

Planning Applications Committee

Section B

13 November, 2008

Agenda Number:	B8
Section/Area:	INNER
Ward:	MANCROFT
Officer:	Mark Brown
Valid Date:	27 August 2008
Application Number:	08/00866/F
Site Address:	Depository Building, part Lion House and part Seymour House Muspole Street Norwich
Proposal:	Redevelopment of site to provide 47 No. apartments and 10 No. houses with associated works including enhancement of external areas and provision of formal parking areas.
Application Number:	08/00867/C
Proposal:	Demolition of modern extensions to Lion House and Seymour House and demolition of single storey detached buildings to east of site.
Applicant:	Mr Leo Palmer
Agent:	Mrs Janine Graves

THE SITE

The site is located to the west of Muspole Street and includes parts of Lion House and Seymour House which face Muspole Street to the North and are

locally listed buildings in part. Adjacent to the southeast of the site is the Woolpack Public House and St George's Colegate Church. The site is bounded to the west by properties which face onto Duke Street. These properties have a rear service access which runs between Muspole Street and Duke Street, this is located between the properties on Duke Street and the site itself.

Currently the site is occupied by Hadley and Ottaway who are soon to relocate to new premises. The site is dominated by the depository building which was previously part of the Norvic Shoe Factory.

The site is located within the City Centre Conservation Area and within the Area of main Archaeological interest.

RELEVANT PLANNING HISTORY

None.

THE PROPOSAL

The development is proposed in two phases and the development is described as such below.

Phase 1

Phase one would involve the redevelopment of the majority of the site for 2xfour bed townhouses, 8xthree bed townhouses, 30xtwo bed flats and 4xone bed flats as follows:

- Demolition of the derelict single storey buildings to the east of the site;
- Demolition of single and double storey buildings to the centre and west of the site;
- Demolition of the latter extension to Lion House to the northeast of the site which is not Locally Listed;
- Conversion of the existing depository building to 21 flats;
- A new extension link between the depository building and the latter rear extension to Seymour House (currently used as offices) providing 3 flats;
- 10 flats in a new build block to the southeast of the site;
- 10 townhouses along the eastern Muspole Street Frontage;
- Associated parking, access and service areas.

Phase 1 is illustrated in the proposed site plan at Appendix A

Phase 2

Phase two would involve the demolition of the later rear extension to Seymour House which is not locally listed and construction in its place a new block of 13xtwo bed flats with additional parking at ground floor level.

The two phases allow for phase 1 to be completed and for the Seymour House extension to continue operating as offices in the short term and to be redevelopment at a later date.

In total 10 townhouses and 47 flats are proposed across the two phases.

Phase 2 is illustrated in the proposed site plan at Appendix B

CONSULTATIONS

Neighbours: Advertised on site, in the press and neighbours notified. Four letters of objection received from neighbouring residents on Oak Street raising the following concerns:

- Loss of direct sunlight and overshadowing from the new 4 storey extension;
- Increase in overlooking resulting in a lack of privacy;
- Negative impact on the character of the area to the rear of the Duke Street properties;
- Noise, airborne pollution and disruption during construction works;

Norwich Society: 'We liked the style of the scheme, but it is too dense, making community space virtually negligible and movement of traffic almost impossible. A real cramming job.'

Anglia Water: Any consent to be issued with a number of informative notes

Environment Agency: No objection subject to conditions

English Heritage: Advise that the application should be determined in line with national and local policy guidance but also recommend a number of alterations to the proposed elevation to Muspole Street.

Norfolk County Council Planning Obligations: – Require primary school education contributions to be secured via a S106 agreement or undertaking and conditions to secure fire hydrant provision.

Amended plans have been received in order to overcome some of the concerns raised by local residents and English Heritage. As such the application has been re-advertised on site and in the press on 05/11/08 and neighbours re-notified on 03/11/08. This is discussed further in the assessment below.

