

Report for Resolution

Report to Planning Applications Committee
Date 31 March 2011
Report of Head of Planning Services
Subject 10/00907/F Land at The Corner of St Saviours Lane and Blackfriars Street Norwich

Item
5(10)

SUMMARY

Description:	Redevelopment of site to provide for 37 No. dwelling units (16 No. one and two bedroom flats and 21 No. three and four bedroom townhouses) with offices (201.75sqm) and associated car parking spaces.	
Reason for consideration at Committee:	Major Development+ Viability Issues	
Recommendation:	Approve + Subject to signing of Section 106 Agreement	
Ward:	Mancroft	
Contact Officer:	Gary Howe	Team Leader (Inner Area) 01603 212507
Valid date:	8th June 2010	
Applicant:	Country and Metropolitan Homes	
Agent:	DPP	

INTRODUCTION

The Site

Location and Context

1. The application site (0.414Ha) is situated on the corner of St Saviours Lane and Blackfriars Street. It is opposite St Saviours Church to the north and the Smurfit Kappa factory to the east. The site backs on to the rear of properties which front Magdalen Street to the west, including Gurney House which is a grade II* Listed Building.
2. The site is within the City Centre Conservation Area and the within the Colegate character area of the appraisal area which sees the Hi Tech House site at present as visually negative. The appraisal describes the area as being dominated by 19th century purpose built industrial buildings. These large factories tend to be of 4 tall storeys with north facing roof lights.

Constraints

Conservation Area

Noise from adjacent factory

Area of Floodrisk

Contaminated Land

Topography

3. The ground level within the site slopes gently from north (St Saviours Lane) to south and also from west (rear of Gurney House) to east (Blackfriars Lane).

Relevant Planning History

4. Conservation Area Consent was granted for the demolition of the factory building on 23rd December 2003 (App. No. 2/2003/0239/C) and this has subsequently been carried out. Planning permission was granted on 14th January 2004 (App. No. 4/2003/0240/F) for 'redevelopment of site to provide two - four storey office building (class B1) and 10 homes with associated parking areas' on the Hi Tech House site. This permission has expired.
5. On 1st December 2003 planning permission (App. No. 4/2003/0618/F) was granted for three flats and maisonettes (in a two storey block) on (part of the site) land between Hi Tech House and Gurney House.
6. In October 2009, planning permission (App. No. 07/00587/F) was granted for 'Redevelopment of site with 52 apartments; 6 town houses; 4 live/work units; 203 square metres of B1/A2 office uses in two, three, four and five-storey buildings with associated open space, vehicle access, car parking and refuse/cycle storage'.
7. Planning permission (App. No. 09/01542/F) was refused for 'Use of vacant land for public car park (temporary period of up to 18 months); installation of attendants cabin; installation of lighting and provision of bins for waste collection' on 14th May last year. Although this unauthorised use was in operation for a number of months it ceased to operate just before Christmas following the threat of legal action.

Supporting Documents

- Arboricultural Implication and Method Statement (April 2010)
- Design and Access Statement (May 2010 as amended 22/07/2010)
- Financial Viability Report (May 2010)
- Flood Risk Assessment (May 2010)
- Geotechnical (Contamination) Report (May 2007)
- Energy Efficiency and Environmental Statement (April 2010)
- Noise Assessment (October 2007)
- Transport Statement (April 2010)
- Archaeological Impact Assessment (June 2010)
- Landscape Specification (August 2010)

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

Redevelopment of site with:-

- 16 one and two bedroom flats;
- 21 three and four bedroom town houses;
- 201.75 square metres of B1/A2 office uses in two, three, four and five-storey buildings;
- associated amenity space, vehicle accesses, car parking and refuse/cycle storage.

Representations Received

8. 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

9. Environment Agency

Flood Risk: Proposal within flood zone 2. Application needs to pass the Sequential test and supported by a Site Specific Flood Risk Assessment. (see paragraph 60)

Contaminated Land: Require conditions relating to potential for soil contamination to controlled water. (see paragraph 59)

Foul Drainage: Request Anglian Water be consulted regarding foul drainage being connected to the main drainage system.

Sustainable Construction: Suggest development must minimise use of resources and production of waste by use of passive systems (e.g. using natural light, energy from renewable sources. (to be an informative)

Water Efficiency: Suggest a condition to reduce consumption. Applicant should seek to use water efficient systems and fittings. (to be an informative)

10. Anglian Water

No objections but have suggested a number of informatives to be attached to any prospective planning permission.

11. English Heritage

Do not wish to comment but rely on the Council's specialist in house conservation knowledge.

12. Housing Development (Comments given before adoption of JCS)

Our SPD on affordable housing currently states that 40% affordable housing will be sought on schemes of 25 units or more equating to 15 dwellings on this site.

It is accepted in policy HOU4 that certain constraints on development will increase the costs of developing some sites and this may mean providing the full percentage of affordable housing is not viable. Applicants who cite non-viability as a reason for not complying fully with the policy will need to support their case with financial evidence.

The developer has submitted viability assessments utilising the 'Three Dragons Toolkit' that show this site has a number of financial constraints. Unfortunately we have been advised by the Homes and Communities Agency (HCA) that it is highly unlikely that grant funding will be available for this site in the current economic climate to fund additional units of affordable housing.

Through negotiation it has now been agreed that the site can provide five affordable dwellings (13.5%) without recourse to public funds. This would be on the understanding that full Section 106 requirements would be met for all other aspects. As alternatives to this it has been agreed that six affordable dwellings (16%) could be provided with all other s106 requirements being reduced to 50% or seven affordable dwellings (19%) if no other s106 requirements were required.

