

Planning Applications Committee
14 May 2009
Section B

Agenda Number:	B1
Section/Area:	INNER
Ward:	Mancroft
Officer:	Mark Brown
Valid Date:	17 April 2009
Application Number:	08/01304/F
Site Address:	Sussex House Sussex Street Norwich NR3 3DE
Proposal:	Demolition of all existing structures on site (except boundary walls and fences), erection of 20 houses and flats with associated vehicle access, car parking and amenity area.
Applicant:	AVIVA Investors Global Services Ltd
Agent:	Chaplin Farrant Ltd

BACKGROUND

Members may recall that this application came before the Committee on 19 February 2009. At this meeting members resolved to approve the application subject to conditions and a S106 being signed by 15 April 2009. The committee report and minutes for this meeting are attached at appendix A and B respectively.

Following this resolution, land ownership information was supplied for the S106 agreement and this did not match the red line plan submitted with the application and, as such, the application was invalid. A revised red line plan was submitted which excludes a small piece of land at the access to Sussex House. No development was or is proposed within the area now excluded from the red line and therefore this has had no impact on the development proposed. The

application has now been revalidated and the application process has started again.

The changes are procedural and do not have an implication on the development proposed or indeed the assessment as outlined in the committee report of 19 February 2009. However, as the application process has started again it is necessary to bring the application back to committee for determination.

CONCLUSION

The correction of the red line plan is a procedural matter and has not changed the development proposed or the assessment of the application. There has been no material change in policy since February. As such the recommendation is as per the recommendation to committee on 19 February with the relevant changes to the expiry date by which the S106 would need to be completed.

RECOMMENDATIONS

- (1) Approve planning permission subject to the completion of a satisfactory Section 106 Agreement by 17 July 2009 to include the provision of contributions to child play space, transportation contributions, ensuring public access and maintenance of communal areas and subject to the following conditions:
 1. Standard time limit
 2. Samples of:
 - a) bricks
 - b) mortar
 - c) roof tiles
 - d) timber cladding panels
 - e) render
 - f) metal-clad balcony details
 3. Details in plan form of:
 - a) Windows
 - b) Doors
 - c) Fascia boards and eaves
 - d) Solar panels
 4. Written details of:
 - a) Rainwater goods
 5. Precise details of new opening in wall adjacent to St Martins at Oak Wall Lane to be submitted:
 6. Repairs to Oak Wall to be agreed
 7. Archaeological investigations;
 8. Compliance with the Tree Protection Plan and Arboricultural Method Statement
 9. Hard and soft landscaping scheme, including details of bollards to block pedestrian route through site to vehicles;

10. Replace any trees/plants from the approved landscaping scheme that die within five year period
 11. Details of maintenance of public landscaped areas;
 12. Path provided and retained through site as indicated on site layout plan.
 13. Further land contamination details in the form of a preliminary risk assessment and site investigation scheme.
 14. Details on monitoring, maintenance and any contingency action to be carried out on site for site contamination ;
 15. If further contamination found details to be submitted to the Local Planning Authority and remediation methods to be agreed.
- (2) if a satisfactory Section 106 Agreement is not completed prior to 17 July 2009 that delegated authority be given to the Head of Planning and Regeneration Services to refuse planning permission for the following reason:

In the absence of a legal agreement or undertaking relating to the provision of children's play space and transportation contributions the proposal is contrary to saved policies SR7, TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan, Adopted Version (November 2004).

Reason for recommendation (1):

The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies ENV6, ENV7, ENG1 and WM6 of the adopted East of England Plan (May 2008), saved policies NE9, HBE3, HBE8, HBE9, HBE12, HBE19, EP1, EP16, EP18, EP22, HOU1, HOU6, HOU13, SR7, TRA3, TRA5, TRA6, TRA7, TRA8 and TRA11 of the City of Norwich Replacement Local Plan (November 2004), PPS1, Supplement to PPS1, PPS3, PPG13, PPG15 and PPG16.

