

Report to Planning applications committee

Item

8 December 2016

Report of Head of planning services

Subject Application no 16/01399/F – Land Adjacent to Wensum Chapel, Cowgate

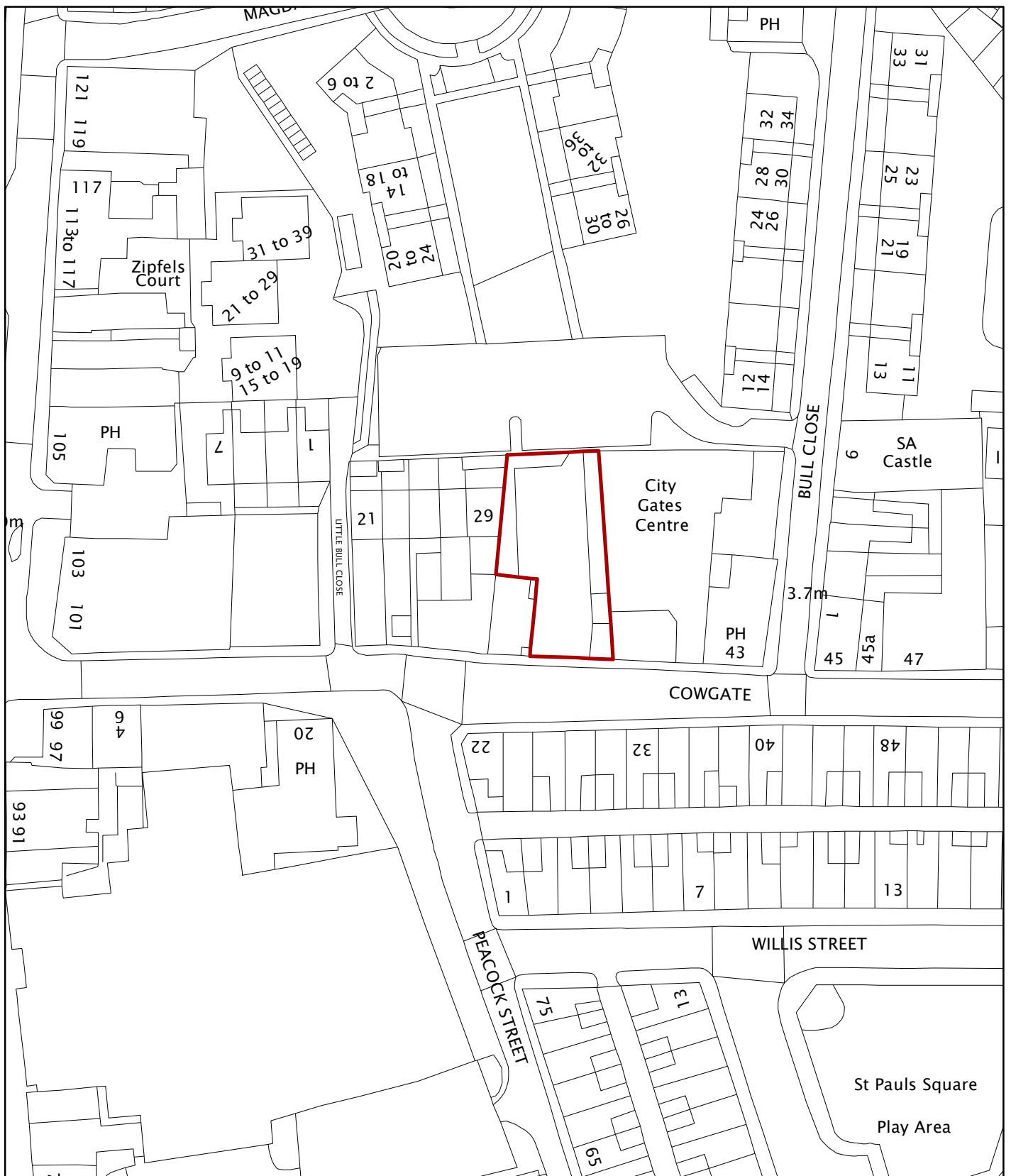
Reason for referral Application affecting City Council owned land.

