

Planning Applications Committee

12 March 2009

Agenda Number:	B2
Section/Area:	INNER
Ward:	MANCROFT
Officer:	Gary Howe
Valid Date:	27 June 2007
Application Number:	07/00755/F
Site Address :	100 - 108 St Benedicts Street Norwich Norfolk NR2 4AB
Proposal:	Redevelopment of site with three to five storey buildings to provide 49 residential units consisting of 10 one-bedroom flat and 39 two-bedroom flats with associated car parking spaces (26 spaces), cycle and refuse storage; redesign of Wellington Green open space and general landscaping works. (Extension to Amenity Area).
Applicant:	Broadland Housing Association
Agent:	Ingleton Wood

Background

Members will recall that this application was taken to Committee on 25 October 2007 when it was resolved to approve the development subject to the imposition of a number of planning conditions and the successful completion of a Section 106 Agreement. A copy of the original report and is attached to this report as an Appendix.

Despite best endeavours, unfortunately to date the Legal Agreement remains outstanding and as there is a commitment to clearing the backlog of older applications before April, it is necessary to bring the planning application back to committee seeking a resolution for delegated powers to refuse planning permission should the Agreement remain unsigned up till 27 March 2009.

Recommendation

If a section 106 agreement or satisfactorily worded undertaking is not completed prior to 27 March 2009 that delegated authority be given to the Head of Planning and Regeneration Services to refuse planning permission for the following reason:

1. In the absence of a legal agreement or satisfactory undertaking relating to the provision of affordable housing, education contribution, open space provision, servicing and TRO provision, and transportation contributions the proposal is contrary to saved policies HOU4, HOU6, SR4, TRA10 and TRA11 of the adopted City of Norwich Replacement Local Plan.

References

Planning Applications Committee Report and Minutes 25 October 2007.

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Planning Applications Committee

25 October 2007

Section B

Agenda Number:	B3
Section/Area:	Inner
Ward:	Mancroft
Officer:	Mr. Gary Howe
Valid Date:	27 June 2007
Application Number:	07/00755/F
Site Address :	100 - 108 St Benedicts Street Norwich Norfolk NR2 4AB
Proposal:	Redevelopment of site with three to five storey buildings to provide 49 residential units consisting of 10 one-bedroom flats and 39 two-bedroom flats with associated car parking spaces (26 spaces), cycle and refuse storage; redesign of Wellington Green open space and general landscaping works.
And Application Number:	07/00753/C
Proposal:	The demolition of the former Broadland Housing Association offices and 6 flats.
Applicant:	Broadland Housing Association
Agent:	Ingleton Wood

THE SITE

These applications relate to a site on the south side of St Benedicts Street opposite the Barn Road surface car park and including Wellington Green which is a publicly accessible open space on the site of the former St Benedict's Church and churchyard. (The tower of the former church remains and is a grade I listed Building). Wellington Lane passes along the western boundary of the site. The application site is within the City Centre Conservation Area.

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PLANNING HISTORY

The present St Benedicts and Wellington Green housing scheme was constructed in the late 1960's (*amended at Committee on 25 October 2007 to Mid 1970's*) and stretches from St Benedicts Street to the north and to Pottergate in the south. It also encompasses Ten Bell Court up to Ten Bell Lane to the east. The block which fronts St Benedicts Street (100 St Benedicts) was originally built as maisonettes with shops at ground floor level. Planning permission was granted to convert this block to offices in the mid 1880's (*amended at Committee on 25 October 2007 to 1980's*). In 1995 planning permission was granted to include the adjoining former bank into the overall site by creating a single-storey link extension.

Earlier this year two similar application to those now being considered were withdrawn.

THE PROPOSAL

These proposals involve the following:-

- Demolition of existing office accommodation (including former bank site);
- Erection of three to five storey buildings to provide 49 residential units (consisting of 10 one-bedroom flats and 39 two-bedroom flats);
- Associated covered car parking spaces (26 spaces);
- Cycle and refuse storage;
- Raised amenity area at rear of site;
- Redesign of Wellington Green open space and general landscaping works.

CONSULTATIONS

Advertised in press, on site and adjacent occupiers informed: Three letters of objection on the following grounds:-

- Concern that traffic generated by the new flats will 'rat run' along Wellington Lane to avoid using Grapes Hill;
- Consider that the building proposed to be demolished, which was designed by local architect, Edward Skipper, should be retained and re-used.

Norfolk Landscape Archaeology: Should the proposal be accepted request conditions requiring an archaeological evaluation and the implementation of archaeological mitigation work

English Heritage: No Objections.

