Planning Applications Committee Item Report to

8 March 2018

Report of Head of Planning Services

Application no 17/01664/F - Land North West Side of 25 -Subject

27 Surrey Street Norwich

Reason

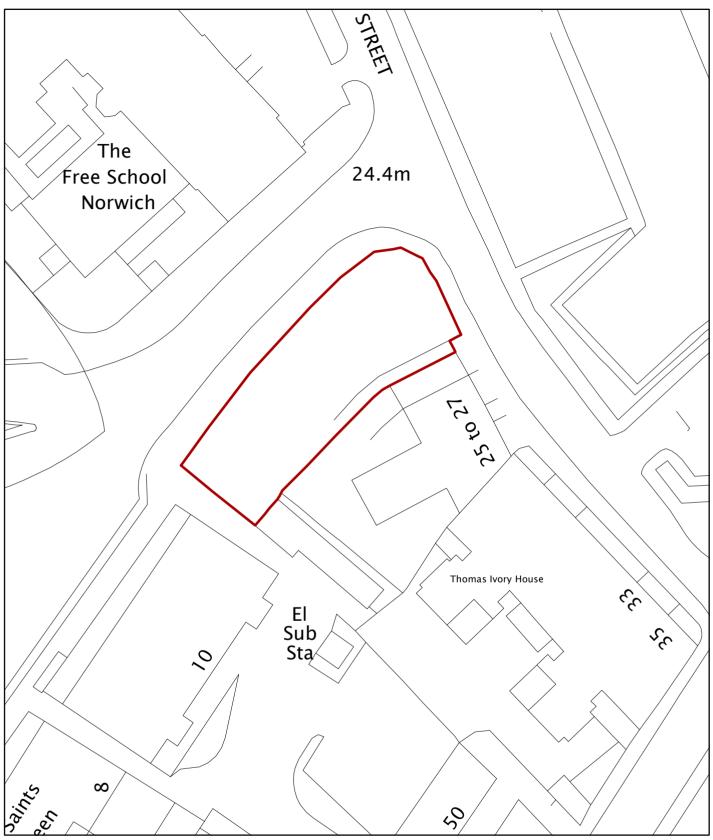
Objection for referral

Ward	Mancroft
Case officer	Lara Emerson - laraemerson@norwich.gov.uk

4(e)

Development proposal				
Construction of five storey building and basement including ground floor restaurant				
(Class A3), first floor retail space (Class A1), hotel (Class C1) and 1no. apartment				
(Class C3).				
Representations				
Object	Comment	Support		
1	0	1		

Main issues	Key considerations
1. Principle of	Provision of restaurant, retail, hotel and residential
Development	floorspace in this location.
2. Design & heritage	Height, scale, form, detailing, impact on setting of listed
	buildings and conservation area.
3. Transport	Car parking, cycle parking, refuse storage and collection
	arrangements. Highway works.
4. Amenity	Living conditions for future and neighbouring occupants.
Expiry date	14 March 2018 (extended from 30 January 2018)
Recommendation	Approve



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Planning Application No 17/01664/F

Site Address Land North West side of

25-27 Surrey Street

Scale 1:500







## The site, surroundings & constraints

- 1. This is the vacant site of the former single-storey ticket office at the bus station, on the north-east side of Surrey Street. The site sits in a prominent position on the corner with the entrance to the bus station. The site is currently enclosed by a close boarded fence and is overgrown with buddleia and scrub.
- 2. A variety of uses surround the site. To the south-east is a partly occupied office at 25-27 Surrey Street, and beyond that the residential flats of 29-35 Surrey Street. To the north is the entrance to the bus station, and beyond that the Norwich Free School for primary aged pupils. On the opposite side of Surrey Street is the 7-9 storey Aviva offices and to the south-west (rear) is the YMCA accommodation and ground floor café and beyond that, a new complex of student flats fronting Queens Road. To the west of the site is the Norwich bus station.
- 3. The site is within the City Centre Conservation Area and the Area of Main Archaeological Interest and there are a number of listed buildings in the vicinity of the site.
- 4. The local plan does not include any specific development plan allocations for this or neighbouring sites, but the site is affected by these designations: City Centre Regeneration Area (policy DM5); Area for Increased Parking (DM29); Office Development Priority Area (DM19); and the site is also within the St Stephens Street Masterplan Area Boundary.

