

**Report to** Planning applications committee

**Item**

11 July 2019

**Report of** Head of planning services

**Subject**

Application no 19/00440/MA - St Annes Wharf,  
King Street, Norwich

**Reason**

**for referral**

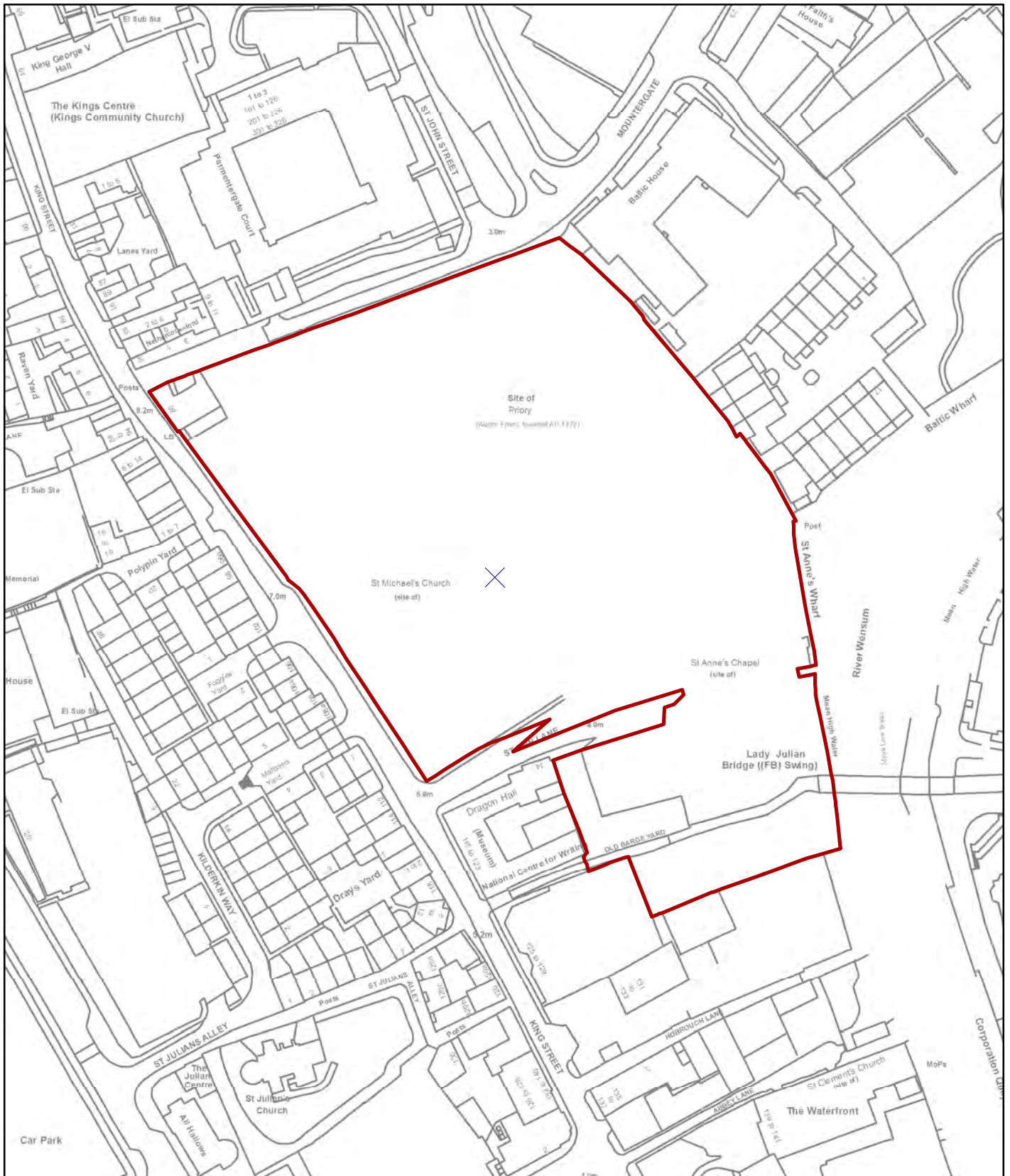
Objection

4(c)

<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Robert Webb - <a href="mailto:robertwebb@norwich.gov.uk">robertwebb@norwich.gov.uk</a>

Development proposal		
Variation of Condition 1 of previous application (no. 16/01893/VC) to allow changes to the plans (design changes to blocks B1, B2, B3, B4, C1, C2, D1, D2, D3, D4, G3 and G4) approved under previous permission no. 04/00605/F.		
Representations		
Object	Comment	Support
4	0	0

Main issues	Key considerations
1 Design changes	Impact of changes on the appearance of the development, the conservation area and amenity of nearby residents.
<b>Expiry date</b>	25 June 2019
<b>Recommendation</b>	Approve subject to conditions and variation of S106 agreement.



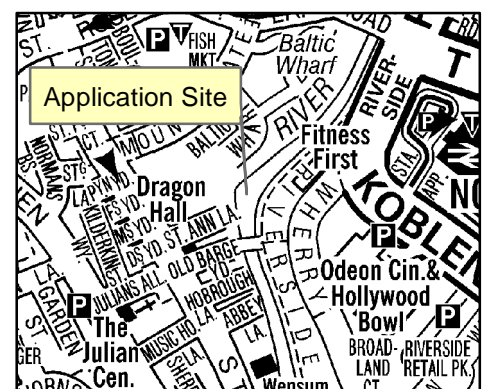
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Planning Application No 19/00440/MA  
 Site Address St Annes Wharf King Street  
 Scale 1:1,500



**NORWICH**  
**City Council**

**PLANNING SERVICES**



## The site and surroundings

1. This application relates to a 2.07 hectare site on King Street where construction is currently underway in association with the implementation of planning reference 2004/00605/F for the comprehensive redevelopment of the site. The original permission had the following description:

The demolition of existing buildings to slab level and the development of the following mixes; 437 residential units, 2128 sq m of A1, A2, A3 and D2 uses (max. 2000 sq m A1), the provision of 305 car parking spaces, riverside walkway, public open space and hard and soft landscaping including external lighting, seating, bollards, walkways, cycle paths, steps and ramps, internal access roads, delivery bays, boundary enclosure, new vehicle and pedestrian and cycle access points, alteration of existing access points and associated infrastructure works.

2. Works to lawfully commence the development took place in 2009 by City Living and Anglia Projects and Development. This included the demolition of buildings on site, the remediation of site contamination, and the construction of the Lady Julian Bridge. Shortly afterwards construction works ceased and the site was put up for sale. It was purchased by Orbit Homes in 2014, with the intention of recommencing works and implementing the permission. Since that time amendments have been made to the application, to ensure the scheme complies with building regulations and to enable a more contemporary and modern design approach. Construction recommenced in 2015 and currently blocks H2 and H3 are nearing completion, with a number of other blocks under construction.
3. The site is prominent in the City Centre Conservation Area with boundaries abutting King Street, Mountergate, the River Wensum and within the immediate vicinity of highly significant listed buildings including Dragon Hall, Howard House and 125-129 King Street (Bennett Building). The eastern boundary of the site abuts Baltic House (office building) and residential properties forming part of the Baltic Wharf development constructed by Hopkins Homes in 2007/08.
4. This application concerns blocks B1, B2, B3, B4, C1, C2, D1, D2, D3 and D4; which are the blocks closest to King Street, on the western side of the overall development site, and follows application 16/01893/VC, which involved similar amendments to other blocks within the overall site.

