



PLANNING APPLICATIONS COMMITTEE

Date: **Thursday 6 March 2014**

Time: **10.30am** (Site visits to Gladstone House, Upper St Giles at 10am, Members' briefing 9am – see details below)

Venue: **Mancroft room, City Hall**

COMMITTEE MEMBERS:

Councillors:

Bradford (chair)
Gayton (vice chair)
Ackroyd
Blunt
Brociek-Coulton
Button
Grahame
Jackson
Little
Neale
Sands (S)
Storie

FOR FURTHER INFORMATION PLEASE CONTACT -

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Democratic services
City Hall
Norwich
NR2 1NH

AGENDA

Page No.

9.00 am Briefing for committee members – Building regulations
(facilitated by CNC Building control)

**10.00 am Site visit - Application no 13/01296/F Gladstone House, 28
St Giles Street, Norwich, NR2 1TQ**

Members who wish to attend the site visit are requested to meet at **10am** at the rear of Gladstone House, Upper St Giles. Ward councillors and interested members of the public are also welcome to attend and observe the meeting.

(The committee will then return to City Hall in time for the commencement of the formal committee meeting at 10.30 am in the Mancroft room.)

1. Apologies

2. Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to an item if the members arrive late for the meeting).

3. Minutes **5**

To agree the accuracy of the minutes of the meeting held on 6 March 2014.

4. Planning applications **27**

(Report of the head of planning services except for item 4(7) Application no 13F02098/F, 11 Mount Pleasant, Deputy chief executive (operations))

Purpose - To determine the current planning applications as summarised on pages **23-24** of this agenda.

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 4 above are required to notify the committee officer by 10am on the day before the meeting.

Further information on planning applications can be obtained from the council's website:- <http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 10.30am.
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available.
- The committee will adjourn for lunch at a convenient point between 1pm and 2pm if there is any remaining business.

26 March 2014



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PLANNING APPLICATIONS COMMITTEE

10.15am to 3.50pm

6 March 2014

Present: Councillors Bradford (chair), Gayton (vice chair) (to the end of item 8 below because of other council business), Ackroyd, Blunt, Brociek-Coulton (to the end of item 8 below), Button (to the end of item 8 below because of other council business), Grahame, Henderson (substitute for Councillor Neale), Jackson, Little, Sands (S) (to item 12) and Storie

Apologies: Councillor Neale

1. **SITE VISIT – APPLICATION NO 13/01964/F LAND ADJACENT TO 25 AND 27 QUEBEC ROAD, NORWICH**

The following members undertook a site visit in respect of application no 13/01964/F land adjacent to 25 and 27 Quebec Road, Norwich:

Councillors Bradford (chair), Gayton (vice chair), Ackroyd, Blunt, Brociek-Coulton, Button, Grahame, Henderson, Jackson, Little and Storie.

Members were advised that the footprint of the buildings had been marked out by the applicant. However two poles situated on the site, which sought to demonstrate the height of the proposed development, had not been erected by the applicant. The committee also viewed the site from the gardens of 29 Quebec Road and 2 Primrose Road at the request of the residents.

2. **APPLICATION NOS 13/01296/F AND 13/01297/L GLADSTONE HOUSE, 28 ST GILES STREET, NORWICH, NR2 1TQ**

The head of planning services explained that due to technical errors on the council's website members of the public could have received the impression that the public consultation on the proposals for Gladstone House, 28 St Giles Street had closed before its due date. He proposed that the consideration of the applications be deferred to the next meeting of the committee on 3 April 2014, to avoid any possible prejudice to members of the public wishing to submit representations on the application. The consultation would be extended to 13 March 2014.

RESOLVED to defer consideration of application no 13/01296/F Gladstone House, 28 St Giles Street, Norwich, NR2 1TQ to the next committee meeting on 3 April 2014.

3. **DECLARATION OF INTERESTS**

Councillor Storie declared a pecuniary interest in items 12 (below), Application no 13/01639/MA NR1 Development, Geoffrey Watling Way and 13 (below), Application no 13/02087/VC and 13/02088/VC Ashman Bank and Allison Bank and NR1 Development, Geoffrey Watling Way because she was a member of Norwich City Football Club Supporters' Trust. She also said that she had been appointed to the Norse board overseeing the development at Three Score but had not yet attended a meeting.

Councillor Brociek-Coulton said she did not hold a predetermined view on item 11 (below), Application no 13/01982/F Aldi, 463 – 503 Sprowston Road, Norwich, despite having discussed the issue with the local access forum. She also declared an other interest in items 12 (below), Application no 13/01639/MA NR1 Development, Geoffrey Watling Way and 13 (below), Application no 13/02087/VC and 13/02088/VC Ashman Bank and Allison Bank and NR1 Development, Geoffrey Watling Way because she represented the council as a member of the Broads Authority. (Councillor Brociek-Coulton had left the meeting before these applications were considered at committee.)

Councillors Button and Storie declared an other interest in item 13/02031/RM Three Score in that they had been recently appointed to the Norse board overseeing the development on Three Score but had not attended any meetings or taken part in any decisions relating to the application.

Councillor Grahame said that she had been lobbied in respect of Application no 13/01964/F land adjacent to 25 and 27 Quebec Road, Norwich but had not predetermined the application. It was noted that all members of the committee had been lobbied about this application.

4. MINUTE

RESOLVED to approve the minutes of the meeting held on 6 February 2014.

5. APPLICATION NO 13/01964/F LAND ADJACENT TO 25 AND 27 QUEBEC ROAD, NORWICH

The planner (development) referred to the report and presented the supplementary report of updates to reports which was circulated at the meeting. This comprised a correction to a reference to "three" instead of "two" new dwellings in paragraph 41 of the report and a recommended condition to require further detail of the car port to be submitted to the local planning authority for approval to ensure adequate design and to protect the amenities of the neighbouring properties. In response to a request from a member, the planner displayed the results of the applicant's sun-path analysis making particular reference to the impact on the garden of 29 Quebec Road.

The head of planning services and the planner, together with the building surveyor, NPS Norwich, answered members' questions. Members were advised that landownership and access was a civil matter independent of the planning process. The committee was advised that construction would be covered by the building regulations. CNC Building Control would require a geo-physical survey before construction commenced to assess ground stability and the potential for inadequate drainage from the site. The site was considered to be reasonably stable, with no

underlying chalk mine workings and considered to be of no significant risk to existing dwellings. The car port would weigh less than the other buildings and was considered to be a very low risk to ground stability.

Discussion ensued on the sun-path analysis and the impact that it would have on the properties located on Quebec Road. Members were advised that these properties were south facing and that the main overshadowing from the development was to the north of the site, where the garage and parking area were located. A member suggested that acceptable boundary treatments to protect the privacy of the proposed dwellings and neighbouring properties could exacerbate shadowing from the site. Members also noted that the car port was very close to the boundary of the garden at 2 Primrose Road and that it could be overbearing because of the difference in gradient.

During discussion members concurred on the value of conducting a site visit in order to appreciate the gradients of the site in relation to the surrounding dwellings. Councillor Sands said that she had visited the site independently. Some members expressed concern that the dwellings would be overbearing to surrounding properties and result in the loss of direct sunlight. Whilst members noted that there had been two dwellings on the site, it was suggested that the properties located on Quebec Road had been built after the previous dwellings had been demolished. A member referred to the National planning policy framework (NPPF) and expressed concern that the development would harm the residential amenity of the surrounding residents by overlooking their properties. Members also expressed concern about the steep gradient for the vehicular access/egress to the site and the implications for pedestrian safety.

One member spoke in support of the applications and said that he considered it would be difficult to refuse planning permission on the grounds of over shadowing and overlooking because the adjacent properties were some distance from the proposed development. He pointed out that there was a need for housing in a sustainable location. The head of planning service commented that if members were minded to refuse the application they would need to consider that the proposed development was in a sustainable location and helped meet the five year land supply. The recommendation was for approval with conditions to mitigate the concerns of adjacent residents and therefore refusal could be hard to sustain.

Councillor Blunt moved and Councillor Ackroyd seconded that the application should be refused on the grounds that the proposed development would be overbearing and block the sunlight to neighbouring gardens and properties; the proposed dwellings would overlook neighbouring properties and harm residents' amenity to such an extent as to outweigh the benefits of the development in a sustainable location and justify refusal.

RESOLVED with 9 members voting in favour of refusal (Councillors Storie, Ackroyd, Blunt, Brociek-Coulton, Button, Grahame, Jackson, Sands and Henderson), 1 member against (Councillor Little) and 2 members abstaining (Councillors Bradford and Gayton) to refuse planning permission for application no 13/01964/F land adjacent to 25 and 27 Quebec Road, Norwich, on the grounds as minuted above and to ask the head of planning services to provide the reasons for refusal in planning policy terms.

(Reasons for refusal as provided subsequently by the head of planning services:

The proposals would result in a significant detrimental impact on the amenities of neighbouring properties with overshadowing to properties to the north of the site and overbearing and overlooking to properties to the north, west and south of the site. Taken cumulatively the above impacts are considered to result in a significant loss of amenity to existing neighbouring properties, which outweighs the benefit of housing development in what would otherwise be a sustainable location and the proposals are therefore contrary to saved policy EP22 of the adopted City of Norwich Replacement Local Plan (2004), Policy DM2 of Development Management Policies Development Plan Document - Pre-submission policies (April 2013) and paragraph 9 of the National Planning Policy Framework.)

6. APPLICATION NO 13/01636/F CASTLE MALL, NORWICH

The planner (development) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting and summarised a further representations received since the agenda and papers for the meeting had been published, including a letter of support from the Norfolk Chamber of Commerce and one from the Norwich Society objecting to the proposal. In response to a query from the chair, the planner clarified that the design included works to the entrance

The original architect of the Castle Mall addressed the committee with his objections to the scheme which included concern that the façade was out of scale and out of keeping for a conservation area and not sympathetic to the overall design of the building.

A representative of the Norwich Society said that the revised design did not differ much from the previous designs and that whilst contemporary would not date well.

The manager of Castle Mall spoke in support of the application and said that it was important to improve the primary entrance to the shopping mall and invest in the mall to retain and attract new brands and improve the Norwich retail offer.

The agent then addressed the committee and said that the applicant had worked with officers on a solution to provide a contemporary solution to the façade at this main entrance to the mall.

During discussion the planner, together with the head of planning services, referred to the report and answered members' question. The officers confirmed since the last meeting they had discussed the proposals submitted by the original architect with the applicant. Members were advised that the materials for the fretwork canopy were durable and noted that some maintenance would be required. It would not be unreasonable to add a condition to ensure that the applicant provided details of the maintenance agreement, and the committee agreed that this should be a condition of planning permission. Discussion ensued in which members commented on the design of the façade and were advised that it was not possible to separate it from the internal improvements. One member said that his concerns about the use of aluminium rather than a more sustainable material had not been addressed. Other members considered that the design was an improvement on the previous application. Members were advised that if they were minded to defer consideration

to another meeting they needed to be clear on what was unacceptable with this proposal.

RESOLVED, with 5 members voting in favour (Councillors Gayton, Brociek-Coulton, Button, Grahame and Little), 5 members voting against (Councillors Bradford, Blunt, Jackson, Sands and Henderson) and 2 members abstaining (Councillors Storie and Ackroyd), on the chair's casting vote (the chair casting his vote in favour of the officer recommendation for approval and that he considered that on balance the internal improvements to the entrance outweighed his dislike of the façade treatment) to approve application No 13/01636/F at the Castle Mall entrance, Back of the Inns subject to the following conditions:-

1. Commencement of development within three years.
2. In accordance with the details and drawings submitted with the application
3. Details of all materials including:
 - (a) Fret cut aluminium and rear panels;
 - (b) Paving to the new entrance to include details of the materials, including manufacturers name and product code (if applicable), details of the colour, finish and any application of anti-slip coating;
 - (c) New doors to include details of materials, colour, finish and any incidental details such as door furniture, stall risers etc;
 - (d) LED lighting specification.
4. Construction management plan to include the following:
 - (a) Details of how waste will be stored and removed from site;
 - (b) Details of how deliveries will be made to the site;
 - (c) Storage of materials;
 - (d) Provision of pedestrian routes past and through the site (if appropriate).
5. Details of the agreement for the maintenance of the exterior of the entrance to Castle Mall, Back of the Inns.