# Relevant planning history

Ref	Proposal	Decision	Date
07/01120/F	Erection of three-storey building for B1 office use including toilet facility linked to adjacent bus station.	Approved	03/04/2008
14/01816/F	Erection of four storey building providing B1 (office) and/or A1 (retail)/A2 (professional services) use at ground floor and 10 No. residential flats above.	Refused	14/07/2015
16/00431/F	Erection of eight flats with office (Class B1), retail (Class A1) or financial/professional services (Class A2) uses at ground floor level.	Approved	22/06/2016

### The proposal

- 5. The proposal is for the construction of a five storey building with basement and central stair core and lift. The building provides the following uses:
  - Restaurant with kitchen and separate café on the ground floor with entrance on the bus station elevation
  - A day spa on the first floor accessed through a shared lobby from Surrey Street
  - 26 bed boutique hotel on the second and third floors accessed through the shared lobby from Surrey Street

- Penthouse apartment on the fourth floor accessed through the shared lobby from Surrey Street
- 6. The building extends to the site boundaries at ground floor but is stepped back from the adjacent office block from first floor level upwards. The penthouse apartment is stepped back further from the front and rear boundaries to provide two terraces. The upper floors, supported by a column, overhang an area of extended pavement on Surrey Street.
- 7. Whilst the proposed building has a unified appearance overall, the various uses of the building are to be visually differentiated. The building is proposed to have a glazed shopfront to the restaurant and café at ground floor, a brise soleil to the retail space on the first floor, brick elevations with aluminium windows to the hotel at the second and third floors and a metal clad penthouse on the fourth floor.

# **Summary information**

Proposal	Key facts		
Scale			
Total no. of dwellings	1		
No. of affordable	n/a		
dwellings	IVa		
	Restaurant: approx. 350m <sup>2</sup>		
	Retail: approx. 400m <sup>2</sup>		
Floorspace	Hotel: approx. 800m <sup>2</sup>		
	Penthouse: approx. 310m <sup>2</sup>		
	Total floorspace including circulation space: 2,175m <sup>2</sup>		
No. of storeys	5		
Max. dimensions	Footprint 14m x 42m		
IVIAX. UITTETISIOTIS	17.5m total height		
Appearance			
   Materials	Brick, metal cladding, aluminium windows		
Iviateriais	Full details to be agreed		
Energy efficiency	To be agreed		
measures	10 00 ugi 00 u		
Operation			
Opening hours	Retail: 07:30 - 20:30		
Opening nodis	Restaurant: 08:00 - 23:30		
Plant and equipment	To be agreed		
Transport matters			
No of car parking	1		
spaces	<u> </u>		
No of cycle parking	6		
spaces	U		
Servicing arrangements	Deliveries and refuse collections to be taken from bus station		

# Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 1 letter of support has been received from the Norwich

Society. 1 letter of objection has been received citing the issues as summarised in the table below. All representations are available to view in full at <a href="http://planning.norwich.gov.uk/online-applications/">http://planning.norwich.gov.uk/online-applications/</a> by entering the application number.

Issues raised	Response
Loss of light to adjacent office block	See main issue 4 relating to amenity.
Overlooking from terrace into adjacent office block	See main issue 4 relating to amenity.

### **Consultation responses**

9. Consultation responses are summarised below the full responses are available to view at <a href="http://planning.norwich.gov.uk/online-applications/">http://planning.norwich.gov.uk/online-applications/</a> by entering the application number.

# **Design and conservation**

- 10. The works as proposed will not be harmful to the setting of multiple listed buildings. The development of a currently unused and over-grown, prominent corner site in the city centre, with a high quality scheme would result in an enhancement of the wider setting.
- 11. Although the overall height of the proposed development is an increase over the previously approved scheme, it is an appropriate scale relative to the adjacent buildings and due to the 'set-back' penthouse on the fifth floor will not dominate over the existing buildings. A simple, contemporary form is preferred for this site so as not to detract from the classical form of the adjacent listed buildings. The proposed form should also attempt to offer an additional level of interest to the setting. In this setting it is advised that this should be achieved through exemplary high quality design and finish rather than a singularly identifiable feature. The proposed form of the development is as a result of continued negotiation and some of the more complicated design elements will require conditioning. It is suggested that these conditions should be pre-commencement.
- 12. The proposal will result in an enhancement to the character and appearance of the wider setting, which is a conservation area and considered to be 'significant' in the character appraisal.

