

## Report for Resolution

**Report to** Planning Applications Committee  
**Date** 01 March 2012  
**Report of** Head of Planning Services  
**Subject** 11/02236/F Land Adjacent To Novi Sad Bridge Wherry Road Norwich

Item  
**5(3)**

### SUMMARY

<b>Description:</b>	Erection of residential development to provide 66 No. apartments, with associated amenity areas, car and cycle parking and pedestrian and vehicular access.
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approved subject to S106 agreement and conditions
<b>Ward:</b>	Thorpe Hamlet
<b>Contact Officer:</b>	Mark Brown Senior Planning Officer 01603 212505
<b>Valid Date:</b>	24th December 2011
<b>Applicant:</b>	Wherry Road Norwich Property Company Limited
<b>Agent:</b>	Generator Real Estate Solutions LLP

### INTRODUCTION

#### The Site

##### Location and Context

1. The site is located on Wherry Road within the City Centre to the east of the River Wensum, which forms part of the Broads, directly adjacent to and to the southeast of Novi Sad Bridge. To the east beyond Wherry Road is the riverside retail area consisting of retail warehouses with surface parking. To the South is the riverside swimming complex and car park, beyond which are Norwich City Football Stadium and the Riverside Heights flatted development. To the west beyond the river are the Read Mills flatted development and more specifically Cannon Wharf located on King Street. To the north beyond the bridge footings are the Sidestrand flats.
2. The site itself is vacant, hard surfaced and currently surrounded by 2m high fencing on all sides. The site has been vacant for a considerable amount of time since the wider area was cleared as part of the riverside redevelopment in the 90's. Prior to this the site was part of the wider works of Boulton and Paul and occupied by rail sidings which ended in the rough location of the site surrounded by industrial sheds. The site was used temporarily as a car park by the former owners for a short period towards the end of 2008 before enforcement action was taken to cease the use. Whilst not completely clear from the historical information available the site may have been used as a car park by Boulton and Paul during the early 90's.

## Planning History

3. 4/1996/0583/O – Approved in June 1997, this granted outline planning consent for the redevelopment of the wider riverside area to the southwest of the main rail lines (or what is now Koblenz Avenue).
4. Consent 4/1999/0948 revised by 4/2000/0100 granted consent for the erection of Novi-Sad Bridge.
5. 4/2000/0182/O – Outline planning consent granted in February 2003 for the riverside swimming centre and housing on the application site.
6. 4/2001/0125 – Full planning permission granted for the erection of the riverside swimming centre. The riverside swimming centre was implemented in line with this full consent and not the above outline consent.
7. 03/00220/RM – Reserved matters of outline consent 4/2000/0182/O granted in June 2004 for the erection of a 5-7 storey block of flats on the site providing 72 x 2 and 3 bed flats with 49 parking spaces at ground floor. The outline consent to which this relates was never implemented and as a result expired in February 2008.
8. 08/01226/F – retrospective application for the temporary use of the site as a short stay car park for six months – Application refused January 2009 and enforcement action taken to cease use.

## Equality and Diversity Issues

9. There are no significant equality or diversity issues.

## The Proposal

10. The application seeks consent for the erection of a single block of 66 flats comprising 60 two bed flats and 6 one bed flats. Car, cycle, refuse and servicing areas are provided at ground floor level. Space is provided for 60 car parking spaces and 66 cycle spaces. Access to the site is from Wherry Road to the southeast corner of the site.
11. All properties are provided with private balconies or terraces and an external landscaped amenity area is provided in the centre of the site at first floor level above the ground floor car park. The block wraps around this central amenity space on the west, north and east sides of the site stepping south to north from 4 to 7 storeys in height.

## Representations Received

12. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 5 letters of representation have been received citing the issues as summarised in the table below.

Issues Raised	Response
Concern over the impact of overlooking to properties at Sidestrand (north of the site).	See paragraphs 45-47

Loss of light to properties at Sidestrand	See paragraphs 46-47
The building is not in keeping with the more traditional form of buildings to the north of the site.	See paragraphs 27-34
The height of the building is unsympathetic to neighbouring properties on the east side of the river and in particular flats at Sidestrand.	See paragraphs 29-33
A building of this height would disturb the coherence of the existing skyline and detract from the prominence of the City's historical infrastructure such as the cathedral and Railway Station.	See paragraphs 35-36
Development will increase the number of vehicles in the area.	See paragraph 48
Concern that properties without on site parking could increase pressure for parking elsewhere.	See paragraph 48
Properties on Wherry Road to the south of the bridge are commercial so why is residential being considered.	See paragraphs 24-26
Concerns over inaccuracies in the submitted documents as follows: <ul style="list-style-type: none"> <li>- the supporting document refers to the site being used as a car park which is incorrect;</li> <li>- the construction and materials statement refers to 50 parking spaces where as other documentation refers to 60 car parking spaces.</li> </ul>	With regard use as a car park this is clarified at paragraph 2 above.  There is an error in the construction and materials statement the plans are however clear and propose 60 parking spaces, the proposals are assessed on this basis.
Whilst the redevelopment of the site is welcomed, wondered if the design could be flipped so the highest part faced the riverside complex.	See paragraphs 29-33
Recommend that any consent be subject to a condition requiring the provision of the refuse storage.	See paragraph 52
Concern over the level of pre-application community consultation. Commenting that whilst Cannon Wharf residents association was contacted the Riverside Walk Residents Association was not contacted.	Whilst pre-application consultation has taken place it is not clear from the submitted documentation the full extent of consultation. It is unfortunate if the applicant has not contacted the residents association or alternatively the residents of Sidestrand. However this is not in itself considered to be a reason for refusal of the application.

## Consultation Responses

13. Anglia Water – Recommend the following condition form part of any consent:

- a. No development shall commence until a surface water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise approved in writing by the Local Planning Authority.
14. Environment Agency – No objection subject to the flood risk sequential test being applied and subject to conditions. The response also comments on emergency planning, surface water flood risk and efficient construction which are discussed further in the assessment below.
15. Norfolk County Council Planning Obligations – No education or library contributions are sought. Norfolk Fire Service has indicated that the development will require 1 hydrant which will need to be provided and paid for by the developer.
16. Norwich Cycling Campaign – have concerns over the cycle parking plan and that the space allocated for cycle storage is large enough to accommodate the number of cycles indicated. Would like assurance that wheel bender or butterfly racks will not be used and that there will be the ability to properly lock cycles. Some concern over the sharing of an access with the refuse storage area and a separate entrance and exit for cyclists would be of benefit.
17. Historic Environment Service – No comment
18. English Heritage – The site lies immediately adjacent to the Norwich Central Conservation Area. From the information set out in the Design and Access Statement it is clear that the design has evolved over a number of months in response to advice and comments provided by the City Council and others. The current scheme has the potential to provide an appropriate contemporary structure, though it is slightly disappointing to see the design for the ‘chequered’ courtyard wall has had to be simplified on cost grounds.