The property types that would be provided for the five dwellings would be 4 x 2-bedroom flats and 1 x 3-bedroom house. These dwellings would all be for social rent and this has been agreed as meeting the identified housing need within Norwich.

The affordable units should be provided through a Registered Provider of Affordable Housing and meet HCA design and quality standards. We expect the affordable units to match the private units in terms of design and quality to ensure no distinction can be made between them and this appears to be the case on this site.

13. Public Protection Officer

14. Ground Contamination: Concur with the recommendations made by Environment Agency and the suggested conditions. The introduction of townhouses with private gardens introduces a further risk from potential contamination. I consider this site would be suitable for the proposed use subject to the following points, many of which are already covered in the 2007 report. (see paragraph 59 and the conditions)

- Further assessment of the risk to controlled waters and human health shall be carried out to assess the risk of elevated hydrocarbons. A report covering this assessment shall be submitted to the Public Protection Manager and the Environment Agency prior to further development works taking place.
- Where contamination is found, a remediation scheme (including the method of validation) shall be forwarded to, and agreed by the Public Protection Manager prior to further development works taking place. Any mitigation measures recommended in the report shall be implemented in accordance with an agreed method and timetable. Any proposed remediation works should be of such a nature as to render harmless the identified contamination, and shall include an assessment of the risk to all receptors, including those off site. The site investigation must be carried out in accordance with current Government and Environment Agency guidance. (see paragraph 59 and the conditions).

- If, during development, contamination not previously identified is found to be present, then no further development shall be carried out until the developer has submitted a scheme to the Public Protection Manager detailing how this contamination shall be dealt with. Only when evidence is provided to confirm the contamination is no longer a risk, can development continue. (see paragraph 59 and the conditions)
- No ground gas testing was carried out as part of the investigation. However, since organic odours were encountered during excavations, I would suggest that an initial round of testing would be advisable to assess the likelihood of elevated levels of ground gas being present.
- We will require confirmation that potable water supply pipes have either been routed to avoid areas of hydrocarbon contamination, or otherwise constructed in accordance with guidelines from the Water Authority, as recommended in the report. (to be an informative)
- I would suggest that it may be necessary for additional ground cover material to be imported onto site. It may also be necessary to incorporate a geo-textile membrane beneath the surface of the soft landscaped areas to prevent mixing of clean and contaminated soil, and for the protection of future site workers etc. (to be an informative)
- All imported material for use in any landscaped areas must be certified to confirm its source, and that it is appropriate for its intended use. A copy of the certification should be supplied to the Public Protection Manager when available. (to be an informative)
- Materials removed from the site should be classified as per the analysis results obtained from the site investigation and any subsequent testing. Materials disposed of off site should be taken to a suitably licensed facility and a docket system used to ensure correct handling/transfer of loads. (to be an informative)
- I would also request that any correspondence between the developer, or their consultants, and the EA is copied to this office for completeness. (to be an informative)
- Potential loss of amenity due to noise: The location of the development is very near to a busy factory. Concerns about disturbance caused by noise associated with the operation of adjacent factory and from heavy vehicle servicing. Have previously had complaints and proposal will bring residents closer to the operation. Support the conclusions and recommendations in the Adrian James Acoustics report. (see paragraphs 42-44)

15. Norwich Society

We would like to have seen these plans sooner and feel it is an opportunity missed. This is a very dull, repetitive, unimaginative scheme which has no context or contact with adjacent buildings and does not take advantage of the surrounding area. It claims to be echoing the previous industrial building's features, but these features are so muted as to be unrecognisable. Norwich-over-the water is the oldest part of the City, and has a rich heritage of buildings from different eras which contribute to its lively atmosphere. This scheme has a suburban feel in a city centre setting. At least it does not overlook Gurney Court so much, which is what scuppered the last scheme. (see paragraphs 45-53)

16. County Council Planning Obligations

Education: Seeking a contribution via a Section 106 Agreement towards providing additional nursery spaces (2) and student spaces (7) at the appropriate catchment school totalling

£93,152. (see paragraph 37-40 and 70)

Fire Service: Norfolk Fire Service require development to fund one fire hydrant via a planning condition. (see conditions)

Monitoring: Norfolk County Council are seeking a contribution (£300) towards the monitoring of the above contribution via a Section 106 Agreement.

17. Norfolk Landscape Archaeology

The site is within the Main Area of Archaeological Interest. Require the site to be evaluated in the normal way with the standard three part condition. (see paragraph 61)

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 - Delivering Sustainable Development
PPS1 Supplement – Planning for Climate Change
PPS3 – Housing
PPS4 – Planning for Sustainable Economic Growth
PPS5 - Planning for the Historic Environment
PPG13 – Transport (Jan 2011)
PPS23 - Planning and Pollution Control
PPG24 – Planning and Noise
PPS25 – Development and Flood Risk

Relevant Strategic Regional Planning Policies

East of England Plan 2008

ENG1 – Carbon Dioxide Emissions and Energy Performance
ENV6 - The Historic Environment
ENV7 - Quality in the Built Environment

Local Development Framework

Policies of the emerging Joint Core Strategy (JCS) as amended by the inspectors report of 27 February 2011, likely to be adopted on 24 March 2011

