

## Planning Applications Committee

12 March 2009

<b>Agenda Number:</b>	<b>B6</b>
<b>Section/Area:</b>	INNER
<b>Ward:</b>	MANCROFT
<b>Officer:</b>	Mark Brown
<b>Valid Date:</b>	21 May 2008
<b>Application Number:</b>	08/00523/F
<b>Site Address:</b>	13 - 25 London Street Norwich NR2 1JE
<b>Proposal:</b>	Re-division of existing retail space at basement, ground and first floors. Change of use of second floor to residential (10 No.flats) Construction of additional space at third floor level to provide an addition 10 No.flats. Removal of existing elevations and replacement with new.
<b>Applicant:</b>	<b>HSBC Bank Pension Trust (UK) Ltd</b>
<b>Agent:</b>	<b>Comprehensive Design Architects</b>

### Background

Members will recall that this application was taken to Committee on 11 September 2008 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 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 delegated powers to refuse planning permission should the Agreement remain unsigned on 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 children's play provision and transportation contributions the proposal is contrary to saved policies HOU6, SR7 and TRA11 of the adopted City of Norwich Replacement Local Plan.

## **Appendices**

Planning Applications Committee Report and Minutes 11 September 2008.

## Appended Report

Planning Applications Committee

11 September 2008

<b>Agenda Number:</b>	<b>B4</b>
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### THE SITE

The site is located on London Street between Little London Street and Swan Lane. The site is currently occupied by a number of retail units at basement, ground and first floor level which front onto London Street (currently occupied by, amongst others, Habitat and Pilch Jarrolds Sports). The retail frontages along London Street are set back behind a colonnade, which is adopted highway, although the land both above and basement below are not in public ownership. A service yard is located at the corner of Bedford Street and Little London Street. The second floor consists of retail storage above which is a flat roof which is

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concealed by a fake mansard roof acting as a parapet. The building occupies the full eastern frontage of Little London Street which is currently extremely inactive.

The site is located within the primary retail area in the heart of the city and within the City Centre Conservation Area.

### **PLANNING HISTORY**

There is no relevant recent site history. The building currently occupying the site was constructed in the 1980's as a replacement for a department store building which was destroyed by fire.

### **THE PROPOSAL**

The proposal is to reorganise the retail floorspace at basement, ground and first floors. Two larger retail units are identified although it may be possible to reorganise the space into more or less units without the need for further consent, indeed this internal reorganisation in itself would not require planning permission. The proposals also involve the re-cladding of the whole of the building, including the insertion of a number of new window openings. The internal structure of the building is retained.

At second floor ten residential flats are proposed with a landscaped roof area behind to the north. A further ten flats are proposed above this at the level of the existing mansard roof, whilst the mansard roof is removed and a new flat roof proposed the overall height is no higher than existing. Separate accesses are proposed to the residential from both Little London Street and the corner of London Street and Swan Lane. Bin and Cycle Stores are provided at ground floor on Little London Street. 80 sq.m of solar thermal panels are proposed on the roof in order to provide 10% of the residential energy by renewable sources in line with policy ENG1 of the East of England Plan.

This proposal being considered have been substantially amended from that originally submitted, in particular the following changes have been made which are considered to enhance the scheme:

- Originally the proposal was to infill the colonnade on London Street, this element has now been removed and the colonnade is retained as existing;
- More retail frontage and windows have been introduced onto Little London Street elevation;
- A significant reduction in the size of the service opening on Bedford Street;
- Increased cycle and refuse storage.

### **CONSULTATIONS**

The consultation responses below are in relation to the original proposals which have been amended as detailed above. Re-consultation has been undertaken

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on the amended proposals; however at the time of writing this report no responses had been received.

### **Neighbors**

Advertised in the press, on site and adjacent occupiers notified – no responses received

### **Central Norwich Citizens Forum:**

Make the following comments (summarised):

- Concerned that the effect on the quality of life in our City has been considered;
- Concerns over demolition and construction impact on surrounding lanes and impact on retail operations;
- A sensitive design would introduce 'boutique' shop fronts to Little London Street;
- Concerns over the aesthetical impacts of the proposal and that it would be out of character in form and materials;
- The proposal would be out of scale through the loss of the colonnade and introduction of brick columns with glass or reflective infill;
- Concerned over the loss of the colonnade;
- Although in principle support the idea of twenty new apartments above the retail they still have the above concerns.

