Report to Planning applications committee

8 July 2021

Report of Head of planning and regulatory services

Subject Application nos 21/00355/PDD and 21/00428/F - 1 Ferry

Road, Norwich, NR1 1SU

Reason

for referral

Objections

Ward:	Thorpe Hamlet
Case officer:	Maria Hammond - 07717 451417 -
	mariahammond@norwich.gov.uk
Applicant:	Fielden House Developments

Development proposal

21/00355/PDD: Change of use from office to 8 no. residential apartments with retention of office use at ground floor.

21/00428/F: Extensions and external alterations to create additional residential and commercial floor space, including one additional storey comprised of two residential apartments.

RepresentationsObjectCommentSupport700

Main issues	Key considerations		
1	Principle of loss of office use and new		
	residential use		
2	Design and heritage		
3	Amenity for future occupiers		
4	Amenity of neighbouring occupiers		
5	Transportation		
6	Ecology		
7	Trees		
8	Flood risk		
9	Contamination		
Expiry date	11 July 2021		
Recommendation	21/00355/PDD: grant prior approval		
	21/00428/F: approve planning application		



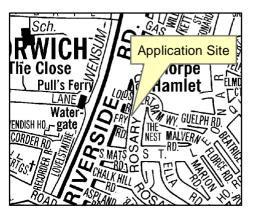
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Planning Application No 21/00355/PDD & 21/00428/F Site Address 1 Ferry Road

Scale 1:1,000







The site and surroundings

- 1. These two applications concern a four-storey detached office building at the eastern end of Ferry Road, a short cul-de-sac leading off Riverside Road to the east of the river. The building is locally listed and is finished in brown brick with a flat roof. It was designed by Fielden and Mawson architects in 1966 and subsequently occupied by them, a situation which has continued to the present day.
- 2. The principal elevation faces west down Ferry Road towards the river and features bands of glazing across each floor. The first-floor projects over the ground floor on this elevation and the upper two floors are set further back from the west and south. A connected stair tower and chimney which sit towards the southeast corner are distinctive features and protrude above the main roofline. A hard surfaced car park exists across the front elevation.
- 3. The site abuts Rosary Road to the east where ground levels are significantly higher so only the top storeys extend above the street level on this elevation. An external staircase runs along the southern boundary and there is an additional pedestrian access into the second floor of the building via a bridge from Rosary Road.
- 4. A locally listed two storey residential terrace runs along Riverside Road with gardens backing onto the application site and the end of terrace property at the opening into Ferry Road has been extended to the rear and comprises a number of flats.
- 5. On the southern side of Ferry Road, there is a vehicular access to a locally listed early twentieth century detached mansion in use as offices.
- 6. North of the site, Lollards Road is a short residential cul-de-sac that runs parallel with Ferry Road off Riverside Road. A two-storey terrace of Victorian dwellings runs along the southern side with rear elevations facing towards the application site and rear gardens abutting it. These dwellings sit on slightly lower ground than the application site.
- 7. On the higher ground along Rosary Road there is a terrace of three dwellings directly opposite the site and The Nest residential development extends either side and to the rear of this terrace with dwellings of three storeys closest to Rosary Road and four storeys further east.

Constraints

- 8. As noted above the application concerns a locally listed building which is described as: "1970. 4 storeys, dark brown brick faced, over reinforced concrete framework. Asphalted flat roof concealed by parapet. Continuous runs of windows on each level in metal frames. Rectangular tower to south face, corners bevelled."
- 9. It is within the St Matthews Conservation Area and all neighbouring buildings to the south and west are also locally listed.
- 10. Trees along the northern and southern boundaries are protected by TPO. The site is also within the city centre parking area and a controlled parking zone.

Relevant planning history

11.

Ref	Proposal	Decision	Date
04/00347/A	Installation of externally illuminated name sign adjacent to main entrance.	APPR	28/04/2004
15/01622/TCA	Tree works	NTPOS	19/11/2015

The proposal

- 12. This report covers two related applications.
- 13. The first (21/00355/PDD) seeks prior approval for the change of use of the upper levels of the office building to eight dwellings. In accordance with Part 3, Class O of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) this change of use benefits from permitted development rights, subject to an application to the local planning authority who must consider whether prior approval is required of a limited range of considerations which are assessed below.
- 14. The prior approval application proposes retaining the ground floor as self-contained office space and providing eight flats of two and three bedrooms over the first, second and third floors.
- 15. The second application (21/00428/F) seeks planning permission for alterations and extensions to the building, related to the above change of use, and also to provide two additional dwellings in an additional storey.
- 16. The ground floor would be extended out to fill the existing space under the first-floor overhang to the west elevation and a small lobby would be added on the south elevation to provide independent access from the rest of the building.
- 17. Small extensions at first floor level around the stair tower would provide communal lobby space and separate office and residential cycle stores. A lift would also be added. The existing second and third floors would be extended and provided with roof terraces over the existing first floor and the new fourth floor would cover the same extent as the third. The chimney would be removed and the stair tower would be extended 0.9 metres higher.
- 18. Across the extended building, openings would be altered with the west elevation retaining the largest areas of glazing. The roof terraces on the west elevation would have glazed balustrades but the returns on the north elevation would have higher level and more solid screens. On the east elevation, there would be three Juliet balconies. The whole building would be clad in new materials as described below.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	10 in total: eight through conversion under permitted development rights and two new build
No. of affordable dwellings	None. Affordable housing cannot be sought on permitted development and the two new build dwellings subject to the full planning application are below the policy threshold.
Total floorspace	1135 sqm existing floorspace, plus 604 sqm new build. 265sqm to be retained in office use.
No. of storeys	Four existing and one new storey proposed.
Max. dimensions	15.2 metres high, 2.6 metres higher than existing. No increase in ground floor footprint.
Density	101 dwellings per hectare
Appearance	
Materials	Anthracite metal wrap to ground floor, copper textured cladding to first, second and third floors with standing seam cladding to top floor.
	Stair tower brickwork retained with expanded metal above. Light grey membrane to flat roof.
	Anthracite grey windows and doors.
Energy and resource efficiency measures	Building fabric to be improved with insulation, high performance windows and ventilation to minimise heating demand.
Operation	
Opening hours	Office hours: 07:30 to 19:00 Monday to Friday.
Transport matters	
Vehicular access	As existing from Ferry Road.
No of car parking spaces	12 in total: two for office and ten for residential. Two EV charge points.

