**Report to** Planning Applications Committee

Item

10 January 2019

**Report of** Head of Planning Services

**Subject** Application no 18/01524/F - Mary Chapman Court,

4(b)

**Reason** Ob

for referral

Objections

Norwich

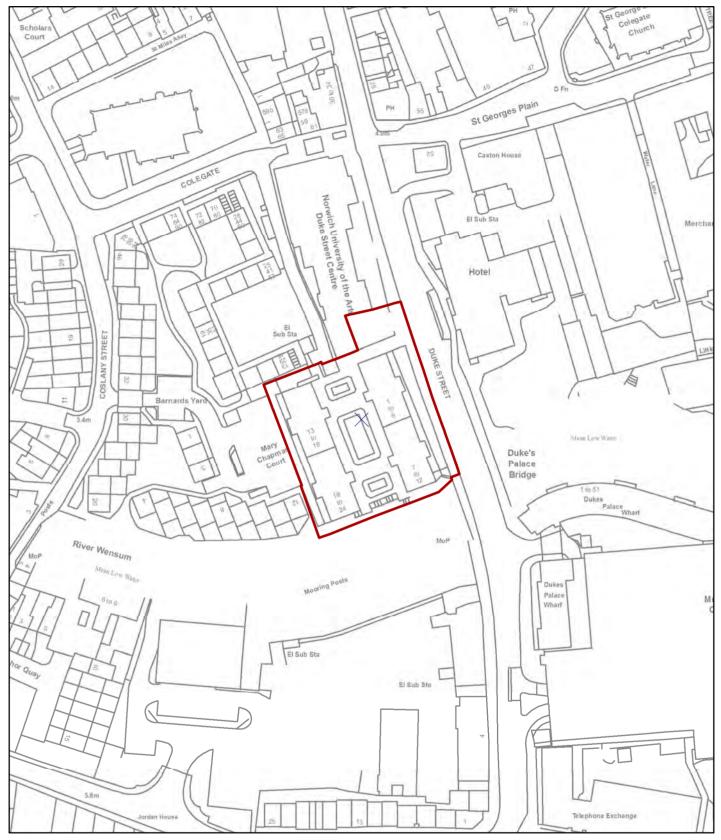
Ward	Mancroft
Case officer	Lara Emerson - laraemerson@norwich.gov.uk
Applicant	Angela Robson, Norwich University of the Arts

# **Development proposal**

Demolition of student accommodation block, erection of new build academic and student residential accommodation for Norwich University of the Arts, including works to riverside walk and other associated external works.

Representations					
Object	Comment	Support			
18	1	2			

Main issues	Key considerations
1. Principle of	Demolition of existing student accommodation buildings.
development	Provision of educational facilities, student accommodation
	and public open space.
2. Design & heritage	Height, mass, form & detailing. Impact on heritage assets
	including conservation area.
3. Amenity	Impact on outlook, light levels and privacy to neighbours.
	Amenity for future occupants.
4. Landscape, trees &	Design of open space, treatment of riverside walk,
open space	existing and proposed trees, management and
	maintenance.
5. Transport	Suitability of location, cycle parking, pedestrian and cycle
	routes, refuse storage and collection, car free
	development.
Expiry date	18 January 2019 (extended from 10 January 2019)
Recommendation	Approve



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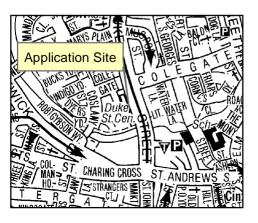
Planning Application No 18/01524/F

Mary Chapman Court

Site Address Duke Street Scale 1:1,250







## The site and surroundings

- 1. The site is located on the western side of Duke Street and on the northern bank of the River Wensum, adjacent to Dukes Palace Bridge.
- 2. To the north of the site is a two-storey Norwich University of the Arts (NUA) building, known as the Duke Street Building, which houses the university library and teaching spaces. To the west of the site is the three-storey Barnard's Yard housing estate.
- 3. On the opposite side of the river to the south of the site is the vacant Dukes Wharf site which currently stands at 5 storeys (but has had a consent for an additional 2 storeys although this has now lapsed). On the opposite side of Duke Street to the east of the site is a hotel car park which is currently the subject of a separate planning application for a student accommodation block and is also the subject of an appeal following refusal of a previous application also for student accommodation.
- 4. The site itself is currently occupied by two three-storey student accommodation buildings constructed of concrete breeze blocks which provide a total of 119 student rooms. The blocks run north-south and the space between is a large area of concrete hardstanding, interrupted by some planting and voids which allow viewing of the underground car park which stretches beneath the whole site. A riverside walk runs along the southern edge of the site, forming the last section from New Mills to Duke Street. This section of the riverside walk provides poor access to cyclists and those less physically able since it is narrow and includes two flights of steps to reach Dukes Palace Bridge which is raised above the level of the site.

## **Constraints**

- 5. The site sits within the Northern Riverside Character Area of the City Centre Conservation Area and adjacent to the Colegate Character Area. The NUA building to the north of the site is locally listed. There are no other designated heritage assets within the immediate vicinity of the site, but there are numerous listed bridges and buildings within a 100m radius.
- 6. The site sits within one of the city's designated Regeneration Areas, an Area of Main Archaeological Interest, Flood Zone 2 and the Critical Drainage Catchment Area.
- 7. There is a large London Plane tree situated at the south-west corner of the site.