## **Historic England**

13. No comments.

### **Environmental protection**

14. No comments.

## Highways (local)

- 15. No objection in principle.
- 16. Construction management plan required as a pre-commencement condition; this will require consent from Highway Authority (Streetworks team) and Norfolk County Council (landowner of adjacent bus station site).

- 17. Private car parking garage for one vehicle may be provided on the Surrey Street side of the site, potentially with residential refuse storage incorporated.
- 18. S278 agreement (fees apply) for highway improvement will be required to resurface the footway and provide protective bollards. Should a private garage be provided within the site, the adjacent streetlight on Surrey Street will require relocation (all costs met by applicant).
- 19. Written agreement with Norfolk County Council with regard to vehicle access to bus station service road during construction and post completion e.g. for maintenance access to the exterior of the building.
- 20. A refuse management plan for the site is strongly advised. Given the constraints of means of access to the rear the use of Winnals Yard is strongly advised.

### **Highways (strategic)**

21. The pavement at the corner of the site is a pinch point and should be widened. There will be a need for the applicant to negotiate a wayleave with Norfolk County Council to allow access to the restaurant entrance.

#### **Norfolk Historic Environment Service**

22. The site has already undergone an archaeological evaluation as part of a previous application (16/00431/F) and therefore we do not wish to make any recommendations for archaeological work.

### Norfolk Constabulary

23. Detailed comments on a variety of security measures including safety glass and CCTV.

### **Lead Local Flood Authority**

24. No comments.

# **Norwich City Council Citywide Services**

25. Bin lorries will not be able to stop in the bus station to collect residential waste. Suggest they move the bin store to Surrey Street.

### **Norwich City Council Streetworks**

26. This is a constrained site and a road closure or significant traffic management would have a major impact on the bus station, especially as we also have the St Stephens Towers development going on for at least the next year on the other side of the station and our own major junction remodelling at the Brazengate junction. Suggest imposing a condition requiring a construction management plan.

### **Assessment of planning considerations**

### Relevant development plan policies

27. Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan 2014

- 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
- JCS11 Norwich city centre
- JCS19 The hierarchy of centres

# 28. Norwich Development Management Policies Local Plan adopted Dec 2014

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development
- DM16 Supporting the needs of business
- DM18 Promoting and supporting centres
- DM20 Protecting and supporting city centre shopping
- DM28 Encouraging sustainable travel
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

### Other material considerations

# 29. Relevant sections of the National Planning Policy Framework March 2012

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF12 Conserving and enhancing the historic environment

### **Case Assessment**

30. 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 Policy Framework, the council's standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### Main issue 1: Principle of development

- 31. Key policies and NPPF paragraphs DM12, DM18, DM20, NPPF paragraphs 14, 21, 22, 24 and 49.
- 32. The site has been vacant for over a decade since the demolition of the former ticket office. This is a sustainably situated and prominent city centre brownfield site which

is ideal for some form of development. There is an extant consent for a 4 storey development comprising commercial uses on the ground floor and residential flats above.

- 33. The application proposes a mix of commercial and residential uses. The commercial uses (restaurant, café, retail and hotel) all fall with the National Planning Policy Framework's definition of main town centre uses. As such, policy DM18 of the Local Plan applies, which seeks to direct main town centre uses to defined retail centres. In this case, with the site being adjacent to a public transport hub and on a key pedestrian route between the bus station and St Stephens Street, a sequential test has not been deemed necessary. The provision of commercial uses here is unlikely to compromise the vitality and viability of the city centre or other defined retail centres. The benefits of the scheme and the exceptionally sustainable location of the site are considered to outweigh this conflict with policy. The St Stephens Area Masterplan (2011) encourages active retail and restaurant uses on this busy pedestrian route to enliven the area and improve the pedestrian environment.
- 34. A condition is recommended which restricts the first floor to a spa use and for no other uses within Use Class A1. A spa is considered to complement the hotel use and surrounding business uses, and other retail uses may cause more harm to defined retail centres.
- 35. Residential development on the site accords with the criteria set out within DM12 but in any case, the principle of residential development has already been established due to the most recent consent (16/00431/F).
- 36. The principle of restaurant, café, retail, hotel and residential uses on the site is considered acceptable in principle subject to the other policy and material considerations detailed below.