Policy 1 – Addressing Climate Change and Protecting Environmental Assets
Policy 2 – Promoting Good Design
Policy 3 – Energy and Water
Policy 4 – Housing Delivery
Policy 5 – The Economy
Policy 6 – Access and Transportation
Policy 7 – Supporting Communities
Policy 11 – Norwich City Centre
Policy 20 – Implementation

Relevant Local Plan Policies

City of Norwich Replacement Local Plan 2004

HOU9 A48 – Allocated of Hi Tech House site (part of the whole) for mixed use housing and office development (20 dwellings)
HOU18 – development of multi-occupied dwellings
HOU6 – requirements on housing development

HBE3 – archaeological interest in AMAI
HBE8 – development in Conservation Area
HBE12 – high quality of design
EP1 – contaminated land
EP18 – energy efficiency
SR4 – provision of open space to serve developments
SR7 – children’s playspace for new housing development
TRA5 – design to avoid domination by private car
TRA6 – parking standards
TRA7 - cycle parking standards.

Northern City Centre Area Action Plan 2010

LU1 – Mixed use development to promote regeneration and a distinctive identity
LU3 – Residential Development – high density – 15% for family occupation
MV1 – Sustainable Transport – promote pedestrian and cycle facilities by contributions
TU1 – Design for the historic environment – plot widths, building lines, scale, proportions, street widths and materials – City Centre Conservation Appraisal key tool
ENV1 – High Standard of Energy Efficiency
WW1 – Land west of Whitefriars – mixed use redevelopment

Supplementary Planning Documents and Guidance

Energy Efficiency and Renewable Energy (Adopted December 2006)
Trees and Development (Adopted September 2007)
Open Space and Play Provision (Adopted June 2006)
Flood Risk and Development (Adopted June 2006)
Transport Contributions (January 2006)
Affordable Housing (Adopted October 2009)
City Centre Conservation Area Appraisal (September 2007)

Principle of Development

Policy Considerations (principle policies)

18. In addition to national policy (PPS1 and PPS5), saved Local Plan policies HBE8 and HBE12 seek a high quality of design in new development which respects and complements the character of the Conservation Area.
19. PPS3 outlines the Governments objectives for the promotion of new housing stating that new housing should provide a wide choice of high quality homes designed and built to a high standard, both affordable and market housing, to address the requirements of the community. Housing should help create sustainable, inclusive, mixed communities, in all areas, urban and rural, and should offer a good range of community facilities with access to jobs, key services and infrastructure.
20. PPS3 also reiterates the principles of PPS1 and seeks a high quality in the design of new housing which in turn contributes to the creation of sustainable communities. The policy also states that design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.
21. PPG24 states that Local Planning Authorities should guide development to the most appropriate locations and ensure that noise sensitive and noise generating uses are separated insofar as is practical.
22. Joint Core Strategy policy 4 suggests that new housing development should include an element of affordable housing for sites of 16 dwellings and above. The Affordable Housing

SPD (Oct 2009) then goes on to qualify how the City Council expects developers to negotiate on this and what will be required of them if the overall financial viability of the proposed scheme is affected (i.e. the scheme cannot take the full 33% affordable).

23. Saved Local Plan policy EP22 states that a high quality of residential amenity should be achieved in new development, including the avoidance of noise,
24. Northern City Centre Area Action Plan policy WW1 states that redevelopment should include a mix of uses including employment, particularly office (B1) and housing.

Site Specific Policy

25. Site Specific Policy HOU9 A48 of the Replacement Local Plan (RLP) promotes this site primarily for housing but in a mix with offices (A2 or B1). This scheme is consistent with this policy in that it provides for 37 residential units together with offices accommodation (Class B1) at the corner of St Saviours Lane and Blackfriars Street amounting to 201.75 sq. metres. The site is also contained within the Northern City Centre Area Action Plan (Adopted 2010) which supersedes the advice in the RLP. It also promotes the site for a mix of employment and housing (policy WW1).
26. The proposed development on this part of the allocation contains a slightly lower number of dwellings than would ideally be wanted to ensure the allocation is met. However, as the development proposes a high proportion of townhouses, which achieve a density of 90 dwellings per hectare and is in keeping with the surrounding area, it is considered acceptable. Policy WW1 requires a contribution to be made towards community facilities, which has been identified by local stakeholders as important to the local area.

Housing Proposals

27. Whilst a completely new application, the current proposal represents a revision to the previous application (App. No. 07/00587/F) for which permission was granted for 62 residential units (52 apartments; 6 town houses; 4 live/work units) and 203sq.m. of office space in October 2009. This current application proposes significantly fewer units but unlike the earlier permission involves more family housing which is seen as being positive and consistent with the aims of policy LU3 of the Northern City Centre Area Action Plan.

Affordable Housing

28. The affordable housing currently proposed is 5 out of the 37 dwellings. This equates to only 13.5% of the total housing provision, where as the suggested level of affordable housing as set out in policy 4 of the new Joint Core Strategy would be 33%.

Viability

29. The applicants are claiming that the proposed scheme would be unviable if the full 33% Affordable Housing provision is applied in accordance with policy 4 of the Joint Core Strategy plus contributions for playspace (£75K), education (£93K) and transportation (£10.5K).
30. The applicants have submitted various financial appraisals (using Three Dragons Model) of their scheme in accordance again with the guidance in the Council's adopted Affordable Housing SPD.
31. These appraisals (showing scenarios at 0%, 13.5% and 40% affordable housing on-site provision) have been assessed 'in house' by Asset and City Management staff as being

reasonable in terms of amount of profit proposed, build costs, likely sales revenue and abnormals.