# Relevant planning history

8. None.

#### The proposal

9. The proposal is for the demolition of the existing student accommodation blocks and the erection of a new building comprising a lower ground and ground floor of educational facilities (lecture theatre, teaching spaces, offices) and six floors of student accommodation above (100 student rooms).

10. The proposal also includes the provision of a new public open space beside the river, an enhanced riverside walk with ramped access to Duke Street, a new 'student square' between this building and the Duke Street Building to the north, green roofs across the site and a service yard utilising existing access from Colegate.

# **Summary information**

	Existing	Proposed	
Scale			
Total no. of student rooms	119	100	
Total floorspace	4540m <sup>2</sup>	4410m <sup>2</sup>	
No. of storeys	3	7 (with a lower ground floor visible from the riverside walk)	
Appearance			
Materials - walls	Concrete breeze blocks	Red brick with a metal ground floor colonnade	
Materials - roofs	Concrete tiles	Mixed sedum green roofs & single ply membrane	
Materials - windows	Brown PVC	Metal with projecting box shades	
Landscaping	Concrete walkways and low level planting	Open space to the south and north with seating steps, trees and new planting	
Operation			
Employees	4 full-time	8 full-time (plus visiting lecturers)	
Opening hours	N/A	Educational facilities:  Mon-Thurs 08:30-21:00  Fri 08:30-17:00  Sat 09:00-17:00  Sun Closed	
Ancillary plant and equipment	Underground/in stores	Roof mounted and hidden from view	
Renewable energy	None	Air source heat pumps generate 20.5% of the building's total energy usage	
Water efficiency measures	Unknown	Reduced flow water fittings to be used throughout the development	
Transport matters			
Vehicular access	Via Colegate	None (except for servicing)	
No of car parking spaces	72	0	
No of cycle parking spaces	0	30 secure & covered for resident students and staff 36 visitor spaces on Sheffield stands	
Servicing arrangements	Via Duke Street	Via Colegate	

## Representations

11. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 letters of support have been received (including one from the Norwich Society), which praise the design and proposed use of the development. 1 comment has been received, which comments on issues with the current use of the site. 18 letters of objection have been received citing the issues as summarised in the table below.

Issues raised	Response	
The building is too tall in design terms	See Main Issue 2: Design & Heritage	
The proposed height may set a precedent for a tall building on the adjacent Premier Inn Car Park site and the Dukes Wharf site	Each planning application is assessed on its merits.	
The development will lead to additional traffic generation	See Main Issue 5: Transport	
Additional cyclists and pedestrians on Duke Street will lead to traffic accidents	See Main Issue 5: Transport	
Construction traffic may unsettle a temperamental water pipe in Barnard's Yard	This planning application is unlikely to impact the stability of this water pipe since access roads are already subject to vehicular use.	
Concerns about noise disturbance during the construction phase	See Main Issue 3: Amenity	
Loss of light to flats within Dukes Palace Wharf	See Main Issue 3: Amenity	
Loss of outlook to flats within Dukes Palace Wharf	See Main Issue 3: Amenity	
Resident students will disturb neighbours and misbehave	See Main Issue 3: Amenity	
The open space fronting the river will attract anti-social behaviour	See Main Issue 3: Amenity	
Concerns about management of the student accommodation and open space	See Main Issue 3: Amenity	
There are not enough trees proposed within the development, and the proposed trees will not be able to be cultivated due to light levels	See Main Issue 4: Landscaping, trees and open space	
The building could negatively impact biodiversity	See paragraph 92 which relates to biodiversity.	

## **Consultation responses**

12. Consultation responses are summarised below. The full responses are available to view at <a href="http://planning.norwich.gov.uk/online-applications/">http://planning.norwich.gov.uk/online-applications/</a> by entering the application number.

## **Design and conservation**

- 13. No comments at this stage.
- 14. No comments received on application. Comments from pre application discussions as follows.
- 15. We generally welcome the redevelopment of this site and recognise the real opportunity there is to provide a high quality, purpose-built art school and student accommodation and a better landscaped publically accessible riverside walk fronting the river. However, we remain concerned as to how the proposed building will physically and visually integrate into its surroundings.
- 16. The low 2 storey street frontage sharply rises to 7 storeys, then drops to a single porte-cochère to address the street and river and the river frontage remains at 5 storeys. This building has a strong visual presence and independent identity; it is questionable as to whether it takes sufficient opportunities to harmonise with the neighbouring historic environment. In order to sit more comfortably within the existing context, we suggest the following amendments:
  - Bring building forward to sit directly on the river bank
  - More consistent building height
  - Richer architectural detailing
  - Removal of roof top clutter
  - Heritage interpretation
  - Careful selection of red brick product and landscaping materials

## **Historic England**

- 17. No objection.
- 18. This application proposes the development of student accommodation and teaching facilities in Norwich conservation area on a prominent site beside the River Wensum. We consider the proposals are broadly acceptable, but the creation of public open space between the new building and the river should be given further consideration. We would prefer the building to be set closer to the river, which would reduce the area of public open space.

## **Environmental protection**

19. No comments received.

## **Environment Agency**

- 20. No objection. Conditions recommended.
- We have inspected the application and have no objection to the proposals if a number of planning conditions are applied relating to prevention and remediation of contamination.