## Constraints

5. City Centre Conservation Area - King Street character area
6. Listed buildings – Howard House (II\*), Dragon Hall (I), Bennett Building (II\*).
7. Adjacent to the River Wensum (Broad)
8. Area of main archaeological interest
9. Previous industrial site – contamination
10. Part of site is within flood zone 2.

## Relevant planning history

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

Ref	Proposal	Decision	Date
4/2003/0129	<p>The demolition of existing buildings to slab level and the development of the following mixes :-</p> <p>437 residential units, 2180 sq m of A1, A2, A3 and D2 uses(max. 2,000 sq.m. A1), the provision of 305 car parking spaces, riverside walkway, public open space and hard and soft landscaping including external lighting, seating, bollards, walkways, cycle paths, steps and ramps, internal access roads, delivery bays, boundary enclosure, new vehicle and pedestrian and cycle access points, alteration of existing access points and associated infrastructure works.(Revised Scheme)</p>	NOTDE	28/04/2005
4/1991/0372	Retention of 97 King Street and redevelopment of site to provide offices, residential accommodation, studios, workshops, cafe, restaurant/bar, speciality shopping and marina with assoicated car parking.	WD	09/01/1996
4/1997/0668	Demolition of former distribution depot and concrete batching plant.	APCON	10/11/1998
4/1997/0667	Redevelopment of site and conversion of 97 King Street to provide a mixed development of speciality retail units, including plant centre, restaurants, museum, loft apartments with associated car parking, riverside walk and other pedestrian and cycle routes. (Revisions to scheme).	LAPSED	12/01/2006
04/00605/F	The demolition of existing buildings to slab level and the development of the	APPR	16/03/2006

Ref	Proposal	Decision	Date
	<p>following mixes;</p> <p>437 residential units ,2128 sq m of A1,A2 , A3 and D2 uses(max.2000 sq m A1),the provision of 305 car parking spaces,riverside walkway,public open space and hard and soft landscaping including external lighting ,seating,bollards,walkways,cycle paths,steps and ramps,internal access roads,delivery bays,boundary enclosure,new vehicle and pedestrian and cycle access points,alteration of existing access points and associated infrastructure works</p>		
08/00838/U	Use of vacant site as a temporary public car park.	FDO	14/06/2010
08/01171/D	Condition 2: Details of materials; Condition 3: Phasing plan; Condition 6: Archaeology; Condition 7: Archaeology; Condition 8: Decontamination and Removal of unexploded ordnances for previous planning permission 04/00605/F "Demolishment of existing buildings and redevelop site".	FDO	09/12/2011
08/01233/D	<p>Condition 26: Details of Crayfish/Depressed River Mussel of previous planning application 04/00605/F 'The demolition of existing buildings to slab level and the development of the following mixes;</p> <p>437 residential units ,2128 sq m of A1,A2 , A3 and D2 uses(max.2000 sq m A1),the provision of 305 car parking spaces,riverside walkway,public open space and hard and soft landscaping including external lighting ,seating,bollards,walkways,cycle paths,steps and ramps,internal access roads,delivery bays,boundary enclosure,new vehicle and pedestrian and cycle access points,alteration of existing access points and associated</p>	APPR	12/01/2009

Ref	Proposal	Decision	Date
	infrastructure works.'		
09/00222/F	Amendment to planning permission 04/00605/F to provide five additional residential units (block F1 remains at 8 residential units and block G1 increases from 44 to 49 residential units); raising the height of block G1 from 6 to 7 storeys and revised elevational treatment.	CANCLD	01/06/2009
14/01783/NM A	Non-Material Amendment by addition of condition to 04/00605/F requiring development to be built in accordance with approved plans.	APPR	23/12/2014
14/01787/D	Details of condition 6: Archaeological written scheme of investigation and Condition 8: Decontamination and removal of unexploded ordnances of previous permission 04/00605/F.	APPR	19/01/2015
15/01574/D	Details of Condition 3: Phasing and Condition 26: Crayfish/Depressed River Mussel of previous application (no. 04/00605/F).	APPR	19/11/2015
15/01898/D	Details of Condition 5: Energy efficiency and Condition 6: Archaeological Investigation of previous permission 04/00605/F.	APPR	10/02/2016
16/00713/D	Details of Condition 2: sample of materials and Condition 8: Decontamination/Ordnances of previous permission 04/00605/F.	PCO	
16/01036/NM A	Amendment to planning permission 04/00605/F and 14/01783/NMA.	APPR	18/11/2016
16/01893/VC	Variation of Condition 32 (added by ref. 14/01783/NMA) to allow changes to the plans (design changes to blocks D1; D2; E1; F1; F2; F3; G1; G2; G3; H1; H2; H3 and H4) approved under previous permission no. 04/00605/F.	APPR	11/04/2019
17/00295/D	Details of Condition 9: hard and soft landscaping; Condition 10: soft landscaping and Condition 11: hard and soft landscaping of previous permission	APPR	01/03/2019

Ref	Proposal	Decision	Date
	04/00605/F.		
17/01097/D	Details of condition 29 - fire hydrants of planning permission 04/00605/F.	APPR	30/08/2017
17/01204/D	Details of Condition 4(a): windows of previous permission 04/00605/F.	APPR	21/09/2017
17/01924/D	Details of Condition 4(a): windows of planning permission 04/00605/F.	APPR	17/01/2018
17/01968/D	Details of Condition 4(b): eaves, verge, parapet and roof; Condition 4(c): shopfront details; and Condition 27: Heritage interpretation of previous permission 04/00605/F.	APPR	16/02/2018
18/00803/D	Details of Condition 4(c): shopfront; Condition 4(d): balustrade and balconies; Condition 4(f): rainwater goods; Condition 16: litter bins; Condition 18: refuse and cycle storage; Condition 24: street lighting and Condition 25: bird/bat boxes of previous permission 04/00605/F	APPR	09/10/2018
18/01118/D	Details of Condition 14: management agreement and Condition 30: travel plan of previous permission 04/00605/F.	APPR	28/09/2018
18/01409/D	Details of Condition 22 (e): security gates of previous permission 04/00605/F.	APPR	04/10/2018
18/01761/D	Details of Condition 4(g): typical projecting canopies of previous permission 04/00605/F.	APPR	11/01/2019
19/00034/D	Details of Condition 20: servicing areas, Condition 22 (parts a, b, c and d): car park, Condition 27: heritage interpretation and Condition 31: signage of previous permission 04/00605/F (as amended by 14/01783/NMA).	APPR	21/02/2019

## The proposal

12. The application is submitted under section 73 of the Town and Country Planning Act 1990 which allows conditions associated with a planning permission to be varied or removed and for minor material amendments to approved schemes to be sought. The

original application was subject to the Environmental Impact Assessment (EIA) regulations and therefore addendums to the Environmental Assessment have been submitted alongside the application.