### Main issue 2: Design & Heritage

- 37. Key policies and NPPF paragraphs JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56 and 60-66, 128-141.
- 38. Surrey Street is varied in terms of its architecture being made up mostly of modern office blocks and classically proportioned historic buildings. The site sits on a prominent corner plot and so it is considered that a bold and outstanding design is needed. That being said, the site sits within the City Centre Conservation Area and in the vicinity of many listed buildings and so the design must respect and respond to this sensitive historic setting.
- 39. There is an extant consent for a 4 storey development which follows broadly the same footprint as the proposed scheme. The proposed building is 5 storeys high (taller than the 4 storey consented scheme by 2.4m), but with the top floor being set back from the front and rear boundaries to reduce its visual impact on the street scene. Whilst the proposed building has a unified appearance overall, the various uses of the building are proposed to be visually differentiated. The building is proposed to have a glazed shopfront to the restaurant and café at ground floor, a brise soleil to the retail space on the first floor, brick elevations with aluminium windows to the hotel at the second and third floors and a metal clad penthouse on

- the fourth floor. Precise materials and details are proposed to be agreed by condition.
- 40. The design of the scheme has been improved upon during the course of the application to secure a simple design with a hierarchy of windows which responds to the classical proportions seen on 29-35 Surrey Street and the Free School. The façade is broken up horizontally by using different design elements for each of the building uses, and the two entrances help to break up and define the frontage on the ground floor.
- 41. The proposal is considered to respect, enhance and respond to the character and local distinctiveness of the area in accordance with policies DM3 and DM9 of the Local Plan.

### Main issue 3: Transport

- 42. Key policies and NPPF paragraphs JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
- 43. The site sits in a highly accessible location within easy walking distance of the whole city centre and being particularly well served by the bus station. The Yellow and Blue Pedalways pass the site providing excellent access by cycle from all over the city.
- 44. The site provides a garage for the penthouse apartment which can be used for the parking of 1 car and the storage of bicycles. A staff cycle storage room is shown on the ground floor which provides secure and covered cycle parking for 6 bikes. This is below policy requirements (14 secure and covered cycle spaces required for the commercial units within the development). The cycle storage room is also not in the ideal location at present since it can only be accessed through the internal shared lobby. A condition is recommended which requires further details of the location and number of cycle parking spaces. There is ample provision of visitor cycle parking within the public cycle stands opposite the site within the bus station.
- 45. Bins are proposed to be stored in a shared bin store accessed from the bus station. It is understood that the applicant is in the process of drawing up an agreement with Norfolk County Council in order to be able to service the development from their land. A refuse management plan is required by condition as it is important that the servicing of the development does not disrupt the efficient operation of the bus station or cause an obstruction to traffic on Surrey Street. Subject to an assessment of rights of access, it may be concluded that the best option is to service the commercial parts of the development from Winnals Yard, to the rear of the site. Consideration will also be given to the storage of the residential refuse bins within the garage fronting Surrey Street.
- 46. A travel plan is proposed to be secured by condition which will ensure that the sustainable travel options are effectively communicated to staff and visitors.
- 47. Some works to the highway are required due to the provision of a garage on the Surrey Street elevation. A dropped kerb needs to be installed along with line painting and the relocation of a street light. All of these works will be paid for by the developer.

- 48. The development allows for the widening of the pavement on Surrey Street and on the corner with the bus station, which is beneficial on this busy pedestrian route. The council intends to adopt this additional strip of pavement.
- 49. The site sits in a critical transport corridor and it is essential that the construction of the development is carefully managed to avoid disruption to bus services and the efficient movement of traffic within the city centre. As such, a construction management plan is required by condition.