## **Highways (local)**

22. No objection. Conditions recommended.

23. No objection in principle on highway grounds. It is appreciated that the applicant's pre-application engagement with the council has successfully informed the submitted scheme with a number of highway suggestions having been incorporated. A dropped kerb would be helpful for cyclists to access the cycle racks from Duke Street. A number of informatives recommended advising the applicant of the various consents required for works within the highway.

# Landscape

- 24. No objection. Conditions recommended.
- 25. The redevelopment of this site including high-quality public realm, external student areas, riverside walk with associated publicly accessible space, and improved street frontage is welcomed. Following clarifications and negotiations, the proposal is considered acceptable in landscape terms.

### **Norfolk Historic Environment Service**

- 26. No objection. Conditions recommended.
- 27. The archaeological desk-based assessment submitted with the current planning application recognises that as a result of its location the proposed development site has a high potential to contain heritage assets with archaeological interest dating from the Late Anglo-Saxon period onwards. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work.

# Norfolk police (architectural liaison)

- 28. No objection.
- 29. Detailed comments on security features to be included within the proposed development. Following clarification around the provision of barriers along the riverside, the proposal is considered acceptable.

#### Natural areas officer

- 30. No objection.
- 31. No further surveys are required.
- 32. The proposals have not taken sufficient opportunities to provide ecological enhancement commensurate with the ecological importance of the river. Amendments including marginal aquatic planting along the river frontage, and additional tree planting along the river edge and within courtyard to north should be considered. Proposed lighting may pose a risk to protected species (bats) and protected habitat (River Wensum). The development would pose risks to the river and bats at the demolition and construction stages which should be mitigated.

## Tree protection officer

- 33. No objection. Conditions recommended.
- 34. The proposed tree removals T4, T5, T6, are not significant specimen trees and adequate replacement planting is illustrated.

## **Citywide Services**

35. There is no issue with a collection vehicle accessing Colegate but they will have to reverse down the road to get to the bin store. There are two access points from Barnard's Yard on to this part of Colegate and I would recommend the commercial waste collector would employ a reversing assistant to guide the vehicle down. If it is not possible to have an additional crew member I would recommend the commercial waste collector carries out a risk assessment to ensure they can reverse safely.

## **Broads Authority**

- 36. No objection.
- 37. Comments made relating to the riverside walk, signage and surface treatments.

## **Anglian Water**

- 38. No objection.
- 39. Anglian Water has reviewed the submitted documents in reference to FRA 7.10/7.11 and supporting drainage drawings, and can confirm that these are acceptable to us based on a connection to manhole 9854 at 5.6l/s. We require these documents to be listed as approved plans/documents if permission is granted. Suggest informative relating to the Anglian Water assets located on the site.

# Parks & Open Spaces

- 40. No objection.
- 41. The improved accessibility of the walk is greatly received. Negotiations & clarifications have led to design changes which allow the riverside walk to remain under City Council responsibility without increasing liability or maintenance expenditure.

## **NHS England**

42. No objection.

## **Lead Local Flood Authority**

43. No objection. Conditions recommended.

Following an initial objection due to a lack of information on surface water management, additional information was requested and received from the applicant. The Lead Local Flood Authority has now confirmed that it is satisfied with the proposals subject to the imposition of a condition requiring additional information on the sustainable urban drainage proposals.

## **Norfolk County Council Bridges**

- 44. No objection.
- 45. Following clarifications, the proposals appear to have no impact on the stability of the river wall or the adjacent bridge structure.

## **Norfolk Fire & Rescue Services**

46. No objection.

## Assessment of planning considerations

# Relevant development plan policies

# 47. Joint Core Strategy for Broadland, Norwich and South Norfolk adopted 2011 (amendments 2014) (JCS)

- JCS1 Addressing climate change and protecting environmental assets
- JCS2 Promoting good design
- JCS3 Energy and water
- JCS5 The economy
- JCS6 Access and transportation
- JCS7 Supporting communities
- JCS9 Strategy for growth in the Norwich policy area
- JCS11 Norwich city centre

# 48. Norwich Development Management Policies Local Plan adopted 2014 (DM Plan)

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- 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
- DM13 Communal development and multiple occupation
- DM18 Promoting and supporting centres
- DM22 Planning for and safeguarding community facilities
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

## Other material considerations

# 49. Relevant sections of the National Planning Policy Framework 2018 (NPPF)

- 2 Achieving sustainable development
- 5 Delivering a sufficient supply of homes
- 7 Ensuring the vitality of town centres
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

## 50. Supplementary Planning Documents (SPD)

- Open space & play space SPD adopted October 2015
- Trees, development and landscape SPD adopted June 2016
- Heritage Interpretation SPD adopted December 2015

#### **Case Assessment**

51. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning 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

