be submitted to, and approved in writing by, the Local Planning Authority. The AFTP shall be implemented in accordance with the timetable and targets contained therein and shall continue to be implemented as long as any part of the development is occupied, subject to any approved modifications agreed by the Local Planning Authority as part of the annual review.

### **Transportation:**

Further temporary permission for 3 years would be acceptable given that the planning policy background has not changed since the previous granting of permission. However as the level of car parking available to NU staff is substantially above the operational requirements allowed for in the Local Plan then there should be movement towards reducing staff parking through a FTP. This Plan should also acknowledge that ultimately the site will become available for suitable future redevelopment. In addition the County Council monitoring role of the FTP should be formalised through the FTP.

Unlike previously, public car parking is no longer justified since the completion of structural improvement work to 2 major city centre car parks and the fact that studies have revealed that there is an excess of public parking provision in the city.

### **Third Parties:**

Press and Site Notices have been issued and residential properties abutting the site have been notified. No responses have been received to date.

## **PLANNING CONSIDERATIONS**

### **Relevant Policies:**

#### **National:**

PPS1 1 Delivering Sustainable Development  
PPS1 Supplement Planning and Climate Change  
PPG13 Transport

**Regional****East of England Plan:**

T1 Regional Transport Strategy

T2 Changing Travel Behaviour

T14 Parking

N1 Norwich Key Centre of Development

**Local:**

TRA3 Encouraging Modal Shift

TRA6 Parking Standards

TRA7 Cycle Parking

TRA12 Travel Plans

TRA21 Parking Off Street in City Centre

**Principle of Development****A) Staff Parking**

The applicant's commitment to providing a Travel Plan is welcome and, despite delays to date, it is considered that a FTP will be delivered in the time frame suggested in the conditions referred to above. As part of the FTP process, the applicant has been requested to consider alternative development potential for the site in the longer term, more so given the reduction in staffing levels in the city centre in recent years and therefore the corresponding reduced need for car use.

The site lies just beyond the city centre limits and therefore in operational terms its continued use can be considered to be acceptable. However, in this particular case, the car park is directly linked to and serves a city centre use and therefore could be considered as not strictly conforming with the spirit of Local Plan policy TRA3 as it provides long-term parking for city centre based staff. Nonetheless, there are extenuating circumstances in this case, in that the car park has been continuously used for several years and it is recognised that, should permission not be renewed and measures taken to stop the existing use immediately, then this could have a significant effect on the day to day operation of the business.

On this basis, it is suggested that the granting of a further temporary permission would allow for the reassessment of the need for the continued provision of a staff car park in this location following the completion and implementation of a Travel Plan for the business. Such a restricted permission, linked to the production of a FTP, would encourage the applicant to consider a phased reduction in use of the car park whilst enabling the business to continue to operate effectively with less reliance on the motor car and due consideration being given to alternative modes of transport for NU's city centre staff. The other benefit of this gradual approach is that applicant could also therefore give further consideration to the longer term future of the site.

## **B) Public Use**

Regardless of the merits of the continued staff use of the car park, it is clear that its use by the public is more contentious on the basis of the advice from both the Strategic Highway Authority and Transportation Service who both raise concerns regarding public use, the availability of sufficient public parking space elsewhere in the city centre and, therefore, the conflict with planning policy.

At present the available public parking space provision in the city centre exceeds the threshold of 10,002 referred to in the Replacement Local Plan. When permission was granted previously in 2006, incorporating some limited public use at evenings and weekends, the situation in the city centre was significantly different in that access to city centre car parks at St Andrews and St. Giles was temporarily curtailed and therefore the pressure for alternative sites for public parking was significant. This situation no longer applies and therefore the continued public use could be considered as contrary to Policy TRA21.

The fact that the applicants are keen to retain this facility is not considered to outweigh this assessment about the principle of a public use of the site. Although, currently, the income from the public use of the car park generates funding for charitable causes, and the applicant's contend that on this basis public use provides a very useful community service, the distribution of income generated by the public use of the car park would not normally be considered as a material planning consideration and the control of that would lie outside of normal planning powers. Therefore, notwithstanding the applicant's wish to retain this facility, the recommendation below includes a condition restricting use to Norwich Union staff only.

## **Conclusion**

The circumstances surrounding this case lead to a finely balanced judgement where, reluctantly, public car parking cannot be supported even in the short term.

Nonetheless, linked to the applicant's commitment to providing a FTP, it is considered that a further permission for 3 years, for the benefit of employees only, taking into account the particular circumstances of this case, would not be contrary to planning policy. However, this is caveated by the proviso that appropriate enforcement proceedings should be pursued if the promised FTP (which should include reference to the long term redevelopment potential of the site) is not delivered within the strict time frame outlined above.

In addition, as referred to above, the suggested wording of planning conditions by the Strategic Highway Service is welcome. As central government circular (05/2005 'Planning Obligations') advice endorses, conditions should be used in preference to S106 Legal Agreements wherever possible and this practice has been used previously elsewhere in pursuit of FTP objectives; there is therefore no need for a legal agreement.