In the event that the City Council is minded to approve this development it will be important to ensure that the scheme is well detailed, so that there is no weathering or staining of the white rendered elevations. To that end it will be important to ensure a robust coping detail at the parapet walls. Too often one observes streaking down rendered walls from joints in thin aluminium verge trims. One feature of the design is the small areas of strong primary colours. These are generally located in balcony reveals, on areas that some residents might regard as their private domain. In order to retain the external appearance of the building it will be necessary to ensure these coloured areas are retained and re-painted in a consistent manner (not relying on redecorating by individual residents, which would risk a patchy appearance).

19. Broads Authority – The Authority welcomes the redevelopment of this prominent site on the Norwich waterfront and would not wish to raise any objection to the design, scale or massing of the proposal. Furthermore, it is not considered that the proposal would have any detrimental impact on the character of the Broads area or the navigation of the river.

The Broads Authority offered comments on the proposal at pre-application stage and it is encouraging to see that some of the points raised in our comments have been incorporated into the final proposal. Specifically, the introduction of seating and landscaping on the riverside (Corporation Quay) frontage is welcomed, as is the revised design of the landscaping and retaining wall to emphasise the entrance to the

building from the riverside walk.

The desire to see these elements incorporated into the scheme arises from an aspiration to promote active frontages along the river's edge and to promote interaction between the built form, pedestrians, residents and the riverbank. Whilst the proposed scheme identifies the ground floor as parking space it is recognised that this has benefits in terms of flood risk and the use of an innovative design, landscaping, alterations to the entrance from the riverside walk and the provision of bench seating along the elevation all help to offer interest and engagement to passersby.

Landscaping along the river facing front of the site should, if possible, reflect the urban riparian context and further details of this and seating design could be secured by condition, should consent be granted.

20. Norfolk Constabulary – Make a number of comments/recommendations with regard to the security of the design as summarised below:

- a. Parking spaces 1-7 appear extremely vulnerable with minimal amounts of natural surveillance over the area, the area will only be overlooked from occupants of rooms at first floor level and above, the occupants of these rooms are likely to look over the top of cars at this level;
- b. There is insufficient information on access control to the car park beneath the building;
- c. There is anecdotal evidence that communal cycle stores can suffer thefts or damage to peddle cycles, the stores should be secure in a self contained room.
- d. Locking mechanisms on front doors should be certified to a high standard and communal entrance doors should be fitted with automatic closing and deadlock mechanisms.
- e. The ramp besides the entrance door creates a recessed area which with the planting scheme provides a covered area with little natural surveillance; this area could attract graffiti and inappropriate loitering or provide a hiding place.
- f. Glass in any door or ground floor window should be laminated to a minimum 6.4mm thickness;
- g. Doors opening outwards should be enhanced with hinge bolts;
- h. Secure post boxes are recommended.

The comments also identify that the police are currently drawing together information on the impact of development on policing costs and it is anticipated that the scale of the development proposed and considering future development in the greater Norwich area it is anticipated that financial contributions may be required towards delivering police services. It is requested that this be documented as part of the consideration process.

21. Design and Conservation – The site lies adjacent to Novi Sad Bridge to the SE on the eastern bank of the River Wensum. The east bank was formerly the works of Boulton and Paul, which consisted of relatively low lying industrial sheds and railway sidings. Prior to late C19 the area was low lying floodplain/meadows.

The west bank was historically more important with development dating back to medieval times, with the C17 Ferryboat lying diagonally opposite on the other side of the bridge. Directly opposite the site is new Reads Mill Development which consists primarily of new development with the existing C19 mill building integrated (approximately the row along the west bank of the photo including 211/213 King Street which is the small house in the left hand corner of the photo.) This is quite high

in parts reaching 8 storeys. On the eastern bank to the north is the relatively low late C20 riverside redevelopment of 3-4 storeys, to the south the riverside leisure complex and to the east a retail park. In contextual terms the site is an area dominated by late C20/early C21 development. Within the immediate setting of the site to the north is the path to the bridge, to the west the river/riverside walk, to the east Wherry Road, and to the South a car park. The decision was therefore taken that the site could be developed in a new architectural style, which although designed to take into account the character of existing context in terms of scale, height and massing, could have a distinctive and contemporary character architectural style of its own. This was consistent with the approach taken for the design of the last development proposal for the site.

With regard to taking into account the scale, height and massing the key elements were the bridge, the river, and the development on the opposing bank. It was considered that an increase in height could be achieved in relation to the development to the north, east and south because of the wide breaks in building around the site. The articulation of the building should however emphasis both the NE corner and the NW corner in order to landmark the approach to the bridge, whilst ensuring that visually the building did not out compete and dominate the bridge as the principal landmark feature. Because of the extent of recent 'building up' of the height on the west bank consideration was also given to ensuring that the building should not have too much of a continuous high elevation fronting the riverbank, thereby avoiding the creation of a 'canyon effect'. The proposal has taken into account these considerations so that the overall form maintains a strong and distinctive sense of scale, but with a reduction in the sense of bulk through breaks, projections and recessions in the massing and variation in height, and the required emphasis achieved in the right places. The west façade of the building maintains a strong presence fronting the river, but the breaks in height and articulation in the elevation so that it drops down to the South, means that it does not lead to a canyon effect. At a secondary scale the architecture of the building has been further broken down through variation in fenestration and the introduction of coloured elements.

The site wraps around an area of amenity space which is at the core of the development. This is an open court to the east, rather than being enclosed, and therefore does not compromise any potential redevelopment of the adjacent parking area, as this could potentially be developed with blocks fronting the river and Wherry Road to complete the perimeter block. The area has been landscaped so that it is low maintenance and useable by residents. Although the elevations are quite high fronting onto the space, the overall impact of bulk has been reduced through using a variety of colours in the cladding.

At basement level the building relates to the existing paths. The parking is screened by blocks, but these are left partly open so that there is some interest at basement level rather than a solid wall. A flat has been included at ground floor level in the NE corner in order to provide a more active frontage and overlooking of paths. The three access points, on Wherry Road and in the NE and SW corners, form three service clusters with facilities such as cycle storage and bin stores to ensure that they are used.