Norwich Society: Consider the proposed façade on St Benedict's Street is overwrought with at least nine different materials; scheme starts by aping nearby buildings, moves onto more modern versions of the same before ending in a completely unrelated in style or scale 'gateway' building on the corner of Grapes Hill, and is an eyesore.

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County Council Obligations: The County Council has identified a need for contributions towards education based on a shortfall of places at Bignold Primary School. The calculation is based on 50% contributions (for flats) and only relates to the 39 x two bed flats. On this basis a commuted sum of £53,885 would be required.

PLANNING CONSIDERATIONS

Relevant Local Plan Policies:

HOU2 – Mix of uses on City Centre Sites.
HOU13 – Criteria for residential development on unallocated sites.
HOU14 – Redevelopment of commercial buildings in a residential area
HOU18 – Development of new HMOs (+ SPD now adopted)
HBE3 – Archaeological investigation in AMAI
HBE8 – Conservation Area development
HBE12 – High quality of design
HBE13 – High buildings and corridors of vision
HBE14 – Gateways to the City
EP18 – Energy Efficiency
EP20 – Sustainable use of materials
EP22 – General residential amenity
SR4 – Open space provision (and SPD)
SR7 – Playspace provision (and SPD)
CC4 – Barn Road Car Park allocation

Introduction

These proposals have been formulated by a subsidiary (St Benedict's Homes Ltd) of Broadland Housing Association with a view to providing a mixed tenure scheme in partnership with BHA. The aim is to deliver additional affordable housing, cross subsidised from open market sales. In this way the company will provide the capability of creating surplus monies which will be reinvested into housing. As part of the evaluation of the existing site the applicants have identified that the only viable development option is to demolish the existing building as it is not readily adaptable or compliant with current standards.

Land Use/Policy

Housing/Affordable Housing

In terms of land use the proposals are largely consistent with policy HOU2 of the replacement local plan in that they seeks to add further housing development into the City Centre. However the policy seeks this within a mix of uses, an element which is missing in this scheme. The applicants do not consider that a commercial use on the ground floor of the St Benedicts Street frontage would be appropriate. They justify this view by pointing to the strong local need for housing near to local services and amenities within the city Centre; the fact that the area is already well served with mixed uses in the locality and that the adjacent site (Barn Road Car Park) is designated in the local plan to include small-scale retail, office, leisure together with housing. Given that the present

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scheme was originally designed totally for housing you may consider that in this instance this is acceptable.

The applicants propose to provide the equivalent of 21 affordable units out of a total of 49 residential units (representing 43% affordable). This is above the normal 30% guidelines suggested in the Council's Affordable Housing SPG. The applicants however consider that there is a need to create a more diverse social mix of properties within the area, which currently is predominantly made up of rented accommodation. Housing Development support this view and consider that this would offer local people the opportunity to enter into the owner occupier market at a level which they can afford in an area where this is scarce. The applicants therefore propose to do this by providing 15 shared ownership properties on site and offering a commuted sum equivalent to 6 rented properties to be provided elsewhere in the City Centre. It is felt that this solution would not prejudice the Council's affordable housing policy (HOU4), which would normally expect a greater level of rented accommodation (80% rented to 20% shared ownership) but would show flexibility given the particular circumstances in the locality. The affordable housing aspects of the proposal would need to be the subject of a voluntary Section 106 Agreement.

Density/amenity

With 49 residential units proposed to be constructed on a relatively small footprint, some concerns have been raised about the high density that would prevail. However there is an existing large public space adjoining the site at the rear (St Benedicts Church/Wellington Green) which is in the applicant's ownership and which is used as a general public walkway area. It serves the wider residential properties in the applicant's residential portfolio but it could satisfy the requirements of open space policy SR4 of the replacement local plan if it were dedicated for public use. This would need to be set out in a Section 106 Agreement.

The other aspect concerning density relates to the relatively small amount of general amenity space, within the site for the residents. The applicants have attempted to mitigate this by amended the layout to include a further area at the rear of the site, which can be accessed by the residents.

Energy efficiency

The applicants have submitted an Energy Efficiency Statement in accordance with the requirements of policy EP18. It assesses the scheme as Eco Homes Very Good. The applicants have also indicated their willingness to re-use the material associated with the existing development either for repairs to the rest of their property which also has these unusual sized bricks or for salvage and re-sale elsewhere.

