

Report for Resolution

Report to Planning Applications Committee
Date 18 March 2010
Report of Head of Planning Services
Subject 09/01567/F Marks And Spencer Rampant Horse Street
Norwich NR2 1QR

Item
6(3)

SUMMARY

Description:	Demolition of units 11, 17 and 19 Rampant Horse Street and redevelopment by the erection of a four storey replacement building including new facade on the Malthouse Road frontage to existing store, and other external alterations.
Reason for consideration at Committee:	Major Development
Recommendation:	Approve
Ward:	Mancroft
Contact Officer:	Gary Howe Team Leader (Inner Area) 01603 212507
Valid date:	30th December 2009
Applicant:	M&S
Agent:	Catherine Widdowson

INTRODUCTION

The Site

Location and Context

1. 11, 17 and 19 Rampant Horse Street are located on the south side of Rampant Horse Street, between the former Woolworth store (now part of M&S) and Malthouse Road. The fronts of these two storey properties face onto Brigg Street to the north.
2. The properties are within the City Centre Conservation Area and are contained within the St Stephens character area of the Conservation Area Appraisal.
3. The site is adjacent to St Stephens Church which is a grade I listed building situated on the west side of Malthouse Road. The former Buntings Store (original M&S building) is on the Council's Locally Listed buildings.

Planning History

4. Conservation Area Consent (09/01568/C) was recently granted (under delegated authority) for the demolition of 11, 17 and 19 Rampant Horse Street subject to a number of conditions. The two most important being that:-

- no demolition should take place until details of bona-fide contractual arrangements for the restoration and redevelopment of the site have been agreed with the LPA and;
 - there shall be no below ground disturbance or removal or puncturing of the ground floor slab (of 11, 17 and 19 Rampant Horse Street) prior to the implementation of a programme of archaeological works.
5. Planning permission (09/01590/F) was recently granted (under delegated authority) to alter the existing double fronted shop door (12 St Stephens Street – existing M&S card shop) so that it can accommodate a new single door staff entrance. The existing shopfront window display areas are to be retained.

The Proposal

6. It is proposed to demolish units 11, 17 and 19 Rampant Horse Street (gross floorspace 1553sq.m.) which were formerly single shop units but which have subsequently been used for storage purposes by M&S.
7. Redevelopment of this part of the site to provide a four storey retail extension to the existing M&S store (net additional floorspace 1046sq.m.). The scheme will include a new façade to the elevation fronting Malthouse Road (rear of former unit 11 Malthouse Road) which will include the concept of a 'Living Wall System' (or green wall); minor alterations to the façade along St Stephens Street to relocate entrance doors and a general unification of the space within the whole store to create a continuous retail trading space on all floors (net increase in sales area 2880sq.m.).
8. The scheme will include relocating staff training/facilities from the second floor of the original M&S store into No. 12 St Stephens Street. The entrance will become 'staff only' although a display frontage will be maintained.

Representations Received

9. Advertised on site and in the press. No comments received.

Consultation Responses

10. Policy: No objection on policy grounds to the proposed extension to the retail floorspace. Although the proposal is contrary to policy SHO7 of the local plan, the more recently published PPS4 is a material consideration along with the need for retail floorspace identified in the Retail and Town Centres Study (2007).
11. Transportation: No objections in principle to the proposal although there will be a need to provide a transport contribution.
12. Conservation and Design: No objections subject to further details being received or required by condition.
13. Pollution Control: No objection in principle. Should the proposal be approved would recommend a condition controlling plant and machinery in terms of the potential for fumes and noise and a number of informatives to advise on the removal of materials following demolition; dust prevention during construction and a control on construction noise.

