

Blanaid Skipper
South Norfolk Council
Horizon Business Centre
Peachman Way
Norwich
NR7 0WF

PP ref: PP- 12585865

8th December 2023

Dear Blanaid

Ella May Barnes Building, Rosalind Franklin Road, Norwich, NR4 7UQ

Non-Material Amendment to Reserved Matters Approval 2019/1653

This covering letter accompanies an application for a non-material amendment pursuant to reserved matters approval 2019/1653, which approved development by decision dated 21st October 2019 for:

Reserved Matters application for appearance, landscaping, layout and scale following outline permission 2012/1880 (in respect of this phase only) - Proposed Research and Development Centre, associated car parking, internal access road, site infrastructure and landscaping. (The outline submission included an Environmental Statement)

Under Section 96A of the Town and Country Planning Act 1990, local planning authorities have the power to allow changes to any planning permission provided they are satisfied that the change is not material. The power conferred by Subsection (2) of Section 96A of the Act requires local authorities to have regard to the effect of the change on the planning permission as originally granted, in deciding whether a change is material.

On behalf of the applicant, South Norfolk Council, this application is sought for:

1. An amendment to the description of development of this specific reserved matters approval in order to clarify the flexibility of uses intended by the original outline planning permission 2012/1880; and
2. Substitution of the first floor plan listed in Condition 1 with an updated floor plan.

Amendment to Description of Development

The description of the outline planning permission permits: “Proposed offices, laboratories and academic space for principally research and development activities, buildings for health and health related uses and buildings for further ancillary uses. Associated car parking, access, infrastructure, internal access roads and strategic landscaping”. This description is considered to provide the operative part of the planning permission as originally intended.

Furthermore, Condition 13 of the outline planning permission limits the uses across the wider outline site to 60,387sqm of GIA of Use Class B1(b), 29,849sqm of GIA of Use Class C2/D1 and 8,930sqm of GIA of ancillary and complimentary uses as detailed in the NRP Development Framework Supplementary Planning Document. Since this condition was imposed, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 have come into force. This Amendment to the Regulations revoked and modified the parts of the Use Class Order to the effect that:

- Use Class B1(b) for ‘Business: research and development of produces or processes’ is now referred to as Use Class E(g)(ii);
- Use Class D1 for ‘Non-residential institutions’, and specifically clinics and health centres, is now referred to as Use Class E(e) for ‘Provision of medical or health services’; and
- Use Class C2 for ‘Residential institutions’, including hospitals, remains unchanged.

Without prejudice to the overarching floor space limits for each use, which Condition 13 of the outline planning permission would continue to control, an amendment is sought to alter the wording of the description of this reserved matters approval, which forms one phase of the wider site subject to outline planning permission, to allow the flexibility of uses referred to in the outline planning permission. It is recognised that given the size and layout of this reserved matters site, uses within Use Class C2 are not practical nor likely to be accommodated and therefore do not need to be referred to for this reserved matters approval. The proposed amendment also seeks to bring reference to the approved uses in line with the modified parts of the Use Class Order.

Based on the foregoing, this non-material amendment application seeks the following amended description of development:

Reserved Matters approval for appearance, landscaping, layout and scale following outline permission 2012/1880 (in respect of this phase only) - Proposed building for research and development uses and/or medical, health or health-related uses within Use Classes E(g)(ii) and E(e), associated car parking, internal access road, site infrastructure and landscaping. (The outline submission included an Environmental Statement)

The above description is considered to accord with the operative part of the original planning permission and the permitted uses approved at outline stage for the Norwich Research Park. It therefore has no effect on the planning permission overall as originally granted, and should not be considered material in accordance with Subsection (2) of Section 96A of the Act. The proposed description is also considered to accord with the amendments enacted by the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. This request is therefore entirely within the remit of Section 96A of the Act.

Updated Floor Plan

This application also seeks a substitution of the currently approved first floor plan referenced as drawing number 8961/051 rev D03 under Condition 1 of the reserved matters approval with an updated first floor plan referenced as drawing number 5655/20101 Revision T3 and submitted alongside this application.

The updated first floor plan seeks internal alterations only to the floor plate of this specific floor. This updated arrangement would not constitute development and would not therefore require planning permission in its own right. However, this amendment is sought to ensure a consistent set of approved plans are referenced as part of this reserved matters approval and for the avoidance of any doubt. Accordingly, this amendment would not be considered to constitute a material change and should be considered entirely within Section 96A of the Act.

This covering letter is intended to outline the nature and reasoning for the proposed amendments. The development remains otherwise in accordance with the remaining originally approved plans, the associated Section 106 Agreement and the overall planning permission incorporating details at both outline and reserved matters stages.

I trust that the aforementioned information is satisfactory and look forward to receiving confirmation of the validation of the application in due course. However, should you have any further questions, please do not hesitate to contact me.

Yours sincerely

Nicol Perryman
Associate Planner
Ingleton Wood LLP
nicol.perryman@ingletonwood.co.uk