

Report to Planning applications committee

Item

8 September 2016

Report of Head of planning services

Subject Application no 15/01540/F - Land to the South of Merchants Court, St Georges Street, Norwich

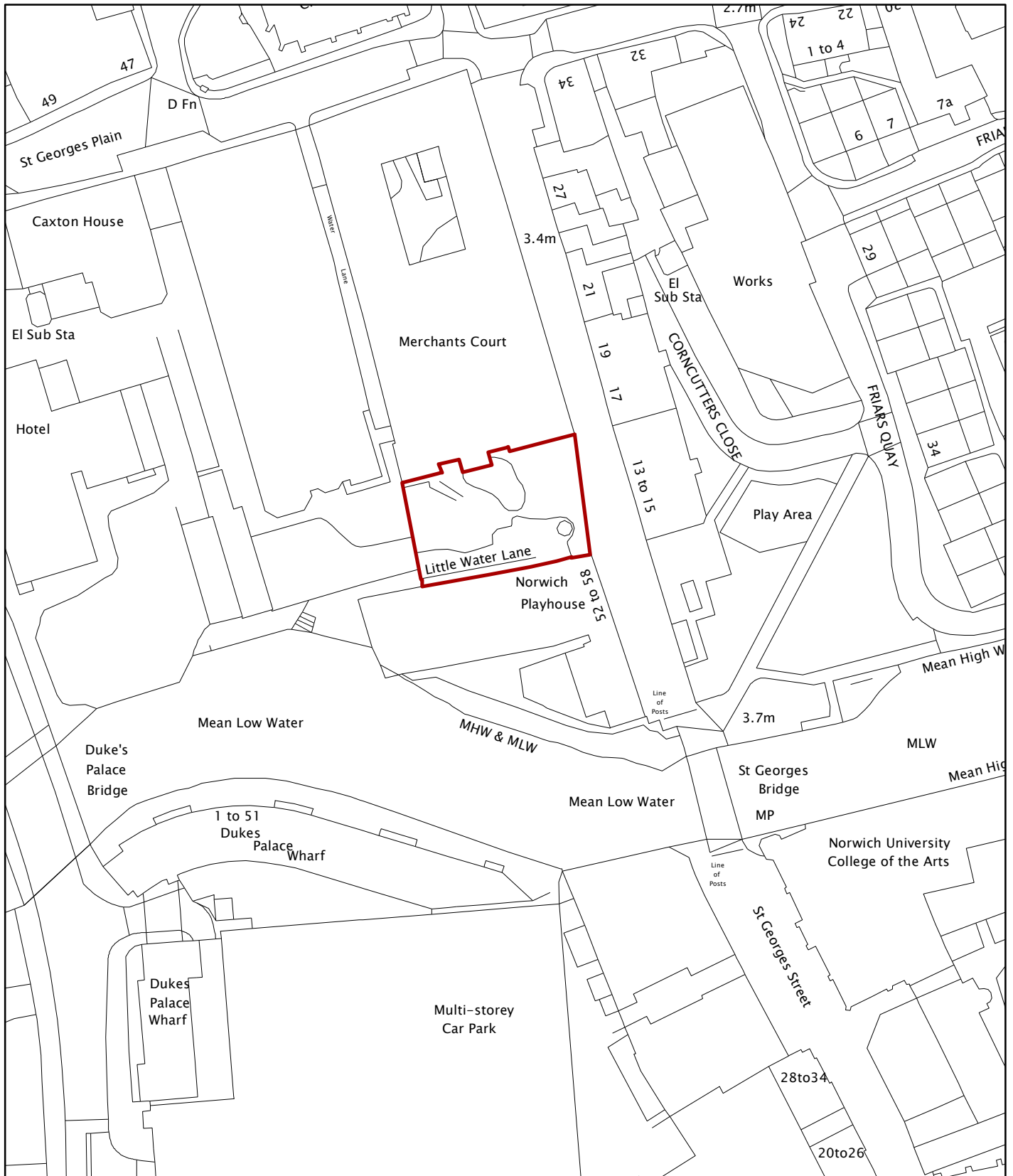
5(N)

**Reason
for referral** Objections

Ward:	Mancroft
Case officer	Samuel Walker - Samuelwalker@norwich.gov.uk

Development proposal		
New vehicle access route to Merchants Court Car Park from St Georges Street.		
Representations		
Object	Comment	Support
5	1	

