

Report to Planning applications committee

Item

10 August 2017

Report of Head of planning services

Subject Application no 17/00903/F - 463 Sprowston Road,
Norwich, NR3 4EB

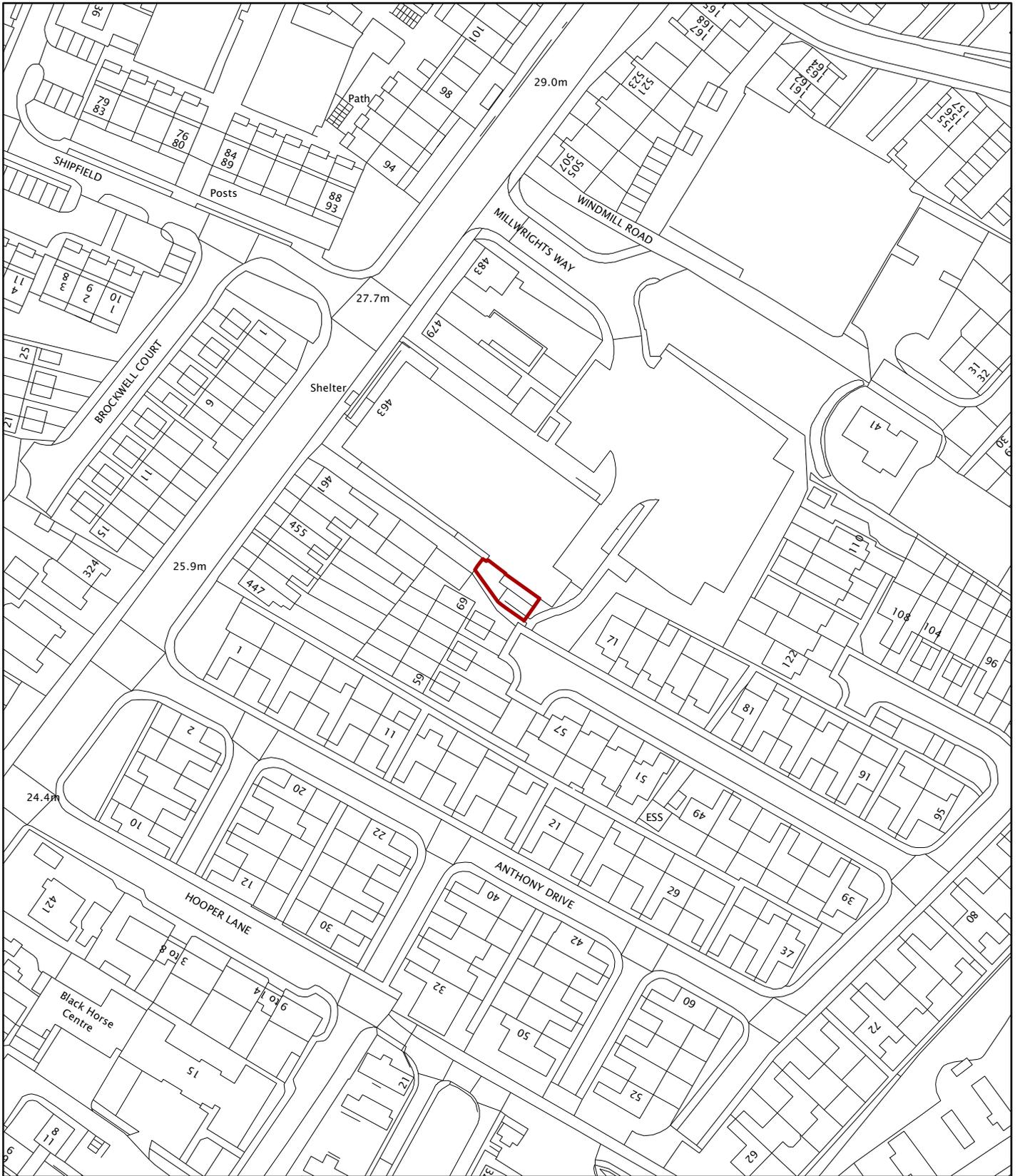
4(i)

**Reason
for referral** Objection

Ward:	Catton Grove
Case officer	Joy Brown - joybrown@norwich.gov.uk

Development proposal		
Extension of Plant Enclosure on South West Elevation.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1 Principle of development	Supports the growth of a shop within a defined retail area.
2 Design	Scale and impact upon streetscene
3 Amenity	Noise
4 Trees and landscaping	Protection of nearby tree
5 Floodrisk	Surface water run off
Expiry date	30 August 2017
Recommendation	Approve