13. The application seeks variation of condition 32 to allow changes to the approved plans for the western blocks nearest King Street. Although multiple changes are sought, the most significant changes can be summarised under the following headings:

- a) Amendments to height, massing and appearance of blocks B1, B3, B4, C2 and D4 (King Street facing blocks).
- b) Amendments to blocks B1, B2, B3 and C2 resulting in the conversion of three storey townhouses to duplex apartments; and relocation of bin store to corner of St. Anne's Lane and Central Street.
- c) Amendments to blocks D1, D2, D3 and D4 to increase recreational space within courtyard C; the creation of private gardens and terraces within courtyard D to serve the adjoining townhouses; and increasing the building footprint to the southwest corner of block D4. The addition of another storey to block D3 to provide a further bedroom and roof terrace, following similar changes to blocks D1 and D2 which were approved with a previous application reference 16/01893/VC.
- d) Amendments to blocks G3 and G4 to remove secondary balconies.
- e) Continued conversion of window size from 600x600mm to 800x800mm
- f) Continued amendment of timber cladding to cementitious cladding

14. The changes in full are set out in the table below.

Block	Details of changes
B1	<ul style="list-style-type: none"> <li>- New access to central circulation core provided from King Street by adjustment to King Street entry level apartments.</li> <li>- Render along King Street elevation amended to brickwork.</li> <li>- Timber cladding along King Street amended to brickwork.</li> <li>- Walk-on balconies along King Street amended to Juliette.</li> <li>- Window dimensions adjusted generally.</li> </ul>
B2	<ul style="list-style-type: none"> <li>- Block footprint increased into courtyard B to make apartment floor areas 45m<sup>2</sup></li> <li>- Townhouse units adjacent St. Ann Lane amended to duplex apartments extending into former flat roof area and over ancillary space at LG level.</li> <li>- Bin store formerly located beneath block B1 relocated to block B2.</li> </ul>



Block	Details of changes
	<ul style="list-style-type: none"> <li>- Some 1 bedroom apartments on Upper Ground and First floors amended to 2 bedrooms.</li> <li>- Alley way between blocks B2 and B3 removed and floor area absorbed into adjacent blocks.</li> <li>- Timber cladding amended to marley Eternit Tectiva.</li> </ul>
B3	<ul style="list-style-type: none"> <li>- New access to commercial unit provided from King Street with internal floor level adjustments to suit.</li> <li>- Water tank room adjacent courtyard B relocated to block C2 at LG floor level.</li> <li>- Alley way between blocks B2 and B3 removed and floor area absorbed into adjacent blocks.</li> <li>- B3 bin store on King Street changed to commercial. B3 residential bin store relocated from King Street to Central Street.</li> <li>- Oversailing roof omitted on Block B3.</li> </ul>
B4	<ul style="list-style-type: none"> <li>- Oversailing roofs omitted and parapet upstand walls formed.</li> <li>- Block footprint increased into courtyard B to make apartment floor areas 45m<sup>2</sup></li> </ul>
C1	<ul style="list-style-type: none"> <li>- Render amended to Marley Eternit Tectiva cladding.</li> <li>- Block footprint increased into courtyard C to make apartment floor areas 45m<sup>2</sup>.</li> </ul>
C2	<ul style="list-style-type: none"> <li>- Oversailing roofs omitted and parapet upstand walls formed.</li> <li>- Block footprint increased into courtyard C to make apartment floor areas 45m<sup>2</sup>.</li> </ul>
D1-D2	<ul style="list-style-type: none"> <li>- Red and buff brick and Marley Eternit Tectiva along East and West elevation amended to red and buff brick. Window sizes altered on Upper Ground Floor.</li> <li>- Rooflight omitted and window sizes and configurations altered to block D1 and D2 second floor and roof.</li> </ul>
D3-D4	<ul style="list-style-type: none"> <li>- UG external area reduced adjacent courtyard C and segregated to form private terrace areas</li> <li>- Car park smoke vent within courtyard D relocated to southeastern car park external wall at LG level and courtyard segregated to form private front/rear gardens to townhouses within D1, D2 and D3.</li> </ul>

Block	Details of changes
	<ul style="list-style-type: none"> <li>- Timber cladding amended to Marley Eternit Tectiva.</li> <li>- Footprint of block D4 to Southwestern corner increased.</li> <li>- Additional floor, roof terrace and window changes on Block D3 townhouses.</li> </ul>
E1	<ul style="list-style-type: none"> <li>- No changes proposed (outside extent of Section 73).</li> </ul>
G3 & G4	<ul style="list-style-type: none"> <li>- Some balconies adjacent courtyard G amended from walk on to Juliette type.</li> </ul>

## Representations

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

Issues raised	Response
The buildings will be more imposing as a result of the changes, meaning less light and space for pedestrians, residents and vehicles	See paragraphs 45, 46 and 48.
The square roof design is at odds with the historic style of building on King Street. The design is not finished to a high enough standard. The overhanging roofs adjacent to Dragon Hall and Howard House are particularly over-dominant and unsympathetic.	See paragraphs 45-46.
It seems wrong that the overall appearance of King Street should suffer due to miscalculations about site levels.	See paragraphs 45-46.

## Consultation responses

16. 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.

### Anglian Water

17. No comments received.

## **Broads Authority**

18. We commented on the previous application under your ref 16/01893/VC, our ref BA/2016/0452/NEIGHB, raising issues regarding the increase in height of 'H' blocks and changes to the proposed materials and objecting to that proposal. Our stance on the development has not altered. However, with specific regard to the current proposal, this relates to areas of the site which are away from the river and to the west of the site, given the existence of multiple buildings between those block and the river any additional impact on the Broads area would be negligible. Therefore in conclusion we do not wish to raise an objection to the application for design changes to blocks B1, B2, B3, B4, C1, C2, D1, D2, D3, D4, G3 and G4.

## **Design and conservation**

19. I consider that the revised design is a positive improvement upon the approved extant scheme and favour the stepped elevations and the movement & rhythm that it provides to the street. The revised scheme emphasises a narrow plot width to individual blocks, or at least the appearance of this – which the Benoy scheme failed to do.

20. The applicants have removed the glass balustrades and the faux slate like cladding material from the King Street elevations. Originally the scheme permitted timber board cladding, but after long discussions and negotiations – the slate colour composite board was agreed upon for all but the elevations fronting King Street, due to these blocks close proximity to both Dragon Hall and Howard House.

## **Environmental protection**

21. No comments received.

## **Highways (local)**

22. No objection on highway grounds. The proposed changes do not have highway implications

## **Highways (strategic)**

23. I have no strategic highway issues to raise and accordingly I am content for your in-house highway advisers to provide the formal statutory highway response.

## **Historic England**

24. On the basis of the information available to date, Historic England do not wish to offer any comments. We would therefore suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

## **Landscape**

25. Concerns raised regarding encroachment of building line towards King Street, and reduction of communal open space.

## **Lead Local Flood Authority**

26. I can confirm that the County Council as Lead Local Flood Authority has no comments to make. This is due to the proposed changes not involving anything relating to surface water or drainage.

## **Natural England**

27. Natural England currently has no comment to make on the variation of condition 1. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us any further consultations regarding this development, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

## **Norfolk historic environment service**

28. The previous archaeological ground investigations were very focussed on the locations of the proposed piles. We need a plan showing the previous piling locations, new proposed piling locations, and the locations of previous trial pits. There may be the need for a further WSI if the trial pits do not match up with the new proposed piling locations.

