



**NORWICH**  
City Council

### **Planning applications committee**

**Date: Thursday, 13 October 2022**

**Time: 09:30**

**Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH**

Members of the public, agents and applicants, ward councillors and other interested parties must notify the committee officer if they wish to attend this meeting by 10:00 on the day before the committee meeting, please. The meeting will be live streamed on the council's YouTube channel.

#### **Committee members:**

##### **Councillors:**

Driver (chair)  
Sands (M) (vice chair)  
Bogelein  
Champion  
Davis  
Grahame  
Lubbock  
Peek  
Sands (S)  
Stutely  
Thomas (Va)  
Thomas (Vi)  
Young

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For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website



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## **Agenda**

**Page nos**

### **1 Apologies**

To receive apologies for absence

### **2 Declarations of interest**

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

### **3 Minutes**

**5 - 22**

To approve the minutes of the meeting held on:

- (a) 8 September 2022
- (b) 29 September 2022

### **4 Planning applications**

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 4 above are required to notify the committee officer by 10:00 on the day before the meeting.

Further information on planning applications can be obtained from the council's website:

<http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available

- The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.

	<b>Summary of planning applications for consideration</b>	<b>23 - 24</b>
	<b>Standing duties</b>	<b>25 - 26</b>
<b>4a</b>	<b>Application no 22/00634/U St Marys Works, Duke Street, Norwich</b>	<b>27 - 48</b>
<b>4b</b>	<b>Application nos 22/00498/L and 22/00497/F Police Station, Bethel Street</b>	<b>49 - 80</b>
<b>4c</b>	<b>Application nos 22/00701/F - 37 Brian Avenue, Norwich, NR1 2PH</b>	<b>81 - 92</b>

Date of publication: **Wednesday, 05 October 2022**





MINUTES

**Planning applications committee**

**9:30 to 13:30**

**8 September 2022**

Present: Councillors Driver (chair), Sands (M) (vice chair), Bogelein, Champion, Davis, Grahame, Lubbock, Peek, Sands (S), Stutely and Young

Apologies: Councillors Thomas (Va) and Thomas (Vi)

**1. Declarations of interests**

Councillor Sands declared an other interest in item 3 (below), Application no 22/00610/F Land at Mousehold Lane, Norwich, NR7 8HA, as Chair of Mousehold Heath Conservators.

Councillor Bogelein declared an other interest in item 4 (below), Application no 22/00728/F, Angel Road Infant School, Angel Road - Siting of two modular classroom buildings and creation of seating area, because a close relative attended a school run by the same Trust.

Councillor Lubbock declared a pre-determined view in items 5 (below), Application no 22/00506/F, 301 Unthank Road, Norwich, NR4 7QA and 6 (below), Application no 22/00801/F - 406 Unthank Road, Norwich, NR4 7QH, as she had objected to the applications. In accordance with the procedures, Councillor Lubbock would speak on the items and then leave the room and not take part in the committee's determination of the applications.

Councillor Young declared a pecuniary interest in item 7 (below), Proposal for Extraordinary Meeting of committee and site visit - Application nos 22/00570/F & 22/00571/L - University of East Anglia because the university is her employer.

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meeting held on 11 August 2022.

**3. Application no 22/00610/F Land at Mousehold Lane, Norwich, NR7 8HA**

(Councillor Sands had declared an interest in this item.)

The planner (case officer) presented the report with the aid of plans and slides.

During discussion, the planner together with the area development manager and the planning team leader, referred to the report and answered members' questions. This included an explanation of the sequential tests that the applicant had submitted and public health concerns (as set out in Main Issue 1 of the report). The operator had two city centre restaurants and was seeking to expand in the northwest of the city, on the outer ring road. The drive-thru restaurant was an integral part of the sequential test and, in accordance with case law, was a material consideration that could not be disaggregated from consideration of the application. Members sought confirmation of the location of all schools in the vicinity and were referred to paragraph 79 of the report. There was no policy to support objection to the proposal on public health grounds. Public health had been consulted but had not responded. A member commented that this did not signify agreement.

A member sought confirmation of the landscaping elements that the applicant had not agreed which included decluttering the site of ancillary development and more robust planting on the boundary of the site. Members also considered that the lighting should be sensitive to nocturnal wildlife, particularly bats.

A member expressed concern that the play area was adjacent to the cars in line for the drive-thru and considered that children would be subject to particulates from vehicle fumes. The committee was advised that the capacity of the restaurant was for 76 covers and that the number of children using the play area would be proportionate.

Members were advised that highways had raised no objections to this proposal. A member argued that the application was not fully compliant with planning policy DM1 as a drive-thru promoted the use of a private vehicle. The planner explained that DM1 was an overarching policy for all developments with an objective to reduce travel by private car. The application of DM18 directs main town centre uses to defined centres. The location and the application of the sequential test must be considered. The proposal would at its busiest (Saturday lunchtime) was estimated to create 49 additional trips to those already on the road network. Members were also reminded that the drive-thru element of the application could not be disaggregated from the application.

A member pointed out that there was no assessment of air quality in the report and expressed concern for children using the play area and people living in the residential properties in the area. Members were advised that there was a condition to manage anti-social behaviour. Customers could be encouraged to turn off engines when idling through signage and enforced by staff in accordance with the management plan. Boundary treatments would also address this. Members were advised that policy DM11 only required air quality assessments for areas included in an air management plan and therefore an assessment was not required for this application.

In reply to a member's question, the area development manager referred to the section of the report under Main Issue 3 – Amenity which addressed the issue of concerns that the proposal would have a cumulative impact on residential amenity. In reply to a question, the planner explained that a detailed litter management plan would be required as a planning condition to protect Mousehold Heath and a wider

area than it was company policy. The area development manager suggested that it could also include the car parks on Gurney Road. A breach of the litter management plan would be subject to planning enforcement.

The area development manager confirmed that the assessment by environmental protection officers on the impact of this proposal in terms of litter, noise and lighting was across the wider area and the city council's boundary. Sprowston Town Council and Broadland District Council had been included in the consultation. A member referred to the comments of Sprowston Town Council objecting to the 24/7 opening hours and suggested that in mitigation to residents' concerns about noise that the opening hours were restricted to close between 22:30 and 06:00. Members were advised that the assessment considered background noise, as set out in paragraph 118 of the report, and that there were no unacceptable impacts from this proposal. Members could however consider a condition to restrict opening hours.

In reply to a question, the planner said the officers were satisfied with the landscaping plan but it would be possible to enhance the plan. Members were advised that the play area was included in the description of the application and was therefore required.

The chair moved and the vice chair seconded the recommendations as set out in the report.

Discussion ensued in which members reiterated their concerns raised during questions in relation to the need for amber lighting for wildlife and that the application was not fully compliant with DM1 in relation to the promotion of car use. A member said that the cumulative impact of this proposal on air quality, noise, light pollution created an unacceptable harm. Another member said that mitigation by reducing open hours would make it more acceptable for residents. However, she considered that there was a proliferation of fast-food takeaways on the ring road already.

During discussion on opening hours, members considered that the ring road was less busy at night. Members considered that 22:30 was too early and compromised by suggesting the closure of the restaurant between 23:00 to 06:00, which was standard. It was noted that under policy DM23 the definition of late-night use was midnight. Councillor Lubbock moved and Councillor Bogelein seconded the amendment to restrict the hours of operation to between 06:00 and 23:00 and with 8 members voting in favour (Councillors Lubbock, Bogelein, Sands (M), Champion, Davis, Young, Grahame and Sands (S)), 1 member voting against (Councillor Peek) and 1 member abstaining (Councillor Stutely, as chair of licensing, so as not to predetermine any future licensing application), it was approved.

The area development manager advised members that condition 28 could be amended to ensure that external lighting was suitable for all wildlife. Councillor Sands (M) moved, and Councillor Peek seconded the proposal to ensure that LED lighting was amber or the most suitable for wildlife, and on being put to the vote was approved unanimously.

Discussion then ensued on the landscaping condition. The area development manager advised the committee that it was flexible and subject to negotiation. The application description referenced the play frame and so it would need to be included in whatever form the landscaping took. It might be possible to swap the cycle store,

which was to the north and the play area around. A member pointed out that the play area needed to be visual from the restaurant so that people could see their children and therefore this was unacceptable. Councillor Bogelein moved, and Councillor Grahame seconded that the landscaping plan be enhanced and the layout amended. During discussion members noted that there would be an antisocial management plan which would include encouraging customers to turn off their engines. Members considered that ecological mitigation to permit small mammals to cross the site safely should be included in condition 4. A member said he considered that the design was essentially flawed with the vehicles at the drive-thru next to the seating and play area. Members also considered that the cycle store was unsafe as young adults would cut across the car park. Members were advised that there were defined pedestrian routes across the site and that the speed of traffic in the car park would be low. The committee moved to the vote and with 10 members voting in favour (Councillors Driver, Bogelein, Champion, Lubbock, Stutely, Davis, Peek, Young, Grahame, and Sands (S)) and 1 member abstaining (Councillor Sands (M)), the amended conditions were relating to landscaping and ecology were approved.

In response to a question from Councillor Stutely, the area development manager suggested that rather than be proscriptive on areas to be litter picked, officers would consult with local members to ensure that specific areas were not omitted. The committee concurred with this suggestion, unanimously.

The chair put the recommendations as moved previously, and with the amendments and conditions as approved above, and on being put to the vote by 5 members voting in favour (Councillors Driver, Sands (M), Lubbock, Peek, and Sands (S)) and 6 members voting against (Councillors Bogelein, Champion, Davis, Stutely, Young and Grahame) the motion was lost, and the planning application not determined.

Members then discussed the reasons for refusal. Councillor Bogelein reiterated her concerns about the application not being fully compliant with DM1, in that it promoted the use of private car travel, rather than non-car use; that there was a density of fast food outlets which was detrimental to public health and wellbeing, and in proximity to schools where students were not required to stay on site. Members also considered that there was an issue with the design of the site as the play area and seating area were in the wrong location adjacent to the lane to the drive-thru and there were no alternative acceptable locations on the site to relocate the play area that was not dangerous for children. Councillor Bogelein then moved that the application be refused on these grounds, seconded by Councillor Champion. Councillor Stutely who added that the application was not in accordance with NPPF8 for the protection of health and safety in relation to the play area, and asked officers to provide the exact wording. On the advice of the area development manager that movers and seconders of motions would be consulted if the applicant appealed, it was agreed that Councillor Stutely would second the motion. On being put to the vote it was:

**RESOLVED**, with 6 members voting in favour (Councillors Bogelein, Stutely, Champion, Davis, Young and Grahame) and 5 members voting against (Councillors Driver, Sands (M), Lubbock, Peek, and Sands (S)) to refuse Application no 22/00610/F Land at Mousehold Lane, Norwich, NR7 8HA, on the grounds minuted above relating to compliance with policy DM1 in relation to promotion of private car use rather than non-car use and not promoting public health



and wellbeing, and on design grounds, and ask the head of planning and regulatory services to provide the reasons for refusal in planning terms.

(Reasons for refusal as subsequently provided by the head of planning and regulatory services:

1. The proposed development, by virtue of the drive-thru facility, car park in excess of maximum standards and provision of fast food, does not minimise the overall need to travel or reduce dependency on the private car and would fail to maximise opportunities for improved health and well-being. This is contrary to the sustainability objectives of Policy DM1 of the adopted Development Management Policies Local Plan (2014) and paragraph 92(c) of the National Planning Policy Framework (2021).
2. The location of the playframe proposed within the development would be exposed to the emissions of vehicles moving through or stationary and idling within the adjacent drive-thru lane. This fails to create a healthy and safe space and support healthy lifestyles, contrary to Policy DM1 of the adopted Development Management Policies Local Plan (2014) and paragraph 92(c) of the National Planning Policy Framework (2021).

**4. Application no 22/00728/F, Angel Road Infant School, Angel Road - Siting of two modular classroom buildings and creation of seating area**

(Councillor Bogelein declared an interest in this item.)

The planner (case officer) referred members to the supplementary report of updates to report which was circulated at the meeting (and available on the council's website). This report detailed amendments to conditions 6 and 1 as set out in the main report. Members were advised that Councillor Brociek-Coulton, councillor for Sewell ward, had advised officers that her objections had now been addressed. The committee was also advised of a new application for temporary permission for a unit which had previously been granted temporary consent which had lapsed in 2017.

The planner then presented the report with the aid of plans and slides. The closure of the junior school was not an issue as the applicant was seeking temporary, retrospective planning consent for two modular classroom buildings and not a permanent solution.

During discussion, the planner together with the area development manager and the planning team leader, referred to the report and answered members' questions. This included questions on the proposal for temporary consent and the planning status of the other modular buildings on the site. Members were advised that the applicant had originally applied for 10 years temporary permission. Officers had suggested 5 years. A further planning application would be needed to extend this, the proposal would not lead to permanent change of use, and any breaches were subject to enforcement. In reply to concerns that the vehicular entrance to the site would be congested, members were advised that there were other accesses on the site. Members commented on how the modular classrooms could be evacuated in a fire, noting that this was an issue for building control. A member sought reassurance that the expansion of the school on this site would not result in increased traffic. The planner advised members that this had not been raised as an issue by Highways and referred members to paragraph 59 of the main report, which stated that two

travel plans had been submitted by the applicant and further details of cycle storage would be conditioned. Members were also informed that officers had advised 5 years for the temporary consent to enable the applicants to obtain funding for a permanent solution. Regarding pupil numbers, it was also noted that St Clements Hill Primary Academy had taken some of the pupils from the closed Angel Road Junior School.

The chair and the vice chair moved the recommendations as set out in the report and as amended in the supplementary report.

Discussion ensued in which members commented on the closure of the junior school due to its condition. The use of modular classrooms and loss of part of the playing field was not ideal but provided a temporary solution. Another member referred to the lack of planning that had led to the Trust to resort to modular classrooms and said that she hoped that it would find a long-term solution.

Councillor Champion, councillor for Sewell Ward, spoke in support of the application and commended the school staff for seeking a permanent solution.

**RESOLVED**, unanimously, to approve application 22/00728/F at Angel Road Infant School and grant planning permission subject to the following conditions:

1. Temporary permission for 5 years.
2. In accordance with plans;
3. SUDS details; - Can you give me this in full for the minutes please-
4. Arboricultural supervision;
5. Submission parking/ cycle/ bin storage details;
6. Provision of fire hydrant, within 12 months of the consent being issued.

#### **5. Application no 22/00506/F, 301 Unthank Road, Norwich, NR4 7QA**

(Councillor Lubbock had declared a predetermined view and did not take part in the determination of this item.)

The planner (case officer) presented the report with plans and slides. She also referred to the supplementary report of updates to reports which was circulated at the meeting and available on the council's website. The report contained a correction to the numbering of the headings of the main issues and summarised three letters of objection to the revised plans, including one from a consultant acting on behalf of the neighbours, and the officer response. The area development manager presented the section of the supplementary report which responded to the representation, made on behalf of the adjacent neighbours. He confirmed that the normal practice of reporting comments received during the consultation period after the agenda papers had been published had been adhered to and that there had been sufficient time to assess the revised application against these comments.

A resident of Unthank Road, living adjacent to the application site, addressed the committee. He read out a statement on behalf of his wife setting out their concerns that the consultation on the revised plans had concluded on 28 August 2022, that representations had not been published on the council's website and calling on members to defer consideration of the application to a future meeting to allow sufficient assessment of comments. The resident also summarised their objections

to the proposal, which included their concerns that it would have a detrimental impact on their residential amenity and the conservation area, as set out in the main report and supplementary report. There was a two-storey extension at no 297 Unthank Road, but this was approved 15 years ago and under different planning policies, and therefore should not set a precedent. The extension would overlook their main living area, and, in mitigation, it was asked that obscure glazing was used.

Councillor Lubbock, Eaton ward councillor, addressed the committee on behalf of the residents of 303 Unthank Road, who would be most affected by the proposed extension. The house at 301 Unthank Road was locally listed and in a conservation area. She acknowledged that the plans had been revised to remove the second storey from the side return. However, the window from the rear extension would overlook the neighbours' garden and the windows in the side extension overlooked the living room, kitchen and breakfast room and should be obscure glazing. The area of the building to be rendered had been reduced but it was out of keeping with the locally listed building and character of the conservation area. Red brick was preferable. She also commented on the deadline for comments on the revised scheme and said that the council had a duty of care to ensure that an assessment of all comments was made to take recommendations forward to committee.

The applicant addressed the committee in support of the application. He explained that the proposed extension was for family use and to accommodate the needs of a visually impaired resident. The proposal had been scaled back and at the ground floor was like extensions adjacent to the house. He commented on the 60 ft garden which had been neglected and confirmed that the proposals would not be detrimental to the ecology, with no trees being removed and saplings planted. The applicants had worked with the case officer and modified the application.

(Councillor Lubbock left the room at this point.)

The area development manager explained that personal details were removed from representations when published and apologised that this had not been made clear to interested parties when submitting comments. He explained that applications were considered individually on a case-by-case basis and that the two-storey extension at 297 did not set a precedent.

The planner, area development manager and planning team leader, referred to the report and answered members' questions. This included questions on the windows to the extension. Members were advised that the two-storey extension to the rear was acceptable in the conservation area as it could not be viewed from the highway. The committee had noted that although there was planning consent for an extension at no 299, the assessment for this application had been made on the current situation. It was also noted that officers considered that the application was acceptable on its merits and that the disability of one of the residents did not need specific consideration.

The chair moved and the vice chair seconded the recommendations as set out in the report.

Discussion ensued in which members commented that this application was finely balanced but considered that overall, it was acceptable. Members were concerned that the neighbours would be overlooked. It was noted that the window on the upper

storey would look out over the garden. Members considered that the upper part of the windows on the side extension should be obscure glazed to protect the neighbours' privacy, noting that the view from the windows was obscured by the boundary treatment to a height of 1.7m. Members were advised that the kitchen in the proposed extension would have bifold doors and therefore daylight would be adequate with the use of obscure glazing at the top of the side windows. Councillor Stutely moved, and Councillor Driver seconded that an additional condition be attached to the planning permission to require the side windows, above 1.7m from ground level, to be obscure glazed, with clear glaze at the bottom of each window, and on being put to the vote was approved unanimously.

The chair moved the committee to the vote on the recommendations as amended.

**RESOLVED**, with 9 members voting in favour (Councillors Driver, Sands (M), Bogelein, Champion, Stutely, Peek, Young, Grahame and Sands (S)) and 1 member abstaining from voting (Councillor Davis), to approve application 22/00506/F 301 Unthank Road, Norwich NR4 7QA and grant planning permission, subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Works in accordance with AIA;
4. Details of surface water drainage.
5. Side extension windows to be obscure glazed, 1.7m above ground level, and clear glaze at the bottom.

Informatives:

1. IN9 Site Clearance and Wildlife
2. IN27 Protected Species

(Councillor Lubbock was readmitted to the committee at this point.)

## **6. Application no 22/00801/F - 406 Unthank Road, Norwich, NR4 7QH**

(Councillor Lubbock had declared a predetermined view and did not take part in the determination of this item.)

The planner (case officer) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and available on the council's website, which contained a correction to the report to confirm that one letter of representation and one from the ward councillor had been received.

Councillor Lubbock, Eaton ward councillor, addressed the committee to explain that her reason for calling in the application was that a sizeable development in a garden should be brought to members' attention and determination by the committee.

(Councillor Lubbock left the meeting at this point.)

Discussion ensued in which the planner and area development manager referred to the report and answered members' questions. Members were advised that the

proposed outbuilding was for ancillary use to the residential property and that this use could include Airbnb. Members also noted that access for construction materials would be via Judges Walk, but there was also access by the side of the house from Unthank Road.

The chair moved and the vice chair seconded the recommendations as set out in the report.

During discussion, a member welcomed the removal of the “unsightly garage” which would improve the appearance on Judges Walk. Members took into consideration the mitigation that the applicant had agreed in response to objections from neighbouring residents. This included the use of a green roof which would address and limit the impact of the proposed building on the outlook from the house in Judges Walk that backed on to the site.

**RESOLVED**, unanimously, to approve application no. 22/00801/F - 406 Unthank Road Norwich Norfolk NR4 7QH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of green roof.
4. Ancillary accommodation;
5. In accordance with AIA;
6. Arboricultural supervision
7. Windows to be fixed shut and retained thereafter.

Informatives:

1. Site clearance and wildlife;
2. Protected species.

(Councillor Lubbock was readmitted to the meeting at this point.)

**7. Proposal for Extraordinary Meeting of committee and site visit -  
Application nos 22/00570/F & 22/00571/L - University of East Anglia**

(Councillor Young, having declared an interest in this item, left the meeting.)

**RESOLVED** to hold an extraordinary meeting of the committee on Thursday, 29 September 2022 at 11:00 am to determine application nos 22/00570/F & 22/00571/L for refurbishment and repair of building 3, Teaching Wall, Norfolk Road, University of East Anglia; and a site visit at 9:30 am prior to the committee meeting.