Article 31(1)(cc) Statement:

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

7. APPLICATION NO 13/02031/RM THREE SCORE SITE LAND SOUTH OF CLOVER HILL ROAD NORWICH

(Councillors Button and Storie had declared an interest in this item.
Councillor Sands said that she had not discussed the application with Councillor Sands (M).)

The planning team leader (development) presented the report with the aid of plans and slides and referred to the supplementary report of updates to reports, which was circulated at the meeting and contained a summary of a further representation received from a member of the public who had previously commented on the application relating to the ecology of the site. The applicant had submitted a

methodology for the protection of the grassland areas indicated to be protected during development which was considered to be acceptable. Members were advised that it was proposed to amend condition 8 of the recommendation to require the method for the protection of the grassland to be implemented in full accordance with the submitted details.

Councillor Mike Sands, local member for Bowthorpe ward, said that the site had been set aside for development in the 1970s and that the facility for sheltered housing with care and dementia care would provide a much needed service for Norwich and the county. He said that the mitigation measures put in place by the conditions alleviated concerns for the ecology and archaeology of the site.

Discussion ensued in which the applicant's ecologist was invited to respond to members' questions, together with the planning team leader, about the methodology involved in evaluating the site and the protection of the grassland areas. Members discussed the mitigation measures which included a green corridor through the development and whether there were other biodiversity measures that could be explored with the developer, such as the potential for green roofs.

RESOLVED , unanimously to approve application no 13/02031/RM Three Score Site Land South Of Clover Hill Road Norwich and grant planning permission, subject to the following conditions:-

1. Landscaping in accordance with the plans submitted and further landscaping details to be agreed including: levels, kerbs, measures to prevent vehicles entering open/green space, boundary treatment elevations, lighting details of private areas (public areas covered by condition 19 of the outline consent), hard surfacing materials.
2. Details of materials including: Bricks, render, tiles, columns to entrance, eaves detail of entrance canopy, windows, rainwater goods, external walls of lower ground supporting structures, bargeboard, curtain walling, substation/bin/sprinkler store details.
3. Cycle parking stand specification, numbers and location;
4. Construction access to be closed off before occupation and details of access, temporary boundary treatment to either side of temporary foot/cycle path, realignment of pavement on Clover Hill Road and restrictive access barriers;
5. Details of the cycle/foot path access to the west of the site onto Clover Hill Road including the link to the existing pavement, further AIA and AMS for the access and restrictive access barriers;
6. Tree protection in accordance with the AIA
7. Method for removal, storage and re-use of topsoil in full accordance with supplementary ecology statement;
8. Method for the protection of the grassland areas indicated to be protected during development in full accordance with submitted details;
9. Conservation (ecology) management plan for the site.

8. APPLICATION NO 14/00028/VC MCDONALDS, 162 BARRETT ROAD, NORWICH, NR1 2RT

The planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which contained

amendments to paragraph 40 of the report, to delete “not” from the report and to the amend the plan to extend it to the highway.

Discussion ensued in which members considered the comments received from the residents adjacent to the site and the impact of extending to operating 24 hours a day. Members expressed concern about the affect of noise on residents, particularly from anti-social behaviour. The committee was advised that anti-social behaviour was less predictable than normal use of the car park and drive through restaurant. One member pointed out that the premises was on a busy road, would provide job opportunities and a service to the community and that this should be considered on balance with the fact that there would be an impact on only three dwellings. Councillor Little proposed, seconded by Councillor Gayton, to refuse the application on the grounds that it would be harmful to the amenity of the residents. Following discussion, Councillor Little withdrew the amendment and proposed that the committee deferred consideration for further information from the police about anti-social behaviour. This was seconded by Councillor Jackson.

RESOLVED with 6 members voting in favour (Councillors Ackroyd, Brociek-Coulton, Button, Jackson, Little and Henderson), 5 members voting against (Councillors Bradford, Gayton, Storie, Blunt and Sands) and 1 member abstaining (Councillor Grahame) to defer consideration of application no 14/00028/VC McDonalds, 162 Barrett Road, Norwich, NR1 2RT to the next meeting in order to take into consideration comments from Norfolk Constabulary about anti-social behaviour.

(The committee adjourned for lunch between at 1.30pm. Councillors Gayton and Button left the meeting at this point to attend other council business. Councillor Brociek-Coulton also left the meeting at this point. The meeting reconvened with all other members present.)

9. APPLICATION NO 13/02051/F FORMER WELLESLEY FIRST SCHOOL, WELLESLEY AVENUE NORTH, NORWICH, NR1 4NT

The senior planner (development) presented the report with the aid of plans and slides and referred to the supplementary report of updates to reports which was circulated at the meeting and contained information supportive to the application regarding implementation and finance from the National Health Service. The senior planner referred to the objections from local residents and the associated highways improvements agreed under the previous application for the full redevelopment of the site.

RESOLVED to approve application no 13/02051/F Former Wellesley First School Wellesley Avenue North Norwich NR1 4NT and grant temporary planning permission, subject to the following conditions:-

1. limit to 18 months use of the site only and making good on removal of building.
2. development to be carried out in accord with drawings and details supplied.
3. limit on hours of opening and delivery 08:00 hours and 18:30 hours Monday to Friday and 09:00 hours to 13:00 hours on Saturday only.
4. details of site lighting to be agreed prior to first use.

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the application and pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report with the application.

10. APPLICATION NO 13/01982/F 463 - 503 SPROWSTON ROAD, NORWICH

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and contained further representations from the agent and a chartered surveyor, appointed by the applicant, and the officer response. A representative of the agent responded to points made within the report.

The agent spoke in support of the application and explained that the permission was being sought for a minor amendment to the original planning permission for the food store to install steps at the rear of the building which was considered a better solution to the ramp and complied with building regulations. The steps were intended for staff use.

During discussion the senior planner, together with the planning team leader (development) and the policy officer, responded to the representation and answered members' questions. Members were advised that the council had a general duty to eliminate unlawful discrimination and enhance the equality of opportunities.

RESOLVED unanimously, to:

- (1) refuse planning permission for application no 13/01982/F 463 - 503 Sprowston Road Norwich for the following reason:-
 1. The scheme for replacement steps has been considered having regard to the requirements of the Equality Act and appropriateness of providing suitably designed and detailed emergency escape and access to the building. A suitable means of providing ramped access/egress along this side of the building has previously been approved. Concerns have been expressed that the scheme as submitted provides a less than adequate alternative and is therefore considered to be an inappropriate form of emergency escape and access to the building.
 2. The application is not accompanied by a deed of variation to the section 106 agreement attached to the earlier permission 13/00208/F and does not make appropriate provision for planning obligations related to this development.
- (2) authorise the head of planning services, in consultation with the chair, to write to the applicant/agent to encourage further discussion with interest groups and others to seek to facilitate an alternative form of emergency access to this side of the building

- (3) authorise enforcement action to secure the removal of the unauthorised steps and replacement with ramps as approved and the taking of legal proceedings, including prosecution if necessary.

**11. APPLICATION NO 13/01639/MA NR1 DEVELOPMENT
GEOFFREY WATLING WAY, NORWICH CITY FOOTBALL CLUB,
CARROW ROAD, NORWICH, NR1 1JE**

(Councillor Storie having declared a pecuniary interest left the meeting for this item.)

The senior planner (development) presented the report with the aid of plans and slides. He outlined the proposed changes in the design and that an objection had been received from a resident in block 5.

RESOLVED unanimously to approve application no 13/01639/MA at the NR1 development, Geoffrey Watling Way, Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, and grant planning permission, subject to:

- (1) the completion of a satisfactory Section 106A Deed of Variation legal agreement by 7 March 2014 to include amendments to the definition of development, the planning permission concerned and to the amended timescales for development phasing, and subject to the following conditions:
 1. The development shall be begun by 5 October 2015;
 2. The development shall be carried out in accordance with the application forms, plans and details originally approved in permission 10/01107/RM and as amended by this planning permission 13/01639/MA, and shall include the same finished floor levels and energy efficiency features previously approved;
 3. The phasing of the development shall be as per the details within approval 12/02263/D;
 4. (a) – site contamination remediation shall be as per permission 10/01107/RM; (b) contamination remediation shall be agreed prior to first occupation of blocks 3 and 4;
 5. Car park ventilation shall be provided as per permission 10/01107/RM;
 6. Landscaping shall be provided, maintained and managed as per the details approved within 12/02263/D and the landscaping areas for each block shall be provided prior to first occupation of the final dwelling to be occupied in each block, with the entire scheme landscaping provided no later than first occupation within Block 4;
 7. Car club space provision and retention shall be as per details approved in 12/02263/D;
 8. Cycle and refuse storage shall be provided for each block in the positions shown within the approved ground floor layout plan of permission 13/01639/MA and to the specifications shown within the approved details within 12/02263/D;
 9. Acoustic defence glazing, ventilation and balustrade details shall be provided to the specifications set out within condition 9 of permission 10/01107/RM;

10. The materials used in the development shall be as set out in Condition 10 of permission 10/01107/RM as amended by the additional details of this permission 13/01639/MA;
11. The development shall be constructed using the brown roofs and features agreed under details within 12/02263/D;
12. The development shall be constructed using the water efficiency measures agreed under details approval 12/02263/D;
13. (a) The development shall be constructed using the energy efficiency measures approved by permission 10/01107/RM; and (b) shall include the photovoltaic panels installed at Block 1 as per the details approved within 12/02263/D, and shall be managed and retained as such thereafter;
14. The development shall be built using the surface water drainage strategy details approved within permission 10/01107/RM, and shall include an oil separator, and shall be managed and maintained in accordance with the details approved within 12/02263/D;
15. (a) Blocks 1, 2, 3 and 4 shall be built to include the flood defence retaining wall details as approved under the details approved by 12/02263/D; and (b) Blocks 5 and 6 shall be built using the flood defence retaining wall details approved within 10/01107/RM;
16. The development shall provide the necessary flood defence measures as required by Condition 16 of permission 10/01107/RM, and the Flood Warning and Evacuation Plan shall be provided to all residents prior to the first occupation of each dwelling;
17. There shall be no occupation of Blocks 3 and 4 until the Travel Plan approved through details approval 12/02263/D has been implemented and made available to all residents, based on the Travel Plan agreed by 10/01107/RM.

Informative notes:

1. Noise mitigation advice for residents;
2. Updated advice on relevant conditions of previous consents;
3. Travel Plan advice;
4. Planning obligations advice;
5. Good practice advice for construction.

- (2) where a satisfactory S106A Deed of Variation not completed prior to 8 March 2014, that delegated authority be given to the head of planning Services to refuse planning permission for application no 13/01639/MA at the NR1 development, Geoffrey Watling Way, Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, for the following reason:

In the absence of an agreed amendment to the Section 106 Agreement associated with the original permission 10/01107/RM, the consequent release of a new planning permission taking effect over both the outstanding and existing parts of the NR1 development would not be subject to the necessary or relevant planning obligations associated with the original permission and as such the development would not provide for affordable housing, transport improvement measures, sustainable transport features, or library enhancements, and as such would be contrary to Policy 4 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), and saved policies HOU6, TRA11 and TRA12 of the adopted City of Norwich

Replacement Local Plan (2004) and the objectives of the National Planning Policy Framework.

12. APPLICATION NO 13/02087/VC AND 13/02088/VC: NORWICH CITY FOOTBALL CLUB, GEOFFREY WATLING WAY AND CARROW ROAD, NORWICH, NR1 1JE

(Councillor Storie having declared a pecuniary was not present for this item. Councillor Sands left meeting during this item.)

The senior planner (development) presented the report with the aid of plans and slide, and referred to the supplementary report which contained amendments to the report and the recommendations. Officers had met with Norwich City Football Club and Broadland Housing Association earlier in the week and a timetable had been agreed for outstanding works on a phased basis until completion by 2017.

During discussion the senior planner answered questions and confirmed that there were concerns about the bank adjacent to the boom gate was deteriorating and that the work would probably be carried out in 2016. Members also sought clarification on the width of the Riverside Bank and were advised that it was not intended as a cycle route as there was a separate cycle route through the site.