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

29. I have reviewed the proposals and welcome the alteration of 3d 'Alleyway between blocks B2 & B3 removed and floor area absorbed into adjacent blocks'. This decreases the permeability in this area.
30. I advise for every opportunity to be taken to reduce the permeability for this development, be it by removal of alleyway or at the very least gating (i.e. as proposed between Blocks C1 & B1). A no-through route within the blocks will give the residents a sense of ownership and encourages a feeling of ownership and discourages anyone intent on criminal behaviour as not only are they likely to be seen by residents within the development and potentially challenged – but they have nowhere to go within the development.

## **Norwich Society**

31. We feel that the elevations to King Street are of lower quality than the approved application (which was barely acceptable in the first place), and will harm the character of this important character area of the city centre conservation area. We feel that the very abrupt termination of the parapets and relatively featureless brick walls forms an uncomfortable juxtaposition with the historic buildings on this street, as well as, indeed, the more sympathetically designed new-build properties on the other side of the road. We therefore object to this application on the grounds of policy DM3, and suggest that the architect seeks an alternative treatment to this elevation which is more in keeping with the surrounding conservation area.
32. The designs and details should pay more respect to the many historic buildings remaining in the street, particularly Howard House, Dragon Hall and the recently built dwellings opposite which seek to replicate the former yards and courts in a modern manner.

## **Assessment of planning considerations**

### **Relevant development plan policies**

#### **33. 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
- JCS5 The economy
- JCS6 Access and transportation
- JCS9 Strategy for growth in the Norwich policy area
- JCS10 Locations for major new or expanded communities in the Norwich policy area
- JCS11 Norwich city centre
- JCS18 The Broads

#### **34. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM16 Supporting the needs of business
- DM17 Supporting small business
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety

- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

### **35. Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)**

- CC6 St. Anne's Wharf and adjoining land

### **Other material considerations**

### **36. Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of homes
- NPPF6 Building a strong, competitive economy
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

### **37. Supplementary Planning Documents (SPD)**

- Affordable housing SPD adopted March 2015
- Open space & play space SPD adopted Oct 2015
- Landscape and trees SPD adopted June 2016

### **Case Assessment**

38. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.
39. The application is made under section 73 of The Town and Country Planning Act 1990 as amended and therefore it is only the question of the conditions subject to which planning permission should be granted that can be considered. Therefore no opportunity is provided to reassess the principle or acceptability of the development in general. However, it remains the case that the application must be determined according to the current development plan and other material considerations.
40. Since the application was originally determined the NPPF has been published and a new Norwich Local Plan and Joint Core Strategy have been adopted. The Local plan includes a site specific policy for the site CC6 St Anne's Wharf and adjoining land.

41. The development scheme approved in 2006 consists of a housing led mixed use scheme on a formerly industrial, city centre site. The location is highly accessible and the high density scheme makes efficient use of a brownfield site. National and local planning policies continue to promote sustainable development of brownfield land, the delivery of housing and a mix of uses which create jobs and economic benefit. The approved scheme remains broadly compliant with the current development plan and the scope of the assessment is confined to the specific changes sought and to particular changes in site conditions.

### **Consideration of the changes sought**

42. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 124-132 and 184-202.
43. The scope of the assessment relates to the impacts of the changes sought, and their impact on design, heritage assets and amenities of future occupiers and neighbouring occupiers.
44. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possesses and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.

#### **a) Amendments to height, massing and appearance of blocks B1, B3, B4, C2 and D4.**

45. The applicant has sought to improve the elevational design facing King Street and improve the cohesion with the existing built environment compared to the previous Benoy scheme. It seeks to echo the townhouse street scene of the buildings opposite. The proportions of the blocks have been changed from being low and wide to taller more elegant frontages through transitions in material colour, increased parapet heights and larger full height windows. Feature panels of burglar bond brickwork have been introduced and the previous glazed balconies have been replaced with vertical steel railings. A number of extraneous roofs have been removed from the scheme, together with ground floor balconies.
46. Further information has been sought during the application process to fully understand the extent and implications of the changes proposed. The increase in height across a number of blocks is relatively modest, with no block increasing more than 1.6m in height and the increase across most of the blocks being approximately half of that amount. There would be negligible change to the building footprint. It is not considered that the changes would result in the façade being unduly overbearing or causing material harm through overshadowing, given that the changes compared to the previous approved scheme are not significant. This is further mitigated by the removal of the oversailing roof features from each corner block on King Street, an amendment agreed during the application process.

47. The changes are supported by the conservation officer and are considered to represent an improvement with the elevation being more contemporary and sympathetic to the characteristics of King Street, albeit with a modern flat roof appearance.
48. Overall, compared the previously approved scheme, the changes represent an improvement in terms of impact on the conservation area and the setting of adjacent listed buildings, and would preserve the character of these heritage assets. It has also been confirmed that the landscaping of King Street already agreed would not be compromised by the changes sought.

**b) Amendments to blocks B1, B2, B3 and C2, resulting in conversion of three storey townhouses to duplex apartments, relocation of bin store to corner of St. Anne's Lane and Central Street.**

49. There is no objection to the conversion of the townhouses to duplex apartments, which the developers consider will be more marketable in that particular location. It is slightly regrettable that the resultant ground floor space for the corner building will be converted to a bin store, given its fairly prominent location on the corner of a street. However this facility will now be far more accessible compared to the previous scheme. To mitigate this impact the proposal would introduce dummy windows for the bin store, mimicking the adjacent commercial units to improve cohesion within the street scene. On balance the change is considered acceptable, particularly given the lack of viable alternatives.

**c) Amendments to blocks D1, D2, D3 and D4 to increase recreational space within courtyard C, the creation of private gardens and terraces within courtyard D to serve the adjoining townhouses, increasing the building footprint to the southwest corner of block D4. The addition of another storey to block D3 to provide a further bedroom and roof terrace, following similar changes to blocks D1 and D2 which were approved with a previous application reference 16/01893/VC.**

50. The increased usable communal space for courtyard C is welcomed. The change of courtyard D from a communal space to provide some private gardens is considered acceptable, given it was likely to be mainly used by the townhouse properties surrounding it, each of which will now benefit from an additional private or semi-private outdoor space. The precise details of boundary treatments for this area will be sought by condition, but these should be low level adjacent to the circulation route and use high quality materials.
51. The additional storey to block D3 will result in two larger properties with additional en-suite bedrooms and roof terraces. On the negative side it will increase overshadowing and affect outlook to the adjacent properties within block D2. On balance, it is considered that the impact over and above what has already been approved would not be significant, and the change is considered acceptable, bearing in mind the urban context and tight knit character of the development generally.

**d) Amendments to blocks G3 and G4, to remove secondary balconies.**

52. The approved scheme features apartments with walk-on balconies serving both the living room and bedroom to the northern and eastern elevations of blocks G3 and G4. It is proposed to remove the balconies to the bedroom spaces whilst retaining those



serving the living room spaces. On the basis that each of the flats concerned would retain a private outdoor amenity space, this change is acceptable.