PLANNING CONSIDERATIONS

Relevant National Planning Policy

PPS1 – Delivering Sustainable Development

Supplement to PPS1 – Planning and Climate Change

PPS3 – Housing

PPG13 – Transport
PPG15 – Planning and the Historic Environment
PPS22 – Renewable Energy
PPS25 – Development and Flood Risk

Relevant East of England Plan Policies:

ENV7 – Quality in the built environment
ENG1 – Carbon dioxide emissions and energy performance
WM6 – Waste Management in Development

Relevant Local Plan Policies:

Adopted City of Norwich Replacement Local Plan Saved Policies:

NE9 – Comprehensive landscaping scheme and tree planting
HBE3 - Area of main archaeological interest
HBE8 - Development within conservation areas
HBE12 – High quality of design
EP1 – Contaminated Land
EP16 – Water conservation and sustainable drainage systems
EP18 – High standard of energy efficiency for new development
EP22 – High standard of amenity for residential occupiers
HOU4 – Affordable Housing
HOU6 – Contribution to community needs and facilities by housing developers
HOU8 (C9) – Committed housing development sites
SR4 – Provision of open space to serve new developments
SR7 – Provision of children's equipped playspace to serve development
TVA8 – Heritage Interpretation
TRA5 – Approach to design for vehicle movement and special needs
TRA6 – Parking standards – maxima
TRA7 – Cycle parking standard
TRA8 – Servicing provision
TRA11 – Contributions for transport improvements in wider area

Supplementary Planning Documents and Guidance (SPD and SPG):

Open Space and Play Provision SPD adopted – June 2006
Transport Contributions from Development SPD Draft for Consultation – January 2006
Energy Efficiency and Renewable Energy SPD adopted – December 2006
Affordable Housing SPG adopted – September 2002
Heritage Interpretation SPD – December 2006

Northern City Centre Area Action Plan Submission Report (NCCAAP) –
November 2008

City Centre Conservation Area Appraisal – September 2007

Principle

The site is allocated within the adopted City of Norwich Replacement Local Plan for redevelopment with a minimum of 40 dwellings under saved policy HOU8 (C9). The site is also identified within the NCCAAP for housing redevelopment including a mix of family housing and flats and the conversion of the depository building. The NCCAAP also identifies the potential to provide a new open space to the southeast of the site on Muspole Street between the Woolpack Public House and St George's Church.

Phase 1 delivers 44 dwellings and therefore meets the housing target for the site even if phase 2 were never implemented. Phase 2 would provide a further 13 dwellings.

The proposals are also in line with guidance within PPS1 and PPS3, providing new housing on central brownfield sites. The principle of the redevelopment is therefore considered acceptable.

Demolition

A number of buildings are being demolished on the site as identified above. None of the buildings proposed to be demolished are identified as making a positive contribution within the Conservation Area Appraisal and their removal is therefore considered acceptable subject to conditions for the repair of adjoining buildings to be retained.

There is a historic doorway within the derelict single storey building to the east of the site. The doorway is now in such a poor state that its retention or relocation would not be possible; any consent to demolish should be conditional on the door being recorded.

Part of the building to be demolished which forms the western boundary has part of a historic flint wall at its base. Details for the retention and repair of this part of the wall should also be conditioned.

Layout, Access and Servicing

The proposals in terms of their layout reinstate the Muspole Street frontage, introducing an active residential frontage which completes the block. The proposed Muspole Street frontage varies in height between 2-3 storeys which is considered acceptable in this location and responds well to the frontage on the opposite side of Muspole Street.

The depository as part of the former Norvic Shoe Factory forms part of this site's heritage and as such its retention and conversion is considered appropriate and desirable.

Phase 1 also includes a new-build link between the depository and Seymour House. This link is 8m wide and four storeys high, it replaces an existing building which is mainly two storeys in height with a small single storey section to the north. The ground floor of this link is along the western building line of the existing building and then terraces back behind this line at upper levels. In terms of the layout this building is considered important as it completes the western elevation of the site.

The phase 2 proposals involve the removal of existing office accommodation in the form of the rear extension to Seymour House and replacement with residential accommodation in the same location.

In relation to the comments of the Norwich Society, at 150 dwellings per hectare the site is of a slightly higher density than other developments in the area, however this is primarily a result of the conversion of the depository building which lends itself to flatted development. Many of the developments recently granted in the Northern City Centre have had a greater proportion of family housing and have had densities closer to 100-120 dwellings per hectare. The application has been amended significantly during pre-application discussions to reduce the intensity of development on the site, provide an internal layout which provides more open amenity space and to reduce the dominance of parking within the site. The levels of densities are considered to be acceptable and not unusual for a city centre site which is predominately a flatted development. This is also in line with policy ENV7 of the East of England Plan which requires the highest possible densities appropriate to the character of the locality.

In terms of residential amenity space, all townhouses benefit from rear gardens which also provide cycle and refuse storage. An internal communal area has been provided for flats as well as balconies and roof top communal areas. This provision is considered acceptable subject to conditions of landscaping.