32. The appraisals demonstrate that providing 33% affordable housing in current market conditions would clearly be unviable and the scheme would not go ahead. The 13.5% scheme is bordering on 'breaking even' (according to their financial assessment). They have confirmed that despite this they would like to progress this scheme.
33. The Council's approach to dealing with such circumstances is set out in its framework for prioritisation which was first agreed by Executive Committee in May 2009. The sets out a procedure by which where a developer claims that development that may be needed to meet the aims of the development plan is not considered viable the viability of the development can be assessed and it can be determined whether or not it is appropriate to recommend approval for the scheme without the full requirements of the development plan being met.
34. In this instance officers consider that the development does meet the aims of the development plan. The site is identified as part of the land west of Whitefriars site (WW1) and is recognised as being of strategic significance for the regeneration of the northern city centre area and there is considered to be a benefit in seeing the site developed soon and not waiting potentially several years for market conditions to improve. However, as all the potential section 106 requirements identified are all defined as "Essential Policy Requirements" and therefore the note does not help greatly in terms of reconciling competing priorities.
35. The 'Prioritisation Framework' has been under review and a revised version was recommended by Sustainable Development Panel on 17th February 2011. Cabinet approved the revised version on 16th March 2011. This note provides some additional guidance in relation to competing essential policy requirements. It makes clear that higher priority will be given to requirements where there is:
 - A site specific requirement identified in a Local Plan policy or a SPD e.g. community provision in the North City Centre Area Action Plan
 - Evidence of need or existing deficiency in provision e.g. is the development in a particular part of the City deficient in open space provision; is there a high level of affordable housing already in this part of the City?
 - A defined need for a particular amount of funding exists to deliver or complete a defined project well related to the site.

Lower priority will be given to requirements where there is a reasonable expectation that they may be able to met through contributions from other developments or other funding sources

36. The framework then suggests under 'Process for Negotiations' that the assessment (on whether to favourably recommend a scheme which cannot reasonably withstand the cost of meeting the affordable housing percentage target for approval and with no or reduced S106 requirements) should include assessment of the importance of achieving the contributions now (for community benefits) in this particular case (e.g. for any particular impending capital scheme) or could the money for a scheme be achieved via another source (e.g. from any subsequent development scheme in another location).
37. In order to establish this further information has been obtained in terms of what requirement contributions would be used for and these are set out in the table below.

Transportation (£10.5K)	Playspace (£75K)	Education (£93K)
<ul style="list-style-type: none"> • Cannot argue that transportation contribution is strategically essential; • Using the contribution (which is relatively small) to improve pavement around the site may improve saleability and therefore viability of the site; • If pavement improvements not achieved as part of contribution it is unlikely to be achieved in the future. 	<ul style="list-style-type: none"> • No current play projects have been identified which could be offered up for funding; • However NCCAAP identifies that there is a shortfall of good quality play areas in the area. • It is suggested that a new play area should be considered on the Oasis site (off Fishergate). 	<ul style="list-style-type: none"> • Schools in the catchment area (Magdalen Gates nursery and primary, Angel Road and Mousehold infants) are at or over capacity at present; • S106 Money would be used towards a capital scheme in the catchment (probably at Angel Road Infants which is on a larger site).

38. In addition to this it should be taken account that although there is a high unmet demand for affordable housing in all parts of the City, this part of the City is not one where pressures are particularly acute. There is already a significant level of provision of social housing in the area and the Northern City Centre Area Action Plan particularly seeks to encourage provision of more family housing in the area.

39. To get an understanding of the relative costs of provision of affordable housing and the other essential policy requirements the following have been considered as possible approaches:

- 1) Delivery of 7 rented units (19% affordable) with no Section 106 contributions to other matters.
- 2) Delivery of 6 rented units (16% affordable) with 50% Section 106 contributions to other matters; and
- 3) .Delivery of 5 rented units (13.5% affordable) with 100% Section 106 contributions.

40. In view of the 'prioritisation framework' and what it known of the local circumstances it is suggested that in this instance the education contribution should be strongly supported because of the obvious lack of child capacity at the three nearby catchment schools. It is also considered that the play space contribution to secure a new playspace (possibly at the Oasis site) is also strongly justified. However, the transport contribution towards highway improvements could be achieved by the use of a Grampian condition and is relatively small in size (and to some extent will need to be carried out by the developer to repair footpaths around the site as a consequence of construction work on the site). It is therefore suggested that 5 rented units be sought from the development with contributions towards education and play space.

41. The Portfolio Holder for Environment (Councillor MacDonald) has been consulted and supports the above approach.

Impact on Living Conditions

Noise and Disturbance

42. The application site is close to the Inner Ring Road (Magdalen Street Flyover) and opposite the existing industrial premises occupied by the Smurfit Kappa factory which produces cardboard packaging on a 24 hour basis. Whilst this business is an important employer within the City Centre it is known to generate some noise from machinery within the factory combined with noise from loading operations and HGV traffic movements.
43. The Public Protection Officer previously commented on an acoustic assessment by Adrian James Acoustics (AJA) ref 10114 in relation to the 2007 proposal. The conclusions and recommendations of that report (which has also been submitted with this application) are also applicable to this proposal.
44. The report recommends that the residential properties which front St Saviours Lane and Blackfriars Street should be provided with sound-insulating ventilators for when windows are closed. This would then bring them within the Council's adopted internal noise criteria. Compliance with the recommendations in the acoustic assessment can be achieved via the use of a planning condition.