## Main issue 4: Amenity

50. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

## Impact on neighbouring occupiers

- 51. The site to the south-east, known as 25-27 Surrey Street, is a 5 storey office block with large windows on all elevations. The proposed development extends all the way to the boundary on the ground floor but steps away from this boundary from first floor upwards, sitting at 3m from the neighbouring building at its closest point. It is important to note that development of this site should not be unduly prejudiced by the fact that the neighbouring office block has windows on a side elevation facing towards a city centre site which could reasonably be expected to be developed.
- 52. Whilst it is appreciated that the proposed development may lead to some loss of light and outlook to the windows closest to the development, it is worth noting that offices are less sensitive to loss of light than, say, housing. The affected rooms also appear to be served by a number of other large windows and the affected windows face north (where low levels of light can be expected in any case).
- 53. There are windows proposed within the second and third floors facing towards the neighbouring office block which serve hotel rooms and are set at a distance of 6 metres from windows within the neighbouring site. 6 metres is a reasonable distance to protect users from overlooking and in any case hotel guests using these rooms could choose to close their blinds to protect their own privacy. The terrace on the top floor also provides potential overlooking opportunities into the top floor windows of the neighbouring site. However, occupants would need to stand at the very edge of the large terrace in order to gain views into the neighbouring windows. It is not considered that any of these issues cause unreasonable impacts on the amenities of the users of the neighbouring office block.
- 54. To the north west of the site there is a YMCA building used as a café on the ground floor and providing temporary accommodation above. The elevation facing towards this site has a number of small windows which serve a stairwell and are therefore not particularly vulnerable to loss of outlook, light or privacy.
- 55. The uses proposed here are not particularly noisy in themselves, but will involve people coming and going at all hours. This is not likely to cause a particular nuisance to the surrounding occupiers.

## Amenity of future occupants

56. The only potential amenity concern for the uses proposed at ground to third floor is the privacy and protection from noise for the guests using the hotel rooms on the

second and third floors. There are hotel room windows proposed within the second and third floors which are set at a distance of 6m from windows within the neighbouring office block. 6 metres is a reasonable distance to protect users from overlooking and in any case hotel guests using these rooms could choose to close their blinds to protect their own privacy. In addition, the office is likely to be empty outside of office hours. The previously consented scheme was supported by a noise assessment which concluded that the flats, which were proposed on all upper floors, could be adequately protected from the noise generating use at the bus station. As such, it is reasonable to conclude that measures can be used to protect the less vulnerable hotel use. Details of such protection are required by condition.

- 57. The top floor penthouse is the most vulnerable use proposed within the building. The unit is very generously sized and has ample outside space provided on two terraces. The windows are afforded with excellent light, outlook and privacy. The penthouse is accessed through a communal lobby. The management of the building and the access rights of the users of the various facilities within the building are an important detail, which will be agreed by condition. The previously consented scheme was supported by a noise assessment which concluded that the flats, which were then proposed on all upper floors, could be adequately protected from the noise generating use at the bus station. Details requested by condition include acoustic protection within the external construction, mechanical ventilation and sound protection within the floor between the hotel use and the residential use.
- 58. The proposed development has been carefully designed on this tightly constrained site to provide appropriate relationships between existing and future occupiers. The proposed development is considered to adequately protect the amenities of neighbouring and future occupants in accordance with policy DM2.

### Other matters

- 59. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation.
  - Surface water management scheme requested by condition
  - Biodiversity no site clearance during the bird nesting season
  - Energy & water conservation measures to be agreed by condition
  - Security measures and prevention of crime details requested by condition

### **Equalities and diversity issues**

60. There are no significant equality or diversity issues.

#### Local finance considerations

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

#### Conclusion

62. The development provides a high quality landmark building on a prominent city centre brownfield site. The commercial uses within the building will complement the city centre retail offer on this key pedestrian route to and from the bus station. The development also provides a large city centre residential apartment in a sustainable location. The development has been well designed to protect the amenities of neighbouring and future occupiers. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