- 52. Key policies DM13, DM22, NPPF Sections 5 & 8.
- 53. The existing student accommodation buildings contribute negatively to the character and appearance of the conservation area and are identified as negative buildings within the Northern Riverside Character Area Appraisal. The loss of these poor quality buildings is therefore accepted as being the most appropriate way to redevelop this site.
- 54. The proposals involve the provision of student accommodation. Since the site is already used for student accommodation there can be no objection to this use of the site. In fact, the site currently provides 119 student bedrooms and the proposed development provides 100, so there is a loss of 19 student bedrooms. The site sits in a sustainable city centre location, in very close proximity to the various buildings which form the NUA campus and within easy walking distance to all other local facilities and public transport routes. The proposal satisfies the criteria for student accommodation set out within DM13, as discussed in more detail in the sections below.
- 55. The proposals also include the provision of educational facilities. The applicant has submitted statements which argue that NUA is in need of extra teaching spaces, especially large spaces, in order to deliver their current programme of courses. The university currently relies on rental of other spaces in order to hold sessions over a certain size. The flexibility of these new spaces may also allow them to enhance their educational offerings in future. The proposed educational facilities comprise:
  - An adaptable double height lecture theatre which can be arranged to provide tiered lecture-style seating for 300 students or a state-of-the-art performing arts theatre space.
  - Two large teaching spaces.
  - A large foyer, staff offices and other ancillary spaces.
- 56. Educational development must be assessed against policy DM22. Parts a) and b) relate to avoiding adverse traffic implications, which are addressed within Main

Issue 5, below. Parts c) and d) relate to the effective use of existing educational sites and ensuring that there is sufficient accommodation to support students. In this case, it has been demonstrated that NUA are currently lacking sufficient teaching spaces and that this development will prevent the need for them to continue to rent spaces elsewhere in the city. A significant number of new student bedrooms have been given consent in recent years across the city which would go some way to accommodate increases in student numbers. However, studies carried out by the Council indicate that there is still capacity for additional purpose built student accommodation, particularly when it is directly associated with an education provider, such as NUA. The provision of high quality educational facilities is considered to enhance the city's thriving student scene which is accompanied by considerable economic benefit.

- 57. The Northern City Centre Area Action Plan (2010) is no longer in force, but within it the Mary Chapman Court site was allocated. The allocation included demolition of the existing buildings, provision of housing and the allocation also highlighted the opportunity to enhance the riverside walk and provide open space next to the river. While the proposed scheme is for student accommodation rather than residential dwellings, the scheme does accord with the design principles of this allocation and contributes to the wider regeneration aims of the area action plan. It is worth noting that the area action plan has lapsed and no longer forms part of the development plan.
- 58. Paragraph 20 of the Planning Practice Guidance Housing Need Assessment states that authorities need to plan for sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus. It goes on to state that encouraging more dedicated student accommodation may provide low cost housing that takes pressure off the private rented sector and increases the overall housing stock. As part of the ongoing housing supply monitoring within Greater Norwich, student accommodation is counted at a rate of 2.5 student bedrooms equals 1 dwelling. Subject to the detailed matters discussed in the sections below, the principle of this development is considered acceptable, especially given the significant public benefit brought about by the provision of new high quality educational facilities, public open space and an accessible riverside walk.

# Main issue 2: Design & Heritage

- 59. Key policies JCS2, DM3, DM9, NPPF Sections 12 & 16.
- 60. The site is visible from Dukes Palace Bridge immediately adjacent to the site; St Georges Bridge downstream; and from the River Wensum itself. Due to the natural break in development to the south and east, the site forms a prominent corner within the City Centre Conservation Area, adjacent to the locally listed NUA Duke Street Building and with statutorily listed buildings being located further afield on Colegate and St George's Plain. There is the opportunity to provide a bold and inspiring development on this site, but also the need to provide a contextual development which responds to the historic and natural environment and enhances this part of the conservation area.
- 61. The proposed form of development rises to 7 storeys fronting Duke Street, with a lower ground floor visible from the riverside walk. The building steps down to the west where it has 5 storeys adjacent to the Barnard's Yard development, and to the

north where it has 2 storeys adjacent to the NUA Duke Street Building. The building is set some 18m away from the river frontage to provide an area of public open space. Page 8 of the applicant's Design & Access statement demonstrates the heights of other buildings around the site. Other buildings range from 3 to 6 storeys tall, with a mezzanine in the top floor of Dukes Palace Wharf building adding a 7<sup>th</sup> storey. When measured from Duke Street, the proposed building stands at 22m tall at its highest point with the tallest existing building in the vicinity being the 21m tall Dukes Palace Wharf. The Eastern Electricity Board site was granted consent in 2015 for an additional 2 storeys which would take its height up from 19m to 25m (this consent has now lapsed). The node formed by the River Wensum passing under Duke Street offers the opportunity for a collection of well-designed taller buildings. Subject to the assessment of impacts on daylight/sunlight (see Main Issue 3, below), the proposed height is considered to be appropriate in this context in design and heritage terms.

- 62. There is a two storey element of the proposal which stretches along Duke Street adjacent to the NUA building. This lower element serves to a) respect the horizontal proportions of the NUA building; and b) allow the point building to rise above in a meaningful way. The building drops down to 5 storeys where it faces the Barnard's Yard development which allows the building to interact better with the lower three-storey terraced flats located there.
- 63. The applicant alludes to industrial warehouse forms within their application as a reference for this form of development. When comparing the proposed development to such buildings (i.e. the Eastern Electricity Board building opposite), it is clear that there are key design differences here such as an irregular fenestration pattern, an irregular roof height and a significant set-back from the river. There are, however, some features which could be said to take reference from warehouse architecture such as a long narrow building form facing the river, use of red brick and the inclusion of a 'chimney' at the north-eastern corner of the building. The resulting modern/industrial hybrid building is considered to positively respond to the context of the riverside industrial buildings and wider conservation area, whilst also creating a bold modern building which successfully signifies the status of the university and marks the regeneration of this site and northern city area.
- 64. Some aspects of the proposed design add interest to the building and make reference to the site's historical use as the Barnard, Bishop & Barnard Ironworks foundry which was located here for over 100 years. A metal colonnade is proposed at ground floor level, perforated brick detailing on various elevations, and the projecting windows are proposed to include an etched pattern taken from the work of Barnard, Bishop & Barnard.
- 65. The current form of development on the site allows for views from Colegate down to the river. However, the height of the bank here prevents the water itself from being visible, so the view is instead of the Eastern Electricity Board building opposite. Such views towards the river are highlighted as being worthy of retention within the City Centre Conservation Area Appraisal. This view would be entirely blocked by the proposed development but in this case, the other benefits of the scheme are considered to outweigh this lost view.
- 66. Historic England has commented that it would be preferable from a heritage point of view for the building to immediately abut the river. However, this would lead to the