RESOLVED unanimously to

(1) approve Application No 13/02087/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, and grant planning permission, subject to:

- (a) the completion of a satisfactory Section 106A Deed of Variation legal agreement before 26 March 2014 to include obligations of the original consents with the necessary amendments to the definition of development, the planning permission concerned and to the amended timescales for provision of the varied riverside walk, landscaping and tree provision, riverbank works and mooring elements, and subject to a revised list of planning conditions (as set out in the supplementary report of updates to reports which was circulated at the committee meeting and is listed below);
- (b) where a satisfactory S106 agreement is not completed prior to 26 March 2014, that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 13/02087/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, for the following reason:

In the absence of an agreed amendment to the Section 106 Agreement associated with the original planning permission 4/2002/1281/O, the consequent release of a new planning permission taking effect over the site would not be subject to the necessary or relevant outstanding planning obligations associated with the original permission and as such the development would not provide the outstanding bus shelter contribution for promoting sustainable transport and improved public transport links, riverside walk and landscaped setting, television

reception survey and remediation of faults, traffic control measures during development, transport contribution, section 106 monitoring contribution, affordable housing, transport improvement measures, sustainable transport features, or library enhancements, and as such would be contrary to Policies 4, 6, 11, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), and saved policies HBE12, NE9, EP22, SR11, SR12, HOU6, HOU9, HOU12, TRA3, TRA10, TRA11, TRA12, TRA14, TRA15, TRA16 and CC14 of the adopted City of Norwich Replacement Local Plan (2004) and the objectives of the National Planning Policy Framework.

- (2) approve Application No 13/02088/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, and grant planning permission, subject to:

- (a) the completion of a satisfactory Section 106A Deed of Variation legal agreement before 26 March 2014 to include obligations of the original consents with the necessary amendments to the definition of development, the planning permission concerned and to the amended timescales for provision of the varied riverside walk, landscaping and tree provision, riverbank works and mooring elements, and subject to a revised list of planning conditions (as set out in the supplementary report of updates to reports which was circulated at the committee meeting and is listed below);
- (b) where a satisfactory S106 agreement is not completed prior to 26 March 2014, that delegated authority be given to the head of planning services to refuse planning permission for Application No 13/02088/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, for the following reason:

In the absence of an agreed amendment to the Section 106 Agreement associated with the original planning permission 06/00012/VC, the consequent release of a new planning permission taking effect over the site would not be subject to the necessary or relevant planning obligations associated with the original permission and as such the development would not provide the outstanding bus shelter contribution for promoting sustainable transport and improved public transport links, riverside walk and landscaped setting, television reception survey and remediation of faults, traffic control measures during development, transport contribution, section 106 monitoring contribution, affordable housing, transport improvement measures, sustainable transport features, or library enhancements, and as such would be contrary to Policies 4, 6, 11, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), and saved policies HBE12, NE9, EP22, SR11, SR12, HOU6, HOU9, HOU12, TRA3, TRA10, TRA11, TRA12, TRA14, TRA15, TRA16 and CC14 of the adopted City of Norwich Replacement Local Plan (2004) and the objectives of the National Planning Policy Framework.

(Conditions as listed in the supplementary report of updates to reports which was circulated at the meeting.

- (i) to insert the following revisions or new conditions:
 - 1. Time limits for landscaping & walk provision;
 - 2. Riverside walk specification –
 - (a) amended description
 - (b) confirmation of weight capacity and paths' load ability
 - (c) walk design needs to include CCTV & lighting ducting
 - 3. Engineering of river bank edge
 - 4. Moorings provision timescales
- (ii) to allow the existing conditions of permissions 4/2002/1281/O and 06/00012/VC to be varied as agreed by officers in liaison with the applicant, but based on the following proposed amendments.

Retained conditions (i.e. those still relevant to the developments) (subject to final wording being agreed by officers):

- 1. Development to be as per historic masterplan 1011/NO/P02 of 16 April 2007, unless otherwise first agreed by the LPA.
- 2. Landscape Masterplan.
- 3. Off-site coach parking.
- 4. Plant and machinery – future installation precautions.
- 5. Foul drainage shall be discharged to the main foul sewer.
- 6. Surface water from parking and hard landscaping to be passed through oil interceptors, but not roof water.
- 7. Exterior lighting – details to be agreed - and retained.
- 8. Materials storage and keeping pedestrian areas free of obstructions unless first agreed by the LPA.
- 9. No amplified sound to be used without first agreeing the details of maximum noise levels 2m from loudspeakers.
- 10. Details of servicing arrangements.
- 11. Parking and cycle spaces to be provided for residents, to at most 1 space per dwelling, to be permanently retained solely for the use of residents and their bona fide guests.
- 12. Removal of PD Rights – no satellite dishes, no extensions.
- 13. Ongoing landscaping maintenance requirements.
- 14. Tree protection during works.
- 15. Details of precise alignments and dimensions.
- 16. Details of road surface treatments.
- 17. Details of road levels.
- 18. Details of road traffic control measures.
- 19. No deliveries to the hotel and stadium to take place when the main stadium is in use or for two hours before or after.
- 20. Illustrative drawings of this permission do not form part of planning permission.

Amended conditions (i.e. those still relevant but in need of updating)

(subject to final wording being agreed by officers):

1. Contamination remediation works.
2. Extract vent & fume systems– if installed shall be retained.
3. Litter bins to be used in all publically accessible areas - in accordance with details to be first agreed – and retained.
4. Riverside Walk provision and defined specification.
5. Hard and soft landscaping before each phase.
6. Trees and Utility Routing precautions during construction.
7. Details of road traffic signal layout.
8. Details of road carriageway markings.
9. Details of road direction signs.
10. Community facilities to be provided within the stadium.
11. Position of CCTV cameras associated with use of the stadium to be agreed.

Removed / deleted conditions (i.e. those complied with / not relevant)

(subject to final wording being agreed by officers):

1. Time limit for RM submission and commence.
2. Development to be as per historic master plan 10365-MP 2009.
3. Flood risk assessment.
4. Contamination assessments.
5. Contamination remediation works.
6. Phasing Plan.
7. Archaeological works programme.
8. Development to provide public art (no details needed).
9. Details to be submitted for cycle storage.
10. Details of siting, design and external appearance.
11. Details of walls, fencing and means of enclosure.
12. Details of materials.
13. Details of doors, windows and glazing.
14. Residential windows to have acoustic glazing (no requirement for them to be retained).
15. Development to meet residential density of 40 d/ha.
16. Residential developments to provide play space.
17. Soft planting and site treatment works provision.
18. Management and Tariff scheme for Decked Car Park.
19. Designs of buildings, access ways and car parks shall include appropriate provision for disabled persons.
20. Before hotel is brought into use, the drop-off, access and landscapes area at the hotel to be provided (not retained).
21. Play space relating to those dwellings to be provided.
22. Car parking spaces for the dwellings to be provided.)

- (3) authorise enforcement action and the taking of legal proceedings, including prosecution if necessary, against any breaches of conditions relating to either the construction or timely delivery of (i) the provision of the Riverside Walk, (ii) provision of the Geoffrey Watling Way road and footpaths to adoptable standards, (iii) provision of landscaping alongside the road and outside flats

and the football stadium, (iv) provision of public demasting and short-stay moorings, and (v) provision of appropriate riverbank works.

Informative

1. Explanation of the absence of a time limit condition: The scheme has already been implemented pursuant to the submitted reserved matters. There are no further reserved matters able to be submitted.
2. Removal of decked car park and residential development on triangle car park: The time period for submission of reserved matters on the triangle car park or other areas has expired and the new permission shall not be able to cover those areas, so are excluded from the proposal description.
3. Previous masterplans are relevant only in relation to the unimplemented areas of live consents, ie. landscaping, riverside walk and roads.
4. The designs of the landscaping either side of the Geoffrey Watling Way road and along the riverside walk are expected to be along the latest indicative plans of Stephen Flynn Associates, but area known as Jarrold Plaza can be related to either the overall scheme or any possible future development of triangle car park, although the latest plans are also supported in principle.
5. Standard construction good practice advice.
6. Remaining planning obligation requirements advice.

(Councillor Storie was readmitted to the meeting at this point.)

13. APPLICATION NO 13/02009/F 514 EARLHAM ROAD, NORWICH, NR4 7HR

The planner (development) presented the report with the aid of plans and slides.

During discussion the planner, together with the planning team leader (development) referred to the report and answered members' questions. A member noted that the application was for an extension to accommodate a family but expressed concern that the proposed development led itself to becoming a house in multiple-occupation in the future.

RESOLVED with 5 members voting in favour (Councillors Bradford, Grahame, Jackson, Little and Henderson) and 3 members abstaining (Councillors Storie, Ackroyd and Blunt) to approve application 13/02009/F and grant planning permission, subject to the following conditions:

1. Time limit.
2. In accordance with plans.
3. Materials to match existing property.

14. ENFORCEMENT CASE EH13/36490 – 514 EARLHAM ROAD, NORWICH NR4 7HR

The planning team leader (development) presented the report with the aid of slides.

In reply to a member, the planning team leader said that the case would be reported back to committee if in the future 2m high gates were installed or trellis added to the top of the fencing panels.

RESOLVED unanimously to agree that no formal enforcement action would be taken in relation to case EH13/36490 – 514 Earlham Road, Norwich given the removal of the gates and reduced height of the fence.

15. COMBINED REPORT: APPLICATION NOS 13/01483/A, 13/01481/A, 13/01484/A AND ADDITIONAL UNAUTHORISED ADVERT AT VARIOUS LOCATIONS ON SWEET BRIAR ROAD (RING ROAD)

The planner (development) presented the report with the aid of plans and slides, and answered members' questions.

During discussion members considered that the council should use its powers of enforcement to remove unauthorised advertising signs as appropriate. Members noted that no action could be taken regarding the advertising board at site 4.

RESOLVED unanimously to:

Application no 13/01483/A (Site 1)

- (1) refuse planning permission for application no 13/01483/A Land to the south side of the junction of Boundary Road, Drayton Road and Sweet Briar Road) for the following reason(s):-
 1. The advertising hoarding by reason of its size, position and location would be overly prominent and an inappropriate form of advertising which would have a negative impact on the appearance of the environment and would detract from the character of the adjacent landscape belt to the detriment of the visual amenity of the surrounding area. The advertising hoarding would therefore be contrary to the objectives of paragraph 67 of the National Planning Policy Framework, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies HBE12 of the adopted City of Norwich Replacement Local Plan 2004 and emerging policy DM3 of the Development Management Policies DPD Regulation 22 submission document, 2013.
 2. Given the size and location of the advertising hoarding on an important junction in the strategic highway network it is considered that the sign presents an unacceptable distraction to road users and could have a significant detrimental impact on the highway safety of a busy intersection in the strategic road network. The advertising hoarding would therefore be contrary to paragraph 67 of the National Planning Policy Framework 2012 and policy 6 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (2) authorise the head of planning services to secure the removal of the advert and associated structure at site 1 including the serving of an enforcement notice under section 172 of The Town and Country Planning

Act 1990 and the taking of legal proceedings, including prosecution if necessary.

- (3) request the head of city development services to seek the removal of the sign given its location on highways land.

Application no 13/01481/A (site 2)

- (4) refuse planning permission for application no 13/01481/A Land north of junction between Hellesdon Hall Road and Sweet Briar Road) for the following reason(s):-

The advertising hoarding by reason of its size, position and location would be overly prominent and an inappropriate form of advertising which would have a negative impact on the appearance of the environment and would detract from the character of the adjacent landscape belt to the detriment of the visual amenity of the surrounding area. The advertising hoarding would therefore be contrary to the objectives of paragraph 67 of the National Planning Policy Framework, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies HBE12 of the adopted City of Norwich Replacement Local Plan 2004 and emerging policy DM3 of the Development Management Policies DPD Regulation 22 submission document, 2013.

- (5) authorise the head of planning services to secure the removal of the advert and associated structure at site 2 including the serving of an enforcement notice under section 172 of The Town and Country Planning Act 1990 and the taking of legal proceedings, including prosecution if necessary.

Application no 13/01484/A (site 3)

- (6) part refuse planning permission for Application no 13/01484/A Land at junction of Hellesdon Hall Road and Sweet Briar Road) for erection of a 64 sheet advertising panel on the south side of the junction the following reason(s):-

1. The advertising hoarding by reason of its size, position and location would be overly prominent and an inappropriate form of advertising which would have a negative impact on the appearance of the environment and would detract from the character of the adjacent landscape belt to the detriment of the visual amenity of the surrounding area. The advertising hoarding would therefore be contrary to the objectives of paragraph 67 of the National Planning Policy Framework, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies HBE12 of the adopted City of Norwich Replacement Local Plan 2004 and emerging policy DM3 of the Development Management Policies DPD Regulation 22 submission document, 2013.

