

Planning Applications Committee

11th December 2008

Section B

Agenda Number:	B7
Section/Area: I	Inner
Ward:	Mancroft
Officer:	Gary Howe
Valid Date:	11th September 2008
Application Number:	08/00971/F
Site Address :	23 - 25 Magdalen Street Norwich NR3 1LE
Proposal:	Retain facade (fronting Magdalen Street) and demolition of remainder of existing retail and storage buildings at rear of site; redevelopment to provide two shops with four flats fronting Magdalen Street and 13 No. residential dwelling houses at rear with associated parking and garages (Revised description).
Application Number:	08/00973/C
Site Address:	23 - 25 Magdalen Street Norwich NR3 1LE
Proposal:	Retain facade (fronting Magdalen Street) and demolition of remainder of existing retail and storage buildings at rear of site to facilitate redevelopment for two shops with four flats above and 13 No. residential dwelling houses with associated parking and garages.
Applicant:	Looses Ltd
Agent:	Chaplin Farrant Limited

THE SITE

These applications relate to a site on the east side of Magdalen Street. It is situated close to Gurney Court which is to the north and Thoroughfare Yard which is to the south. The site has vehicular access off Thompson's Yard which is an adopted highway to the east of the site. The site is within the City Centre Conservation Area and the Colegate character area of the Norwich City Centre Conservation Area Appraisal.

PLANNING HISTORY

The premises have been used as a shop for many years.

07/01217/F - Demolition and redevelopment of site to provide 15 residential units and 2 retail units with associated garages/car parking. (withdrawn - 23/07/2008)

THE PROPOSAL

- retain facade (fronting Magdalen Street);
- demolition of remainder of existing retail and storage buildings at rear of site;
- redevelopment to provide two shops with four flats fronting Magdalen Street;
- creation of two courtyards by the erect 13 No. town houses at rear;
- associated parking, garages and new vehicle access (off Thompson's Yard).

CONSULTATIONS

Advertised in press, on site and adjoining occupiers notified: Four letters of concern on the following grounds:-

- that the fourth floor north facing balconies (units 16-18) will overlook Gurney Court gardens;
- that the additional storey height of 23-25 Magdalen Street could cause a loss of light to the rear of 27 Magdalen Street;
- that the height of the new buildings to the south-west of the site (units 9-11) could cause a loss of light and privacy to the rear of 17a and 19a Magdalen Street;
- loss of privacy and security issues around the use of the private rear yard (Red Lion Yard) as a pedestrian link to Magdalen Street for the prospective residential occupiers.

Environment Agency: Object to the proposal on the grounds that the scheme fails the sequential test and that the sole access/egress from Fishergate via Thompson's Yard may be subject to flooding (Flood Zone 3) in the future. If these could be overcome they would require conditions relating to sampling in connection with possible ground contamination, water, energy and resource efficiency measures.

Anglian Water: Support proposal but would wish various informatives to be attached to any permission

Quality Panel: (comments on previous scheme 16/07/07): Would like to see the style given a more contemporary feel; It was suggested that a courtyard approach could be achieved to the west of the site behind the front range, but overall the orientation of buildings with gardens to the south was welcomed. The space to the front (north) of the buildings required a considered approach in order to avoid creating a 'dead' space or encouraging intrusive parking. Would like to see the alleyway access to Magdalen Street used within the scheme.

Norwich Society: Consider houses are too tall; they need to be reduced by a storey; feel site will be overdeveloped; worried about overlooking to gardens of Gurney Court.

City Centre Central Forum: Nicely worked if intensive development; concerned about the lack of visitor car spaces; not convinced that Magdalen Street façade is worth keeping.

Police (Architectural Liaison/Crime Reduction): Layout provides for natural surveillance; most vehicles within control of nearby residents; need for low planting; recommend lockable gates to Magdalen Street with residents/traders having keys; gate near alley entrance needs to be robust allowing long views; worried about use of aluminum downpipes.

