

Report to Planning applications committee

Item

11 May 2017

Report of Head of planning services

Subject Application no 17/00035/F - Norfolk Primary Care Trust
Elliot House 130 Ber Street Norwich NR1 3FR

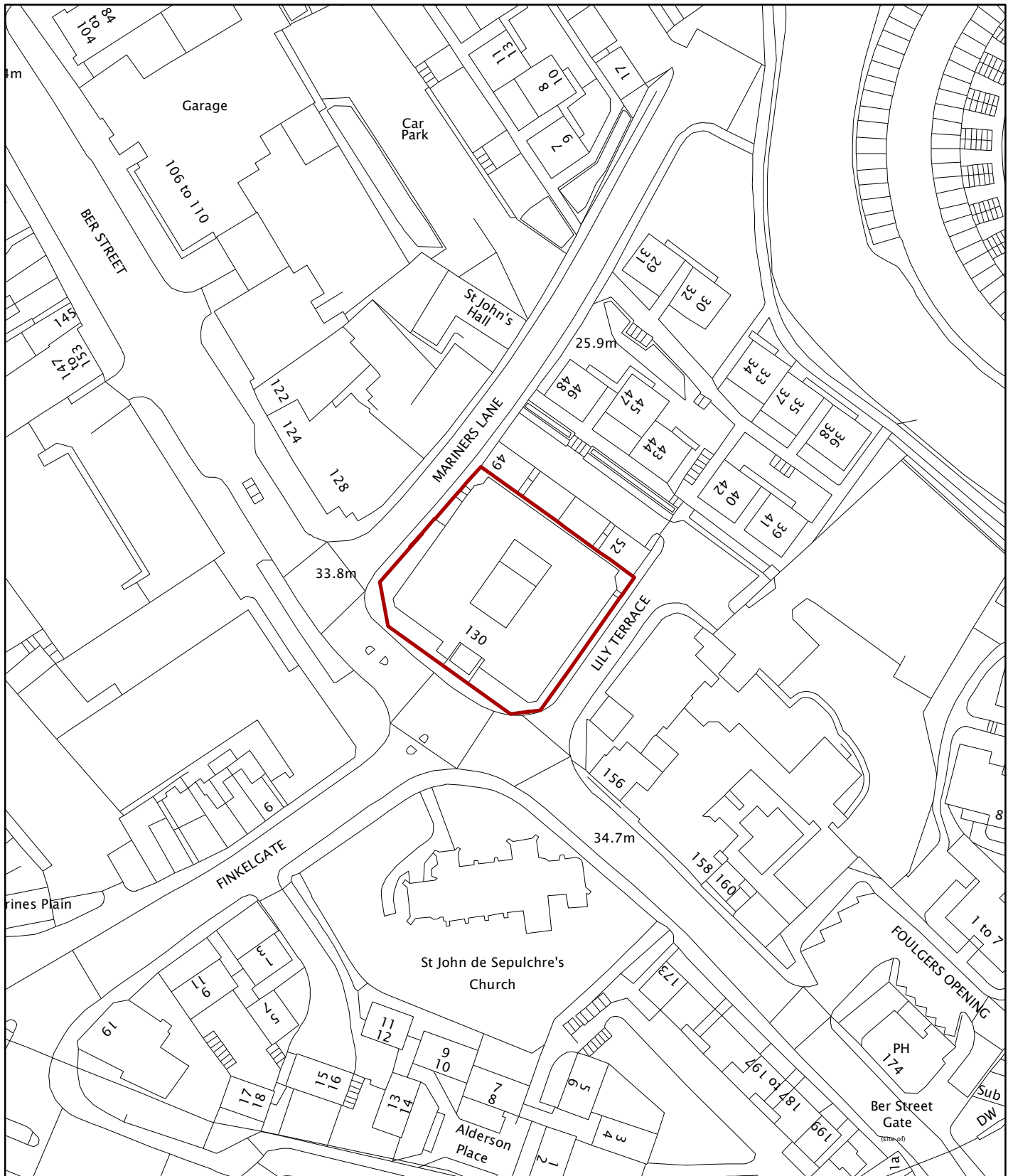
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**Reason
for referral** Objection