Having considered all of the above and other material planning considerations it is considered that subject to the conditions listed and the contents of the S106 agreement that the proposals are an appropriate redevelopment of a Brownfield site in a sustainable manor which would enhance the surrounding Conservation Area. The proposal includes a suitable use and subject to the conditions listed will provide satisfactory amenity space, site layout, car parking and bin storage facilities as well as appropriate renewable energy provision.

Planning Applications Committee

19 February 2009

Section B

Agenda Number:	B3
Section/Area:	INNER
Ward:	Mancroft
Officer:	Jo Negus
Valid Date:	14 January 2009
Application Number:	08/01304/F
Site Address :	Sussex House Sussex Street Norwich NR3 3DE
Proposal:	Demolition of all existing structures on site (except boundary walls and fences), erection of 20 houses and flats with associated vehicle access, car parking and amenity area.
Applicant:	AVIVA Investors Global Services Ltd
Agent:	Chaplin Farrant Ltd

THE SITE

The site for the proposed redevelopment is located to the north of Sussex Street, bounded by St Martins at Oak Wall Lane to the north, the housing development Ebenezer Place to the west and dwellings to the rear of St Augustine's Street to the east. The site can be viewed from Bakers Road across the open space where remnants of the city wall are located. Between Sussex House and Sussex Street are a row of terraced buildings, which form three storey flats. To the south west of the site and adjacent to the access route is the Spread Eagle public house.

The site is located in the City Centre Conservation Area and the Area of Main Archaeological Interest. Listed buildings to the south of the site include numbers

17, 19, 21, 27 and 29 Sussex Street, which are grade II listed buildings and the Spread Eagle public house is a locally listed building. The city wall that forms a Scheduled Ancient Monument is located to the north of the site and there is also a wall of historic interest on the north boundary of the site, running along St Martin's at Oak Wall Lane. There are some trees on the site although these are relatively young trees of low arboricultural interest.

PLANNING HISTORY

The existing building was most likely constructed before 1947 as there are no records of permission to construct the building. Permission was granted however to extend the building in 1958 to add a three storey extension to the building. The use of the building at this time was a shoe factory. The use changed from a factory to offices in 1987, which was its current use until recently when the offices became vacant.

This application is a revised application of the previous application on this site (reference 08/01013/F) that was withdrawn in December 2008. As the site is in a conservation area an application for Conservation Area Consent was made. This was dealt with under delegated powers under application reference 08/01303/C. There is no other relevant planning history on this site to this planning application.

THE PROPOSAL

The proposal entails the redevelopment of the site for residential dwellings, consisting of 11no. two bedroom dwellings, 2no. two bedroom flats over garages and 7no. three bedroom dwellings. The general layout of the dwellings would lead to a communal open space to the north of the site. The dwellings would range between three storey for the three bedroom dwellings and two storey for the two bedroom dwellings and two bedroom flats. A pedestrian link is proposed through the site with a new opening in St Martins at Oak Wall Lane. The entrance for vehicles to the site will be from the south through the current access route. Bin stores are proposed at the entrance of the site and cycle storage for visitors on site. One tree is proposed to be removed to the north west of the site.

CONSULTATIONS

The application has been advertised in the press, on site and neighbours were notified. On letter of representation has been received expressing concerns over:

- The environmental impact in respect of the traffic increase, car parking, impact on the traffic on Oak Street and St Augustine's Street and the increase in the number of flats.
- The sustainability of the area with the increase in housing but no increase in support services.

- The granting of approval for this permission prior to the Secretary of State's investigation into the proposed Northern City Centre Area Action Plan.