With a design of this nature it will be important to ensure all design elements are conditioned, for example materials, balconies (balcony rails etc), colours, exterior landscaping etc. One area where I am slightly concerned about landscape detail is the top edge of the basement car parking fronting the river. This shows a flat area and

then overhanging planting, and being a important façade of the building overlooking public space (the riverside walk) it will be important to ensure a scheme is implemented here that provides durable and easily maintained planting. The flat area could also be an untidy litter trap...more detail required. At ground level are planters and benches and these will have to be carefully designed to be durable and vandal proof.

The hard landscaping elements to the inner courtyard are also important to get right in terms of detail, and to ensure adequate drainage etc. so the yard is well used rather than neglected. The plans do not appear to show any natural lighting of the car parking area below and it would be a good idea when the landscaping scheme is fully worked up to include some natural light wells.

Although the design has taken into account roof top servicing it will be important to condition for this to avoid any harm resulting from roof top services (and for that matter any services such as external flues/satellite dishes for individual flats on elevations).

With regard to the history of the site, Boulton and Paul factory was an important local employer and it would be useful to get some historic interpretation even if this is just the name of the buildings. The steel sections for the R101 were welded together in the sheds, which one I am unsure of, and that would require further investigation. It is recommended that the applicants consult with HEART with regard to possible interpretation.

22. Environmental Health – No comments.

23. GNDP Design Review Panel – Proposals were presented to the design review panel at pre-application stage. Since their comments the proposals have evolved significantly, key aspects of their comments were:

- a. The panel recommended resolving the sustainability design as part of the design process and not have bolt on extras further down the planning process. The panel recommended investing in the build structure of the apartments for the long term energy efficiency of the development. If a sustainability strategy is set early on in the process to demonstrate efficiencies this will help when marketing the apartments.
- b. The success of the building will be very reliant on a successful landscape strategy. The landscape terracing on the buildings should be treated as an integral part of the landscape and architectural strategy and designed in parallel.
- c. The panel agreed that any addition to this part of Wherry Road would enhance the area and increase footfall. However they felt there is a need for a strong corner on Wherry Road to give more identity to this part of the road. The panel suggested having the main massing on the side of the swimming pool car park and use breaks in the building height along the river edge.
- d. The panel liked the aspiration of the contemporary design ideas, with the rough brick work and recognised the interesting detailing concepts.

# **ASSESSMENT OF PLANNING CONSIDERATIONS**

## **Relevant Planning Policies**

### **Relevant National Planning Policies**

PPS1 – Delivering Sustainable Development  
PPS3 – Housing  
PPS23 – Planning and Pollution Control  
PPG13 – Transport  
PPG24 – Planning for Noise  
PPS25 – Development and Flood Risk

### **Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008**

ENV6 – The Historic Environment  
ENV7 – Quality in the Built Environment  
ENG1 – Carbon Dioxide Emissions and Energy Performance  
WM6 – Waste Management in Developments  
NR1 – Norwich Key Centre for Development and Change

### **Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011**

Policy 1 – Addressing Climate Change and Protecting Environmental Assets  
Policy 2 – Promoting Good Design  
Policy 3 – Energy and Water  
Policy 4 – Housing Delivery  
Policy 7 – Supporting Communities  
Policy 11 – Norwich City Centre  
Policy 18 – The Broads  
Policy 20 – Implementation

### **Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004**

NE9 – Comprehensive Landscaping  
HBE4 – Other Locations of Archaeological Interest  
HBE12 – High Quality Design  
HBE13 – Protection of Major Views and Height of Buildings  
HBE14 – Gateways to the City  
EP1 – Contaminated Land  
EP16 – Water Conservation and Sustainable Drainage Systems  
EP17 – Protection of Watercourse from Pollution  
EP18 – High Standard of Energy Efficiency  
EP20 – Sustainable Use of Materials  
EP22 – Amenity  
HOU2 – Mix of Uses Including Housing on Sites in the City Centre  
HOU6 – Contribution to Community Needs and Facilities by Housing Developers  
HOU13 – Proposals for Housing Developments on Other Sites  
AEC1 – Leisure Area  
SR4 – Open Space to Serve New Development  
SR7 – Children's Equipped Playspace to Serve Development  
SR11 – Riverside Walks  
SR12 – Green Links



TRA5 – Approach to Design for Vehicle Movement and Special Needs  
TRA6 – Parking Standards Maxima  
TRA7 – Cycle Parking Standards  
TRA8 – Servicing  
TRA9 – Car Free Housing  
TRA11 – Contributions for Transport Improvements  
TRA15 – Strategic Cycle Network

### **Supplementary Planning Documents and Guidance**

Transport Contributions Supplementary Planning Document Draft for Consultation 2006  
Open Space and Play Provision Supplementary Planning Document 2006

### **Other Material Considerations**

Draft National Planning Policy Framework July 2011  
Written Ministerial Statement - Planning for Growth March 2011  
Interim statement on the off-site provision of affordable housing December 2011

### **The Localism Act 2011 – S143 Local Finance Considerations**

#### **Principle of Development**

24. Local plan policies HOU13 and HOU2 are the principle policies against which to assess the proposals. Policy HOU13 allows for residential developments on sustainably located sites such as this in principle subject to a number of criteria and policy HOU2 seeks a mix of uses including housing on City Centre sites.
25. The site is located within the City Centre Leisure Area and as such saved policy AEC1 applies. This does not specifically allocate the site solely for leisure uses but identifies the area as one within which leisure uses would be acceptable. In this case the proposals are all residential, the need for a mix of uses on the site has been considered and whilst this may be desirable in some respects it is not considered necessary on this site for a number of reasons. These are that the site is in a mixed use area with retail, A2, A3 and leisure units in close proximity; the original wider site did provide a mix as this included high density flats and the riverside swimming complex also the sites size is limited and therefore provision of a viable mix may be difficult to achieve.
26. Therefore the principle of residential development on the site is considered to be acceptable subject to other material and policy considerations as discussed further below.

#### **Access, Layout, Scale and Design**

27. The proposals involve a footprint covering the majority of the site at ground floor level. Given the site and constraints this is considered acceptable, particularly given the particular design which incorporates communal external amenity space at first floor. Given the density of the site (287 dwellings per hectare), the layout needs to be efficient maximising the use of the site particularly at ground floor where there is high demand for parking and servicing areas. The proposals submitted represent an extremely efficient design providing 60 car parking spaces, 66 cycle parking spaces, sufficient refuse storage and the access cores at ground floor. Sufficient amenity space has been provided via a first floor terrace with south facing aspect and balconies to all flats.