No of cycle parking spaces	Ten within car park and 12 each in separate office and residential stores at first floor level		
Servicing arrangements	Existing office bin store retained. Residential bin store with capacity for 5 no. 1100l bins on Rosary Road frontage.		

Representations

19. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Letters of representation from seven different parties across the two applications (including re-consultation on revised drawings) have 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
Not against conversion and welcome building being kept up but object to some aspects.	See main issue 1 for consideration of the principle of conversion
Existing north elevation windows are to rooms that would not result in overlooking but proposed will.	See main issue 4
West-facing terraces will result in overlooking and noise disturbance. Why not solid screening?	See main issue 4
Loss of privacy, including to bedrooms, living areas and private spaces	See main issue 4
Additional light pollution to neighbouring properties and bats	See main issues 4 and 6
Extension will block light, believe assessment is required. Light already hindered by other developments.	See main issue 4
Assessment only considers daylight levels to proposed dwellings. Shows windows could be reduced further.	See main issues 3 and 4
Right to Light issues	The impact on light to neighbouring properties is assessed below with regard to planning policies. Individual 'rights to light' are a separate legal matter to be resolved between the applicant and adjacent landowners.

Issues raised	Response
Significant impact on well being	See main issue 4
Wall of glass and cladding would overlook important recreation area on Bertram Green and remove its view of the city which makes a connection between The Nest and the city, including views of the cathedral	See main issues 2 and 4
Office not substantially used for several decades will be in permanent occupation, including when neighbouring gardens are in use at weekends and evenings	See main issue 4
Bat and bird boxes recommended	See main issue 6
Consider green roof and solar panels	See main issue 8 concerning the green roof. The development is of a scale below the policy threshold to require renewable energy generation and the applicant is proposing to significantly improve the building fabric for energy efficiency.
Suggest a residential visual amenity assessment is conducted	See main issue 4
Significantly sized building will impact on feel of Rosary Road	See main issue 2
Poor design, not very attractive and exacerbated with additional floor. No design justification for adding an extra storey to the original award winning design. Fifth storey out of scale with other buildings on Rosary Road and conflicts with stepped convention on hillside.	See main issue 2
Loss of brickwork across building and ivy on stair tower.	See main issue 2
Existing building is strong example of 1960s architecture. Neglect has not diminished its underlying qualities. Ought to be considered for grade II listing. Preserving remaining stock of modern 60s architecture is imperative.	The significance of the building is recognised in its local listing and the proposal is assessed in section 2 below on this basis.
Equivalent of five storey building within minimum distance for 2 storey properties	See main issue 4. There are no policy requirements for buildings to be specific

Issues raised	Response		
	distances apart and each scheme is considered on its own merits.		
Trees outside site would require pruning.	Noted. Work on third party land would require consent from the appropriate landowner.		
Construction will be difficult in proximity to boundaries	Not a material planning consideration. If any work is required to be carried out from third party land, that is a private matter to be resolved separately.		
Consider compensation for additional overlooking, noise and loss of light. Neighbouring trees should be pollarded at developer's expense.	These are private matters and not material planning considerations.		
Problem of loss of privacy still exists with revised drawings and they do not address over dominance and loss of light from additional floor	See main issue 4		
Increased traffic - Riverside Road already very busy at peak times, environmental impact and additional noise.	See main issue 5		

Consultation responses

20. Consultation responses are summarised below the full responses are available to view at http://planning.norwich.gov.uk/online-applications/ by entering the application number.

Environmental protection

21. Consider it highly likely that asbestos containing materials will contained within the fabric of the building and recommend an informative note.

Highways

- 22. Following initial feedback there have been improvements which are welcome.
- 23. Extant car parking court will offer 2 spaces for the office and 10 spaces for residential. EV chargepoints are proposed for 2 spaces which is welcome. It is understood that the management company will allocate car park parking spaces to residents and deal with any on-site parking issues that may arise.
- 24. Dwellings will not have on-street parking permit entitlement, but the office will have business permit entitlement.

- 25. Cycle stores are quite compact and careful attention will need to be given to the choice of cycle parking product, this can be subject to condition. Bin storage will be within a store where a dropped kerb is proposed for collection purposes.
- 26. Overall, this is successful strategy for provision of car and cycle parking matters.

 There is a need for a Construction Management Plan to be submitted by condition.

Citywide Services

27. The design statement drawing shows 5 x 1100l bins. Would recommend a split of 3 refuse. There would need to be a dropped kerb.