Ward:	Mancroft
Case officer	Sean O'Sullivan – seano'sullivan@norwich.gov.uk

Development proposal		
External alterations.		
Representations		
Object	Comment	Support
1	None	None

Main issues	Key considerations
1	Visual harm to conservation area and street Scene.
2	Increased overlooking, loss of privacy and impact on neighbouring properties.
Expiry date	22 March 2017
Recommendation	Approve



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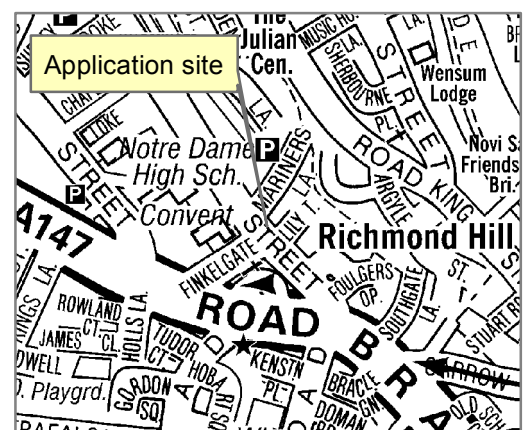
Planning Application No 17/00035/F
Site Address Elliot House 130 Ber Street

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. Elliot House is a four storey building with an additional basement level accessed from Mariners Lane, which is located at number 130 on the eastern side of Ber Street, opposite the junction with Finkelgate. Elliot House is located to the south of Mariners Lane and to the north of Lily Terrace. The building is located in the City Centre Conservation Area and is not locally or statutorily listed. It is a 1980s purpose built office building, built around a central courtyard. The existing building covers an area of approximately 990 square metres. Most of the south west elevation stands at a height of 12 metres and includes a single stair core with a height of 15 metres. The rear north-east façade stands at 15.7 metres and includes a stair core at a height of 18.6 metres.
2. The facades of Elliot House are primarily formed by precast concrete, with metal and curtain wall glazing. The overhanging upper stories of the building reflect the historic setting and imitate the sixteenth century house opposite. On the opposite side of Ber Street to Elliot House, there is also a traditional church building and a listed two storey brick house at 159 to 169 Ber Street. To the south of the site, Ber Street remains dominated by dwellings of varying styles and scales and to the north of the site there are small retail outlets.

Constraints

3. Elliot House is located in the City Centre Conservation Area and is not locally or statutorily listed.

Relevant planning history

- 4.

Ref	Proposal	Decision	Date
16/00826/PDD	Change of use from offices (Class B1) to 45 residential dwellings (Class C3)	Prior approval not required, subject to conditions	01/08/2016

The proposal

5. The current proposal is for alterations to the existing elevations of Elliot House to enable the change of use from offices (Class B1) to 45 residential dwellings (Class C3) (16/00826/PDD), for which prior approval was not required from the Council, subject to conditions.
6. The current proposal is to alter the existing elevations of the building, to allow sufficient outlook for, and natural light into, the 45 dwellings for which prior approval was not required (16/00826/PDD) in August 2016.

7. The alterations proposed are to include the installation of double glazed window units for each of the proposed dwellings, the retention of existing external brickwork, the installation of obscure glazed balustrading and balconies at 3rd floor level. Following the submission of the current planning application, the applicant will no longer be painting the external and existing pre-cast concrete fins.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	45 dwellings.
No. of storeys	4
Appearance	
Materials	Colour and texture of materials to be used are to be established as part of a condition.
Construction	The installation of a balustrade with obscure glazed panelling at 3rd floor level.
Energy and resource efficiency measures	Not applicable to the current application.
Servicing arrangements	Not applicable to the current application.

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. One letter of representation has been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Overlooking and loss of privacy concerns caused by the provision of balconies on the north west and south east elevations and, at the same level, the replacement of the existing sloped glazing facing the courtyard area with a sloped roof with windows.	Please refer to the Amenity section, later in this report.