Access to the site is via a new access to the east of the site off Muspole Street. Across the two phases, 72 cycle spaces are to be provided for residents of the flats along with six visitor cycle spaces. 42 car parking spaces are provided (33 under phase 1). This level of cycle and car parking provision is in line with the requirements of saved local plan policies TRA6 and TRA7.

Waste storage has also been provided to a satisfactory level and as such is in line with policy WM6 of the East of England Plan.

On the basis of the above the layout is considered to achieve the objectives of policy ENV7 of the East of England Plan and saved Policy HBE12 of the Local Plan both where phase 1 is implemented on its own but also where both phases 1 and 2 are implemented. It would not, however, be acceptable for phase 2 to be implemented on its own and therefore the implementation of phase 1 before phase 2 should be a condition of any consent granted.

Detailed Design

The Muspole Street elevation is the most significant in terms of its impact on the surrounding Conservation Area and this has been amended to take on board the comments of English Heritage and our Conservation and Design Section. The method here is for a more traditional approach to the detailing although much of the finer details and exact materials will need to be a condition of any consent. The variation in this elevation particularly in relation to rooflines is consistent with the character of the area.

A more contemporary approach has been taken with other elements of the scheme. The internal elevation to the townhouses whilst still of traditional form have more contemporary detailing which works well and relates well to the approach taken in the conversion of the depository.

It is considered that the detailed design is now acceptable and will enhance this part of the City Centre Conservation Area subject to finer details being conditioned.

Environmental Considerations

The site is located within a sustainable location with excellent links to public transport, employment areas and the City Centre. The energy efficiency statement anticipates achieving code for sustainable homes level 3 in line with guidance in the Energy Efficiency SPD. The statement also identifies the need to provide 10% of the sites energy from decentralised and renewable or low carbon sources and identifies that this would be achieved via solar thermal and photovoltaic panels. Full details of exactly how this would be provided should be a condition of any consent.

Neighbour Amenity

In terms of the proposals impact on neighbour amenity the main policy consideration is EP22 of the Local Plan and the impacts of overlooking and overshadowing. The objectors concerns over disruption from construction works whilst understandable are not material planning considerations.

The main impact to assess in this case is the western edge of the development on the rear of properties which face onto Duke Street particularly the central group of houses which benefit from small rear gardens. The existing western edge of the site can be described in three parts.

Firstly the depository building, this building is being converted and therefore in terms of its height and mass is unaltered. Given the depository's existing storage use the windows on this side are blacked out and there is currently no overlooking from this building. The conversion of this building to residential which has been identified as a desirable element of the scheme will necessitate

the opening up of these windows. Whilst this will increase the level of overlooking, this part of the development is just over 19m from the rear of the nearest property on Duke Street and it is not considered that the level of overlooking would be unacceptable.

Efforts have been made to reduce any impact on this elevation. The depth of the balconies have been reduced so that they are less likely to be used for extended periods for sitting out to reduce levels of overlooking. Also the roof top terrace has been set back from the edge of the building to avoid overlooking from these areas.

Secondly the new link building, as described above has been set back at third floor level in order to attempt to overcome objectors concerns. The ground floor of this building is a bike store on the same line of the existing building and is not considered to have a significant impact on neighbour amenity. The upper three levels are residential. The total height of the link building is 12m, the first and second floor of which are set back 11m from the rear wall of the nearest property on Duke Street and 8m from the rear garden boundary. At second floor this is set back a further 2m to 13m and 10m respectively.

The existing building in this location is approximately 8.5m tall other than a small section which is single storey at a height of approximately 4.5m and set back 8m from the rear wall of the nearest property on Duke Street and 5m from the rear garden boundary.

Thirdly the phase 2 proposals which propose to replace the existing offices to the rear of Seymour House. These will be in the same line as the existing offices in this location, it is accepted as offices they would be rarely used at weekends or evenings and therefore the current extent of overlooking is limited at this time.

It is considered that the proposals will inevitably increase the level of overlooking to the buildings to the rear of Duke Street and would have some impact on the levels of morning sunlight received by properties on Duke Street. In relation to loss of morning light it is considered that whilst there is an increase in height the new build elements are set back far enough to ensure that this impact is not significantly detrimental to render refusal.

With reference to overlooking, the distance between the proposed new residential properties and existing is not rare for this area and there are a number of examples in the vicinity where the rears of properties are closer. However, the number of dwellings proposed and their cumulative effective makes the impact more significant in this case. On balance however, when weighed against the other merits of the development as a whole it is not considered that this impact would be so detrimental to make the application unacceptable.