28. Access to the site was relocated during pre-application discussions to the southeast corner. This was in order to avoid conflict with the vehicular and pedestrian routes at the junction of Novi-Sad Bridge, Wherry Road and Albion Way.
29. The massing of the block is influenced by the location of the access, achieving a south facing aspect to the amenity spaces, the need to provide some stepping to the river frontage to avoid a 'canyon effect' and respect the context of the Broads, the desirability to emphasis the key node and path of the bridge to aid legibility of the area and the improved viability of flats with river views to the northwest.
30. In contextual terms the area is dominated by late C20 early C21 development. The west bank which forms part of the City Centre Conservation Area has been historically more significant with development dating back to medieval times. The area is extremely mixed and lacks a defined character. Within the immediate context of the site, historic assets include Albion Mill, 213 King Street and the Ferry Boat all on the west bank within the City Centre Conservation Area. These in themselves show the diverse history of the area. The late C20 and early C21 development ranges from medium to high rise flats of both traditional and contemporary form, retail warehouses and commercial premises.
31. The proposals have a distinctive contemporary character and architectural style, given the sites mixed context it is considered that the site leads itself to such a proposal. This is consistent with the approach taken for the design of the last development proposal for the site.
32. With regard to height the proposals are seven storeys to the northwest corner. The immediate context includes the Sidestrand flats to the north rising to four storeys (approximately 30m from the site), Cannon Wharf rising to eight storeys to the west (approximately 35m from the site), retail warehouses to the east and the riverside swimming complex to the south. Currently the east bank to the north of Carrow Bridge is relatively low rise. South of Carrow Bridge the Riverside Height flats rise to nine storeys. In the context of recent approvals and the former approval on the site it is not considered that the height is unacceptable as a matter of principle. Impact on public views is considered further in the sections below. The buildings on the east bank of the river immediately adjacent to the site are somewhat lacking when it comes to design and it is considered that a building of the height proposed would help to balance the riverscape of the two banks and help to define the streetscape around Novi-Sad bridge, an area which is somewhat lacking at the junction of Albion Way and Wherry Road where the sense of enclosure falls away.
33. The proposals have taken into account the need for articulation to emphasis the northeast and northwest corners of the site in order to create a landmark at the approach to the bridge which is identified as a gateway to the City. This approach is considered to be consistent with saved policy HBE14. The overall form maintains a strong and distinctive sense of scale, but with a reduction in the sense of bulk through breaks, projections and recessions in the massing and variation in height, and the required emphasis achieved in the right places. The west façade of the building maintains a strong presence fronting the river however the breaks in height and articulation in the elevation, so that it drops down to the South, means that it does not lead to a canyon effect. At a secondary scale the architecture of the building has been further broken down through variation in fenestration and the introduction of coloured elements.

34. At basement level the building relates to the existing paths. The parking at ground level screens the parking and provides a solution to flood risk. Vertical breaks in the treatment of the ground floor elevation helps to create interest. A flat has been incorporated into the north east corner of the ground floor in order to provide active frontage to the node of the bridge and Wherry Road. Other than at basement level the building is proposed to be rendered white, primary colours are used to draw the eye around and to particular parts of the building. With a design of this nature it will be important to ensure all design elements are conditioned, for example materials, balconies, balcony rails, colours etc. Conditioning details to avoid staining of the rendered walls (as identified by English Heritage) is also considered necessary.

### **Public Views & Corridors of Vision**

35. Saved policy HBE13 requires the design of new buildings to pay particular attention to the need to protect and enhance major views into and out of the City Centre. The site is within two fields of vision identified in HBE13 one from the Ber Street ridge and the other from Lower Clarence Road. Given the low level of the site the building would not obstruct views of any significant building identified in the corridors of vision in policy HBE13. Within the immediate context of the site the building would not block views of the cathedral or train station or any other significant building identified.

36. It should be noted that the loss of private views are not normally a material planning consideration.

### **Landscaping**

37. A landscaping strategy has been developed for the site. With regard to the central amenity area, although a large space the landscaping seeks to divide this up into numerous smaller areas to provide a degree of privacy and improve usability. The specific landscaping details will need to be conditioned.

38. Elsewhere a landscaping strip is included along the river walk with planting cascading down the ground floor elevation. Again this is considered acceptable in principle however further details and management arrangements will be required via condition.

39. The police have raised concern that the planting adjacent to the ramp to the main entrance could create a hiding area or area for anti-social behaviour. Again further details of the landscaping can be conditioned with a view to ensuring that this is low enough to enable natural surveillance of the area from the street.

40. With regard to ecology the site in its current state has no particular features that would support wildlife, the proposal have some opportunity to provide ecological enhancements primarily through the landscaping.

### **Energy Efficiency and Renewable Energy**

41. The proposals have been submitted with a sustainability statement, which outlines the strategy for the site. The site is a brownfield site located in a central location within walking distance of the City Centre, the Riverside Retail Area, bus links and the train station. The site is also located adjacent to the Strategic Cycle Network and National Cycle Route 1. The sustainability strategy outlines the following measures:

- a. Improvements in insulation over and above the U values set out within Building Regulations;
  - b. Energy efficient light fittings;
  - c. Drying lines above baths with improved mechanical ventilation;
  - d. Energy efficient white goods where provided and information leaflets where not provided;
  - e. Water efficient fixtures and fittings to restrict water usage to the required code for sustainable homes level 4. This is a policy requirement under JCS policy 3 and as such should be conditioned;
  - f. General commitments to encourage the use of locally sourced and more energy efficient materials.
42. With regard to renewable energy the statement has investigated various forms of renewable energy and proposes photovoltaic panels as the preferred method of decentralised renewable energy provision. The panels would be located on the flat roofs of the site and the statement indicates that 12.33% of the sites anticipated energy would be provided by the panels. Certain aspects of the submitted information would need to be clarified and certain further specific information would be required via condition. However it is considered that the submitted information provides sufficient information to allow the determination of the application subject to a condition.

### **Amenity**

43. With regard to the amenity of future residents of the site, the flats in question are a good size for 1-2 bedroom flats. Each property has its own external terrace and a central communal amenity area is provided. For a high density development of 1-2 bed properties in the City Centre the amount and potential quality of external amenity space is considered to be significant.
44. Given the sites location on a busy pedestrian route in relatively close proximity to the late night activity zone a noise assessment has been requested and submitted with the application. This identifies that there would be no significant detrimental impacts as a result of noise from the surrounding area.
45. With regard to neighbour amenity the main implications to consider are those concerning the impacts on Sidestrand to the north and Cannon Wharf to the west. With regard to overlooking, these flats are approximately 30 and 35m from the site respectively; in the context of the City Centre such distances are fairly significant even taking into consideration the scale of the building and are a result of the separation granted by the bridge and river. It is not considered that there would be any significant detrimental impact in terms of loss of amenity as a result of overlooking.
46. The proposals would also result in some overshadowing particularly to Sidestrand to the north, however given the context of the site in a City Centre location and the distances in question it is not considered that such an impact would be significantly detrimental nor would result in an overbearing impact through loss of outlook.
47. It should be noted that the impacts on neighbour amenity do not vary significantly from the implications of the previously approved scheme on the site which was considered acceptable and granted consent prior to the occupation of either Cannon Wharf or Sidestrand.