Ecologist

- 28. There is habitat on site suitable for nesting birds, including the flat roof, as such removal of this vegetation should avoid the nesting season. If external works to the development cannot be undertaken outside of the nesting period a check for clearance 48 hours prior to clearance/works must be undertaken.
- 29. An invasive plant species was found within the vegetation bank to the rear (yellow archangel). Dense vegetation should be cleared by hand so habitat can be reinstated if hedgehog nests are found.
- 30. The development will impact one day roost, used by a common pipistrelle (Pipistrellus pipistrellus). This is a weep hole, and on the west elevation. The report advises that a bat license will therefore be required. The development will have a high impact to individual bats, but a low scale impact to the common pipistrelle population locally.
- 31. The site is not of high importance to bats given that there are a multitude of higher quality roosting opportunities within the local area. To mitigate against the harm and provide enhancement for the site the following is recommended: external lighting scheme to be designed/agreed with an ecologist, lighting should be minimised during the construction phase and at least one bat box erected to replace roost, ideally on the west elevation near the NW corner.
- 32. Recommended conditions: landscape details, in accordance with report recommendations for mitigation and enhancement, timing of external works.

Tree protection officer

33. No objections from an arboricultural perspective. However, changing to residential use may lead to an increased pressure to prune/remove trees - it should be made clear to future residents that conservation area restrictions apply to the trees here.

Assessment of planning considerations

Relevant development plan policies

- 34. 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
- JCS5 The economy
- JCS6 Access and transportation

35. 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
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM17 Supporting small business
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

Other material considerations

36. Relevant sections of the National Planning Policy Framework February 2019 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF6 Building a strong, competitive economy
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

Case Assessment

37. 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 polices 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

38. Key policies and NPPF paragraphs – DM12, NPPF sections 5, 6 and 11

Conversion of office space to residential

- 39. Since 2013 there have been permitted development rights to convert offices to dwellings as part of the Government's drive to increase housing supply. A full planning application is therefore not required and the principle of the change of use is beyond consideration. The local planning authority can only consider whether prior approval of the following matters is required:
 - (a) transport and highways impacts of the development;
 - (b) contamination risks on the site;
 - (c) flooding risks on the site;
 - (d) impacts of noise from commercial premises on the intended occupiers of the development; and,
 - (e) the provision of adequate natural light in all habitable rooms of the dwellinghouses.
- 40. These matters all addressed in the assessment below. It should be noted that this limited range of considerations (a to e) excludes matters such as affordable housing and renewable energy and the application can only be assessed against the NPPF, and not development plan policies.
- 41. The proposal would retain the ground floor in office use and it is noted that Fielden and Mawson intend to continue to occupy this reduced space and retain their presence in the building.

Alterations, extensions and two new build dwellings

- 42. Unlike the prior approval application, the full planning application for these building operations is subject to assessment against the development plan with regard to other material considerations.
- 43. In terms of the principle of the two new build dwellings on the additional floor, the site is not subject to any of the exclusions from Policy DM12, would not compromise any wider regeneration proposals and would contribute a mix of dwellings to the area. The principle of the provision of two new dwellings here is therefore acceptable subject to consideration against the other criteria of Policy DM12 and policies in the assessment below.
- 44. In respect of the principle of providing an additional floor and extending the building to facilitate the creation of new dwellings, section 11 of the NPPF encourages the effective use of land, including using airspace above existing premises for new homes where it would be consistent with the prevailing height and form of neighbouring properties and overall streetscene, is well-designed and can maintain safe access and egress. The proposal would accord with this by making more efficient and effective use of what is currently an underused site in a highly sustainable location and would do so within the footprint of the existing building. The consistency with the character of the area, design and access matters are assessed below.
- 45. In determining this planning application, it must be considered as a proposal for two new dwellings and associated external alterations. The cumulative provision of ten dwellings across the two applications does not trigger policy considerations relevant to proposals of this scale in the determination of the planning application (e.g. affordable housing, renewable energy, etc.).

Main issue 2: Design and heritage

- 46. Key policies and NPPF paragraphs JCS2, DM3, DM9, NPPF sections 12 and 16
- 47. The existing building is distinctive in its scale and appearance and a good example of 1960s architecture by a renowned local firm. This significance is recognised in its designation as a locally listed building (non-designated heritage asset).
- 48. It is, however, in a deteriorating condition and in need of some repair, it has also been under-utilised in recent years. The proposal, therefore, represents an opportunity to bring the building back into a more efficient beneficial use that can, in principle, help conserve its significance longer term.
- 49. The proposed alterations would substantially change its scale and appearance by extending existing floors out, altering the fenestration pattern and providing new facing materials. The principal west elevation of the existing building is characterised by the stepping back of the ground floor and top two floors and the strong horizontal bands of glazing between brickwork. The proposals would retain a small recess to the face of the ground floor and the second and third floor roof terraces and new fourth floor would be stepped back from the face of the first floor and the form of the top floor in broken up in scale and materials. A staggered arrangement of floors would therefore be retained on this principal elevation and the roof terraces would help retain a horizontal emphasis across it.
- 50. The additional storey would add 2.6 metres to the height of the building, and it would extend no higher than the height of the existing chimney (to be removed) but the most significant impact of the additional scale is the extension of the top three storeys across the full width of the building. The existing four storey building is not insubstantial in scale but its situation set back from Ferry Road and on what is effectively the valley side, as well as the presence of other substantial buildings, including the three storey former mansion to the immediate south and three and four storey residential development on higher ground at The Nest to the east, means it does not dominate the area. In this context, it is considered that the modest additional height and more substantial additional mass would not appear out of scale or over-dominant.
- 51. With regard to paragraph 118(e) of the NPPF, safe and independent access would be provided to the office and residential parts of the building.
- 52. Other than the existing stair tower, the whole building is proposed to be clad in a new palette of materials so the majority of the distinctive brown brickwork would be lost. However, the new copper cladding would retain some reference to the colour and texture and the use of a contrasting standing seam on the ground and top floors and a translucent extruded material to the top of the stair tower would complement this and help break up the bulk and mass of the extended building.
- 53. Overall, it is considered that in design and heritage terms the proposed extensions and alterations would result in a distinctly different building to the existing that would represent a new phase in its life. However, characteristic features of the existing building would be referenced and it would not appear as a wholly new building. The proposals would also address the existing deteriorating condition and therefore enhance the building fabric, appearance and environmental performance. One representation has suggested the architecture of the existing building is significant