PLANNING CONSIDERATIONS

Relevant National Planning Policies

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS6	Planning for Town Centres
PPS25	Development and Flood Risk

Relevant East of England Plan policies

SS1	Achieving Sustainable Development
SS2	Overall Spatial Strategy
H1	Regional Housing Provision: - 33,000 dwellings in Norwich Policy Area 2001-2021, of which 14,100 in Norwich City
H2	Affordable Housing
E5	Regional structure of town centres
ENV7	Quality in the Built Environment
ENG1	CO ₂ emissions and Energy Performance
NR1	Norwich Key Centre for Development and Change

Relevant Local Plan Policies (saved):

HBE3	Archaeological assessment in Area of Main Archaeological Interest
HBE8	Development in Conservation Areas
HBE9	Listed Buildings and development affecting them
HBE12	High quality of design, with special attention to height, scale, massing and form of development
HBE19	Designs for Safety and Security including minimising crime
EP22	High standard of amenity for residential occupiers
EP16	Water conservation and sustainable drainage systems
EP18	High standard of energy efficiency for new development
EP20	Sustainable use of Materials
SHO11	Changes of use in retail frontages in the Secondary Retail Areas and Large District Centre
SR7	Provision for children's equipped playspace
HOU1	Provision of new housing to meet needs and monitoring
HOU2	Mix of uses including housing on sites in City Centre
HOU6	Contribution to community needs and facilities by housing developers
HOU13	Proposals for new housing development on other sites ¹
TRA6	Parking standards – maxima
TRA7	Cycle parking standards

Supplementary Planning Documents and Guidance (SPD and SPG):

Open Space and Play Provision SPD adopted – June 2006
Transport Contributions from Development SPD Draft for Consultation – January 2006
Energy Efficiency and Renewable Energy SPD adopted – December 2006
Northern City Centre Area Action Plan Submission Report (NCCAAP) – November 2008
City Centre Conservation Area Appraisal – September 2007

Introduction

These applications have been submitted following the withdrawal of an earlier application (App. No. 07/01217/F) and following extensive negotiations between the applicants architect and officers to achieve a more appropriate scheme.

Land Use/Policy

The proposals provide for housing development on a brownfield site at an appropriate density in an urban area with excellent access to public transport, local services and facilities. It thus accords broadly with government policy in PPS1 and PPS3 which promote the sustainable location of new development in

general and new housing in particular. It also complies with regional and local policies seeking to deliver a significant quantum of new housing for Norwich and direct it to the most sustainable and accessible locations.

The amended scheme represents a significant improvement over earlier submitted proposals. It makes good use of space on a relatively constrained plot, delivering a high density form of development whilst retaining a good level of amenity and private defensible space for residents. It is considered that the measures to promote energy efficiency and sustainable drainage are acceptable.

As was the case with the previous scheme, the proposal will secure the beneficial development of underused premises and neglected backland within the priority regeneration area covered by the Northern City Centre Area Action Plan, and will complement recent new development on adjoining sites and potential larger scale development on the sites to the east (Hi Tech House and Smurfit) included as a major opportunity site in that Plan. The retention of shop units to the Magdalen Street frontage is supported.

With regard to the objections raised by the Environment Agency concerning the sequential test and access/egress route being subject to flooding, I am hopeful that these objections can be overcome in the light of additional information that has been sent to them. I will report verbally at the meeting on any updated position.

Urban Design

There are no objections to the demolition of the existing buildings at the rear of this site which are all post-war and of no architectural or historic value. The Looses shopfront is however of some value, being a good design of the period and to some extent a landmark in terms of shopfronts within Magdalen Street. The preservation of the façade is welcomed.

Following the withdrawal of the earlier unacceptable scheme officers have been in negotiations with the applicants architect in order to bring forward a layout and ultimately a scheme which fits in more with the organic growth of yards which is a characteristic of Magdalen Street. The site is within the Colegate character area of the Norwich City Centre Conservation Area Appraisal and is described as being in an area of 'small intimate streets, narrow alleys and courtyards'. It goes on to say that the area has a tight grain of buildings, particularly in the central and eastern part of the character area'. The application proposes two new courtyards through the length of the site. The western landscaped courtyard is vehicle free and serves the rear of four town houses plus the rear of two shops and the four flats above whilst the eastern courtyard (also landscaped) provides vehicle access to five integral garages within five townhouses with four car parking spaces. The eastern courtyard is served via a short vehicle route through an archway from Thompson's Yard which provides a frontage to four further

townhouses. It is considered that the proposal now sits comfortably within the historic character of this part of Magdalen Street.