- loss of the open space and would also affect sunlight/daylight levels for the student rooms and adjacent sites.
- 67. The site sits in the Area of Main Archaeological Interest and has the potential to contain some important remains. A written scheme of investigation would be required to accompany the development of the site and ensure any remains are recorded.
- 68. Overall, the proposed building is considered to respond well to the surrounding built and natural environment and to enhance the character of this part of the City Centre Conservation Area.

## Main issue 3: Amenity

- 69. Key policies DM2, DM11, NPPF Section 12.
- 70. The site sits amongst some sensitive uses specifically the Barnard's Yard housing development to the north-west and the Dukes Palace Wharf development to the south-east. There are also some less sensitive uses around the site a hotel to the north-east, a university building to the north and a vacant office block to the south.
- 71. The impact of the proposed development on neighbouring buildings has been assessed through use of a daylight and sunlight study which follows the Building Research Institute (BRE) guidelines. The study concludes that there will be an adverse impact on 7 of the 327 windows assessed. Three of these windows serve a hotel lobby (window references 244, 247 & 248 within the study), which is not considered a sensitive use so this is not a particular concern.
- 72. Two of the affected windows serve bedrooms within Barnard's Yard (window references 2 & 3). The proposed development brings the Vertical Sky Component for these windows down from 31.7% to 25.2% (ratio 0.79) and from 33.8% to 26.3% (ratio 0.78) respectively. The benchmark is a ratio of no lower than 0.8. It is considered in this case that the impacts are very marginal and that the use of these rooms does not warrant as much protection as, say, living rooms.
- 73. The final two windows which are identified as being adversely impacted are on the ground and first floor of the Dukes Palace Wharf development (window references 304 & 305). The windows are recessed at the back of deep balconies so the amount of sky visible from the windows is already low. The development serves to reduce the amount of visible sky from 7.1% to 5.0% (ratio 0.70) and from 8.0% to 6.0% (ratio 0.75) respectively. Given the overall level of compliance and the other benefits of the scheme, this impact is not considered significant in this case.
- 74. Thirteen windows serving flats within Barnard's Yard are actually shown to experience an improvement in levels of daylight and/or sunlight as a result of the proposed development, since the existing blocks stand at 3 storeys tall and are built very close to these residential windows.
- 75. Officers agree with the conclusions of the report which state that the development will have a high level of compliance with the BRE guidelines and that the marginal impacts on daylight and sunlight should not warrant refusal of the application.
- 76. The existing form of development on the site leads to poor outlook for residents within certain flats within Barnard's Yard. It is acknowledged that the proposed

development stands taller than the existing blocks, but since the development is pulled away from the sensitive northern boundary officers consider that the development may serve to improve outlook for a number of residential windows within Barnard's Yard. Given the distance between this site and Dukes Palace Wharf, it is not considered that there will be any considerable impact on outlook to these flats.

- 77. A number of objectors have raised concerns about noise and anti-social behaviour from the student residents or users of the riverside open space. Firstly, it is worth pointing out that the site is already in use as student accommodation, so the principle of this use of the site has already been established. Norwich University of the Arts (NUA), who intend to retain ownership and management of the building and the area of open space, have stated within their application that they are committed to providing on-site management staff and contact details for neighbours. Further details of these management arrangements will be requested via condition.
- 78. The council's landscape officer has reviewed the open space from a security perspective and has offered assurance that the space has been designed in such a way so as to deter anti-social behaviour and disturbance through street furniture selection and by providing natural surveillance.
- 79. Future occupants of the proposed student accommodation are provided with sufficient light, outlook, privacy and access to outdoor amenity space. The student accommodation is well equipped with on-site staff, laundry rooms and communal study areas.
- 80. A construction management plan is requested via condition to agree access routes, site compound layout and hours of operation etc during demolition and construction. This will help to protect neighbours from noise and disturbance during the demolition and construction phases.

## Main issue 4: Landscaping, trees and open space

- 81. Key policies DM3, DM8, NPPF Section 12 & 15.
- 82. The proposal includes:
  - An 18m x 35m open space adjacent to the river, treated mainly with buff coloured herringbone paving with terrace seating, trees and low level planting.
  - A 2.5m wide enhanced riverside walk providing ramped and level access up to Duke Street with new railings along the river frontage.
  - A small 'student square' to the north of the site between the proposed building and the adjacent NUA Duke Street Building.
  - Mixed sedum roofs on the 2 storey parts of the development.
  - Three street trees on Duke Street.
  - The loss of three trees of low quality (Category C).