Environment Agency:

- No objection subject to conditions

English Heritage:

- No objection in principle to demolition of Sussex House, as it has been identified as making a negative contribution to the Conservation Area.
- The scale, massing and form are considered to be acceptable in the context of the surrounding development and the Conservation Area
- The proposals to alter the brick and flint wall that borders the site and St Martin at Oak Wall Lane can be considered by the Local Planning Authority as the wall is not listed or scheduled.
- Site identified as having archeological interest, which would need to be dealt with in accordance with Planning Policy Guidance 16.

Norfolk Landscape Archaeology:

- No comments further to information received with application. Standard condition to ensure archaeological works completed on site if application approved.

PLANNING CONSIDERATIONS

Relevant National Planning Guidance:

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Statement 1 – Planning and Climate Change – Supplement to PPS1

Planning Policy Statement 3 - Housing

Planning Policy Guidance 15 – Planning and the Historic Environment

Planning Policy Guidance 16 – Archaeology

Relevant East of England Plan Policies:

ENV6 – The Historic Environment

ENV7 – Quality in the Built Environment

ENG1 – Carbon Dioxide Emissions and Energy Performance

WM6 – Waste Management in Development

Relevant Local Plan Policies:

NE9 – Comprehensive landscaping scheme and tree planting

HBE3 – Archaeological Interest in the Area of Main Archaeological Interest

HBE8 – Development in Conservation Areas

HBE9 – Listed buildings and development affecting them

HBE12 – High quality design

HBE19 – Design for safety and security including minimising crime

EP1 – Contaminated land and former landfill sites

EP16 – Water conservation and sustainable drainage systems
EP18 – High standard of energy efficiency for new development
EP22 – High standard of residential amenity
HOU1 – Provision of new housing to meet needs and monitoring
HOU6 – Contribution to community needs and facilities by housing developers
HOU13 – Proposals for new housing
SR7 – Provision of children’s equipped playspace to serve development
TRA3 – Modal shift measures in support of NATS
TRA5 – Approach to design for vehicle movement and special needs
TRA6 - Parking standards maxima
TRA7 – Cycle parking standards
TRA8 – Servicing provision
TRA11 – Contributions for transport improvements in wider area

Relevant Supplementary Planning Documents and other policy documents:

Transport Contributions (Draft for Consultation, January 2006)
Open Space and Play Provision SPD (Adopted Version, June 2006)
City Centre Conservation Area Appraisal (September 2007)
Northern City Centre Area Action Plan – policy OSN3 (Submission report
November 2008)

Introduction

The proposal for this planning application is to demolish the current buildings that form Sussex House and redevelop the site for residential use. The principle of the redevelopment is considered to be acceptable subject to consideration being given to the design, scale and form, bin provision, amenity of future occupiers and neighbours, renewable energy requirements, trees on site, historic wall on site and the S106 agreement. The following sections deal with each consideration.

Principle of redevelopment of site for residential

The principle of redevelopment of this site has also been outlined in the Northern City Centre Area Action Plan. Policy OSN3 that relates to Sussex House on Sussex Street identifies that the site should be redeveloped for smaller scale family housing of no more than 3 storeys. The policy also identifies that St Martin at Oak Wall Lane should be closed to vehicles along the length of the site of Sussex House and that a pedestrian route should be created through the site. The development should also overlook the green space adjacent to Bakers Road and the City Wall. The development proposed in this application is considered to largely follow the principles of development for Sussex House outlined in this emerging policy, with two to three bedroom housing of no more than three storeys in height. The pedestrian access through the site is also provided for with vehicle access from Sussex Street. Whilst this policy is only emerging policy it can still inform planning decisions. The fact the document had not been formally

adopted was raised in a letter of representation, but consideration can still be given towards the policy.

In terms of the local plan policy HOU13 the proposed scheme is considered acceptable in principle, subject to suitable layout, design and vehicle access, above 40 dwellings per hectare in density, provide adequate private amenity space around dwellings, good accessibility of the site to local shops and employment, no detrimental impact on the character of the area, the provision of a range of types and sizes of dwellings and enabling the regeneration of historic or other buildings in the area. The proposals are considered to generally be in accordance with this policy, but as outlined below conditions are recommended to address concerns over parking layout on the site.