4(c)

Ward:	Crome
Case officer	Robert Webb - robertwebb@norwich.gov.uk

Development proposal		
Erection of 2 No. one bed flats.		
Representations		
Object	Comment	Support
1	0	0

Main issues	Key considerations
1 Principle of development	Principle of redevelopment for housing
2 Design and Heritage	Impact on character of the area including the Conservation Area, scale, form, massing and appearance.
3 Transport	Accessibility of site, impact on car parking, traffic, highway safety, cycle parking, servicing.
4 Amenity	Impact on neighbouring occupiers, loss of parking
5 Flood risk	Consideration of impact on flooding within the critical drainage area.
Expiry date	15 December 2016
Recommendation	Approval subject to conditions.



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Planning Application No 16/01399/F

Site Address Land adjacent to Wensum Chapel
Cowgate

Scale 1:800



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The site is in Cowgate which is near Magdalen Street in the northern part of the City Centre. It consists of a surface level car park with 7 spaces owned and managed by the City Council. The site is surrounded by historic locally listed buildings including Wensum Chapel to the east of the site. There are residential properties to the south, east and west of the site.

Constraints

2. The site is within a Conservation Area, Area for Reduced Parking, and Critical Drainage Area as designated by the Norwich Local Plan. It is also surrounded by a number of locally listed buildings, including Wensum Chapel, and the residential properties to the south and west.

Relevant planning history

3. There is no relevant planning history held by the City Council.

The proposal

4. The proposal relates to one of a number of sites identified by Norwich City Council as having the potential to accommodate new affordable housing to be developed by a registered provider, Orwell Housing Association. The Council are seeking to deliver 66 affordable units across the city overall as part of the current programme, and these would be designed to meet Homes and Communities Agency (HCA) design and quality standards. The dwellings would be available at social or affordable rent whilst meeting high environmental standards. All homes would be advertised using the City Council's choice based letting scheme.
5. This application seeks to develop the site to provide 2 new one bedroom flats within a two storey building, set back from the road and on a similar building line to the adjacent terrace to the west. Each property would have some private amenity space to the rear, and the rest of the site would be landscaped with a mixture of hard and soft landscaping. The proposal is for a car-free development and covered cycle parking would be provided for each property. Solar panels on the roof of the south elevation would provide a source of renewable energy.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	2
No. of affordable dwellings	2
Total floorspace	The floorspace of the ground floor flat would be 46.54m ² . The floorspace of the first floor flat would be 53.56m ² .

Proposal	Key facts
No. of storeys	2
Appearance	
Materials	Walls – dark red multi brickwork in Flemish bond, roof – grey slate tiles, fascias soffits and bargeboards- stained/painted timber, windows - powder coated aluminium. Black UPVc gutters and downpipes. Timber entrance door.
Energy and resource efficiency measures	Solar pv panels, low energy lighting, gas condensing combination boiler with flue gas heat recovery system.
Transport matters	
No of car parking spaces	Car-free development
No of cycle parking spaces	4
Servicing arrangements	Bin storage area within site.

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

Consultation responses

7. 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.

NCC Environmental Protection

8. I have viewed the desk study provided for this application and agree with the recommendation that further intrusive works are required. If approval is given, I suggest that conditions are applied. The UXO risk may also require further consideration by a specialist due to the proximity of known WWII bomb drops.

NCC Conservation Officer

9. The proposed material revisions are in line with policy DM 3 (h). Providing the development is subservient in scale and form to those around it, it will be in line with policy DM3 (f).
10. Although it is arguable that the proposal will result in some harm to the setting of locally listed assets, the harm is less than substantial and will result in no material damage. In this instance there is a strong case that the benefits supplied by a well-designed and contextual development of affordable housing outweighs the less than

substantial impact upon the setting of a locally listed asset. This is in line with NPPF paragraph 134 and NCC DM9.11.