2. Given the size and location of the advertising hoarding on an important junction in the strategic highway network it is considered that the sign presents an unacceptable distraction to road users and could have a

significant detrimental impact on the highway safety of a busy intersection in the strategic road network. The advertising hoarding would therefore be contrary to paragraph 67 of the National Planning Policy Framework 2012 and policy 6 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.

- (7) part approve planning permission for Application No (13/01484/A land at junction of Hellesdon Hall Road and Sweet Briar Road) for the erection of two totem signs either side of the junction subject to the following conditions:
 - 1. Five standard conditions required to be imposed by the advertisement regulations;
 - 2. The development to be in accordance with approved plans;
 - 3. The signs shall provide advertising for businesses located on the sweet briar industrial estate only.
- (8) authorise the head of planning services to secure the removal of the existing advert and associated structure at site 3 including the serving of an enforcement notice under section 172 of The Town and Country Planning Act 1990 and the taking of legal proceedings, including prosecution if necessary.
- (9) request the head of city development services to seek the removal of the sign given its location on council owned land.

CHAIR

Applications for Submission to Planning Applications Committee

3 April 2014

ITEM

4

Item No.	Case Number	Page	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
4(1)	13/01296/F 13/01297/L	27-75	Gladstone House, St Giles St	Kian Saedi	Change of use to National Writers Centre, alterations and extensions	Objections	Approve
4(2)	13/01686/F 13/01687/L	77-99	Crystal House, 24 Cattle Market Street,	Joy Brown	Partial demolition, change of use and extension to the first floor of Crystal House from retail (Class A1) to 1no. two bed flat (Class C3); rebuilding at rear to provide 4no. two bed dwellings and 3no. three bed dwellings.	Objection	Approve
4(3)	13/01536/F 13/01537/L	101-117	Britons Arms, 9 Elm Hill	Kian Saedi	Alterations to create new kitchen and WCs, escape route via new gateway into adjacent churchyard. Reduction in level to west half of churchyard, reinstatement of stone steps and new gates. Staircase to the east elevation, repositioning of garage doors, new store area in garage.	Objection	Approve
4(4)	13/01540/VC	119-129	Read Mills, King St	Kian Saedi	Moorings	Objection	Approve
4(5)	14/00028/VC	131-144	McDonalds, 162 Barrett Road,	John Dougan	Variation of condition to allow 24 hour trading	Deferred at previous meeting	Approve

Item No.	Case Number	Page	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
4(6)	14/00187/NF3	145-154	Garages rear of 28 to 30 Trory Street	Joy Brown	Demolition of 3 no. garages to form new parking area and install tree protection area	Objection	Approve
4(7)	13/02098/F	155-165	11 Mount Pleasant	Joy Brown	Demolition of garage and erection of a single storey extension; provision of glazed roof/canopy to basement; replacement fencing to front boundary wall; re-opened window at first floor level; enlarge existing rooflights.	Objections	Approve
4(8)	14/00164/F	167-173	Land adj. to & west of Vulcan House, Vulcan Road North	Lara Emerson	Erection of a single storey valeting centre for in-house vehicle valeting.	Objections	

STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

Crime and Disorder Act, 1998 (S17)

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

Natural Environment & Rural Communities Act 2006 (S40)

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Planning Act 2008 (S183)

- (1) Every Planning Authority should have regard to the desirability of achieving good design

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law

Article 8 – Right to Respect for Private and Family Life

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

Report to Date	Planning Applications Committee 03 April 2014
Report of Subject	Head of Planning Services 13/01296/F and 13/01297/L Gladstone House 28 St Giles Street Norwich NR2 1TQ

Item
4(1)

SUMMARY

Description:	<p>13/01296/F - Conversion to the National Centre for Writing (Class Sui Generis) including minor changes to main house, substantial rebuilding of the annexe and a new garden extension.</p> <p>13/01297/L - Demolition and substantial rebuilding of the rear annexe and boundary walls including minor alterations to the main house to facilitate conversion to the National Centre for Writing.</p>
Reason for consideration at Committee:	<p>Objection.</p> <p>Note: These proposals were previously scheduled for 06 March Committee. This report supersedes that produced for 06 March committee and provides a comprehensive assessment for both applications (13/01266/F and 13/01297/L), taking account of all subsequent additional representations and additional material.</p>
Recommendation:	Approve
Ward:	Mancroft
Contact Officer:	Mr Kian Saedi Planner 01603 212524
Valid Date:	27 September 2013
Applicant:	Mr Chris Gribble
Agent:	Mr Robert Sakula

INTRODUCTION

The Site

Location and Context

1. The site is located on the south side of St Giles Street adjacent to the St Giles entrance to the Police Station car park and in front of houses of Old Barley Market located at the rear. City Hall is located further beyond the Police Station car park to the east.
2. Gladstone House is a Grade II listed Georgian property understood to have been built in 1785-90. The house was occupied by a series of notable Norwich figures until its use as a Liberal Club between 1890-1967, from which came its current name after William Ewart Gladstone who was British Prime Minister in 1890. Norwich City Council are the current freeholders of the building and have rented the property out as offices since 1968 leading to the present day. During this time two major refurbishments have taken place, both of which have involved structural alterations although the plan form and architectural detailing the property is still of some status and refinement, highly characteristic of the period in

which it originated.

3. Gladstone House previously formed part of row of Georgian townhouses running to the east, which were demolished in the 1930s to make way for City Hall. The rear garden of Gladstone House was previously much larger and stretched to Bethel Street, but much of it has now been lost to development including the Fire Station in the 1930s and more recently the housing development at Old Barley Market.
4. The site is located within the City Centre Conservation Area and within the Cultural and Civic Centre of the City Centre. The site is also located within an Area of Main Archaeological Interest.

Planning History

4/1989/0519 - Internal alterations to provide new disabled toilet and stair and internal repairs. (APCON - 12/07/1989)

Equality and Diversity Issues

The proposal incorporates an emphasis on providing inclusive access. Level access is provided from the rear and a platform lift is proposed to provide access across all floors and to the writers in residence apartments. WCs for disabled users will be provided in all levels of the main building.

The Proposal

5. The proposal is for the conversion of Gladstone House to the National Centre for Writing (NCW) (Class Sui Generis), including minor changes to main house, new garden extension, demolition and substantial rebuilding of the rear annexe and boundary walls. The NCW will provide teaching and conference spaces, offices, storage, a café, private basement bar, ancillary shop, garden auditorium events space, platform lift to all levels, two writers in residence apartments and new WCs.

The applicant states that Gladstone House will be a new base for a new organisation to lead the UK's literature sector, with links to other organisations internationally and to enhance Norwich's status as England's first UNESCO City of Literature.

Representations Received

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. As of 25 March 2014, 122 letters of representation have been received citing the issues as summarised in the tables below.
7. During the process of assessing the full application (12/01296/F) a management plan was submitted as an additional document to be assessed as part of the application, including a layout plan illustrating refuse storage/collection. An addendum to the design and access statement for both 13/01296/F and 13/01297/L was also submitted along with a statement on how the applicant conducted the consultation process. The application was subsequently re-advertised on site, in the press, to neighbours and to all contributors.

75 letters of objection from 57 persons raising the following points

Issues Raised	Response
Harm to the listed building	Par. 47-68 & 84-92
Loss of the rear garden at the detriment of the character of the listed building	Par. 67-68 & 84-92
Overdevelopment	Par. 72
Harmful to the setting of the listed building	Par. 49 & 73-88
Internal alterations are harmful to the listed building	Par. 56-72, 66 & 84-92
Poor design of the auditorium/overbearing	Par. 42, 69-72 & 81-83
Disturbance from plant/machinery	Par. 28
Lack of clarity regarding opening hours and nature of events taking place on site	Par. 27, 30-32 & 38
Noise disturbance	Par. 25-39 & 70
Light pollution	Par. 112
Overlooking	Par. 40-41
Inadequate consultation	Par. 120
Noise and smell from toilets	Par. 33
Smoking and associated disturbance to neighbouring properties	Par. 118
Party wall with properties at the rear, encroachment into the gardens of neighbouring properties and loss of light from the height of the wall	Par. 121
Poor access	Par. 93-94 & 96-100
Refuse storage/removal may be problematic	Par. 104
Proposal will increase traffic levels and result in congestion	Par. 93 & 95-100
Inadequate parking in the area	Par. 93 & 103
Norwich has many other venues that could be utilised	Par. 68
Concerns regarding the financing of the project	Par. 123
Loss of offices	Par. 22-24
Poor security	Par. 112
Loss of trees	Par. 113-114
Potential loss of value to neighbouring properties	Par. 122
Inadequate provision loading/unloading/delivery facilities	Par. 102

Several letters have also raised matters that are not material planning matters, including the credibility of the applicant, funding of the project, the Council's role in the proposal for the National Writers Centre and the partnerships involved in the project.

Additional comments have been received since the last meeting and are addressed below:

No justification for the selection of this particular site – It is not necessary for the applicant to

undertake a sequential test for the choice of site location. Instead, a clear and convincing justification must be provided for the harm. The applicant has set out justification for why the facilities have been concentrated at the site within the Addendum to Design and Access Statement document, received 04 February 2014.

Management plan marked as draft – The applicant has provided confirmation that they are happy for the draft to be taken forward as the final management plan.

Applicant's assertions that the building is neglected are incorrect and irrelevant – Noted.

Controlling numbers on site - The applicant has stated that they will limit the simultaneous use of event spaces in the NCW after 8pm and this will assist in keeping numbers down. It will be the responsibility of the NCW to restrict numbers on site to no more than 140

Fire safety during events - Fire safety is covered in Part B of Building Regulations. Norfolk Fire and Rescue have raised no objections to the proposal.

Problems with the Council's website preventing people from submitting representation or viewing key documents - In order to avoid any possible prejudice to members of the public wishing to submit representations on the additional information submitted with the application the period for consultation was extended. Electronic copies of plans have been sent to those people that have experienced problems with accessing plans and have then requested them to be sent. Additional time has been allowed for public comments.

Facilities proposed by the Writers' Centre already exist within a short distance from the site - The applicant has set out justification for why the facilities have been concentrated at the site within the Addendum to Design and Access Statement document, received 04 February 2014.

Why has the Writers' Centre been offered a free lease? - Not a material planning consideration.

Disagreement between English Heritage and applicant on level of harm being caused to the historic fabric of the building and effect of the proposal on the character and setting of the listed building and conservation area - the applicant has set out a response to English Heritage comments. Whilst the response does disagree with certain points raised by English Heritage, the applicant has set out their justification for the elements of the proposal identified by English Heritage as causing harm to the listed building. Both the comments of English Heritage and the applicant have been considered in the assessment of the application and the impact of the proposal upon the setting of the listed building and character/appearance of the conservation area are discussed in the committee report.

The proposal will go against English Heritage advice and cause substantial harm to the listed building - English Heritage have confirmed that they do not consider the harm to Gladstone House in the current application to amount to "substantial" in terms of the NPPF.

Inadequate management plan - The management plan has been assessed and is considered to be acceptable.

Displacement of current occupiers of the offices which are a successful business - See par. 19-21.

The Heritage Consultant employed by the applicant could be anyone - The heritage report is satisfactory and has been assessed by officers and English Heritage.

Applicant's justification for why the garden space and writers' in residence apartments are necessary is questioned - The justification is considered to be acceptable.

Concern over pedestrian and vehicular traffic disruption during construction - It will be necessary for the applicant to submit a Construction Method Statement for approval by the local planning authority prior to development beginning. See condition 26 (full app).

Concern raised regarding number and content of conditions added to both applications - All conditions are considered to pass the tests of Circular 11/95 and for ensuring acceptable development.

Comments of English Heritage, The Georgian Group and the Council's Conservation Officer have been ignored - All consultee comments have been considered in the assessment of the application.

Disputed public benefits of the proposal - The benefits of the proposal are discussed at various points in the report.

Comments about a vested interest of the City Council as it owns the building and supports the Writers' Centre meaning that the planning process has been biased and requesting that the Secretary of State calls in the application for determination – See par.125.