### **The Norwich Society:**

The arrival of this scheme caused surprise as the current 'Habitat' building is now an accepted and liked part of the diverse London Street mix. It is 1970's and of its kind interesting and individual, which the replacement proposal is not. This is an extremely important central city site and changing the elevations here needs the utmost care and understanding of context and history. It was not thought that the current proposals achieved either. While the elevation to Little London Street is an improvement, this would not be difficult to achieve as the present one is the epitome of dire. The proposed increase in height was not welcomed in this central site, and the loss of the colonnade, humane useful architectural, to be regretted. The overall design was considered run of the mill commercial architecture, in no way good enough for London Street, and if adopted would be a retrogressive step. Should the present 1970's buildings be listed? The new proposals certainly need to be rethought.

## **PLANNING CONSIDERATIONS**

### **Relevant National Planning Policy**

PPS1 – Delivering Sustainable Development

PPS3 – Housing

PPS6 – Planning for Town Centres

PPG15 – Planning and the Historic Environment

### **Relevant East of England Plan Policies:**

ENV7: Quality in the built environment

ENG1: Carbon dioxide emissions and energy performance

### **Relevant Local Plan Policies:**

Adopted City of Norwich Replacement Local Plan Saved Policies:

SHO7 – Smaller scale expansion of existing retail units

SHO9 – Development contribution to enhancement of public facilities in the vicinity

HBE3 – Archaeological assessment in Area of Main Archaeological Interest

HBE8 – Development in Conservation Areas

HBE12 – High quality of design

HBE15 – Visual quality of urban open spaces

EP18 – High standard of energy efficiency for new development

EP22 – High standard of amenity for residential occupiers

HOU6 – Contribution to community needs and facilities by housing developers

HOU15 – Conversion of vacant or underused parts of buildings

TRA7 – Cycle parking standard

TRA8 – Servicing provision

TRA9 – Car free housing – criteria

TRA11 – Contributions for transport improvements in wider area

TRA24 – City Centre Strategy

### **Supplementary Planning Documents:**

Open Space and Play Provision Adopted - June 2006

Transport Contributions from Development Draft for consultation January 2006

Energy Efficiency and Renewable Energy Adopted - December 2006

Norwich City Centre Conservation Area Appraisal September 2007

### *Principle*

As detailed above, the internal reorganisation of the retail space does not in itself require consent. Matters of design are discussed below.

In considering the principle of the residential elements saved policy HOU15 applies, this allows for the conversion of underused parts of buildings. In this case the proposals seek to provide residential accommodation in areas at upper floors which are currently underused and would not, due to being upper floors, provide quality retail areas.

Such a mix of uses is encouraged by both PPS1 and PPS3. The site is in a central location with excellent public transport facilities, the proposals are car free, which is appropriate in this area, in addition sufficient cycle parking is provided as are bins stores.

### *Design*

The site is located at a key node within the city centre with a number of important positive vistas leading around and away from the building. These vistas are identified within the City Centre Conservation Area Appraisal as is the negative vista of Little London Street.

By virtue of the number of vistas towards the building particularly the view north along Castle Street the building is in a landmark location and is a well known building in the City Centre. At ground floor level the design of the existing building contributes positively to these views via the sweeping curve of the front elevation and glimpses of London Street gained via looking through the colonnade. Both of these characteristics of the present design are retained in the current proposals.

The existing mass accompanied by the blank facades at ground floor level on Little London Street and above ground floor level on London Street assist its prominence at this location. However, these blank facades also result in a building which appears particularly bulky within the streetscape, presenting a largely inactive street frontage and therefore not interacting well with the public spaces it faces. The uses and activities behind the façade above ground floor level remain hidden. The proposals open up the elevations to the street and present a more active frontage to the public space. A number of new openings have also been introduced to Little London Street elevation at ground floor and it is considered that this would enhance what is currently a poor pedestrian area. It is recommended that a condition be appended to any permission to ensure that the glazing is kept transparent and free of any obstruction, which would prevent views into the retail units or shop front displays from the street.