11. The revised proposal shows an improved use of contextual and historically relevant materials and methodology, which reduces its negative impact upon the setting and is respectful of the character of the conservation area. However, there are still concerns surrounding the form of the building due to the shape of the roof structure.
12. Unfortunately the proposal is not so innovative as to potentially enhance the character of the area or make a positive contribution to its distinctiveness, as required by paragraph 131 of the NPPF.
13. In this instance the development is set back from the road and is not therefore immediately visible, which helps to reduce its impact on the setting. It is also arguable that the proposed development is a greater attribute to the area and would have less negative impact than its current use as a makeshift car park.
14. When considering paragraphs 131, 134 & 135 of the NPPF there is a strong case that the benefits of the proposal outweigh any associated negative impact.

Highways (local)

15. No objection.

NCC Arboricultural Officer

16. The trees at the entrance to the site have low canopies and form a tunnel effect onto site, the pruning work required to erect protective fencing and to allow access onto site is mentioned in the arb report but the clearance distances need to be specified to assess the required pruning work. The service runs to the new properties are likely to come through this area (T1 – 5), as mentioned in the drainage report but the arb report specifies no-dig. I cannot see how this can be achieved with existing levels. The area between the protective fences and the eventual paving (T1 – 5) will need ground protection during construction to prevent compaction.

Norfolk County Council Archeaologist

17. No objection, please add standard condition.

Assessment of planning considerations

Relevant development plan policies

1. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery
 - JCS7 Supporting communities
 - JCS9 Strategy for growth in the Norwich policy area

2. 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
- DM4 Providing for renewable and low carbon energy
- DM5 Planning effectively for flood resilience
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

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

- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

Case Assessment

4. 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 sections provide an assessment of the main planning issues in this case in relation to the relevant policies and material considerations.

Main issue 1: Principle of development

5. Joint Core Strategy (JCS) Policy 4, supports housing delivery within the plan area, which this site falls. National policy, as set out in the Core Principles of the NPPF encourages new housing development to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. JCS Policy 4 also encourages provision of affordable housing including of social rent and affordable rent tenure types as these are recognised and being particularly important in meeting housing need in the city.
6. Policy DM12 of the Norwich Development Management Policies Plan supports new residential development within the city boundary except in specific circumstances, none of which apply to this site. Policy DM29 supports the redevelopment of car parks within the 'Area for Reduced Parking', within which the site falls.

7. The NPPF encourages 'the effective use of land by reusing land that has been previously developed'. This site constitutes previously developed land. The site is in a sustainable location for new housing within the city centre. The proposal is therefore considered to be acceptable in principle and in this case would have the planning benefits of providing new affordable housing, subject to assessment against any other relevant policies or material considerations as outlined in the NPPF and the Development Plan.
8. Under the provisions of section 72 of the Town and Country (Planning and Listed Buildings) Act 1990, special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

Main issue 2: Design and Heritage

9. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56 and 60-66 and chapter 12.
10. The site is sensitive in terms of being within the City Centre Conservation Area and surrounded by locally listed buildings. However, the new building would be set well back from Cowgate and well screened by existing buildings and trees. Whilst there would generally only be glimpsed views of the new flats from the public domain, it is still important to ensure the design preserves or enhances the character of the Conservation Area and does not cause significant harm to the setting of the surrounding locally listed buildings.
11. The design introduces a modern style of building which provides some architectural interest and variation to the character of the street. Following comments from the conservation officer, negotiations have taken place with the applicant to ensure that high quality contextual materials would be used. Although the conservation officer still has some reservations regarding the impact of the design on the setting of the locally listed buildings, he has advised that in this instance there is a strong case that the benefits of the proposal would outweigh the less than substantial harm, which in the context of guidance in paragraph 134 of the National Planning Policy Framework, indicates that the application should be supported.
12. The flats proposed would have an internal floor area of approximately 46.5 and 53.5 square metres respectively and are intended as 1 bedroom 2 person units. The floor space for the ground floor flat is slightly below the recommended national space standards figure of 50 square metres for this level of occupation. It is recognised however that if the flat was occupied by 1 person, it would comfortably meet the standard. The first floor flat meets the required standard based on two person occupancy.
13. Whilst the failure of the ground floor flat to meet the standard based on two person occupancy is regrettable, on balance it is not considered in itself to warrant refusal of the application, given that the development is otherwise well-designed and would lead to the delivery of affordable housing in a sustainable location.
14. Overall the design, layout and materials proposed are considered to be acceptable, preserving the character of the Conservation Area and complying with the provisions of local and national planning policy.

