

**Report to** Planning applications committee  
**Date** 6 March 2014  
**Report of** Head of planning services  
**Subject** 13/02051/F Former Wellesley First School Wellesley  
Avenue North Norwich NR1 4NT

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**Item**  
**4(7)**

## SUMMARY

<b>Description:</b>	Siting of a temporary pharmacy on site whilst construction of permanent pharmacy is completed.
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approve
<b>Ward:</b>	Crome
<b>Contact Officer:</b>	Mr Lee Cook Senior Planner 01603 212536
<b>Valid Date:</b>	04 January 2014
<b>Applicant:</b>	Property Partnerships (Isle of Man) Ltd
<b>Agent:</b>	Iceni Developments Ltd

## INTRODUCTION

### The Site

#### Location and Context

1. The site is located at the corner of Wolfe Road and Wellesley Avenue North and was formerly used as Wellesley Avenue first school. The school was closed in August 2008 as part of a reorganisation of Norwich schools and school aged pupils locally now attend Lionwood Infant School on Telegraph Lane East and Lionwood Junior School in new building on the south side of Wolfe Road opposite the application site. The former school building has now been demolished.
2. The area as a whole is characterised by a mix of styles of building and uses. School buildings are to the south, a small group of retail uses and a pub are located to the west on Quebec Road and the remainder of the area is predominantly residential in use. Plumstead Road just to the north of the site is a main arterial route in and out of Norwich. Further to the east on Plumstead Road is a district centre retail area. A further local centre retail area is located at the Ketts Hill roundabout to the west.

#### Constraints

3. There are no site specific policies within the proposals map to the Adopted Local Plan; however, the Green Links Network (SR12) and Strategic Cycle Network (TRA15) run along Wolfe Road and return down Wellesley Avenue North to the south of the site. The site also contains a number of trees and landscape features.

## Topography

4. The site lies within the area at the top of the river valley and is relatively flat. The site itself has some minor variations in level between different site surfacing.

## Planning History

5. Re-use or redevelopment of the site or parts of the site has been discussed since the closure of the school building. Application **12/01016/F** for the construction of a medical centre (Class D1), Pharmacy (Class A1) and 14 No. residential dwellings (Class C3) with access road off Wellesley Avenue North was agreed by Members of Planning Applications Committee on 20<sup>th</sup> September 2012 and subsequently approved subject to a S106 agreement on 7<sup>th</sup> March 2013. Application **12/01997/DEM** – for the demolition of former school premises was approved 30<sup>th</sup> November 2012.

## Equality and Diversity Issues

6. Various issues relating to the development are reviewed below. The proposals for a temporary pharmacy pending the delivery of the new medical centre should help delivery of services to the local community however there are not considered to be significant equality or diversity issues.

## The Proposal

7. The application is for the siting of a temporary pharmacy on site whilst construction of permanent medical centre and pharmacy is completed.

## Representations Received

8. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below.
- 9.

Issues Raised	Response
Concern that approved development will not be committed to and other uses will appear on site.	Paras 14, 15, 16
Increased traffic flows from pharmacy will lead to additional highway hazards within the area which already suffers from high car speeds and parking issues.	Paras 20, 21

## Consultation Responses

10. Norfolk Constabulary: No objection in principle; have made requests for revisions to type of site hoarding/fencing being provided, security of the building and prevention of overnight storage of medicines on site.
11. Transportation Officer: No objection in principle.

# 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 8	Promoting healthy communities
Statement 11	Conserving and enhancing the natural environment

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

Policy 5	The economy
Policy 7	Community facilities
Policy 9	Strategy for growth in the Norwich Policy Area
Policy 12	Urban renewal
Policy 19	The hierarchy of centres

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

AEC2:	Local Community facilities
EP22:	Amenity
NE9:	Comprehensive landscaping scheme and tree planting
TRA6:	Parking standards – maxima
TRA7:	Cycle parking standards
TRA8:	Servicing standards

### Supplementary Planning Documents and Guidance

Trees and Development SPD – September 2007

### Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011

The Localism Act 2011 – s143 Local Finance Considerations

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

Please note that these policies were submitted to the Planning Inspectorate on 17th April 2013. After this time some weight can be applied to these policies. Some policies subject to objections have not been included in this list as these issues are unlikely to be resolved within the time frame of the application, and therefore should not be given much weight.