The principle for redevelopment as residential is considered to be acceptable it would not result in a detrimental impact on the character or amenity of the surrounding area. A concern was raised in a letter of objection over the increase in the number of flats but this scheme only contains two flats and the remainder are two to three bedroom dwelling houses. This mix of housing is welcomed in the city centre. The surrounding area is primarily residential with some light industrial units to the west on Oak Street. Concerns were also raised in a letter of objection over the lack of new support services in line with the development, but it is considered that the proposed level of development will sufficiently be supported by existing services in this highly accessible location. The development of this site for residential use is therefore considered acceptable in principle, subject to the following considerations below being met.

Design, scale and form

The design approach was discussed at pre-application stage. A contemporary approach was recommended to provide a contrast to the listed buildings along Sussex Street. Initial plans were negotiated to change the elevation treatment to produce the current design which was considered more acceptable. The general layout of the site has remained the same since the first plans although through discussions the applicant's agent has improved the layout. To avoid issues with the quality of the open space through potential parking on the grassed areas it was proposed that the development was rearranged to provide car access to the rear of dwellings 7 to 13. This was not accepted by the applicants due to the impact on the rear private dwellings of these units. Therefore plans have been put forwards with the retention of the access in the central area. The layout of the site follows the principles of overlooking the green space and maximising this space. However the proposed hard surfacing and car parking arrangement lead to concerns that there will be indiscriminate car parking on the site. Parking for residents is currently at a level of one space per dwelling, which is considered to be acceptable in this accessible location in the city centre. Concerns have been raised in a letter of representation on the issue of an increase in traffic but when considering the existing use of the site as offices the increase in car parking on site will be small. The increase in traffic is considered to be able to be

accommodated by the existing road system and unlikely to lead to significant traffic issues. Raised planting beds on the south perimeter of the open space have been indicated on the plans. The plans are now considered acceptable subject to final details of hard and soft landscaping being agreed through conditions.

The general form and massing of the development is considered to be in-keeping with the surrounding development. When viewing the proposed development from the north the residential dwellings step up to the three storey dwellings on the centre of the site.

Bin store and entrance to the site

Bin storage has been provided on site adjacent to the vehicle entrance onto site. The level of provision is acceptable for the size of development and the location is also acceptable.

Amenity/neighbours

The scheme has been designed to have the main living spaces overlooking the open space. As such dwellings 1 to 5 and 7 to 20 reduce the impact on neighbour amenity. Further to this window sizes have been kept to a minimum where adjacent to existing dwellings to prevent a further loss of amenity. The proposed dwellings are therefore not considered to have an adverse impact on the residential amenity of existing occupiers.

Energy Statement

As a requirement under policy ENG1 of the East of England Plan 10% of energy required for the development must be sourced from decentralised, renewable or low-carbon sources where possible. A Sustainability Statement was received indicating that passive solar hot water panels would be used to generate 10% of the required energy demand and the location of the solar panels were indicated on the elevation plans. The exact details of energy efficiency measures have been conditioned to ensure that the required level of renewable energy was generated on site and that there would be no adverse visual impacts.

Trees

One tree is proposed to be removed to the north west of the site. This tree is not considered to be of great enough value to warrant a tree preservation order but replacements are proposed within the site. If the application were being recommended for approval a full landscaping scheme would be required indicating the exact location and species of proposed trees in an Arboricultural Method Statement, with a condition ensuring their maintenance over a five year period. A condition would also have been recommended to ensure compliance with the Tree Protection Plan and Arboricultural Method Statement.

New opening in St Martin at Oak Wall Lane

To enable the pedestrian access proposed across the site a new opening in the brick and flint wall of St Martin at Oak Wall Lane is proposed. Further to a report received on the historic value of the wall the proposed location of the opening is considered to be acceptable, subject to conditions on the works to the wall.