CHAIR



## MINUTES

**Planning applications committee****11:20 to 13:10****29 September 2022**

Present: Councillors Driver (chair), Sands (M) (vice chair), Champion, Grahame, Lubbock, Peek, Sands (S), Stutely, Thomas (Va) and Thomas (Vi)

Apologies: Councillors Bogelein, Davis and Young

**1. Declarations of interests**

There were no declarations of interest.

**2. Application nos 22/00570/F and 22/00571/L – (Lasdun) Teaching Wall Building 3, Norfolk Road, University of East Anglia, Norwich**

(The following members of the committee had undertaken a site visit in relation to item 2 (below): Councillors Driver, Sands (M), Champion, Grahame, Lubbock, Sands (S), Thomas (Va) and Thomas (Vi).)

The area development manager provided a brief summary of the site visit to the University of East Anglia (UEA) for the benefit of members of the committee who had not attended and any members of the public viewing the live stream. The committee had visited the exterior of the Lasdun Teaching Wall and viewed where the proposed extension would be located, the location of trees to be removed as part of the development and viewed the multi-storeyed teaching building internally and externally, with regard to layout and issues relating to the condition of the building, including structural issues and asbestos.

The senior planner (case officer) gave a detailed presentation of the report with the aid of plans and slides. In conclusion the senior planner explained that the planning permission and listed building consent were recommended for approval, subject to conditions, as set out in the report, and in some instances that conditions might be subject to further discussion and negotiation before permission could be granted. Members were referred to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Listed Buildings Act) which states that “In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” There were no photos of the

interior of the teaching wall in the presentation, but it was noted that members had the opportunity to see inside the building 3 on the site visit. It was noted that the interior fabric of the building was important, some of which could be retained or redesigned to maintain a uniformity with the design across the entirety of the Lasdun Wall. There had been some unfortunate additions which would hopefully be removed or rectified as a full phased refit came forward in its place. Members were advised that great weight has been given to the conservation of heritage assets and, in line with Historic England, considered the proposal would cause less than substantial harm to the listed building and other assets within this area and such harm was outweighed by the public benefit, which included reducing the cost of maintenance for safety, retaining its useability as a teaching and research facility and enhancing education facilities, preventing reputational damage to the university, de-risking the building and avoiding the consequences of the building failing. Also, in line with the NPPF the proposals represent sustainable development.

At the chair's discretion, Stephen Wells, Director of Estates and Facilities at the UEA addressed the committee in support of the application. He referred to: the unique building and its facilities for students, staff and the wider community; its critical condition that should it fail would disable 48 per cent of the university estate; that £8 million had been used to provide spandrel panels for temporary support to the façade; that Lasdun had proposed that the building would be adaptable for future needs; provide an accessible entrance; increase the building's thermal performance in accordance with the university's commitment to net zero carbon; contribute to the university's green infrastructure with additional planting as part of this scheme and address structural issues and asbestos in the building by stripping right back to its framework. The proposal offered a sustainable, viable and deliverable solution and there was no other viable solution. Therefore, the benefit to the public outweighed the less than substantial harm to the listed building.

During discussion, the senior planner, together with the area development manager referred to the report and answered members' questions. In response to a member's question, it was acknowledged that the south side of the building overheated due to the glazing, with film currently being used as a filter, and that the proposal sought to address this. Although the council had requested natural ventilation, mechanical ventilation would be used throughout the building because of the need for a hermetically sealed environment for scientific and research purposes. There would be some inherent heat loss due to the design of the windows, even with triple or double glazing. The fabric first approach, by improving insulation, would prevent the most heat loss from the building, as set out in paragraphs 186 and 187 of the report. A member also asked about the relocation of the telephone masts from the teaching building and was advised that there would be further discussion with the university about relocating these and the also potentially ones on the library roof to another location on the campus to enhance the original rooflines of these buildings.

Discussion ensued on the representations received from the Twentieth Century Society and Historic England and the weight given to these representations by the local planning authority in assessing the planning and listed building applications. The Twentieth Century Society whilst they no longer objected to the replacement windows had maintained its assessment that the proposal would cause substantial harm to the listed building. Historic England considered that the revised scheme would cause less than substantial harm to the listed building. Members were referred to paragraph 92 (page 33 of the agenda papers) where the five fundamental



pillars of the university's justification for the refurbishment strategy, which was integral to the proposed development, and that these had been taken into consideration as part of the officer's assessment of planning balance and as appropriate afforded suitable weight to lead to the recommendations of approval.

Members also sought further information about biodiversity net gain and tree replacement. The senior planner referred to the Main Issue 5: Trees and Main Issue 6: Biodiversity sections of the report. The nine trees lost resulting from this development would be replaced with 9 new trees either within the site, such as within the Swale, but also along Cow Drive. This formed part of the biodiversity net gain calculation as explained within the report. A tree replacement calculation had also been undertaken which indicated 52 trees were required to replace these nine trees in accordance with local policy DM7. Members were referred to paragraph 118 and advised that an audit of the number and species of trees across the campus was required to provide a benchmark for a wider green infrastructure strategy, this strategy being aimed at enhancing and preserving the environment and beauty of the campus setting in a historic park. The additional planting such as the Swale and adjacent landscape areas would provide 1 per cent biodiversity net gain within the red line area and other increase would be within the wider campus. The Swale would also act as part of the surface water mitigation on site. The university's green infrastructure strategy would cover the entire campus and potentially link into the council's own strategies, including Earlham Park. The green infrastructure strategy could be pursued through this application.

A member asked whether the increased floor space would result in increased student capacity out of concern that this would lead to problems of parking in adjacent residential areas. The senior planner referred to the report. Policy for the controlled growth of the university had been revised in 2019 as part of the evidence base supporting university proposals within the emerging Greater Norwich Development Plan. He confirmed that this application did not increase student numbers but there was potential to increase numbers in the future. Members were also referred to the arrangements to the phased refurbishment and reoccupation of the Lasdun Teaching Wall as set out in the report. It was not appropriate, at this stage, to ask for S106 payments to contribute to controlled parking zones or other wider cycle access improvements because the increased floorspace did not result in increased student numbers.

In reply to a member's question, the senior planner said that the space on the roof was constrained by plant and machinery, PV panels and air source heat pumps etc., and, therefore, there was no space for a green or brown roof. There was betterment of biodiversity gain within the redline area and further opportunities around the wider campus and Broad. Members were referred to paragraphs 182 and 183 of the report. Whilst grey water recycling and rainwater harvesting had been discounted now, except for the water capture within the sustainable drainage basin in the Swale, and as part of hard surface areas, it could be investigated and potentially included in future upgrades. Options for the location of the basins or tanks would be discussed with Anglian Water. Members were also referred to the section of the report which addressed nutrient neutrality. The mound, that was part of the original golf course could contain pollutants and issues of nutrient neutrality and site contamination had been assessed within the report, with each having slightly different triggers for assessment. It was considered that the proposal was not constrained by the Natural

England advice in relation to nutrients, but issues of existing site contamination would be dealt with by appropriate conditions.

The senior planner assured members that the university had been asked to share sensitive information about the funding of the scheme and its growth plans with the council. The maintenance of the building was costly. Such financial information had been assessed as part of the planning balance exercise but was commercially sensitive in some regards and it was not appropriate for it to be explicitly discussed in public. The area development manager said that without the investment the building would be unsafe and not used as an active space. Referring to the report, he said that he did not believe as the Twentieth Century Society did that the proposal would result in substantial harm to the listed building. The Lasdun Teaching Wall was a Grade II listed building because it was unique. The Twentieth Century Society and Historic England did not include the planning balance in their assessments as this was for the planning authority to undertake as required by the National Planning Policy Framework (NPPF). The report and points raised in the meeting demonstrates the public benefits that outweigh the harm from this proposal.

The chair moved and the vice chair seconded the recommendations in the report.

Discussion ensued. A member expressed her regret that no natural ventilation was proposed in the building and suggested that there might be areas where it could have been considered and that the roof space was not being used more sustainably. Other members said that they fully supported the proposal to enable the university to maintain the building and meet the needs of twenty first century students. Members also welcomed that: the retention of concrete reduced emissions from embedded carbon by 60 per cent, that the scheme contributed to the university's net zero strategy by reducing heat loss in the building and improved thermal capacity in the extension, and increased biodiversity net gain. Another member endorsed the comments of the previous speakers and said that this was an exciting new phase for the university whilst retaining the historic fabric of the building. Members considered that on balance the less than substantial harm to the listed building was outweighed. It would benefit students and many of whom stayed in the city after graduation and contributed to the local economy.

**RESOLVED**, unanimously, to:

- (1) approve application no. 22/00570/F - Teaching Wall Norfolk Road University of East Anglia Norwich and grant planning permission subject to conditions such as those listed below (with delegated authority to the Head of Planning and Regulatory Services to agree the final number and form of conditions):
  1. Standard time limit;
  2. In accordance with plans;
  3. Details of external facing materials including final cladding detailing of joints, corners and pattern or tessellation of boards; windows/doors/curtain walling and glazing; joinery; plant enclosure material(s), railing, finish and fixings; rainwater goods; cctv; soffits/cappings; external louvers; manifestations, steel frame finish for covered service access and refuse enclosure; glass roof fixings etc.;
  4. Details of phasing programme for occupation of the building and decant of phases of the Lasdun Wall;

5. Timing of and details of replacement cycle provision for on-site shortfall as required on re-occupation of buildings;
6. Construction Management Statement / Plan and site set up for temporary material stores; safe entrance and delivery points; main office management facilities; site management and noise reduction; safe bus, cycle and pedestrian access; wheel washing facilities etc.;
7. Compliance with the 'Construction Traffic Access Route' within any Construction Management Statement / Plan;
8. Details of cycle parking, EV charge points, car parking, bins and servicing areas;
9. Details of final layout of cycle access via University Drive;
10. Link to UEA travel plan;
11. Details of progress update for movement strategy report and findings;
12. Details landscaping scheme (including tree specification, surface water capture for landscape area irrigation, ecology enhancements on/off-site e.g. nesting boxes, soft and hard landscaping, furniture, handrails means of enclosure and retaining walls, Cow Drive edge works, treatment of felled tree materials etc.) implementation programme; written specifications; landscape management plan;
13. Details of mitigation Programme as Green Infrastructure Strategy including scope of activities / works, planting, tree replacements (and quota), management and implementation programme;
14. Clearance outside of Bird Nesting Season unless supervised;
15. Details of external lighting;
16. Arboricultural meeting and site monitoring;
17. In accord with Arboricultural Impact Assessment etc.;
18. Details of additional Arboricultural Method Statement – tree removal; pruning; no dig construction and hard surface design; root pruning; site set up and compound; design and operation of temporary setback areas;
19. Details of location of services and methodology for installation if within RPA's;
20. Restriction of activities within root protection areas;
21. Details of low zero carbon technologies photovoltaic panels (PV's) array and air source heat pumps (ASHP)
22. Details of new building connections to campus CHP / DHM;
23. Details of water conservation measures;
24. Details of on-site foul water drainage strategy for works, connection point and discharge rate
25. Details of surface water strategy / scheme including maintenance and management;
26. No hard surfaces shall be laid out unless in accordance with surface water strategy;
27. Stop works and details of remediation if unknown contamination is found;
28. Removal of telecoms equipment prior to extension occupation and details of timeline suitable alternative on-site provision being provided.
29. Details of plant and machinery;
30. Details of fume and flue extraction.

## 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 at the pre-application and application stage the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

## Informative Notes

1. Unexploded ordnance;
  2. Comments of Anglian Water in relation to notice under the Water Industry Act 1991 to connect to a drain, protection of existing AW assets (public drain), statutory easement width of 3 metres from the pipeline, sewer adoption agreement and that an application to discharge trade effluent must be made to AW.
  3. Comments of Norfolk Constabulary;
  4. Comments of LLFA;
  5. Environmental protection/mitigation measures
  6. Site clearance and consideration of wildlife;
  7. Protected species;
  8. Considerate constructor;
  9. Removal of asbestos;
  10. Notification of timing of works to avoid impacts on highway network.
- (2) approve application no. 22/00571/L - Teaching Wall Norfolk Road University of East Anglia Norwich and grant listed building consent subject to conditions such as those listed below (with delegated authority to the Head of Planning and Regulatory Services to agree the final number and form of conditions):
1. Standard time limit;
  2. In accordance with plans;
  3. Details external materials including final cladding detailing of joints, corners and pattern or tessellation of boards; windows/doors/curtain walling and glazing; joinery; internal joinery for doors/frames/openings; final sill detail, mullion detail and glazing; plant enclosure material(s), railing, finish and fixings; rainwater goods; cctv; soffits/cappings; external louvers; manifestations; supply and extract cowl, internal plant and machinery equipment (including vents and pipes position, size and finish), internal and external lighting, building signage; cctv; method, timing and extent of ceiling/soffit paint removal; design for wall or ceiling junctions; insulation including around the window openings; final design(s) of rear fixing of spandrel panel; intumescent paint; steel frame finish for covered service access and refuse enclosure; glass roof fixings etc.
  4. For the avoidance of doubt removal of external fixings previously agreed
  5. Details of document for a longer-term strategy for internal layout and finishes based on draft submitted with application;
  6. Related details of internal fixtures and fittings specification of fixed interior elements;

7. Details of strategy for materials recycling for furniture, blocks and doors / fittings.
8. Listed building – making good.

#### Reason for Approval

The proposed alterations, subject to conditions, on balance will relate satisfactorily to the former arts areas and will respect the specific architectural character of these parts of the listed Teaching Wall. Subject to agreement of final details as outlined the works overall result in an appropriate form of alteration in the context of the internal and external design and layout of the building and will help to secure the optimum site operation through providing improved Campus facilities. The scheme provides an appropriate simple form of development. The continued functional use of spaces is of heritage benefit and some impact on the key elevations and internal spaces as a result of that, in the heritage led form of design interventions that should respond to the design and materiality of the listed building, is considered acceptable.

Whilst there is some impact this is considered to result in less than substantial harm to heritage assets or setting. The public benefit of the new academic spaces and potential this allows for the phased refurbishment of the listed Lasdun Wall buildings, improvements to the safety of the building for public use and de-risking of specialist and other teaching infrastructure along with betterment of lab design to align with modern needs thereby maintaining a teaching use within the Lasdun Teaching Wall which arise from the proposal is weighed against the harm to the significance of the building(s) and setting as required in paragraph 202 of the NPPF, given the nature of this application and the nature of the works and mitigation for the extent of changes it may be considered that the limited harm created is acceptable. As such the works to the listed building, subject to conditions, are considered to be appropriate and in accordance with the objectives of the NPPF, policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) and policies DM3 and DM9 of the adopted Development Management Policies Plan (December 2014).

#### Informative Notes

1. This consent relates only to the works specifically shown and described on the approved drawings. All other works, the need for which becomes apparent as alterations and repairs proceed, are not covered by this consent and may require a further specific consent. Details of any other works, submitted as part of a further application for listed building consent if required, should be submitted to the local planning authority and approved before work continues.

CHAIR

13 October 2022

Item No.	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4a	22/00634/U	St Marys Works, Duke Street	Maria Hammond	Temporary change of use of the car park for use as an outdoor events venue/food market and retention of associated structures for a 3 year period.	Objections	Approve
4b	22/00498/L and 22/00497/F	Police Station, Bethel Street	Katherine Brumpton	Removal of existing modular cell blocks and generator buildings. Refurbishment and internal alterations, refurbishment of Crittall windows and installation of secondary glazing behind. Construction of single storey rear extension, car port and wash bay and external works. Works to roof to include installation of solar panels, 2 staircases, mechanical ventilation units and plant.	Objections	Approve
4c	22/00701/F	37 Brian Avenue	Stephen Polley	Single storey side and rear extension, addition of first floor and loft conversion.	Cllr call in	Approve





## **STANDING DUTIES**

**In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.**

### **Equality Act 2010**

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

### **Crime and Disorder Act, 1998 (S17)**

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

### **Natural Environment & Rural Communities Act 2006 (S40)**

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

### **Planning Act 2008 (S183)**

- (1) Every Planning Authority should have regard to the desirability of achieving good design

### **Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law**

#### ***Article 8 – Right to Respect for Private and Family Life***

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

**Report to** Planning Applications Committee

**Item**

13 October 2022

**Report of** Head of Planning & Regulatory Services

**Subject** Application no 22/00634/U St Marys Works, Duke Street,  
Norwich

**Reason for  
referral** Objections

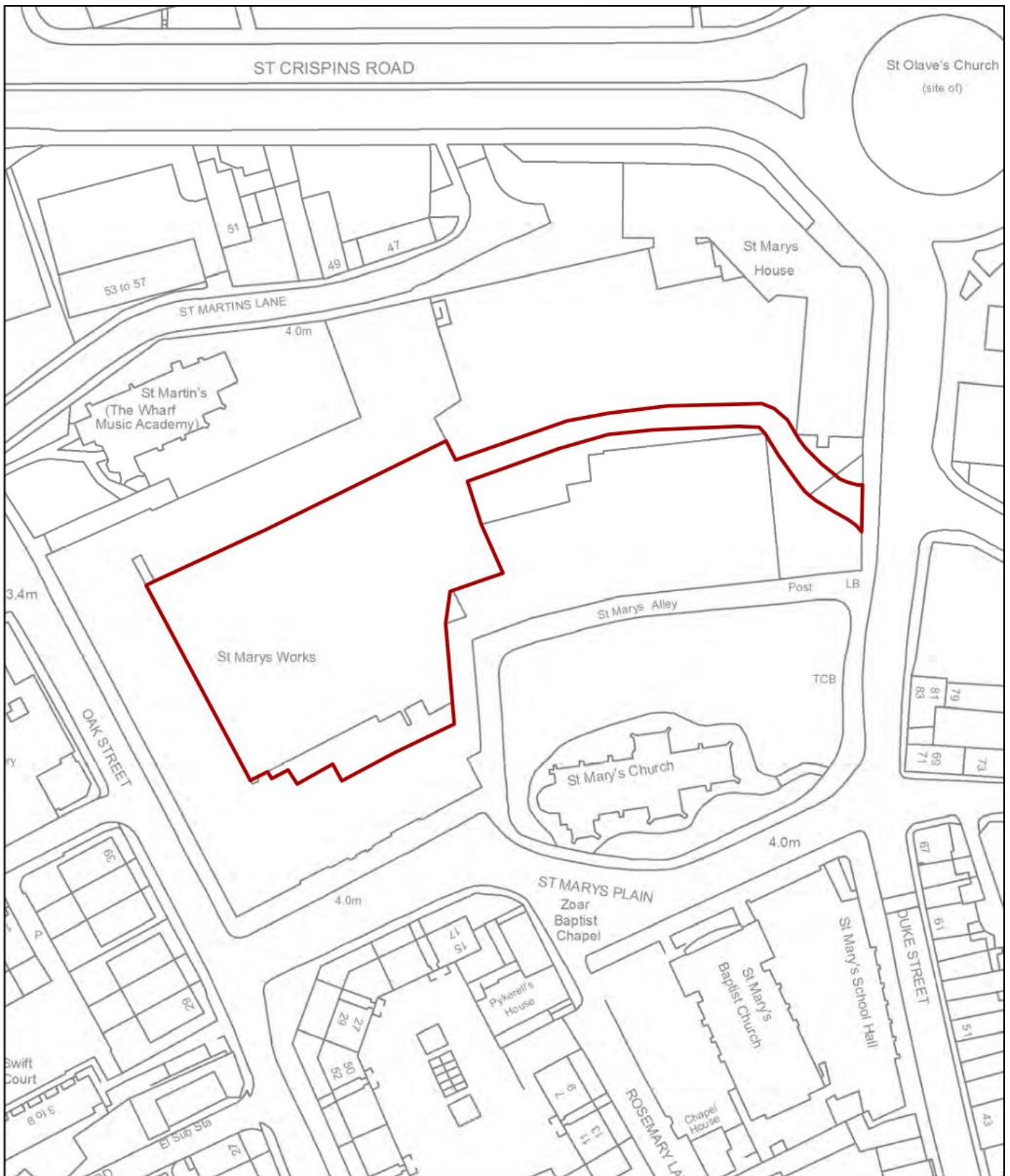
4a

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<b>Ward</b>	Mancroft
<b>Case officer</b>	Maria Hammond <a href="mailto:mariahammond@norwich.gov.uk">mariahammond@norwich.gov.uk</a>
<b>Applicant</b>	Afterdark Promotions

Development proposal		
Temporary change of use of the car park for use as an outdoor events venue/food market and retention of associated structures for a 3 year period.		
Representations		
Object	Comment	Support
5	1	6

Main issues	Key considerations
1	Principle of use
2	Amenity
3	Transportation
4	Design and heritage
5	Flood risk
<b>Expiry date</b>	19 October 2022
<b>Recommendation</b>	Approve



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Planning Application No 22/00634/U  
 Site Address St Mary's Works, Duke Street

Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES



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## The site and surroundings

1. The application relates to an area of car parking and small area of building associated with the commercial buildings known as St Marys Works, off Duke Street to the north of the city centre.
2. The area included within the application site is the western-most section of car park, which is enclosed by 2-3 storey buildings to the north, south and west and a small section of the building on the southern side of this. The adjacent buildings are otherwise in a variety of commercial uses including gym and office. To the east is the remainder of the car park which stretches from the application site to Duke Street.
3. Beyond the commercial buildings, to the north is St Martins Lane which is occupied by a church, several commercial buildings and several residential dwellings. To the west is Oak Street which is predominantly residential but also includes a pub and a doctors' surgery.
4. To the south is St Mary's Plain, which accommodates two more churches and some residential dwellings. Duke Street is a busy one-way (northbound) traffic route out of the city, and at this point it is populated primarily by residential dwellings except for the offices located on the St Crispin's roundabout (one of which is undergoing conversion to student accommodation).

