Report to	Planning applications committee	ltem
	09 March 2017	
Report of	Head of planning services	
Subject	Application no 16/01893/VC - St Annes Wharf King Street, Norwich	4(a)
Reason for referral	Objections / variation of existing S106 Obligation requirements	

Ward:	Thorpe Hamlet
Case officer	Tracy Armitage - tracyarmitage@norwich.gov.uk

Development proposal			
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.			
Representations			
Object	Comment	Support	
5	1		

Main issues	Key considerations
1 Design changes	Impact of changes on the appearance of the development, the conservation area and amenity of nearby residents
2 Drainage and flood risk	
Expiry date	17 March 2017
Recommendation	Approve subject to condition and variation of S106



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Scale

1:1,250





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 ref: 2004/00605/F for the comprehensive redevelopment of the site:

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. 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.
- 3. The developers are near completion of phase 2a of the construction programme which has included ground works, piling and construction of the podium onto which blocks D1, D2, E1, F1, F2, F3, G1, G2, G3, G4, H1, H2 and H3 will be built. Phase 2b is scheduled to commence in March 2017and will include the construction of all H blocks and blocks F1, F2, G1 and G2. A total of 190 dwellings are within this phase which is expected to be complete by September 2018.

Constraints

- 4. City Centre Conservation Area King Street character area
- 5. Listed buildings Howard House (II*), Dragon Hall (I), Bennett Building ()
- 6. Adjacent to the R Wensum (Broads)
- 7. Area of main archaeological interest
- 8. Previous industrial site contamination
- 9. Flood risk

Relevant planning history

Ref	Proposal	Decision	Date
4/2003/0129	The demolition of existing buildings to slab level and the development of the following mixes :- 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)	NOTDE	28/04/2005
04/00605/F	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.	APPR	16/03/2006
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

Ref	Proposal	Decision	Date
08/01233/D	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;	APPR	12/01/2009
	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.'		
14/01783/NMA	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/NMA	Amendment to planning permission 04/00605/F and 14/01783/NMA.	APPR	18/11/2016

The proposal

- 10. The application is submitted under Section 73 of the Town and Country Act which allows conditions associated with a planning permission to be varied or removed and for minor material amendments to approved schemes to be sought.
- 11. The application seeks variation of condition 32 to allow changes to the approved plans. The main changes are set out in the table below:

Block	Details of changes		
All blocks	Change to one of the materials of the approved pallet Timber boarding to be replaced with Marley Eternit Tectiva		
H3	 Reconfiguration of the eastern corner of the block. The changes 'square off' a recess in the approved building and result in: the enlargement of the river facing flats; extended balcony areas and reconfigured windows. 		
	- Enlargement of windows		
	 East elevation - Insertion of new windows and lengthened balconies 		
	 Level 5 – alterations to three smaller dwellings to create two larger units 		
	 Level 6 – deletion of plant room and the creation of a new dwelling in this location extended over storey below (replaces dwelling lost as a result of level 5 change). 		
	- Level 6/7 increased depth of St Anne's Lane fronting unit		
	 Level 7/Roof level. Creation of additional floor of residential accommodation within approved roof void. The change increases the height of the block by 900mm and in the insertion of windows at this level. 		
	 Extension of approved roof terraces and creation of new roof terraces - Level 7 – 2x new roof terraces; Level 6 - 2x new roof terraces; Level 5 – Extension of two approved balconies to create larger terrace areas + creation of new roof terrace. 		
	- Multiple changes are proposed:		
H1, G2 and F2	 Change in balcony design – projecting balconies replaces with Juliet balcony design 		
Facing East Street and	 Insertion of 2 x additional windows – (additional secondary window to the open plan living area of 2 flats) 		

Block	Details of changes
Baltic Wharf	 Insertion of 1 x additional ground floor double glazed door with external amenity area
	 Re-sizing of windows – 600x600mm enlarged to 800x 825mm
D1 and D2	 Additional upper floor to town houses in these blocks. Creates an additional bedroom and external roof garden for each.
	- Changes to fenestration
	 Extension of residential floorspace in position of redundant lift storage space
E1	 Change of use of approved commercial floor space to create 2 x additional dwellings (relocation of dwellings lost as a result of G2 and G3 changes).
	- Re-positioning of block by 180mm
	 Re-sizing of windows – 600x600mm enlarged to 800x 825mm
F1	 Reconfiguration of internal arrangements of flats and resulting changes to elements of external fenestration
	 Re-sizing of windows – 600x600mm enlarged to 800x 825mm
F2	 Re-sizing of windows – 600x600mm enlarged to 800x 825mm
F3	 Re-sizing of windows – 600x600mm enlarged to 800x 825mm
	- Re-positioning of block by 180mm
G2 and G3	 Widening of the passageway between the two blocks to enable access for fire tender
	 Modification results in the removal of 2 x 1 bed units which previously extended across (bridged) the passageway
	- Multiple changes to reflect removal of bridging structure
	 G3 – new roof terrace added to southern penthouse apartment.