Transport Contributions and Alterations to St Martin at Oak Wall Lane

Through the transport contribution required for this size development under saved policy TRA11 and the Transport Contributions Draft Consultation document a contribution is required through a S106 agreement. This matter of the S106 is discussed further below.

S106

The application triggers a number of items which would need to be secured via a S106 agreement or undertaking as follows:

- A contribution towards children's play space of £29,808
- A transportation contribution of £5,643
- Ensuring the public access through site on the designated footpath
- Ensure the maintenance of the communal open spaces

The funds from the transport contribution are to be used towards a Traffic Regulation Order to close St Martin at Oak Wall Lane to vehicles, but allow pedestrian and cycle access. The closure of the road will be considered under a separate application as this application only provides a contribution towards the works. The technical feasibility of these alterations and the final decision will be considered under a highways application at a later date. The concerns raised by a neighbour over this issue cannot therefore be resolved under this application.

The above contributions would be triggered on the first occupation the dwellings. As the S106 agreement has not been completed the application should be refused on the basis of a lack of such an agreement.

Conclusion

The proposed plans to redevelop Sussex House are considered to be acceptable by virtue of their design, layout, form, resultant residential amenity of future occupiers and neighbouring properties, bin and cycle storage provision, renewable energy provision and the creation of a new opening to allow pedestrian permeability through the site. A joint recommendation is made however for approval if a S106 is completed before the determination date of the application or refusal of the application if it is not in place.

RECOMMENDATIONS

a) Approval of planning permission subject to the completion of a satisfactory Section 106 Agreement by 15 April 2009 to include the provision of contributions to child play space, transportation contributions and maintenance of communal areas and subject to the following conditions:

1. Samples of:
 - a) bricks
 - b) mortar
 - c) roof tiles
 - d) timber cladding panels
 - e) render
 - f) metal-clad balcony details
2. Details in plan form of:
 - a) Windows
 - b) Doors
 - c) Fascia boards and eaves
 - d) Solar panels
3. Written details of:
 - a) Rainwater goods
4. Precise details of new opening in wall adjacent to St Martins at Oak Wall Lane to be submitted:
5. Repairs to Oak Wall to be agreed
6. Archaeological investigations;
7. Compliance with the Tree Protection Plan and Arboricultural Method Statement
8. Hard and soft landscaping scheme, including details of bollards to block pedestrian route through site to vehicles;
9. Replace any trees/plants from the approved landscaping scheme that die within five year period
10. Details of maintenance of public landscaped areas;
11. Path provided and retained through site as indicated on site layout plan.
12. Further land contamination details in the form of a preliminary risk assessment and site investigation scheme.

13. Details on monitoring, maintenance and any contingency action to be carried out on site for site contamination ;

14. If further contamination found details to be submitted to the Local Planning Authority and remediation methods to be agreed.

b) if a satisfactory Section 106 Agreement is not completed prior to 15 April 2009 that delegated authority be given to the Head of Planning and Regeneration Services to refuse planning permission for the following reason:

In the absence of a legal agreement or undertaking relating to the provision of children's play space and transportation contributions the proposal is contrary to saved policies SR7, TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan, Adopted Version (November 2004).

Reason for recommendation a):

The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies ENV6, ENV7, ENG1 and WM6 of the adopted East of England Plan (May 2008), saved policies NE9, HBE3, HBE8, HBE9, HBE12, HBE19, EP1, EP16, EP18, EP22, HOU1, HOU6, HOU13, SR7, TRA3, TRA5, TRA6, TRA7, TRA8 and TRA11 of the City of Norwich Replacement Local Plan (November 2004), PPS1, Supplement to PPS1, PPS3, PPG13, PPG15 and PPG16.