## Constraints

5. The St Marys Works building is locally listed and lies within the Colegate character area of the City Centre Conservation Area and area of main archaeological interest.
6. Part of the site is within fluvial flood risk zone 2 and there is an isolated area at low risk of surface water flooding.
7. The site falls within the area for reduced parking within the city centre parking area.

## Relevant planning history

8. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
13/01685/F	Construction of 8 No. two bedroom apartments on roof at second and third floors of former shoe factory building with access stairwells, demolition of single storey commercial extensions at rear of factory building and creation of car parking spaces. Change of use of existing first floor from D2 (assembly and leisure) to B1(a) (office).	WITHDN	18/02/2014
16/01950/O	Outline planning application to include the demolition of office/workshop buildings; part demolition/part retention, conversion and extension of St Mary's Works building	APPR	03/05/2018

Ref	Proposal	Decision	Date
	and redevelopment of the site to provide circa 151 residential units (Use Class C3); circa 4,365sqm office floor space (Use Class B1a); circa 3,164sqm hotel and ancillary restaurant facility (Use Class C1); circa 451sqm retail (Use Class A1/A3); circa 57sqm gallery space (A1/D1); circa 124 parking spaces and associated landscaping works (amended description and plans).		
19/00173/EIA1	EIA screening opinion for the demolition of office/workshop buildings; part demolition/part retention, conversion and extension of St Mary's Works building and redevelopment of the site to provide circa 151 residential units (Use Class C3); circa 4,365sqm office floor space (Use Class B1a); circa 3,164sqm hotel and ancillary restaurant facility (Use Class C1); circa 451sqm retail (Use Class A1/A3); circa 57sqm gallery space (A1/D1); circa 124 parking spaces and associated landscaping works.	EIANRQ	15/02/2019
19/00430/F	Demolition of office and workshop buildings and the redevelopment of the site together with the part demolition and conversion of the former Shoe Factory Building, to provide 152 residential units (Class C3), employment space (Class B1), a hotel and ancillary restaurant (Class C1), retail units (Class A1/A3), gallery and exhibition space (Class D1), car parking, landscaping and public realm improvements, access and associated works.	WITHDN	29/10/2019
21/00373/U	Temporary change of use of the car park for use as an outdoor events venue/food market for a 12 month period only.	APPR	19/05/2021
21/01154/D	Details of condition 5: Litter management scheme of previous permission 21/00373/U.	APPR	24/09/2021

### The proposal

- Permission is sought for a temporary change of use to an outdoor events venue/food market for a three year period. To date, this use has operated for a

temporary period in 2020 under permitted development rights and since May 2021 under planning permission 21/00373/U. This permission expired on 19<sup>th</sup> May 2022, subsequent to the submission of this application.

10. The use of the land provides a food market and seating areas for the consumption of food and drink on site. Food vendors operate from temporary structures on site or bring their own mobile units and change on a regular basis. Customers receive table service across the seating areas which are themed as a 'junkyard'. Background music is provided through an amplified sound system and there is no provision for live music or performances. There are up to 34 full-time equivalent staff employed here and the site has capacity for up to 630 customers.
11. The previous permission allowed the site to operate three days a week:
  - 16:00-22:00 on Fridays
  - 12:00-22:00 on Saturdays and Sundays
12. This application seeks permission to operate seven days a week in the following hours:
  - 12:00–22:30 Sunday to Wednesday
  - 12:00–23:00 Thursday to Saturday and Bank Holidays.
13. It is understood that seven day opening is proposed to enable flexibility for specific events and occasions. It is not intended to regularly operate seven days a week, however the application must be considered on the basis it could open all of the above hours.
14. There are existing structures across the site used for the provision of food, drink, facilities and covered seating areas. The application proposes retaining many of these as they exist for the duration of the permission, including: shipping containers used to house a bar, toilets, stores, office and food vendors and a large marquee used for seating. In addition, there are other structures currently on the site which the application seeks permission to either retain as they exist or to alter or replace over the duration of the permission to adapt to different events, themes and seasons. These include a further marquee, timber 'ski lodge', additional containers, a timber and plastic dome and timber hut.
15. As this operational development is included in the proposal, the application represents more than just a change of use of the land and cannot be determined under delegated powers due to the objections received.
16. The small section of the St Marys Works building is used to provide ancillary facilities.
17. Access is from Duke Street across the remaining area of car park and cycle parking has been provided within the site, but there is no car parking. Arrangements are in place for vendors to park by the entrance as needed.

## Representations

18. Adjacent and neighbouring properties have been notified in writing. 12 letters of representation have been received citing the issues in objection and support as summarised in the table below.

Issues raised	Response
Noise impacts from amplified sound and people leaving venue, including late at night	See main issue 2
Creeping extension of activities on site	See main issue 1
Litter and unsociable habits on Duke Street, incidents of trespass and vandalism	See main issue 2
Residential area, wrong place for venue like this	See main issue 1
No/minimal noise pollution experienced	See main issue 2
Great addition to community, social space, good use of empty/wasted space	See main issue 1
Employment	See main issue 1
Green space would be more beneficial	The application as submitted must be determined.
Property devaluation	Not a material planning consideration
Compensation for early termination	Not relevant to planning
St Mary's area full of cars parking without permits	Unauthorised parking is enforceable by the Council but outside the remit of planning
Enforceable notice to cease and leave site must be condition if granted	Any permission granted would be subject to a condition allowing a temporary period only and for cessation of use and clearance of the site at the end of the permitted period.

## Consultation responses

19. 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

20. Many of the complaints on this site were related to the early days of covid and a queuing system for entry, these have been overcome by less need for social distancing and a pre booked time for entry in two sittings.
21. The density of use has lowered and a dispersal policy reduces the impact from those leaving the site.
22. Late night visits have been made in the last year and the site has a better control of people coming and going from the site.
23. Music noise levels have been assessed at residential premises and found to be acceptable or inaudible.



24. Our department has no further conditions to add.

### **Food and safety**

25. We visited on 23.9.22. Poor conditions regarding food hygiene were found associated with the Six Yard Bars. This included inadequate hand washing, dirt, poor maintenance, risk of contamination, poor pest proofing etc

26. We also have some general concerns regarding management of the wider site by After Dark Promotions, regarding health and safety, drainage, waste provision. Also about how visiting traders are managed in terms of gas safety. An email has been sent to the Fire Authority.

### **Highways**

27. I have no objection to the proposed change of use for a three year period, the travel information plan is satisfactory and should be used to improve their customer information. Parking and access provision arrangements are satisfactory.

28. The extant provision of cycle parking is adequate and does not require expansion.

29. I have no recommended conditions to make.

### **Urban Conservation and Design**

30. Thank you for consulting design and conservation, we do not propose to offer comments on the proposals. This should not be taken as indicating that the scheme is acceptable or otherwise; the application should be determined in accordance with the development plan, the NPPF where relevant and the duty upon the council to either preserve or enhance the character of the conservation area.

### **Norfolk police (architectural liaison)**

31. I am encouraged by the comments within the Planning Statement in which the applicant demonstrates various ways they are seeking to protect residents' amenity, this assists in addressing concerns raised last year regarding some antisocial behaviour reports and is very much supported.

32. Unfortunately, outdoor venues can be vulnerable to crime, particularly opportunistic, therefore a certain amount of access/boundary control over the perimeter of the site will assist in guardianship. It is understood that for all days of operation, the Management Team will remain on the Site from 22:30 and the gates are locked and safely secured by 23:00. Any fence, wall, hedge or other boundary treatment in place should physically prevent climbing and or penetration into restricted parts of the site.

33. Recommendations for security alarms, doors and windows, CCTV, outdoor furniture and bins, containers and lighting.

34. With the imminent introduction of the Protect Duty/Martyn's Law, all businesses working within publicly accessible places should be aware their responsibilities and produce a Counter Terrorism Response plan.

## **Assessment of planning considerations**

### **Relevant development plan policies**

35. **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
  - JCS5 The economy
  - JCS6 Access and transportation
  - JCS11 Norwich city centre
36. **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
  - DM9 Safeguarding Norwich's heritage
  - DM11 Protecting against environmental hazards
  - DM18 Promoting and supporting centres
  - DM23 Supporting and managing the evening and late night economy
  - DM28 Encouraging sustainable travel
  - DM29 Managing car parking demand in the city centre
  - DM30 Access and highway safety
  - DM31 Car parking and servicing

### **Other material considerations**

37. **Relevant sections of the National Planning Policy Framework July 2021 (NPPF):**
- NPPF2 Achieving sustainable development
  - NPPF4 Decision-making
  - NPPF7 Ensuring the vitality of town centres
  - NPPF9 Promoting sustainable transport
  - NPPF11 Making effective use of land
  - NPPF12 Achieving well-designed places
  - NPPF14 Meeting the challenge of climate change, flooding and coastal change
  - NPPF16 Conserving and enhancing the historic environment
38. **Emerging Greater Norwich Local Plan**
- Policy GNLP3054: Site at St Mary's Works and St Mary's House

### **Case Assessment**

39. 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 Policy 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**

40. Key policies and NPPF paragraphs – JCS8, DM18, DM23 and DM29, NPPF sections 7, 8, 9 and 11
41. The assessment of the principle of this proposal largely remains the same as when the previous temporary permission was considered: the loss of this under-used car is acceptable and the requirements of a site for the proposed temporary use (large open hard-surfaced area with vehicular access) mean it is not necessary to apply the sequential test to justify the location which is within the city centre, but outside the defined leisure area.
42. Section 11 of the NPPF supports the effective use of land and, in particular, under-utilised land. In this case, an under-used car park is proposed for a use that generates employment and economic activity with visitors to the site potentially also patronising other local businesses. The use is therefore considered to result in economic benefits and to support the vitality and viability of the city centre in accordance with Policy DM18.
43. For clarity, the proposal is a leisure and hospitality use, but not classified as a 'late night use' as opening beyond midnight is not proposed.
44. Objections refer to this as a residential area and consider the proposed use to be unsuitable here. However, the buildings immediately surrounding the car park are in a mix of commercial uses and the wider area is not exclusively residential. There is also concern that this application represents a creeping extension of activities on site, but the only proposed change from the existing operation is the additional days and longer hours. The activities on site would remain as previously.
45. Consideration needs to be given to the fact the application is seeking a second temporary permission for a longer period and also to any changes to the development plan and material considerations since the previous permission was issued.
46. Planning Practice Guidance (a material consideration) advises that temporary permissions may be appropriate in particular circumstances, including where 'meanwhile uses' are proposed. It goes on to advise that it will rarely be justifiable to grant a second temporary permission. It suggests that further permissions should either be granted permanently or refused if there is clear justification to do so.
47. In this case, a second temporary period proposed and is for a significantly longer period of three years.
48. The site is subject to a proposed site allocation in the emerging Greater Norwich Local Plan (GNLP) for a comprehensive mixed use development. In the preparation of this Plan, the land owner has indicated that a planning application for this redevelopment would be prepared during the proposed three year temporary period. Given that the Plan is still subject to examination, the allocation attracts limited weight in the determination of this application. However, it is not considered

unreasonable that proposals for this large and complex site would take some time to prepare and for any permission that may be granted to be implemented on site.

49. It would be inappropriate to grant a permanent permission as this would likely compromise the delivery of the emerging allocation. However, allowing a temporary 'meanwhile use' of the land is beneficial in comparison to it being vacant or under-utilised pending redevelopment. Given the time involved in preparing an application and implementing any permission, it is not considered the proposed three year period would compromise delivery of the site allocation. The applicant should note that upon adoption of the GNLP and with regard to the Planning Practice Guidance, it is unlikely that any further temporary permission would be granted on expiry of the proposed three years and the site owner is instead encouraged to pursue a comprehensive redevelopment.
50. Other than the incorporation of a small section of the St Marys Works building in the site area, there have been no other changes in the material considerations of the site or those relevant to the principle of the proposal and it is considered that continuing the use for a further temporary period of three years is acceptable.
51. It is noted that the previous permission lapsed in May 2022 and the site has continued to operate without permission since then. As officers have been considering this application to continue the use since then, it has not been considered expedient to take any enforcement action.

## **Main issue 2: Amenity**

52. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8, 127 and 185.
53. The objections to the application largely relate to noise, anti-social behaviour and littering resulting from the use. It is noted some representations in support state there are no issues with noise.

### **Noise**

54. The previous application was supported by a noise assessment which concluded that music and ambient sound had no impact on the local community. A further survey has been undertaken in support of the current application which recorded sound in four locations on streets around the site on a Saturday of a Bank Holiday weekend in April between 14:00 and 22:00. This is said to have been the busiest day so far in 2022.
55. The survey found that local road traffic noise was dominant and music from the venue was only audible in the evening in breaks in traffic or at a level below that of the traffic. Accordingly, the report concludes that it is not expected noise emissions from the site would give rise to complaints. It also notes that the music amplification system is configured to control noise emissions and they consider the site to be well managed in terms of noise control.
56. Objections do identify that noise from amplified sound has been experienced. In addition, it is noted that since the previous permission was granted Environmental Protection have received complaints from two individuals relating to incidents on six specific dates and one referring to noise each weekend. Environmental Protection officers have visited the site and are satisfied that music noise levels are well

managed and acceptable or inaudible at residential premises and do not recommend any conditions are necessary to manage this should permission be granted.

57. Some of the objections and complaints also refer to noise from people leaving the site which is a matter that the noise survey does not specifically address. During covid restrictions various measures were in place to manage numbers, sittings and distancing which staff monitored and managed.
58. As these restrictions no longer apply, the problems arising from customers queuing to enter at a designated time and all leaving at once have diminished. Customers can now come and go at various periods and do not all leave *en masse* at closing time, dispersing movements around the site over a longer period each evening.
59. Although monitoring and managing customer movements in the interests of covid is no longer required, it is proposed to maintain marshalling procedures half an hour either side of closing times to manage taxi movements and provide surveillance of incidents of noise and disturbance in the area. This would typically consist of marshalls at the gate only but be increased to include four marshalls at strategic locations in the vicinity when management identify a heightened presence is necessary (e.g. peak times on weekend evenings). A log book of incidents and complaints is maintained to inform reviews of necessary procedures and a Resident Action Plan is in place to receive and respond to feedback and complaints.
60. Environmental Protection have observed that the site has developed to better manage people coming and going late at night since it first opened and do not recommend any additional measures are necessary to make the proposal acceptable in this respect.

### **Anti-social behaviour**

61. Objections and complaints have also identified incidents of anti-social behaviour around the site late at night, including vomiting, urinating, trespass and vandalism. It is not possible to directly attribute these incidents to customers from the application site and it is noted there are public houses and other venues in the surrounding area.
62. Monitoring and enforcement of the behaviour of individuals and any incidences of criminal activity is not a matter for the planning system. It is, however, necessary for planning to promote safe places and ensure crime and disorder or the fear of such do not undermine quality of life. It is considered that the provision of marshalls to observe and respond to any noise and disturbance from customers leaving the site is an appropriate and proportionate way for the applicants to manage the behaviour of customers as they leave the site in the interests of protecting the amenity and well-being of the area and its residents. Norfolk Police support the use of the measures proposed to assist in addressing anti-social behaviour. The submitted Site Management Strategy which details the arrangements for marshalling should be secured by condition to ensure the established good practice continues for the duration of the permission.

## **Litter**

63. Litter resulting from the site has also been cited as a concern. The previous permission was subject to a condition which required agreement of and subsequent compliance with a scheme to manage litter. This was submitted and approved in October 2021 (21/01154/D) and, as well as on-site waste management, it details routes for nightly litter picking on surrounding streets. It is considered that this has adequately managed litter to date and a condition should ensure continuing compliance.
64. It should also be noted that there is an extensive legislative regime beyond the remit of planning to manage and enforce littering.

## **Structures**

65. The site is enclosed on three sides by substantial buildings which mitigate any amenity impacts of the proposed structures on the surrounding area and it is not considered their presence affects the amenity of the commercial occupiers of these buildings.
66. The external lighting within and on structures and strung across the site is not considered to cause any harm to amenity.

## **Extended hours**

67. The objections and complaints which have been received are based on experience of the existing Friday-Sunday opening and 22:00 closure.
68. The proposal to extend this to a seven day a week operation from 12:00 to 22:30/23:00 would result in additional impacts throughout the week, including when adjacent commercial buildings are occupied and later into the night when residential neighbours would be more affected.
69. The applicant has advised that they do not intend to regularly open to the full extent of the proposed hours, but they are proposing this to provide flexibility outside their regular weekend opening. However, the application does need to be considered on the basis that it could operate consistently across all these hours.
70. Based on experience of the existing operations and how the site has been managed, Environmental Protection have no objection to the proposed hours. On the basis they are satisfied there would be no noise or other harmful amenity impacts that would be unacceptable or contrary to Policies DM2 and DM11, the extended hours are considered reasonable. It is necessary to condition compliance with these opening hours to ensure the activities and intensity of use does not increase any further in the interests of protecting amenity and in accordance with Policies DM2, DM11 and DM23.

## **Summary**

71. It is appreciated that amenity is a significant concern for local residents and the content of the objections to this application must be taken into account.
72. Environmental Protection have responded to previous complaints and monitored activity on and around the site since it first opened. They are satisfied that the site

now operates in a way which does not give rise to any harmful amenity impacts that could be considered unacceptable with regard to Policies DM2 and DM11 over the existing or proposed extended opening days and hours. Conditions to ensure compliance with the submitted Site Management Strategy that includes marshalling procedures, the proposed opening hours and the litter management plan are considered necessary to ensure there are no unacceptable amenity impacts.

73. As previously, should any noise complaints be made, these can be investigated and any necessary enforcement action taken by Environmental Protection.
74. The applicant is reminded of the need to comply with food hygiene and other health and safety regulations. It is noted the Council's Environmental Health officers have visited and raised concerns in these respects. There is not considered to be any inherent issue with the development proposed that would prohibit compliance with the necessary regulations and that improved management and operational practices are required, which are beyond the remit of planning. Informative notes on any permission that may be granted can remind the applicant of their responsibilities.

### **Main issue 3: Transport**

75. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
76. The existing access arrangements and on-site cycle parking are acceptable. An existing travel information plan promotes sustainable travel and continued compliance with this and retention of the cycle parking should be secured by condition.
77. In this area of the city, it is appropriate for there to be no customer car parking and there is ample public parking nearby. It is noted there is some concern about customers parking in permit zones and, if this occurs, it can be managed through parking enforcement.
78. Cars or taxis dropping off customers can pull into the site so as not to obstruct traffic on Duke Street and marshalls manage this around closing time.

### **Main issue 4: Design and heritage**

79. Key policies and NPPF paragraphs – JCS2, DM3 and DM9, NPPF paragraphs 124-132 and 184-202
80. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.
81. The existing structures on site are temporary in terms of both their appearance and their attachment to the ground. As they are quite substantial in scale individually

and cumulatively, have already been on site for over a year and are proposed to remain for a further three years, these are considered to constitute operational development that should be covered by the permission sought here.

82. The temporary and ad hoc appearance of these structures fits the aesthetic of the Junkyard Market but would not be considered acceptable on a permanent basis in design or heritage terms within the Conservation Area and adjacent to a locally listed building. Within the context of the venue and given that they are largely enclosed by the adjacent buildings and screened from longer views, it is not considered that they cause any substantial harm to heritage assets or the visual amenity of the local area. The use of part of the locally listed St Marys Works building does not result in any direct harm to this heritage asset.
83. There are public benefits from the proposal in terms of making use of the land and generating employment and economic activity which outweigh this temporary, low level harm. The structures can all be removed upon cessation of the use without causing any permanent harm or damage.
84. The applicant wishes to retain some flexibility to alter or replace four identified structures over the duration of the permission. This is not considered unreasonable to allow the venue to adapt to different seasons, themes and events. It is suggested that alterations and replacements of these identified structures should be allowed providing they do not exceed the maximum dimensions of each of the existing and their purpose remains related to the events venue and food market. The 'ski lodge' covered seating area is the largest of these existing structures and measures 4.8 metres high, 15 metres wide and 18 metres deep. Any alteration or replacement of an existing structure that exceeds its maximum parameters would require written agreement or express planning permission, allowing the LPA to maintain some control in this relatively sensitive heritage setting.
85. A condition to manage the temporary time limit should ensure all structures are cleared from the site on cessation of the use.