DM1	Achieving and delivering sustainable development
*DM2	Ensuring satisfactory living and working conditions
*DM6	Protecting and enhancing the natural environment
DM7	Trees and development
DM18	Promoting and supporting centres
DM28	Encouraging sustainable travel
*DM31	Car parking and servicing

\* These policies are currently subject to specific objections or issues being raised at pre-submission stage which could be relevant to this application and so only minimal weight has been applied in its content. However, the main objectives of ensuring appropriate design, amenity, parking and servicing remain in place through Local Plan

policies EP22, NE9, TRA6, TRA7 and TRA8.

## **Principle of Development**

### **Policy Considerations**

#### **Procedural Matters Relating to the Development Plan and the NPPF**

12. 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 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.
13. The site is located outside of any defined centres. The criteria for new retail uses should be assessed sequentially with retail being located in or next to defined centres before out of centre locations are considered. The site is however sited between a district and a local centre, but as it is clearly detached from the centre but within the urban area it is considered to be out of centre.
14. When considering if this location is acceptable for new retail, the scale of the proposed use, site history or the previous use should be considered. The unit is relatively small and given the high density of surrounding residential dwellings it is highly likely the main source of trade will be from local residents. Further to this the previous application approved for the site was for a new medical centre and pharmacy. The agent has indicated that the temporary pharmacy now proposed would be to ensure implementation of the site licence which has been secured for the new facility and in effect to secure an early presence on site for the new permanent facilities.
15. A temporary permission has been sought which in terms of timescales for retention of the facility on the site will tie into the existing permission which expires in 2016. The agent has advised that it is hoped that works will commence on site in 2014 with an 11 month build programme and an 18 month period has been requested to site the temporary building. Given these specific circumstances it would therefore be very difficult to support a recommendation of refusal on the basis of the site being out of centre or an inappropriate location for a retail unit.

#### **Other Material Considerations**

16. If the temporary nature of the use is tied in with a construction programme for the delivery of the main development on site then the other main issues to address would be amenity, access/parking, security, tree protection and ensuring that its position is not prejudicial to the delivery of the main buildings/development.

## **Impact on Living Conditions**

### **Noise and Disturbance**

17. The portakabin is sited fairly central to the Wellesley Avenue north frontage of the site which is away from adjoining residential gardens but is visible from the fronts of properties opposite. The use would entail relatively low levels of disturbance, with the likely sources of noise originating from deliveries and customers outside of the new unit. To enable construction of the remainder of the site any deliveries or parking would be along the existing road and involve parking activity typical of the area. Whilst it is recognised that the site had a previous use as a school, the

pharmacy and construction programme is likely to lead to more activity along the road.

18. The agent has indicated that the pharmacy will be open between 08:00 hours and 18:30 hours Monday to Friday and 09:00 hours to 13:00 hours on Saturday and having regard to its close proximity to the surrounding residential uses leads to it being considered reasonable to condition the hours of opening and delivery to those applied for above only to help further limit potential disturbance within the area.

### **Site security**

19. Norfolk Constabulary has suggested removal of medicines from the site overnight and better visibility through any site hoardings. The agent has confirmed that the pharmacy will have 2.4m high fence/gates around it, CCTV and a monitored alarm. The Controlled Drugs Cabinet will be fixed to standards which are acceptable to the NHS for this type of accommodation. The windows will have grills over them and have toughened glass. The compound will be illuminated at night and mesh-weld fencing will be used to aid security. On balance the updated information provided by the agent should ensure a safe operation of the site and subject to a condition requiring details of site lighting to avoid any amenity impacts the scheme is considered to be acceptable.