Having considered all of the above and other material planning considerations it is considered that subject to the conditions listed and the contents of the S106 agreement that the proposals are an appropriate redevelopment of a brownfield site in a sustainable manor which would enhance the surrounding Conservation Area. The proposal includes a suitable use and subject to the conditions listed will provide satisfactory amenity space, site layout, car parking and bin storage facilities as well as appropriate renewable energy provision.

MINUTES

PLANNING APPLICATIONS COMMITTEE

10.00 a.m. – 12.50 p.m.

19 February 2009

Present: Councillors Bradford (Chair), Llewellyn (Vice-Chair), Collishaw (until part way through items 7 and 8 due to other Council business), Driver, Lay, Little, Lubbock and Stephenson
Apologies: Councillors Banham, Bearman and George

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4. APPLICATION NO 08/01304/F – SUSSEX HOUSE

The Planner (Development) presented the report with the aid of slides and plans and answered questions. Members were advised that of the following amendments to the recommendations; in order to ensure the right of way through the site 'ensuring public access' should be added to the requirements for the Section 106 agreement and the first condition should be 'standard time limit' for commencement of works.

Councillor Collishaw said that she was disappointed that a former employment area in the city was being lost to housing.

RESOLVED, with 7 (Councillors Bradford, Llewellyn, Driver, Lay, Little, Lubbock and Stephenson) and 1 member abstaining (Councillor Collishaw) to approve Application No 08/01304/F – Sussex House and grant planning permission subject to:-

- (1) the completion of a satisfactory Section 106 Agreement by 15 April 2009 to include the provision of contributions to child play space, transportation contributions, ensuring public access and maintenance of communal areas:
- (2) the following conditions:-
 1. Standard time limit
 2. Samples of:
 - a) bricks
 - b) mortar
 - c) roof tiles
 - d) timber cladding panels
 - e) render
 - f) metal-clad balcony details
 3. Details in plan form of:
 - a) Windows
 - b) Doors
 - c) Fascia boards and eaves
 - d) Solar panels
 4. Written details of:

Extract of minutes for application 08/01304/F from 19 February 2009

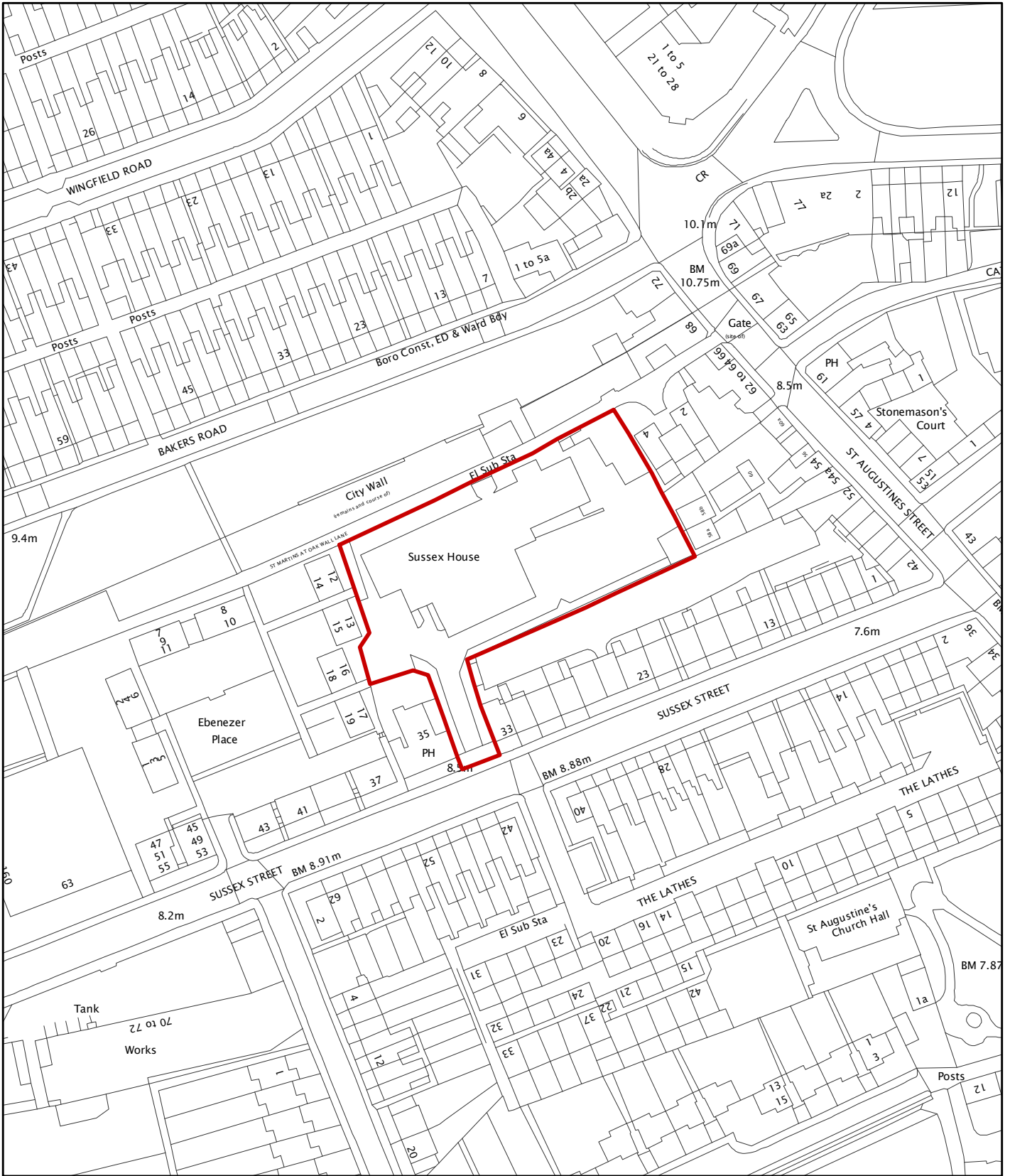
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14. Details on monitoring, maintenance and any contingency action to be carried out on site for site contamination ;
15. If further contamination found details to be submitted to the Local Planning Authority and remediation methods to be agreed.

(Reasons for approval: The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies ENV6, ENV7, ENG1 and WM6 of the adopted East of England Plan (May 2008), saved policies NE9, HBE3, HBE8, HBE9, HBE12, HBE19, EP1, EP16, EP18, EP22, HOU1, HOU6, HOU13, SR7, TRA3, TRA5, TRA6, TRA7, TRA8 and TRA11 of the City of Norwich Replacement Local Plan (November 2004), PPS1, Supplement to PPS1, PPS3, PPG13, PPG15 and PPG16.

Having considered all of the above and other material planning considerations it is considered that subject to the conditions listed and the contents of the S106 agreement that the proposals are an appropriate redevelopment of a Brownfield site in a sustainable manor which would enhance the surrounding Conservation Area. The proposal includes a suitable use and subject to the conditions listed will provide satisfactory amenity space, site layout, car parking and bin storage facilities as well as appropriate renewable energy provision.)

- (3) delegate authority to the Head of Planning and Regeneration Services if a satisfactory Section 106 Agreement is not completed prior to 15 April 2009, to refuse planning permission for the following reason:

In the absence of a legal agreement or undertaking relating to the provision of children's play space and transportation contributions the proposal is contrary to saved policies SR7, TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan, Adopted Version (November 2004).