#### **Main issue 5: Flood risk**

86. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 155-165.
87. Part of the site is within fluvial flood risk zone 2 and there is a separate, isolated area at a low risk of surface water flooding.
88. In accordance with Planning Practice Guidance, the proposed use is classified as 'less vulnerable' to flooding and the 'medium probability' fluvial risk and low surface water risk are confined to small portions of the site. This is a temporary use proposal that would not operate 24/7 and only uses temporary structures. The development would not increase the risk of flooding on or off site, but users would potentially be exposed to the risk.
89. It is considered appropriate to take a proportionate approach to flood risk and manage any risk to property and people with a flood response plan that should be agreed by condition.



**90. Assessment of Impacts under the Conservation of Habitats & Species Regulations 2017 (as amended)**

Site Affected: (a) Broads SAC/Broadland Ramsar  
(b) River Wensum SAC

Potential effect: (a) Increased nitrogen and phosphorus loading  
(b) Increased phosphorous loading

The application represents a 'proposal or project' under the above regulations. Before deciding whether approval can be granted, the Council as a competent authority must determine whether or not the proposal is likely, either on its own or in combination with other projects, to have any likely significant effects upon the Broads & Wensum SACs, and if so, whether or not those effects can be mitigated against.

The Council's assessment is set out below and is based on advice contained in the letter from Natural England to LPA Chief Executives and Heads of Planning dated 16<sup>th</sup> March 2022.

(a) Broads SAC/Broadland Ramsar

- i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
- ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer: NO

The proposal does not:-

- Result in an increase in overnight accommodation in the catchment area of the SAC;
- By virtue of its scale, draw any significant number of people into the catchment area of the SAC. The applicant has provided data on the number of customers over the past 12 months and where they have visited on. Whilst some customers have visited from outside the SAC catchment, on the basis of this evidence, it is not considered the expanded use would attract such numbers of people into the catchment that it would result in an increase in nutrients flowing from the site.
- Result in additional or unusual pollution to surface water as a result of processes forming part of the proposal.

Consequently, the proposal would not result in an increase in nutrients flowing into the SAC in the form of either nitrogen or phosphorous.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

(b) River Wensum SAC

- i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
- ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer: NO

The proposal does not:-

- Result in an increase in overnight accommodation in the catchment area of the SAC;
- By virtue of its scale, draw any significant number of people into the catchment area of the SAC. The applicant has provided data on the number of customers over the past 12 months and where they have visited on. Whilst some customers have visited from outside the SAC catchment, on the basis of this evidence, it is not considered the expanded use would attract such numbers of people into the catchment that it would result in an increase in nutrients flowing from the site.
- Result in additional or unusual pollution to surface water as a result of processes forming part of the proposal.

In addition, the discharge for the relevant WwTW is downstream of the SAC.

Consequently, the proposal would not result in an increase in nutrients flowing into the SAC in the form of either nitrogen or phosphorous.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

### **Equalities and diversity issues**

91. There are no equality or diversity issues.

### **Local finance considerations**

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

## Conclusion

93. The application seeks permission for a further three year period to operate an existing events venue and food market..
94. As a 'meanwhile use' of an under-utilised area of land within the city centre which is proposed to be allocated for redevelopment in the emerging GNLP, there is no policy objection to the principle of the proposal, providing it is for three years only.
95. The existing operation has previously given rise to complaint and objections have been received on the basis of harm to residential amenity. Environmental Protection have found there to be no unacceptable impacts from amplified sound and that procedures in place to manage noise and behaviour from customers exiting the site late at night are satisfactory. These procedures can be secured by condition to ensure they continue to protect residential amenity for the duration of the temporary permission. The proposed extended opening hours are not considered to give rise to any unacceptable additional amenity impacts and should be managed by condition.
96. Existing temporary structures are proposed to be retained – some as they currently exist and others with some alteration/replacement within the maximum parameters of existing. In the context of the development and on a temporary basis only, these are considered to be acceptable and not to cause any harm to heritage assets that is not outweighed by the public benefits of the proposal.
97. Subject to conditions, there are no unacceptable highway, flood risk or other impacts.
98. The development is therefore considered to be 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.

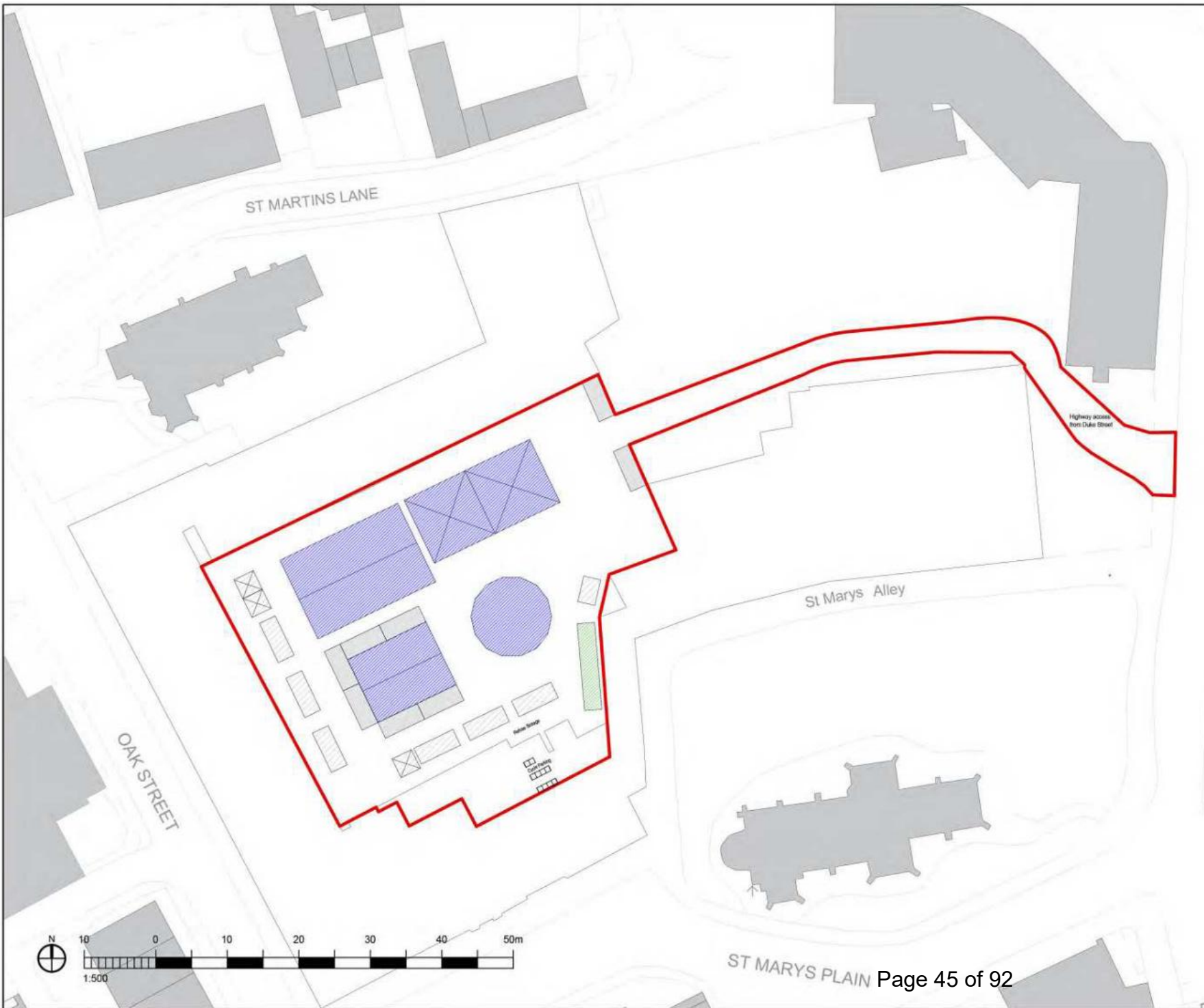
## Recommendation

To approve application 22/00634/U St Marys Works, Duke Street, Norwich and grant planning permission subject to the following conditions:

1. Three year temporary time limit and cessation of use and clearance of all structures at end of permission;
2. In accordance with plans;
3. Flood response plan to submitted within three months for agreement;
4. Compliance with Site Management Strategy;
5. Compliance with scheme for litter management;
6. Compliance with travel information plan;
7. Retention of cycle parking;
8. Retention, alteration or replacement of four identified structures within identified maximum parameters (largest to be no more than 4.8m high, 15m wide and 18m deep) for duration of permission, unless otherwise agreed.

## Informative Notes

1. The applicant is advised to contact the Council for advice on food hygiene and safety.
2. The applicant is reminded to secure compliance with health, safety and other regulations required for the operation of an event venue and food market.



#### NOTES

Do not scale from this drawing electronically or manually, use written dimensions only.

All dimensions are in millimeters unless stated otherwise.

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#### CDM 2015

The Construction (Design and Management) Regulations 2015 (CDM 2015) makes a distinction between domestic and commercial clients and outlines the duties you, as client, have under Health and Safety Law (HSE).

These duties can be found at:

<http://www.hse.gov.uk/construction/cdm/2015/responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.

A Updated site boundary			
DESIGNED BY: EO	DATE: 04/02	CHECKED BY: CC	DATE: 04/02
PURPOSE OF ISSUE PL-FOR PLANNING		RISA STAGE	
DRAWING STATUS S2-FIT FOR INFORMATION			
PROJECT TITLE Junkyard Market, Norwich			
CLIENT Afterdark Promotions			
DRAWING TITLE INDICATIVE SITE PLAN		SCALE 1:500 @A3	
DATE Apr 2022	DRAWN BY EO	CHECKED BY DO	APPROVED BY CC
DRAWING NUMBER			
PROJECT NO 3666	TYPE 00	UNIQUE NO 002	REVISION A
<b>Lanpro</b>			
Architecture   Masterplanning   Landscape & Urban Design   Architecture			
Norwich Office: Buntingham House, 96 Potterygate, Norwich, NR2 1EQ Tel: 01603 631 319 <a href="http://www.lanpro.co.uk">www.lanpro.co.uk</a>			

## Permanent / Temporary Structures

There are presently 24no. structures on the Site that mostly relate to seating and food / drink vendors. Using the Site Plan submitted as part of the application, an 'Annotated Structures Plan' (not to scale) has been prepared to indicate 'permanent' and temporary structures (i.e., 'permanent' structures are not likely to change throughout the lifetime of the permission). All structures are marked by a coloured dot. A red dot indicates a 'permanent' structure. A green dot identifies a temporary structure. A full list of all structures is provided below.

### Permanent Structures

- **Food Vendors (Appendix 1)**  
3x square-shaped pergolas; 3.5 (height), 3m (width), 3m (depth).
- **Drinks Vendors, located northwest of the bicycle parking (Appendix 2)**  
3x recycled shipping containers; 2.5m (height), 6m (width), 2.4m (depth).
- **Food Vendors, located southwest of Ski Lodge (Appendix 3)**  
3x recycled shipping containers; 2.5m (height), 6m (width), 2.4m (depth).

- **Toilet Block, located at southeast corner (Appendix 4)**  
1x recycled shipping container; 2.6m (height), 9.8m (width), 3m (depth).
- **Covered Seating Area, located north of the Dome (Appendix 5)**  
2x square-shaped pergolas; 7.5m (height, at central peak), 10m (width), 10m (depth).
- **Site Office, located east of Covered Seating Area\* (Appendix 6)**  
1x recycled shipping container; 2.4m (height; total height of both shipping containers stacked is 4.8m), 6.7m (width), 3m (depth).  
\*there is another recycled shipping container placed on top of the Site Office which is in place as part of the set design and principally serves aesthetic purposes; 2.5m (height), 6m (width), 2.4m (depth).
- **Cleaning Store, located northeast of Covered Seating Area\* (Appendix 7)**  
1x recycled shipping container; 2.5m (height; total height of both shipping containers stacked is 5m), 6m (width), 2.4m (depth)  
\*there is another recycled shipping container placed on top of the Cleaning Store which is in place as part of the set design and principally serves aesthetic purposes; 2.5m (height); 6m (width); 2.4m (depth).

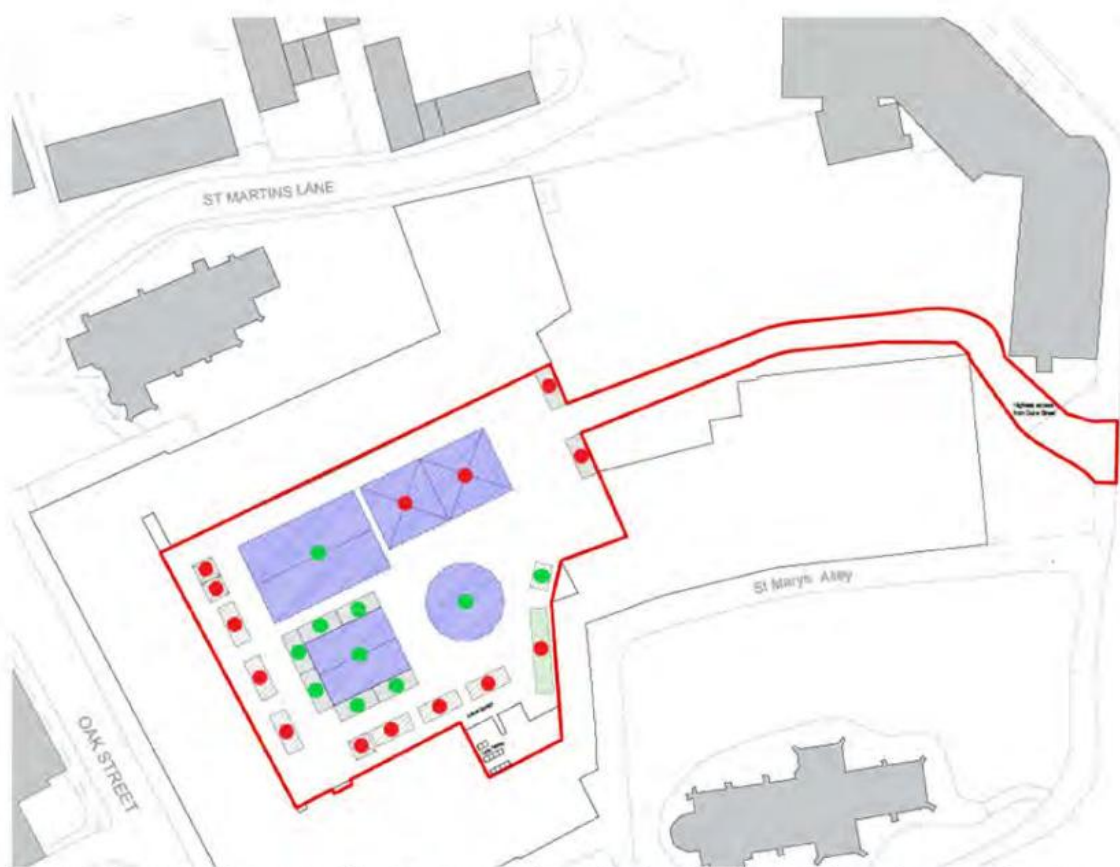


Figure 1. Annotated Structures Plan. Do not scale from this drawing. Please refer to drawing reference 3666-00-002 (Site Plan) submitted as part of the application for completeness.



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**Report to** Planning Applications Committee

**Item**

13 October 2022

**Report of** Head of Planning & Regulatory Services

**Subject** Application nos 22/00498/L and 22/00497/F Police Station, Bethel Street

**Reason for referral** Objections

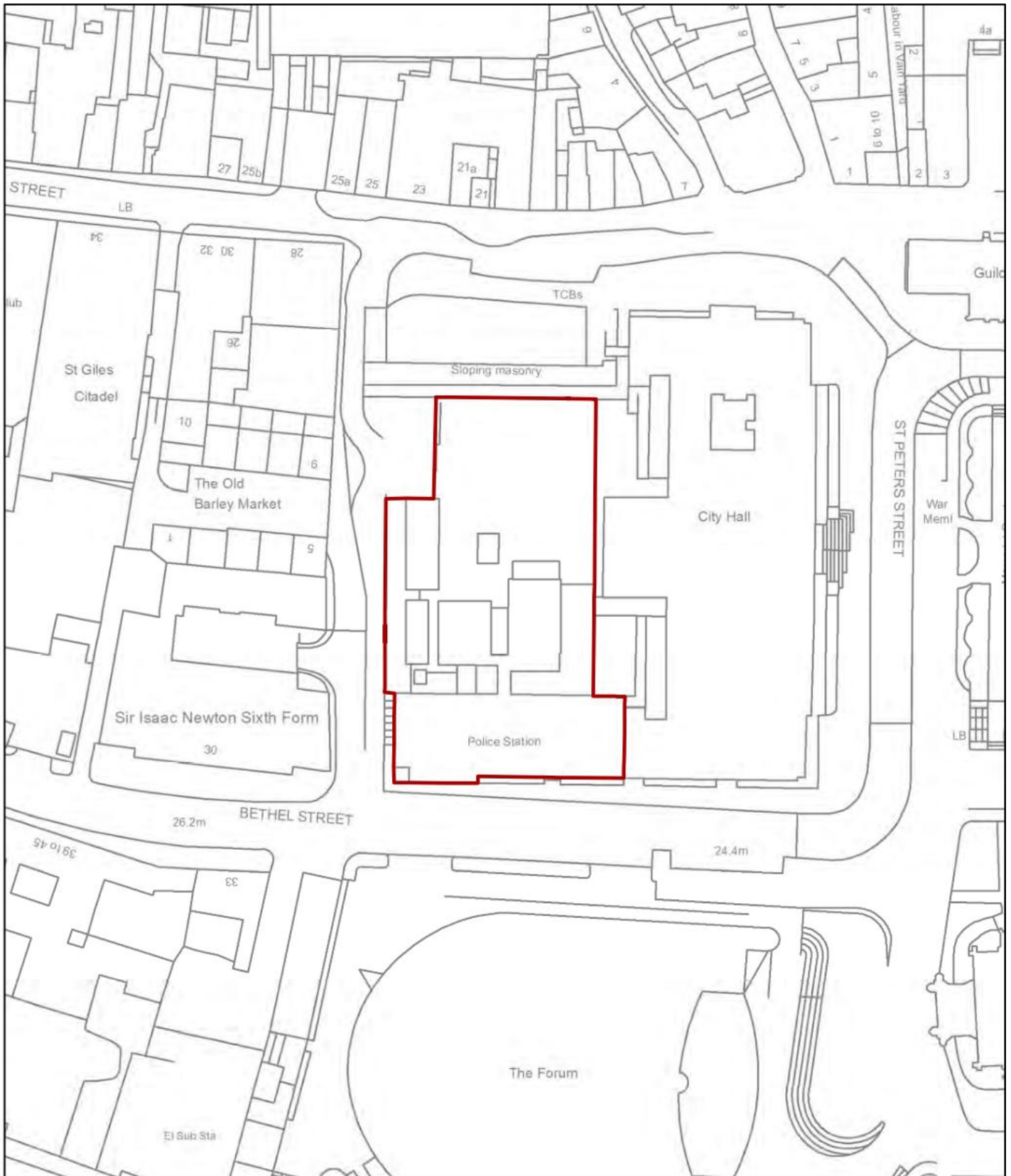
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<b>Ward</b>	Mancroft
<b>Case officer</b>	Katherine Brumpton <a href="mailto:katherinebrumpton@norwich.gov.uk">katherinebrumpton@norwich.gov.uk</a>
<b>Applicant</b>	Norfolk Constabulary

Development proposal		
<p>22/00498/L: Removal of existing modular cell blocks and generator buildings. Refurbishment and internal alterations, refurbishment of Crittall windows and installation of secondary glazing behind. Construction of single storey rear extension, car port and wash bay and external works. Works to roof to include installation of solar panels, 2 staircases, mechanical ventilation units and plant.</p> <p>22/00497/F: Removal of existing modular cell blocks and generator buildings. Refurbishment of Crittall windows. Construction of single storey rear extension, car port and wash bay and external works. Works to roof to include installation of solar panels, 2 staircases, mechanical ventilation units and plant.</p>		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1	Principle of development
2	Design
3	Heritage
4	Amenity
<b>Expiry date</b>	15 September 2022
<b>Recommendation</b>	Approve



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Planning Application No 22/00497/F & 22/00498/L  
 Site Address Police Station Bethel Street

Scale 1:1,000

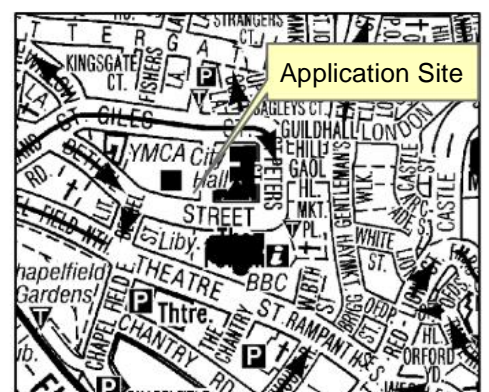


**NORWICH**  
 City Council

PLANNING SERVICES



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## The site and surroundings

1. The Police Station is attached to Norwich City Council's own City Hall, and together they form one of the landmark buildings of the city. They are statutory listed, designated Grade II\*. Grade II\* buildings are those that are considered to be particularly important buildings of more than special interest by Historic England.
2. The Police Station is sited facing south, onto Bethel Street, whereas the majority of the City Hall faces east onto St Peter's Street and towards the market. Both buildings overlook the same rear courtyard, which is used in conjunction with the Police Station. Together they form an L shape. The Police Station dates from the 1930's, along with the City Hall, but there is also a substantial extension from the 1960's which serves to extend the building further along Bethel Street.
3. Due to the land level changes, and further alterations to the courtyard section, the rear courtyard sits lower than both the main frontages and St Giles Street, to the north. A pedestrian footpath runs along the western side of the courtyard, also at a higher height. Internally these changes in land level result in the lowest level in both buildings being served by subterranean windows to the front elevations, which look onto small sunken courtyards. The rear windows, where present, overlook the large rear courtyard.
4. To the west lies a development of terraced town houses know as Old Barley Market, Sir Issac Newton Sixth Form and offices.