Main issues	Key considerations
1	Impact upon the appearance of the area and heritage assets.
2	Impact upon trees
3	Transport impacts
Expiry date	15 February 2016
Recommendation	Approve



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Planning Application No 15/01540/F

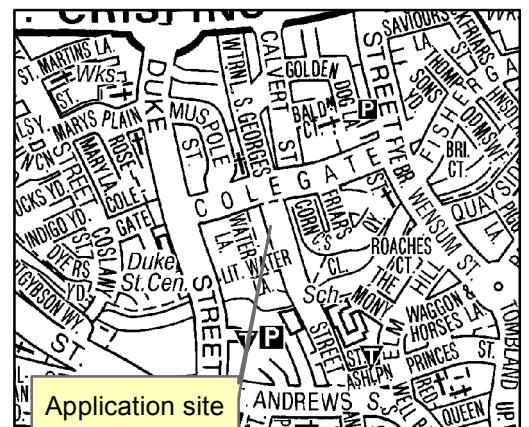
Site Address Land south of Merchants Court
St Georges Street

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



The site & surroundings and Constraints

1. The site is located on St Georges Street to the north of the river Wensum in the city centre. Merchants Court forms a three storey office building which is a locally listed building, and is in the city centre conservation area.
2. There are a variety of other uses surrounding the site. The Playhouse bar and theatre are to the south of the site. Jane Austen College – Inspiration Trust school building and 'playground' is directly adjacent to the west of Water Lane dividing the two sites. To the east of the site is a row of two storey buildings forming commercial uses at ground floor with storage and ancillary uses at first floor.
3. Merchants court is directly to the north, this currently consists of commercial at ground floor, some existing residential and proposed redevelopment of offices to residential on upper floors.
4. The surrounding area contains a mix of buildings, including a number of older buildings including listed buildings forming 25 to 29 St Georges Street which are closest to the application site. The Playhouse bar and theatre is a locally listed building. The streets also retain the medieval street patterns through the area.
5. The site contains some trees and shrubs within the public amenity space/ parking area (to the south of the Merchants Court building). The site is also within flood zone 2, in the area of main archaeological interest, the city centre leisure area and visitor attraction area. The site is also within the Northern City Centre Area Action Plan boundary. Within this plan St Georges Street is defined as a key cycle and pedestrian route through the area, the car park of the application site an existing public square and the nearby open space a proposed public square, and the view south along St Georges Street a strategic view. The site is also visible from the river Wensum which forms part of the Broads Authority area, which has national park status.
6. This application effects trees in a Conservation Area

Relevant planning history

7.

Ref	Proposal	Decision	Date
13/01037/PDD	Change of use of first and second floors from commercial to residential to provide 17 No. apartments.	Prior Approval Approved	August 2013
13/01034/F	Reconfiguration of existing roof structure to erect 3 No. penthouse apartments. Reconfiguration of the external car park area to create refuse stores, car parking and cycle provision. Erection of new external canopy to residential entrance and addition of rooflights.	APPR	August 2013

The proposal

8. The proposal is for the construction of vehicular access to Merchants Court Car Park from Saint Georges Street – over the Land to the South of Merchants Court. This application has been made as a result of the car park becoming ‘land locked’ as a result of the previous access being removed by Jane Austen College.

Summary information

Transport matters	
Vehicular access	Currently inaccessible – proposals are to provide vehicular access to existing car parking
No of car parking spaces	6+1 disabled
No of cycle parking spaces	25 (previously approved)

Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 6 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Increased Traffic/Road Safety, impact on 'pedestrianised' street, access to Little Walter Lane.	See main issue 3.
Noise including traffic noise and impacts of construction noise on the Playhouse Theatre	The noise levels during the construction phase could have a negative impact on performances at Norwich Playhouse. Working hours should be agreed with Norwich Playhouse to prevent disruption.
Loss of Public Amenity space	See main issue 1, 3
Access	See main issue 3.
Loss of Tree/Shrubs in a conservation area	See main issue 2.

Consultation responses

10. 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

11. No Comments submitted

Highways (local)

12. St Georges Street is not a Pedestrianised street, it is a shared use street. No Objection – subject to resolution of the following matters: the re-configured car park should take into account details of extant planning consents associated with conversion of offices to residential; the Merchants Court forecourt is appropriately landscaped, with attention to the tree root protection area; no impact to existing disabled parking bay on St Georges street; minimal quantity & High standard of signage; loading bay created for use by Playhouse; flyparking discouraged by use of bollards.