14. English Heritage: This is a large development in a sensitive part of the Norwich Conservation Area, on a prominent corner site. However, with the exception of the original Buntings and Woolworth Stores, the existing buildings on the site are of no particular architectural or historic interest and the proposal therefore offers the opportunity for real enhancement of the Conservation area, as well as the setting of the nearby grade I listed church of St Stephen.
15. When considering the elevation to Rampant Horse Street it is relevant to note that the original 1912 Buntings Store provides a consistent architectural treatment for over a third of the block frontage, the former Woolworth building again provides a unified treatment for approximately one third of the block frontage, but the final third is subdivided into three separate architectural elements that do not have any degree of visual integrity with each other and which, therefore provide a different and discordant rhythm to the elevation. This is particularly apparent when approaching the site along Brigg Street and the current proposal will ensure this final third of the block frontage is treated as a single entity that better replicates the rhythm established by the Buntings and Woolworths stores.
16. The contemporary design approach is appropriate to the site and the more active frontages are particularly welcome. If we have a concern it is over the long term performance of the 'green wall'. In the event that the application is to be approved it will be necessary to have some appropriate condition to require replacement planting in the event that this green wall fails. Furthermore, it is noted from the photographs included within the Design and Access Statement that it is possible to include a degree of patterning within the planting and again this should be controlled by way of condition. For instance, would it be appropriate to include a large M&S logo within this planting? Also, when considering the Malthouse Road elevation, we welcome the removal of the lift house motor room from the roof of the existing store, but it is unfortunate that the existing chimney at the south-western end cannot also be removed. We note that this chimney is to be re-clad and it may be preferable for this cladding to have a vertical, rather than horizontal, emphasis. The colour and finish of the cladding should be selected so as to minimise the impact of the chimney against the sky.
17. Finally, when looking at the existing store, one of the visually weaker parts is the current treatment of the corner between Rampant Horse Street and St Stephens Street, especially when compared to the original corner treatment illustrated on Page 7 of the Design and Access Statement. It is a matter of regret that the current redevelopment proposal does not extend to include visually strengthening this corner, which is important in the townscape of Norwich.
18. Norwich Society: Approve of this exiting development which will vastly improve this important corner. The Living Wall plants will need to be of a sustainable type, and care and maintenance of the best quality, which in this case we think it will be. (Dead and dying plants would not be a good advertisement).
19. Norfolk Landscape Archaeology: The proposed development affects a site within the Area of Main Archaeological Interest, as defined by the Norwich Local Plan (November 2004). The site lies along the edge of the medieval horse fair (along Rampant Horse Street). Excavations adjacent to the site recovered medieval material, while alterations within the site itself revealed post medieval and medieval features. If planning permission is granted, we therefore ask that this be subject to a condition for a programme of archaeological work in accordance with Planning Policy Guidance 16, Archaeology and Planning (1990), para. 30. Norfolk Landscape Archaeology will provide briefs for the archaeological work on

request.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

Planning Policy Statement 1 (PPS1) - Delivering Sustainable Development
Planning Policy Statement 1 supplement – Planning and Climate Change
Planning Policy Statement 4 (PPS4) – Planning for Sustainable Economic Growth
Planning Policy Guidance 13 (PPG13) - Transport
Planning Policy Guidance 15 (PPG15) – Planning and the Historic Environment
Planning Policy Guidance 16 (PPG16) – Planning and Archaeology

Relevant Strategic Regional Planning Policies

East of England Plan 2008

SS6 – Cities and Town Centres
ENG1 – Renewable energy
ENV6 – Protect, enhance the historic Environment
ENV7 – Quality in the Built Environment

Relevant Local Plan Policies

City of Norwich Replacement Local Plan 2004

HBE3 – Archaeology
HBE8 – Conservation Areas
HBE12 – High Quality of Design
EP18 – High standard of energy efficiency
EP19 – Renewable Energy
SHO3 – Sequential test for retail development
SHO7 – Limit on additional retail floorspace in the primary shopping area
SHO9 – Off-site public facilities reasonably required in connection with the development
TRA8 – Servicing Provision
TRA11 – Contributions towards transportation infrastructure
TRA12 – Travel Plans

Supplementary Planning Documents and Guidance

St Stephens Area Outline Masterplan
Norwich City Centre Conservation Area Appraisal
Retail and Town Centres Study (2007) JCS
Transport Contributions SPD

Submitted Supporting Documents

Planning Statement
Planning Statement Addendum: PPS4
Statement of Community Involvement
Transport and Waste Management Statement
Energy Efficiency
Green Wall
Design and Access Statement