Main issue 3: Transport

15. Key policies and NPPF paragraphs – DM2, DM11, DM32, NPPF chapter 4.
16. The proposal would provide cycle parking in accordance with the Council's standards set out within the Local Plan. The site is within the city centre where car-free development is acceptable in accordance with policy DM32. No objection is raised by the Highway Officer.

Main issue 4: Amenity

17. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
18. The proposal would not cause material harm in terms of overshadowing or loss of privacy to the adjacent properties due to the scale, siting and orientation of the flats and the separation distances from neighbouring properties.
19. Surveys carried out by the city council within the last year indicate that the car park is well used with high levels of parking recorded during the daytime and evenings. However regard is had to the fact the site is within an area identified for reduced parking within the Local Plan and its redevelopment is supported under policy DM29.
20. Some harm would occur as a result of the loss of the spaces but addressing housing need is considered to be of greater importance than providing off-road parking, particularly in a location which has good links to public transport and the city centre and where there is the opportunity to use other modes of transport such as buses and cycles to travel. It is therefore recommended that the application should not be refused on the grounds of loss of parking.

Main issue 5: Flood risk

21. Key policies and NPPF paragraphs – JCS1, DM5, NPPF Chapter 10
22. The site is within Flood Zone 1 and therefore at low risk from flooding from rivers, however it is within a critical drainage area where there is a higher risk of surface water flooding. The application is accompanied by a Flood Risk Assessment which states that the development would maximise the use of soft landscaping and incorporate permeable paving. There would be a significant reduction of surface water run-off compared to the existing situation. The proposal complies with the relevant policies.

Other matters

23. Subject to the imposition of conditions, the proposal is acceptable in terms of its biodiversity, land contamination and the energy efficiency measures proposed. The trees close to the entrance of the site would be protected and retained as part of the proposal although following the response of the Arboricultural Officer further information on this is sought by condition.

Conclusion

24. The proposed development would deliver two new energy efficient affordable homes in a sustainable location without causing material harm to the character of the conservation area, the privacy of neighbouring occupiers or highway safety. The design and layout of the proposal is acceptable and the redevelopment of the car park in this location accords with the provisions of the Local Plan.
25. The development is in accordance with the requirements of the National Planning Policy Framework and the policies of the development plan, and there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application 16/01399/F and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details and samples of facing and roofing materials; windows; joinery; boundary treatments, walls and fences;
4. Details of hard and soft landscaping and planting;
5. Water efficiency;
6. Contamination risk assessment and report to be submitted;
7. Unknown contamination to be addressed;
8. Control on imported materials;
9. Updated Arboricultural Method Statement and Tree Protection Plan to be approved and implemented in accordance with approved documents.
10. Archaeology Written Scheme of Investigation

Article 35(2) Statement

The local planning authority in making its recommendation 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 is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

[illegible]

G/L CLOSE BOARD
G/L CHAIN LINK
C/P CHESTNUT FOLLING
/R RISK RAILING
PAN PANEL
P/R POST & RAIL
P/R POST & MRE

Survey Control
PRIMARY CONTROL STATION

SAPLINGS & BUSHES
CONIFEROUS TREES
DECIDUOUS TREES

Topographical Surveys

ALL BELOW GROUND DETAILS INCLUDING DRAINAGE, VENTS AND SERVICES HAVE BEEN IDENTIFIED FROM ABOVE, GROUND AND THEREFORE ALL DETAILS RELATING TO THESE FEATURES INCLUDING: SIZES, DEPTH, DESCRIPTION WILL BE APPROXIMATE ONLY. ALL CRITICAL DIMENSIONS AND CONNECTIONS SHOULD BE CHECKED AND VERIFIED PRIOR TO STARTING WORK.