Planning Obligations

The application triggers a number of items which would need to be secured via a S106 agreement or undertaking as follows:

- 30% affordable housing provided on the basis of a 80:20 social rented shared ownership split, respectively;
- Child play space contribution of £71,760
- Open Space Contribution of £26,847
- Primary School Education Contribution of £93,152
- Transport Contribution of £16,083

The above contributions would be triggered on the occupation of each phase. It is expected that the commuted sums for play space, transport and open space would be earmarked for future provision of a public space with pedestrian priority between the Woolpack Public House and St George's Church.

Conclusion

In summary the proposals are considered to be an appropriate redevelopment of a central brownfield site in a sustainable manner and which would enhance the surrounding Conservation Area. The main issue to consider in this case is the impact on the amenity of neighbouring residents on Duke Street. On balance, when weighed against the other merits of the development as a whole, it is not considered that this impact would be so detrimental to make the application unacceptable.

RECOMMENDATIONS

Planning Application 08/00866/F

- (1) Delegate authority to the Head of Planning and Regeneration Services to approve planning permission subject to no new material planning issues being raised by consultees by 26 November 2008 and subject to the completion of a S106 agreement by the 26 November 2008 to include the provision of affordable housing, contributions to child play space, open space, transport and education and the following conditions:
 1. Standard time limit;
 2. Phase 2 not to be implemented prior to phase 1;
 3. Submission of samples of bricks (including details of the brick bond), roof tiles, metal cladding and tile cladding;
 4. Full details and colour of metal roofing, glass balustrade, render, timber cladding, rainwater goods, ground floor grilles to cycle and car parking areas;
 5. Full details and large scale drawings of timber porchs, windows, doors, access gate, balconies and north lights;

6. Landscaping scheme to include hard and soft landscaping, external lighting and all boundary treatments;
 7. Scheme of landscape maintenance;
 8. Full details for the provision of 10% of the sites energy from renewable or low carbon sources;
 9. Provision of historic interpretation boards on the site;
 10. Submission of archaeological evaluation, mitigation, assessment, analysis and achieving;
 11. Contamination conditions;
 12. Minimum finished floor levels set to 3.7mAOD;
 13. Scheme for water, energy and resource efficiency measures to be submitted;
 14. A scheme for the provision and implementation of foul drainage;
 15. Submission of a fire strategy including the provision of fire hydrants and dry risers;
 16. Cycle and refuse storage to be provided prior to first occupation;
- (2) Where the S106 is not completed prior to 26 November 2008 that delegated authority be given to the Head of Planning and Regeneration Services to refuse planning permission for the following reason:
1. In the absence of a legal agreement or undertaking relating to the provision of affordable housing, children's play provision, public open space, transportation contributions and education contributions the proposal is contrary to saved policies HOU4, SR7, SR4, TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan.

Reason for Recommendation (1)

The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies of the adopted East of England Plan Regional Spatial Strategy, saved policies of the adopted City of Norwich Replacement Local Plan, relevant Planning Policy Guidance, Planning Policy Statements, Supplementary Planning Guidance and Supplementary Planning Documents.