## Constraints

5. Grade II\* Listed Building:  
City Hall with attached police station. 1932-38 by C. H. James and S. R. Pierce.  
See Appendix A for the full official list entry
6. Conservation Area: Civic Character Area of the City Centre Conservation Area
7. City Centre Leisure Area
8. Area of Main Archaeological Interest
9. Car Parking – Increased Parking Area and City Centre Parking Area

## Relevant planning history

10. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
16/01621/F	Construction of roof over third floor external terrace, existing 1960s window replacement, single storey extension within car park and permanent retention of generator building.	APPR	20/01/2017

Ref	Proposal	Decision	Date
16/01622/L	Internal alterations to the plan form, construction of roof over third floor external terrace, existing 1960s window replacement, refurbishment of original steel Crittall windows and installation of secondary glazing. Single storey extension within car park. Permanent retention of generator building.	APPR	20/12/2016
22/00877/F	Temporary building/offices.	APPR	23/09/2022

### The proposal

11. The proposed works largely represent repairs and a refurbishment, required as a result of planned maintenance and to respond to modern policing needs.
12. Internally the works notably include alterations to the cells, the safe and the chief constable's office.
13. Externally a replacement single storey rear extension is proposed, which would serve to provide bespoke storage together with an access from the rear courtyard. This would replace existing porta cabin style buildings in this courtyard. Other works to the courtyard include the erection of a car port, reworking of the layout and ancillary buildings and structures such as cycle shelters, external plant and a jet wash bay. On the roof 2 external staircases are proposed, along with mechanical ventilation units, plant, solar panels and a drone landing pad.
14. The works would not significantly alter the overall use of the building, it would remain open 24 hours 7 days a week. The custody area is now redundant (to include the cells). The safeguarding hub would be moved into the building, which includes collaborative working between the police, Norwich City Council, Norfolk County Council and the NHS as well as other organisations.
15. Following a site meeting and discussion revised plans have been received. These include the retention of the crittall windows, removal of the proposed cladding to the entrance porch and retention of some of the western wall of the Chief Constable's office on the ground floor, along with some clarifications and smaller alterations. The description has also been changed to include the alterations to the roof. Neighbours and impacted consultees were re-consulted.
16. A further revised scheme was submitted which shows the re-siting of some of the plant on the roof, following concerns from the Conservation and Design Officer. Additional information was also received regarding the plant. These were also reconsulted on.
17. These applications are intended by the applicant to effectively replace the previous scheme approved under the 2016 applications.

## Representations

18. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below.

Issues raised	Response
Concerns regarding the impact of the construction works upon the residential neighbours.	Due to the location and proximity of the residential neighbours an informative will be added regarding construction working hours.
Any intensification of use will disturb the residents at Old Barley Market (which include shift workers).	See main issue 4
Use of machinery within the rear courtyard needs to be considerate.	See main issue 4

## Consultation responses

19. 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.

## Design and conservation

20. Original response highlighted some areas of concern, to include the removal of the safe, works to the Chief Constable's office and removal of the crittall windows.
21. Comments following the revised scheme advise that the safe should be retained if possible, notes that the loss of part of one of the Chief Constable's office's walls is regrettable and the retention of the crittall windows is supported. Concerns were also raised about the rooftop plant, and that at a maximum of 2m in height it would compromise the roofline of the building. This part of the proposal could not be supported.
22. Following receipt of final revision of plans, showing revised locations of the roof top plant, no objection. The revised location and configuration demonstrated in the visualisations illustrate the rooftop plant and equipment as not being visible from the key Bethel Street and St Peter's Street aspects. They will remain visible from St Giles aspect.
23. Conclusion; the proposal would result in less than substantial harm, and this should be weighed against the continued use of the building as a Police Station. Conditions requested, to include details of the works to roof, works to the entrance, internal alterations to include doors and repair works.

## Historic England

24. Response to the original proposes advised that several issues needed to be addressed in order for the scheme to meet the requirements of the NPPF para 195, 199, 200 and 202. Principal concerns raised included the removal of the crittall windows and works to the Chief Constable's office.

25. Revised scheme was reviewed, with advice stating that there is no objection, and that the amendments are considered to sufficiently address the issues previously raised. Alterations to the roof have been commented on, with a conclusion that the PV panels could be installed below the parapet, and that further advice is available in a Historic England Guidance paper.

### **Historic Environment Services**

26. No objection, proposals will not have any significant impact upon the historic environment (archaeology).

### **Environmental Protection**

27. No objection following the receipt of additional information. Conditions requested to cover the type of plant to be installed on the roof, antivibration mountings to be used for the plant, wash bay hours of operation, and external lighting.

### **Assessment of planning considerations**

#### **Relevant development plan policies**

28. **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
  - JCS6 Access and transportation
  - JCS7 Supporting communities
  - JCS8 Culture, leisure and entertainment
  - JCS11 Norwich city centre
29. **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
  - DM6 Protecting and enhancing the natural environment
  - DM9 Safeguarding Norwich's heritage
  - DM11 Protecting against environmental hazards
  - DM18 Promoting and supporting centres
  - DM22 Planning for and safeguarding community facilities
  - DM28 Encouraging sustainable travel
  - DM29 Managing car parking demand in the city centre
  - DM30 Access and highway safety
  - DM31 Car parking and servicing
30. **Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)**
- CC24 Land to rear of City Hall

## **Other material considerations**

31. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF3 Plan-making
- NPPF4 Decision-making
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

## **Case Assessment**

32. 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 Policy Framework (NPPF), the Council's 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**

33. Key policies and NPPF paragraphs – DM22, JCS7, NPPF section 8.
34. The proposal seeks to renovate and alter the existing Police Station, no change of use is proposed. The retention of the use, as a public service building, is considered to support healthy and safe communities, as required under section 8 of the NPPF. Norwich experiences the highest level of crime rates for the county, as is typical of a city. The retention of the facility here is considered appropriate, and furthermore continues the historic use of the building.
35. The rear courtyard, accessed via Bethel Street, is subject to site allocation CC24. The policy states that "The redevelopment of the former City Hall car park site presents an opportunity to make efficient use of land that is in a sustainable city centre location and has the potential to bring greater activity into this area." The area is considered suitable for a mixed-use development under this allocation.
36. Of note is that this site has been carried forward in the Greater Norwich Local Plan (GNLP). However, given that the GNLP has just gone through examination and discussions are still underway with the inspector, this carries limited weight. Nonetheless the revised Policy CC24 advises that the development is expected to come forward within the development plan period, which is up until 2038.
37. None of the proposed works are considered to substantially conflict with the site allocation; the external works are largely for insubstantial buildings.

## **Main issue 2: Design**

38. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 126-136.
39. The internal works and heritage considerations are discussed below within the heritage section.
40. The rear single storey extension would be of a lean-to design, finished in trapezoidal cladding to both the walls and roof, with brick plinths along the bottom of the walls. The extension would not be as deep as the current temporary structures it would be replacing. It would represent an improved design improving the appearance of the courtyard. The roof is designed to connect the building at the same height as the existing polycarbonate roof which runs along the same width as the proposed extension.
41. In the courtyard proposals include a dog kennel, car port, cycle shelter, bins, vehicular wash bay and external plant. Details have not been provided of all of these, but they can be conditioned. The continued use of the rear courtyard as a functional part of the Police Station lends it to these ancillary buildings/storages. The size and siting of these proposed elements are considered acceptable from a design perspective, subject to the agreement of the details via conditions.
42. An external staircase is proposed which would access the roof from the third-floor balcony. An additional plan has been provided with a 3D drawing to demonstrate how it would sit within the existing beams. Another staircase is proposed to connect the two sections of the roof. Plant work is also proposed on the roof, to include air source heat pumps (ASHPs), cooling units, mechanical ventilation heat recovery (MVHR) units and a fan. The siting of the plant has been revised to push it closer to the courtyard and further away from both the Bethel Street elevation and St Peters Street elevation. The height of the building, location and parapet help to minimise the visual impact of the changes to the roof, with the changes only readily visible from St Giles aspect.
43. Given the functional nature of some elements of the scheme, such as the roof top alterations and ancillary buildings to the rear, all the external works cannot be described as being of a high quality design. However, the revised scheme has reduced the visual impacts of these elements to an extent where they would be readily viewed within the local context of the functional courtyard and existing plant works to the City Hall. Consideration has to also be given to the energy efficiency, with the ASHPs and the MVHR both contributing towards a more sustainable method of heating and ventilating the building.
44. The rear extension is considered to be of a good design and would respect the character and form of the host building. Details of the materials would be requested.
45. The proposal is therefore considered to comply with DM3.

## **Main issue 3: Heritage**

46. Key policies and NPPF paragraphs – JCS2, DM9, NPPF paragraphs 184-202.
47. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special



architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.

48. The building was constructed in 1932-38 together with the City Hall, as a police station. A significant extension to the station was undertaken in 1965-67. The Police Station in its own right forms a key element of the special interest of the Building as a whole.
49. Externally the building benefits from the original entrance, which is sited mid-way along the southern elevation and is served with ornate bronze lantern and relief stone panels. The windows are crittall, and there are details on the building using Clipsom stone and there are art deco style railings. The 1960's extension is notably of a differing age but sits comfortably alongside the 1930's building.
50. Internally the building benefits from many historic features to include the cells and associated beds and doors, some original 1930's doors and architraves, travertine / terrazzo floor and stair coverings and decorative handrails, balustrade and newel posts, original lighting feature to the principal stair and joinery elements, skirting and cornicing within the former Chief Constables Office. Decorative cast iron grilles to the existing lightwell at 3rd floor level are also considered to contribute to the special interest of the building.
51. The key areas of the development that are considered to impact the historic significance are discussed below.
52. The works to the cells would result in the majority being removed; they no longer function as custody cells and are too small for an alternative use. The proposal would however retain 2 cells as sample cells, and the revised design shows that these cells would benefit from re-fitted doors (from some of the cells to be removed) and a partial retention of the access corridor. This would enable the history of this part of the building to continue to be understood, whilst addressing the operational need of a modern Police Station.
53. The safe is shown to be removed on both the originally submitted plans and the revised plans. The safe was permitted to be removed under the previous applications in 2016. Historic England consider that the removal of the safe is justified by operational requirements, and the efforts discussed above to retain the cells. It's removal is not encouraged by the Council but is not considered to justify refusal.
54. The revision to the Chief Constable's office results in the eastern wall that was proposed to be removed to be partially removed, with 2/3 retained. Details of how this would be achieved and the height of the opening would be required prior to any works here. This is an important feature of the building, and retains other details such as an integral cupboard, cornicing and architraves. The proposed opening, instead of the removal of the entire wall, is considered to be an acceptable revision although any works here are regrettable. The impact of the opening should be minimised by retention of the aforementioned details, which would allow the plan form and former use to be more readily appreciated.

55. The works to the roof include maintenance and repair works as well as the installation of various roof plant and 2 staircases. Revised plans, and additional information, have demonstrated how the roof plant would sit within the roof and the impact upon the elevations. Some roof plant is currently visible above the parapet. Some of the proposed units, together with the staircases, would be visible. However due to the presence of the parapet and the revised siting of the larger plant, the impact is now minimised and would be focussed upon the less sensitive St Giles aspect, where other roof plant is already visible on both the Police Station and City Hall. The proposed additional equipment is therefore anticipated to have some additional visual impact, but it has been minimised. The proposed screening will serve to reduce the impact further, details of which can be conditioned.
56. The Civic Character Area is considered to be an area of High significance; the area has a concentration of historic buildings with a significant number of these being statutorily or locally listed structures. The proposal not significantly alter the main façade of the Police Station and would retain the significant historic elements here, The rear extension and ancillary works in the courtyard would be seen from the rear only, and so have a limited impact upon the wider Conservation Area. The proposal is therefore considered to comply with DM9 and section 16 of the NPPF in terms of the impact upon the Conservation Area as it would preserve the significance of the area.
57. The proposed works are considered to represent less than substantial harm to the heritage asset. NPPF para 202 advises that this should be weighed against the public benefits of the scheme, including where appropriate securing its long-term use. This assessment is made in the conclusion below.

#### **Main issue 4: Amenity**

58. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
59. The proposal is not considered to significantly result in an intensification of use. The development would remove most of the internal rooms previously used for custody, and enable the safeguarding hub to move in. The use of the building as a key operational base for the largest urban area in Norfolk would remain.
60. The proposed wash bay would use a jet wash, and due to the 24/7 nature of the Police Station there is a reasonable chance that this could be used at relatively antisocial hours which could have a negative impact upon the residential neighbour's amenity. As such a condition restricting the hours of use to between 0700 and 2300 on any day is considered to be reasonable and to mitigate this concern.
61. The additional details of the plant (both rooftop and that within the courtyard) have been assessed by Environmental Protection. The height of the rooftop plant and the location of the plant sunken into the courtyard both serve to reduce their impact upon neighbours. The impact upon the neighbours is considered to be acceptable. A condition is therefore included to ensure that the plant installed is that proposed. Any deviation would need formal permission.
62. Replacement external lighting is proposed, which is considered acceptable in principle but few details have been submitted. To ensure that this doesn't give rise

to an unacceptable impact upon the neighbours a condition would be added to request further details prior to their installation.

63. Although the concerns from residents are noted, the development is not anticipated to result in any significant changes to the use of the building, and the conditions discussed above will address any areas of concern. The impact upon their residential amenity as a result of the proposed development is therefore considered to be acceptable and to comply with DM2 and DM11.
64. It is recognised that building work could disturb these neighbours, particularly if it is undertaken at unsociable times. As such an informative regarding constructive working hours is proposed. The concern regarding use of machinery in the courtyard is noted, however no significant machinery is proposed. Should a noise nuisance become apparent the Council have other powers under which they can act.

### **Main issue 5: Transport**

65. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
66. The proposed external works would result in a total of 35 car parking spaces, 5 police van spaces, 7 police motorbike spaces and 12 cycle storage spaces. The proposal is not anticipated to significantly change the numbers of staff at the site.
67. A police station is a sui generis use; there are no set standards within the Local Plan for their transport provision. Staff and visitor parking will continue to be located off site in public car parks. 12 cycle spaces will be added. Currently cycles are stored inside the building in areas not fit for purpose.
68. The site enjoys a good level of public transport access, in addition to close proximity to public cycle stands. The provision of 12 cycle stands is supported, however details will be requested via condition.
69. The proposed site plan indicates refuse storage within the courtyard. It is considered adequate and to be in an acceptable location.

### **Other matters**

70. The proposed developments are not anticipated to have any notable impact upon biodiversity. The works at the upper levels do not involve works to roofs.

### **Equalities and diversity issues**

71. There are no equality or diversity issues.

### **Local finance considerations**

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

## **Conclusion**

73. The building remains in its original use, a factor which contributes greatly to its special interest as an historic structure and its contribution to the wider character and appearance of the conservation area. The proposed works are considered to represent less than substantial harm, and as such the public benefits and its optimum viable use should be considered. The public benefits form a community use are clear, in that the development would allow the retention of the Police Station within the city. By facilitating modern policing methods the development would allow the building to be continued to be used for its original purpose, which is itself considered to contribute to its special interest and historic value.
74. The amenity concerns of the neighbours are noted, however as above the development is not intended to significantly intensify the use of the site and conditions can be used to control any areas of concern. The concerns regarding the construction period can be mitigated against by imposing an informative regarding construction hours.
75. The development is therefore considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve applications 22/00498/L and 22/00497/F at the Police Station, Bethel Street and grant listed building consent and planning permission subject to the following conditions:

### **22/00497/F**

1. Standard time limit;
2. In accordance with plans;
3. External materials
4. Submission parking/ cycle/ bin storage details
5. Submission dog kennel details
6. External lighting details
7. Type of plant as submitted
8. Anti-vibration mountings
9. Wash bay hours of operation

### **Informatives**

1. Construction working hours

### **22/00498/L**

1. Standard time limit
2. In accordance with the plans
3. Details;
  - a. Safe

- b. Main entrance lettering detail
  - c. Main entrance new light
  - d. Existing internal door at ground floor serving the former store
  - e. Refurbishment of steel windows
  - f. Stone cleaning and repairs
  - g. Cladding/screening for the proposed plant above which sits above the parapet
  - h. PV panels
  - i. Cells
- 4. External finishes
  - 5. Any damage made good

#### Informatives

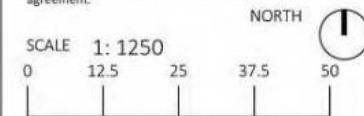
- 1. Any other works may need further consent
- 2. Some conditions need to be discharged prior to works
- 3. Retain original historic fabric
- 4. Asbestos



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REDATE	DESCRIPTION
P1 XX/XX/XX	This drawings is not ready for issue

DRAWING USE	PLANNING
CLIENT	The PCC for Norfolk
PROJECT	Bethel Street Police Station
ADDRESS	Bethel Street, Norwich, NR2 1NN

STATUS	S4-FOR STAGE APPROVAL
DRAWING TITLE.	Location Plan
SIZE	A4
DRAWING NO.	200
REVISION	P1
CREATED BY	SH
CHECKED BY	SD
APPROVED BY	MC

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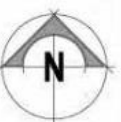


**Ordnance Survey  
Master Map Data**

This product contains data surveyed at one or more of the following scales: 1:1250, 1:2500 & 1:10000.  
The representation of a road, track or path is no indication of a right of way. The alignment of tunnels is approximate.  
Heights are given in metres above Datum.

Produced: Jan 2015 from Ordnance Survey digital mapping and incorporating surveyed revision available at the date.  
This site map product does not contain all recorded map information.