DETAIL, SERVICES AND FEATURES MAY NOT HAVE BEEN SURVEYED IF OBSTRUCTED OR NOT REASONABLY VISIBLE AT THE TIME OF THE SURVEY.

MEASUREMENTS TO INTERNAL WALLS ARE TAKEN TO THE WALL FINISHES AT APPROXIMATE 1M ABOVE THE FLOOR LEVEL AND THE WALL ASSUMED TO BE VERTICAL.

THE CLIENT MUST CHECK AND VERIFY ALL SITE AND BUILDING DIMENSIONS, LEVELS, UTILITIES AND DRAINAGE DETAILS PRIOR TO COMMENCING WORK. ANY ERRORS OR DISCREPANCIES MUST BE NOTIFIED TO ROSSUR SURVEY IMMEDIATELY.

THE ACCURACY OF THE DIGITAL DATA IS THE SAME AS THE PLOTTING SCALE IMPLIES. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE STATED.

THE SURVEY CONTROL IDS LISTED ARE ONLY TO BE USED FOR TOPOGRAPHICAL

DO NOT SCALE FROM THIS DRAWING.

CONTROL	ID	EASTING	NORTHING	ELEVATION	DESCRIPTION
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RS01	623219.875	309425.067	3.745	MAG NAR
RS02	623245.859	309430.337	3.812	MAG NAR
RS03	623244.719	309456.318	4.126	MAG NAR



Location Plan 1:1250

Date	Revision	Description	Drawn	Checked
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office farm, letheringham, woodbridge, suffolk, IP13 7RA - 01728 745356 - info@peterwellsarchitects.co.uk

Project : **NCC Garage Site, Cowgate, NR3 1SZ**

Drg. Title :	Existing Site Plan & Location Plan
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Client :	Orwell Housing	Org. Status :	Planning
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Date :	May 2016	Scale :	1:200,	Dwg. No. :	PW766 PI 01	Revision :	/
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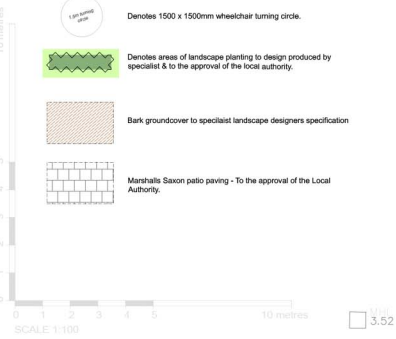


Schedule

Schedule	Beds/Person	Internal Floor Area / m ² [m ²]
Flat 1	1b/2p	46.54 [513]
Flat 2	1b/2p	53.56 [587]
413 m ² [0.04 hectares] Site Area		

LEGEND

- Denotes rotary linen line/dryer.
- Denotes proposed tree planting, layout to be to Specialist design & to the approval of the Local Authority.
- Denotes 2390 x 1790mm timber garden shed for cycle storage etc, to have a permanent lock to BS 3621:2204. Shed to be securely fixed to concrete base.
- Denotes standard 150 litre polythene water butt with childproof lid & stand receiving discharge from c.w. downpipe. Provide draw off tap for water & automatic overflow pipe into adjacent gully. Downpipe must be easily detached for clearing of interior.
- Denotes standard concrete paving slab to private garden areas colour 'Natural' to the approval of the Local Authority.
- Denotes 4m high column street lamp.
- Denotes 2 No 140 litre wheeled bins, General domestic waste & Recycling provided & collected by the Local authority on a weekly rotation basis.
- Denotes recycled plastic compost bin min size 220 litre, 900mm high & 740mm dia.
- Provide min 1800mm high impregnated close boarded anti climb fences with concrete gravel boards & concrete posts to boundaries between private gardens & public spaces and as privacy screen.
- Provide min 1200mm high impregnated close boarded anti climb fences with concrete gravel boards & concrete posts to boundaries between private gardens.
- Provide 600mm high timber knee rail fence
- Provide 1200mm black metal railing fence
- Denotes 1500 x 1500mm wheelchair turning circle.
- Denotes areas of landscape planting to design produced by specialist & to the approval of the local authority.
- Bark groundcover to specialist landscape designers specification
- Marshall's Saxon patio paving - To the approval of the Local Authority.