- enough to be statutorily listed but the application must be determined on the basis it is locally listed.
- 54. The Conservation Area Appraisal notes that stepped roofscapes are characteristic of the area between Riverside Road and Rosary Road and the proposal would retain this. As the Conservation Area is characterised by late nineteenth century development, the existing building is noted to be one of a number of unique properties of special interest in the sub-area around Ferry Road. The proposals would retain its presence as a unique and more contemporary feature in an historic setting, updating the appearance of the building for the 21st Century.
- 55. Elevated public views from Rosary Road across to the river and cathedral beyond are also an important local feature. The existing upper levels largely block these from the pavement level of Rosary Road, but glimpsed views, including of the cathedral, can be gained in the narrow gaps between the building, chimney and stair tower. These are only glimpsed views and not as significant as those to the north of the building or in other gaps along the road and the infill to attach to the stair tower will have full height glazing across much of its width, retaining some filtered views. It is not therefore considered there would be any significant loss of important public views that would harm the Conservation Area or local amenity.
- 56. Accordingly, it is not considered that the proposals would cause any more than negligible harm to the Conservation Area or setting of adjacent locally listed buildings. It would also result in public benefits by providing a more efficient and effective use of the land, facilitating the provision of ten new dwellings.
- 57. Subject to a condition requiring agreement of the precise materials to be used, the planning application for extensions and alterations is considered to be acceptable in design and heritage terms.

Main issue 3: Amenity of future occupiers

58. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 180-182

Provision of adequate natural light in all habitable rooms

- 59. In 2020, the permitted development rights were amended to include consideration of the provision of natural light. Previously there was no provision to consider the quality of amenity for future occupiers in prior approval applications.
- 60. An Internal Daylight and Sunlight Report has been submitted which concludes all habitable rooms would enjoy good levels of daylight in accordance with BRE guidance for average daylight factor standards but one bedroom would not receive a good level of daylight distribution (38.9% no sky line, compared to general 80% target or reduced urban target of 50%). As the average daylight factor for this room would be 1.3%, compared to the 1% target, and it is one of two bedrooms in a flat with a much better performing living space and external terrace, this is not unacceptable.
- 61. All but two living rooms would meet BRE criteria, with one failing only on winter months sunlight hours (2% of available sunlight, compared to a target of 5%) and the other receiving lower light levels (3% for winter months and 16% of annual probable sunlight hours, compared to a target of 25%) due to overshadowing from a

- recessed balcony which provides external amenity space and would itself receive good sunlight. This room has windows on two elevations and would have good outlook.
- 62. The report gives weight to the urban location of the site and reduces the targets accordingly, concluding that, in the context of the site, the overall levels of sunlight would be good to all units. When each flat is looked at as a whole, it is considered that there would be adequate provision of natural light and, in respect of criterion (e) of Class O of the permitted development rights, prior approval can be granted.
- 63. Recently the permitted development rights have also been amended to include a requirement for compliance with minimum space standards, however this amendment to the regulations came into force after the prior approval application was validated so cannot be a consideration in the determination of this application. Nevertheless, it is noted that all proposed flats subject to the prior approval application would exceed minimum standards and provide generous living accommodation, with five of the dwellings proposed through change of use also benefitting from external amenity space.

Impacts of noise from commercial premises on the intended occupiers

64. Another consideration on the prior approval application is whether the intended residential occupiers would be impacted by noise from neighbouring commercial premises. In this case, it is not considered that the retained ground floor office or adjacent office building to the south would generate such noise as to harm residential amenity.

Standard of amenity to new build dwellings and altered office space

- 65. The two fourth floor flats would both exceed space standards, receive adequate natural light and enjoy good outlook and roof terraces on the west elevation. It is therefore considered they would offer a high standard of amenity for future occupiers in accordance with Policy DM2.
- 66. The reduced and altered office space would provide satisfactory working conditions.

Main issue 4: Amenity of neighbouring occupiers

- 67. Key policies and NPPF paragraphs DM2, DM11, NPPF paragraphs 127 and 180-
- 68. This is a matter which can only be considered in the determination of the planning application.

Overshadowing and loss of light

69. Representations have objected to the proposal on the basis of the extensions being over-dominant and resulting in overshadowing and a loss of light. As considered above, in design terms the extensions are considered appropriate in scale to the setting. In amenity terms, consideration must be given to context of this site at the edge of the city centre where housing density is relatively high and enjoys a less spacious setting than more suburban locations.