Principle of Development

Retail Policy Implications

20. The site is located within a primary shopping area of the city centre, and within a defined retail frontage (saved policy SHO3). The proposed redevelopment of the existing store creates an additional 1046sq.m of tradable floorspace. The site is within a highly accessible location and any extension or addition to retail floorspace should ideally be located within such a primary retail area. The proposal however would be contrary to saved policy SHO7 of the Replacement Local Plan (the local plan), which permits such extension provided they are under 500sq.m. Since the adoption of the local plan however national policy, Planning Policy Statement 4 (PPS4) on 'Planning for Sustainable Economic Growth' has been produced. This seeks to encourage proposals for economic growth where appropriate. Further to this the Retail and Town Centres Study (2007) produced as part of the evidence base for the Joint Core Strategy identified the need for additional retail floorspace. The Retail and Town Centre Study identifies the quantitative needs of new comparison goods floorspace in the City centre as 16,147sq.m. net by 2011 and 40,001sq.m. net by 2016. The need for modern superstore floorspace is forecasted as 3,567sq.m. net by 2011 and 5,199sq.m. net by 2016. The forecast shows a strong demand of the retail development within the city. The City centre area therefore should clearly be the primary location to be considered, in accordance with PPS4.
21. Further to this the site has been identified in the St Stephens Street Area Outline Masterplan. Although this document has not formally been adopted it is aimed to be developed into a Supplementary Planning Document in due course. Appendix A of this document identifies an additional storey to be added to the existing building as outlined in this application.
22. Policy SHO9 of the local plan seeks the provision of off-site public facilities (reasonably required in connection with the development) for all new retail developments in excess of 1000sq.m. in size. In order to satisfy this policy, officers have been working with the applicants agents to identify if it is possible to upgrade the environment in Barwell's Court which is a narrow pedestrian passageway joining Malthouse Road with St Stephens Street. The court will be improved to some extent due to the improvements to the shopfront near St Stephens Street but the closure of the access to the store within the court will to some extent make it a less well used route. Although an investigation to extend the shopfront further within the courtyard has not been possible (due to fixed levels within the store).
23. Given the above it is considered that in policy terms the proposal is consistent with the advice in PPS4 (which is a material consideration and which effectively supersedes saved policy SHO7 in the RLP) and the advice contained in the emerging St Stephens Area Outline Masterplan.

Design

24. Marks and Spencer's is positioned in the heart of the City Centre Conservation Area with a frontage to three streets. It is within the St Stephen's character area, as defined by the City Centre Conservation Area Appraisal, which designates this as a 'significant' part of the area. The St Stephens Street and Rampant Horse Street frontages are designated as 'positive' frontages in the Area Appraisal. The proposal is for the demolition and rebuilding of part of the existing Marks and Spencer store, adjacent to Malthouse Road and opposite

the Grade I listed St Stephens Church. The position of the site, adjacent to the church and churchyard and in close proximity to Chapelfield Plain means that this is a highly prominent elevation.

25. At present the buildings running along Malthouse Road (rear of former unit 11 Malthouse Road) are not of any great architectural quality and detract from the appearance of this part of the Conservation area particularly as this location has increased significance as it is on an important route to and from Chapelfield Shopping Centre. Nos. 11, 17 and 19 Rampant Horse Street are late 20th century buildings and are also considered to be of little architectural quality. Given the above it is considered that there is no objection to the demolition of these building and that the replacement proposals will greatly enhance the appearance of the area, as well as providing an enlarged store.

Major Views and Height

26. The scale of buildings and plots along Rampant Horse Street tends to be large (e.g. Debenhams, Former Buntings Store, former Woolworths store and Top Shop) except where they reduce down to the small plot sizes at 11, 17 and 19 Rampant Horse Street. This has the effect of breaking down the symmetry of the frontage, a point emphasised in English Heritage's comments (see paragraph 16). The buildings on Rampant Horse Street are prominent when viewed from Brigg Street, closing the view from that direction. The site is also significant when seen from the north-west passed St Stephens Church. It is considered that the replacement of the units with a substantial good quality contemporary building will complement the existing frontage of large stores and act as a visual foil to the church.

Design Concept

27. The applicant's architects have carried out a 'context analysis' which is contained within the Design and Access Statement. The design of the new building successfully turns the corner to Malthouse Road, echoing the way in which the original Buntings building turns the corner to St Stephens Street. The new building is contemporary in style and does not attempt to re-create the design of either of its neighbouring buildings. However, the three buildings relate well to one another in terms of scale and proportions and each is architecturally typical of its time. The way in which the proposed building turns the corner, the more horizontal emphasis and the continuous shopfront all help to relate it more closely to the adjoining buildings and gives it more of an impression of a single block, despite the different building designs. This will also be emphasised by new signage which is yet to be agreed.

Green or 'Living' Wall

28. The way in which plants are positioned on the green wall is quite important. This has been demonstrated by examples that the architects have submitted within their submissions. Random or curvilinear planting looks much more natural than geometrically arranged planting that would look more architectural. This is something that may change over time and it is recommended that this is controlled by condition (see recommendations and also paragraph 37).