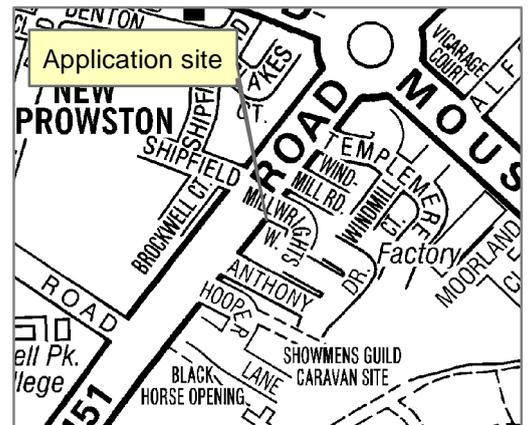
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Planning Application No 17/00303/F
 Site Address 463 Sprowston Road

Scale 1:1,250



NORWICH
 City Council
 PLANNING SERVICES



The site and surroundings

1. Aldi is situated on the eastern side of Sprowston Road between the junction of Anthony Drive and Millwrights Way. The existing refrigeration plant is situated on the south west elevation of the building within an area of existing landscaping.
2. The surrounding area is predominately residential although there are some other commercial properties within the vicinity and the site is situated within the Sprowston Road/Shipfield District Centre.

Constraints

3. The site is situated within a defined retail centre and the critical drainage area. The site is in close proximity to a protected tree.

Relevant planning history

4.

Ref	Proposal	Decision	Date
13/00208/F	Mixed use development incorporating a foodstore, 9 No. flats and associated access, car parking and landscaping (revised design).	APPR	11/06/2013
13/00976/D	Details of Condition 3a) Materials, Condition 4) High Level Windows, Condition 6) Hard and Soft Landscaping, Condition 10) Construction Operations, Condition 17) Servicing, Waste, Recycling, Storage and Collection, Condition 19) Car Park Management Plan, Condition 20) Surface Water Drainage, Condition 22) Low Carbon Energy Source, Condition 31) Dock Leveller Shroud and Rubber Buffers, Condition 34) Contamination, Condition 35) Long Term Monitoring of Contamination, and Condition 39) Travel plan of previous planning permission 13/00208/F 'Mixed use development incorporating a foodstore, 9 No. flats and associated access, car parking and landscaping (revised design)'.	APPR	06/12/2013
13/01126/A	Display of: 1) 1 No. non illuminated vinyl sign; 2) 1 No. internally illuminated sign case;	APPR	01/08/2013

Ref	Proposal	Decision	Date
	3) 1 No. non illuminated vinyl sign 4) 2 No. internally illuminated signs to be mounted between 2 No. aluminium posts.		
13/01595/A	Display of: 1) 1 No. non illuminated directional sign; 2) 1 No. internally illuminated totem sign.	APPR	11/10/2013
13/01609/VC	Variation of Condition 8 - No use of the retail store shall take place until details of the surface treatment of the access track to the south of the application site and to the north of 461 Sprowston Road have been submitted to and agreed in writing by the Local Planning Authority, providing a pedestrian link from Anthony Drive to Sprowston Road of previous planning permission 13/00208/F 'Mixed use development incorporating a foodstore, 9 No. flats and associated access, car parking and landscaping (revised design)'.	APPR	19/12/2013
13/01911/D	Details of Condition 5) historic interpretation of previous planning permission 13/00208/F 'Mixed use development incorporating a foodstore, 9 No. flats and associated access, car parking and landscaping (revised design)'.	APPR	16/12/2013
13/01982/F	Erection of metal steps to the south elevation emergency exits and provision of 1.8m fence to the southern boundary.	REF	07/03/2014
14/00886/D	Details of Condition 21: Plant and machinery and Condition 22: Ventilation and fume extraction of previous permission 13/01609/VC.	APPR	29/07/2014
15/00509/VC	Variation of condition 15 of 13/01609/VC to detail car park barrier opening times and to allow for a car park barrier rather than bollards to control access to the car park.	APPR	17/02/2016