- 70. The mass of the building would not extend any closer to neighbouring dwellings, but the expansion of the existing second and third floors to the south would represent a noticeable change for those neighbouring dwellings to the east across Rosary Road, those to the north on Lollards Road and those to the west on Riverside Road.
- 71. Due to the position, orientation and set back of the additional mass of the second and third floors relative to the neighbouring Rosary Road dwellings it is not considered material harm would be caused in terms of overshadowing or loss of light. There is a distance of over 16 metres across Rosary Road between the application building and front elevation of the terrace to the east at the closest point. The additional storey would not intersect a 25 degree line from the centre point of the ground floor windows of the Rosary Road dwellings and therefore, in accordance with BRE guidance, daylight and sunlight levels would not be adversely affected and submission of a more detailed assessment of this matter is therefore not necessary.
- 72. The neighbouring dwellings on Lollards Road are 21 metres north of the building. As they sit on ground approximately 1.5 metres lower than that at the front of the application building, the apparent height of the building is increased but is partly screened, to varying degrees through the year, by the trees along the boundary which are taller than the building.
- 73. Where the building would be extended to the west, a new 2.5 metre wide section of the north elevation would increase in height by approximately 7.8 metres. This is directly south of one dwelling in the neighbouring terrace and at more oblique angles to others. As the solid extension of footprint would be set back 6.5 metres from the north elevation, the high return walls to the roof terraces facing north are proposed to have a mesh material with some transparency and the dwelling directly to the north also shares part of the boundary with the higher bulk of the rest of the existing building, it is not considered this additional mass would result in any additional overshadowing or loss of light that is unacceptable.
- 74. The upward extension would slightly intersect a 25 degree line drawn from neighbouring ground floor windows in Lollards Road indicating there would be some additional overshadowing and loss of light when the sun is to the south, however this impact is considered marginal given the small level of intersection. These windows and the rear gardens will already experience overshadowing from the existing building (and trees) and this will vary through the day and year. As a result of the development, the physical extent of overshadowing and period of the day and year within which it would occur would slightly increase. However, having regard to the existing situation, the additional impact is not considered to be so significant as to be unacceptable, particularly when weighed against the benefits of the proposal.
- 75. The relative position and distance to the neighbouring dwellings backing onto the site from Riverside Road is considered to mitigate any unacceptable impact to these properties.

Overlooking, loss of privacy and disturbance

76. Objections have also raised concern about overlooking and loss of privacy and have observed that the proposal would increase the intensity of occupation.

- 77. It is acknowledged that the existing offices have not been occupied to full capacity for a number of years. Any amenity impacts to neighbouring occupiers will have therefore been reduced. However, the building could be brought back to full capacity as offices at any time and therefore the main difference resulting from the proposal would be the occupation of the building 24/7 and by ten independent households each with their own comings and goings. As noted above, this is a predominantly residential area in a busy location at the edge of the city centre so it is not considered this level of occupation would be out of character or so significant as to cause an unacceptable level of disturbance to neighbouring occupiers.
- 78. With regards to overlooking, there would be new windows and roof terraces facing neighbouring dwellings west, north and east. The proposal has been amended to reduce the number and extent of windows on the north elevation and to introduce high level mesh screens on the north elevations of the roof terraces. As a result, the only windows besides high level or obscure glazed ones would be for bedrooms and secondary windows to open plan living areas. Overlooking from bedrooms would be less than from living areas and those living areas have significant full height openings to roof terraces on the west elevation with views towards the river and cathedral.
- 79. Given these factors, the presence of existing windows on this north elevation and the urban context of the site where there are existing dwellings with various windows around the site, it is not considered any overlooking or loss of privacy to the north would be so significant as to be unacceptable. It shall be necessary to agree the mesh material to be used on the return walls of the roof terraces to ensure these provide privacy whilst allowing some light through and to require all bathroom windows to be obscure glazed by condition.
- 80. To the west, the roof terraces would provide open views, including towards the rear of properties on Riverside Road. However, these are considered to be a sufficient distance away and already overlooked at oblique angles from neighbouring dwellings and the application building to not suffer any unacceptable additional overlooking or loss of privacy. Similarly, the relationship of the terraces to neighbouring dwellings is such that any disturbance from use of the six external terraces, individually or cumulatively, would not be unacceptable. As discussed further below, external lighting to the terraces and other areas should be agreed by condition to manage any adverse impacts.
- 81. The east elevation proposes Juliet balconies to a second floor living room and one bedroom each on the third and fourth floors. The floor level of the second floor is below the road level so there would be no direct views from this living room to the neighbouring dwellings across the road. Those neighbouring dwellings have windows within a couple of metres of the back edge of the footpath so are exposed to passing views, rather than being within private spaces. Whilst the views from the Juliet balconies and other third and fourth floor windows on the east elevation would be fixed, they would all to be bedrooms which would be occupied for a relatively low proportion of the day and are within flats that have roof terraces and openings on the west elevation with a much more attractive outlook. It is not considered that the low and transient level of use of the stair tower would cause any overlooking. When regard is given to the urban location and the fact it would affect the front of properties on Rosary Road rather than the more private rear areas, it is not considered material harm would occur through overlooking or loss of privacy.

Other amenity considerations

- 82. With regards to the impact of the proposal on views from neighbouring dwellings towards the development, it has been suggested that a more thorough assessment should be undertaken. The scale of change proposed is not considered to justify any further assessment and the distance of neighbouring dwellings from the building and the acceptable design approach are considered to mitigate any harm to the outlook of neighbouring dwellings.
- 83. Concern has also been raised about the loss of views and harm to amenity of a communal residential amenity space across Rosary Road. A small portion of this space is directly opposite the narrow gaps between the chimney and stair tower where glimpsed views towards the city can be gained and, as considered above, there is not considered to be any unacceptable loss of public views nor overlooking or overshadowing in this direction.
- 84. It is also not considered the amenity of the occupiers of the office building to the south would be unacceptably affected by the proposed extensions and alterations.
- 85. In the interests of protecting amenity and ensuring appropriate traffic management during construction, it is considered necessary to require agreement of a construction method statement.
- 86. As noted above, regard should be had to the urban location and reasonably busy environment of this site. This is an area of the city known to suffer from crime and anti-social behaviour. When the offices are not occupied at night and weekends, the environment around it has been described as hostile and unwelcoming and drug use has occurred in secluded parts of the site. It is considered that residential use of the building with 24/7 occupation represents an opportunity to provide more passive surveillance and activity which would help deter antisocial behaviour and improve the environment in and around the site. This would be to the benefit of the local community and weighs in favour of the proposal.