**e) Continued conversion of window size from 600x600mm to 800x800mm**

53. As part of the previous Section 73 application to vary aspects of the development, a number of windows were increased in size to 800x800mm to increase natural lighting within apartments. It is proposed to continue this change through into the next phases which are the subject of the current application. The position of each window concerned remains the same. This is considered to be a positive change that will improve occupier amenity without causing material harm.

**f) Continued amendment of timber cladding to cementitious cladding**

54. The original scheme featured timber cladding extensively across the development and this was amended via the previous Section 73 application to cementitious cladding in a number of areas. It is proposed to continue this change for the blocks which are the subject of the current application, to ensure consistency across the development.
55. Careful consideration was given to this issue during the previous application process. It was accepted that concerns about the longevity and impacts of weathering on the timber cladding were legitimate and the grey tone of the Tectavia Eternit board in pebble was considered to be of an appropriate quality of finish. This material would not be used on the King Street facing elevation, nor on the elevations in close proximity to Dragon Hall or Howard House. Where it is proposed to be used, this is considered acceptable to ensure consistency in the design.

**Other matters**

56. No objections have been raised by the Transportation Officer with respect to the transport impact of the proposal. In addition there is not considered to be material implications for flood risk given that the building footprints have not altered significantly.
57. A condition is recommended requiring details of any new implications for archaeological works given the slight amendments to the building footprints in certain locations.

**Equalities and diversity issues**

58. There are no significant equality or diversity issues.

**S106 Obligations**

59. The Section 106 legal agreement for the original scheme requires revision to extend the requirements of the legal agreement to this application.

**Local finance considerations**

60. 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.

61. 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.
62. In this case local finance considerations are not considered to be material to the case.

## Conclusion

63. The proposed changes to the approved development are considered acceptable. They would have the effect of updating the appearance of the development, overcoming construction difficulties with the original approved scheme, improving operational efficiency and increasing the size and amount of private amenity space available to a number of the approved dwellings. The proposal would preserve the character of the conservation area and adjacent listed buildings. The development is subject to EIA and the impact of the proposed changes has been assessed and considered to have no material additional environment effect.

## Recommendation

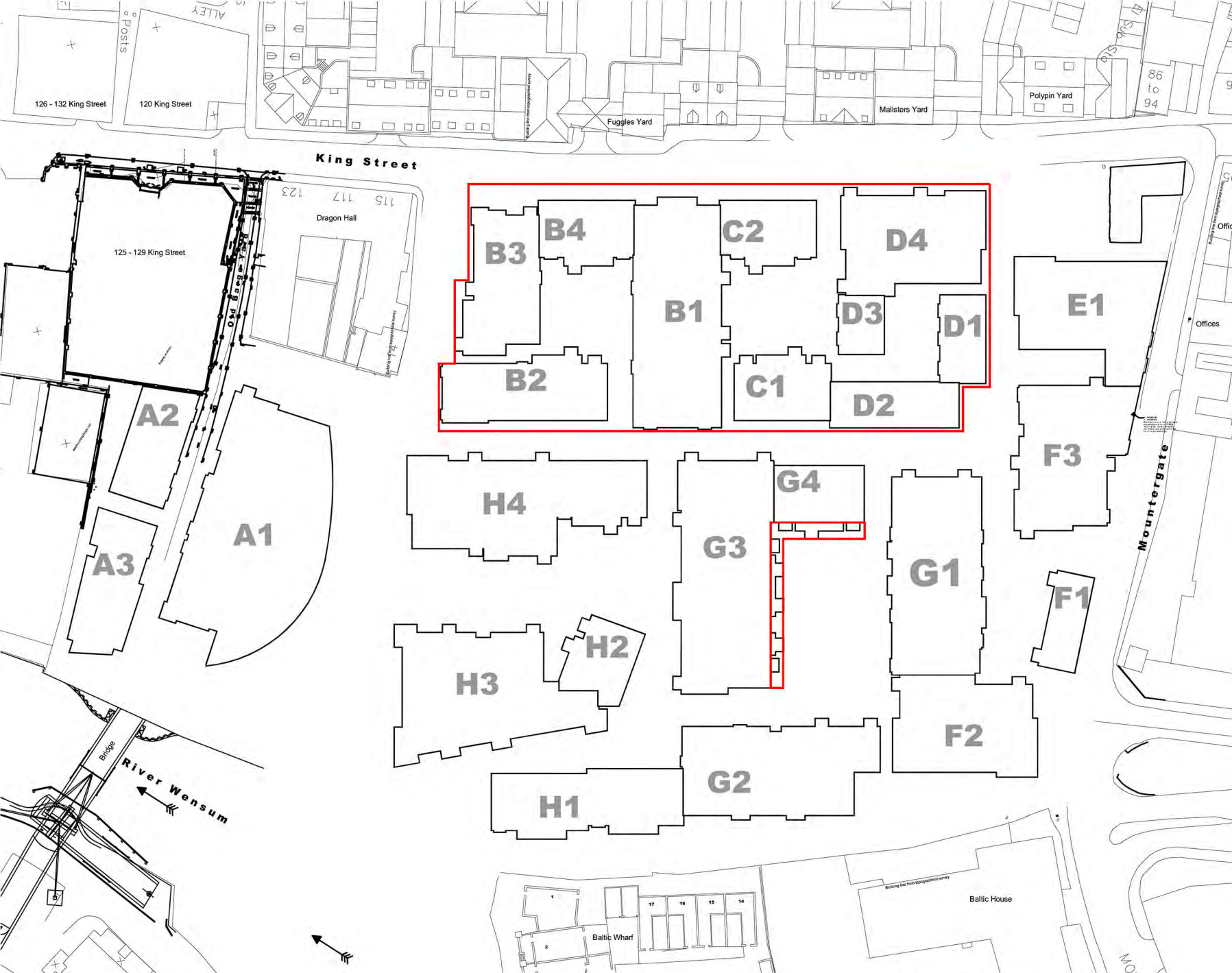
To approve application 19/00440/MA and grant planning permission subject to the following conditions and deed of variation of the S106 obligation. Conditions imposed in relation to 04/00605/F and 16/01893/VC are re-imposed and modified to take account of conditions already discharged and the new details approved.

1. In accordance with plans;
2. Materials (other)
3. Approved window and balcony system and plan
4. Phasing plans
5. Development in accordance with approved energy efficiency measures
6. Archaeology for blocks A1, A2, A3, E1, F1, F2, F G1, G2, G3, G4, H1, H2, H3, H4.
7. Updated Archaeology information for blocks B1, B2, B3, B4, C1, C2, D1, D2, D3, D4.
8. Unexpected contamination
9. Imported topsoil and subsoil
9. Hard and soft landscaping – approval and implementation
10. Replacement of trees/shrubs
11. Plant and machinery
12. Management Agreement:
  - (a) a restrictive servicing arrangement to take place outside the hours of 1030 to 1630 on any day;
  - (b) servicing vehicles to travel in a clockwise direction from Mountergate (adjacent Baltic House) through to King Street (via St Anne Lane);
  - (c) maintenance of the landscaping and planted areas;
  - (d) cleaning of litter from the permissive and pedestrian routes;
  - (e) telecommunications, communal satellite and terrestrial aerials arrangements for the development.
12. Agreement of flues, extraction, ventilation or filtration equipment in relation to A3 uses
13. No materials shall be kept, deposited or stored in the open
14. Agreement and implementation of refuse and cycle storage areas

15. There shall be no amplified sound in any of the restaurants (Class A3) or retail (Class A1) units before the Local Planning Authority has agreed details
16. Servicing areas shall be clearly marked, and available for use
17. Restricted goods - retail units
18. Parking details to be agreed
19. The Riverside Walk and other permissive and pedestrian routes shall be constructed and provided in accordance with a scheme to be first approved by the Local Planning Authority and shall thereafter be permanently retained.
20. Street lighting in accordance with approved details.
21. Nest boxes for birds and bats
22. Interpretation of archaeological investigation/ former Synagogue Street; the sacrifices of Corporal Day VC.
23. Fire Hydrants
24. Travel plan
25. Directional signage.