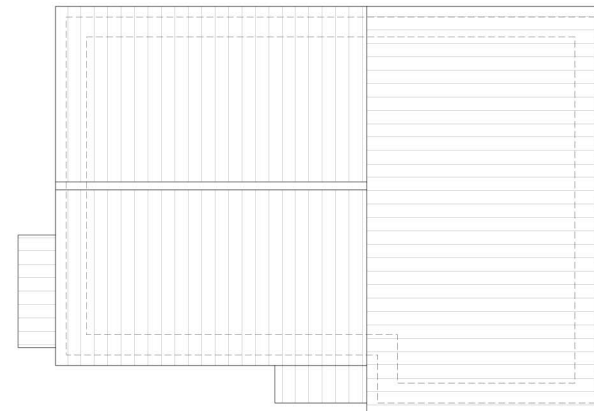
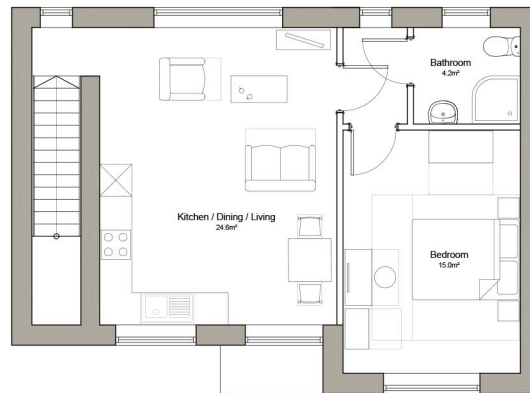
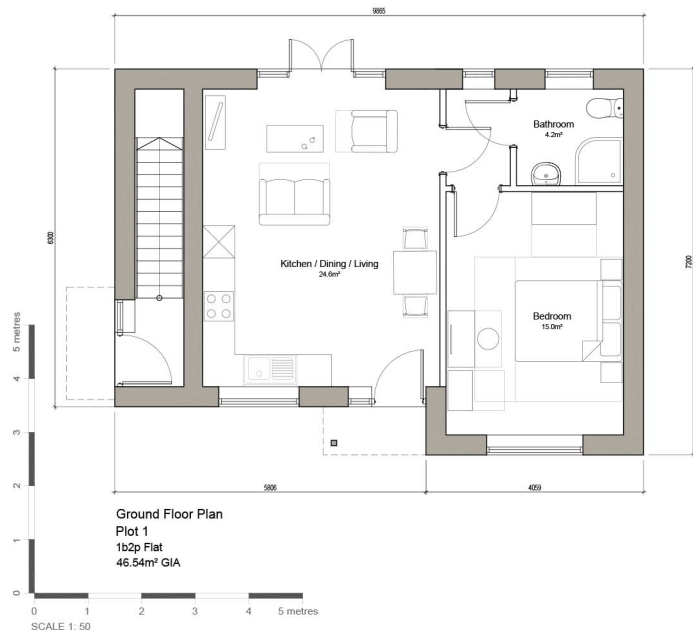
Date	Revision	Description	Drawn	Checked
19.02.16	H	Amended to client's comments	AAB	PW
19.02.16	D	Amended to planner's comments	AAB	PW
19.02.16	F	Amended to planner's comments	AAB	PW
19.02.16	F	Amended to planner's comments	AAB	PW
21.07.16	D	Amended to client's comments	AAB	PW
21.07.16	D	Amended to client's comments	AAB	PW
27.05.16	S	Amended to planner's comments	AAB	PW
09.05.16	A	Amended to client's comments	AAB	PW

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office farm, Iwertham, Woodbridge, Suffolk, IP13 7RA - 01728 745356 - info@peterwellsarchitects.co.uk

Project:	NCC Garage Site, Cowgate, NR3 1SZ			
Dis. Title:	Proposed Site Plan			
Client:	Orwell Housing	Dis. Status:	Planning	
Date:	May 2016	Scale:	1:100 @ A1	Dis. No.: PW766_PL02
				Revision: H

