

Report for Resolution

Report to Planning Applications Committee
Date 23 August 2012
Report of Head of Planning Services
Subject 10/01107/RM Land known as Riverside Heights, Geoffrey Watling Way (Norwich City Football Club), Carrow Road, Norwich, NR1 1JE

Item
5(9)

SUMMARY

Description:	Variations to the terms of the required Section 106 Agreement forming part of the planning permission 10/01107/RM: 'Reserved Matters for the access, appearance, landscaping, layout and scale of the revised design of the second phase of the residential development (174 residential units) for outline planning permission (App. No. 4/2002/1281/O) 'Replacement of South Stand (8000 seats), new corner stand (1500 seats), hotel, decked car park and residential development with associated highway works'. - Revisions to terms of proposed Section 106 Agreement, revised siting of the buildings, revised designs of proposed residential apartment blocks, and inclusion of materials and further details to satisfy the terms of conditions proposed within former committee resolution of 14th October 2010.	
Reason for consideration at Committee:	S106 Agreement Obligation Requirements – minor changes to terms of phased construction programme in relation to affordable housing provision.	
Recommendation:	Approve	
Ward:	Thorpe Hamlet	
Contact Officer:	Rob Parkinson	Senior Planning Officer 01603 212765
Valid Date:	3rd August 2010	
Applicant:	Mr Mark Edmonds	
Agent:	Mr Richard Abbott	

INTRODUCTION

The Site and its Proposals

1. The site is the land under development known as NR1 Riverside Heights east of the two blocks of apartments at Geoffrey Watling Way / Carrow Road, at the area south of the football club. The proposals for residential development were first considered by the planning applications committee on 14th October 2010, with an

update on 21st December 2010, and again on 17th May 2012 as a result of changes in layout, building form and to enable changes to the terms of affordable housing delivery.

2. The quantity and tenure of affordable housing to be provided on site remains as per the Committee's approved Affordable Housing option of 17th May, namely 54 apartments at Affordable Rent tenure, all of which will be provided in a single Block, which is to be the second constructed in the building programme.
3. The terms of the affordable housing requirements can be referred to again at paragraphs 30-38 of the May 2012 report, available at:
<http://www.norwich.gov.uk/CommitteeMeetings/Pages/CouncilMeetingsFor2012.aspx#May%202012>.
4. Committee approved, as part of their resolution, a build programme within the "Affordable Housing Preferred Option" comprising the following (para 37):

(37) "In terms of a timescale for delivery, the applicant has agreed that Block 1 can be built alongside the works currently ongoing....As such, the timescales proposed within the S106 are:

- No commencement of any groundworks or parts of the construction of Blocks 2, 3 or 4 until Block 1 has been built and transferred to the RP;
- No occupation of more than Block 5 and 50% of (or 12 units within) Block 6 [the blocks already under construction] until the superstructure (meaning the frame and external envelope) of Block 1 has been built;
- No occupation of any dwellings other than those in Block 5 and 6 until the internal works are complete to the RP's requirement and the block is transferred to the RP."

Amendments

5. Officer request a change to the Committee's previous resolution. Because Block 1 is twice the size of the other blocks, Officers have recognised that the above requirements could lead to a delay in progressing the remainder of the site whilst the interior of Block 1 is finished. In order to give the developers more flexibility, it is felt appropriate to allow the external frame to be constructed at the adjoining Block 2 whilst the interior of Block 1 is finished. However, this will be restricted to the frame only, when a crane is needed, rather than the cladding which is scaffold-applied. The alterations proposed below will also allow groundworks at the same time for Blocks 1 and 2, which seems a common-sense approach.
6. The proposed new terms for construction phasing are as below:
 - Block 1 shall include 54 Affordable Housing Units which shall be provided as Affordable Rented Housing.
 - The Owner [the developer/applicant] shall not Occupy or permit the Occupation of any Dwelling in Blocks 2, 3, 4 or 6 prior to the completion of the frame and external envelope of Block 1.
 - The Owner shall not Occupy or permit the Occupation of any Dwelling in Blocks 2,

3 or 4 or more than 12 units in Block 6 until the Affordable Housing Units have been completed and transferred to a Registered Provider.

- The Owner shall not commence construction of Blocks 3 or 4 until the Affordable Housing Units have been completed and transferred to a Registered Provider.
- The Owner shall not carry out any construction works to Block 2 beyond its groundworks (such as drainage and contamination works) and foundations until the frame of Block 1 has been completed, and thereafter shall not carry out any works beyond the construction of the frame of Block 2 (and shall not include any works to the external envelope of Block 2) until the external envelope and cladding of Block 1 has been completed.

Conclusions

7. As a result, the affordable housing will still be delivered to the same timescale, there will still be no occupation of any units other than Block 5 and 50% of Block 6 before the affordable units are provided, but the site will not be held back from continuing construction whilst Block 1 is finished and prepared for occupation.
8. The applicant has agreed to the terms of a provisional S106 Agreement following on from the Committee resolution of 17th May 2012, using the amended terms described above at paragraph 6. Members are asked to revise their May 17th resolution accordingly.