Design

Layout

45. The layout is considered to be an improvement on the previous scheme as it allows for the creation of a central green space and pedestrian route through the development that will have a good sense of enclosure within the development and is well overlooked. This will mean that the central green space will benefit from a 'sense of ownership' by residents and feel more like a secure environment with plenty of natural surveillance from neighbouring properties.

Scale, Height and Massing

46. The overall scale, height and massing is consistent with this part of the city centre conservation area. Historically buildings are predominantly 2-3 storey, although some factory units do rise to commercial four storey height, so there is quite a divergence. Greater diversity in forms and massing is generally found along the main arterial routes, with back streets being subject to more comprehensive redevelopment with larger housing schemes using similar materials (e.g. Calvert Street) or larger scale factories etc (e.g. Muspole Street/Duke Street).
47. In the past there has been some concern at the juxtaposition of this development with the Council's flats on the corner of Fishergate/Blackfriars Lane/Thompsons Yard which is only two storeys in height. The latter appears suburban in style not characteristic of development in the City centre. It is considered that these existing buildings are not of an appropriate scale and massing for the conservation area. The proposed development is three storey at this point, which is a storey higher than the previous permission (App. No. 07/00587/F). However, the existing garden tree already gives a degree of verticality and will help ease the transition in height. It is considered that it would be poor contextual design simply to lower the end blocks purely because a neighbouring building is a storey lower.

48. Eaves and verge detail, rainwater goods and window detailing/materials will all have a significant impact on the architectural quality of the buildings and needs to be conditioned. The projecting gables actually provide good locations for down-pipe runs.

Architectural Style and Materials

49. Although the whole development is of one architectural style, and the facades are fairly uniform, they are broken up by projecting gables. It is considered that this successfully breaks up the bulk of the building, whilst also providing a sense of rhythm and proportion to the overall form. It picks up on the rhythm of the facades of the larger factory units, whilst respecting the smaller scale and varied and broken massing of vernacular architecture. At the same time it is clearly read as a distinct building form rather than a miss-mash of forms and style. The projecting boxes and timber cladding treatment also help to break up the perceived bulk of the block, relieving the solidity of brickwork and emphasising verticality.
50. Using one material for a fairly plain roof could also be a problem, however with the back to pavement building line and three storeys, together with the projecting gable with the roof should not be too prominent.
51. The corner building is successful at creating a prominent landmark feature on the corner to aid legibility. Both streets are not that well defined so giving the corner a slightly different architectural treatment rather than simply increasing the height is a good way of giving the right degree of emphasis to this part of the block.
52. Materials blend in with existing materials in the area. Although historically Magdalen Street is a mixture of render and brick there are a number of large scale factory developments in the area where the materials are very uniform. Since St Saviours Lane and Blackfriars Street are a back-street area with limited pedestrian flows it is considered that the creation of a strong and uniform identity through using consistent materials is supported. The bulk and solidity is, as already mentioned, already broken up quite effectively through articulating the facade, the introduction of more materials may actually result in over-fussiness.
53. Although the banding of materials do create some horizontal emphasis, the projecting and recessive elements of the gables and bays and entrance porches, and the projecting canopies at ground floor level, do help to break up the horizontal emphasis. The use of projecting bays on the rear also helps to articulate these elevations and provide interest from the central amenity space.

Transport and Access

Vehicular Access and Servicing

54. Generally the site is situated in a highly sustainable location, close to the City Centre for walking and cycling and on a bus route. As has already been mentioned the scheme would see two vehicular access points to the site, one off St Saviours Lane and the other via Blackfriars Street. There would be no vehicular access to Thompson's Yard. The vehicular access off Blackfriars Street includes a turning head suitable for cars and refuse vehicles. The entrance off St Saviours Lane for car access but with refuse servicing from the highway.

Car Parking/Bin Stores/Cycle Stores

55. The arrangement for the bin and cycle stores has been modestly revised in the centre of the site to 'tidy up' these areas particularly as some are near to the green space where they could easily cause an eyesore. The scheme employs the concept of communal bin stores (as it is too tight to accommodate 2/3 wheelie bins per house) which will be collected from refuse vehicles which can manoeuvre off-street. A separate bin store is provided for the commercial element off St Saviours Lane.
56. Cycle provision is provided in accordance with the Council's standards.

Car Parking

57. There are 32 car parking spaces for 37 residential units and 2 car parking spaces for the offices. The site is in a location close to the City centre and a ratio less than 1: 1 car parking is welcomed.

Transportation Contribution

58. The development would normally attract a transportation contribution in accordance with policy TRA11 of the Local Plan, although it is accepted that the figure will need to take into account the office space of the previous HI Tech House building. The contribution will need to form part of a Section 106 Agreement. An alternative is that an equivalent sum is included in the 'build' contract for highway pavement improvements round the site.

Environmental Issues

Site Contamination and Remediation

59. The Public Protection officer concurs with the recommendations made by the Environment Agency and the suggested conditions. The introduction of townhouses with private gardens introduces a further risk from potential contamination. It is considered that this site is still suitable for the proposed use subject to the raised by the Environment Agency and the informatives suggested by the Public Protection Officer.

Flood Risk

60. The applicants have submitted a Flood Risk Assessment which shows that the site is within Flood Zone 2 (1:1000 year probability). To avoid the risk of flooding a minimum ground floor level plus a freeboard of 300mm should be adopted. This will need to be assured by way of a condition. The development has passed the sequential test as suggested by the Environment Agency. The proposals indicate a 63% reduction of the previous impermeable surfaces on the site by the use of permeable paving techniques. Surface water run off from the roofs into the sewer will be no greater than with the previous buildings on the site, and may be further reduced if rainwater harvesting is pursued to comply with proposed condition 25.