## **Parking, Refuse and Servicing**

48. The site provides 60 car parking spaces for the 66 flats on the site. Maximum parking provision in this part of the City and for this size of property is one space per dwelling. The proposals are consistent with this and saved policy TRA6. Six of the flats will be car free and therefore TRA9 applies which allows for car free dwellings in locations such as this where 24hour on street parking controls are in place.
49. 53 of the car parking spaces are provided within the covered secure basement car park. The remaining 7 spaces are adjacent to the access. Whilst these are not overlooked at ground floor level there are living room windows at upper levels overlooking these parking spaces. With the other services that need to be located adjacent to the access (in particular bin storage) it is not feasible to achieve ground floor overlooking of these spaces. A CCTV plan has been submitted with the application and the area is covered by CCTV.
50. Secure access to all entrances of the building can feasibly be provided within the parameters of the current proposals.
51. 66 cycle parking spaces are provided within the proposals at 4 different locations. Again these areas are covered by CCTV on the submitted plans, although further details will need to be obtained via condition. The cycle racks indicated in the proposals are vertical racks. Exact details of the racks can be conditioned to ensure that the system selected allows for the number of cycles and allows cycles to be individually locked. The areas are of sufficient size to accommodate the number of cycles indicated and such storage solutions are necessary in high density schemes such as this.
52. Refuse storage is provide at each of the stair cores and the stores are large enough to accommodate the necessary refuse and recycling storage. Their provision prior to first occupation should be a condition of any consent.

## **Contamination & Archaeology**

53. There have been extensive decontamination works and archaeological investigations carried out across the wider riverside site in the past and as such no further decontamination or archaeological investigations are required.

## **Flood Risk**

54. The site is mainly located within flood zone 2 and a small part of the site is located within flood zone 3a (1:100 year probability) when an allowance is made for climate change. A fluvial flood risk assessment has been submitted with the application and its recommendations are considered to be acceptable. The Environment Agency has reviewed this and have no objection subject to conditions.
55. The flood risk sequential test has been undertaken and the development is considered to be compatible and there are no reasonably available alternative sites within the identified search area, which in this case has been restricted to the riverside and King Street regeneration areas.

56. It is recommended that a flood warning and response plan form a condition of any consent.

57. Limited opportunities have been identified for SUDS given the extent of sites development. Landscaped areas will provide some limited provision. On the basis of the flood risk assessment and Anglian Water response, there appears to be some confusion over the existing surface water sewers in and around the site, the responsibility for them and therefore the discharge solution. However given the site is currently impermeable and the proposals will not increase the potential for surface water flood it is considered that the detailed surface water drainage can be conditioned.

### **Local Finance Considerations**

58. The localism act 2011 amended S70 of The Town and Country Planning Act 1990 to require local planning authorities to have regard to local finance considerations in the determination of planning applications, alongside the development plan and other material considerations.

59. In this case the proposals if granted would return council tax receipts as well as new homes bonus.

### **Planning Obligations**

60. The proposals would trigger affordable housing under policy 4 of the JCS at a rate of 33% with a split of 85% social rented and 15% intermediate tenures. In addition to affordable housing the proposals would trigger the following contributions:

- a. Contribution of £18,621.19 under local plan policy TRA11 to the city wide transport improvement programme, in this particular case the monies are likely to be spent in one of a number of areas, the bus gate/pedestrian crossing to the Football Ground, the implementation of strategic cycle network improvements in the immediate area or pedestrian and cycle network signing improvements.
- b. Contribution of £33,990.00 under local plan policy SR4 towards the provision/improvement and maintenance of publically accessible open space, in this case the monies are likely to be used towards improvements to the area known as the Wilderness located to the north of Carrow Hill, just over 400m walking distance from the site (adjacent to the City Wall and Black Tower).
- c. The proposals trigger a contribution under local plan policy SR7 towards the provision/improvement and maintenance of children's equipped play space. This amounts to £72,480.00. However on discussion with Open Space the nearest location for the monies to be spent is at Marion Road which is some 1.3km walking distance from the site with some significant topography. The nearest play area to the site and therefore most likely to be utilised by residents is at King Street 300m from the site. The King Street site is not in need of funding. On this basis it is not considered that the obligation would be necessary and meet the tests for planning obligations set out at regulation 122 of the Community Infrastructure Levy regulations. It is therefore not recommended that this is sought.

61. Given the location of the site in the City Centre and given capacity at local schools there are no County obligations towards library's or education.

## **Development Viability and Deliverability of Affordable Housing**

62. The applicant has made a case that all the planning obligations which would normally be sought would render the development unviable and has subsequently submitted viability assessments to support this.
63. The viability of the scheme has been independently and externally verified by the District Valuer Service. This indicates that the full package of contributions would not be viable and that in order to make the development viable, affordable housing would need to drop significantly.
64. JCS policy 4 seeks the provision of 33% affordable housing with approximate tenure mix of 85% social rented and 15% intermediate tenures, which in this case would equate to 22 units comprising 19 Social Rented and 3 intermediate tenure. The policy allows for the proportion of affordable housing sought to be reduced and the balance of tenures amended where it can be demonstrated that site characteristics, including infrastructure provision, together with the requirement for affordable housing would render the site unviable in prevailing market conditions, taking account of the availability of public subsidy to support affordable housing.
65. This policy ties in the with objectives at national and regional level to achieve viable development which achieves a mix of housing including affordable housing which meets market needs and helps to create mixed communities.
66. There is also an issue with the deliverability of affordable housing on this site in terms of attracting a registered provider of affordable housing (RP's) to take on the affordable units. Strategic Housing have approached RP's to identify interest, only one RP has shown any interest and has subsequently raised a number of significant issues due to the particular characteristics of the site, including the following:
  - a. Due to the small numbers and likely service charges shared ownership and shared equity are not considered to be viable options for an RP;
  - b. An RP would insist on 1:1 parking provision for the affordable units, which would result in 6 market dwellings being car free, which would likely decrease the market value of those 6 again reducing the viability of the whole scheme;
  - c. Due to likely service charges social rented housing is unlikely to be much more affordable for a tenant than affordable rent;
  - d. Again due to likely service charges affordable rented housing is unlikely to be much more viable or deliverable for an RSL.
67. These issues are particular to the form of development proposed, i.e. City Centre high density flatted development.
68. This situation was acknowledged to an extent within reports to the Sustainable Development Panel and to Cabinet on the 02<sup>nd</sup> and 14<sup>th</sup> December respectively. The result of these reports was a resolution by Cabinet to endorse an interim statement on affordable housing which would be given weight in the determination of planning applications. The statement sets out circumstances where the provision of a contribution to allow affordable housing to be provided offsite may be acceptable. These circumstances are as follows:
  - a. On any site where after an open-book viability assessment has been conducted (and accepted by the Council after independent assessment) that demonstrates that a site is not sufficiently viable to enable the provision of a single social rented dwelling on the site;