Main issue 5: Transport

- 87. Key policies and NPPF paragraphs JCS6, DM28, DM30, DM31, NPPF section 9
- 88. The transport and highway impacts of the proposed eight dwellings from the conversion of the existing floorspace must be considered as part of the prior approval application and those of the proposed new build flats must be assessed as part of the planning application
- 89. Each dwelling would be provided with one parking space and more than one cycle space per dwelling. This is a highly sustainable site within walking distance of many amenities, on a bus route and within proximity to the train station. The parking provision is appropriate and it is not considered that the proposal would generate a level of traffic that would contribute to congestion or pose any additional risk to highway safety. Incorporating electric vehicle charging points is welcomed.
- 90. The proposal has been amended to increase cycle storage including provision at ground floor level. The majority would, however, be at first floor level, accessed by the existing external stair that would be fitted with a cycle channel to aid access.

- Whilst this is sub-optimal, there is limited external space to provide additional storage and subject to agreeing the cycle channel and storage details, the proposal is not unacceptable in this respect.
- 91. The office would retain its existing refuse arrangements and the dwellings would be served by a new bin store accessed from the pedestrian bridge to Rosary Road and sited in an enclosure at the back of the footpath with a new dropped kerb for collection. The capacity, siting and provision of a dropped kerb are appropriate and the design of a secure enclosure should be agreed by condition to ensure this is appropriate in appearance and does not create any nuisance or amenity issues.

Main issue 6: Ecology

- 92. Key policies and NPPF paragraphs JCS1, DM6, NPPF section 15
- 93. A Preliminary Ecological Appraisal and Roost Assessment found some potential for breeding birds to use the site and some habitat suitable for hedgehogs. More significantly it noted that each elevation has a considerable number of 'weep holes' (small gaps in the brickwork) which have potential to be used by roosting bats.
- 94. Accordingly, three further surveys at dawn and dusk have been undertaken which found one individual common pipistrelle using a day roost on the west elevation. This would be lost as a result of the development due to the proposed external alterations. Given that it is one of the most common and widespread bat species that would be affected and that there is more significant and better quality roosting opportunities in the surrounding area, this is not unacceptable subject to registration with the Bat Mitigation Class Licence scheme and requiring measures to exclude bats from this and any other potential roost across the building prior to commencing external works.
- 95. The surveys also observed some foraging activity but concluded the site is of low importance for foraging and commuting, particularly given the more optimal foraging habitats nearby along the river and at Mousehold Heath and Ketts Heights. External lighting during construction and occupation could disrupt foraging and commuting behaviour so sensitive lighting schemes should be agreed by condition.
- 96. The building is assessed to be of low potential for bat hibernation.
- 97. Appropriate mitigation measures are proposed to protect breeding birds and hedgehogs. These measures and the inclusion of at least one replacement bat roost feature and other enhancements to biodiversity should be secured by condition to secure appropriate protection and enhancement.

Main issue 7: Trees

- 98. Key policies and NPPF paragraphs DM7, NPPF paragraph 170
- 99. A group of three matures sycamores, protected by TPO, lie within gardens to the immediate north of the building. These, and three other trees to the east and south, would not be directly affected by the construction works but some minor facilitative pruning may be required. In addition, it is acknowledged the proposed residential use may increase pressure to prune or remove the trees over its lifetime. Any such work would require an application the Council and, in the case of the closest trees to the north, also the consent of the third party owners.

Main issue 8: Flood risk

- 100. Key policies and NPPF paragraphs JCS1, DM5, NPPF section 14
- 101. Flooding risks on the site must be considered as part of the prior approval application. There is no identified risk of fluvial or surface water flooding on the site so there would be no risk to future occupants.
- 102. The building works proposed in the full planning application would not increase the impermeable area of the site so would not create additional surface water run-off. A representation suggests that a green roof, with potential benefits for surface water attenuation and biodiversity, should be used, however it does not form part of the proposal and it is not unacceptable without it.

Main issue 9: Contamination

- 103. Key policies and NPPF paragraphs DM11, NPPF paragraphs 178-179
- 104. Contamination risks on the site are one of the considerations for prior approval. In this case, there is likely to be asbestos within the building and the risk of this can be satisfactorily managed with an informative note on both approvals.

Compliance with other relevant development plan policies

105. 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
Water efficiency	JCS 1 & 3	Yes subject to condition (on planning permission)

Equalities and diversity issues

106. There are no significant equality or diversity issues.

Local finance considerations

- 107. 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.
- 108. 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.
- 109. In this case local finance considerations are not considered to be material to the case.

Conclusion

- 110. This report covers two inter-related applications which follow different processes and require different considerations.
- 111. Sufficient details have been submitted to consider the transport and highways impacts, contamination risks, flooding risks on the site, impacts of noise from commercial premises on the intended occupiers of the development and provision of adequate natural light in all habitable rooms of the proposed eight flats which would be created through the change of use of the existing office space. As assessed above, it is considered that prior approval of these matters can be granted.
- 112. This assessment is, however, dependant on the extensions and alterations proposed in the planning application being completed and therefore it is necessary to grant prior approval subject to a condition that these are completed prior to first occupation. Furthermore, it means that it is not possible to grant prior approval, without also granting planning permission for this operational development.
- 113. In terms of the acceptability of the planning application for the operational development and provision of two additional dwellings, it is acknowledged that representations have raised concern about the impacts of the increased scale and more intense use on neighbouring amenity and the character of the area. In assessing this, regard has been had to the urban location at the edge of the city centre and in this context, the relatively modest scale of change is not considered to result in unacceptable harm to the amenity of neighbouring occupiers.
- 114. The proposal would deliver a number of public benefits. The extensions and alterations are considered to have been appropriately designed to represent a new phase in the building's life which would not cause any unacceptable harm to the character of the area or significance of heritage assets. The design is a high quality one which would lead to a more efficient use of the land, delivering 10 new dwellings with overall high levels of occupier amenity in addition to maintaining office provision on the ground floor. The extensions and provision of residential units would likely have a positive impact in increasing natural surveillance of Rosary Road and other surrounding areas of the site, it is anticipated this would have a positive impact in helping to deter anti-social issues which may currently occur in the vicinity of the building.
- 115. A number of conditions are recommended below to ensure there are no unacceptable impacts on amenity, transportation and ecology and subject to these the planning application 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:

(1) application no. 21/00355/PDD - 1 Ferry Road Norwich NR1 1SU and grant prior approval subject to the following conditions:

- 1. Standard time limit:
- 2. In accordance with plans;
- 3. No occupation of the approved development prior to completion of all works approved in application 21/00428/F

Informative notes

- Risk of asbestos
- Trees within and adjacent to site protected by Conservation Area designation and tree preservation order

And,

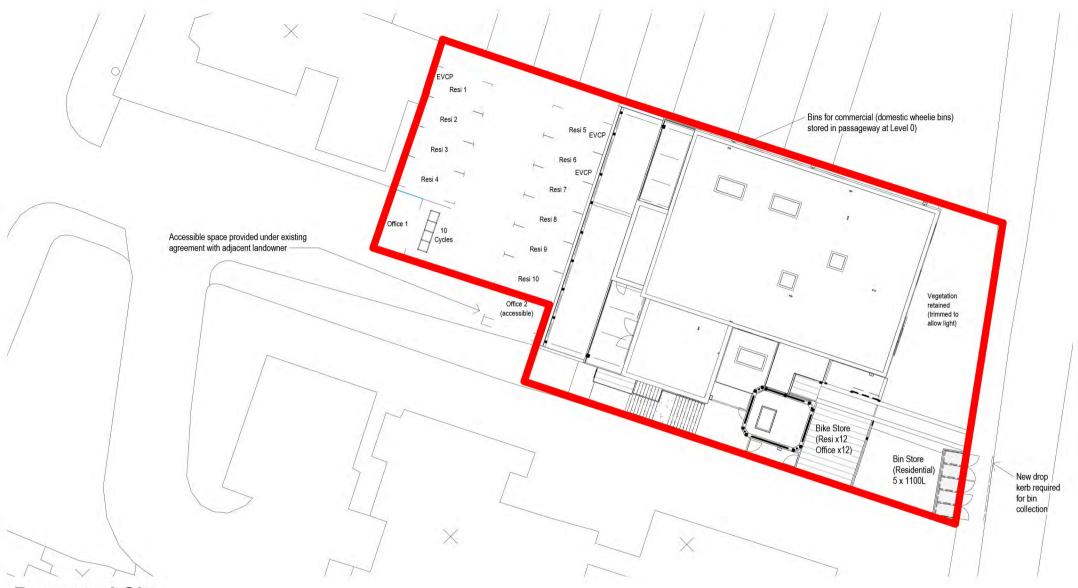
- (2) application no. 21/00428/F 1 Ferry Road Norwich NR1 1SU and grant planning permission subject to the following conditions:
 - 1. Standard time limit;
 - 2. In accordance with plans;
 - 3. Materials to be agreed;
 - 4. Bin and cycle store and cycle channel designs to be agreed and provided prior to first occupation;
 - 5. Parking to be laid out as agreed prior to occupation;
 - 6. Construction method statement to be agreed;
 - 7. Landscape scheme to incorporate new soft landscaping, bat sensitive external lighting and removal/management of invasive species to be agreed;
 - 8. Work to be undertaken in accordance with ecology survey mitigation recommendations, enhancements to be agreed;
 - 9. Timing of vegetation removal to protect nesting birds;
 - 10. No works affecting the external walls of the building shall be carried out other than in strict accordance with the provisions of Bat Surveys Report;
 - 11. Bathroom windows to be obscure glazed;
 - 12. Water efficiency.

Informative notes

- Risk of asbestos
- Trees within and adjacent to site protected by Conservation Area designation and Tree preservation order

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments, the applications have been recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.



Proposed Site

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	Q	07 01 2021	RT	DT	Issued for pre-app
	T	12 02 21		DT	Planning DRAFT
	X	08 03 21		DT	For Planning Submission
	Y	09 03 21	RT	DT	Final Planning
	AA	23 04 21		DT	Amendments following planning comments
	DD	29/04/21		DT	Parking amendments

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EVCP - Electric vehicle charging point (or duct for future provision)

Existing boundary treatments retained

All trees retained (shrubs and vegetation trimmed for access and maintenance)

Feilden+Mawson

21-27 Lamb's Conduit Street London WC1N 3NL 1 Ferry Road Norwich NR1 1SU 6 Ciliton Court Ciliton Road Cambridge CB1 7BN email: info@feildenandmawson.com