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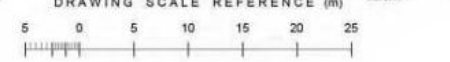
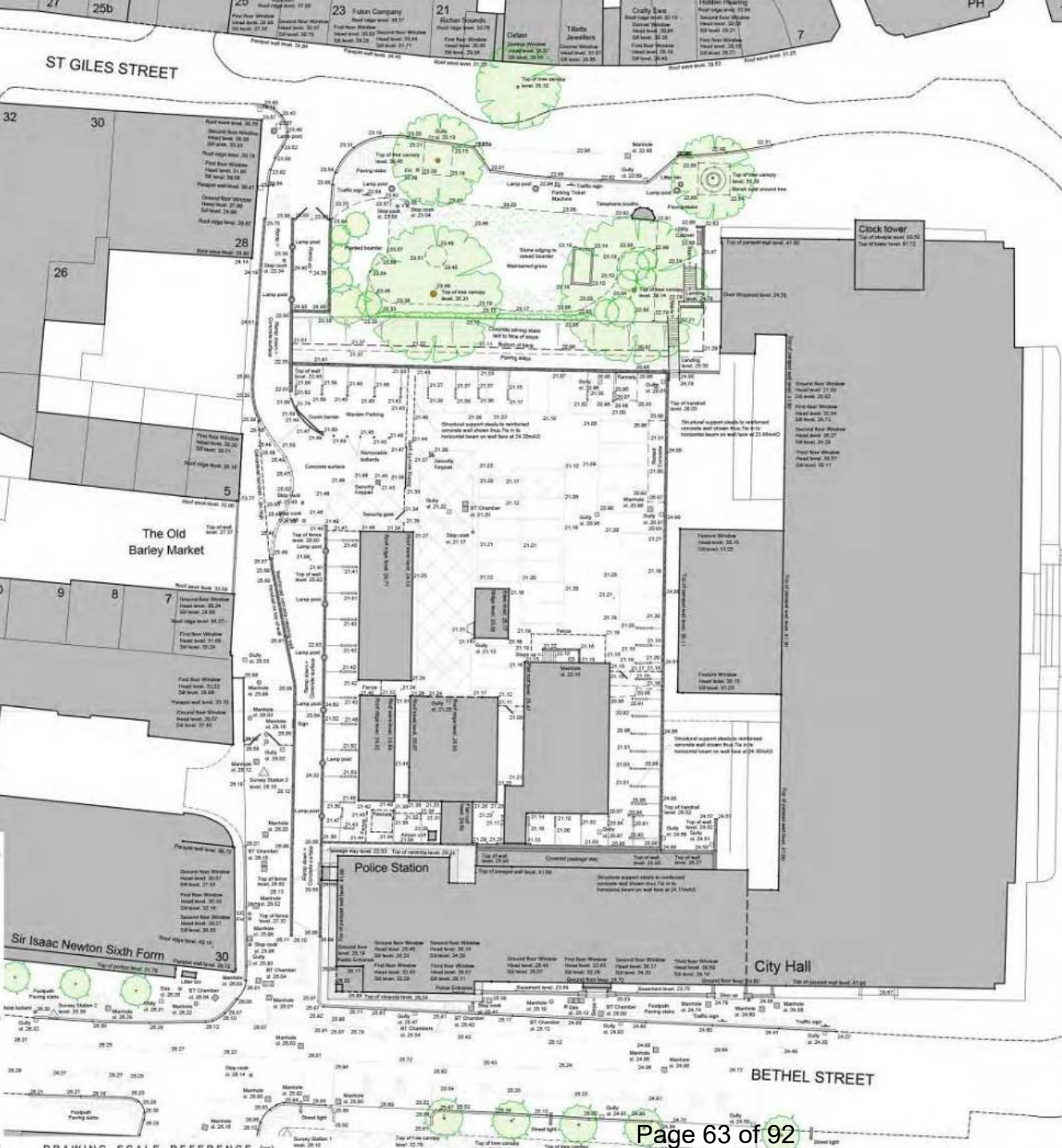
**Survey Control Station Table**

Station Ref	Easting	Northing	Level m AD	Description
PDG1	622796.563	308451.385	26.10	Survey Nail
PDG2	622796.762	308455.078	26.36	Survey Nail
PDG3	622792.896	308450.896	26.15	Survey Nail

See notes for description of site datum and value



**Site location plan**  
Scale 1:2500



- Survey Notes**
- All levels and coordinates relate to a GPS derived datum. Control was established using Ordnance Survey's Active GPS Network (OSGB32/43). Translated from ETR89 using OSGB02 and OS1103 models. Control station information may not be shown on this drawing, please contact Plandescl Ltd should you require assistance.
  - All levels shown adjacent to built lines have been taken at channel face unless stated otherwise.
  - Not all existing services are necessarily shown on this drawing. All services that could be located at the time of the survey have been positioned but should be taken as approximate and used as a guide to their presence. Clarification of all underground routes should be confirmed by the individual service provider and prior to project construction.
  - Land ownership boundaries and legal title extents have not been identified in this survey. Fences have been surveyed at point positions and changes of direction. Hedgelines located at face or foot of most sites, see drawing title to specify.
  - Not all trees have been surveyed, trees shown as below have been fixed by trunk position. Level relates to ground at base of trunk.
  - Example of surveyed tree, species not recorded unless stated. Trunk diameter shown to scale, average canopy spread surveyed and plotted to scale.
  - Areas of dense trees and vegetation have been shown by the approximate ground coverage and have no trunk positioning.
  - Areas of non surveyed planting, position shown indicatively only, or perimeter surveyed where level information is present.
  - This survey has been merged with Ordnance Survey Master Map Data. Boundaries and physical objects have only been fixed where level information is present. See Licence details No AL10000317. All Ordnance Survey mapping is subject to their own accuracy and tolerances.
  - The information presented in this survey is a recording of what was present and accessible at the time of survey. Areas of the site not surveyed are represented by Ordnance Survey mapping.

**ST PETERS STREET**

Rev	Date	CSJ	First Issue	Drawn	Description
0	13.01.15	CSJ	First Issue		

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civil-structural-environmental  
surveying

Client  
**Norfolk Constabulary**

Project  
**Bethel Street Police Station  
Bethel Street  
Norwich, Norfolk**

Drawing Title  
**TOPOGRAPHICAL SURVEY  
JANUARY 2015**

Scale	U.N.O.	Date	Drawn by
1:250 (A1)		13.01.2015	CSJ

Drawing No	19673/001	Rev	0
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The drawing contains the following:

The drawing contains the following

Note: For building elements/areas with bar/face  
configuration, refer to drawing No. 300 & 301

☐ Existing GA Plan

NOTE: EXISTING BUILDING MODEL SUPPLIED BY CLIENT. ANY DISCREPANCIES FOUND ON SITE TO BE DISCUSSED WITH ARCHITECT.

ASSET NO.	DATE	DESCRIPTION
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ISSUED BY	DATE	DESCRIPTION
SH	FE 26/11/21	Issued for client approval
SH	FE 21/11/21	Planning issue for client approval
SH	FE 06/04/22	Planning application issue

The Police & Crime Commissioner for Norfolk

Bethel Street Police Station

## Bethel Street, Norwich

BECHTEL STREET, NORWICH  
NR2 1NN

DRAWING USE	STATUS CODE
PLANNING	54

DRAWING TITLE	WS
Existing Basement GA Plan (Planning)	A1

DRAWING NO	REVISION
BSPS-CF-XX-81-DR-A-400	P3

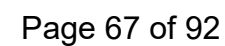
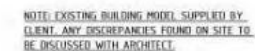
CREATED BY	CHECKED BY	APPROVED BY
SH	SD	MC

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**CF** Chaplin  
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This drawing contains the following:



CLIENT		
The Police & Crime Commissioner for Norfolk		
PROJECT		
Bethel Street Police Station		
PROJECT ADDRESS		
Bethel Street, Norwich		
NR1 2NN		
DRAWING USE		STATUS CODE
PLANNING		S4
DRAWING TITLE		SIZE
Existing Roof Plan (Planning)		A1
DRAWING NO.		REVISION
BSPS-CF-XX-04-DR-A-403		P3
CREATED BY	CHECKED BY	APPROVED BY
SH	SD	MC

Cambridge and Edinburgh









2 GA Section A-A Proposed (Planning)  
1:100



1 GA Section B-B Proposed (Planning)  
1:100

Note: This area of Existing Plant room now contained off ceiling and beneath lockers. Refer to plan for new plant layout.

Area of new floor by structural engineer to suit new wall layout to locker room.

- GA Legend  
1:100
- Existing building elements to be retained
  - Proposed new walls
  - Existing building elements to be demolished
  - Area of new intermediate floor by structural engineer
  - Area of new raised floor to MC area to suit height of ramp saddle loading
- Note: For building elements/areas with heritage significance, refer to drawing No. 005 & 001

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#### NOTES

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#### REVISION LOG

ISSUED	REV	DATE	DESCRIPTION
SA	PL	17/05/22	Issued for M&E Design
01	PL	06/04/23	Planning application issue

#### CLIENT

The Police & Crime Commissioner for Norfolk

#### PROJECT

Bethel Street Police Station

#### PROJECT ADDRESS

Bethel Street, Norwich  
NR2 1NN

#### DRAWING USE

PLANNING

#### STATUS CODE

SA

#### DRAWING TITLE

Proposed GA Sections (Planning)

#### SIZE

A1

#### DRAWING NO.

BSPS-CF-XX-XX-DR-A-451

#### REVISION

P2

#### CREATED BY

SH

#### CHECKED BY

SD

#### APPROVED BY

MC

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Architect

Consulting and Interiors

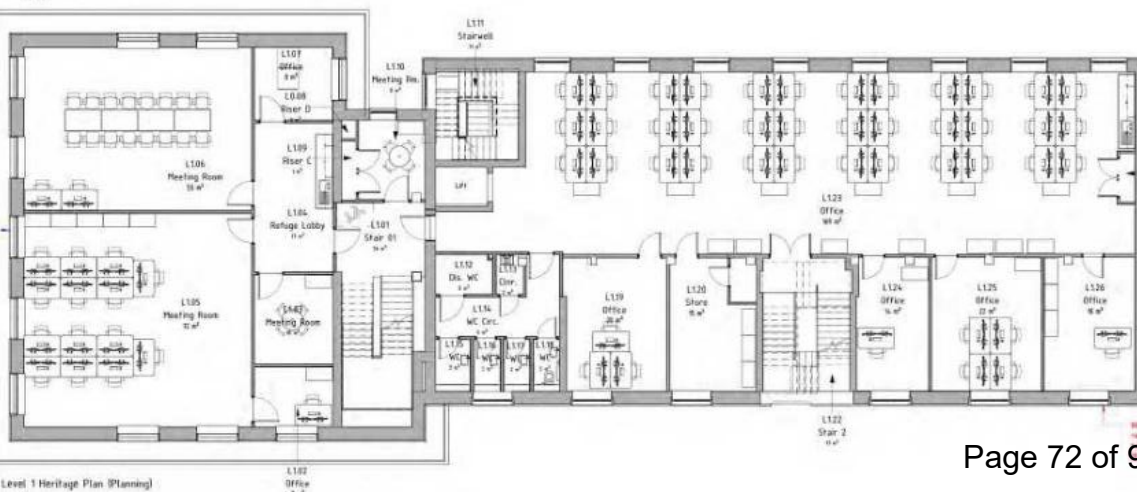
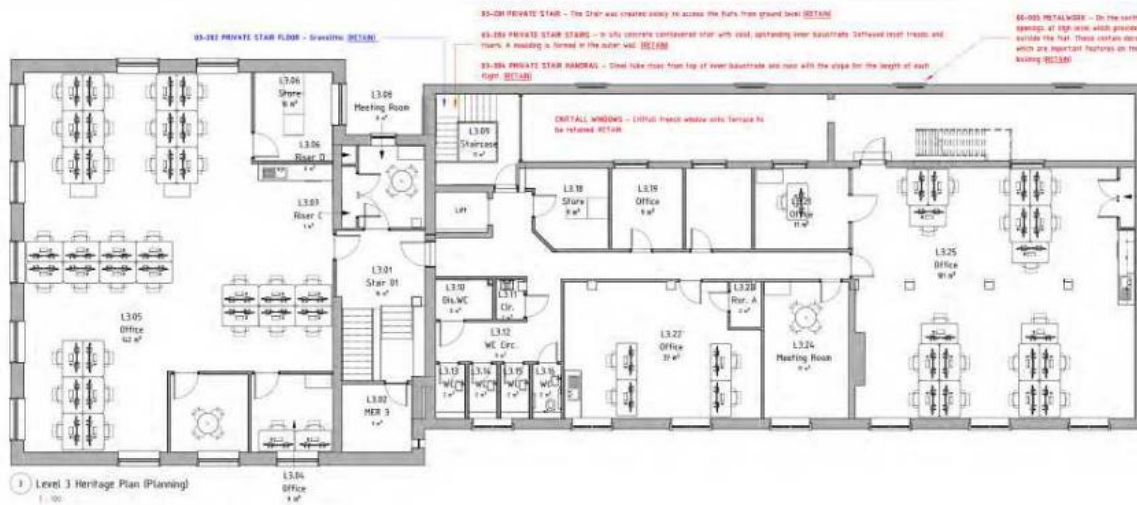
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CF FOR M&E

5567







#### Heritage Legend

TEXT TYPE	HERITAGE SIGNIFICANCE
RED TEXT	Significant
BLUE TEXT	Low merit
GREEN TEXT	No merit

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#### NOTES

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NOTE: FOR EXISTING PARTITIONS, SINKS AND CLOSETS TO BE DEMOLISHED BEFORE TO BEING REBUILT. THE REBUILT PARTS TO BE REBUILT. THE REBUILT PARTS TO BE REBUILT. THE REBUILT PARTS TO BE REBUILT.

#### REVISIONS

ISSUED NO.	DATE	DESCRIPTION
01	11/12/21	Planning application for client approval
02	16/01/22	Planning application issue
03	11/07/22	Updated to include planning comments

#### CLIENT

The Police & Crime Commissioner for Norfolk

#### PROJECT

Bethel Street Police Station

Bethel Street, Norwich

NR2 1NN

PROJECT ADDRESS

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REFRIGERANT PIPE WORK TO D.T.B  
& R.F.B

FLOOR MOUNTED EXTERNAL  
COOLING UNITS

FLOOR MOUNTED EXTERNAL  
COOLING UNITS

REFRIGERANT PIPE WORK D.T.B &  
R.F.B

WVU UNIT MOUNTED ON  
APPROPRIATE FRAMEWORK WITH  
ANTI-VIBRATION MOUNTS

CON 04

CON 05

CON 06

REFRIG  
A.F.B

CON 07

CON 08

REFRIG  
R.F.B

ATT

ATT

MM-002

ACCESS

ASHP01  
1130 KG

ACCESS

ACCESS

ASHP02  
1130 KG

ACCESS

REF 01 R.F.B  
R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

R.F.B

ASHP MOUNTED ON APPROPRIATE  
FRAMEWORK WITH ANTI-VIBRATION  
MOUNTS

HTG PIPE WORK R.F.B & D.T.B

ASHP PIPE WORK R.F.B & D.T.B

HTG PIPE WORK AT LL

- DO NOT SCALE. CONTRACTOR TO CHECK ALL DIMENSIONS AND  
REPORT ANY OMISSIONS OR ERRORS
- NOTES:
1. ALL DRAWINGS TO BE READ IN CONJUNCTION WITH  
MECHANICAL SPECIFICATION.
  2. THE CONTRACTOR SHALL BE DEEMED TO HAVE  
INCLUDED ALL NECESSARY PROVISION UNDER AND  
ABOVE THE MINIMUM SHOWN ON THE DRAWINGS AND  
DETAILED IN THE SPECIFICATION TO ENSURE AN  
OPERATING SYSTEM WILL BE PROVIDED.
  3. ALL PENETRATIONS THROUGH FIRE WALLS MUST HAVE  
APPROPRIATELY RATED FIRE SLEEVES AS PER FIRE  
STRATEGY DRAWING.
  4. CONTRACTOR TO ALLOW FOR OFFSETS AND AMENDED  
ROUTES NOT NECESSARILY DEPICTED ON THE GA BUT  
WHICH OCCUR ON SITE DURING INSTALLATION AND TO  
COORDINATE WITH STRUCTURE.
  5. ALL PIPE WORK TO BE COPPER PIPE TABLE X AND  
INSULATED WITH PHENOLIC FOAM
  6. ALL HIGH POINTS MUST BE VENTED WITH AAV AND  
DRAIN COCKS PROVIDED AT ALL LOW POINTS.
  7. ALL TRYS MUST BE PRESETTABLE MANUFACTURED  
BY DANFOSS OR SIMILAR.
  8. ANY DISCREPANCY OR CLARIFICATIONS REQUIRED ON  
THE DRAWINGS AND PROPOSALS ARE TO BE  
HIGHLIGHTED TO THE CA IMMEDIATELY FOR REVIEW  
AND ACTION.
  9. ALL REFRIGERATION PIPEWORK TO BE INSTALLED ON  
TRAYS @ HL IN A NEAT & TIDY MANNER REFLECTING  
THE EXPOSED NATURE OF SERVICES

LEGEND

REFRIG HL

HTDF & R.F.B

HTDF & R.F.B

PLANT

STRAIGHT 2 PORT VALVE

COMMISSIONING VALVE

R.T.A

R.F.B

D.F.A

## PRELIMINARY ISSUE

PD	PRELIMINARY ISSUE	AC	ASH	ASH	AUG 22
PD	PRELIMINARY ISSUE	AC	ASH	ASH	JUN 22
REV	DESCRIPTION	BY	CHK	APP	DATE

Client

THE POLICE & CRIME COMMISSIONER  
FOR NORFOLK

**ALH**

Building Services Design Ltd

GREENBRIDGE, LITTLE BELLS, DEREHAM, NORFOLK NR15 1BQ  
Tel: 01263 832054 Email: alh@alhbds.co.uk

Project:

BETHEL STREET POLICE STATION  
NORWICH NR2 1NN

Drawing Title:

ROOF  
MECHANICAL SERVICES  
HEATING AND COOLING

Scale	1:75	Drawn	HW	Date	JUN 22	Checked	AC	Date	JUN 22	Approved	AJS	Date	JUN 22
Project No.	22020	Type	ML	Drawing No.	51-06	Revision							



00- Aerial view of site - M&E plant on roof highlighted in yellow



03- St Giles corner view - M&E plant not visible - trees partly screen the view



01- Bethel Street corner view - M&E plant not visible



04- St Giles street view - M&E plant not visible



02- Bethel Street view - M&E plant not visible



05- Bethel Street close-up view - M&E plant not visible

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#### REVISION LOG

ISSUED	REV	DATE	DESCRIPTION
P1	PS	02/09/22	Issued for planning purposes

#### CLIENT

The Police & Crime Commissioner for Norfolk

#### PROJECT

Bethel Street Police Station

#### PROJECT ADDRESS

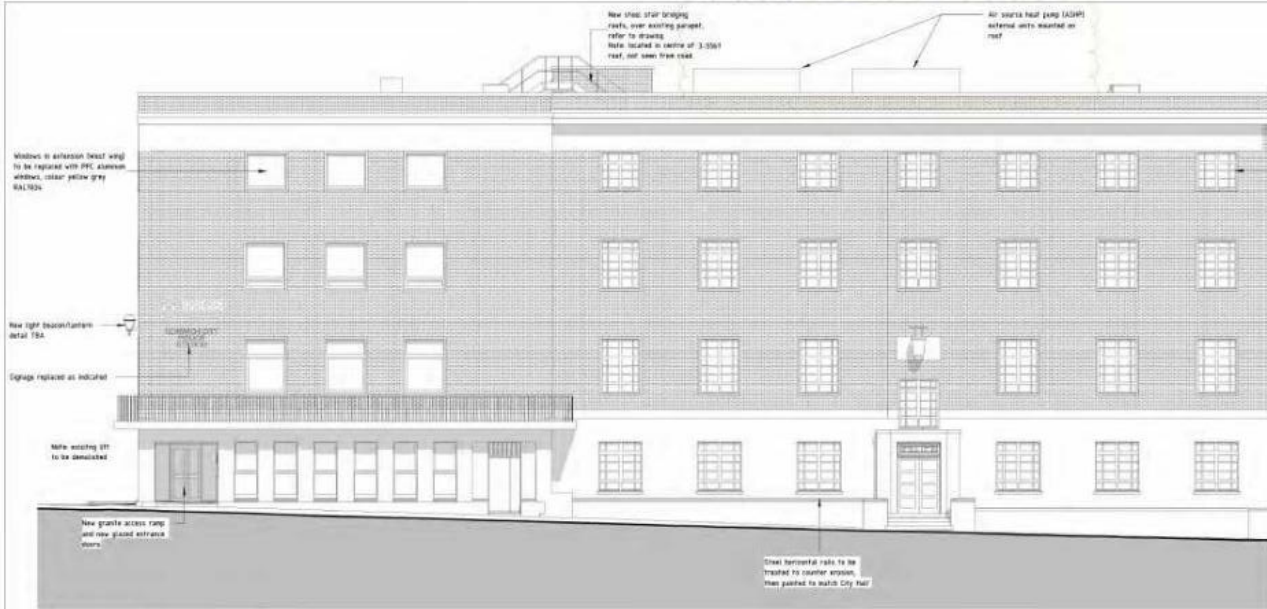
Bethel Street, Norwich  
NR2 1NN

DRAWING USE PLANNING	STATUS CODE S4	
DRAWING TITLE 3D Visuals - External	SIZE A1	
DRAWING NO. BSPS-CF-ZZ-XX-DR-A-671	REVISION P1	
CREATED BY SH	CHECKED BY SD	APPROVED BY MC

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NR4 7JL  
01603 700000  
info@chaplinfarrant.com  
Also at:  
Dorchester and Winchester  
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CF JOB NO.  
5567





South Elevation Proposed (Planning)  
1 : 50

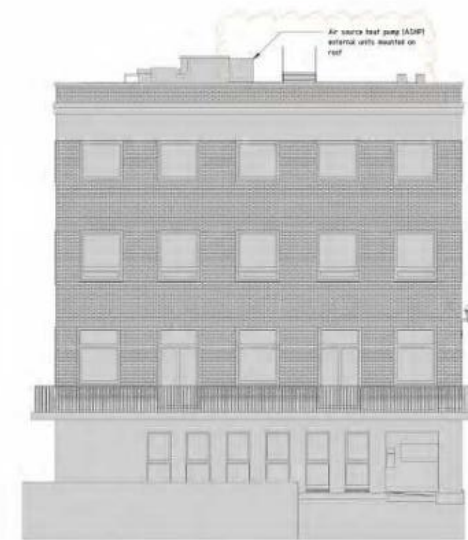


North Elevation Proposed (Planning)  
1 : 50

Original existing Critical steel windows to be refurbished and secondary internal glazing to be installed 1/6/2021

Note  
For extent of window replacement/repairs, refer to demolition plans day 541 & 542  
For external elements with heritage significance refer to BSPPS-EF-A-00-DR-A-100/101

Note  
For extent of window replacement/repairs, refer to demolition plans day 541 & 542  
For external elements with heritage significance refer to BSPPS-EF-A-00-DR-A-100/101



West Elevation Proposed (Planning)  
1 : 50

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ISSUED	REV	DATE	DESCRIPTION
SH	PS	26/11/21	Issued for client comment
SH	PS	21/12/21	Planning issue for client approval
SH	PS	02/01/22	Issued for client information
SH	PS	06/04/22	Planning application issue
PS	PS	02/09/22	Updated for planning purposes

CLIENT  
The Police & Crime Commissioner for Norfolk

PROJECT  
Bethel Street Police Station

PROJECT ADDRESS  
Bethel Street, Norwich  
NR2 1NN

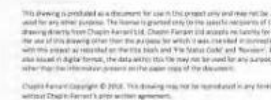
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PLANNING	S4	
DRAWING TITLE	SIZE	
Proposed GA Elevations	A1	
DRAWING NO.	REVISION	
BSPPS-CF-XX-XX-DR-A-610	P5	
CREATED BY	CHECKED BY	APPROVED BY
SH	SD	MC

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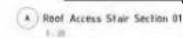
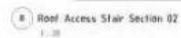
CF JOB NO.