- b. On relatively small sites proposed for flatted developments (typically developments of 15 or fewer units on sites of 0.2ha or less) where it can be demonstrated that RPs are reluctant to take on the management of a small number of affordable units. In these cases developers will be expected to provide written evidence that no RP is willing to take on the unit(s). The housing development team will contact the relevant RPs on behalf of the developer if requested.
- c. On small to medium sites with exceptional factors which would not be attractive to RPs (evidence of this will be required), such as inappropriate floor areas or high service charges, and where it is capable of using contributions in lieu to deliver more affordable units off-site than would have been provided on-site (or the same number of units but in a form that better meets established local needs) elsewhere in the local area.

69. Under the interim statement the total off site commuted sum towards affordable housing for a site of this size and location would be £1,764,418.10.

70. The result of the viability assessment is that the maximum number of social rented units which can viably be provided on the site is 5, this represents 7.6% affordable housing. Other forms of tenure would in theory viably provide a larger number of units. However the greatest housing need is for social rented and investigations by strategic housing suggest that other forms of tenure are either unlikely to be more deliverable (i.e. taken on by a registered social landlord) or would not meet identified housing needs.

71. Currently it appears that delivery of the 5 social rented units on site is likely to be difficult due to the ability of attracting a registered social landlord at a rate close to or above the rate used for the viability assessment.

72. On this basis, the viable level of commuted sum for an all private scheme has been assessed. Given that profit is based on a percentage of development value, the development value and therefore profit would increase under an all private scheme. It is not considered appropriate for a higher level of profit to be achieved via the commuted sum route. Therefore the commuted sum has been assessed on the basis of retaining the profit at the same level (not percentage) as would be provided via on site provision (based on the findings of the viability assessments). This gives a commuted sum of £546,000.00 based on a trigger point of 1<sup>st</sup> occupation.

73. Such a commuted sum would be spent to provide affordable housing within the vicinity (it is suggested within 1km of the site). The principle of accepting an off-site contribution sum instead of provision on site is finely balanced in this case. Notwithstanding the interim statement referred to above it must also be considered whether the particular proposal will result in a development contribution to essential social infrastructure in the local area and if it will promote social cohesion. In this instance officers tend to the view that the off-site contribution is only acceptable as there are a number of sites in close proximity to the development site where the funds could be utilised. The exact site would depend on the timing of receipt, however potentially this could assist the delivery of sites such as Argyle Street which is 150m from the site.

74. The suggested viable solution is therefore to word a S106 agreement for the provision of 5 social rented properties on site at a value of £1000/m<sup>2</sup> to a registered provider. If following an extensive exercise of trying to attract a registered provider at/above or



extremely close to this rate, to the agreement of the Local Planning Authority, no registered provider is found an off site commuted sum of £546,000.00 is paid on 1st occupation.

75. It is recommended that any approval on this basis include provisions within the S106 agreement for an overage clause which seeks to claw back lost planning obligations where reality is better than predicted in the viability assessments. This would operate so to claw back 50% of any profit in excess of 20% of the gross development value up to a cap set via the total commuted sum. Where 5 social rented dwellings are provided on site the cap would be £1,359,593.40, where the commuted sum is paid the cap would be £1,218,418.10. It is also recommended that a review mechanism be built into the agreement to require a review of the level of affordable housing and commuted sum: a) where there is no commencement within 18 months of the consent; and b) where first occupation has not occurred within 30 months of commencement.
76. In coming to a decision on the acceptability of the scheme with affordable housing at the levels indicated above it is important that a balanced decision is made with due regard to policy, local finance and other material considerations.
77. In this case the site is a brownfield site which has been vacant for a considerable period of time and is the last remaining site within the former riverside redevelopment (strategic development initiative) area. It is therefore considered that the redevelopment of the site is desirable. On the basis of the scheme proposed it is not considered that there are any other reasons for recommending the refusal of consent, or indeed that there are any particularly finely balanced matters other than the issue of affordable housing. It is considered that any issues identified within the report above can be overcome via condition. In addition the following considerations are relevant:
- a. The general need for market housing as identified by JCS policy 4;
  - b. The emphasis on the promotion of economic activity and bringing forward housing provision within the National Planning Policy Framework;
  - c. The local financial considerations outlined above.
78. The above needs to be weighed against the need to provide affordable housing a key piece of infrastructure for which there is significant demand and the desire to provide balanced communities as required by JCS policy 4. However, in the context of the viability appraisals undertaken for the scheme the alternative to allowing a scheme with affordable housing as low as that indicated above would be to leave the site undeveloped for potentially a considerable period of time until the market changes. In the current economic climate and with the likely introduction of the Community Infrastructure Levy this is unlikely to happen in the near future.
79. On balance and given the wording of JCS policy 4 which allows for lesser provision of affordable housing where the scheme is found to be unviable (see paragraph 64 above), the viability evidence submitted and the above material considerations summarised at paragraph 77, it is considered that the proposals are acceptable subject to the provision of affordable housing as per paragraph 74 above, the financial contributions to transport and open space and the conditions detailed within the recommendation below.

## Conclusions

80. The proposals provide for the residential redevelopment of a vacant brownfield site in an accessible City Centre location. The proposals have a distinctive contemporary character and architectural style which is considered to be acceptable given the mixed character of surrounding development. The proposals height would not obstruct any significant building within any identified corridor of vision, it would however help to balance the riverscape of the two banks and help to define the streetscape around Novi-Sad bridge. The layout of the site is considered to be efficient given the fairly high density of the proposals and satisfactorily provides for the necessary parking, servicing and amenity requirements of the site. Whilst the proposals would have some implications on the amenity of neighbouring properties, the impact is not considered to be significant and not considered to warrant refusal of the application.