A 35 page submission from a local resident complementing the other objections and 17 page submission from the company currently occupying the offices at Gladstone House raise the following points. Comments on each point are alongside:

- a. Need for all the facilities at one venue not justified, each component should be looked at on its individual merits – The applicant has set out justification for why the facilities have been concentrated at the site within the Addendum to Design and Access Statement document, received 04 February 2014.
- b. Comments on the applicant's legal status and partnerships – Not a planning matter.
- c. The applicant's pre-application consultation was flawed and biased - No comment. Not investigated - the Council's own consultations allow adequate opportunities for public comment and the Council has satisfied statutory requirements for full and proper consultation.
- d. The description wording is misleading – Considered satisfactory and the plans are clear.
- e. No mention of external lighting CCTV – See par. 101 & 112.
- f. More than 50 per cent of the site is in use as offices (applicants documents are in error) – No comment as not a significant planning issue.
- g. Some trees /shrubs in neighbouring gardens would be affected – see par.113-114.
- h. Trade effluent question on form is incorrect – Not significant. Trade effluence not identified as a concern.
- i. Queries the number of jobs on the form and which is false and misleading – This is not a significant issue.
- j. Front door is not suitable as a fire exit - Building Regulations matter.
- k. Potential light pollution from skylight above lift shaft – Not a significant issue.
- l. Key decorative elements in rooms should be restored – Cannot be required.
- m. Lack of details of re-wiring, changes to door swings – The information provided by the applicant is acceptable and further detail is conditioned.
- n. Impossible to assess how the writer's spaces will be used – The information provided by the applicant is acceptable
- o. Concern about basement speakeasy use – The use of the basement bar will be subject to conditions controlling amplified sound equipment and also hours of operation. The conditions

are considered sufficient for avoiding any disturbance to neighbouring properties. The applicant has set out in the Management Plan that the basement bar will only be open to people associated with the writers centre and not the public. Compliance with the Management Plan shall be conditioned.

p Lack of technical details of PV panels – see par. 109.

q Lack of details of signage - Not needed at this stage.

r. Changes to south elevation are harmful to listed building – see par. 63-65, 67-68 & 84-92.

s. Lack of details of floodlighting – Lighting scheme is conditioned.

t. Shop will attract additional visitors and aggravate potential nuisances – Not considered a significant issue, see par.31.

u. High occupancy of all rooms will have adverse implications – See par.33.

v. The writers in residence studios should be treated as normal dwellings – The units are not considered to be appropriate for general usage and need to be conditioned appropriately (condition 25 of full app).

w. Access to studios is only via spiral staircase, potential nuisance and overlooking, could be used as a smoking area – See par.41 and condition 15 of full app.

x. Studios could revert to other uses in the future – This would need planning permission

y. Additional windows will overlook properties – See par. 40-41

z. Ivy is inappropriate – Landscaping condition will ensure suitable planting species.

aa. The auditorium is on land that the applicant state is in poor condition – Not a significant consideration.

bb. View from seating area is only of part of south elevation. See par. 81-83.

cc. Potential noise pollution from undercroft, PA and heat vents, but no details of heating facilities- See par. 27-28 re noise and conditions 5-8 of full app. Heating details not necessary at this stage.

dd. Although auditorium can be blacked out it is not a guarantee that this will happen and could cause light pollution – Not a significant matter

ee. As access to auditorium could be independent it should be classed as D” use- the proposal is a sui generis mixed use - Categorisation of different elements of the building would be inappropriate as it will operate as one entity.

ff. Lack of detail of green roof, if a sprinkler is used it could harm neighbours in windy weather, could create damp – Technical details are a matter for Building Regulations. Height of roof is referred to in par. 72.

gg. Noise from garden – see par. 24-39.

hh. Condition required for no smoking in courtyard – The applicant has stated no smoking in the courtyard area within the Management Plan. Compliance with the Management Plan is conditioned.

ii. 2m wall to east will block view of Gladstone House if a piazza were to be created on existing police car park – Noted. There are no plans in place for the redevelopment of the area to the rear of City Hall so whether any proposals to provide public open space in this area will come forward remains uncertain. The views afforded of the rear of Gladstone House from any area of public open space would be highly dependent on the depth of any building fronting St Giles Street and the levels and layout of any area of open space. This may also be partly obscured by Old Barley Market. As such it is considered that minimal weight should be ascribed to this issue.

jj. Noise and smells from sanitary block – Not considered a significant matter. Will have to meet Building Regulations standards

kk Lack of WC provision – Building Regulations matter.

ll. Location of waste store and times of collection – Waste store is indicated on plans and the Management Plan and associated plan ref.101 /* [received 28 January 2014] indicates collection details. Delivery and collection hours are restricted by condition.

mm. Concern about use of proposed rear passage and security risk – The rear passage is for emergency exit and access to the auditorium undercroft only.

- nn. New wall on boundary – Legal and ownership issues – Private matter, not planning consideration.
- oo. New wall on boundary will restrict light and if lit will cause light pollution – Lighting scheme will be conditioned and the rear boundary wall with The Old Barley Market is not at a height much greater than the existing rear boundary treatment.
- pp. Concern about drainage –Building Regulations matter.
- qq. Loss of garden and impact on birds – see par. 115-116.
- rr. Smokers could congregate on alley way and impede access – Noted
- ss. No details of security camera- See par. 112.
- tt. Precise uses of the building are not clear – The information provided is satisfactory.
- uu. Noise issues from the building – see par. 25-39.
- vv. Lack of independence of the applicant's heritage report, it includes tendentious philosophical questions and is superficial - The report is satisfactory and has been assessed by officers and English Heritage.
- ww. Many detailed points about the Travel Plan, its inaccuracies and errors – The report is satisfactory and the issues have been assessed and approved by transport officers. Compliance with the Travel Plan is conditioned.
- xx. Doubts about how the Travel Plan will be communicated to users and will be lip service only – The proposals are satisfactory and compliance with the Travel Plan will be conditioned.
- yy. Disabled persons access is only paid lip service, there is no dedicated parking, need for dropped kerbs, access path is narrow and difficult to use, conflicts of movement in rear garden, poor links to disabled toilets, no dedicated wheelchair spaces in auditorium, inadequate facilities for staff, and visiting artists and inadequate evacuation information. The facilities provided are adequate. Emergency evacuation and WC provision are matters for Building Regs/Fire Officer, although it should be noted that the applicant has provided toilets at every level. Dedicated auditorium wheelchair spaces are indicated on the plans.
- zz. 13 pages of notes highlighting policies in the NPPF, JCS and Local Plan are included. The significant and relevant policies and emerging policies are referred to in the report and the analysis of the issues is throughout the report.
- aaa. Views must be taken into account from the side alley – see par. 77, 80 & 82-83.
- bbb. External alterations and auditorium will obscure the view onto the rear elevation of Gladstone House and harm the listed building – see par. 77-83.
- ccc. Inadequate access to the site – see par. 96-100.
- ddd. Alternative locations are available that wouldn't damage the heritage of the city – see par. 68.

47 letters of support have been received from 47 persons raising the following points:
Issues Raised
Promotion of cultural diversity
Educational benefits
Enhance Norwich's literary status and reputation,
The NCW will benefit tourism
Very accessible location
Enhance the vibrancy and reputation of the city
Benefits to the local community of all ages
It will create new employment and attract local and national talent to the city
Benefit to Norwich's creative/arts economy
It will support creative writing, especially amongst the young, and it will encourage creative writers to stay in Norwich when they reach adulthood
Help improve literacy levels amongst the young
Benefit to the longer term conservation of the building
Build on Norwich's status as a UNESCO City of Literature
Bring a fine historic building into public use
Enhance the built environment of the city
Opportunity to engage with young people across the country
Greater number of people will be able to enjoy the heritage asset
The proposals will help bring the best international writers and translators to the city
A number of writers have reflected on how the Writers' Centre Norwich have assisted them in their literary advancements and how the NCW will help enable similar levels of support to be extended to many more people
Norwich currently lacks sufficient number of venues for literary events
Boost to the vitality of the city
Literary facilities are currently centralised in London
International and national funding will be brought to the centre of the city
The funding for the project will enable the restoration of Gladstone House and its future
The NCW will develop long-term literacy programmes for children and young people
Writers' Centre Norwich was founded by the UEA in partnership with ACE, Norwich City Council and Norfolk County Council and is a local initiative, not a national conspiracy – Not a material consideration
The proposal will upgrade facilities and provide access to the building for visitors and

disabled staff
The design of the auditorium has been designed to frame the Georgian façade
The NCW will form an integral part of a major cultural quarter
Disabled access and facilities will be provided across all levels of the building
The auditorium is necessary for the NCW to achieve a full programme of readings and spoken word events and has been designed to minimise impact upon neighbouring properties and only partially obscures the rear Georgian façade of the main building

Consultation Responses

8. English Heritage:

First response:

Considered that while the proposed change of use for Gladstone House is not in principle objectionable the current application contains proposals that are harmful to the significance of the building in terms of paragraphs 132 and 134 of the NPPF, which would not accord with paragraph 137 and therefore would not achieve the NPPF's overarching objective of delivering sustainable development. The application itself fails to satisfy paragraph 128 in terms of the information provided. It may be that some of these proposals could be achieved in less harmful ways and that additional information, if made available, would satisfy some concerns about further possible harm. It is recommended that the application be withdrawn pending detailed discussions.

Accepted that the proposed writers centre might deliver a public benefit in terms of paragraph 134 of the NPPF and this should be weighed against the harm. However, the lack of clear and convincing justification for some of the proposals, the lack of information concerning others and harm to the listed building from the proposed alterations means we would recommend the application is refused.

Second response:

On balance it is not considered that the harm to Gladstone House entailed by the current application to be "substantial harm" in terms of the NPPF. However, the harmful elements do affect core aspects of Gladstone House's significance.

One should be proportionate to the heritage asset's significance and the degree of harm proposed when seeking justification. Preserving the significance of heritage assets is an element of sustainable development (one at its core) and that 'great weight' should be given to conservation of that significance when LPAs determine applications. The Council should be convinced that the harm has been minimised and that the proposed use is the best one for securing the future of the building. There are harmful elements of the scheme that might be amended or removed to reduce the harmful impact. There is also justification sought for these changes which would show that they are required to deliver the public benefit. These issues should be addressed before the application is determined.

9. The Georgian Group: Proposed alterations to the rear elevation will harm the character and symmetry of the elevation, the removal of the service staircase would be damaging to the listed building's significance, the auditorium would have a negative impact upon the

setting of the listed building and impact upon the house's significance. The proposed alterations would, in their totality, cause an unacceptable level of damage to the historic fabric and significance of the listed building. If the application is not amended then planning permission should be refused.

10. Norwich Society:

First response:

We are in favour of this careful refurbishment of Gladstone House to its new use, including the remodelling of the annexe. However, we have reservations about the siting and visual impact of the auditorium. Controlling noise and light emitted from it and the courtyard will be difficult and require very careful detailing and control to mitigate nuisance to neighbours. Issue of public access on the east boundary needs immediate resolution to ensure effective and safe access. Recommended that both applications be deferred into solutions to the issues have been explored.

Second response:

The management plan goes some way to addressing some of the earlier concerns.

It is accepted that internal layout and details have to be modified to achieve the new use of the building but the objections of English Heritage and The Georgian Society are noted and if permission is granted it will be vital for a clear set of controlling conditions to be put in place and monitored to ensure the interventions are carried out in the proper manner.

No further comments on intended work to the rear annexe where addition of third floor makes better and more flexible use of this element of the building.

Pleased to see a greater use of the front door to St Giles Street but would prefer to see the door's use fully reinstated. However, it is appreciated that this would mean that those requiring special access would have to use the door on the garden side of the House.

The proposals for the removal of waste/refuse draw activities away from adjacent housing.

It is imperative that the controls detailed in the proposed management plan are rigidly managed and monitored at all times.

Very concerned about the narrow access on the east boundary of the site, which prevents sufficient access during busy times.

Whilst the project itself and conversion of the house is strongly supported by the Norwich Society, it is felt that there is enough space for performance provided in the connecting ground floor rooms and also in many available under-used venues close-by.

It is recommended that the application be deferred and re-designed.

11. Historic Environment Services: No objections to the scheme subject to the imposition of conditions requiring compliance with a written scheme of investigation and potentially reporting and archiving of results if archaeological remains are uncovered. It is also suggested that photographic survey be conditioned to add to the Historic Environment Record (HER).