Conservation/Design/Height/Archaeology

Existing Buildings

Although the Edward Skipper scheme as a whole does have some merit, it is considered that the range facing onto St Benedicts Street appears incongruous within the context of

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the existing street frontage. The former bank building has no particular architectural or historic value, although the metal artwork on the east elevation should be preserved and re-used. The applicants have agreed to its preservation and re-use in a location to be agreed.

Scale, Massing/Design, Height

It is considered that the general design approach, including the scale, massing, size and bulk is acceptable. Although the building appears to be a mixture of styles and materials it is felt that this is in keeping with the overall character of St Benedicts Street and therefore appropriate to its context. Considerable effort has been taken to affect a transition within the length of the frontage from the more traditional feel of pitched roof gables at 94 St. Benedicts Street to the contemporary design of the modest 'tower' at this gateway to the City. In this regard it is felt that the proposals are consistent with policies HBE8, HBE12 and HBE14 of the Replacement Local Plan. There will however be a need for conditions to cover materials, window joinery, shopfronts and eaves, dormer and balcony details.

Transportation/Parking

The proposals provide for a new vehicle access/egress off St Benedicts Street (St Benedicts Street is one way out of the City at this point) to a ground floor covered and secure car park for residents, which is set behind the five flats (three are wheelchair standard) which front the street. It leads to 26 car parking spaces for the 49 flats. The ratio of car parking spaces to flats is below the maximum standard suggested in policy TRA6 but is welcomed in this near City Centre location as it represents a move towards the aims of TRA9 which seeks car free housing in suitable locations. Covered and secure cycle storage is also provided at this level in accordance with the guidelines suggested in policy TRA7. Details of the racking system to be used will need to be agreed by condition.

Refuse storage is provided near the vehicle/pedestrian entrance where it can be easily serviced but there will be a need to provide a loading bay on the highway for refuse vehicles to wait. This will need to be secured via a Section 106 Agreement and will need to include funding under policy TRA10 to provide the required alterations to the existing TRO. (A Section 278 Agreement under the Highways Act will also be required).

The development will attract a contribution towards transportation improvements in the wider area and this will need to be included in the Section 106 Agreement.

Landscaping/Trees/Routes

As part of the wider scheme, the applicants intend to demolish the redundant public toilet block fronting Grapes Hill, which will improve the appearance of this part of the City Centre Conservation Area. They also wish to re-plan the existing Wellington Green public walkway area and focus the design on the historic 'Listed' church tower. This will involve removing fourteen of the existing trees, either because they are within the footprint of the new building or poorly located in relation to existing buildings. All of the trees to be removed are of moderate or low amenity value and will be replaced by trees with a more diverse species range and of equivalent biomass. The exact replacement

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species will need to be agreed as part of the landscape proposals (which is conditioned). The principle trees on the site (five mature Limes and a Tree of Heaven) situated on or near the St Benedicts frontage will remain and their roots will need to be protected by condition. The scheme will include other planting and new paths which will need to take account of the tree root protection zone.

The general amenity area for residents within the built footprint has been amended and extended down into part of the former churchyard space which is at a lower level. This is considered to be acceptable but greater detail of its treatment will be needed and this will need to be conditioned.

Conclusion

Although there are some aspects of the scheme which do not exactly meet local plan policies it is generally considered that this development satisfies government objectives as set out in PPS1, 'Delivering Sustainable Development'. These seek to 'promote high quality and safe development', create 'inclusive communities' and also 'reduce the need to travel' and 'promote the more efficient use of land through higher densities'.

RECOMMENDATIONS

App. No. 07/00755/F

ACCEPT the proposals in principle and DEFER and DELEGATE the decision to the Strategic Director Regeneration and Development subject to:-

a) A Section 106 Agreement to include the following issues:-

- Public Use over Wellington Green
- Affordable units (15 shared ownership units on site)
- Affordable Housing Commuted sum £240,000
- Provision of Loading Bay in highway for refuse collection and any changes to the TRO
- Contributions towards Transportation Improvements (£13,825)
- Contributions towards Education (£53,885)

b) Conditions as follows:-

1. Commencement of development within 3 years;
2. Submission of samples of materials;
3. Details of boundary walls, fences;
4. Prior approval of further details:-
 - a) window and door joinery, roof windows;
 - b) shopfront treatment fronting St Benedicts Street;
 - c) balcony, eaves and dormers;
 - d) water drainage goods;
 - e) railings and gates to the car park;