- 83. The provision of a substantial area of open space next to the river is a significant benefit of the scheme. This is an opportunity which was highlighted as a driver of regeneration within the (now lapsed) Northern City Centre Area Action Plan. The space has been well designed to offer a comfortable and accessible public space. Policy 15 of the recently adopted River Wensum Strategy (RWS) mentions the need to increase green infrastructure and areas of open space within the river corridor.
- 84. Policy 3 of the RWS emphasises the need for accessibility improvements along the riverside walk, and this stretch was specifically identified within an audit of the entire walk. The walk is narrow and there are currently two sets of steps which prevent access to those less able and also to cyclists. The enhancement of the riverside walk is another key benefit of the scheme.
- 85. The management and maintenance of the open spaces and riverside walk has formed an important point of discussion between officers and the applicant. It has been agreed that the open spaces are managed and maintained by NUA and that the riverside walk will continue to be managed by the city council. The Parks & Open Spaces team have had sight of the specification of the paving and are satisfied that the changes will not lead to any increased pressure on maintenance budgets.
- 86. Full landscaping details, including management and maintenance arrangements, will be agreed via condition.

## **Main issue 5: Transport**

- 87. Key policies JCS6, DM28, DM30, DM31, NPPF Section 9.
- 88. The site is sustainably located close to the city centre and public transport routes. The proposal is for car free development with 30 secure covered cycle spaces and 36 spaces on Sheffield stands. This level of provision is considered sufficient in this location, especially since the site is proposed to accommodate NUA students whose campus buildings are no more than a 5 minute walk away. A dropped kerb is proposed on Duke Street to provide cyclists with easy access to the site.
- 89. Refuse storage is within a small servicing yard at lower ground floor level and collection is via a small lane to the south of Colegate, which is currently used for refuse collection from both Barnard's Yard and Mary Chapman Court. As long as refuse workers use a reversing operator, this is considered acceptable.
- 90. There is a loading bay proposed for Duke Street which would provide an area for deliveries and for student drop off/pick up at the beginning and end of the academic year. Full details of these arrangements are required by condition, as it will be important that this part of the highway network is not obstructed. The site currently provides an east-west pedestrian connection along its southern boundary (the riverside walk) and a north-south connection from Colegate, through Barnard's Yard, through the site and down to the river. Both of these routes involve steps and the north-south connection, in particular, is not obvious to the passer-by. The proposed development enhances the east-west connection (as discussed in Main Issue 4 above) but removes the north-south connection. In this case, the overall benefits to landscape and connectivity are considered sufficient to outweigh the

loss of this route. The riverside walk can still be accessed through Barnard's Yard, via a walkway along the site's western boundary.

#### Other matters

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

## 92. Biodiversity

The site has been assessed by an ecologist, with specific interest in bats using the site. No evidence of bat roosts was seen, and overall likelihood of bats using the site is considered to be low. All roof spaces will need to be inspected again prior to demolition. The proposal includes 8 built in bat boxes. Specifications and locations will be requested by condition.

## 93. Renewable energy

The application includes provision for air source heat pumps which would generate 20.5% of the building's total energy usage. This exceeds policy requirements.

## 94. Water efficiency

Details have been submitted specifying reduced flow water fittings which are to be used throughout the development to maximise water efficiency.

## 95. Flood risk & surface water management

The site would be vulnerable to flooding in 'extreme' events up to and including the 1 in 1000 year event. The applicant will be required to provide a Flood Response Plan that identifies roles and responsibilities for the safe evacuation of the premises in such a situation. The application is accompanied by a surface water management plan, which has been deemed sufficient by the Lead Local Flood Authority.

#### 96. Contamination

Due to the previous use of the site as a factory, the ground beneath the site has the potential to be contaminated, as identified within the applicant's Phase 1 contamination assessment. Subject to the imposition of a number of conditions, the Environment Agency is satisfied in this regard.

## **Equalities and diversity issues**

97. There are no significant equality or diversity issues. The development provides a riverside walk which makes the route available to people of all abilities for the first time.

#### Local finance considerations

98. 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

- 99. Whilst causing minimal harm to the setting of the Conservation Area and to the amenity of nearby residents, the proposals result in a number of significant benefits:
  - The demolition of buildings identified as negative within the City Centre Conservation Area Appraisal
  - Provision of a bold and inspirational new building to mark this prominent corner plot and enhance the character and appearance of the surrounding conservation area
  - Provision of educational facilities, which have been shown to be essential to the university
  - Provision of public open space
  - Provision of an enhanced riverside walk
- 100. 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. 18/01524/F - Mary Chapman Court Norwich and grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans;
- 3. Materials to be agreed;
- 4. Landscaping scheme to be agreed, including demarcation of ownership boundary;
- 5. Heritage interpretation scheme to be agreed;
- 6. Details of bicycle storage to be agreed:
- 7. Refuse collections to take place with use of a reversing assistant;
- 8. Details of dropped kerb;
- 9. Street trees to be provided;
- 10. Travel plan to be shared:
- 11. Written scheme of investigation to be submitted;
- 12. Site management plan to be agreed, including arrangements for student drop off & pick up, provision of CCTV;
- 13. Construction method statement;
- 14. Contamination preliminary risk assessment to be submitted;
- 15. Stop works if unknown contamination found;
- 16. No drainage to the ground without express consent;
- 17. No piling without express consent;

- 18. Flood warning and evacuation plan to be submitted:
- 19. SUDS implementation;
- 20. Ecological mitigation measures to be implemented in accordance with report;
- 21. Specification and locations of 8 bat boxes to be agreed;
- 22. No site clearance during bird nesting season without express consent;
- 23. All boundary treatments to include small mammal access;
- 24. Lighting scheme to be submitted (to protect wildlife and light the open space);
- 25. In accordance with Arboricultural Impact Assessment;
- 26. Renewable energy to be provided in accordance with Design & Access Statement.