Materials

29. The high level rainscreen cladding in a stone colour will work well with the adjoining M&S building and the stone of the church. Likewise the dark grey cladding at lower level along Malthouse Lane will relate to the flint found in the vicinity. Materials will need to be

conditioned so that exact details can be agreed.

Window Display and Public Realm

30. The opening up of the display windows along Barwell's Court is welcome. However it is disappointing that the opportunity has not been taken to carry out further improvements, such as improved lighting. The loss of entrances into the building from Barwell's Court could also increase the feeling of vulnerability for pedestrians and reduce the use of the alley.

Rooftop Plant and lift motor room

31. The third floor plan shows the changes that are due to be made to the roof-top plant. This will not be more visible than the existing equipment however it will need to be carefully controlled by condition. The lift motor room, which is positioned close to the Malthouse Road elevation, will be removed. Although the chimney will be retained, this is less visually intrusive and the cladding proposed should make it even less so. The applicants have confirmed that horizontal panelling will be used to clad the chimney in line with the suggestions made by English Heritage.

Transport and Access

Transport Assessment

32. There are no objections in principle to this proposal, which largely replaces existing floorspace, creating an additional 1046m² of retail area over that which currently exists. As such it will attract a transport contribution as set out in saved policy TRA11 of the local plan. The size of the contribution is based upon the amount of new floorspace and the formula set out in the 'Transport Contributions' Supplementary Planning Document. It is expected that the contribution will be in the region of £40,000. This contribution would be used towards the enhancement of the area in accordance with the aims of the St Stephens Street Area masterplan. The applicants have agreed to enter into a Section 106 Agreement in respect of this contribution.

33. The proposals within the 'Transport and Waste management Statement' are considered acceptable.

34. It should be noted that the design includes projections on the front/side of the store. It would appear that these do project over the highway (a licence under S177 of the Highways Act will be needed). Whilst there are no objections to this at the higher level the lower level projections could be damaged by delivery vehicles to the store and it is therefore recommended that protection by bollards in the pavement is provided. This can be dealt with via the Section 106 Agreement.

Vehicular Access and Servicing

35. The majority of the servicing to the store takes place via the underground link to the Chapelfield Shopping Centre and its service area which exits onto Chantry Road. As a consequence of the works, the use of Malthouse Road and its above ground service bay might be substantially reduced and this is to be welcomed. There has been no issue with Marks and Spencer servicing from this location, but it is an increasingly important pedestrian route, and reducing its use by vehicles can only be beneficial. This area is, however, public highway, and their use of it is perfectly legitimate.

Travel Plan

36. The applicants have agreed that it is their intention to implement a Travel Plan at the store and this should be a condition of this approval, to be implemented before the first occupation of the new extension.

Environmental Issues

Green or 'Living' Wall

37. The 'Green' or 'Living Wall' proposed on the Malthouse Road frontage would be the first of its kind in Norwich. It involves applying a bespoke modular panel system (rather like egg boxes) made of recycled material which has its own irrigation system supplied from harvested rainwater from the roof. Each angled module retains its own growing medium and plant. Living walls are primarily composed of plants that absorb and filter out airborne toxins e.g. chrysanthemum, spider plant, aloe vera, English ivy. The species of plant used can also make a strong visual contribution to the wall when used on mass. The benefits of green walling include reduced thermal loading on the buildings, natural air filtration, reduced heat effect, sound attenuation, creation of urban ecological habitat, and creating an enhanced urban environment.

Archaeology

38. The proposed development affects a site within the Area of Main Archaeological Interest, as defined by saved policy HBE3 of the Replacement Local Plan. The site lies along the edge of the medieval horse fair (along Rampant Horse Street). Excavations adjacent to the site recovered medieval material, while alterations within the site itself revealed post medieval and medieval features. As suggested a condition is included which will require a programme of archaeological works to take place prior to the commencement of work on the site.

Energy Efficiency and Renewable Energy

39. The applicants have submitted an energy efficiency statement as required by saved policy EP18 of the local plan. The statement sets out the M&S 'Plan A' which was launched in January 2007 and which seeks to reduce its emissions across the board to become carbon neutral by 2012 in the UK. It plans to do this by reducing energy consumption and increasing its use of renewable electricity. In January 2008 M&S launched its Sustainable Construction Manual. However given the relative small size of the extension and the fact that the extension will connect in with the existing plant and energy sources, energy efficiency measures that can be proposed as part of the scheme are seen as limited.