**Chaplin Farrant**  
Architects, Engineers and Cost Consultants



NOTES

This drawing contains the following:



REVISION LOG			
ISSUED	REV	DATE	DESCRIPTION
SH	PL	21/02/22	Issued to planning

**CLIENT**  
The Police & Crime Commissioner for Norfolk

**PROJECT**  
Bethel Street Police Station

**PROJECT ADDRESS**  
Bethel Street, Norwich  
NR2 1NN

DRAWING USE	STATUS CODE
PLANNING	S4
DRAWING TITLE	SIZE
Roof Access Stair	A1
DRAWING NO.	REVISION
BSPS-CF-XX-XX-DR-A-4014	P1
CREATED BY	CHECKED BY
SH	SD
	APPROVED BY
	MC

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01400 74034  
info@hughesaircraft.com

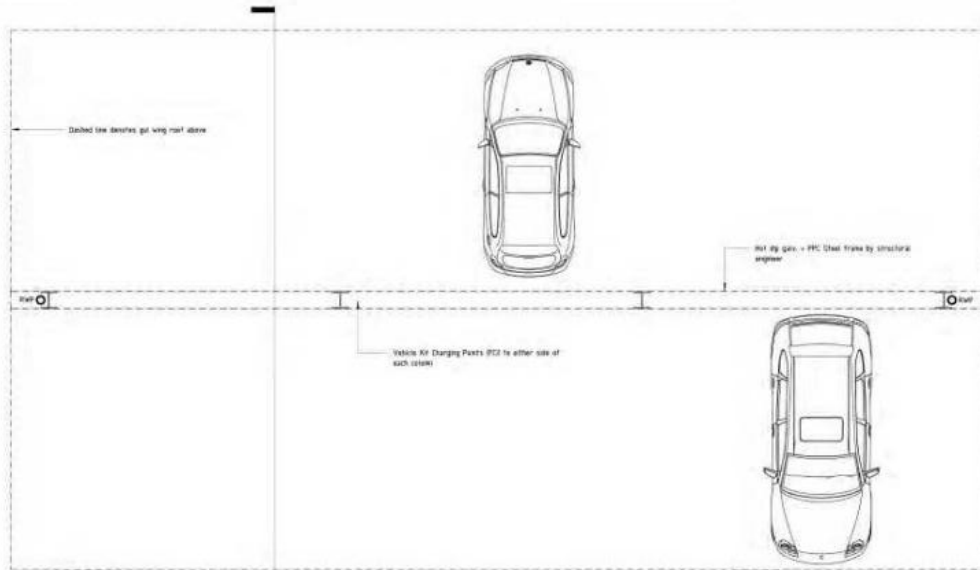
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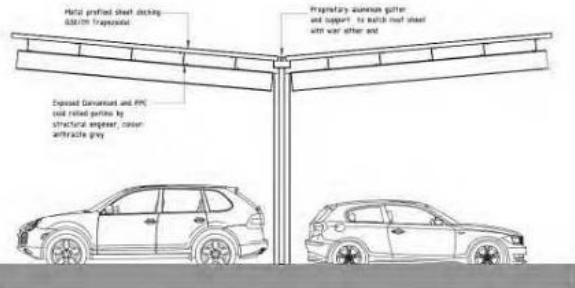
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Farrant**  
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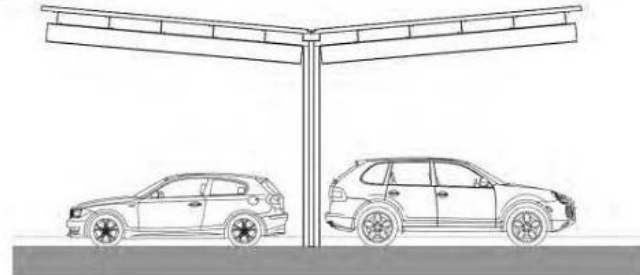




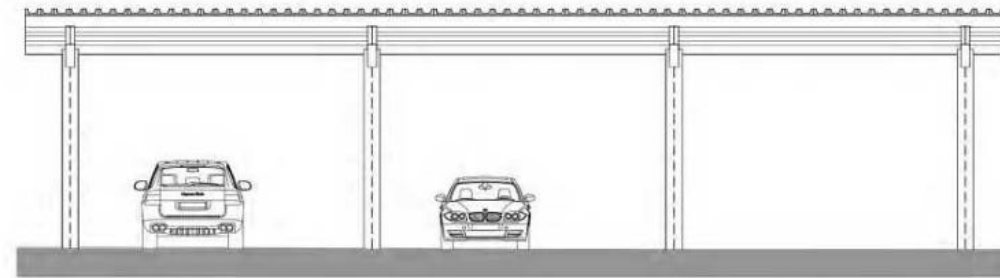
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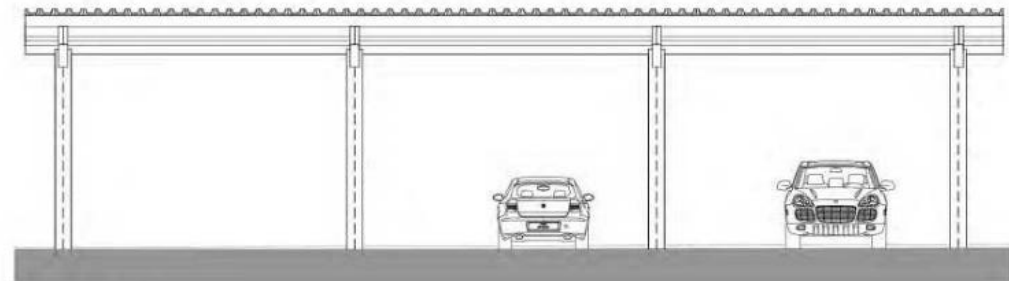
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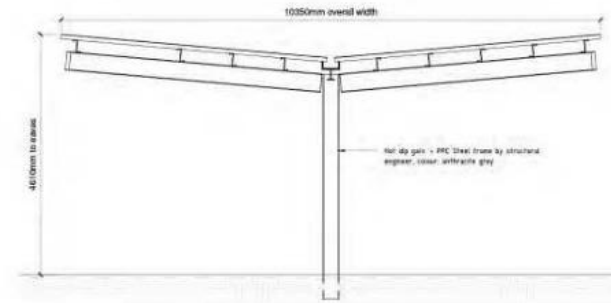
5 West Elevation  
1 : 50



3 North Elevation  
1 : 50



4 South Elevation  
1 : 50



A Section A-A  
1 : 50

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REVISION LOG  
REV DATE DESCRIPTION  
P1 08/04/24 Planning application issue

DRAWING USE  
PLANNING

CLIENT  
The Police & Crime Commissioner for Norfolk

PROJECT  
Barnes Road, Norwich

ADDRESS  
Bethel Street, Norwich

STATUS  
S4-FOR STAGE APPROVAL

DRAWING TYPE  
GA Floor Plan - Car Port

DRAWING NO.  
BSPS-CF-XX-00-DR-A-680

CREATED BY  
SH

SIZE  
A1

REVISION  
P1

APPROVED BY  
MC

CF JOB NO.  
5363

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Drawn by  
Landings and Structures  
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CF  
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Farrant  
Architects, Engineers  
and Cost Consultants

## **Appendix A**

Grade:	II*
List Entry Number:	1210484
Statutory Address 1:	CITY HALL INCLUDING POLICE STATION, BETHEL STREET
Statutory Address 2:	CITY HALL INCLUDING POLICE STATION, ST PETER'S STREET

City Hall with attached police station. 1932-38 by C. H. James and S. R. Pierce. Brick with stone dressings, lower two storeys of stone. Flat roof. Five storeys, with tower to right-hand side. Twenty-five 4th floor windows. Central entry with six polygonal columns above rising from the first-floor balcony and supporting entablature. Triple doors and steps up flanked by lions. Metal casement windows with glazing bars throughout. Small semi-circular balconies in penultimate end bays with small fan-lights above doors. The three end bays project. Parapet. Square clock tower topped with square cupola and finial. The exterior also has applied and freestanding sculpture in stone and stone. The bronze lions either side of the main stairs are by Alfred Hardiman, and the three pairs of main bronze doors with 18 plaques depicting Norwich history and trades were sculpted by James Woodford. The Bethel Street façade has the entrance to the Rates Hall with a stone relief panel of the City arms by Eric Aumonier who was also responsible for London Underground station sculpture. The former entrance to the Police Station within this wing has an ornate bronze lantern and relief stone panels depicting police helmets by H. Wilson Parker. The left of the wing, the police station, was extended 1965-7 in a similar style by the City Architect, David Percival. The north wing was unfinished but the Council Chamber projects to the rear in the middle of the main range and the wall facing the rear has, as well as decorative brickwork, three tall narrow niches from which project sculptures also by Alfred Hardiman of Recreation, Wisdom and Education.

INTERIOR: The extremely impressive interior includes an entrance hall with stone and marble clad walls and columns, stairs lit by a window with textured engraved and painted glass and a ceiling painting designed by Eric Clarke and painted by James Michie. The hall above is also marble clad, and leads to a long suite of committee and reception rooms including the Lord Mayor's parlour. This suite stretches all along the main front and there is a long (approx. 200ft) balcony outside and most rooms are finely panelled with various varieties of wood, including inlay, and have original fine fireplaces, fittings and textiles. The Lord Mayor's Parlour is very fine being an octagon with shallow vaulted ceiling and fully panelled in sycamore with the veneers cut using the highest expertise to produce a brilliant effect of intensely rich dado figuring and lighter cloud-like wall figuring. In addition the Council Chamber itself is very fine with curving seating in mahogany with inlaid brass edges and mahogany entrance wall columns, and also wall panelling to half height with a variety of panel designs. Many light fittings which were designed for the building by the architects also survive.

Other elements of the fine interior include the third floor hall with lift entrance, lantern and balcony, all in austere classical Art Deco styling, and the former marriage suite on the lower ground floor.

**HISTORY:** Norwich City Hall was designed in 1931 and built in 1937-8. The design by the architects James and Pierce was the winning entry in a public competition which attracted 143 entries. There had long been felt a need for a fitting city hall and an area to the north of the market place was cleared to provide a suitable space which would be still at the very centre of the city. Following discussions with the R.I.B.A., Robert Atkinson was appointed as the supervisor of the development of the Market Place and produced his own plans. In the end there was competition with Atkinson as the sole judge and his ground plan was retained as one of the many conditions.

**SUMMARY OF IMPORTANCE:** Norwich City Hall is one of the landmarks of the city and one of the finest municipal buildings of the interwar period in England. It is in an austere Classical style with Art Deco detailing and makes reference also to Scandinavia and in particular Stockholm City Hall. The prominent tower contrasts successfully with the long principal front standing above the sizeable Market Place. The exterior is very impressive, being on five storeys with a prominent portico and applied and freestanding sculpture in stone and bronze. The interior is also impressive with a long suite of committee and reception rooms including the Lord Mayor's Parlour. The rooms are finely panelled with various varieties of wood and original fine fittings and textiles. In addition the Council Chamber itself is very fine with curving seating in walnut with inlaid brass edges and wall panelling to half height with a variety of panel designs. The sculpture and plaques in bronze and stone include work by Alfred Hardiman and Eric Aumonier. The totality of the exterior and interior, complete with fine sculpture in stone and bronze and the finest interior fittings in contemporary style, is particularly successful.



**Report to** Planning applications committee

**Item**

13 October 2022

**Report of** Head of Planning & Regulatory Services

**Subject** Application nos 22/00701/F - 37 Brian Avenue, Norwich,  
NR1 2PH

**Reason for  
referral** Councillor Call in

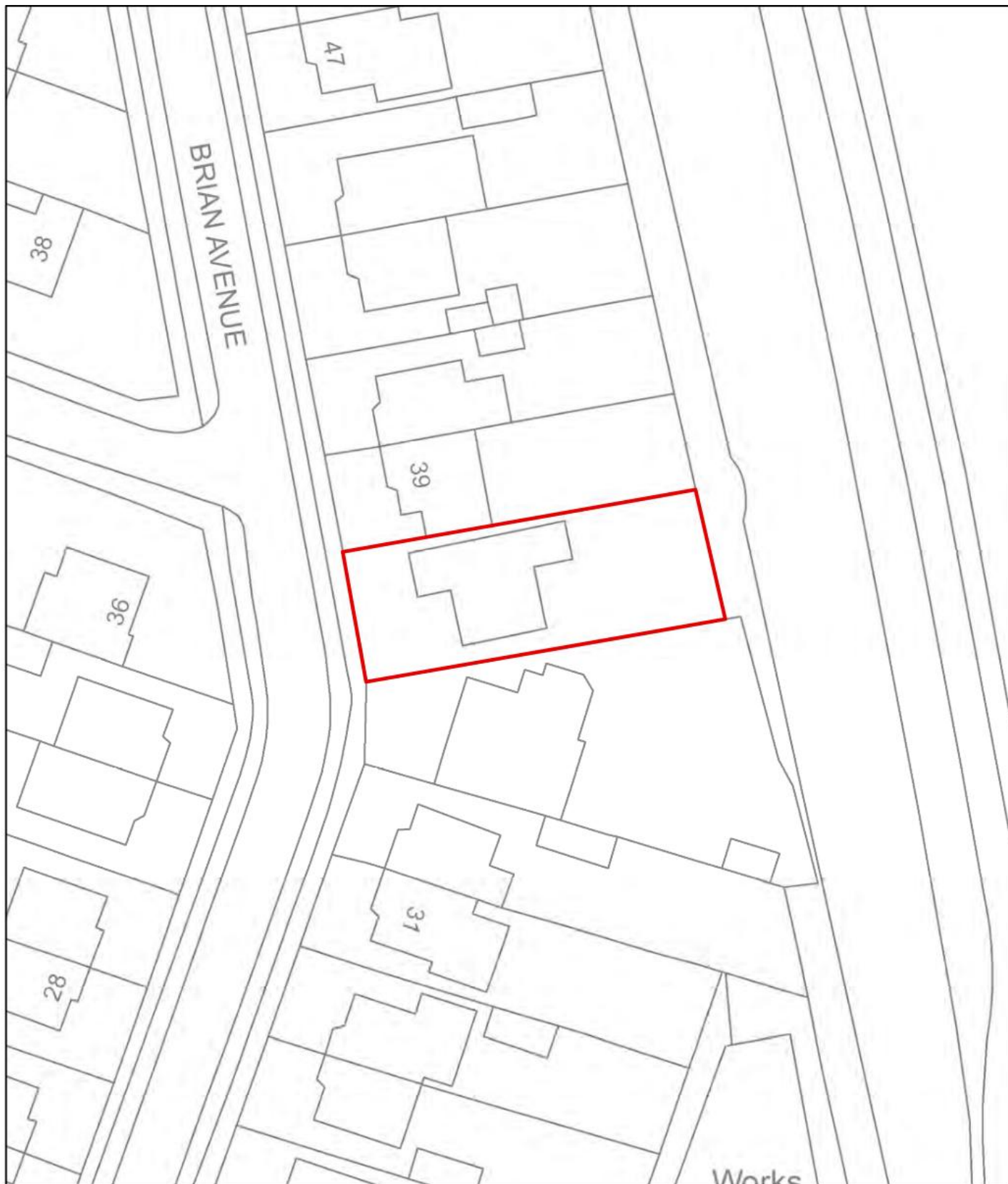
**4c**

---

<b>Ward:</b>	Eaton
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

Development proposal		
Single storey side and rear extension, addition of first floor and loft conversion.		
Representations		
Original consultation		
Object	Comment	Support
6 (5 households and 1 councillor call in)	0	0
Re-consultation on revised plans		
8 (7 households and 1 councillor call in)	0	0

Main issues	Key considerations
1 Scale and Design	The impact of the proposed development within the context of the original design / surrounding area
2 Residential Amenity	The impact of the proposed development on the neighbouring properties; loss of light; outlook; privacy.
<b>Expiry date</b>	17 November 2022
<b>Recommendation</b>	Approve



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Planning Application No 22/00701/F  
Site Address 37 Brian Avenue

Scale 1:500

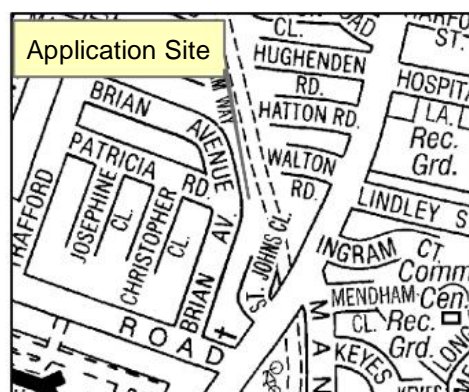


**NORWICH**  
City Council

PLANNING SERVICES



Page 82 of 92



## **The site and surroundings**

1. The site is located to the east side of Brian Avenue, to the south of the city. The prevailing character of the area is residential comprising a mixture of predominantly detached and semi-detached dwellings constructed during the middle part of the C20, in a variety of designs, the majority of which are of two storeys. Properties have typically been arranged on plots with front garden / parking areas and larger mature rear gardens.
2. The subject property is a single storey detached bungalow style dwelling constructed during the first half of the C20 using red bricks, painted render, clay coloured pantiles and white coloured windows and doors. The site features a front parking area, access to the side and a garden to the rear. The property was originally arranged over an 'L' shape footprint with a projecting gable section to the front and a rectangular main section with dual pitched roof design. The property has previously been extended by way of a flat roof extension to the rear.
3. The site is bordered by nos. 35 and 39 Brian Avenue to the south and north respectively. No. 35 is a two-storey detached dwelling and no. 39 is a two-storey semi-detached dwelling. The site boundaries are marked by close boarded fencing and some sections of mature planting. The site is located on a slight bend in the road resulting in no. 35 being orientated at a different angle. Beyond the site to the rear is Lakenham Way, a former railway line now serving as a pedestrian and cycle route situated on lower ground.

## **Constraints**

4. There are no particular constraints.

## **Relevant planning history**

5. There is no relevant planning history.

## **The proposal**

6. The proposal first involves the demolition of the existing single-storey rear extension the removal of the existing roof structure.
7. A first-floor extension is then to be constructed over the original footprint, covering the main section and projecting front gable sections of the dwelling. The roof is designed with a dual-pitched roof of the same form as the original, 8.45m tall to the ridge, and 5.2m tall to the eaves. The projecting gable section to the front is also topped with a dual-pitched roof of the same form as the existing, 6.8m tall to the ridge and 5.2m tall to the eaves.
8. The rear roof slope includes the construction of a 7.2m wide dormer that includes three sets of windows, facilitating the creation of a new principle en-suite bedroom within the roof space.
9. A single-storey wraparound side and rear extension is also to be constructed. The side extension extends 1.9m to the side, 1.3m back from the front elevation. It extends 10.4m to the rear and then across the entirety of the rear, with a total width of 11.2m. It extends 3.6m to the rear and is designed with a 3.2m tall flat roof.

10. The proposal has been revised during the determination of the application. The originally submitted plans included a two-storey rear extension that was not acceptable for amenity reasons. Following negotiations with the applicant, the two-storey rear section has been removed, the height of the single-storey section reduced and the dormer added to the rear roof slope.

## Representations

11. Adjacent and neighbouring properties have been notified in writing. A re-consultation process was undertaken following the receipt of the revised plans. Five households submitted letters of representation during the initial process and seven households submitted letters during the second consultation period citing the issues as summarised in the table below.