#### Recommendation

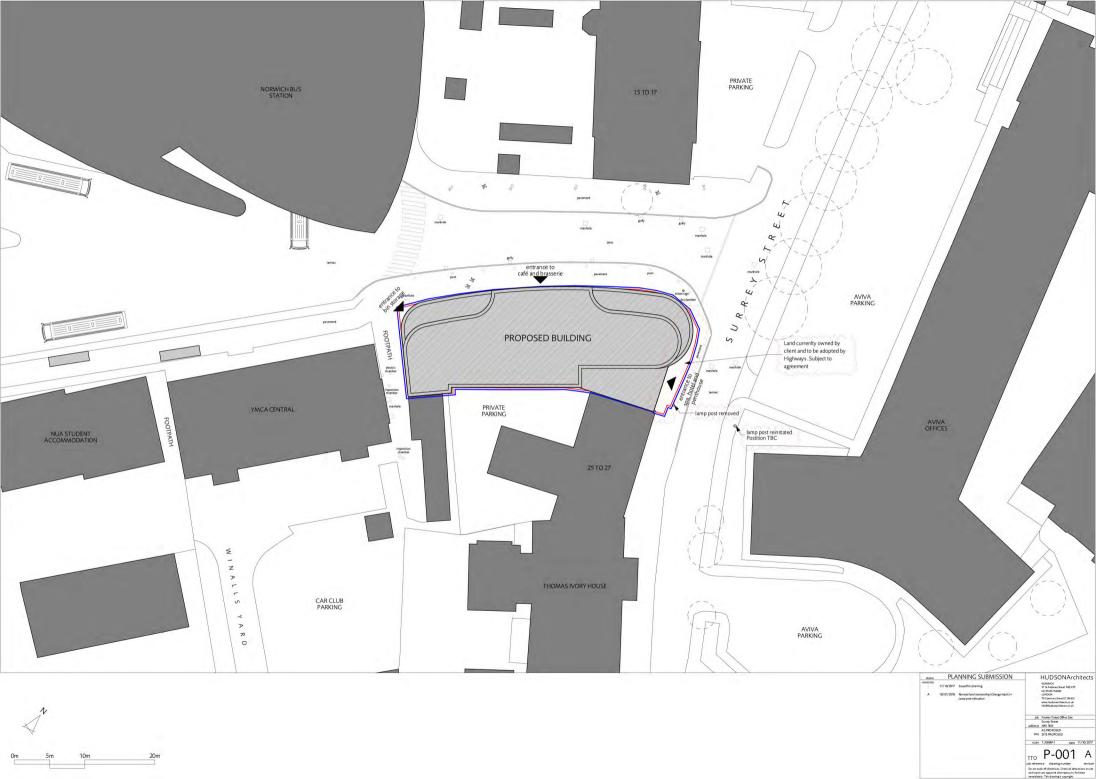
To approve application no. 17/01664/F - Land North West Side of 25 - 27 Surrey Street Norwich and grant planning permission subject to the following conditions:

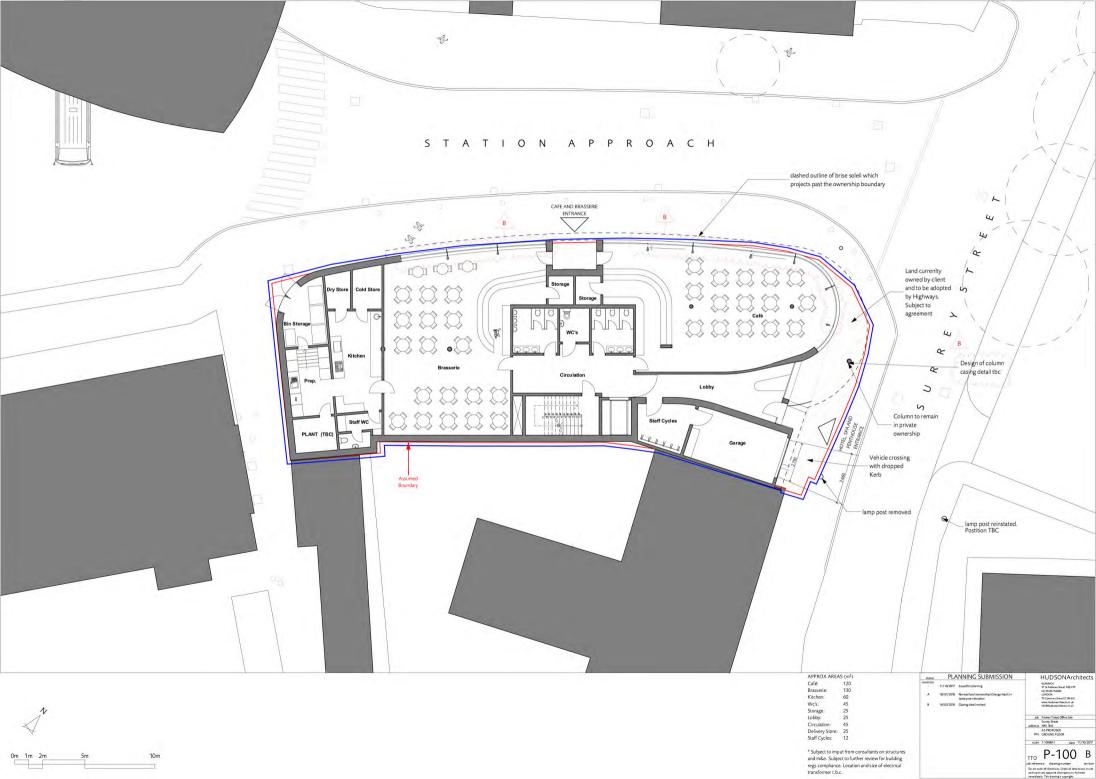
- 1. Standard time limit;
- 2. In accordance with plans;
- 3. SUDs including consideration of green roof;
- 4. Travel plan;
- 5. Agree location and number of cycle spaces;
- 6. No site clearance within bird nesting season;
- 7. External materials to be agreed;
- 8. Energy efficiency measures to be agreed;
- 9. Construction management plan to be agreed:
- 10. Security measures to be agreed, to include:
  - (a) Fire retardant, anti-grafitti and laminated glass at ground floor
  - (b) CCTV scheme to be agreed
  - (c) External lighting scheme to be agreed
  - (d) Details of the access rights of users of the various facilities and how this will be controlled
- 11. Acoustic measures to be agreed (windows and mechanical ventilation) for second-fourth floors including floor between hotel and apartment;
- 12. Highway works (including dropped kerb, line painting, works to pavement and relocation of street lights) to be agreed and implemented as agreed;
- Refuse management plan to be agreed;
- 14. Water conservation measures to be agreed:
- 15. No plant and machinery to be installed without permission;
- 16. First floor to be spa and no other use within A1.