12. Norfolk Constabulary: Whilst the proposal will enhance security of the site in some areas,

several recommendations are made that could further enhance security.

13. Norfolk Fire and Rescue Service: No objections provided that the proposal meets necessary Building Regulations requirements. It is considered that the proposal can achieve the proposed numbers as the passageway is no worse than an internal corridor but without the possibility of becoming smoke logged. The plans show more than one exit route onto the passageway and evacuees will always have a choice of which way to go. A passing place is however a good idea.

14. Design Review Panel (Comments in response to pre-application scheme):

The panel commended the scheme and felt the Writers' Centre was an ideal use for such a building in this location. The combination of public access and the lack of need for on-site parking make it the perfect choice. The intention to restore the main house largely to its original floor plan was applauded.

Whilst recognising the planning authorities concerns about the reduction in the size of the garden, the Panel felt that less credence should be given to the historic context and positioning of the main building within a large garden. Over the years much has changed in the city scape and the density around the site and what was originally intended shouldn't be held against the building now in a different era of urban density.

The Panel welcomed the retention of existing windows and doorways and the intention to open windows into doors using materials in keeping with existing designs.

The Panel expressed concerns about the access to the site. The walkway alongside the garden is very narrow and may present a problem especially after an event with potentially 100+ people leaving the site at the same time. The City Council was urged to continue their support of the scheme and look at ways of improving access if at all possible.

Other areas the Panel felt they would like to be given further consideration were the impact of the additional annexe storey on the surrounding buildings and the accessibility within and between the various buildings for wheelchair users. The fire safety issue of lifts opening directly into the living space of the two flats was also questioned and the promoters were encouraged to investigate this. The Panel commented on the angle of the auditorium roof and asked that any potential to reduce the angle should be looked at in order to allow views of Gladstone House from the housing behind to be retained if possible. Any scope for alternative roofing materials, which might soften the visual impact should also be explored.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 1 – Building a strong, competitive economy

Section 4 – Promoting sustainable transport

Section 7 – Requiring good design

Section 10 – Meeting the challenge of climate change, flooding and coastal change

Section 11 – Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy (JCS) for Broadland, Norwich and

South Norfolk 2014

Policy 1 – Addressing climate change and protecting environmental assets
Policy 2 – Promoting good design
Policy 3 – Energy and water
Policy 5 – The economy
Policy 6 – Access and transportation
Policy 8 – Culture, leisure and entertainment
Policy 11 – Norwich City Centre
Policy 20 - Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE9 - Comprehensive landscaping scheme and tree planting
HBE3 – Archaeology assessment in Area of Main Archaeological Interest
HBE8 - Development in Conservation Areas
HBE9 – Development affecting Listed Buildings
HBE12 - High quality of design in new developments
EP16 - Water conservation and sustainable drainage systems
EP18 - High standard of energy efficiency in new developments
EP22 - High standard of amenity for residential occupiers
TVA1 – Proposals for new visitor attractions - access
TVA4 – Proposals for visitor attractions with priority areas and sequential approach
EMP3 – Protection of small business units and land reserved for their development
TRA3 – Modal shift measures in support of NATS
TRA5 - Approach to design for vehicle movement and special needs
TRA6 - Parking standards - maxima
TRA7 - Cycle parking standards
TRA8 - Servicing provision
TRA12 – Travel Plans for employers and organisations in the city

Supplementary Planning Documents and Guidance

City Centre Conservation Area Appraisal (September 2007)
National Planning Policy Guidance (NPPG) (March 2014)

Other Material Considerations

Emerging DM Policies (submitted for examination):

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM1 Achieving and delivering sustainable development
DM2* Ensuring satisfactory living and working conditions
DM3* Delivering high quality design
DM9 Safeguarding Norwich's heritage
DM17 Supporting small business
DM28* Encouraging sustainable travel
DM30* Access and highway safety
DM31* Car parking and servicing

* These policies are currently subject to objections or issues being raised at pre-submission stage and so only minimal weight can be applied in particular instances. However, the main thrust of ensuring adequate design and amenity is held in place through the relevant Local Plan policies listed above.

Principle of Development

Statutory duties relating to Listed Buildings, Setting of Listed Buildings and Conservation Areas:

15. S66(1) Listed Buildings Act 1990 provides: “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.
16. The Court of Appeal in *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014] has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise. Furthermore, less than substantial harm having been identified does not amount to a less than substantial objection to the grant of planning permission.
17. S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts] special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”. It should be noted that The *Barnwell Manor* case principles (see above) are of similar application in the context of s72 duties, also, - i.e considerable importance and weight is to be given.

Policy Considerations

18. In its primary spatial planning objectives the Joint Core Strategy seeks to promote culture as an aid to developing the economy, stimulating further regeneration and increasing sustainable tourism. Norwich is identified as the ‘cultural capital’ of East Anglia and this role is sought to be enhanced by the proposed development.
19. Joint Core Strategy policy 5 seeks expansion of, and access to, further and higher education provision and policy 8 promotes development for new or improved facilities that support the arts as well as development that provides for local cultural and leisure activities. The proposed conversion would go some way in realising these objectives.
20. The NCW establishes a partnership between Writers' Centre Norwich and the University of East Anglia (UEA). The proposed educational/leisure offer of the NCW and partnership with the University are considered likely to chime positively with the aforementioned policy objectives of the Joint Core Strategy.
21. The City of Norwich Replacement Local Plan 2004 encourages the development of additional visitor attractions provided that regard is had for traffic and environmental considerations. Gladstone House is located within the Civic Centre of the City, which is identified as an appropriate location for new visitor attractions under saved policy TVA4 of

the Local Plan.

22. Policy 5 of the Joint Core Strategy, saved policy EMP3 of the Local Plan and policy DM17 of the emerging Development Management Plan seek to retain a suitable supply of smaller employment sites across the City and saved policy EMP3 specifies that development proposals involving the loss of office space will only be permitted where the developer can demonstrate that there is no evidence of a demand for small office units in the Norwich area which would justify the retention of the land/premises for that purpose.
23. The 'report on potential and demand for office use' prepared by Roche indicates that Gladstone House is not recognised as ideally suited for office use due to its arrangement, specification and lack of parking. The 'Roche' report identifies that an extensive supply of vacant office space exists in the vicinity of the application site, offering a wide choice for potential occupiers across a range of sizes and locations. The existing offices at Gladstone House are not fully occupied and the proposed use will generate employment at the site, whilst having a minimal impact upon the supply of office space in the surrounding area. For the associated public benefits of the proposal, the site is considered optimal in terms of offering a sustainable and accessible location.
24. The loss of the office space is therefore considered justified in accordance with policy 5 of the JCS, EMP3 of the adopted Local Plan and policy DM17 of the emerging Development Management Plan, which can be ascribed significant weight in the absence of objections at pre-submission stage.

Impact on Living Conditions

Noise and Disturbance

25. Immediately to the south of the site are houses within the Old Barley Market. The rear gardens of a row of terraces within the Old Barley Market border the application site and at their closest, have rear faces located approximately 4.2 metres from the rear face of the proposed garden auditorium. Given the sensitivity of nearby uses therefore, it is essential that the potential for noise spillage from the Writers' Centre is adequately mitigated against.
26. Whilst noise disturbance from the site as whole has been considered, the most likely sources of noise that could affect the surrounding environment have been identified as the garden auditorium, the courtyard space, the café and the basement bar. These areas are located adjacent to the Old Barley Market and have greater potential for activities that may result in noise disturbance.
27. The garden auditorium will be able to hold up to a hundred people and will provide a main events space for the NCW. The auditorium will feature an acoustically tuned ceiling and incorporate a PA system and ventilation system located in the undercroft. Condition 4 (full app) is proposed to require detail of any sound amplification to be submitted to the local planning authority prior to installation allow the sound level to be set appropriately. This will consequently limit the nature of activities that will be able to take place within the auditorium. Condition 11 (full app) requires that sound insulation measures are installed sufficient to ensure that noise breakout from the auditorium satisfies the standards identified in the acoustic report and to avoid noise disturbance to neighbouring properties. In addition, the Management Plan states that after 21:00 hours, the side passageway shall be for disabled egress only with the exit point otherwise provided from the front entrance door facing St Giles Street. This will help reduce disturbance to neighbouring properties

following evening events.

28. Conditions 5-8 (full app) are proposed to ensure no use of any ventilation and plant and machinery to be used until detail has been submitted to the local planning authority for approval. This will enable the specification, location of flues, sound enclosing insulation and anti-vibration mountings to be controlled by the Council's Environmental Protection Officers to ensure that there are no implications for the amenity of neighbouring properties.
29. The public entrance point to the site is to be provided from the side passageway running along the east boundary of the site and the courtyard will be the first area that people enter. The courtyard area will also provide seating and tables and is likely to serve as an area where people congregate before and after events in the auditorium. The potential for noise disturbance from people talking is most apparent from this area of the site. The noise report submitted with the application identified that the auditorium building will by its very physical presence provide a screen that will help reduce lower the levels of noise and intelligibility of voices to the nearby houses located to the south. Even so, the opportunity for noise disturbance from activities in the courtyard is still likely to be significant and it will therefore be necessary to control the activities taking place on site.
30. Opening hours will be restricted so that the NCW shall not be open to the public, trading, nor have members of the public, as guests on the premises after 22:30 hours and before 07:00 hours on any day. The applicant has also set out a management plan that involves removing seating from the courtyard area by 22:00 hours and an hour before the commencement of an event in the auditorium. This is likely to discourage people from lingering in the courtyard area. Indoor areas will always be open for people to wait in prior to an event in the auditorium, doors and windows to the courtyard will be closed during events and there will be no amplified music or performances allowed in the courtyard area. It is considered that with appropriate use of conditions the potential for noise disturbance emanating from the courtyard area can be satisfactorily limited.
31. The café is to be located at the south-west ground floor room of Gladstone house and on the ground floor of the annexe, which will be re-opened to connect to the main building. The café will also incorporate a small shop/reception and this should be regarded as the most publically accessible aspect of the scheme. Compliance with opening hour restrictions and controls on amplified sound equipment will ensure no noise disturbance to adjacent dwellings.
32. In discussions with the applicant it has become apparent that the intention is for the basement bar to remain a private area restricted to members or people affiliated with the Writers' Centre. In any case, noise egress from the basement area has not been identified as an issue of concern within the noise impact assessment. Natural ventilation is provided through ground floor windows and as with the areas forming the application, opening hours would be restricted to no later than 22:30 hours and no audio equipment shall be used without details first being authorised by the local planning authority.
33. As part of the management plan the applicant also proposes to restrict numbers on the site to no more than 140 at any one time. Limiting numbers on site will further reduce the potential for noise disturbance to the surrounding environment. Potential for noise and odour nuisance from the sanitary block is not considered a significant matter and will also have to meet Building Regulations standards.
34. The management plan also includes a series of servicing measures that will be employed in order to prevent disturbance to residents at the Old Barley Market. Bins will have rubber

wheels, will be removed for collection via the garden and not via the emergency exit behind the garden auditorium and no bottle recycling will take place between 18:00-09:00 hours on any day. Delivery and collection hours will also be restricted by condition.

35. The writers in residence will have a swipe card to enter the main building and will not therefore need to use the fire escapes to enter and exit the apartments unless in case of emergency. Writers in residence who use wheelchairs would access the main building through the courtyard. In avoiding use of the fire escape, the noise disturbance to the neighbouring properties at the rear will be minimised. The ancillary shop will be subject to the same opening hour restrictions as the premises as a whole.
36. It is proposed that a condition be imposed upon any planning permission to require full compliance with the management plan in order to enable numbers to be controlled on site as well as minimising noise disturbance to neighbouring properties.
37. In order to protect the residential amenity of neighbours in the vicinity of the site it is suggested that an informative be added to restrict building works to between 08:00-18:00 Mondays to Fridays and 09:00 to 13:00 Saturdays with no works on Sundays or public holidays.
38. The proposal includes several elements and the Sui Generis use class is considered appropriate as the NCW will operate as a single entity. The aforementioned matters to be conditioned will adequately limit the activities that can take place on site in the interests of protecting the general amenities of the surrounding area.
39. The acoustic report refers to various internal areas of the main building with regard to the potential need for additional means of acoustic attenuation. Any such installations may carry implications for the listed building if the historic fabric of the building would be affected. There is no inevitability that additional internal acoustics will be needed to facilitate the conversion of Gladstone House to the NCW and as such it is not considered that significant weight needs to be given to the impact upon the listed building at this stage. Should any methods of acoustic attenuation need to be installed in the future that may affect the fabric of the listed building, they would need to be subject to a separate listed building application. This would then be assessed accordingly.