Landscape

13. With regards to the previous scheme(s) the Landscape officer consultee had strong objections to proposals with regards to impact on the landscape fabric, loss of mature tree and shrub vegetation, potential negative impact on retained London Plane Tree. Level changes, increased traffic altering perception of pedestrian access to area. Awkward design. Following the revised details the current submission is considered to be *'a much better solution all round'*. This would require a condition requiring a full Arboricultural method statement as indicated by the Tree Protection Officer. Also as existing planters are proposed to be modified, details of the proposed planting to replace that which is lost is required by conditions as well.

Tree protection officer

14. Previous proposals had specified the access route to be constructed at a raised level forming a 'ridge or causeway' across the site, disrupting the usable nature of the area. A site meeting was carried out between the consulting tree protection officer and the applicants arboriculturalist and engineer, it was agreed that trial pits must be dug in agreed locations to establish the presence and extent of roots related to the London Plane tree, to enable a more informed design.
15. The applicant's arboriculturalist has carried out the trial pits, a report detailing the findings has been submitted. The findings enable the proposal of a 'no dig' type construction which enables the proposed new access route to finish at the existing level of the paved area in this location. The report has been viewed by the Council's tree protection officer and an informal response was provided, the findings of the investigations do not appear to raise cause for concern, however, the suitability of the proposals will require a full Arboricultural Method Statement to be reserved by condition.
16. The current proposals continue to include the loss of the Robinia tree and shrub planting from the application site but this is considered acceptable.

Assessment of planning considerations

Relevant development plan policies

17. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS2 Promoting good design
 - JCS6 Access and transportation
 - JCS11 Norwich city centre
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
18. **Northern City Centre Area Action Plan adopted March 2010 (NCCAAP)**
19. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM5 Planning effectively for flood resilience
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM8 Planning effectively for open space and recreation
 - DM9 Safeguarding Norwich's heritage
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

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

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

Case Assessment

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

Main issue 1: Design and heritage

22. Key policies and NPPF paragraphs – JCS2, DM3, DM7, NPPF paragraphs 9, 17, 56 and 60-66, 109-118.
23. The proposed design is a significant improvement over the originally submitted design; the number of bollards has been significantly reduced. The fixed bollards are now specified as the Norwich Short Bollard, the drop bollards at the loading bay have been revised to 'Rhino removable Bollard' – this is in keeping with the remainder of the bollards in the area. The proposed surfacing to the access is appropriate that the hard surfacing in the surrounding area.
24. The yellow hatching to the loading bay has been omitted.
25. The existing Disabled parking bays to St Georges Street are not affected.
26. The relocation of the street lamp is proposed to be away from the Playhouse – in the area between the disabled parking bay and the new access; this reduces the impact on the Playhouse and also forms continuation of the proposed bollard to the proposed access.
27. The previously approved cycle storage and bin storage associated with the conversion of the offices to flats has been accounted for on the proposals.
28. The proposed development requires the loss of the existing kiosk, this has been closed for some time. The existing café opposite and the adjacent playhouse bar adequately provide the facility lost from the kiosk.

29. Given the above considerations the proposals would not detract unduly from the character and appearance of the conservation area or the setting of nearby locally listed buildings such as Merchants Court.

Main issue 2: Trees

30. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
31. The concerns expressed by the Tree Protection officer regarding impact of the ‘no dig’ construction on the London Plane Tree have been investigated, through exploratory trial pits. It is considered that the findings of the investigation allow for a workable solution to allow retention of the London Plane tree which is a significant feature in the streetscene. The detail of this should be supplied in a detailed Arboricultural Method Statement reserved by condition.
32. The proposed development will result in the loss of one mature tree (Robinia) and mature shrubs in the conservation area. However this is accepted as the tree is not a significant feature within the streetscene. Potential for replacement tree planting on the site has been considered but is not feasible due to the constrained nature of the site and the need for access to the playhouse.