Ref	Proposal	Decision	Date
15/00515/MA	Alterations to layout and design of proposed flats - amendment to condition 1 of permission 13/01609/VC.	APPR	24/08/2016
17/00550/D	Details of Condition 2: Materials; Condition 5b: Landscaping Scheme; Condition 5c: Landscaping; Condition 14: Waste & recycling bin storage; Condition 14: Scheme for generating a minimum of 10% of the predicted energy requirement and Condition 30b: Contamination of the site of previous permission 15/00515/MA.	PCO	
17/00684/VC	Variation of Condition 24 of 15/00509/VC to allow for refuse collection vehicles to use reversing alarms during store opening hours (08.00-22.00 Mondays to Saturdays and 09.00-16.00 on Sundays).	PCO	

The proposal

- The application seeks full planning permission for the installation of an additional refrigeration condenser and the extension of the existing plant enclosure. The applicant has suggested that changes to the internal layout of the store has increased demand in the cooling loads and therefore an additional external refrigeration condenser is required.
- The existing plant enclosure is 9.3m x 2.9m with a height of 4m. The proposed extension is 3.4m which would increase the overall width from 9.3m to 12.7m.

Summary information

Proposal	Key facts
Scale	
Max. dimensions	Dimensions of extension: Width - 3.4m, Depth - 2.9m, Height - 4m
Appearance	
Materials	Similar appearance to existing enclosure.
Operation	
Opening hours	Plant will be required to operate 24 hours

Representations

7. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
The proposal will result in an increase in noise. You can already hear the plant even with the windows closed. If the doors and windows are open then the noise is very loud and persistent during warm weather. The results in the noise assessment does not take into consideration varying wind directions.	See main issue 3
The proposal will increase the overall size of the building.	See main issue 2
The refrigeration unit is only 7m from my house and obstructs the view from my front door.	See main issue 2
Anthony Drive should not be used by the construction company.	The construction works are relatively minor and it is not considered necessary to restrict access for construction.
The proposed extension is being placed directly on top of several rat holes. Disturbance during the erection of this extension could create further rat problems.	This is not considered a material planning consideration.
Since the opening of ALDI they have failed to comply with a number of conditions. We feel that they would treat any new conditions surrounding this plant extension with the same disregard.	A separate application is currently pending consideration for the variation of conditions (see planning history section).

Consultation responses

8. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Environmental protection

9. A condition should be attached requiring implementation of the noise reducing measures before the first use of the new plant.

Assessment of planning considerations

Relevant development plan policies

10. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS5 The economy
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
 - JCS19 The hierarchy of centres
11. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM5 Planning effectively for flood resilience
 - DM7 Trees and development
 - DM11 Protecting against environmental hazards
 - DM18 Promoting and supporting centres
 - DM21 Protecting and supporting district and local centres

Other material considerations

12. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
 - NPPF0 Achieving sustainable development
 - NPPF1 Building a strong, competitive economy
 - NPPF2 Ensuring the vitality of town centres
 - NPPF7 Requiring good design

Case Assessment

13. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

14. Key policies and NPPF paragraphs – DM18 and DM21
15. The application seeks to provide additional plant for a large foodstore which is situated within a district centre. The applicant has suggested that the additional unit is required as there is an increased demand in the cooling loads. The principle of

the proposal is therefore acceptable as it helps to support the growth of a shop within a defined retail area.

16. The main issues for the consideration therefore are the design and the impact upon neighbouring residents.

Main issue 2: Design

17. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
18. The proposed extension to the enclosure to the refrigeration plant will match the existing enclosure with the main difference in the appearance being the increase in size. In this instance it is considered that the overall size is appropriate given the scale of the building and due to the positioning of the extension behind the existing enclosure. The building is also set back from the highway (Anthony Drive) so the proposal will have little impact upon the streetscene. It will also be visible from Spowston Road but again due to its positioning will have little impact.
19. The extension will be visible from the garden of 69 Anthony Road but it is not considered that the outlook will be materially different given the existing plant enclosure and side wall of the foodstore.
20. Full details of material have not been provided. A condition should be attached to any future permission requiring materials to match the existing enclosure (i.e. same specification) or if they will be different in any way, details will be required prior to commencement.