Overlooking

40. The proposal includes two writers' in residence apartments to be located at the existing first, and extended second floor of the annexe. The separating distance between the rear faces of the annexe and nearest dwelling at the Old Barley Market is approximately 18 metres. Each apartment features a narrow, horizontal rear facing window, but both are to be obscure-glazed to remove any potential for overlooking. Windows on the west facing elevation of the annexe will only afford oblique views onto the Old Barley Market and views from the first floor apartment would in any case largely be obscured by the auditorium.
41. The external spiral staircase leading from the rear of both apartments is for fire escape only and at all other times access and egress is provided through the main building. It is proposed that a condition be imposed to ensure use of the spiral staircase is for fire exit only and that the associated landings at each level shall not be used for recreational purposes.

Overshadowing and overbearing effects

42. Such is the orientation of the site and scale of existing development that the erection of the auditorium will have negligible impact upon overshadowing to the rear gardens of Old Barley Market. The roof of the auditorium has been designed to start at a lower pitch closer to the boundary with the Old Barley Market. Overshadowing from the auditorium will not increase beyond that already caused by the existing boundary wall and Gladstone House itself.

Design, Conservation and Impact on Listed Building

Historical context and listed status of Gladstone House:

43. Some of the history of Gladstone House is referred to in paragraphs 2-3. It is Grade II Listed. From 1967 up until now, the premises has been used as offices, which has brought several changes to the building.
44. The property originally formed part of a terraced row of Georgian townhouses but the properties to the east were demolished to make way for the City Hall complex and this led to windows being inserted into the east elevation of the building. Most significantly, the majority of the rear garden of Gladstone House has been lost to the development of the fire station and houses at Old Barley Market. Over two thirds of its length and a greater proportion of area (the garden was wider further away from the house) have been lost in total.
45. The house itself has also been subject to a series of alterations over the years. Most notably, the lower part of the original secondary staircase has previously been removed until its modern replacement in 1990, various room openings have been changed with several partitions added at second floor level, ground and first floor principle rooms have been opened up before being reinstated again in 1990 and a number of original fittings and fixtures have been lost. Despite this, Gladstone House remains impressive and a house still of considerable status, retaining much of its plan form and architectural detailing.
46. The listed building description is very brief but makes reference to some of the architectural detailing in the elevation. The sash windows, cornices, fanlight, rubbed brick arches and central door detailing are mentioned as is the “fine main staircase”. It is considered that the remaining features of most significance include the front and rear elevations of the building, the largely retained plan layout of internal rooms and the main central staircase.
47. The proposal involves several elements that will undoubtedly affect the fabric of the listed building and its setting. The NPPF is clear that in assessing the impact of development upon the significance of a designated heritage asset, “great weight” should be given to the asset’s conservation and that greater weight should be given to assets of greater importance. It also sets out that any harm or loss to a heritage asset should require a clear and convincing justification.
48. The NPPF also differentiates between “less than substantial harm” and “substantial harm to or loss of” designated heritage assets and the acceptability of a development proposal is assessed under different parameters in relation to the level of harm caused to the heritage asset. The NPPG is clear that it is the degree of harm to the asset’s significance

rather than the scale of the development that is to be assessed and the harm may arise from works to the asset or from development within its setting. Substantial harm is however considered to be a high test and in considering whether works to a listed building would constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. The level of harm and assessment of this harm is discussed later in this report.

49. The annexe extension and works proposed in the rear garden of Gladstone House will also have an impact upon the setting of the listed building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard should be made to the desirability of preserving the building or its setting or any features of special or architectural interest that it possesses. The NPPF defines the setting of the building as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”

This is echoed in the NPPF which requires that local planning authorities should assess the significance of a heritage asset that may be affected by a proposal including by development that affects the setting of a heritage asset. The impact of the proposal upon the setting of the listed building is again discussed later in this report and considerable weight and importance is given to the desirability of preserving the heritage asset and its setting.

50. Saved policy HBE9 of the adopted Local Plan requires that alterations to a listed building be considered in relation to the special architectural/historical interest of the building, the significance of the alteration to the viability of the use of the building and the design of the extension/alteration and its sensitivity to the character of the building.

Impact of the proposal on the listed building itself:

51. To facilitate the conversion of Gladstone House a number of alterations to the fabric are proposed that will have varying degrees of impact upon the character, appearance and significance of the listed heritage asset.

Providing the main entrance from the South and splitting the south external doorway in two with both leaves opening inwards:

52. It is proposed to have the main entrance from the South rather than from the front entrance from St Giles Street although the front entrance will be available for use by members of staff and for the principal egress after evening events. This is regrettable insofar as the main staircase will not be enjoyed upon entering the site and also carries the potential for increased pedestrian traffic along what is a narrow side passageway (discussed in more detail in access section of report).
53. The applicant has made clear an inclusive design has been a key priority for the scheme. Level access is enabled at the South entrance to the site and similar provision would not be possible from St Giles Street such is the stepped level of Gladstone House and limited width of the pavement. The opportunity for having a dual entrance to the site available to the public from both rear and front was discussed with the applicant, but was discounted on the ground that in doing so would effectively relegate disabled users to access the site from the rear, thus disaggregating them from other users.

54. It is understood that staff occupying the existing offices prefer to utilise the rear entrance rather than the St Giles entrance and this access arrangement will largely remain the same, albeit with a greater number of people likely to be visiting the site. Having the principal access from the rear is not therefore considered harmful to the listed building.
55. The existing rear door will be retained but will be split in two and reconfigured to open inwards. This is a response to pre-application advice to not have an outward opening door which would be more susceptible to weather exposure and deterioration. Details of the door will be conditioned to ensure the appearance and finishing is of an acceptable standard.

Insertion of a platform lift in place of the secondary stairwell and installation of disabled toilets adjacent to the lift at each level:

56. The secondary staircase is not entirely original with the ground to first floor having been removed in 1890 to make way for a bar associated with Gladstone Club and which was only reinstated during the considerable programme of works undertaken for the offices in 1990, which also involved the installation of a disabled toilet at ground floor level. However, the removal of some of staircase will harm original fabric of the listed building and remove an illustration of the social history and status of the building. The Heritage Impact Assessment (HIA) states that the staircase is not a good design example, but recognises a level of harm to the building that should require justification.
57. The platform lift and disabled toilets will make disabled provision and access possible across all floors. The applicant asserts that the lift is necessary to keep with the principles of inclusive access and that the funders and users of the NCW would not accept the absence of a lift.
58. It is accepted that the lift will disrupt the original fabric of the building and that the disabled WC will intrude into one of the principal rooms on each floor. However, the rooms that the toilets will intrude into do not appear to retain their original proportions and layout. This is apparent in both the north-west ground floor and first floor rooms.
59. English Heritage point towards the fact that the proposed WC will encroach into the ground floor north western room and bring a wall closer to the chimney breast, but this room does not retain its original proportions following the removal of the bar and replacement with secondary staircase in 1990, when a wall was built across the room. The change in original room proportions are also apparent in the corresponding first floor room, which is understood to have previously been converted to toilets in 1990 before reverting back to a single room in the late 1990s. It is therefore considered that the rooms affected by the installation of the platform lift and toilets are the least significant of the principal rooms at first and second floor level respectively and that the installation of the lift is justified in terms of balancing the aforementioned disruption to the listed building with the public benefit of providing inclusive access throughout the building.

Openings are proposed in the spine wall between the east rooms in the ground and first floors, widening of the opening at basement level and potentially raising the height of the basement door if the levelling of the floor means that headroom must be recovered:

60. The HIA indicates that both the ground and first floor eastern rooms have previously had openings formed between them before being closed up in 1990. The re-opening of these

principal rooms will therefore affect what is essentially modern fabric and this element of the proposal is not therefore considered objectionable or harmful to the original fabric of the building. Tri-fold doors are proposed to be installed between the openings and details would be conditioned accordingly.

61. The basement area is of far lesser significance to the upper floors of Gladstone House and the proposed alterations are minimal. The floor appears to have already undergone some modification in places and its levelling will have no discernible impact upon the character or significance of the listed building. The opening between the eastern basement rooms already exists, but will be widened as part of the proposals. The height of basement doors will only need to be increased if the levelling of the floor means that headroom needs to be recovered. It is suggested that a condition be added to require the making good of any works and details of the doors will be required in the event that the height needs to be increased.

The annex will be made accessible from the ground floor south-west room:

62. The small room which currently serves as a cupboard is proposed to be opened up to provide direct communication with the annex, which was previously opened up by the Gladstone Club to connect with the annex before being closed again by the City in 1968 when they acquired the house. The alteration will not therefore result in harm to the original fabric of the listed building and will allow the café to occupy the ground floor of part of both the main building and annex.

The two sash windows to the south-west ground floor room are to be modified to provide doorways to the courtyard:

63. The proposal involves the modification of two original sash windows to provide doorways to the courtyard. The modification will involve removing masonry from the below the windows and installing inward opening timber half-doors below. The removal of the masonry would result in loss to historic fabric and the timber gates would not replicate the existing masonry plinth. When closed however and in terms of appearance in the elevation, both windows will remain unaltered apart from the cills which will be lost. The cills are understood to be replacements of 1990.
64. This element of the proposal will change the appearance of the rear elevation of Gladstone House and will result in harm to the character of the listed building through the loss of original fabric. However, the degree of harm is considered to be reduced by the careful design of the new doors, further detail of which will be conditioned, and the changes that have already taken place to other ground floor windows, which mean that the rear elevation of Gladstone House is already asymmetrical with the cill height of the eastern rear ground floor windows already lower than the two sash windows to be altered.
65. The applicant has argued that the door openings are essential for the safe and free movement of people during peak times at the site and that this represents both a public benefit and a key component to the viability of the use that justifies the harm.

Annex alterations and relocation of the tripartite sash window:

66. The red brick annex is much later in construction (19th Century) than the main building. The inside of the annex has undergone a series of alterations and exhibits a modern form internally, which is of little historical merit. The internal alterations will not therefore harm the annex building. The tripartite window is understood to date from the 1950s and will be

relocated to the first floor. The annex is not mentioned within the listed description for Gladstone House and the window relocation is not considered to harm the significance of the heritage asset.

Loss of the remnant garden space:

67. The impact of the proposed auditorium is discussed later in the report but the loss of the remnant garden will also have an impact upon the character of the listed building. The large majority of the garden has now been lost to development but the remaining space nevertheless reads as a garden, albeit a small one. The proposed development will result in further loss to the garden and will leave only a small courtyard area, which is likely to be much more urban in form, especially when considering the increased enclosure from the additional storey to the annex. The existing character of Gladstone House will consequently be changed and the loss of the garden can therefore be considered harmful to the listed building. This view is shared by English Heritage.
68. The applicant has set out justification for why the auditorium is needed on site, and thus, why the loss of the remnant garden will be necessary in the Addendum to the Design and Access Statement [received 04 February 2014]. This essentially serves to explain that concentrating facilities on site is likely to be necessary for the viability and successful operation of the NCW.