Main issue 3: Transport

33. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
34. The proposed access provides vehicular access to currently land locked car parking spaces belonging to Merchants Court; it also provides facility for refuse storage and collection away from the highway. The application site is private land which is currently used as public amenity space. The public amenity space shall be retained.
35. In accordance with the Transportation Officers consultation response, Saint Georges Street is not a pedestrianised street, it is a shared use street with equal priority given to pedestrians, cyclists and vehicular traffic.
36. The access to Little Walter lane is an existing arrangement, the proposed development does not impact the existing access arrangement. The issue raised with regards to existing fencing in this location is not the subject of the proposals in this application.
37. The proposed development provides a loading bay on site adjacent to the Playhouse Theatre, this has been provided for use by the Playhouse Theatre as it is essential that clear access is maintained to the only existing entrance to the back stage area for stage set up and dismantling for the multiple shows throughout the year.
38. A position suitable for collection of refuse bins has been included; it is necessary for the bins to have up to approximately 5.0m drag distance for collection, this has been kept off the highway. The storage location within the existing car park is too far from the street to be suitable. The bins must only be put in the location for collection on collection day only and at no other time. This must be managed by the property Managers of Merchants Court.

39. As a result of the above considerations the proposals are considered to be acceptable in terms of transport impacts.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes subject to condition

Equalities and diversity issues

41. There are no significant equality or diversity issues.

Local finance considerations

42. 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.
43. 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.
44. In this case local finance considerations are not considered to be material to the case.

Conclusion

45. The proposed new vehicle access route to Merchants Court Car Park would provide access to parking provision, bin storage & collection point, as well as cycle storage for the residential units at Merchants court; this access was removed by the Jane Austen Academy under Prior Approval. The proposals would not harm the character and appearance of the conservation area.. The proposal will not result in significant loss of trees or landscaping in this location. As such 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. 15/01540/F - Land to the South of Merchants Court St Georges Street Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans
3. Implementation of this scheme prevents implementation of previously approved car park extension;
4. In accordance with the submitted Arboricultural Impact assessment.
5. Subject to submission and subsequent approval of an Arboricultural Method Statement.
6. Specification of replacement planting

Article 35(2) Statement

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



DO NOT SCALE

NOTE:

- 1) ALL DIMENSIONS ARE IN METRES AND LEVELS IN METRES UNLESS OTHERWISE STATED.
- 2) TOPOGRAPHICAL SURVEY INFORMATION FROM GREENHATCH DRAWING No. 21630_OGL_REV1 RECEIVED ON THE 31/03/2015.
- 3) TO BE READ IN CONJUNCTION WITH DRAWINGS 9174-C-1001 TO 1004 AND 9174-C-1006 TO 1009.

LEGEND

- PERMEABLE TEGULAR PRIORA CONCRETE BLOCK PAVING (PENNANT GREY COLOUR TO MATCH EXISTING COLOUR ON DISABLED BAY)
- BUFF CONCRETE FLAG PAVING TO MATCH EXISTING
- MARSHALLS TEGULA COBBLES SETT PAVING TO MATCH EXISTING ON DISABLED PARKING BAY
- CHARCOAL CONCRETE TEXTURED EDGING TO MATCH EXISTING ON PARKING BAYS
- 100mm YELLOW LINING FOR DISABLED BAY AND HATCH
- EXISTING HIGHWAY BOUNDARY
- PROPOSED PLANTER BRICKWALL TO MATCH EXISTING
- REMOVAL BOLLARDS
- FIXED BOLLARDS
- RELOCATED STREET LIGHTING COLUMN



P5	21/01/2016	SRG	DATE OFFICER'S COMMENTS DATED 15/01/2016 INCORPORATED		
P4	15/01/2016	SRG	YELLOW CROSS HATCHING IN PARKING AREA REMOVED		
P3	08/01/2016	SRG	BIN STORE AND CYCLE STANDS SHOWN IN CAR PARK	PTC	
P2	11/11/2015	SRG	AMENDED TO SUIT NO SIG CONSTRUCTION IN ACCESS ROAD	PTC	
P1	07/02/2015	GRV	PLANNING ISSUE	SRG	
REV	DATE	BY	DESCRIPTION	CHK	APP

DRAWING STATUS: PLANNING APPLICATION

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CLIENT: WILLMOTT DIXON

ARCHITECT:

PROJECT: CAR PARK ACCESS SAINT GEORGES STREET

TITLE: PROPOSED GENERAL ARRANGEMENT

SCALE @ A1: 1:100	CHECKED: SRG	APPROVED:
CAD FILE: 70009174-C-1005	DESIGN/DRAWN: GRV	DATE: MAY 2015
PROJECT NO: 70009174	DRAWING NO: 70009174-C-1005	REV: P5

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P:\70009174 - CAR PARK ACCESS ST GEORGES ST-E MODELS AND DRAWINGS DEVELOPMENT\WP\70009174-C-1005.DWG 21/01/2016 10:07:58 Gurning, Som

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