In terms of the articulation of the design it is considered that the brick columns introduce a verticality to the building which is consistent with the character of the surrounding area. The white brick is also a characteristic of many City Centre buildings, although exact details of all materials will need to be conditioned.

The Bedford Street elevation is also being amended by removal of the mansard style elevation and introduction of new flat trespa cladding. This elevation will no longer protrude past the face of adjacent properties on Bedford Street and is considered to be an improvement over the existing situation on the site.

On the basis of the above it is considered that the proposals would enhance this part of the City Centre Conservation Area and substantially improve the buildings relationship with the surrounding public realm.

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### *Residential Amenity*

In terms of external amenity space, a rooftop landscaped area is provided at second floor level and in addition many of the units benefit from balcony space. Given the size of the units proposed, it is considered that this provides a satisfactory level of amenity. It is not considered that the proposals would have a significant detrimental impact on any adjoining occupiers.

### *Energy Efficiency*

The proposals involve the reuse of an existing building and utilise currently underused parts of the building. The site is located in the City Centre and therefore has excellent links via non-car based modes of transport and excellent access to the facilities of the City Centre.

In terms of renewable energy the proposals include 80sq m of solar thermal panels on the roof to provide 10% of the energy to the new residential units. In addition the following techniques have been employed to improve energy efficiency:

- The majority of the flats are orientated to the south or west and are designed to benefit from solar gain;
- Rainwater harvesting is to be employed to irrigate the landscaped area at second floor;
- A commitment to locally sourced materials;
- Introduction of natural light to the retail at first floor.

### *Planning Obligations*

The proposals trigger the following requirements which would need to be secured via a S106 agreement:

- Contributions to the City Centre Transport Plan as required by saved policy TRA11 and the SPD on transport contributions;
- Contributions towards child play space as required by saved policy SR7 and the Open Space and Play Provision SPD.

### *Summary*

The proposals are considered to improve the retail units within the building, whilst introducing new residential units on upper floors, such a mix of uses is in line with policy guidance within PPS3 and PPS6. It is also considered that the proposals would enhance this part of the City Centre Conservation Area and substantially improve the buildings relationship with the surrounding public realm.