Main issue 3: Amenity

21. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
22. Due to the positioning and height of the unit it is not considered that it will impact upon neighbouring residents taking into consideration loss of light or overshadowing. Furthermore it will not be overbearing upon any of the neighbours.
23. With regards to noise, it is acknowledged that the existing plant does have some impact upon neighbouring residents due to the proximity to properties on Anthony Drive. The main issue for consideration therefore is what the changes in noise levels will be with the additional plant. A noise assessment has been submitted with the application to establish noise levels within the enclosure for both the current and proposed schemes and to predict noise levels on the closest receptors at 69 and 71 Anthony Drive.
24. Overall the calculations show that there will be no increase in noise levels at no 69 Anthony Drive for both day and night time operations. With regards to no 71 Anthony Drive it shows no increase in noise levels during the night but a 3 dB increase in noise levels during the day, although this will still be in accordance with BS4142:2014. These calculations are based on the new unit being capped to operate at a noise level not exceeding 37dBA at 10m at night and daytime operations achieving 45 dBA at 10m. Therefore it is considered that the impact is low and Norwich City Council's environmental protection officer has confirmed that provided that the measures set out within the noise assessment are adhered to, he

has no objection to the application. Therefore a condition should be attached to any future permission required compliance with the noise assessment.

Main issue 4: Trees and landscaping

25. Key policies and NPPF paragraphs – DM7, DM3, NPPF paragraphs 109 and 118.
26. There is a protected tree within close proximity to the site. The plan indicates a precautionary area with a no dig special surfacing to be installed on a Cellweb base with porous wearing course. This is considered acceptable and should ensure that the tree is protected during works.
27. The new refrigeration plant is proposed to be located in an existing area of landscaping, although the proposal will not result in the loss of any plants as the proposed unit is to be situated on an existing area of hardstanding.

Main issue 5: Flood risk

28. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
29. The site is situated within the critical drainage area. It is not considered that the proposal will increase surface water runoff as the enclosure is to be sited on an existing area of hardstanding.

Other matters

30. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
31. An appeal is currently pending consideration relating to a possible right of way between Anthony Road and Sprowston Road which would open up a route along the side of Aldi and 69 Anthony Drive/461 Sprowston Road. It is not considered that this application would prejudice this right of way should the appeal be allowed.

Equalities and diversity issues

32. There are no significant equality or diversity issues.

Local finance considerations

33. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
34. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
35. In this case local finance considerations are not considered to be material to the case.

Conclusion

36. The principle of the proposed refrigeration unit and enclosure is considered acceptable. The overall size and design of the unit is considered acceptable and will have little impact upon the streetscene. It is acknowledged that the existing plant does have some impact upon neighbouring residents; however the noise impact assessment submitted with the application suggests that the increase in noise will be minimal. Subject to compliance with the assessment it is considered that the impact will be low and at an acceptable level.
37. The development is therefore in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application no. 17/00903/F - 463 Sprowston Road Norwich NR3 4EB and grant planning permission subject to the following conditions:

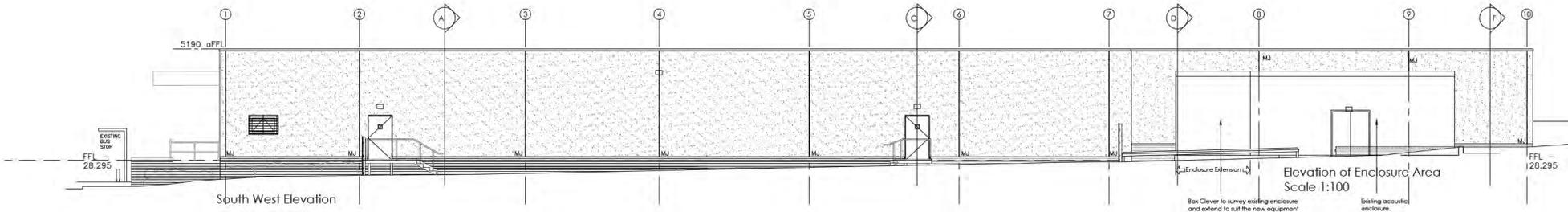
1. Standard time limit;
2. In accordance with plans;
3. Extension to enclosure to be constructed to match existing. If different specification is required then details to be approved.
4. No use of the new plant until measures set out within the noise impact assessment have been carried out.

Informative:

This approval only allows for changes to the refrigeration plant. It does not allow for any other changes shown by the approved plans.