Block	Details of changes
H2	- Windows previously 600x600mm changed to 800x825mm
H4	- Windows previously 600x600mm changed to 800x825mm

12. The original development was subject to Environment Impact Assessment (EIA). The application has been accompanied by the original Environmental Statement and updates, assessing the impact of the proposed changes. The following chapters of the ES have been updated: Chapter 2 Site Description and Proposes Development, Chapter 3 Planning Policy; Chapter 6 Landscape and Visual, Chapter 8 Cultural Heritage and Archaeology; Chapter 12 Geotechnical & Land Contamination.

Representations

13. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Six letters of representation 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
Loss of privacy for residents living close to the site associated with changes to G2, H1, H2 and H3	Para.44
New and enlarged windows 'unbalance' and crowd elevations	Para. 38 - 43
A secure, high quality boundary is required adjacent to Baltic Wharf – existing section of fence should be replaced with a section of wall	Boundary treatment and landscaping is subject to condition 8
Noise and traffic associated with the construction phase – planning condition should be added to control hours and protection measures	
The historical existence of a Synagogue on the site and of Synagogue Street should be reflected in on site interpretation and in new street names	Condition 23 requires appropriate historical interpretation in relation to Synagogue Street.

Consultation responses

14. 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.

Broads Authority

- 15. Object to the proposed changes to the scheme. The majority of the changes to the approved scheme proposed by this Variation would not have any impact on the setting or the character of the Broads Executive Area, being sufficiently removed from the River Wensum environment. However the 'H' Blocks and in particular Block H3 would be in close proximity to the river and therefore have the potential to impact the river environment. It would appear that the proposed changes would result in the overall height of Block H3 being increased still further, with an additional level of accommodation being added to the upper level of this Block. This Block would already create an imposing feature on the river and contribute to the canalisation of the river environment. This effect would be further exacerbated by the proposed amendment to the scheme.
- 16. The amendments propose the substitution of all the timber cladding, previously approved to be used throughout the scheme, with a cement based product. This is a large scale scheme on a high profile site and cumulatively this substitution would have a wholly unacceptable visual impact not only on the quality of the scheme itself but also on the character of the Conservation Area. From the Broads Authority's perspective this substitution of materials would be particularly significant on Block H3. This Block would be highly visible from the river and its appearance would have a direct impact on the river environment and its character. The upper floors of Block H3 are all shown on the approved plans as being timber clad and have obviously been designed as a significant design element of the Block. It is assumed that timber cladding was proposed to break up the massing of this whole Block. However it is now proposed to replace all this natural timber cladding with artificial cement based product, which is wholly unacceptable. The Broads Authority strongly resists the use of uPVC or cement based substitutions for natural timber as they are not considered to be sustainable products and do not weather in the same way as timber. Their appearance overtime is therefore wholly different to timber. The Broads Authority could not therefore support the proposed amendment to substitute the natural timber cladding with a cement based alternative.

English Heritage

17. Do not wish to comment and advise that the application should be determined in accordance with national and local policy guidance and on the basis of local specialist conservation advice.

Environment Agency

18. Recommend imposition of planning condition regarding unknown contamination and assessment of the scheme against EA standing advice for development within flood zone 2.

Lead Local Flood Authority

19. Initially lodged a holding objective because of insufficient details regarding the drainage strategy. Following the submission of additional information the objection has been withdrawn.