RECOMMENDATIONS

(1) To amend the decision relating to application 10/01107/RM at Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, as agreed at Planning Applications Committee dated 17th May, 2012 by the terms as specified in paragraph 6 above.

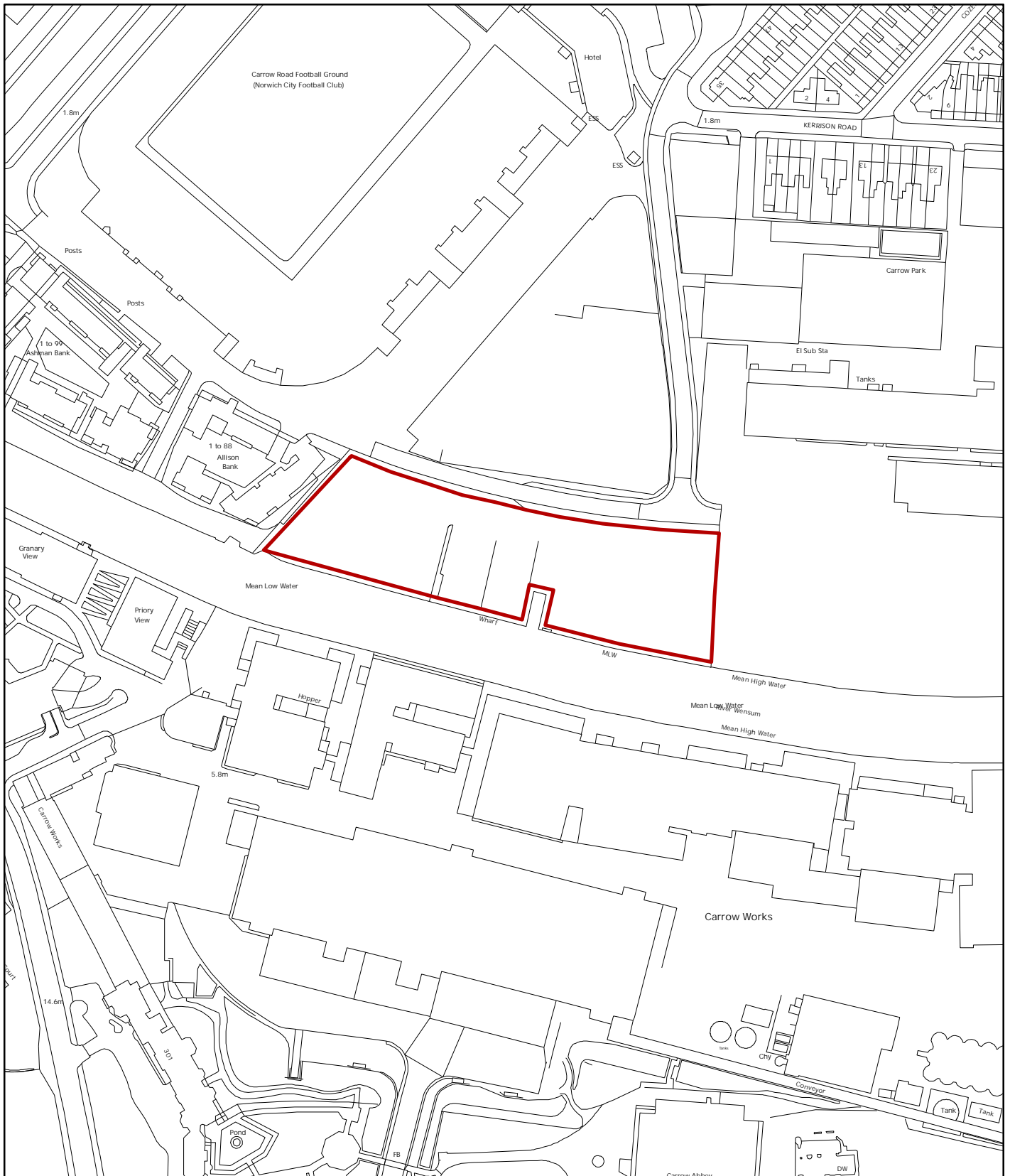
(2) In the event that completion of a satisfactory Section 106 Agreement is not achieved by 30th September 2012, to include affordable housing provision, sustainable transport measures and library contributions as appropriate, to delegate authority to the Head of Planning Services to:

(a) refuse application 10/01107/RM at Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, for the following reason:

In the absence of a satisfactory legal agreement or undertaking relating to the provision of affordable housing, sustainable transport measures and library contributions the proposal is contrary to policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011), and saved policies TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan (November 2004);

And,

(b) to delegate authority to the Head of Planning to commence enforcement action proceedings against the unauthorised construction of the first parts of the development currently underway.



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Planning Application No 10/01107/RM

Site Address Land known as Riverside Heights, Geoffrey Watling Way
(Norwich City football Club) Carrow Road

Scale



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City Council

PLANNING SERVICES