#### Informatives:

- 1. Not entitled to on-street parking permits;
- 2. Contact the city council regarding postal addressing of the scheme;
- 3. Should the applicant wish the highway authority to adopt the extended paving on Surrey Street under the overhang to the back of building line, this would require a S38 agreement (fees apply). This would also trigger the requirement for a building overhang license;

4. Adverts require separate consent.





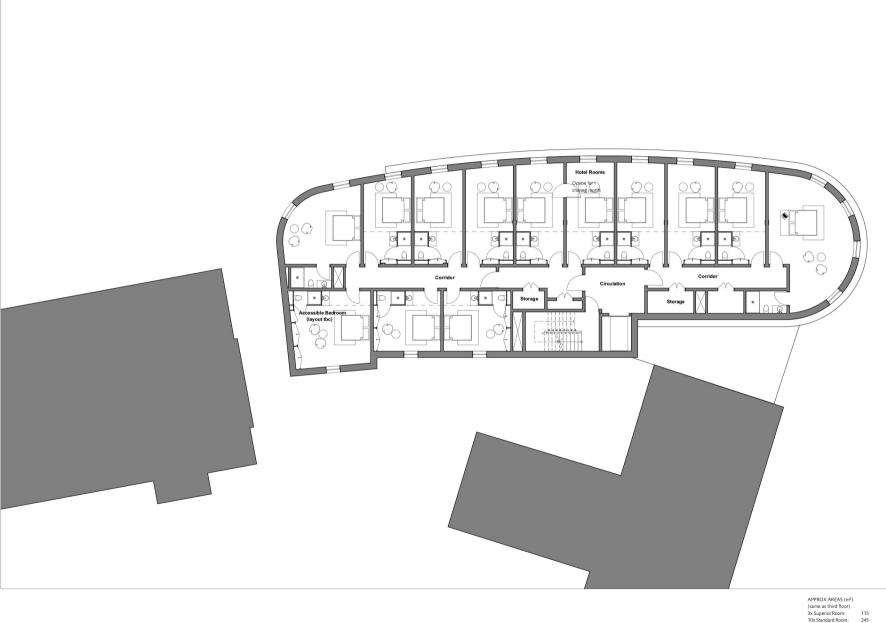


Spa: 220
Retail: 62
Sidon: 120
Circulation: 45

\* Subject to impul from consultants on structures and m&e. Subject to further review for building regs compliance. Location and size of electrical transformer to.b.