Norwich Society

- 20. Support the enhancement of many of the apartments & small number of town houses through the proposed internal rearrangement & the provision of garden roof terraces. The Norwich Society are sympathetic to the proposal that many of the gables & facias, which had been planned to have timber finishes, should have a synthetic material made by Marley. Timber had been the fashionable material to use 8-10 years ago, but it has been shown to be entirely impractical & unsustainable. This can be seen at the Food Court area of the Intu Shopping Centre at Chapelfield where the timber facings are now having to be restored 10 years after their completion. They hope Orbit will not use any timber cladding anywhere in the development which will only lead to constant maintenance problems.
- 21. Fully support the Section 73 changes tabled by the developers & look forward to the day when all the works at this are completed & which they feel will greatly enhance this area of the city.

Assessment of planning considerations

Relevant development plan policies

- 22. 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

23. 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
- DM8 Planning effectively for open space and recreation
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development

- DM13 Communal development and multiple occupation
- 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
- 24. 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

- 25. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):
 - NPPF0 Achieving sustainable development
 - NPPF4 Promoting sustainable transport
 - NPPF6 Delivering a wide choice of high quality homes
 - NPPF7 Requiring good design
 - NPPF10 Meeting the challenge of climate change, flooding and coastal change
 - NPPF12 Conserving and enhancing the historic environment
- 26. Supplementary Planning Documents (SPD)
 - Affordable housing SPD
 - Open space & play space SPD
 - Trees, development and landscape SPD

Case Assessment

- 27. 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 polices 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.
- 28. 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.
- 29. 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.

- 30. 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.
- 31. The proposed changes can be grouped under the following headings:
 - (a) Change in materials
 - (b) Change in the massing, height and external appearance of block H3
 - (c) Retraction of balconies to the East Street frontage of the development
 - (d) Other changes to East Street and Mountergate frontages blocks
 - (e) Removal of bridging structure between blocks G2 and G3
 - (f) Increase in the height and massing and appearance of blocks D1 and D2
 - (g) Change in use and external appearance of part of block E1.
- 32. The key design principles of the approved scheme remain unchanged. The layout of the development is designed around the principles of reinstating historic street pattern and routes through the site to the new bridge; allowing permeability for pedestrians and cyclists and preserving critical views into and out of the site. The individual blocks which are arranged around a series of courtyards, vary in form and scale. In plan, shallow blocks are positioned beside King Street, echoing the traditional pattern of development in the area. These blocks are broken down into smaller buildings of mainly two and three storeys, in keeping with the surrounding historic form. Along Mountergate and the eastern boundary, the frontage buildings are larger in both plan form and scale. In the centre of this area, infill blocks are set at right angles to King Street and the main pedestrian route. The footprints of these blocks increase in size and height, rising to a landmark 8 storey building on the southeast corner of this sector facing onto the main square and the river. The changes do not seek to vary this layout or variation in block form and massing.

a) Change in materials

- 33. The approved scheme includes a pallet of materials comprising predominately brick and render with entrances, prominent corners and feature roofs highlighted with natural timber cladding. The applicant proposes an alternative material to the timber cladding due to concerns over longevity, constraints on access for maintenance and the cosmetic appearance as the material weathers.
- 34. Marley Eternit Tectiva (colour 'pebble'), a cementitious through coloured board is proposed in place of the timber boarding on blocks D1, D2, E1, F1, F2, F3, G1, G2, G3, G4, H1, H2 and H3. The boarding would be applied in 252mm x 1190mm sized

panels off-set in a brick running bond pattern. The changes to the design of block H3 increase the use of this material type, compared to the approved scheme.

- 35. The Broads Authority has indicated that they strongly oppose the use of cement based substitutions for natural timber as they are not consider sustainable and do not weather in the same way as timber. They consider that its use across the development will have a wholly unacceptable visual impact not only on the quality of the scheme but also the quality of the conservation area. Conversely the Norwich Society supports the change in material. They have commented that although natural timber was fashionable to use 8-10 years ago, it has shown itself to be entirely impractical and unsustainable and prone to constant maintenance problems.
- 36. The council's conservation and design officer sympathises with concerns in respect of the longevity of the proposed timber cladding and the impacts of weathering and the associated problem of maintenance. For that reason, great pains have been taken to agree upon a suitable material in replacement. Faux timber boarding was not considered to be of an appropriate quality of finish. The proposed Tectiva Eternit board in Pebble is felt to have a suitable colour and texture - the grey tone similar to lead/slate and is considered contextual. The construction of a material panel on site has been requested and further details have been submitted regarding the treatment of corners and reveals. On the basis of these details the Conservation and Design Officer is satisfied that the material is appropriate to be used at the upper levels of the development where it is proposed. The applicant has also confirmed that in the vicinity of Dragon Hall, Howard House and the King Street, frontage timber cladding will be replaced with further areas of red and buff facing brickwork. This external treatment will be more robust and enduring in the context of these important buildings and historic street frontage.