40. The approach taken for the sustainable strategy for the proposed extension at Norwich is as follows:-

- Reduce energy demand at source;
- Meet residual demand with energy supplied from off site renewable sources;
- Implement a design which maximises the use of materials sourced from low energy and renewable sources;
- Specify systems which utilise wherever possible the benefits of off-site construction and which reduce waste to a minimum.

41. The proposed design of the extension and the siting of staff areas seek to maximise opportunities for introducing natural daylight with the purpose of reducing the need for artificial lighting, but improving the environment for customers.

42. By connecting into the existing plant within the store it will represent:-

- more efficient use of resources than redeveloping the site as a whole;
- no new heating, ventilation or cooling plant is proposed solely for the purpose of serving the extension;
- re-uses two large cooled water chillers that have sufficient spare capacity to serve the extension;
- existing faulty gas boiler controls will be replaced to improve energy efficiency;
- existing store electrical services can be re-used;
- new more energy efficient centralised roof plant will be installed;
- new energy efficient lighting with occupancy sensors or daylight sensors will be installed

43. Construction material will where possible be obtained from renewable sources. Structural elements to be sourced from off-site factory products such as rainscreens, curtain walling and metal louvers which will reduce construction periods and waste e.g. Living Wall created out of recycled plastic.

Plant/Machinery

44. The drawings indicate some new plant on the roof of the existing M&S store at third floor level. The Pollution Control Officer has suggested that this needs to be controlled by the use of a condition to prevent any noise or fumes (see paragraph 13)

Conclusions

45. It is considered that subject to the conditions listed and the contents of the Section 106 the demolition and redevelopment of the site is acceptable in that it will provide additional retail floorspace in a sustainable location within the heart of the primary retail area of the City centre thus improving the retail 'offer'; the building will enhance the character of the City Centre Conservation Area and improve the townscape of the area; it will also improve the character of Malthouse Road as a semi-pedestrian link from Rampant Horse Street to the Chapelfield Shopping Centre and the setting of the grade I listed St Stephens Church.

RECOMMENDATIONS

To approve Application No (09/01567/F) and grant planning permission, subject to:

(1) the completion of a satisfactory S106 agreement by 31st March 2010 to include the provision of contributions to transportation; and subject to the following conditions and informatives:-

Conditions:

1. Standard time limit;
2. Submission of samples of external materials;
3. Travel Plan;
4. Details of plant and machinery;
5. Prior details of the following: a) Roof top plant b) Any external lighting;
6. Maintenance of planting in Living Wall including planting plan;
7. Archaeology;
8. A scheme to provide bollards in the highway near Malthouse Road;

Informatives:

1. Asbestos survey prior to site clearance;
2. Material cleared following results of site investigation;
3. Dust prevention during during demolition/construction;
4. Mitigation of construction site noise.

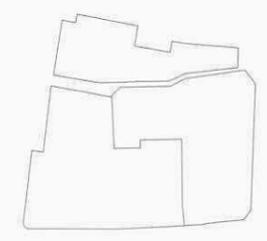
Reasons for approval:

The decision has been made with regard to the provisions of national policies PPS1, PPS4, PPG13, PPG15 and PPG16, policies SS6, ENG1, ENV6 and ENV7 of the East of England Plan (adopted May 2008) and saved policies HBE8, HBE12, EP18, EP19, SHO3, SHO7, SHO9, TRA8, TRA11 and TRA12 of the adopted City of Norwich Replacement Local Plan, and other material planning considerations.

It is considered that subject to the conditions listed and the contents of the Section 106 the demolition and redevelopment of the site is acceptable in that it will provide additional retail floorspace in a sustainable location within the heart of the primary retail area of the City centre thus improving the retail 'offer'; the building will enhance the character of the City Centre Conservation Area and improve the townscape of the area; it will also improve the character of Malthouse Road as a semi-pedestrian link from Rampant Horse Street to the Chapelfield Shopping Centre and the setting of the grade I listed St Stephens Church.

(2) where a satisfactory S106 agreement is not completed prior to 31st March 2010 that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 09/01567/F.