Consultation responses

Design and conservation

9. Ber Street is an ancient Roman road and therefore a historic route in and out of the city. It is a wide street in comparison to other Norwich routes, due to its history as a 'cattle drove' This historic use gave rise to primary inhabitation by butchers and slaughter houses, leading to it becoming known locally as 'blood and guts street' Ber Street has lost much of its original character due to the slum clearances of the 1930's and bomb damage during WWII.
10. St John De Sepulchre church is the focal point at the southern end of Ber Street and much of the remaining historic architectural and historic interest is centred around it. This area is also the meeting of Ber Street and Finklegate. Much of the historic and architectural significance that remains in the area is C17 & C18 residential housing; mostly comprised of pitched pan-tiled or slate roof's, timber framed or red brick and/or rendered finish. Many of these houses are now in commercial use at ground floor and residential above and provide evidence of development of the area. 130 Ber Street, the application site, is considered as a neutral building within the Ber Street character area appraisal.
11. The aim of any re-development of 130 Ber Street should be to maintain this neutrality or develop the building in such a way that it becomes a significant contributor to the character of the area. If this could be achieved then the proposal would represent an enhancement to the Conservation Area, which is a designated heritage asset (a requirement of chapter 12 of the NPPF).
12. The character appraisal references the view South along Ber Street, towards St John de Sepulchre as a positive vista. No. 130, Elliot House, is a significant element of this vista due to its height and scale, relative to St John's with its tower. The elevation of the land is important as Elliot House stands atop the escarpment down towards the river and is therefore a considerable element of the long views. Considering the scale and height of the building it does not look out of place in the setting. Due to a clever design of the upper floors (particularly the glazed third floor which is set back and angled into the building core) it appears lower than it actually is and due to the gradients of the landscape blends into the existing building lines reasonably well. The extensive use of concrete as the primary building material blends well with the masonry structure of St John's church opposite. The heavy grained texture of the concrete is integral to its design as it adds depth. The fenestration is a significant element of the character of Elliot house.
13. Through negotiation with the local planning authority the scheme as proposed by the applicant is considered to be appropriate. Maintaining the horizontal pattern of tinted glazing and undecorated, textured concrete panelled elevations minimises the impact of the mass of the building. Due to the relief of the escarpment and clever architectural design, the building lines of the historic buildings further south along Ber Street are maintained through the streetscape. The introduction of a glazed laminate balustrade at the third floor adds another layer of horizontal rhythm to the design which is welcome. The removal of roof top ventilation equipment and steel safety barrier is also a welcome alteration which helps to 'simplify' the buildings silhouette. This blending with the background will also be aided by the introduction of semi-reflective tinted cladding of the third floor, designed to replicate the existing glazing. Vertical breaks to the building line are provided by the lift shafts

and a 'double fin' detail within the concrete panelling. The retention of this detail is welcome for two reasons; it provides an element of architectural interest to the building, which adds to its individual character and provides a break in the horizontal rhythm which allows it to blend better with the surrounding buildings.

14. Maintaining the 'brick slip' planters at ground floor and finish of the lift shafts offers a contextual material choice. Although not historically accurate in size and colour, they do reference the material palette of the area. The bare concrete finish of the building is a respectful modern alternative to the masonry of St John De Sepulchre opposite. The proposal will not cause harm to the character and appearance of the wider setting, which is a conservation area. In line with Chapter 12 of the NPPF and NCC LPP DM1, 3 & 9 this proposal is considered acceptable for the reasons as outlined above.

The Norwich Society

15. We share the neighbours' concerns about overlooking from the top floor balconies. The proposed alterations to the existing finishes will have a major negative impact on the appearance on the streetscape. The unfinished concrete and brick blends in with the rest of the streetscape, but these will be lost under painted render and coloured metal panelling. The appearance and detailing of this architecturally important 20th century building will be negatively impacted by the proposed works.

Assessment of planning considerations

Relevant development plan policies

16. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
 - JCS20 Implementation
17. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM4 Providing for renewable and low carbon energy
 - DM9 Safeguarding Norwich's heritage
 - DM12 Ensuring well-planned housing development
18. **Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)**
 - Insert any relevant site specific policies

Other material considerations

19. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF12 Conserving and enhancing the historic environment

Case Assessment

20. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

21. The principle for the change of use from offices (Class B1) to 45 residential dwellings (Class C3) has been previously established for the site with prior approval application 16/00826/PDD in August 2016, for which prior approval was not required from the Council, subject to conditions. The current proposal is to alter the existing elevations of the building, to allow sufficient outlook for, and natural light into, the 45 dwellings for which prior approval was not required (16/00826/PDD) in August 2016.