b) Change in the massing, height and external appearance of block H3

- 37. Block H3 is the tallest approved building on the site. Located in the southeast corner of the site facing the main square and river it is designed to act as a landmark building within the scheme. The lower ground of the building comprises commercial units which will front the public/riverside plaza area. The approved plans show seven upper residential floors, with the top unit having a double ceiling height. A range of changes are proposed to this block and its appearance will materially differ to the approved design.
- 38. The Design and Access Statement submitted with the application outlines the rationale for these changes. These refer to the landmark role of the building and the position within the development which allows for views of the city. The proposed changes seek to optimise the accommodation in this block and allow full benefit of the views to be gained. Key to this optimisation is: the enlargement of the corner river facing units, through the squaring off of the building; enlargement of balconies; enlargement of windows, provision of additional floorspace for the top floor flat (making use of double ceiling height), removal of upper floor plant rooms and replacement with residential accommodation and the use of previous flat roofs as roof terraces.
- 39. These changes have the effect of increasing the massing of the building, the prominence of balconies as a design feature and the amount of fenestration. The

accommodation at the upper level has more prominence, given the removal of plant room, extension of residential floorspace and insertion of associated windows. The insertion of the additional floor level for the top floor flat gives the impression of an additional storey having been added although the overall height of the building is increased by only 0.9m. The design approach for the upper section of the building contrasts with the approved scheme in which the upper level is designed to be more recessive in both function and external treatment and includes rather bulky and unsightly plant areas at roof level.

- 40. The Broads Authority has commented that the approved block already creates an imposing feature of the river and contributes to the canalisation of the river environment. They consider the proposed design changes (including to the materials) further exacerbate this effect.
- 41. However, this block has been approved as a landmark building within a new and distinctly urban quarter of the south city centre. The mix and scale of development is designed to positively support the regeneration of the King Street area and to strengthen the connection between riverside development and the city centre. Block H3 plays an important role in this regard and being set back/ at an angle and within a group of lower buildings will not have an overbearing canalisation effect on the river. The changes to block H3 do not significantly increase the height of the building but do increase the visual presence of it compared to the approved scheme. Given the landmark role of the building there is no in principle objection to such increased visual prominence. The key issue is whether H3, given the changes to massing and detailing, remains a building which will assist in this development enhancing this part of the city centre conservation area.
- 42. The design changes to block H3 are not opposed by the council's design and conservation officer consent who has commented that although the building will have a greater visual presence, the proposed design will be less 'dated' than the 2004 approval. The revised design is considered to maintain the status quo with regards to the development's impact upon the character and appearance of the conservation area. The changes to the scheme do create improved living accommodation; the flats in this block will have increased space standards, more efficient layout, improved natural light/views and access to external amenity space. The removal of the roof top plant accommodation, given its size and bland appearance is a particular welcome change to this tallest block. The increased prominence of the proposed balconies is not opposed in itself but a balcony design which avoids the use of chunky metal posts and hand rails is necessary in order to avoid a cumulative impact which could spoil the architectural composition of the building. Confirmation of the proposed balcony system has therefore been requested and this has been confirmed as one which includes a simple and elegant balustrade/ guarding detail. This system will be used to enclose the proposed roof top terraces and will assist in mitigating visual impact at this level.
- 43. Concerns have been raised by adjacent residents that the changes to block H3 (enlarged and additional windows, enlarged balconies and roof terraces) will result in increased overlooking, disturbance and further loss of privacy. No 11-17 Baltic Wharf front on to the river with the gable end of no 11 facing (1x window). The rear elevation of 7-10 Baltic Wharf (three storey) face the site and have private garden areas abutting the eastern boundary. Block H1 (three storey) and Block G2 (4 storey) are the closest buildings to these properties. These blocks will separate 7-10 from H3 which is located further south. Given the separation distance and the

intervening buildings, block H3 is unlikely to be visible from the GF level of these properties but angled views of the upper section of the building would be possible from rear first and second floor windows. However the relationship would be such that direct overlooking would be minimal. This is also the case for disturbance associated with the use of balconies and roof terraces, the physical distance between these amenity areas and the adjacent properties will be sufficient to minimise risk of overlooking and noise. Regarding 11-17 Baltic Wharf, the river fronting units, block H3 will be visible – but the relative orientation of the buildings will minimise overlooking.