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Roof Plan



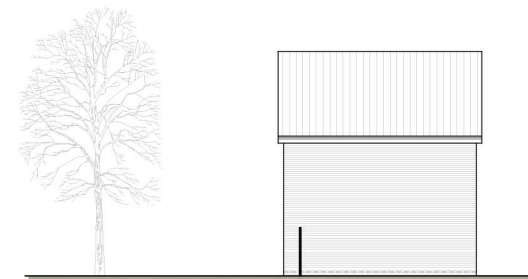
proposed south elevation 1:100



proposed west elevation 1:100

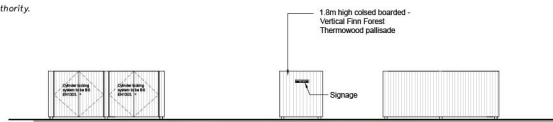


proposed north elevation 1:100



proposed east elevation 1:100

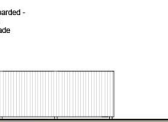
Roof Pitch 35.0 deg.
Grey slate roof tiles to roofs and porch canopy – or as otherwise agreed with local planning authority.
Fascias, soffits & bargeboards to be stained/painted timber – or as otherwise agreed with local planning authority.
Windows and door frames to be Aluminium powder coated grey.
Entrance Doors to be timber or as otherwise agreed with local planning authority.
uPVC gutters & downpipes colour: black
Dark Red multi brickwork in Flemish bond – or as otherwise agreed with local planning authority.
Ino. 1173 x 289mm PV30/500 Veridian Clearline PV panel per unit



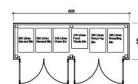
proposed front elevation 1:100



proposed side elevation 1:100



proposed rear elevation 1:100



proposed bin store plan 1:100

Communal Bin Store:

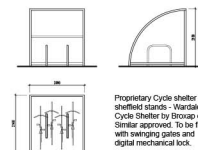
2 x 360 litre wheeled bin for general waste
2 x 360 litre wheeled bin for recyclable waste
1 x 360 litre wheeled bin for glass waste
1 x 240 litre wheeled bin for food waste
1100 litre wheeled bin approx. size:
H 1500mm, W 1400mm and D 1250mm
360 litre wheeled bin approx. size:
H 1250mm, W 600mm and D 900mm
240 litre wheeled bin approx. size:
H 1100mm, W 600mm and D 750mm

Note: The above refuse bin provisions are as agreed with the planners officers during pre-application consultation.

Gates positioned along the access route with a minimum clear opening of 1.5m wide. Gate must be operable from both side and in accordance with Secured by Design standard.

Any pathways making up part of the inclusive access route must be firm, slip resistance and reasonably smooth, with minimum width 1.2m. Access route are designed to be level with dropped kerbs as necessary to allow manoeuvring of large bins to/from refuse kerbs.

There must be space for turning circle of 1.5m diameter for wheelchair user and easy access over the threshold.



proposed cycle store details 1:100

26.11.16	H	Amended to planners comments	AMB	PW
10.05.16	G	Amended to clients comments	AMB	PW
16.05.16	F	Amended to planners comments	AMB	PW
16.05.16	E	Amended to planners comments	AMB	PW
13.05.16	D	Amended to planners comments	AMB	PW
21.07.16	C	Amended to clients comments	AMB	PW
01.07.16	B	Amended to clients comments	AMB	PW
27.06.16	A	Amended to Planners comments	AMB	PW
Date	Revision	Description	Drawn	Checked

peterwellsarchitects
office: farm, ketheringham, woodbridge, suffolk, IP13 7RA - 01728 745356 - info@peterwellsarchitects.co.uk

Project:	NCC Garage Site, Cowgate, NR3 1SZ		
Drg Title:	Proposed Floor Plans & Elevations		
Client:	Orwell Housing	Drg Status:	Planning
Date:	May 2016	Scale:	1:50, 1:100 @ A1
Drg No.:	PW766_PL03	Revision:	H

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