Main issue 2: Heritage and Design

22. Following the modifications set out in the Design and Conservation comments above, the proposal will not cause harm to the character and appearance of the wider setting of the City Centre Conservation Area, in accordance with DM9, NPPF paragraphs 128-141 and is considered acceptable in this prominent location.

Main issue 3: Trees

23. There are no issues involving trees with the current proposal and no condition relating to trees on this site was included with the August 2016 decision (16/00826/PDD).

Main issue 4: Landscaping and open space

24. There are no issues involving landscaping and open space with the current proposal and no condition relating to landscaping and open space on this site was included with the August 2016 decision (16/00826/PDD).

Main issue 5: Transport

25. There are no issues involving transport with the current proposal and Condition 1 relating to cycle parking, refuse and recycling storage, included with the August 2016 decision (16/00826/PDD), needs to be satisfied.
26. The basement of the premises is laid out as a small parking area for seven cars along with 45 cycle spaces and a refuse store. A number of the flats will be car free which is acceptable in this location. The refuse storage and cycle provision appears sufficient and can be conditioned.

Main issue 6: Amenity

27. Policies DM2, DM11 and NPPF paragraphs 9 and 17 reinforce the need for consideration being given to any increase in overlooking or loss of privacy being caused to neighbouring properties, by the current proposal.
28. It is accepted that the introduction of balconies and balustrading at third floor level as proposed, would cause a slight increase in overlooking and loss of privacy to neighbouring properties. However the outward facing windows to these proposed flats would be recessed 1.96 metres to the rear of both the north west and south east outward facing existing windows at second floor level to the building and the balustrading proposed would be obscure glazed. The balconies proposed would be set at a slightly higher level than the existing windows at second floor level. However the proposed balustrading would be a minimum of 9.47 metres from the side boundary of the neighbouring property at number 156 Ber Street and none of the balconies proposed would be covered.
29. It is anticipated therefore that the proposed balcony areas would only be occupied during good weather and therefore any increase in overlooking and loss of privacy caused to neighbouring properties, would not be significant enough to warrant refusal of this application.

Main issue 7: Energy and water

30. There are no issues involving energy and water with the current proposal and no condition relating to energy and water is included with the August 2016 decision (16/00826/PDD).

Main issue 8: Flood risk

31. The site is in flood zone 1 and therefore no flood risk assessment is required. Therefore there are no issues involving flood risk with the current proposal and no condition relating to flood risk is included with the August 2016 decision (16/00826/PDD).

Main issue 9: Biodiversity

32. There are no issues involving biodiversity with the current proposal and no condition relating to biodiversity is included with the August 2016 decision (16/00826/PDD).

Main issue 10: Contamination

33. The site is not known to be previously contaminated and the proposal does not include any external amenity or ground works . There are no issues involving contamination with the current proposal and no condition relating to contamination is included with the August 2016 decision (16/00826/PDD).

Compliance with other relevant development plan policies

34. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to Condition 1 included with the August 2016 decision (16/00826/PDD).
Car parking provision	DM31	Yes subject to Condition 1 included with the August 2016 decision (16/00826/PDD).
Refuse Storage/servicing	DM31	Yes subject to Condition 1 included with the August 2016 decision (16/00826/PDD).

Other matters

35. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: List relevant matters.

Equalities and diversity issues

36. There are no significant equality or diversity issues.

S106 Obligations

37. Not applicable to this application.

Local finance considerations

38. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
39. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.