c) Retraction of balconies to the East Street frontage

44. The approved scheme includes two balcony types fronting East Street, (the new route to be created adjacent to the boundary of the site with Baltic Wharf). It is proposed to replace the type which projects 1200mm with a Juliette balcony type projecting 75mm. This has the effect of flattening out this frontage and reducing private amenity space for flats facing this boundary. The change is proposed to allow for increased clearance distance for service vehicles using this route but also reduces the potential for overlooking between new properties and existing dwellings on Baltic Wharf. Although the removal of the projecting balconies removes some visual interest from this street frontage, the stepping of the frontage and the street level landscaping, allows for a varied appearance to be maintained. The benefits associated with achieving improved access and a reduced risk of overlooking and disturbance with adjoining residential properties, outweigh the harm resulting from the loss of semi-private amenity space.

d) Other changes to East Street and Mountergate frontages blocks

- 45. Additional changes to the East Street frontage include the insertion of 2 times additional windows within block H1 (1 x first floor and 1 x second floor) and an additional ground floor full height window within G2. The windows within H1 would directly face properties on Baltic Wharf, increasing the total number facing this direction. The windows are proposed to provide a secondary window and improved natural light to the open plan living spaces of two units which currently have a single approved full height window (with proposed Juliette balconies) facing this boundary. Although the addition of these windows will increase overlooking the degree of additional harm is considered insufficient to justify refusal of the change.
- 46. Changes to the Mountergate fronting blocks are focused on the revised external treatment of block F1. As approved this block has a large number of small, street facing windows which would limit natural light. The changes increase window sizes and revise the use of materials to reflect the changed fenestration treatment.

e) Removal of bridging structure between G2 and G3

47. The design changes associated with the removal of the 'bridge' link between these two blocks is considered acceptable along with the consequential changes to the elevations. The change allows for fire tender access and the safe operation of the development. A consequence of the amendment is the loss of two upper floor 1 bedroom flats which were identified in the S106 Obligation as affordable units. It is

proposed that these two units are relocated elsewhere in the development maintaining the total number of affordable units (41) secured by this development. Two approved ground floor units in block H1 are now proposed for affordable tenure (LG1 and LG2). The location of these one bedroom units is considered acceptable and indeed considered preferable given the street level position allows for improved accessibility. A deed of variation of the S106 will be required to secure this change.

f) Increase in the height and massing of D1 and D2

- 48. These two blocks comprise seven x two storey houses with small private gardens to the rear. To improve the marketability of these units it is proposed to increase the size of the units by adding a third bedroom through the addition of a further storey. The additional storey is proposed over half of the second floor allowing for the remainder of the roof to serve as an amenity terrace.
- 49. The change positively extends the range of dwelling sizes on the site and improves the quality of amenity space available to the future occupier of these units. The height and massing of these blocks is increased but they remain consistent with the scale of adjacent blocks in this part of the site.

g) Change in use and external appearance of block E1

- 50. Block E1 is the closest building to Howard House, a grade II * Listed building. A development requirement of this scheme is the restoration and renovation of this listed building which has suffered from a sustained period of neglect. The building is being restored in a manner to allow for the continuation of the previous planning use of Howard House as offices. The approved layout of the scheme retains a courtyard garden to the south of Howard House, adjoining a new pedestrian route leading into the site from King Street. The proposed new blocks fronting this court yard and pedestrian entrance (Blocks D4 and E1) have ground floor commercial units. The changes proposed to E1 reduce the ground floor commercial floorspace and create two additional dwellings within this block. The change allows the total dwelling numbers for the development to be retained, by replacing the two dwellings lost through the removal of the bridging structure linking G2 and G3 (para. 59).
- 51. The floor space forming the corner unit of block E1 would remain in commercial use and Orbit propose to occupy this unit as their site management office. External alterations to a section of the Howard House facing elevation are proposed to reflect this change in use. The council's design and conservation officer raised concerns over the effect of these changes on the appearance of this block and functional relationship to Howard House. These concerns included the impact of introducing a ground floor residential unit facing a courtyard designed as a commercial enclave, a positive element of the 2004 application. Revised plans have been received which in part address these concerns by an improved external treatment of this façade. Although it would be preferable to retain the full extent of commercial frontage previously approved the degree of change is considered minor and argued by the applicant to be necessary to support the viability of the scheme.