#### Informatives:

- Caution must be exercised when demolishing buildings on the site due to the slight possibility that bats may be present. Further inspection of the loft spaces at the site should be carried out prior to demolition. If any bats are found on site during site clearance, works should stop immediately and a licenced bat ecologist must be contacted.
- 2. The Landscape Management Plan will be expected to set out the overall objectives of a landscape scheme and the steps (e.g. legal arrangements including ownership and management responsibilities, planned maintenance tasks, phased works, monitoring procedures etc.) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.
- 3. Construction working hours & considerate construction.
- 4. Asbestos to be dealt with as per current government guidelines.
- 5. A planning brief for the archaeological Written Scheme of Investigation will be provided by Norfolk County Council, Historic Environment Service.
- 6. The loading bay will require a 'loading only' restriction to be established with associated signage. This will entail a Traffic Regulation Order fee of £1995 plus any signage/post costs
- 7. The costs involved in the relocation of any street furniture (such as road signs or street lights) need to be met by the applicant.
- 8. Street naming and numbering; the council has a statutory responsibility with regard to postal addressing, if a building name is required to be used formally please contact us for advice.
- As the footway will need to be reconstructed to ensure it is strengthened for vehicular use and repaved for an embedded loading bay this will require a S278 agreement.
- 10. A 30 year maintenance fee is applicable for each street tree (payable via the S278 agreement).
- 11. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