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KEY PLAN SCALE 1:1250

REV	DATE	DESCRIPTION	DRAWN	CHECKED
LOCATION FIGURE				

M&S

STORE NAME
M & S NORWICH

STORE NUMBER
2642

COUNTRY
UK

PROJECT
MARKS AND SPENCER NORWICH

DRAWING
3D VIEW 4

CONSULTANT
BENYOY



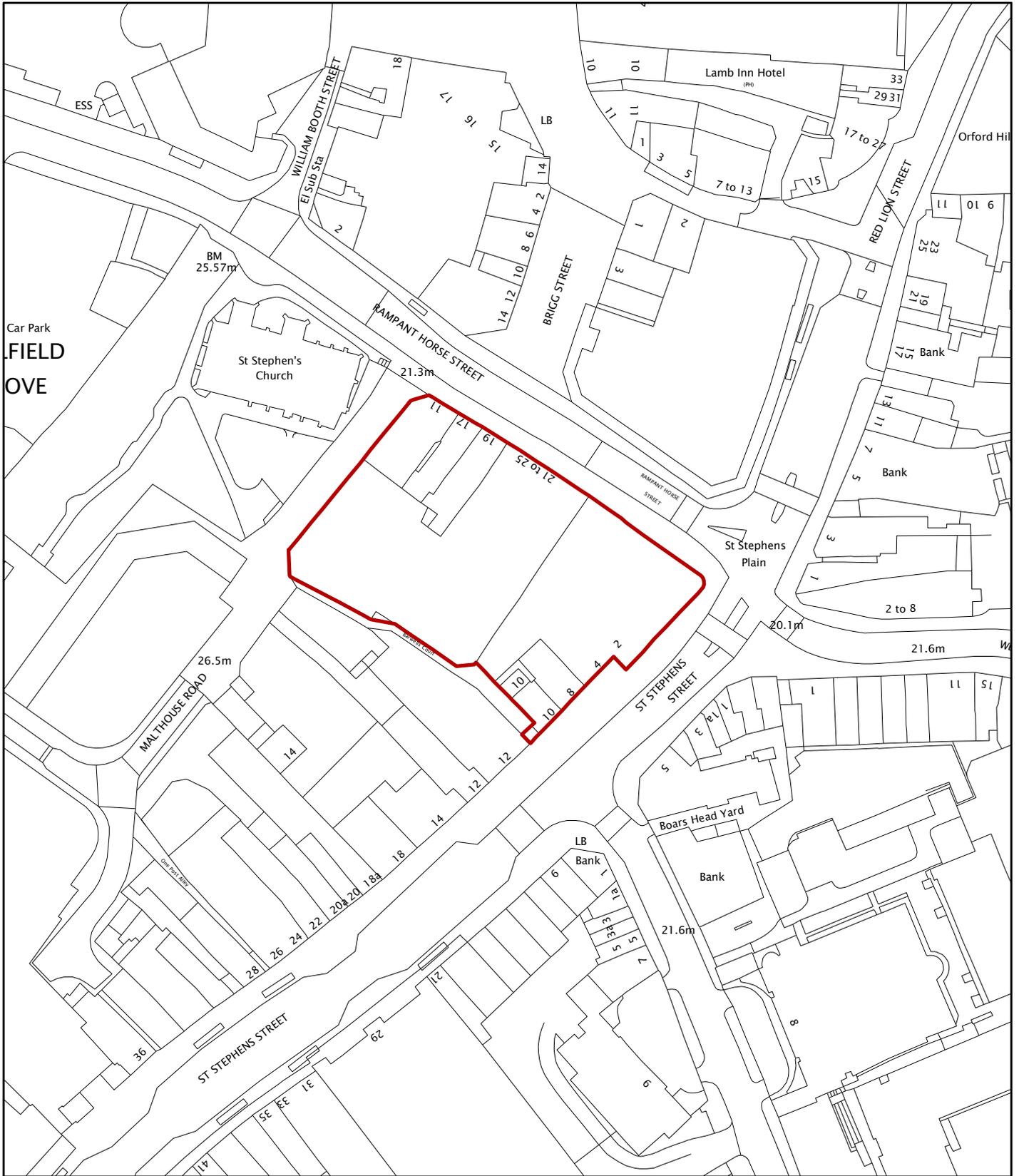
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PROJECT No	CONSULTANT PROJECT No	DRAWING No	STATUS	REV
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A	PLANNING



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Planning Application No - 09/01567/F
 Site Address - Marks and Spencer, Rampant Horse Street, Norwich
 Scale - 1:1,250