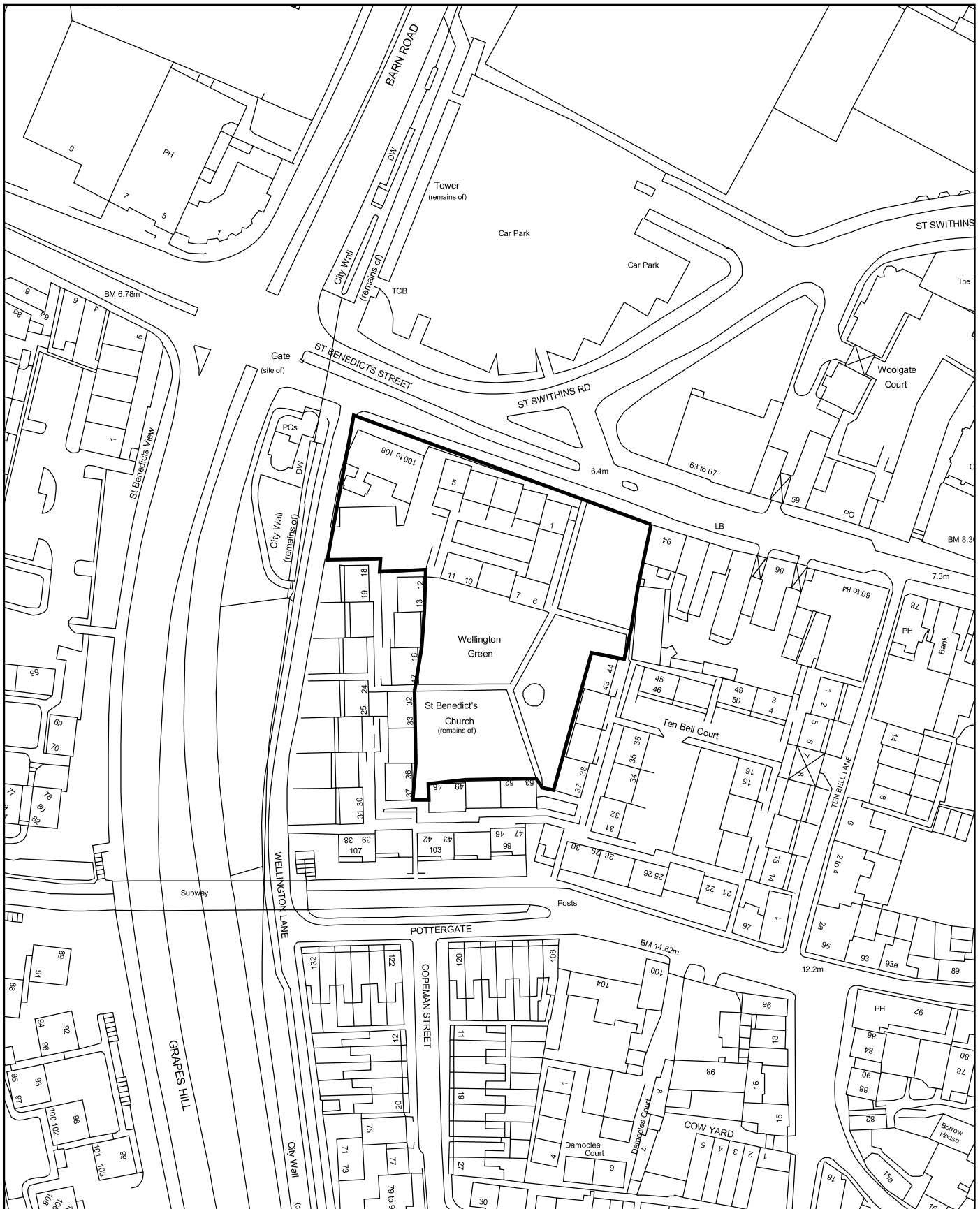
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- f) external steps and ramps.
- 5. Use of car parking by residents only;
- 6. Details of landscaping (including Wellington Green and the associated general amenity areas);
- 7. Maintenance of landscaping;
- 8. Tree Protection;
- 9. Predevelopment site meeting the Council's Tree Protection Officer;
- 10. Archaeological Evaluation;
- 11. Archaeological Excavation;
- 12. Re-use of materials on site;
- 13. Plant and Machinery;
- 14. Fume and Flue outlet points;
- 15. Cycle and refuse stores to be available upon first occupation.

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GRANT Conservation Area Consent subject to the following conditions:

- 1. Commencement within 3 years;
- 2. Bona-fide Contractual arrangements
- 3. Salvage and re-use of materials;
- 4. Reclaim artwork on former bank.



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Planning Application No- 07/00755/F and 07/00753/C
 Site Address - 100 St. Benedicts Street
 Scale - 1:1250



NORWICH
 City Council

Directorate of Development

