

**Planning Applications Committee: 11 January 2018**

**Updates to reports**

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**Application: 17/01762/F**  
**Item 4(a) Page 17-32**  
**Freed Man PH, 112 St Mildreds Road**

Recommended informative:

- 1) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Additional letter of representation received from Friends of West Earlham Woods, highlighting the need to ensure the trees at the rear of the site are protected.

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**Application: 16/01936/F**  
**Item 4(c) Page 43-64**  
**15 St Margarets Street**

Page 45 Para 2 and 53 para 44 – Reference to number of flats in no 37 St Benedicts Street – should read 1-8 as opposed to 2-4a.

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**Application: 16/01950/O**  
**Item 4(d) Page 65-120**  
**St Mary's Works, Duke Street**

Representations - Two further letters of representation have been received:  
Letter of objection citing the following issues in relation to affordable housing:

1. In relation to St Peters Church application (15/01928/F) Planning Applications Committee did not rigidly agree a 20% profit
2. The paper is confusing and incorrect in several respects
3. The objector's calculations indicate that full policy compliance can be achieved at a profit of £11, 066, 796 (13.8% profit)
4. If excessive professional fees at (10%) were halved (5%) then full policy compliance is achieved at £13, 348, 634 profit (16.6%)
5. Derivation of profit figures in para 133 is not shown and believed to be wrong.
6. In accordance with the SPD full affordable housing should be the minimum

7. Application is extremely flawed in delivering affordable housing and does not meet SPD or JCS4

Officers response;

1. Development viability has been independently reviewed by the District Valuation Office. Independent review is in accordance with para, 52 of the SPD. The DVO normally adopt a developer rate of 20% on value and 17.5% for commercial. These profit levels are substantiated by appeal and case law decisions and are reasonable for development of this scale and complexity (St Peter scheme related to 20 flats).

The applicant has agreed to the payment of a minimum sum £353,234. The DVO independent review shows that with this contribution the developer profit would be marginally below 20% (showing a deficit of £95,000).

The applicant's figures show a lower level of profit with this level of payment (18.17% of costs) – This variation compared to the DVO figure is due to the applicant including higher development costs compared to the DVO.

Development costs will be verified when further reviews are undertaken.

Development viability will be subject to a minimum of two further reviews. The proportion of affordable housing will be increased if viability improves.

3. This scenario assumes that development will be viable with a profit level of 13.8% (6.2% lower than DVO profit level)
4. This reduction in professional fees is not substantiated. The DVO has advised a professional fee level of 10% is reasonable in this case. The applicant has advised that the requirement for the information to support the application and further costs for the reserve matter application does not permit any reduction in the Professional fees.
5. The figures in para 133 are derived from the DVO report.
6. The SPD indicates that this should be the minimum where applications are Outline. Where applications are 'full' outlines with all/most matters reserved there is insufficient information about the scheme to assess viability. In these cases the consideration of viability is deferred to reserve matters stage i.e. after the principle of development has been approved.

Where more details are available, the local authority has the opportunity to consider viability at the stage where the principle and form and mix of development are being determined. This provides the decision maker a greater understanding and certainty of the outcome of the planning decisions being made. This is the situation with this application.

7. The approach to affordable housing is in accordance with the SPD. JCS4 policy states that the proportion of affordable housing may be reduced where

such requirements would render the site unviable in prevailing market conditions. In terms of JCS 4 - on the basis of the independent assessment a reduced proportion of affordable housing has been justified. The developer has agreed to an affordable housing contribution being secured at this stage (£353K or 4 on site) and reviewed at reserve matters stage and following commencement of development. This will enable the proportion of affordable housing to be increased if development viability improves.

Letter of support received - creation of a creative quarter is supported – Norwich currently lacks a place for people to meet, create, live/work, socialise and stay.

### **Main issue 5**

Para 131 - CIL estimate figure has increased due to floor space changes and 2018 charges - estimate is now £997, 792

### **Recommendation**

Additional planning conditions:

- Control of extraction/vents and plant
- Hours restrictions for retail/café uses – 7am -11.30pm

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**Application: 17/01558/F**  
**Item 4(e) Page 112-132**  
**Land East of 14 Dowding Road**

Paragraph 23 should now read: “General material details have been provided however further details should be secured by condition”.

### **Representation**

A further letter of representation has been received. The letter re-iterates issues relating to highway and pedestrian safety:

1. There are significantly more cars on the estate than was originally planned for with no infrastructure improvements
2. Concerns regarding lack of parking provision for new dwelling and causing blockages on the narrow roads in combination with existing parking problems
3. No pedestrian footpaths provided
4. Site also has to accommodate pedestrian and cycle traffic from the industrial estate

### **Officer's response**

New roads were created for the new housing development approved in 2009 (07/01427/O) however there were no improvements (other than post construction repair) to the existing roads at that time. Whilst it is noted that there has been an increase in the number of vehicles and pedestrians on the estate in recent years, the proposal is not expected to result in a further significant increase. In addition, as stated within the committee report, the proposal provides a level of parking which is policy compliant (2 parking spaces). Officers consider improvements to the highways or pedestrian footways throughout the site are not justified and disproportionate to the scale of proposed development.