## **RECOMMENDATIONS**



## Appended Report

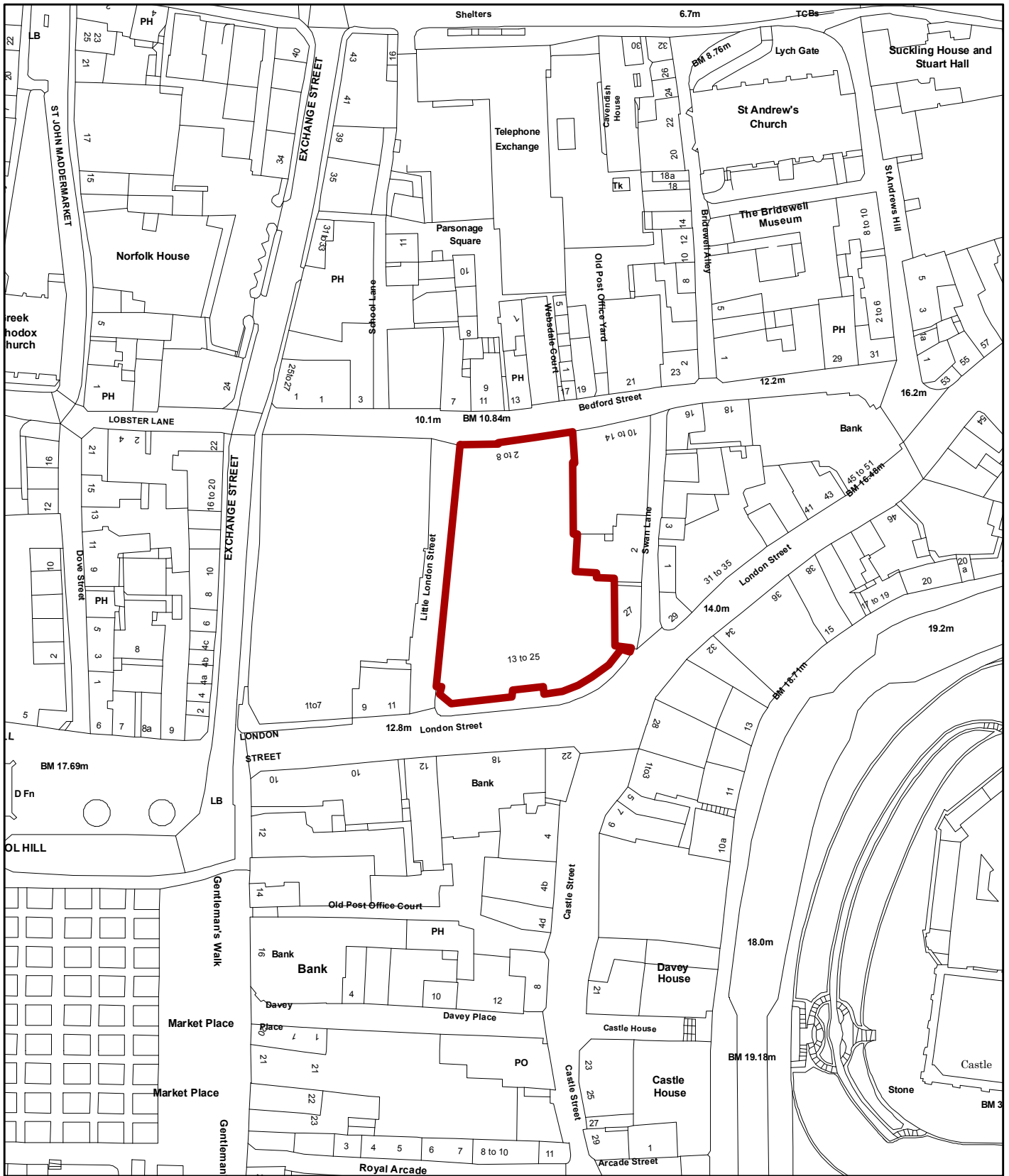
Approve subject to the signing of a S106 agreement to include transport contributions and play space contributions and subject to the following conditions:

1. Standard time limit;
2. Cycle and Bin Stores to be provided prior to first occupation of any residential unit;
3. Glazing to the retail units is to be kept transparent and free of any obstruction which would prevent views into the retail units floorspace or shop front display;
4. The following details to be submitted:
  - Scale sections of windows, including details of color/s of powder coating;
  - Scale sections of Doors, including details of color/s of powder coating;
  - Loading Bay Door;
  - Trespa Cladding Colors;
  - Bricks samples;
5. Landscaping details for the landscaped flat roof at second floor. Landscaping to be carried out within 6 months of the first occupation of any residential unit.
6. Details of any screening or fencing around the landscaped areas and retail tenants plant zone;
7. Full details of all plant or machinery to be submitted;
8. Exact details and scaled drawings of the solar thermal panels. Panels to be provide prior to first occupation of any residential unit.

### Reason for Recommendation

The recommendation has been made with regard to policies ENV7 and ENG1 of the adopted East of England Plan Regional Spatial Strategy, saved policies SHO7, SHO9, HBE3, HBE8, HBE12, HBE15, EP18, EP22, HOU6, HOU15, TRA7, TRA8, TRA11 and TRA24 of the adopted City of Norwich Replacement Local Plan, PPS1, PPS3, PPS6, PPG15 and all other material planning considerations.

The proposals are considered to improve the retail units within the building, whilst introducing new residential units on upper floors, such a mix of uses is in line with policy guidance within PPS3 and PPS6. It is also considered that the proposals would enhance this part of the City Centre Conservation Area and substantially improve the buildings relationship with the surrounding public realm.



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Planning Application No - 08/00523/F  
 Site Address - 13 - 25 London Street  
 Scale - 1:1250



**NORWICH**  
 City Council

**DIRECTORATE OF REGENERATION  
 AND DEVELOPMENT**