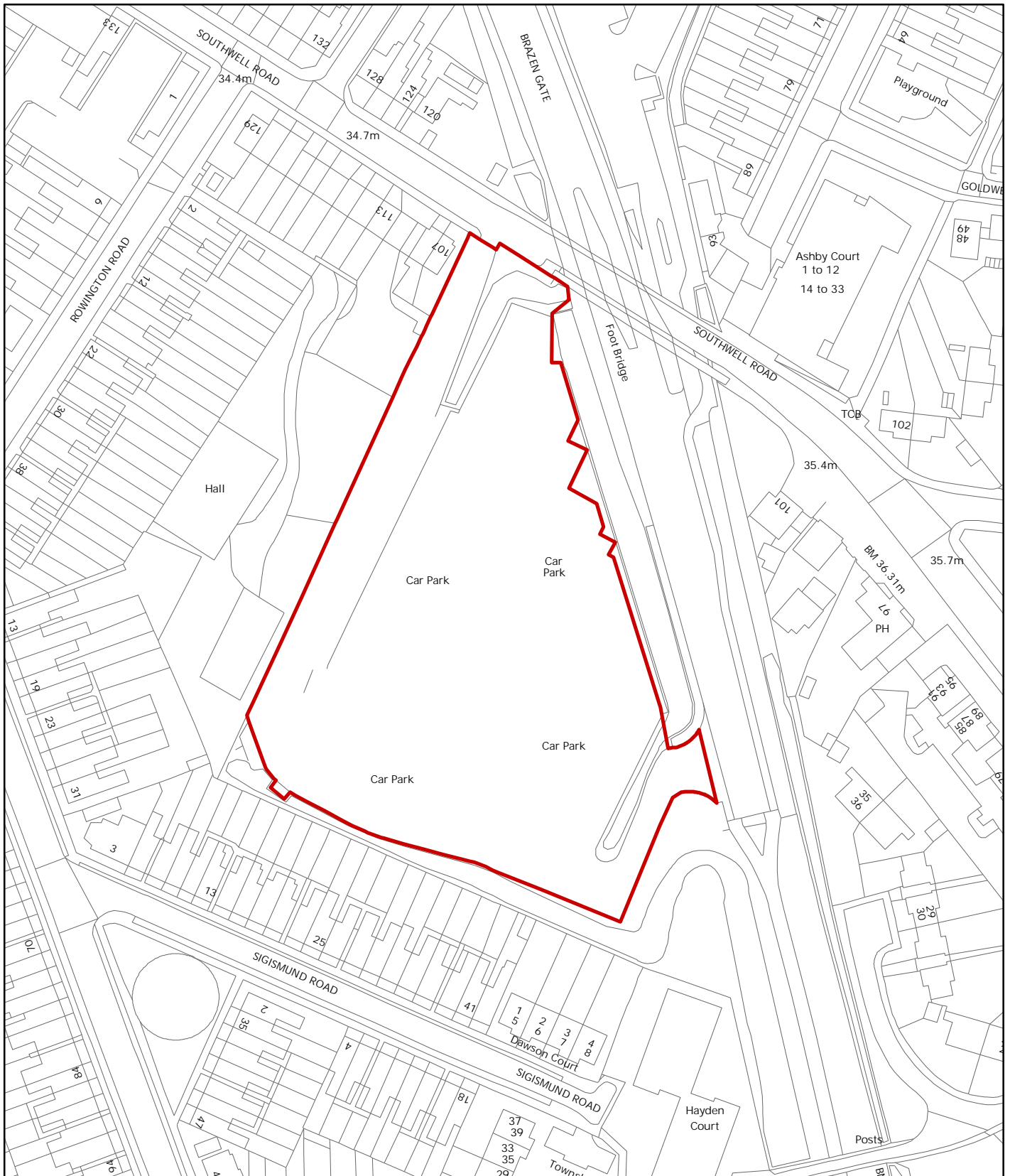
## **RECOMMENDATIONS**

GRANT PLANNING PERMISSION subject to the following conditions:

- 1) Temporary for 3 years
- 2) Submission of an ITP within 3 months
- 3) Submission of a FTP within 12 months
- 4) Personal to NU
- 5) Restricted to NU Staff only

### **Reasons for Approval:**

Linked to the applicant's commitment to provide a Full Travel Plan within 12 months of the date of permission, it is considered that a further temporary permission for a 3 year period restricted to staff parking only would not be contrary to national, regional and saved Local Plan policies TRA3, TRA6, TRA12 and TRA21. This takes into account the unusual circumstances relating to the scale of the undertaking and the complexity of steering through a FTP for such a major large local employer and is based on the applicant's commitment to the pursuit and delivery of alternative and more sustainable modes of transport for their employees.



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Planning Application No - 09/00243/F

Site Address - Land at Brazen Gate, Southwell Road, Brazen Gate, Norwich

Scale - 1:1250



**NORWICH**  
**City Council**

DIRECTORATE OF REGENERATION  
AND DEVELOPMENT