Archaeology

61. The site is within the Main Area of Archaeological Interest (policy HBE3). There will need to be an archaeological evaluation and possible mitigation works before development can commence. This will need to be dealt with via a condition.

Energy Efficiency, Renewable Energy and Water Efficiency

62. The applicants have investigated their options in respect of energy efficiency and renewable energy in the light of Joint Core Strategy Policy 3; East of England policy ENG1 and saved Local Plan policies EP18 and EP19. They have submitted an Energy Efficiency Statement as required by policy EP18 of the Local Plan. The site itself is situated in a sustainable location, not far from the City Centre with easy access on foot, cycle or bus.
63. In terms of orientation, the principal footprint of the blocks of residential units has first and

foremost been designed to re-create the street frontages along St Saviours Lane and Blackfriars Street. These face north and north-east respectively but do take advantage of direct sunlight into their rear rooms (which are lounge-dining areas and bedrooms with Juliet balconies) for much of the day. The other smaller blocks at the rear also face north and north-east and they also take advantage of rear south facing or a 30 degree off south facing aspect.

64. The scheme has been designed to meet Code for Sustainable Homes Level 3 and whilst this is not up to the standard suggested in the new JCS (where Level 4 is promoted) it is considered to be acceptable in this instance given that this scheme was initially submitted back in June 2010. The scheme will meet the requirements of the JCS and East of England policy ENG1 in terms of providing 10% of the sites energy from decentralised and renewable or low carbon sources by taking advantage of the south-facing aspect and installing solar panels on the rear roofs of the dwellings. To ensure this is achieved a suitably worded condition will need to be included.
65. The Joint Core Strategy (policy 3) suggests that all new housing be water efficient and reach Code for Sustainable Homes level 4. This can be achieved by the use of a condition.

Trees and Landscaping

Impact on Trees adjacent to the site

66. There are a number of mature trees on the rear boundary of the site near to Gurney House and at the far end off Thompson's Yard. The submitted arboricultural documentation is very good. Any planning permission should condition full compliance with the AIA, AMS & TPP. The condition should also secure an auditable system of site monitoring and supervision by the developer's project arboriculturist that is to the satisfaction of the Council's tree protection officer and that the tree protection issues are covered in the site induction process to the satisfaction of the Council's tree protection officer.

Landscaping

67. Landscaping will be extremely important given the tight layout and the importance of the green amenity space at its heart. The scale of the proposed central amenity space balances very well with the scale and massing of the buildings. There are three elements to the landscaping: Areas which front onto the back of the pavement. St Saviours Lane and Blackfriars Street are urban in character with the building being to the back of the pavement. It is considered that these should be quite hard landscaped areas with cobbles/limited shrubs. The area of semi-public realm (green amenity space) particularly the area around the path in front of the west block. This needs to be addressed to avoid residents taking it upon themselves to erect fences etc to demark the small areas of defensible space in front of their properties. Lastly the boundary treatment to the gardens which back onto the central space. The landscaping areas need to be worked up in more detail which can be dealt with via a condition.

Planning Obligations

Transport Improvements

68. In terms of transportation improvements the applicants have agreed to pay a contribution (£10,439) in lieu of improvements in the immediate area.

Open Space and Play Equipment

69. The scheme will need to take account of the Council's policies for Open Space and Play (RLP saved policies SR4/7). The applicants propose to satisfy the Open Space policy by providing a green area on site. There will need to be a clause in the S106 which requires this land to be available for use as an amenity space by the occupants of the dwellings. In terms of play facilities the applicants have agreed to pay a contribution (£75,072) in lieu of on site provision which will be used to supplement an existing playspace or go towards a new site nearby.

Education Contributions

70. In terms of Education Obligations the applicants have agreed to pay a contribution (£93,152) in lieu of improvements to school premises in the immediate area.

Conclusions

71. The proposed development on the site is in line with national policy, but there are fewer houses on than previously approved. The proposed development would provide family housing however, which was identified as needed in the area in the Northern City Centre Area Action Plan. Also given that the remainder of the allocation to the east of Blackfriars should provide a significant amount of housing the proposal, it is considered acceptable in this instance.

72. In terms of achieving some affordable housing on the site and taking account of the requirements of the Council's revised 'Prioritisation Framework' it is suggested that the following be done:-

- a) grant a limited permission of 12 months to allow the developers to make a genuine start on the development (to avoid the situation where a developer can sit on the permission until the economic climate improves with the result that the Council may miss the opportunity of gaining any uplift in viability and the additional S106 requirement that might accrue).
- b) adopt the following approach within a S106 Agreement to providing limited on-site affordable housing with varying S106 contributions as described in (approach 3) paragraphs 39- 40 seeking delivery of 5 rented units (16% affordable) with full Section 106 contributions for education and play.