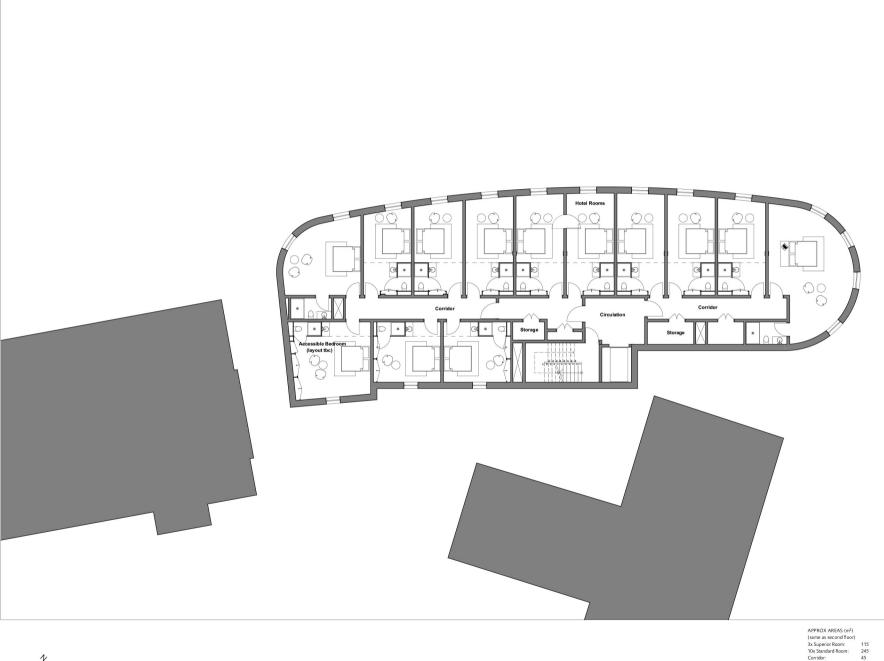
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APPROX AREAS (m²) (came as third floor)
3.8 Superior Room:
115
10.5 Standard Room:
245
Corridor:
45
Circulation:
30
Storage:
10

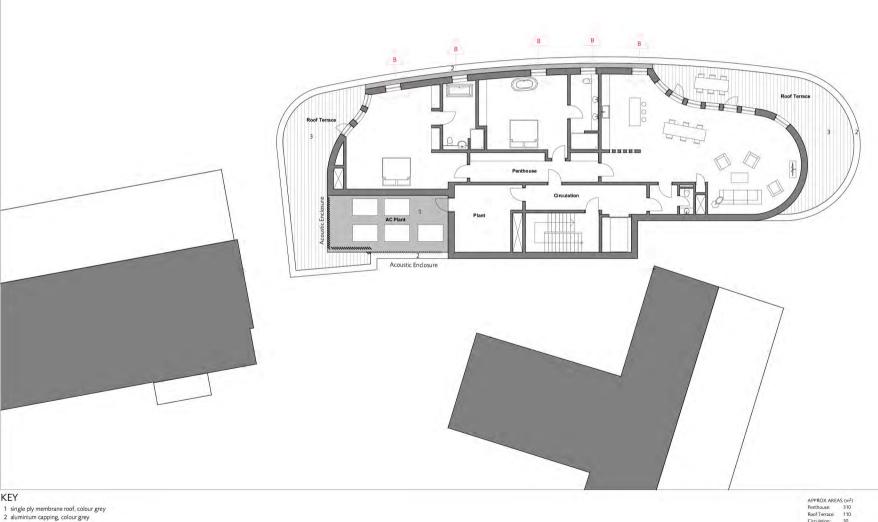
\* Subject to further review for building regs compliance. Location and size of electrical transformer. Loc.



APPROX AREAS (m²) (same as second floor) 3x Superior Room: 115 10x Standard Room: 245 Corridor: 45 Circulation: 35 Storage: 10

\* Subject to imput from consultants on structures and m&e. Subject to further review for building regs compliance. Location and size of electrical transformer t.b.c.

status PLANNING SUBMISSION revisions HUDSONArchitects
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37 St. Anderwo Steet NIZ 4TP
tel 01607 NIZZO
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APPROX AREAS (m²) Penthouse: 310 Roof Terrace: 110 Circulation: 30

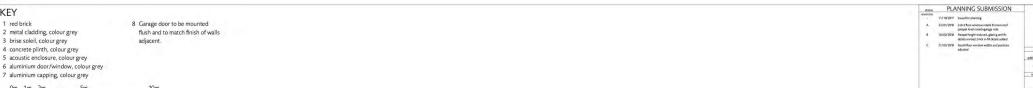
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KEY

1 red brick

2 metal cladding, colour grey

4 concrete plinth, colour grey 5 acoustic enclosure, colour grey

7 aluminium capping, colour grey

3 brise soleil, colour grey

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