**Article 32(5) statement**

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



All dimensions to be verified on site by Main Contractor before the start of any shop drawings or work whatsoever either on their own behalf or that of sub-contractors.  
Report any discrepancies to the Contract Administrator at once.  
This drawing is to be read with all relevant Architect's and Engineer's drawings and other relevant information.  
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LEGEND: DO NOT SCALE  
Buildings affected by application

A	19.11.18	First Issue	DP	DI
Revision:	Date:	Description:	Dwn:	Chk:



Vision, form and function

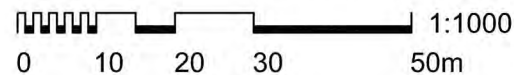
Norwich  
8 Whiling Road  
Norwich Business Park  
Norwich NR4 6DN  
T: 01603 666847  
www.ingletonwood.co.uk

Project: St Annes Wharf  
King Street  
Norwich

Drawing Title: Section 73 Application Plan

Client: Orbit Homes Ltd

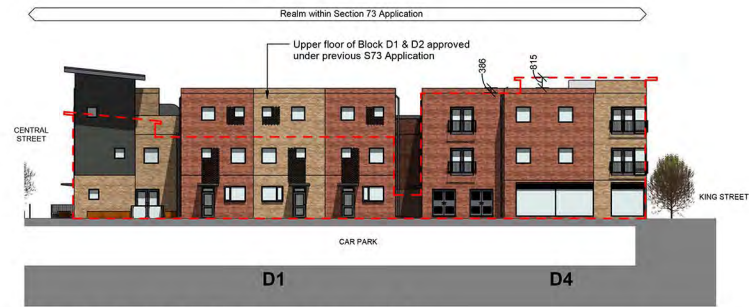
Drawn:	Checked:	Date:	Scale:	Paper Size:
DP	DI	19.11.18	1:1000	A4
Job No.:	Dwg No.:	Stage:	Revision:	
31359	11007_2	PLANNING	A	







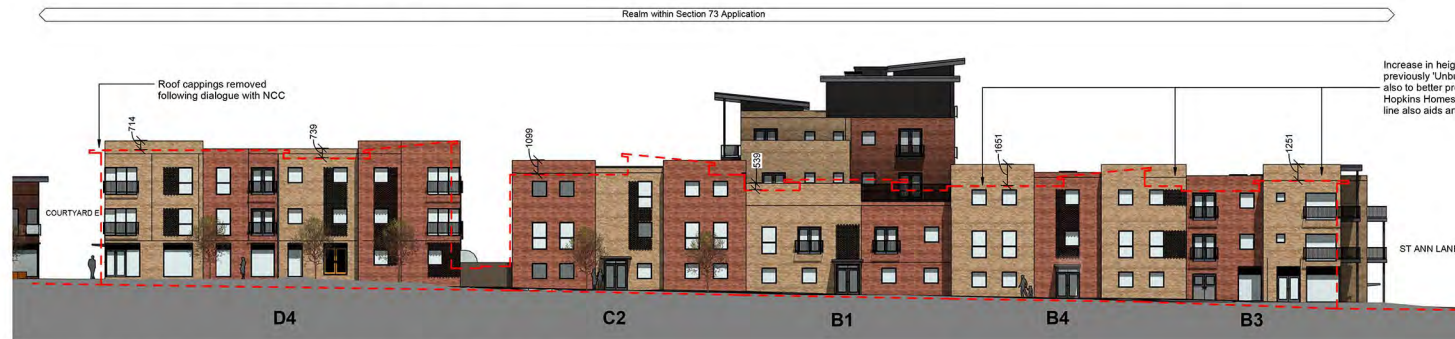
ST. ANNE LANE ELEVATION



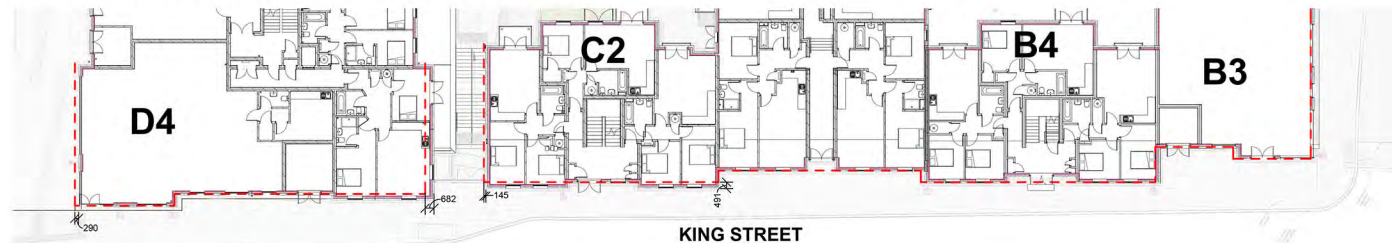
CENTRAL STREET ELEVATION



ORIGINAL BENOY PLANNING CONSENT



KING STREET ELEVATION AS PROPOSED IW



COMPARISON PLAN OF KING STREET FRONTAGE

Ingleton Wood LLP shall have no liability to the Employer arising out of any unauthorized modification or amendment to, or any transmission, copy or use of the material, or any proprietary work retained therein, by the Employer, Other Project Team Member, or any other third party.

All dimensions are to be checked and verified on-site by the Main Contractor prior to commencement, any discrepancies are to be reported to the Contract Administrator.

This drawing is to be read in conjunction with all other relevant drawings and specifications.