## **Transport and Access**

### **Car Parking, Vehicular Access and Servicing**

20. The proposed uses with the earlier application were considered suitable for this location in transportation terms and the orientation of the medical centre enables easy access on foot and cycle to and from Wellesley Avenue North. The transport statement submitted with that application indicates that the likely use of the site for the medical centre would not result in an increase in peak hour traffic movements compared to its previous use. Additional highway improvements were also agreed as part of the scheme to help control parking within the area.
21. The transportation officer has confirmed that he has no objections on transportation grounds for this new temporary development. The unit is sited within that part of the site to be provided for residential development north of the new site access road. As such the temporary position will not prevent construction of the medical centre and roadway or interfere with potential operation and storage space required for construction activities within the site. This should help reduce impacts on Wellesley Avenue North. Whilst the temporary pharmacy unit will be on the footprint of one of the new dwellings the phasing of works on site should not be prejudiced by this and the temporary building should be removed in time to allow site completion.

### **Cycling Parking**

22. There is space within the secure compound for visitors to the pharmacy to safely park or secure bicycles and given the nature of the use as such it is not considered necessary to require additional facilities on site.

## **Trees and Landscaping**

### **Loss of Trees or Impact on Trees**

23. A small grouping of trees central to the site have already been removed but this work is factored within the submitted arboricultural information. It is noted that the majority of the existing trees on the site, especially the prominent row of limes, oak and plum trees, which enhance the character of the area, will all be retained as part of the re-development. As part of the main construction activity on site all the tree

protection measures discussed in the arboricultural report must be implemented to safeguard the site's current tree stock; re-planting proposals should also be carried out to make good the negative ecological impact of the removal of a small number of existing trees, and landscaping and other tree protection conditions are imposed on the earlier permission.

24. The location and impacts on trees has been factored in as part of assessing the siting of the temporary pharmacy and forming its new enclosure. The measures proposed should not interfere with the agreed methods of tree protection or impact on adjacent trees along Wellesley Avenue North.

## **Local Finance Considerations**

25. Under section 143 of the Localism Act the council is required to consider the impact of new development proposals on local finance. The temporary nature of the development means that there are no criteria to trigger discussion about CIL requirements. The proposal would, if approved, have an impact on Business Rates revenue for the Council. It also remains important to take into account other material considerations in assessing the merits of proposals, which in this case include the provision of facilities to serve the locality, impacts on residential amenities, security, transport and environmental considerations, amongst other things.
26. As part of the earlier application a s106 agreement was signed in order to secure benefits towards affordable housing, open space and play equipment, street trees and transport Improvements within the area. This remains in place and is unaffected by this temporary use of a small part of the site.

## **Equality and Diversity Issues**

### **Age**

27. The site has been vacant for a number of years and the facilities previously in place relocated to other sites nearby. It is proposed to redevelop the site with a medical centre and permanent pharmacy in the long term which is likely to be of particular benefit to both the younger and older ends of the population spectrum. In this instance, therefore, it is considered that the temporary facility will help provide short term facilities and satisfactory commencement of the main development on site and would not have an unacceptable impact on people of a particular age group within the community.

### **Disability**

28. The proposals would provide accessible facilities and a pharmacy located within an accessible location within a predominantly residential area.

## **Conclusions**

29. The proposal is considered to be an appropriate temporary use for this site, which although located outside of an existing centre is in a highly accessible location and the nature of the precise use proposed would complement the surrounding predominantly residential area and tie in with the delivery of the earlier permission for a medical centre and permanent pharmacy on this site.
30. Subject to conditions limiting the length of time when the unit can be on site, details of site lighting and restricting the delivery and opening times of the pharmacy the development is considered to meet relevant policy requirements and is recommended for approval.

## **RECOMMENDATIONS**

To approve Application No 13/02051/F Former Wellesley First School Wellesley Avenue North Norwich NR1 4NT and grant temporary planning permission, subject to the following conditions:-

1. limit to 18 months use of the site only and making good on removal of building
2. development to be carried out in accord with drawings and details supplied
3. limit on hours of opening and delivery 08:00 hours and 18:30 hours Monday to Friday and 09:00 hours to 13:00 hours on Saturday only
4. details of site lighting to be agreed prior to first use

### **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 at the application and pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the Committee report with the application.