81. One of the main considerations in this case has been the viability of the proposals and ability of the scheme to provide for affordable housing. Based on the viability appraisals undertaken it is recommended that a S106 agreement secure 5 (7.6%) social rented properties on site and if following an extensive exercise of trying to attract a registered provider, to the agreement of the Local Planning Authority, no registered provider is found an off site commuted sum of £546,000.00 is paid on 1st occupation. On balance, given in particular:

- the wording of JCS policy 4 which allows for lesser provision of affordable housing where the scheme is found to be unviable;
- the desirability of redeveloping this brownfield site which has been vacant for a considerable period of time;
- the sites prominence in the townscape;
- the acceptability of the proposals in all other respects;
- the need for market housing as identified by JCS policy 4; and
- the emphasis on promoting economic activity and bringing forward housing development within the draft National Planning Policy Framework.

It is considered that the proposals are acceptable subject to the recommended S106 provisions of affordable housing, transport contributions and opens space contributions and the conditions detailed within the recommendation below.

## RECOMMENDATIONS

To approve Application No (11/02236/F Land Adjacent To Novi Sad Bridge Wherry Road Norwich) and grant planning permission, subject to the completion of a satisfactory S106 agreement to include the provision of:

- a. Provision of 5 social rented properties on site at a value of £1000/m<sup>2</sup> to a registered provider. If following an extensive exercise of trying to attract a registered provider at/above or extremely close to this rate, to the agreement of the Local Planning Authority, no registered provider is found an off site commuted sum of £546,000.00 is paid on 1st occupation;
- b. An overage provision to claw back 50% of any profit in excess of 20% of the gross development value up to a cap set via the total commuted sum. Where 5 social rented dwellings are provided on site the cap would be £1,359,593.40, where the commuted sum is paid the cap would be £1,218,418.10.
- c. Contribution of £18,621.19 under local plan policy TRA11 to the city wide transport improvement programme;
- d. Contribution of £33,990.00 under local plan policy SR4 towards the

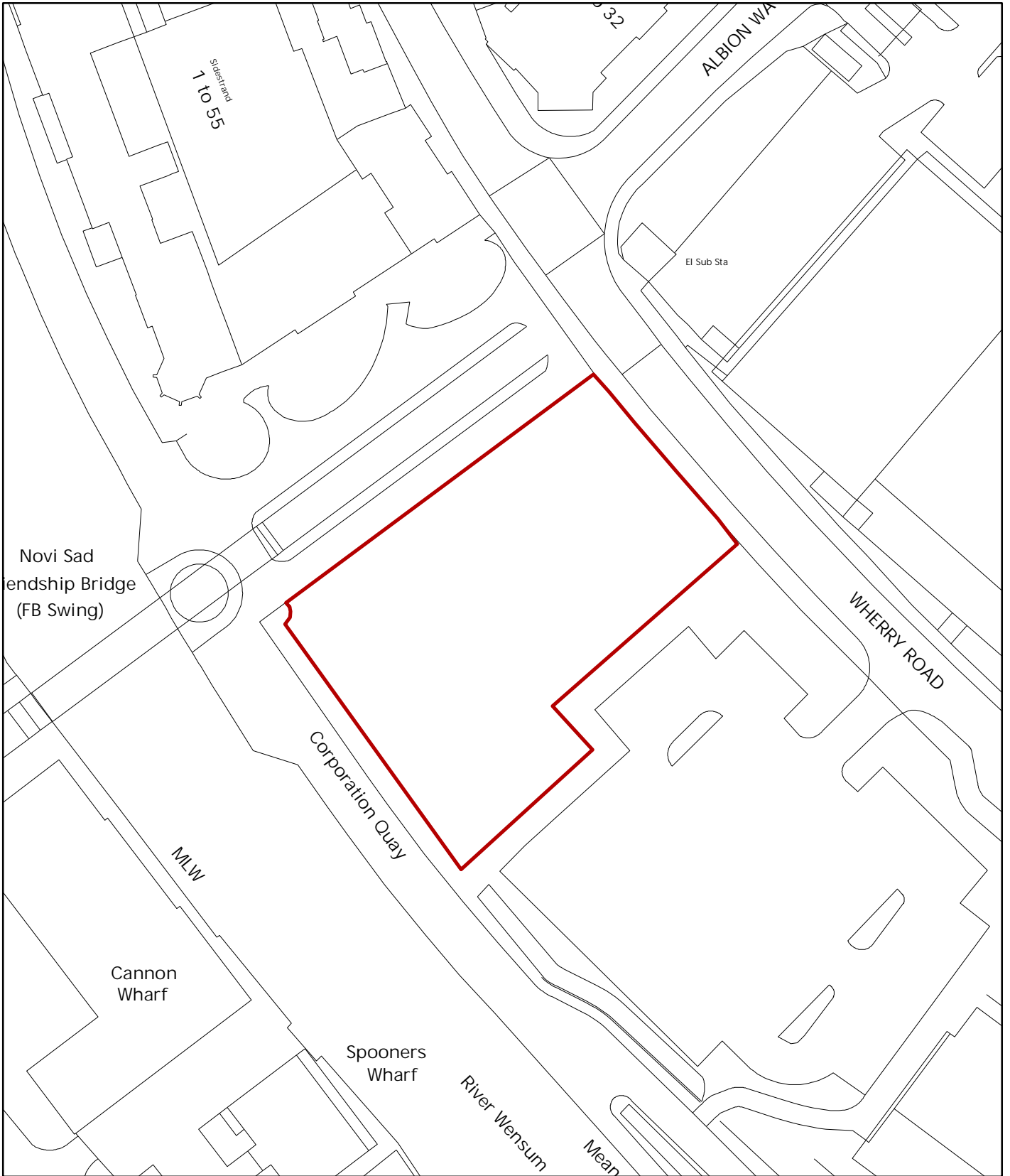
provision/improvement and maintenance of publically accessible open space.  
and subject to the following conditions:

1. Standard 3 year time limit;
2. Development to be carried out in accordance with the approved plans;
3. Details of all external materials including samples and large scale section drawings;
4. Landscaping details, maintenance and management arrangements;
5. Details for the provision of photovoltaic panels;
6. Details of CCTV system;
7. Provision of refuse storage;
8. Details and provision of cycle storage;
9. In accordance with the the flood risk assessment, including finished floor levels and compensatory flood plain storage;
10. Flood warning and response plan;
11. Details of surface water drainage strategy;
12. Details for the provision of fire hydrants;
13. Details of the vehicle crossover;

(Reasons for approval: The decision has been made with particular regard to policies ENV6, ENV7, ENG1, WM6, NR1 of the adopted East of England Plan Regional Spatial Strategy May 2008, policies 1, 2, 3, 4, 7, 11, 18 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk March 2011, saved policies NE9, HBE4, HBE12, HBE13, HBE14, EP1, EP16, EP17, EP18, EP20, EP22, HOU2, HOU6, HOU13, AEC1, SR4, SR7, SR11, SR12, TRA5 , TRA6, TRA7, TRA8 , TRA9, TRA11 and TRA15 of the adopted City of Norwich Replacement Local Plan November 2004, local finance considerations, PPS1, PPS3, PPS23, PPG13, PPG24, PPS25 and other material considerations.