Do Not Scale

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#### LEGEND

- Outline of previous Benoy planning consent circa 2006.
- Spot heights provided for information to illustrate differences in height/alignment

1	First Issue	20.06.19	DP	JD
Rev	Comment	Date	Chk	App
Project No	31359	Scale @ A1:	1:200	Drawn By: DP



#### Vision, form and function

Project:  
St. Annes Wharf  
King Street, Norwich

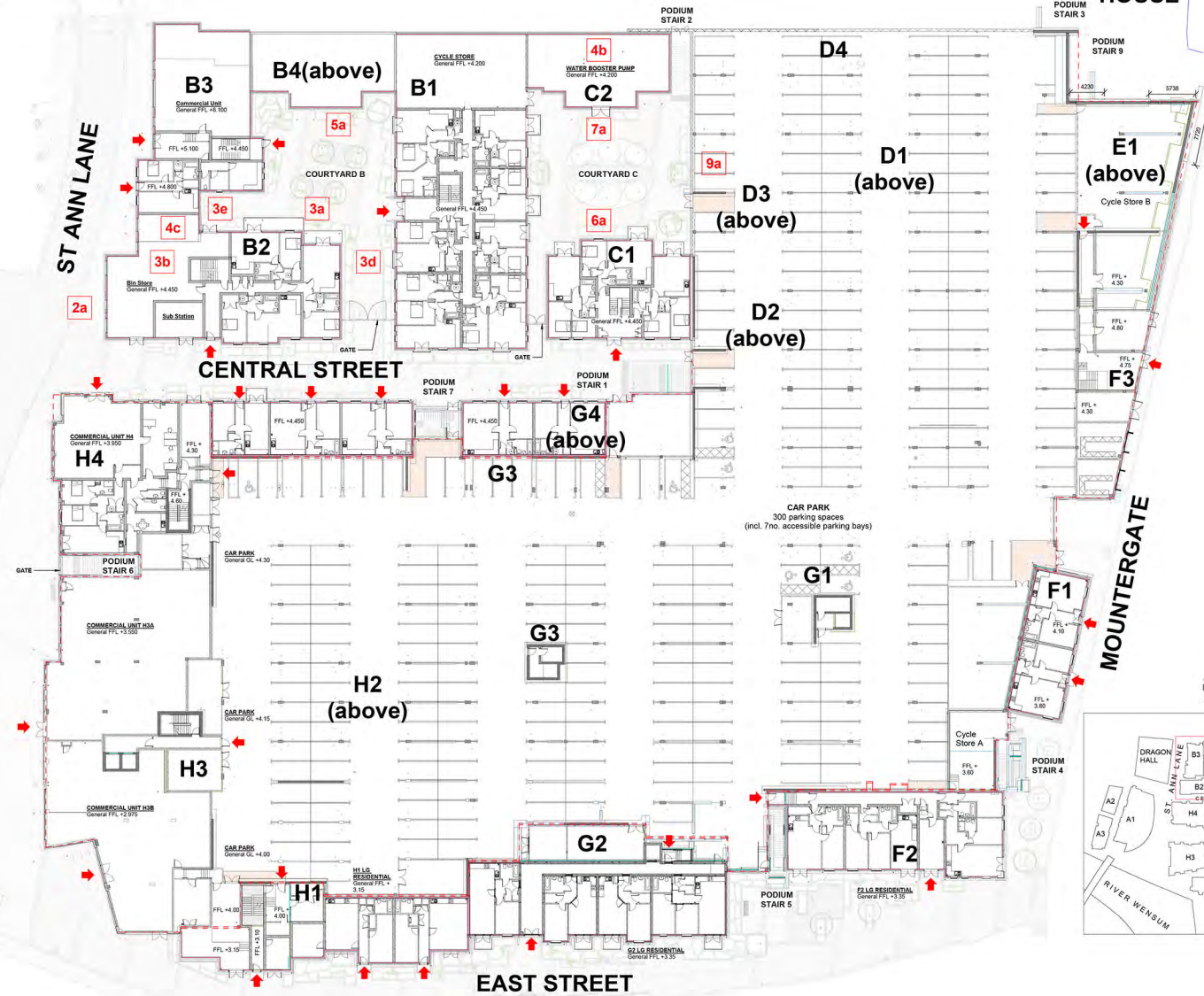
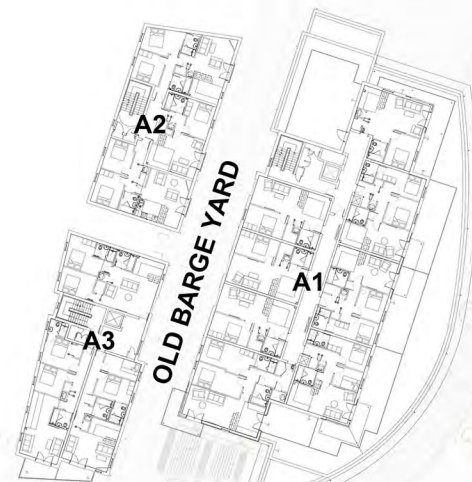
Client:  
Orbit Homes Limited

Title:  
Benoy Consent Vs IW S73  
Application Illustrative Drawings

Drawing Number:  
31359-IW-XX-XX-DR-A-2599

Status: INFORMATION

Revision: 1

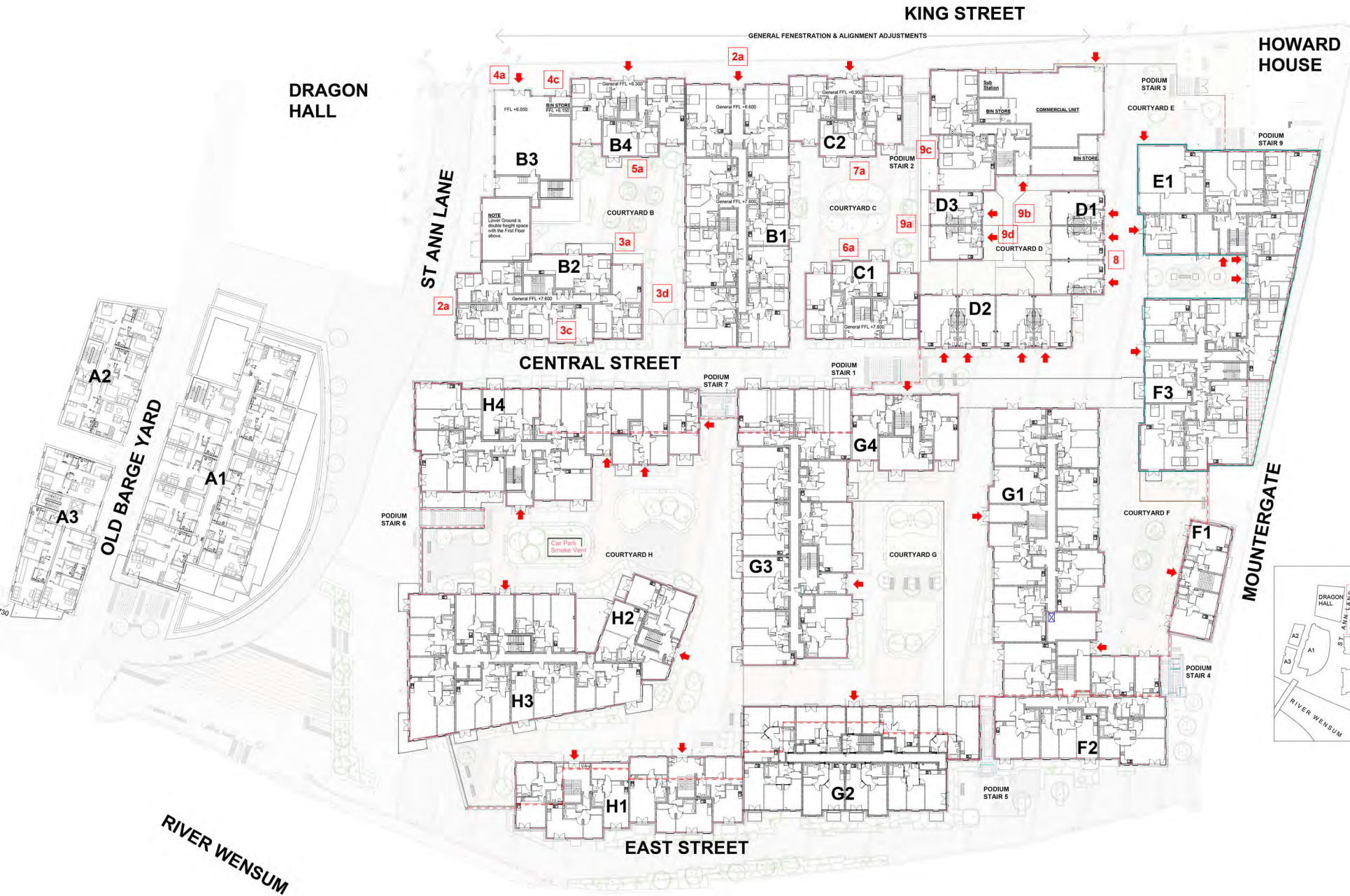
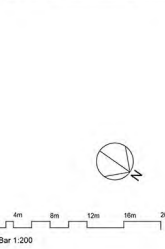