The contemporary approach to the design is welcomed with its use of traditional pitch shaped roofs in the centre of the site, changing to a more innovative curved design nearer to Thompson's Yard. It includes the use of dormers and balconies to take advantage of natural light. The gardens and windows to the rear of some of the houses face south taking advantage of solar gain. As always the success of the scheme will depend upon the quality of the detailing.

Transportation

Vehicle access to the site is from the 'adopted' Thompson's Yard off Fishergate. It has been established that refuse servicing can take place from the yard without any need for a turning area within the site which has considerably enhanced the layout. Car parking for the proposal is in the ratio of one space for each residential unit (13) which is consistent with policy TRA6 of the Local Plan. Cycle parking is also provided with each dwelling, including the four flats in accordance with policy TRA7. Servicing for the two communal refuse areas will be via Thompson's Yard and Magdalen Street.

The scheme includes a pedestrian link to Magdalen Street via Red Lion Yard which is a privately owned yard over which the applicant enjoys rights of access. The scheme will attract a Transportation contribution (policy TRA11) which will need to be dealt with via a Section 106 Agreement. The applicant has agreed to this contribution.

Playspace

As the proposal involves over 15 child bed spaces the scheme will need to comply with the children's play policy (SR7). The scheme requires a commuted payment toward children's playspace of £24,288, based on 22 child bedspaces at £1104 per space (2008-09 rates). This will need to be dealt with via a Section 106 Agreement and the applicant has agreed to this contribution.

Representations

Although the four storey range facing Gurney Court has balconies which face north over-looking the garden to Gurney Court, this is not immediately adjacent to the site as it is separated by the rear garden of 29 Magdalen Street. There is 19 metres between the four storey range and the nearest part of Gurney Court garden. Given this scenario it is not considered unreasonable in terms of over-looking into the garden.

The concern expressed about residential units 9-11 being close to the rear of 17a and 19 Magdalen Street has to be considered in the context of the current situation where the existing (Looses) warehouse building (that is to be demolished as part of these proposals) are on the boundary with 17a and 19 Magdalen Street. Although the new units are higher than the existing warehouse building (by one storey) they are set further back from the boundary. I will present drawings which demonstrate this separation at the meeting.

With regard to the concern expressed about the potential for loss of light to the rear of 27 Magdalen Street, the applicants architect has suggested that part of the second storey of the proposed new building (behind the façade of 23-25 Magdalen Street) could be reduced to overcome the concerns. I will present a drawing of this at the meeting.

The applicants have confirmed that they have rights of access over Red Lion Yard (pedestrian link between Magdalen Street and the rear of 23-25). Whilst it is appreciated that there may be issues relating to maintaining security in this passageway, the proposals are supported by the police (architectural liaison officer) provided suitable lockable gates are included which are under the control of the affected traders and the residents. This could be required by the use of a suitably worded condition.

RECOMMENDATIONS

App. No. 08/00971/F

APPROVE PLANNING PERMISSION subject to the signing of a S106 agreement to include a transportation contribution and child play space contribution and appropriate conditions including the following:

1. Standard time limit;
2. Submission of samples of bricks, tiles, timber cladding;
3. Details of doors, windows (including sills and plinths), rainwater goods, balconies, railings, eaves, brick bond, mortar mix;
4. Details for the provision of 10% of the sites energy from decentralized and renewable or low-carbon sources;
5. Landscaping conditions;
6. Maintenance of landscaping;
7. Details of the layout of the cycle stores and refuse bins;
8. Provision of car parking, cycle and refuse storage prior to first occupation;
9. Archaeological conditions;
10. A scheme to ensure security within Red Lion Yard.

Reasons for Approval

The decision to grant planning permission has been taken having regard to saved policies HBE3, HBE8, HBE9, HBE12, HBE19, EP22, EP16, EP18, EP20, SHO11, SR7, HOU1, HOU2, HOU6, HOU13, TRA6 and TRA7 of the City of Norwich Replacement Local Plan (Adopted November 2004) and all material considerations.