Article 32(5) statement

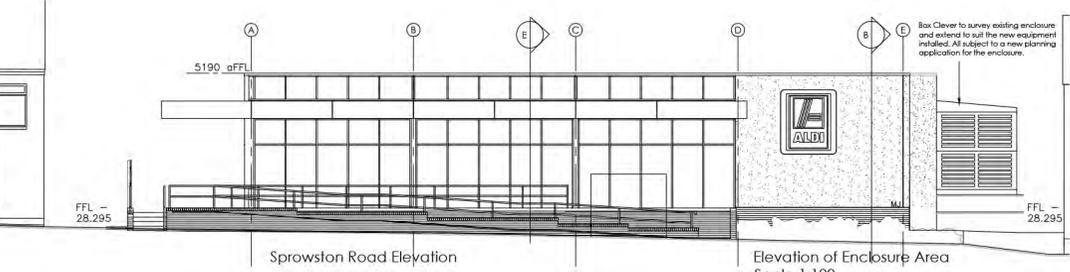
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



Elevation of Enclosure Area
Scale 1:100

Box Clever to survey existing enclosure and extend to suit the new equipment installed. All subject to a new planning application for the enclosure.

Existing acoustic enclosure.

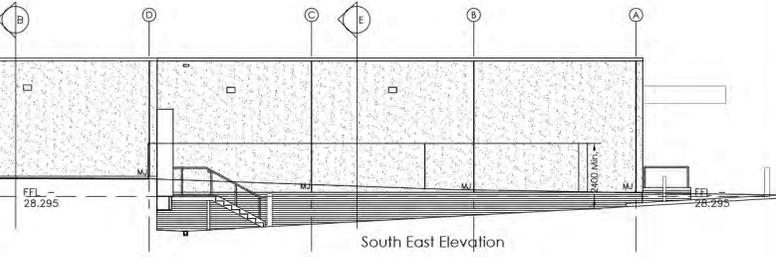


Elevation of Enclosure Area
Scale 1:100

Box Clever to survey existing enclosure and extend to suit the new equipment installed. All subject to a new planning application for the enclosure.

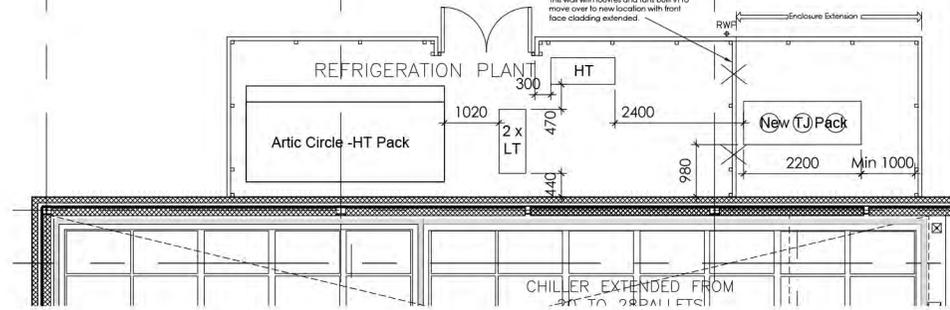
Box Clever to survey existing enclosure and extend to suit the new equipment installed. All subject to a new planning application for the enclosure.

South East Elevation of Enclosure Area
Scale 1:100



Part Plan of Enclosure Area
Scale 1:50

Box Clever to survey existing enclosure and extend to suit the new equipment installed. All subject to a new planning application for the enclosure. The wall with louvers and fans built in to move over to new location with front face cladding extended.



Part Plan of Enclosure Area
Scale 1:50



		A 260171 Point equipment line dimensioned REV Date Description REV BY Drawn by	
Project Title	PROPOSED FOODSTORE SPROWSTON ROAD NORWICH NR3 4EB	Drawing Title	PLANT BASE EXTENSION & ENCLOSURE
Client	ALDI STORES LTD - CHELMSFORD	Grid-Orig No	2221-CHE-67-005
Drawn	CONSTRUCTION	Scale	1:100
Sheet	1:100	Drawing Size	A1
Date	08.05.2017	Drawn by	MN
		Checked	KM
2 St. John's Lane, Wareham, Dorset SP9 3QA T: 01924 271800 Carnon Warehouse, 77 Dale Street, Manchester, M1 5RG F: 0161 2366355 The Old Factory, 29 High Street, Newport, Gwent, NP23 5AB T: 01493 211577 101 London Road, Reading, RG1 1BT T: 0118 920700 10 Cass Court, St Christopher Place, London, W1U 1LJ T: 0207 4071215		 ARCHITECTS www.harrispartnership.com	