RECOMMENDATIONS

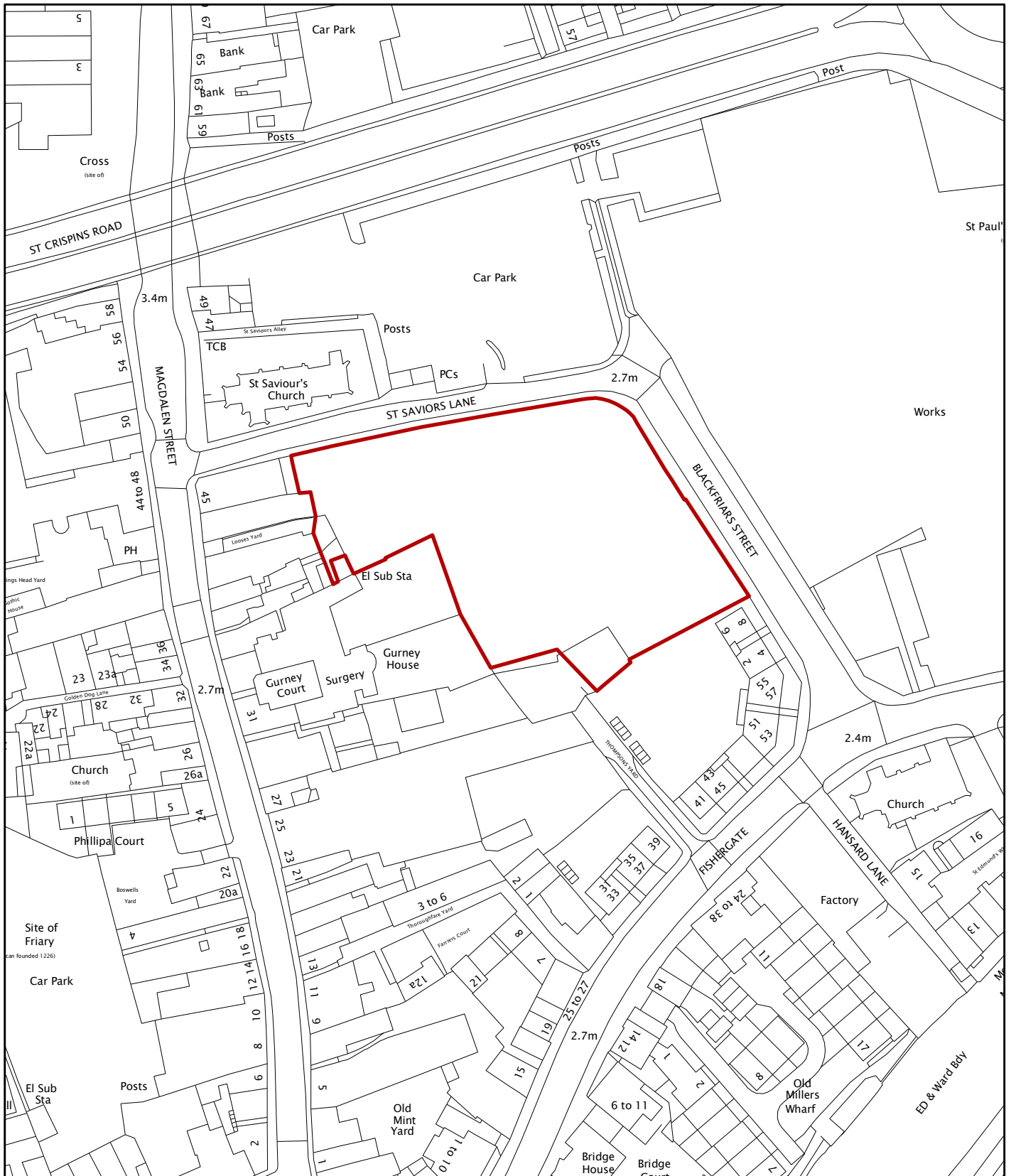
(1) To approve Application No 10/00907/F and grant planning permission, subject to the completion of a satisfactory S106 agreement by 30st April 2011 to include the provision of Affordable Housing (5 rented units) and contributions relating to Education and Play (and a requirement that the open space is available for the use of the residents) and subject to the following conditions:

1. Commencement within 12 Months;
2. Submission of samples of materials
3. Boundary treatment;
4. Prior approval of details:-
 - (a) a)Roof, eaves and verge, water goods;
 - (b) b)Windows, doors, balconies, balustrades, décor panels;
 - (c) c)Shopfront treatment to the offices;
 - (d) d)Solar panels, rainwater harvesting
5. Sound Insulation to units fronting St Saviours/Blackfriars Street;
6. Flood risk – finished floor levels (as per form FRSA013a);
7. Flood risk – materials;
8. Surface water disposal;
9. Surface water - maintenance scheme;
10. Contamination – soil;
11. Contamination – methods statement;
12. Pollution prevention;
13. Surface water drainage;
14. Fire Hydrant;
15. Archaeological Agreement;
16. Archaeological investigation, excavation or recording;
17. Cycle/refuse storage provision details
18. Tree Protection;
19. Landscaping planting and site treatment scheme;
20. Maintenance of landscaping;
21. Plant and machinery details;
22. Fume/Flu details.
23. Provision and maintainance of the solar panels
24. Provision of off site highway (footpath) improvements prior to first occupation;
25. Water efficiency to Code of Sustainable Homes level 4.

(Reasons for approval):

It is considered that the proposals are consistent with PPS1 which seeks a high quality in the design of new housing which in turn contributes to the creation of sustainable communities. It also represents new residential units on a 'brownfield' site in accordance with the suggestions in PPS3. The scheme has taken account of the close proximity to the Inner Link Road and the Smurfit factory in terms of the potential for noise disturbance to prospective residents in accordance with the requirements of PPG24. Mitigation measures have been identified and will be incorporated with the use of suitable conditions. It will also enhance the character of the City Centre Conservation Area and provide good quality living accommodation in accordance with policies ENG1; ENV6 and 7 of the East of England Plan; policies 1, 2, 3, 4, 5, 6, 7, 11 and 20 of the Joint Core Strategy; saved policies HBE3, 8 and 12; HOU4 and 6; TRA5, 6 and 7; SR4 and 7; EP1, 18 and 12 of the City of Norwich Replacement Local Plan; policies LU1 and 3; MV1; TU1; ENV1 and WW1 of the Northern City Centre Area Action Plan and all other material considerations)

(2) where a satisfactory S106 agreement is not completed by 30st April 2011 that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No (10/00907/F) if appropriate.