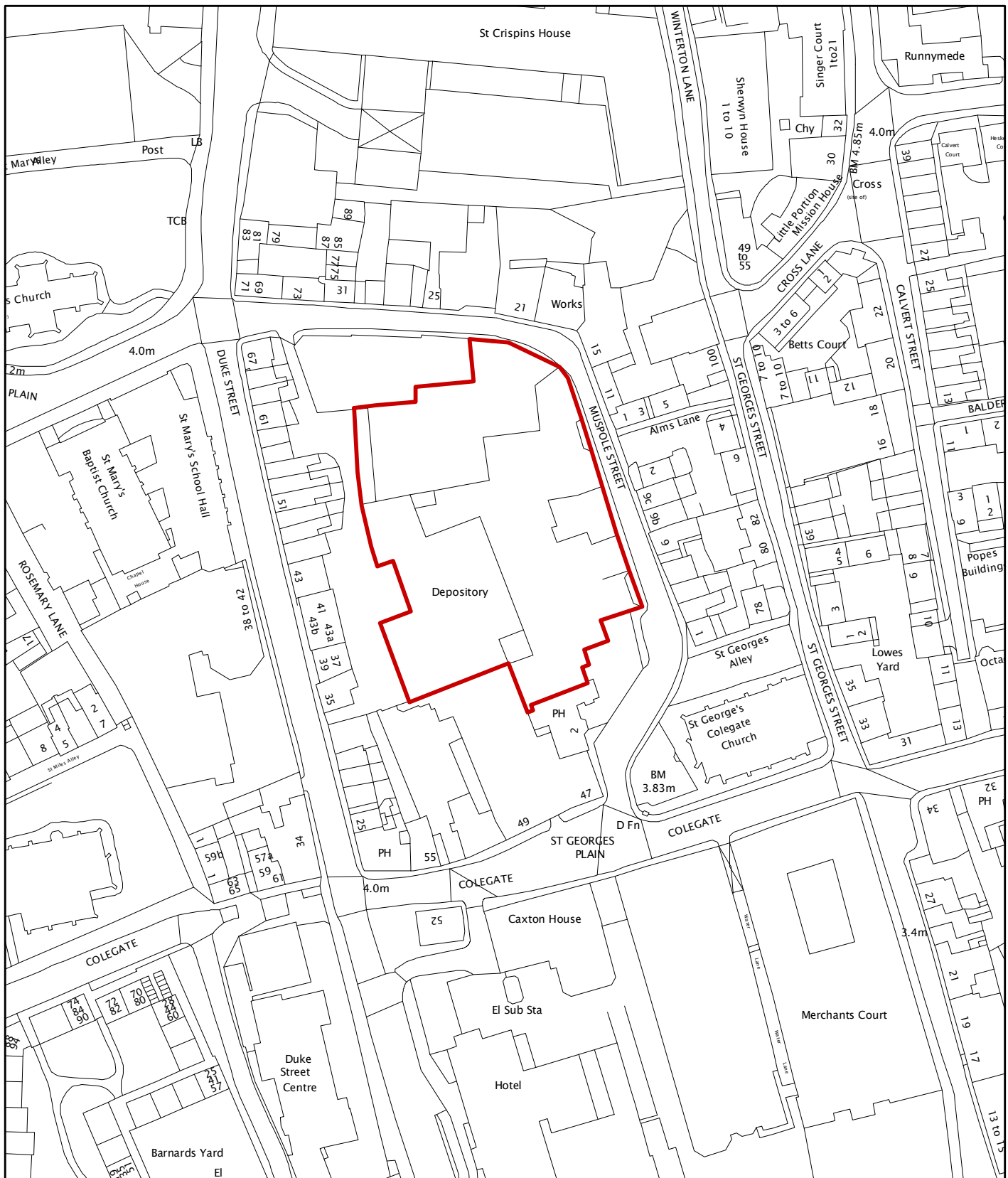
Having considered all of the above and other material planning considerations it is considered that subject to the conditions listed and the contents of the S106 agreement that the proposals are an appropriate redevelopment of a central brownfield site in a sustainable manor which would enhance the surrounding Conservation Area. In terms of neighbour amenity, on balance, it is considered that when weighed against the other merits of the development as a whole, the impact would not be so detrimental to make the application unacceptable.

Conservation Area Consent 08/00867/C

- (3) Delegate authority to the Head of Planning and Regeneration Services to approve Conservation Area Consent subject to the approval of planning permission 08/00866/F and the following conditions:
1. Standard time limit;
 2. Contracts for the redevelopment of the site to be in place prior to any demolition of the site;
 3. Schedule of repair of adjacent buildings to be retained;
 4. The recording of the historic door on the east elevation of the derelict single storey building to east of the site.
- (4) Where planning permission 08/00866/F is refused, delegate authority to the Head of Planning and Regeneration Services to refuse Conservation Area Consent for the following reason:
1. In the absence of acceptable and detailed plans for the redevelopment of the site, the demolition of all those buildings identified to be demolished would have a negative impact on the character of the surrounding Conservation Area and as such the proposal is considered to be contrary to the objectives of saved policy HBE8 of the adopted City of Norwich Replacement Local Plan and PPG15.

Reason for Recommendation (3)

The recommendation has been made with regard to the provisions of saved policy HBE8 of the adopted City of Norwich Replacement Local Plan, PPG15 and other material planning considerations, it is considered that subject to the conditions listed and the redevelopment of the site the demolition is acceptable.



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Planning Application No - 08/00866/F

Site Address - Depository Building, part Lion House and part Seymour House

Scale - 1:1250



NORWICH
City Council

DIRECTORATE OF REGENERATION
AND DEVELOPMENT