Drainage and flood risk

- 52. In terms of surface water drainage, since this application was originally determined, responsibility for commenting on schemes has passed from the Environment Agency to Norfolk County Council, as Lead Local Flood Authority. The consented scheme includes a surface water drainage system which discharges into the River Wensum. This system has been implemented and included the replacement of the original outfall pipe with a new outfall with non-return flap.
- 53. In terms of river flooding, most of the development site is within Flood Zone 1 and is at low risk of flooding. Since the application was originally determined, flood levels of the River Wensum have been updated and revised upwards. This has had the effect of extending Flood Zone 2 (medium flood risk) across parts of the site which previously were at lower flood risk. These areas include the sector of the site where the public plaza is approved and the sector behind Dragon Hall. Flood Zone 2 also includes the adjacent Baltic Wharf and Baltic House sites and extends across the site boundary to include a linear strip of the site which largely corresponds to 'East Street'. Given the site was not previously at flood risk no planning conditions were imposed restricting the minimum floor level of the residential development.
- 54. The change in the flood levels will result in the ground floor dwellings approved behind Dragon Hall being more vulnerable to flooding. However, given that this application relates to a variation of an implemented planning permission and the changes do not increase the risk of flooding, the council is limited in its ability to impose additional and more onerous development requirements. However, the applicant is currently reviewing the flood risk data and assessing whether mitigation measures are necessary and practicable at this stage. An update on this matter will be provided at the committee meeting.

Equalities and diversity issues

55. There are no significant equality or diversity issues.

S106 Obligations

56. The S106 Obligation relating to the development of St Annes Wharf requires revision to extend the requirements of the legal agreement to this application. In addition the schedule of affordable housing included within the agreement requires alteration to take account of the 2 x re-located units referred to in para. 47. Where applicable the phasing plan and references to phasing will be updated to reflect the current build programme.

Local finance considerations

- 57. 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.
- 58. 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.

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

Conclusion

60. The proposed changes to the approved development scheme are considered acceptable and will have the effect of updating the appearance of the development, improving operational efficiency and increasing the size and amount of private amenity space available to a number of the approved dwellings. 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 no. 16/01893/VC - St Annes Wharf King Street Norwich Norfolk 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 are re-imposed modified to take account of conditions already discharged and the new details approved.

- 1. In accordance with plans;
- 2. Materials (other)
- 3. Approved balcony system and plan
- 4. Unknown contamination
- 5. Phasing plans
- 6. Approval of details:
 - (a) a)typical windows, doors including sections to show the window head, window cills and reveal depth (Drg. Min. scale 1:5);
 - (b) typical eaves, verge, parapet and roof details (Drg. Min. scale 1:5);
 - (c) typical shopfront (including sections)(1:10);
 - (d) typical balustrade and balconies construction including supports (Drg. Min. scale 1:10);
 - (e) external lift in Central Street;
 - (f) typical rainwater goods (1:10);
 - (g) typical projecting canopies (1:10).
- 6. Energy efficiency measures
- 7. Archaeology (x2)
- 8. Hard and soft landscaping approval and implementation
- 9. Replacement of trees/shrubs
- 10. Plant and machinery
- 11. 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 shall be submitted to the Local Planning Authority.
- 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.



View of Block H3 from the Plaza



Elevated view of Block H3



Block H3 Rendered Views St Anne's Wharf DAG - 27.C2.17





South Elevation

West Elevation



0 1 2 3 5m

All detensions to be vehicle on site by Main Contractor before the statust any should availing or work wheteoremember on their any testad or that of sub-contractors. Report any decompancies to the Contract Administrator at once. This detension is the next with a diministration of Engineer's measures and reflectioned information.

> ND: DO NOT SCALE Block H3 Planning approved building outline



Next SI Annes Wharf King Street Norwich Densy Ter Block H3 IW & Benoy Comparison Overlay

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Revision:

 Job No:
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 31359
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 INFORMATION





Starmage What
 Starmage What
 King Street
 Konvich
 GA Sectional Elevations - West
 Perpendicular to Otil Barge Yard
 Orbit Homes Limited

Billericay Combridge Colchester London Norwich

Project

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04 KING STREET



SOUTH ELEVATIONS