The proposals provide for the residential redevelopment of a vacant brownfield site in an accessible City Centre location. The proposals have a distinctive contemporary character and architectural style which is considered to be acceptable given the mixed character of surrounding development. The proposals height would not obstruct any significant building within any identified corridor of vision, it would however help to balance the riverscape of the two banks and help to define the streetscape around Novi-Sad bridge. The layout of the site is considered to be efficient given the fairly high density of the proposals and satisfactorily provides for the necessary parking, servicing and amenity requirements of the site. Whilst the proposals would have some implications on the amenity of neighbouring properties, the impact is not considered to be significant and not considered to warrant refusal of the application.

One of the main considerations in this case has been the viability of the proposals and ability of the scheme to provide for affordable housing. Viability appraisals of the scheme have been undertaken and the level of affordable housing reduced to reflect these. On balance, given in particular wording of joint core strategy policy 4 which allows for lesser provision of affordable housing where the scheme is found to be unviable, the desirability of redeveloping this brownfield site which has been vacant for a considerable period of time, the sites prominence in the townscape, the acceptability of the proposals in all other respects, the need for market housing as identified by joint core strategy 4 and the emphasis on promoting economic activity and bringing forward housing development within the draft National Planning Policy Framework, it is considered that the proposals are acceptable in this case. The proposals are therefore considered acceptable subject to the provisions secured via S106 agreement and the conditions imposed. )



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Planning Application No 11/02236/F

Site Address Land adjacent to Novi Sad Bridge Wherry Road

Scale 1:750



**NORWICH**  
City Council

PLANNING SERVICES



A B

Corporation Quay

River Wensum



- Legend:**
- Type A  
2 Bed 2 Bath  
Area 63.09m<sup>2</sup> / 684 ft<sup>2</sup>
  - Application Boundary
  - Parking Space
  - Indicative Trees
  - Main Entrances
  - Vehicle Entrance
  - Secondary Entrance / Exit
  - Refuse Store Access
  - Recycle Store Access
  - 1x Cycle Space
  - Dry Riser
  - Weekly Recycling Bin Collection Point
  - Weekly Refuse Collection Point for Bins from Stores A & B to be placed inside Refuse Store C and not the street
- Note:**  
Proposed trees indicative only. Refer to Landscape Architects drawings for details of proposed Landscaping Scheme and Engineering drawings for all level information.

Wherry Road

**Private / HA Car Park A**  
66x Cycle Spaces  
52x Vehicle Spaces : Internal  
07x Vehicle Spaces : External

S 20/10/2011 Refuse Strategy Revised  
Notes Added  
Additional Service Rooms added

No.	Date	Amendment	Initials	No.	Date	Amendment	Initials
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**Client :** Generator Real Estate Solutions LLP  
**Project :** Wherry Road, Norwich



**Drawing :** Ground Floor Plan

**Scale :** 1:200 @ A3  
**Date :** Aug 2011  
**Status :** Planning  
**Dwg No. :** 09 - 1686 - 020  
**Rev. :** S

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Legend:

- Type A  
2 Bed, 2 Bath  
Area 83.08m<sup>2</sup> / 884 ft<sup>2</sup>
- Type A2  
2 Bed, 2 Bath  
Area 87.15m<sup>2</sup> / 938 ft<sup>2</sup>
- Type A3  
2 Bed, 1 Bath  
Area 63.50m<sup>2</sup> / 688 ft<sup>2</sup>
- Type B  
2 Bed, 2 Bath  
Area 70.60m<sup>2</sup> / 760 ft<sup>2</sup>
- Type B2  
2 Bed, 2 Bath  
Area 62.02m<sup>2</sup> / 667 ft<sup>2</sup>
- Type B3  
2 Bed, 2 Bath  
Area 80.52m<sup>2</sup> / 867 ft<sup>2</sup>
- Type C1  
2 Bed, 2 Bath  
Area 75.25m<sup>2</sup> / 809 ft<sup>2</sup>
- Type C2  
2 Bed, 2 Bath  
Area 68.52m<sup>2</sup> / 738 ft<sup>2</sup>
- Type C3  
2 Bed, 2 Bath  
Area 69.70m<sup>2</sup> / 750 ft<sup>2</sup>
- Type D  
2 Bed, 2 Bath  
Area 83.02m<sup>2</sup> / 893 ft<sup>2</sup>
- Type D1  
2 Bed, 1 Bath  
Area 77.65m<sup>2</sup> / 836 ft<sup>2</sup>
- Type D2  
1 Bed, 1 Bath  
Area 65.47m<sup>2</sup> / 705 ft<sup>2</sup>
- Type E  
2 Bed, 1 Bath  
Area 62.38m<sup>2</sup> / 671 ft<sup>2</sup>
- Type F  
1 Bed, 1 Bath  
Area 50.25m<sup>2</sup> / 540 ft<sup>2</sup>
- Type G  
2 Bed, 2 Bath  
Area 94.42m<sup>2</sup> / 1016 ft<sup>2</sup>
- Type H  
2 Bed, 2 Bath  
Area 89.02m<sup>2</sup> / 958 ft<sup>2</sup>
- Type J  
2 Bed, 2 Bath  
Area 87.77 / 945 ft<sup>2</sup>

Legend:

- Application Boundary
- Parking Space
- Indicative Trees
- Main Entrances
- Vehicle Entrance
- Secondary Entrance / Exit
- Refuse Store Access
- Recycle Store Access
- 1x Cycle Space
- Dry Riser

Note:  
Proposed trees indicative only.  
Refer to Landscape Architects drawings for details of proposed Landscaping Scheme and Engineering drawings for all level information.

S 20/10/2011 Refuse Room below shown  
Notes Added

HvN

No.	Date	Amendment	Initials	No.	Date	Amendment	Initials

Client : Generator Real Estate Solutions LLP

Project : Wherry Road, Norwich

Drawing : 1st Floor Plan

Scale : 1:200 @ A3	Status : Planning	Rev : S
Date : 16 Aug 2011	Dwg No : 09-1686-021	



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