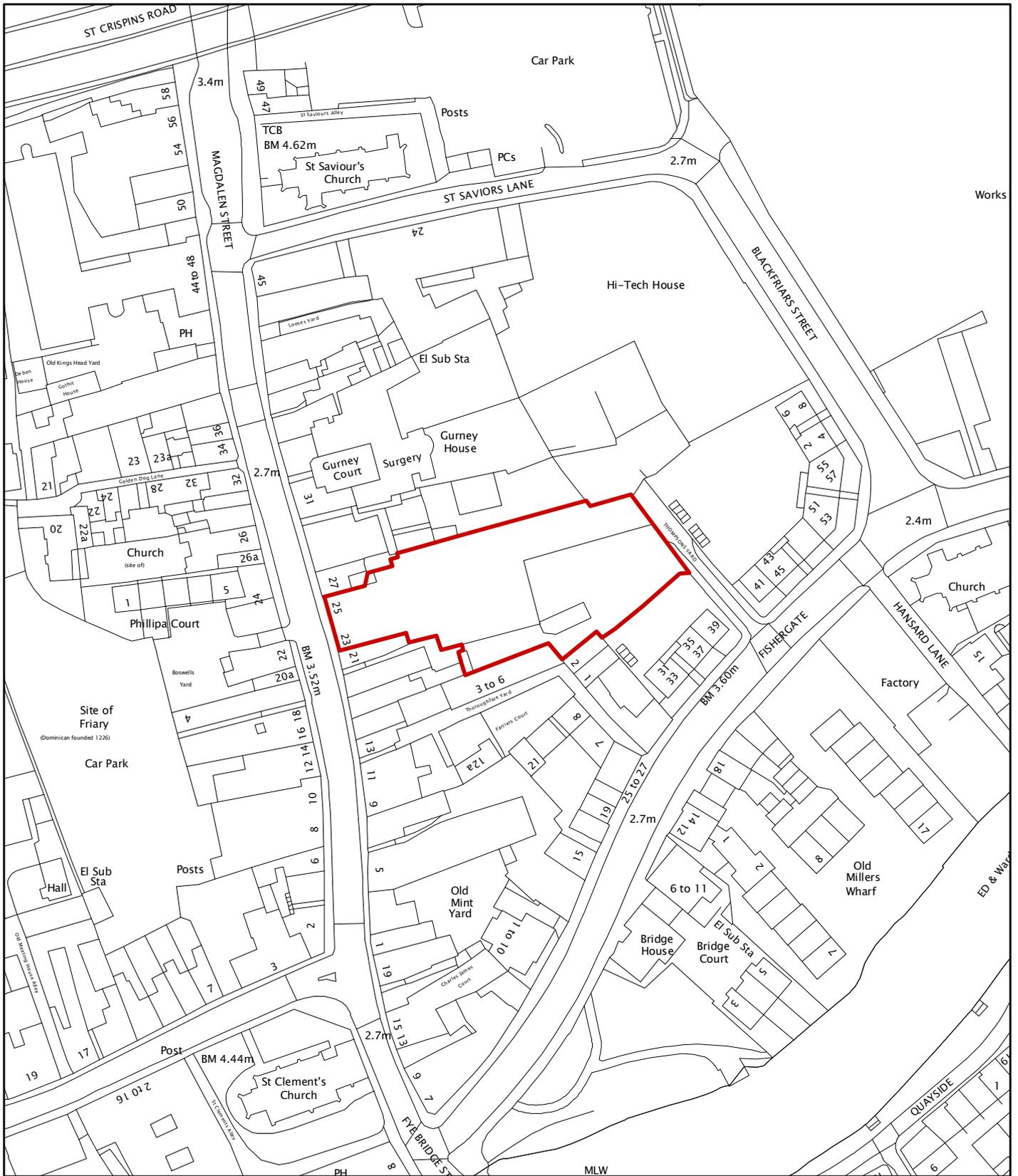
App. No. 08/00973/C

ARROVE CONSERVATION AREA CONSENT subject to the following conditions:-

- 1) Standard time limit;
- 2) Boni-fide contractual arrangements;
- 3) Method of ensuring the façade of 23-25 Magdalen Street is retained;

Reasons for Approval

The decision to grant conservation area consent has been taken having regard to saved policy HBE8 of the City of Norwich Replacement Local Plan (Adopted November 2004) and all material considerations.



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Planning Application No - 08/00971/F and 08/00973/C
 Site Address - 23 - 25 Magdalen Street
 Scale - 1:1250



NORWICH
 City Council

DIRECTORATE OF REGENERATION
 AND DEVELOPMENT