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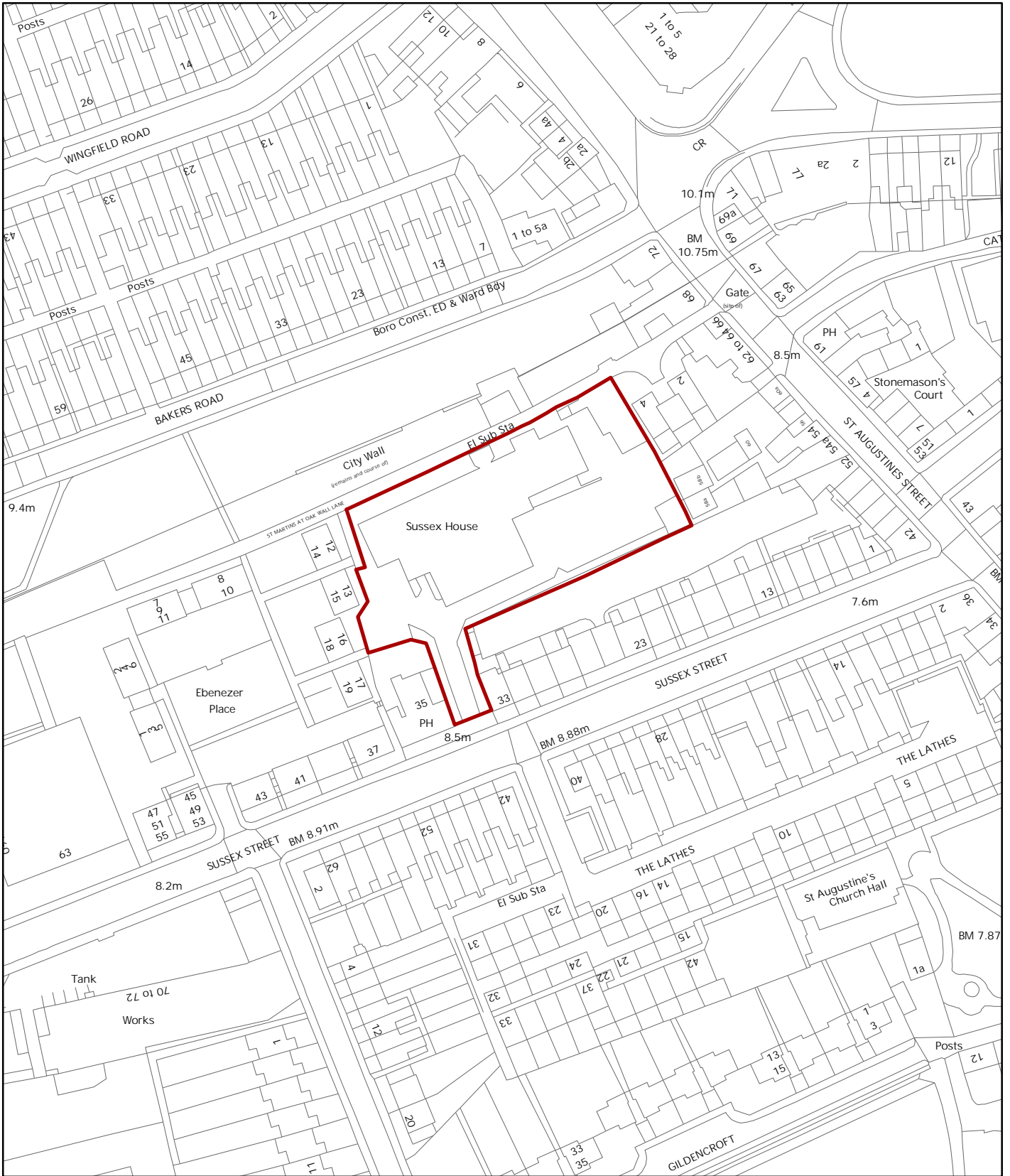
Planning Application No- 08/01303/C and 08/01304/F
 Site Address - Sussex House, Sussex Street, Norwich
 Scale - 1:1250



NORWICH
 City Council

DIRECTORATE OF REGENERATION
 AND DEVELOPMENT





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Planning Application No- 08/01304/F
 Site Address - Sussex House, Sussex Street
 Scale - 1:1,250



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