Issues raised	Response
The proposed development would result in an over-dominant building within the street scene.	See main issue 1
Design is out of keeping with the character of the surrounding area	See main issue 1
The impact of the extensions of the amenity of no. 39 by way of overshadowing, outlook, by being overbearing and loss of privacy.	See main issue 2
The impact of the extensions of the amenity of no. 35 by way of overshadowing, outlook, by being overbearing and loss of privacy.	See main issue 2
Overlooking of other neighbouring dwellings	See main issue 2
The property could be used as an HMO in the future.	See main issue 2
Trees close to site boundary	See other matters
Access for construction	See other matters
Digging of foundations etc.	See other matters
Loss of bungalow within the city housing stock	See other matters

## Consultation responses

12. No consultations have been undertaken.

## **Assessment of planning considerations**

### **Relevant development plan policies**

13. **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
14. **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

### **Other material considerations**

15. **Relevant sections of the National Planning Policy Framework 2018 (NPPF)**
  - NPPF7 Requiring good design

### **Case Assessment**

16. 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 Policy Framework (NPPF), the Council's 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: Design**

17. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12.
18. The proposed development will significantly alter the overall appearance of the subject property, to the extent that the property will appear as a new dwelling. The proposed extensions however will have a limited impact on the character of the surrounding area. The increase in the size of the subject property will not result in it appearing as an overly-dominant dwelling within the street scene. The immediate neighbours to the site, nos. 39 and 35 are both two-storey dwellings. It is noted that most dwellings on Brian Avenue and within the surrounding area are also two-storey dwellings. The first-floor extension will result in a new roof that is of broadly the same height as the immediate neighbours. It is noted that a change in the ground level results in there being a minor inconsistency in the ridge heights. Consequently, the ridge of the extended dwelling will be broadly the same height as no. 39 to the north and only 0.3m taller than no. 35 to the south, which is on lower ground. As such, the subject property will not appear as an overly large or out of scale dwelling within the context of the street scene, nor will it be out of keeping with the prevailing character of the surrounding area in terms of scale.

19. The proposed extensions largely follow the form of the existing dwelling by utilising the existing footprint and being designed with dual-pitched roofs of a similar pitch. The bay windows located on the front elevation are also to be extended. Materially, the extended dwelling will be of largely the same appearance through the use of a white coloured render finish to the walls and clay-coloured pantiles that match the existing. The form, design and material appearance of the extended dwelling is therefore in keeping with the prevailing character of the site and wider area.
20. The proposed single-storey side extension is to be set back from the front elevation by 1.3m, ensuring that it appears subservient to the main elevation. The single-storey rear extension is to be constructed to the same depth as the existing single-storey extension. As such, the scale and appearance of the single-storey extensions are appropriate for the site.
21. The proposed dormer to the rear will occupy much of the roof slope. Gaps on either side of 1.2m to the edge of the roof and a gap of 0.9m to the eaves are to remain, ensuring that the dormer does not appear overly dominant. It is also noted that several neighbouring dwellings within the area already have rear dormers in situ.
22. The proposed extensions would create a five-bedroom dwellinghouse from a three-bedroom dwellinghouse. The increase in the number of bedrooms does not represent a significant change in the intensification of the use of the site, it would remain as a family home. It is noted that it would be possible for many of the existing two storey dwellings to convert their loft spaces without the need for planning permission. As such, the proposed development is of an appropriate scale for the area.

## **Main issue 2: Amenity**

23. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 178-182.
24. Policy DM2 seeks to protect the amenities of the neighbouring occupiers with particular regard given to overlooking, overshadowing, loss of light/outlook and the prevention of disturbance from noise, odour, vibration, air or artificial light pollution. In this case there will be some noticeable changes to the current situation, however they will not result in significant harm being caused to the amenity of the neighbouring residential occupiers. The properties noticing the changes are no. 39 to the north and no. 35 to the south of the site.

## **Impacts on no. 39 Brian Avenue**

25. Regarding overshadowing and light, the rear building line of the subject property is sited further to the rear than that of no. 39, resulting in a section of the side elevation of no. 37 being visible above the shared boundary. The first-floor extension will therefore result in the enlarged side elevation becoming a more prominent feature than the existing situation. The ridge of the subject property is however sited in line with the side elevation of no. 39, resulting in only a relatively small section of the proposed extension being constructed beyond the rear elevation of no. 39. There will therefore be a limited amount of overshadowing of the rear amenity space during the later hours of the day.

26. A first-floor window serving the landing is located on the side elevation of no. 39. The proposed first-floor extension will result in some overshadowing of this window, reducing the amount of sunlight reaching this space. The window will however continue to benefit from a good amount of daylight and the stairway is also served by a second window. The proposed extension will primarily overshadow the single-storey roof of the attached garage located to the side of no. 39, rather than any primary living spaces.
27. A small side facing window serving the hallway of no. 39 will experience some of overshadowing caused by the first-floor extension to the projecting gable at the front of the subject property. The amount of overshadowing and the level of impact will however be limited. It is noted that a hallway is not classified as a primary living space and as such, is not afforded the same level of protection as a main habitable room such as a living room. The level of impact in this instance is therefore not considered to result in significant harm being caused to the residential amenity of the occupier of no. 39.
28. The proposed single-storey rear extension is to be constructed parallel to the shared boundary between the two properties. The proposed extension is to be constructed over part of the footprint of the existing extension, however it will be approximately 0.7m taller than the existing. Mature planting located within the rear of no. 39 currently provides screening along the affected section of the shared boundary. The planting is currently taller than the proposed extension will be. As such, the amount of overshadowing caused by the proposed single-storey extension will not significantly differ from the current situation as the existing screening causes a similar level of overshadowing of the rear amenity space serving no. 39.
29. Regarding outlook and being overbearing in scale, the side elevation of the extended dwelling will be visible from the rear of no. 39. The majority of the bulk of the extended dwelling will however be constructed parallel to the side elevation of no. 39, with only a relatively small section projecting beyond the rear building line. The single-storey rear extension will project beyond the height of the boundary fence, however it will largely be obscured from view by the existing planting. As such, the extended dwelling will not be significantly overbearing, and the occupant of no. 39 will continue to benefit from a good outlook from the rear of the property.
30. The outlook from the small side facing window serving the hallway of no. 39 will be altered by the proposed front section of the extension, with the two-storey gable section being visible from this location. The outlook will however not significantly change, with the longer views looking south along Brian Avenue remaining. As above, a hallway is not considered to be a main habitable room worthy of the same protection as, say, a living room.
31. Regarding overlooking, the proposed windows in the dormer serving the principal bedroom will allow for some views across the rear garden of no. 39. Such views are already possible from existing first floor windows and are considered typical of this type of location. As such, they do not constitute a significant loss of privacy.
32. The plans include the insertion of a new window serving the first-floor landing within the side elevation facing no. 39. It is reasonable to add a condition requiring that the window is obscure glazed and non-opening to a level 1.7m above ground floor level to prevent overlooking of the neighbouring dwelling from occurring.

## **Impacts on no. 35 Brian Avenue**

33. Regarding overshadowing and light, the application site is located directly to the north of no. 35, ensuring that the extension will not result in any direct overshadowing of the neighbouring property. The proposed extensions may have some limited impact on the amount of light reaching some of the secondary living spaces serving the ground floor of no. 35. The use of a white coloured render to the elevation of the side and first floor extensions will help to ensure that the neighbouring living spaces continue to benefit from a good amount of indirect light.
34. Regarding outlook and being overbearing in scale, the change in the orientation of the sites ensures that the outlook from the rear of no. 35 will not be affected by the proposed extensions. The proposed single-storey side and rear extension is to be constructed parallel to the shared boundary. It will be visible above the fencing marking the boundary. It will however impact predominantly on the side access and small portion of the rear garden of no. 35 only.
35. Regarding overlooking, the proposed windows in the dormer serving the principal bedroom will allow for some views across the rear garden of no. 35. Such views are already possible from existing first floor windows and are considered typical of this type of location. As such, they do not constitute a significant loss of privacy.

## **Other impacts**

36. The proposed extensions are to be constructed sufficient distance from other neighbouring dwellings to ensure that significant harm is not caused by way of overshadowing, outlook or by being overbearing. It is noted that the proposed dormer windows will allow for some partial views of neighbouring gardens. Such views are already possible from existing neighbouring windows and are considered typical of this type of location. As such, they do not constitute a significant loss of privacy.
37. The proposal will result in an enlarged dwelling which enhances the residential amenities of the occupiers. The proposed layout indicates five bedrooms, an open plan kitchen / living / dining space, a living room, bathroom and utility room. Concern has been raised that the property could be used as a house of multiple occupancy (HMO). It is noted that it would be possible for the property to be used as a small-scale HMO of up to six bedrooms without the need for planning permission. The proposed does not suggest that there is any likelihood of the extended dwelling being used as a large-scale HMO of seven or more bedrooms. As such, it is not considered reasonable to add a condition in relation to the use of the dwelling as an HMO.

## **Other matters**

38. There is mature planting sited along the side boundary of no. 39, parallel to the proposed rear extension. The side wall of the existing extension, the closest part of the subject property to the planting, is to remain in situ. As such, it is not anticipated that the construction of the extensions will cause harm to the neighbouring planting and trees.
39. The issue of access to the site for construction purposes is civil matter and as such does not form part of the assessment of this application.



40. The digging of foundations and other elements of the construction will be considered under a separate application of the building regulations. Such matters do not form part of the assessment of this application.
41. The loss of a bungalow within the city's housing stock is not a material planning consideration within the context of a householder planning application.
42. **Assessment of Impacts under the Conservation of Habitats & Species Regulations 2017 (as amended)**

Site Affected: (a) Broads SAC/Broadland Ramsar  
(b) River Wensum SAC

Potential effect: (a) Increased nitrogen and phosphorus loading  
(b) Increased phosphorous loading

The application represents a 'proposal or project' under the above regulations. Before deciding whether approval can be granted, the Council as a competent authority must undertake an appropriate assessment to determine whether or not the proposal is likely, either on its own or in combination with other projects, to have any likely significant effects upon the Broads SAC, and if so, whether or not those effects can be mitigated against.

The Council's assessment is set out below and is based on advice contained in the letter from Natural England to LPA Chief Executives and Heads of Planning dated 16th March 2022.

(a) Broads SAC/Broadland Ramsar

- i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
- ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer: NO

The proposal is for works to an existing dwelling and will not impact upon the average occupancy figures for dwellings across the catchment and will therefore not impact upon water quality in the SAC.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

(b) River Wensum SAC

- i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
- ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer: NO

The proposal is for works to an existing dwelling and will not impact upon the average occupancy figures for dwellings across the catchment and will therefore not impact upon water quality in the SAC. In addition, the discharge for WwTW is downstream of the SAC.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

### **Equalities and diversity issues**

43. There are no significant equality or diversity issues.

### **Local finance considerations**

44. 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.
45. 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.
46. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

47. The proposal will result in an enlarged dwelling which is considered to be of an appropriate scale, which does not cause significant harm to the character and appearance of the subject property or surrounding area.
48. The proposed development will have a limited impact upon the residential amenities of neighbouring properties with significant harm not being caused by way of overshadowing, overlooking, loss of outlook or by being overbearing.
49. 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.

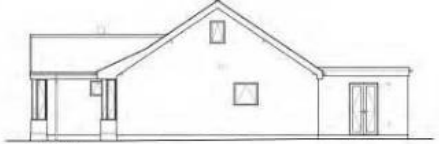
### **Recommendation**

To approve application no. 22/00701/F - 37 Brian Avenue Norwich NR1 2PH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Obscure glazing to first floor landing window.



WEST  
EXISTING ELEVATIONS 1:100



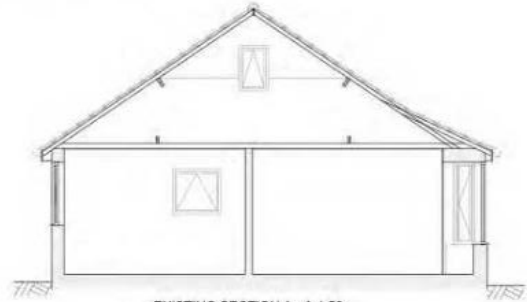
SOUTH



EAST



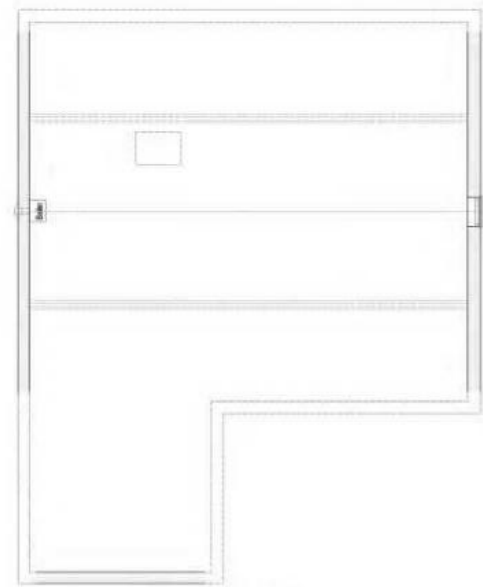
NORTH



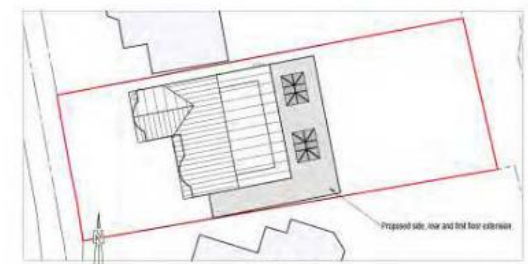
EXISTING SECTION A - A 1:50



EXISTING GROUND FLOOR 1:50



EXISTING LOFT 1:50



SITE PLAN 1:200



LOCATION PLAN 1:1250

General Notes

1. This drawing must not be scaled and it is in black ink.
2. All Contractors are to check all dimensions & levels and also prior to commencing any construction or fabrication.
3. This drawing is to be checked and used in conjunction with all Engineers, Architectural, Structural Engineers and any specialist drawings, together with any relevant additional Engineering specifications.
4. Where the information or existing building details are contrary to issued details then the Engineer is to be informed immediately.
5. No structural members are to be cut, reduced, or partial unless shown on the Engineer's details. Unless otherwise stated all construction of structural members including base & reinforcement reinforcement shall be capable of resisting the full structural capacity of the member.
6. All fast connections to steel are to be of the type of 2.35kN.
7. The drawings have been designed to show the general arrangement of the building and are not to be used for construction or for any other purpose. The drawings are not to be used for any other purpose without the written agreement of the Engineer.
8. Under the provisions of the Party Wall Act 1994, if the construction of any wall (or of adjacent buildings) requires agreement for the works from the owner & the tenant (if applicable) of adjacent buildings must be obtained before building works commence. If the work applies to the party wall and no written notice must be given. Note: If the drawings are complete then a written notice may have to be given & agreement obtained. Note: If foundations, walls, gutters, etc. are shown across the boundary a written agreement from the owner of the adjoining land/buildings must be obtained & the boundary agreed before building works commence.
9. The Construction (Design & Management) Regulations 2015.  
The client must make suitable arrangements for managing the project, including the allocation of sufficient time and resources.  
a. The construction work can be carried out for as long as reasonably practicable without risk to the health and safety of any person affected by the project.  
b. Construction activities and/or materials are prohibited.  
These arrangements must be reviewed and maintained throughout the project.  
The client must ensure that a construction phase plan is in place before the construction phase begins.  
The client must ensure that the project designer prepares a health and safety file for the project which is suitable, regularly updated and is available for inspection.  
The client must take reasonable steps to ensure that the project designer and contractor comply with their duties.  
The client must pass the health and safety file to any new client/contractor and ensure that the new client/contractor is aware of the nature and purpose of the file.  
10. This drawing is Copyright to Building Plans Ltd.

	0	25m	50m	75m	100m	125m
1:1250	0	25m	50m	75m	100m	125m
1:200	0	2m	4m	6m	8m	10m
1:100	0	1m	2m	3m	4m	5m
1:50	0	0.5m	1m	1.5m	2m	2.5m

B	31/08/2022	Parapet removed from flat roof	PS
A	30/07/2022	Rear gable removed, rear dormer added	PS

Rev	Date	Amendment	Drawn
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Architectural Design,  
Building Surveyors and  
Planning Services

**Building Plans Ltd**

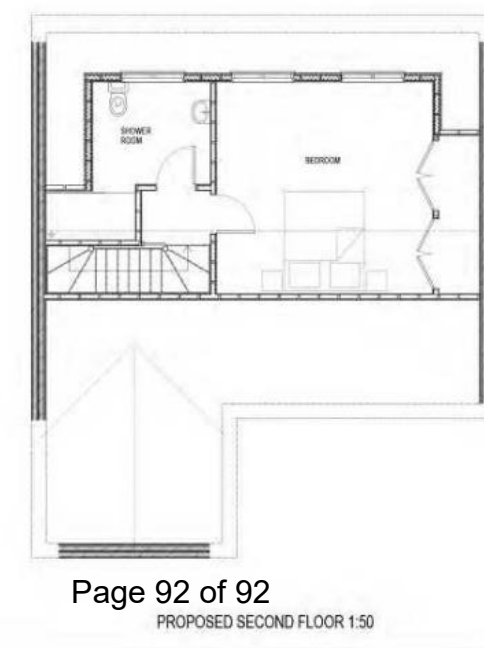
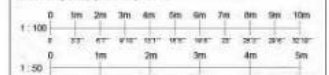
11 The Street, Honington, Norwich, NR9 5BL  
Telephone: 01603 868377  
Email: info@buildingplans.co.uk

Client:	Mr & Mrs Coombs
Project:	Extensions & Additional Floor to Existing Single Storey Dwelling
Site address:	37 Bran Avenue Norwich Norfolk NR1 2PH
Contents:	Existing Elevations Existing Floor Plans Existing Section Site & Location Plans
Drawn At:	1:50, 1:100, 1:200, 1:1250
Drawn By:	P B / L H
Project No:	3550 0522N
Sheet No:	1
Date:	May 2022
Revision:	B



# General Notes

- This drawing must not be scaled and it is illegal to do so.
- All Contractors are to check all dimensions & levels on site prior to commencing any construction or installation.
- This drawing is to be checked and used in conjunction with all Engineers, Architectural, Structural Engineers and any specialist drawings, together with any relevant additional Engineering specifications.
- Where any information or existing building details are contrary to issued details then the Engineer is to be informed immediately.
- No structural members are to be cut, reduced, or partial spans shown on the Engineer's details. Unless otherwise noted all construction of structural members including base & reinforcement of reinforcement shall be capable of resisting the full structural capacity of the member.
- All fastenings shall be in accordance with the relevant standards of the relevant.
- The drawings are not intended to show the structural details of this project & they must be confirmed on site before carrying out the work. Unless otherwise stated the drawings are not intended to show the structural details of this project & they must be confirmed on site before carrying out the work. Unless otherwise stated the drawings are not intended to show the structural details of this project & they must be confirmed on site before carrying out the work.
- Under the provisions of the Party Wall Act 1994, if the construction is within 1m of adjacent buildings written agreement for 14 days from the date & the date of application of adjacent buildings must be obtained before building works commence & any further notice must be given before building works commence. If the work applies to the party wall two further notices must be given. Note: If foundations are deeper than existing a further notice may have to be given & agreement obtained. Note: If foundations, walls, gutters, etc. are shown across the boundary a written agreement before building works commence.
- The Construction (Design & Management) Regulations 2015. The client must make suitable arrangements for managing the project, including the allocation of sufficient time and resources.
- The construction work can be carried out for an unreasonably practicable without notice to the health and safety of any person affected by the project.
- Unless otherwise stated, the drawings are not intended to show the structural details of this project & they must be confirmed on site before carrying out the work. Unless otherwise stated the drawings are not intended to show the structural details of this project & they must be confirmed on site before carrying out the work.
- The client must ensure that the construction phase plan is in place before the construction phase begins.
- The client must ensure that the proposed design provides a health and safety file for the project which is suitable, regularly updated and is available for inspection.
- The client must take reasonable steps to ensure that the proposed design and construction complies with all applicable regulations.
- The client must pass the health and safety file to any new owner(s) and ensure that the new owner(s) passes it on to any further owner(s) of the building.
- The drawing is Copyright to Building Plans Ltd.



C	31/05/2022	Parquet removed from first floor	PB
B	28/08/2022	Proposed street scene added	PB
A	30/07/2022	Rear gable removed, rear dormer added	PB
Rev	Date	Amendment	Drawn

**Architectural Design,  
Building Surveyors and  
Planning Services**

**Building Plans Ltd**

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Client:	Mr & Mrs Coombs
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Scale @ A1: 1:50, 1:100	Date: May 2022
Revised/Updated: P B / J H	Revision: C
Project No: 3550.0522N	Sheet No: 2