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Planning Application No 10/00907/F
 Site Address Land at the corner of St Saviours Lane and Blackfriars Street, Norwich
 Scale 1:1,250

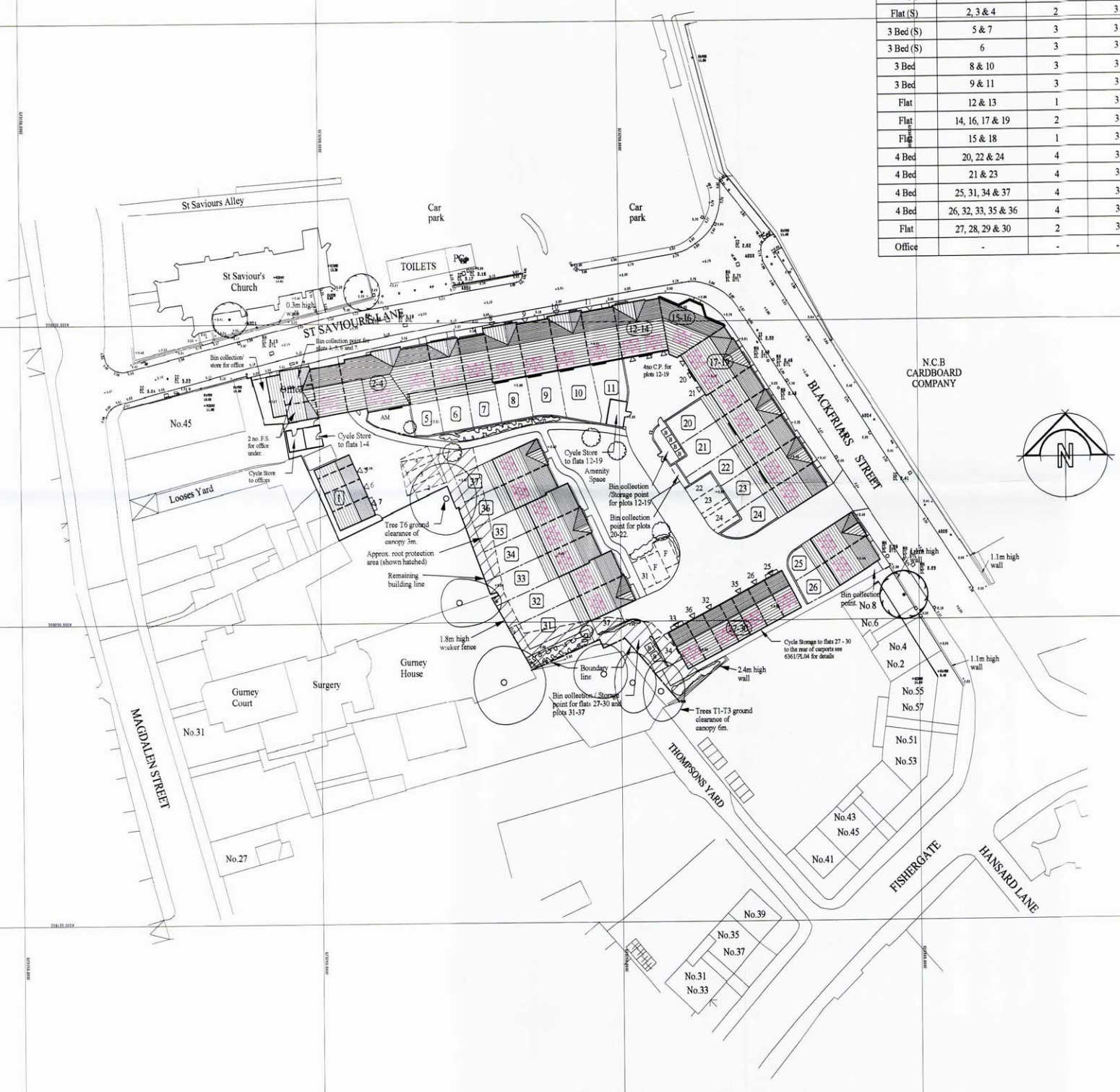


NORWICH
 City Council

PLANNING SERVICES



House Type	Plot No's	No. of Beds	Storey Height	No's
Flat (S)	1	2	2	1
Flat (S)	2, 3 & 4	2	3	3
3 Bed (S)	5 & 7	3	3	2
3 Bed (S)	6	3	3	1
3 Bed	8 & 10	3	3	2
3 Bed	9 & 11	3	3	2
Flat	12 & 13	1	3	2
Flat	14, 16, 17 & 19	2	3	4
Flat	15 & 18	1	3	2
4 Bed	20, 22 & 24	4	3	3
4 Bed	21 & 23	4	3	2
4 Bed	25, 31, 34 & 37	4	3	4
4 Bed	26, 32, 33, 35 & 36	4	3	5
Flat	27, 28, 29 & 30	2	3	4
Office	-	-	-	-



N.C.B.
CARDBOARD
COMPANY