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Rev		Section 15 Design Summary
1	A1 - A3	No changes proposed outside extent of Section 15
2	B1	New access to existing car park area provided from King Street adjacent to existing car park area and new access to car park area
3	B2	Partially along King Street elevation amended to brickwork
4	B3	Traverse existing along King Street elevation amended to brickwork
5	B4	Traverse existing along King Street elevation amended to brickwork
6	B5	Traverse existing along King Street elevation amended to brickwork
7	B6	Traverse existing along King Street elevation amended to brickwork
8	B7	Traverse existing along King Street elevation amended to brickwork
9	B8	Traverse existing along King Street elevation amended to brickwork
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11	B10	Traverse existing along King Street elevation amended to brickwork
12	B11	Traverse existing along King Street elevation amended to brickwork
13	B12	Traverse existing along King Street elevation amended to brickwork
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15	B14	Traverse existing along King Street elevation amended to brickwork
16	B15	Traverse existing along King Street elevation amended to brickwork
17	B16	Traverse existing along King Street elevation amended to brickwork
18	B17	Traverse existing along King Street elevation amended to brickwork
19	B18	Traverse existing along King Street elevation amended to brickwork
20	B19	Traverse existing along King Street elevation amended to brickwork
21	B20	Traverse existing along King Street elevation amended to brickwork
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32	B31	Traverse existing along King Street elevation amended to brickwork
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101	B100	Traverse existing along King Street elevation amended to brickwork

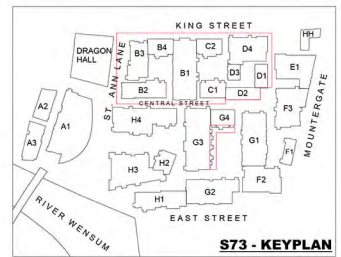




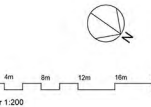


**Revised Plan** Section 73 Change Summary

Ref	Section 73 Change Summary
1	1-11-11 No change proposed outside extent of Section 73
2	2-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.
3	3-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.
4	4-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.
5	5-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.
6	6-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.
7	7-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.
8	8-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.
9	9-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.
10	10-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.
11	11-11-11 New access to central courtyard proposed from King Street, adjacent to Howard House, to provide access to the central courtyard. Howard House King Street elevation amended to include work. Further opening along King Street elevation amended to include work.

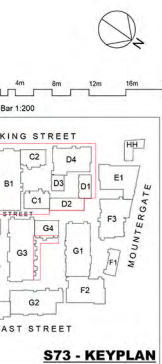




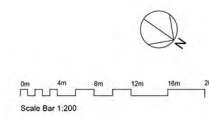


**S73 - KEYPLAN**

1	275 masterplans - Landscaping underlay updated to reflect current Landscape Architect's proposals	22.03.19	OK
Rev Comment		Date	CHK
Project No	Scale @ A0:	Drawn By	
31359	As indicated	Ct	



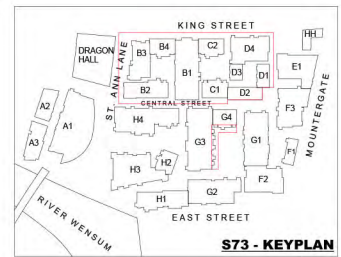
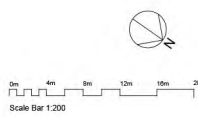




Ingleton House is a proposed development of 100 residential units, including 100% affordable housing, located on the site of the former King Street, Norwich. The development is proposed to be built on the site of the former King Street, Norwich, and is proposed to be built on the site of the former King Street, Norwich. The development is proposed to be built on the site of the former King Street, Norwich, and is proposed to be built on the site of the former King Street, Norwich.



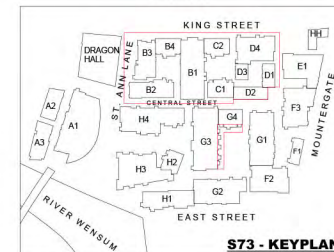
Ref	Issue Ref	Section 75 Change Summary
1	10-100	See changes to the proposed development of the site of the former King Street, Norwich.
2	10-100	See changes to the proposed development of the site of the former King Street, Norwich.
3	10-100	See changes to the proposed development of the site of the former King Street, Norwich.
4	10-100	See changes to the proposed development of the site of the former King Street, Norwich.
5	10-100	See changes to the proposed development of the site of the former King Street, Norwich.
6	10-100	See changes to the proposed development of the site of the former King Street, Norwich.
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9	10-100	See changes to the proposed development of the site of the former King Street, Norwich.
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11	10-100	See changes to the proposed development of the site of the former King Street, Norwich.
12	10-100	See changes to the proposed development of the site of the former King Street, Norwich.



1	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
2	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
3	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
4	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
5	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
6	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
7	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
8	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
9	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
10	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
11	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10
12	10-100	See changes to the proposed development of the site of the former King Street, Norwich.	20-10-10	20-10-10	20-10-10

Ingleton Wood  
Vision, form and function  
St. Annes Wharf  
King Street, Norwich

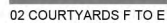
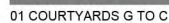




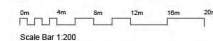
1	ST3 installers - Landscaping underlay updated to reflect current Landscape Architect's proposals	05.03.19	Di
Rev/Comment		Date	CHK
Project No: 31350		Scale @ A2: As indicated	Drawn By: CH





[illegible]

3	171 Elevations - Flag up north oriented to record station on blocks B3 & C4 along King Street elevation. Burger's Pond added to King Street elevation on block B4. Glass railing suggested to match existing on King Street elevation on block B7. Brick 3rd step up roof on 33 North Lane Elevations should be decreased as well as step up roof on block B2	26.06.19	CP
2	171 North & East elevations - areas of Burger's Pond added to blocks B2 and B3	26.02.19	CP
1	Assessments to King Street elevations from NC1 comments	16.01.19	CP
Main Comment		Scale: 1:100	Drawn by: CP
Project No: 31359		Scale: A3: 1:200	Drawn by: CP





#	Feature	Issue	Resolution
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93	100	100	100
94	100	100	100
95	100	100	100
96	100	100	100
97	100	100	100
98	100	100	100
99	100	100	100
100	100	100	100

[illegible]