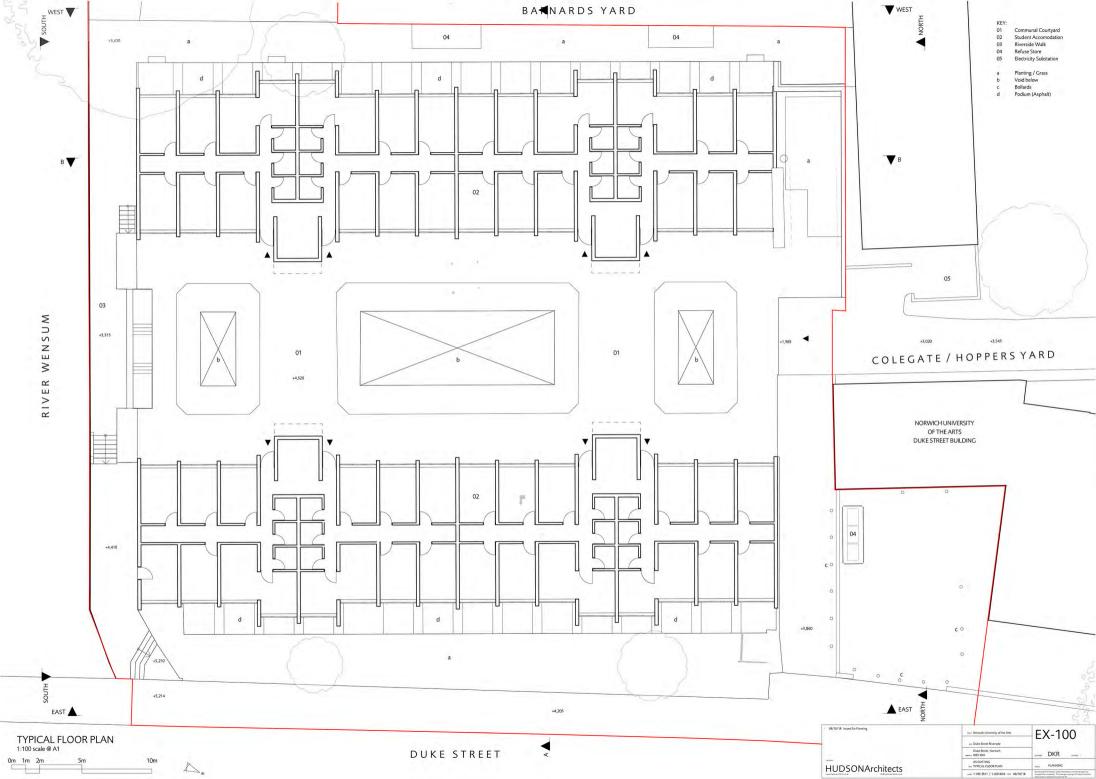


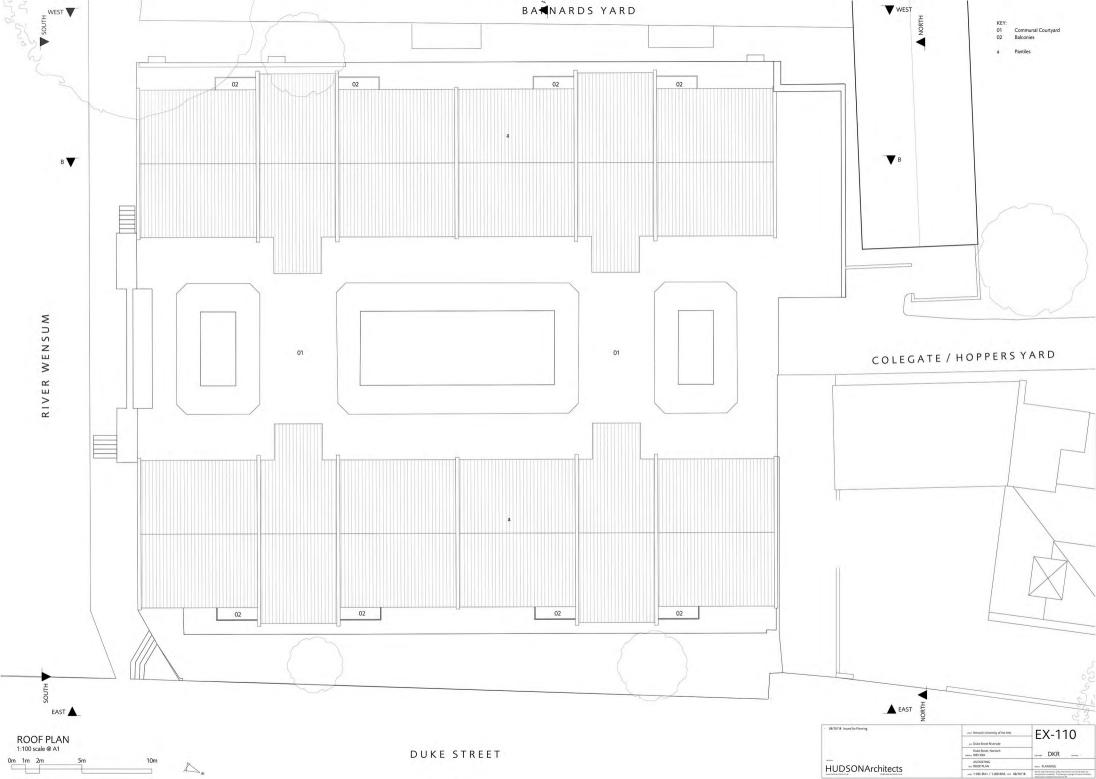
3D VIEW - Looking North-West



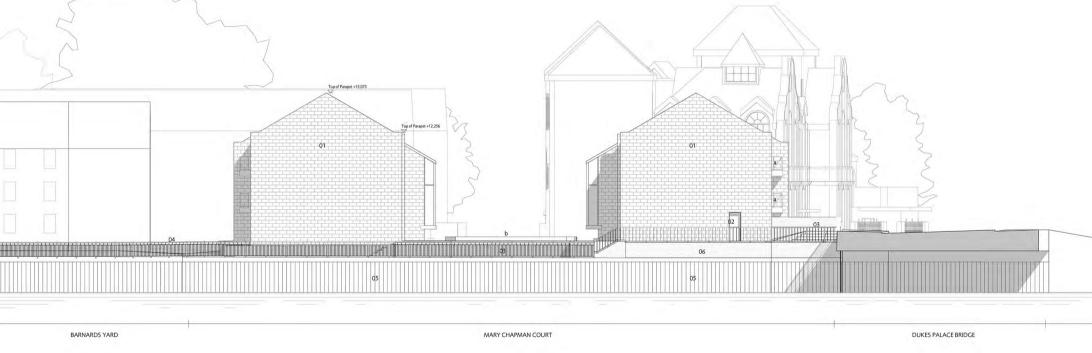
3D VIEW - Looking South down Duke Street

- 08/10/18 Issued for Planning	client Norwich University of the Arts	D1 600	
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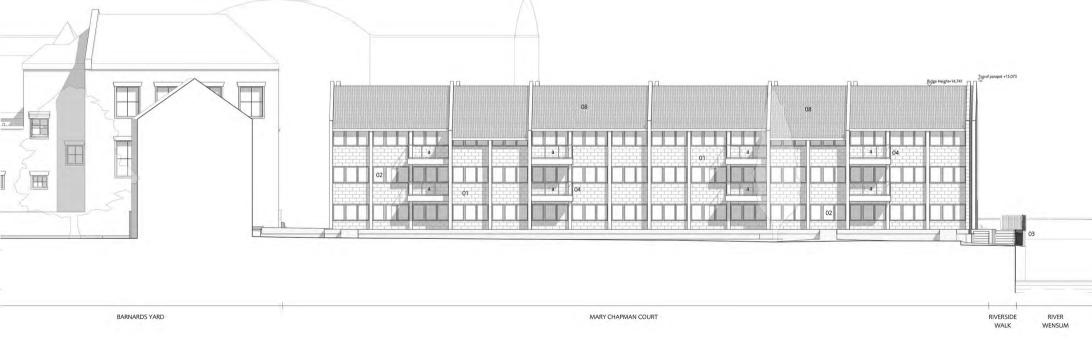






KEY: 01 02 03 Facing Blockwork uPVC Doors / Windows Painted Metal Balustrade Pantiles Ridge Height +14,741 04 04 01 01 RIVER WENSUM / DUKES PALACE BRIDGE MARY CHAPMAN COURT NUA DUKE STREET BUILDING EX-204 **EAST ELEVATION** 1:100 scale @ A1 **HUDSONArchitects** 

KEY: 01 02 03 04 Facing Blockwork uPVC Door / Window Galvanised metal railing Painted metal balustrade Metal sheet pile river wall Balconies Ridge Height+14,741



WEST ELEVATION