40. In this case local finance considerations are not considered to be material to the case.

Conclusion

41. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application no. 17/00035/F - Norfolk Primary Care Trust Elliot House 130 Ber Street Norwich NR1 3FR and grant planning permission subject to the following conditions:

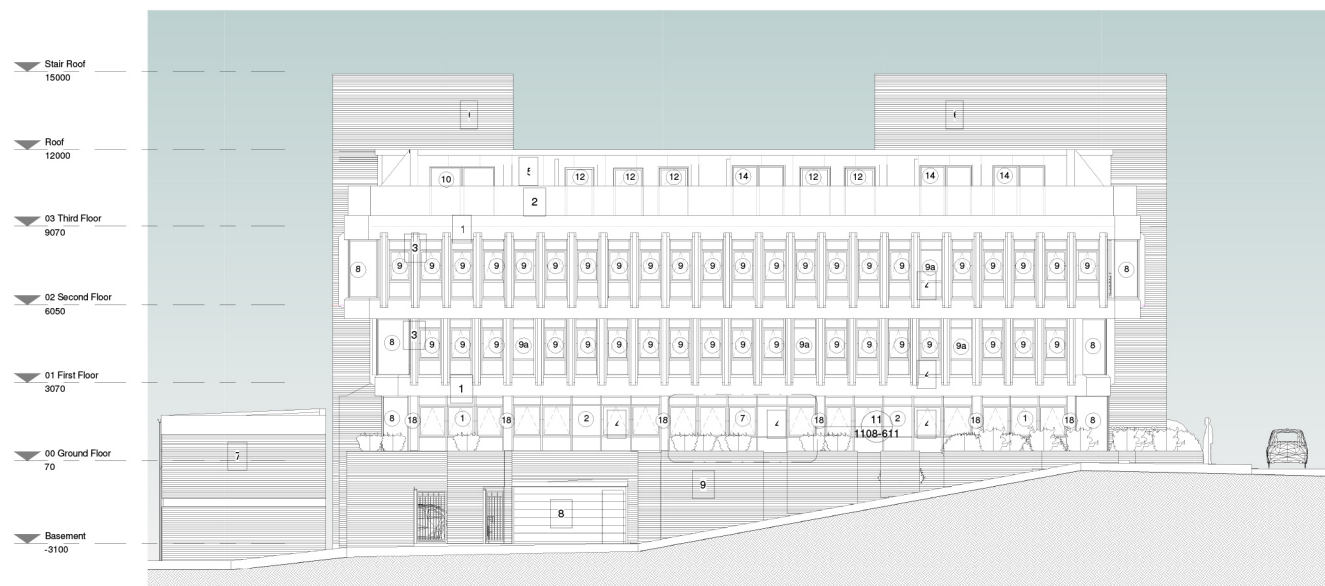
1. Standard time limit;
2. In accordance with plans;
3. Samples of materials to be submitted and approved.

Article 35(2) Statement

The local planning authority in making its recommendation has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



1 North-East Elevation
1 : 100



2 North-West Elevation
1 : 100

▼ Stair Roof
15000

▼ Roof
12000

▼ 03 Third Floor
9070

▼ 02 Second Floor
6050

▼ 01 First Floor
3070

▼ 00 Ground Floor
70

▼ Basement
-3100



1

South-West Elevation
1 : 100

▼ Stair Roof
15000

▼ Roof
12000

▼ 03 Third Floor
9070

▼ 02 Second Floor
6050

▼ 01 First Floor
3070

▼ 00 Ground Floor
70

▼ Basement
-3100



2

South-East Elevation
1 : 100

LEGEND:

- 1 EXISTING CONCRETE WALL RETAINED
- 2 FROSTED LAMINATED GLASS RAILING
- 3 EXISTING FINIS RETAINED
- 4 NEW DOUBLE GLAZED WINDOWS BLUE TINT WITH DARK BLUE FRAME
- 5 NEW POLISHED STAINLESS STEEL INSULATED WALL
- 6 EXISTING BRICKWORK RETAINED
- 7 EXISTING FLATS WITH GARAGES AT LOWER LEVEL
- 8 NEW ROLLER SHUTTER WITH DOOR INSET
- 9 EXISTING BRICK PLANTER
- 10 NEW TIMBER ROOF
- 11 NEW DOUBLE GLAZED OPENABLE ROOFLIGHTS
- 12 EXISTING ENTRANCE CANOPY

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CLIENT
 Pearlion Group
 JOB
 Elliot House, Norwich
 NRI 3FR
 DRAWING TITLE
 Elevations 1/2

SCALE
 1:100
 DATE
 Sept 2016
 STATUS

DRAWING NO. 1108-200
 REV 009
 CHECKED BY
 DRAWING CODE 1108-200-009