tel: 020 7841 1980 tel: 01603 629571 tel: 01223 350567

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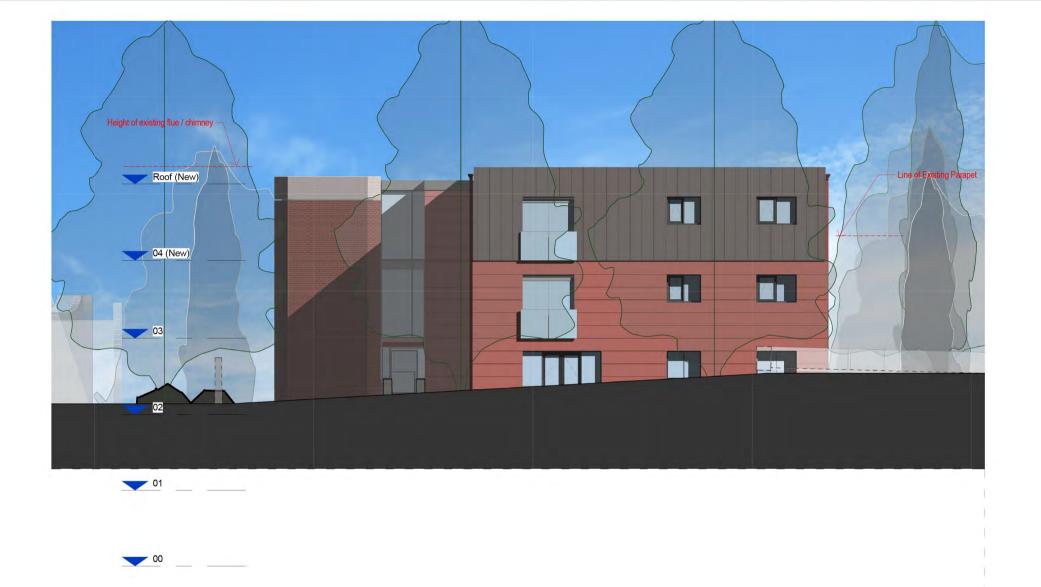
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Refurbishment of Feilden House

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	Τ	12 02 21		DT	Planning DRAFT
	U	24 02 21		DT	Final Planning Draft
	V	25 02 21		DT	Client tweaks and integration of structure
	W	26 02 21		DT	Areas checked
	X	08 03 21		DT	For Planning Submission
	Y	09 03 21	RT	DT	Final Planning
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Revision Schedule

Feilden+Mawson

tel: 020 7841 1980 tel: 01603 629571 tel: 01223 350567 www.feildenandmawson.com

21-27 Lamb's Conduit Street London WC1N 3NL + 1 Ferry Road Norwich NR1 1SU 6 Clifton Court Clifton Road Cambridge CB1 7BN email: info@felidenandmawson.com

East Elevation - Rosary Road

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Refurbishment of Feilden House

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North Elevation 1:100

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Feilden+Mawson

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tel: 020 7841 1980 tel: 01603 629571 tel: 01223 350567 www.feildenandmawson.com

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South Elevation

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Refurbishment of Feilden House

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	W	26 02 21		DT	Areas checked
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Revision Schedule

Feilden+Mawson

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tel: 020 7841 1980 tel: 01603 629571 tel: 01223 350567 www.feildenandmawson.com

West Elevation - Riverside / Ferry Rd

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Refurbishment of Feilden House

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Key to Rooms

Bathroom Bedroom

Kitchen/Dining

Living Room

Office Utility

Existing Point Cloud survey data shown super-imposed (grey) for height reference

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Feilden+Mawson

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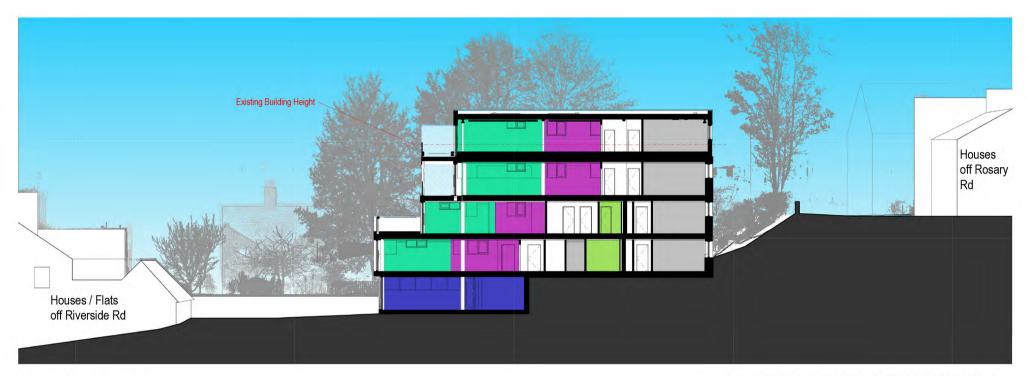
North-South Section

Feilden House Developments Ltd.

Refurbishment of Feilden House

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Key to Rooms

Bathroom

Bedroom Kitchen/Dining

Living Room

Office

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East-West Section

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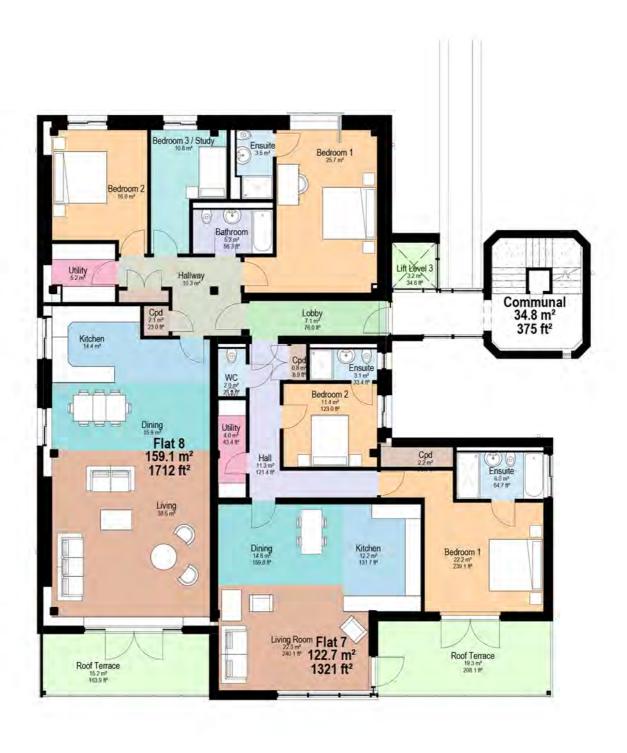
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