The design of the auditorium and annex extension:

69. The second floor annex extension will feature a mansard roof, lead clad roof, facing pantiles and matching brickwork on the chimney stack. Although, as already mentioned, the extension will further enclose the courtyard area, the height of the annex will only increase by 1.4 metres and the extent of the enclosure will not therefore be so severe to be regarded as overbearing. Further detail of materials will be conditioned but those indicated on the plans are considered acceptable in principle and will not harm the character of the listed building.
70. The auditorium has been purposefully designed to open up views onto the rear face of Gladstone House as well as concentrating the height of the building away from the houses at the rear in order to minimise residential amenity implications. The auditorium will feature raked seating and will hold approximately 100 people. The garden building is adjoined to a lobby area that connects with the café servery where access is then provided to the emergency fire staircase associated with the writer in residence's flats and toilet/refuse storage area in the south west corner of the site.
71. The auditorium features timber slatted panels at the rear and a green roof with lead edgings. A detailed landscaping scheme will be conditioned and will include detail of the green roof to ensure suitable species and maintenance for its survival. The sides and front of the auditorium will be glazed to allow views onto the rear face of Gladstone House as well as the landscaped areas and lobbies to the side of the building.
72. The auditorium is significant in size, reaching approximately 5.5m at the apex of the roof and the glazed frontage only 6.5m from the rear elevation of Gladstone House. This will undoubtedly change the character of Gladstone House by placing a contemporary piece of architecture so close to the listed building. The impact upon the proposed development upon the setting of the listed building is discussed later in this report but the design of the auditorium itself is considered to be of a high standard and will add interest to the site. In being designed around providing views onto the attractive rear façade of Gladstone House

and minimising impact upon neighbouring properties, it is considered that on balance, the auditorium is respectful to its setting. Following pre-application advice, the height of the auditorium has been reduced. The scale, massing and form of the building responds positively to what is a highly constrained and sensitive site and is not considered an overdevelopment of the site. Therefore, whilst the loss of the remnant garden is considered harmful to the character of the listed building, the design of the annex extension and auditorium is considered acceptable and in accordance with saved policies HBE9 and HBE12 of the adopted Local Plan. The impact of the auditorium upon the setting of the listed building is discussed in the following section of the report.

Impact of the proposal on the setting of the Listed Building and character of the Conservation Area:

73. In addition to having special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (s66); special attention must also be paid to the desirability of preserving or enhancing the character or appearance of the City Centre Conservation Area (s72).

Setting when viewed from St Giles Street:

74. The building can be appreciated from St Giles Street and contributes to views of both the City Hall Clock Tower and St Giles Church, both of which are identified in the City Centre Conservation Area Appraisal. The proposals do not affect these aspects of the setting and the impact the front elevation has upon the character of the conservation area.
75. The rear elevation of Gladstone House is not visible from St Giles Street and although the garden is visible from glimpsed views, it does not make any positive contribution to the setting of the listed building, the character of the conservation area or the character of the St Giles street scene.
76. The proposed auditorium will be visible from St Giles Street when looking towards St Giles Church from between City Hall and Gladstone House. From this position the auditorium will read as a glazed, lightweight structure, subservient to Gladstone House. It is considered that given its architectural interest, when viewed from St Giles Street the auditorium may enhance the character of the conservation area and improve views from what is currently a rather bland east elevation of Gladstone House. The glazed frontage of the auditorium will also reflect views of the rear elevation of Gladstone House so may actually enhance the setting of the listed building by improving the capacity to experience the rear elevation from new positions.

Setting when viewed from the side and rear of Gladstone House:

77. Although substantially diminished in its original size, the rear garden permits the ability to see the full rear elevation of Gladstone House as it was originally intended to be viewed. The rear elevation can also be viewed from the rear of some of the properties in the Old Barley Market, parts of the side passageway linking Bethel Street to St Giles Street and from windows in the rear of the Police Station and City Hall.
78. Standing from the boundary wall with the Old Barley Market, the depth of the garden measures approximately 15m currently, although some of this space is taken up by vegetation at the rear of the garden. The auditorium will leave an open space approximately 6.5m in depth of what will essentially become an urban courtyard rather than a garden. There is no recognition of the importance of this view either in the City

Centre Conservation Area Appraisal or in the listing description of the building, but consultee responses suggest three main reasons why the rear garden is important to the setting of Gladstone House, which can be summarised as follows:

- Firstly, the rear garden allows the rear elevation of Gladstone House to be viewed and appreciated;
- Secondly, the garden was intended to be viewed by occupants from principle upper floor windows;
- Thirdly, the garden acts as an important remnant of what was once a particularly important aspect of the original property.

79. The ability to view and appreciate the rear elevation is considered the most salient with regards to why the rear garden is important to the setting of the listed building. Views out of the principal upper floor windows are not considered important to the setting of the listed building and this is made more apparent by the fact that it is no longer possible to gain an impression of the former scale of the garden given its considerable loss over the years to development.
80. Views from the remaining courtyard onto the rear elevation will be restricted by virtue of being so close to the building. Private views from the Old Barley Market will also be restricted to part of the first floor and above. From the side passageway it will be necessary to advance beyond the garden building to gain a view of the rear elevation and even then the view will be from a more oblique angle than at present where the opening in the side boundary wall is greater than will be the case following the proposed development. It is clear that the proposed development will alter the way in which the rear elevation of Gladstone House is experienced and enjoyed, but it is not considered that the loss of the garden will remove the ability to view the full rear elevation from ground floor level as suggested by English Heritage.
81. It is clear that the garden auditorium has been designed to exploit views of the rear elevation of Gladstone House through the angle of the roof, glazed frontage and seating layout. The first row of seats is approximately 9.5m from the rear elevation of the main building and from this position a full view of the rear elevation from ground floor level to parapet will be possible. The proposed section drawing (ref.121) indicates that a full view of the rear elevation to eaves level will be possible from the front two rows of seats, a view of the majority of the second floor would be possible from the third row with views of the rear elevation becoming more obscured until the back row (sixth) where views are afforded onto the first floor rear elevation and below.
82. The auditorium has been designed to draw particular attention to a feature of the building, the setting of which has been compromised by historic developments and is somewhat underappreciated at present. Certain views of the rear elevation will be restricted and so there will be a degree of harm to the setting of the listed building from the rear, but the ability to experience the rear elevation of Gladstone House will still be possible from within the auditorium building, although to varying degrees depending on seating/standing position. On balance therefore, it is considered that the harm to the setting of the listed building when viewed from the rear is marginal.
83. Although the contribution that setting makes to the significance of an asset does not depend on there being public rights or ability to access that setting, the proposal will have the effect of improving public access to the rear of the site. The applicant has confirmed that they intend to host heritage open days at the NCW when the auditorium will be open for members of the public to access outside times when events are being held [see email from Mr Chris Gribble dated 01 January 2014]. It is proposed to add a condition requiring a

more detailed scheme for how the NCW will enable public access to the auditorium outside of events taking place. This is regarded as a material consideration of the proposal and one that can also be a public benefit in terms of widening the opportunity to experience the heritage asset.

Consideration of the level of harm to the significance of the heritage asset:

84. In considering both the harm of the proposal upon the listed building itself and the impact of the proposal upon the setting of the listed building, it is necessary to evaluate the level of harm to the heritage asset in order to make an assessment against the tests of the NPPF.
85. As already discussed in the report, it is considered that the proposal will result in some degree of harm to the listed building, namely a) the setting of the listed building when viewed from the rear; b) the change to the character of the rear of the property through the loss the area of the remnant garden; c) the internal alterations proposed for the building and d) the external alterations to the rear elevation of the building.
86. It is not considered that any of these elements individually or cumulatively amount to “substantial harm or total loss” to the designated heritage asset, which is clearly distinguished from “less than substantial harm” in the NPPF. With regard to a) the setting of the listed building when viewed from the rear is not mentioned in the City Centre Conservation Area Appraisal and the rear setting has already been considerably adversely affected by previous development. The proposal will also retain the ability to experience the rear elevation and may even be considered to enhance the opportunity to do so through the careful design of the auditorium and public access to the site; b) the rear garden does not add a great deal to the historic significance of the site and is not mentioned in the listing description of Gladstone House and the proposals will re-establish a greater use of the rear of the site in association with the main building; c) the internal alterations do not have a significant impact upon any element of the building that are included within the listing description and harm to the proportion of rooms is limited to those principal rooms of lesser importance and d) the harm from the external alterations to the rear elevation are reduced by the careful design of the new doors, details of which will be conditioned, and the changes that have already taken place to other ground floor windows. The rear two sash windows themselves will also be retained with only the cills, which are understood to be 1990 replacements, and masonry below being lost.
87. It is therefore considered that the proposed works would amount to “less than substantial harm” to the designated heritage asset, and this view is shared by English Heritage.
88. It should be noted though that just because it is concluded that the degree of harm can be described as “less than substantial” does not mean that this degree of harm amounts to a less than substantial objection to the grant of planning permission. Both the NPPF and recent court decision ruling (BARNWELL MANOR WIND ENERGY LTD v (1) EAST NORTHAMPTONSHIRE DISTRICT COUNCIL (2) ENGLISH HERITAGE (3) NATIONAL TRUST (4) SECRETARY OF STATE FOR COMMUNITIES & LOCAL GOVERNMENT (2014) have been clear on this point. Paragraph 132 of the NPPF requires, as heritage assets are irreplaceable, any harm or loss to require “clear and convincing justification”. Considerable importance and weight should be attached to the desirability of preserving the character and setting of the listed building when carrying out the balancing exercise.
89. The proposed writers’ centre will benefit the public in terms of establishing a prestigious cultural/educational use with associated public facilities including the café. The proposal

will also open up public access to a historically significant site and building that is currently in private use as well as providing access and facilities for disabled persons throughout the building.

90. Par.134 of the NPPF requires that where “less than substantial harm” is proposed, this should be weighed against the public benefits of the proposal including securing the optimal viable use of the heritage asset. Putting heritage assets into viable uses is likely to lead to the investment in their maintenance necessary for their long term conservation. The NPPG states that where there are a range of viable uses for a heritage asset then the optimum use is the one likely to cause the least harm to the significance of the asset, not just through initial changes but also through subsequent wear and tear and likely future changes. The NPPG also states that harmful development may be justified in the interests of realising the optimum viable use of the asset, notwithstanding the loss of significance caused provided the harm is minimised.
91. In consideration of the “less than substantial” harm being made to the heritage asset and justification for the alterations in terms of their role in delivering the public benefits of the proposal, it is considered that the conversion to the NCW will represent an optimal viable use. The proposal utilises all areas of the building and will restore original room layouts and features. The proposal will also involve refurbishing the inside of the annex, which is currently in some state of neglect. Many areas of the site that are currently underused will be brought back into use and this will benefit the longer term conservation of the building as a whole. It is difficult to envisage such a high level of investment would be supported for many other uses in the current market that would be acceptable in planning terms. The Roche ‘report on potential and demand for office use’ would further support this position insofar that it identifies that Gladstone House is not ideal for office use because of its specification, arrangement and lack of parking. The proposal would also facilitate public access to the listed building and make greater use of what is currently underused garden space. This would accord with par.137 of the NPPF in terms of taking advantage of opportunities to better reveal or enhance the significance of heritage assets.
92. On balance it is considered that notwithstanding the considerable importance attached to preserving the listed building and its setting that sufficient justification has been provided in this instance bearing in mind the overall scale of harm to the listed building, its significance, the carefully considered design proposed and the public benefits associated with the use.

Transport and Access

Transport, Access and Servicing Assessment

93. In principle the proposal is for the NCW is acceptable in this city centre location. The site has no car parking and this encourages the use of existing parking provision in the surrounding area as well as sustainable transport modes. It is easily accessible by public transport, being located a brief walk from many bus stops serving the wider area and is also located in walking/cycling distance from the main train station. The site is well served by public car parking facilities with St Giles car park located directly opposite the site and St Andrews car park nearby.
94. St Giles Street currently features a dropped kerb adjacent to the vehicular entrance to the Police Station.
95. The Transport Statement submitted with the application summarises that the demands

arising from the proposed development will not have a significantly adverse impact upon the surrounding transport network and that the proposal fully supports the Government's adopted policy objective to promote travel by sustainable forms of transport.

96. The development does propose primary access from the rear of the building which will be provided from the narrow side passageway connecting Bethel Street with St Giles Street, which is land owned by Norwich City Council. The side passageway will serve as primary access to the multi-functional property although staff will have access to the front entrance. This arrangement is much the same as existing and is understood that staff currently occupying the offices at Gladstone House enter the site from the rear rather than from the St Giles Street front entrance.
97. Whilst the management plan seeks to restrict numbers on site to no more than 140 at any one time, the number of people using the site will potentially be far greater than at present, especially during event times. It is therefore likely that congestion along the side passageway will be more of an issue than at present. The passageway is 80cm in width at its narrowest point and generally 95cm for most of its length. The side passageway therefore offers a 'single file route'. It is not possible to widen the route.
98. However, whilst the arrangements are less than ideal, it is difficult to envisage how the access arrangements of the passageway could be improved. Beyond the passageway to the east is a drop down where the ramped vehicular access to the Police station is located. It would not therefore be possible to widen the passageway at this point. The option of modifying and setting back the boundary wall has also been explored which could provide a 'passing point' for pedestrians. However, such work would have a detrimental impact upon the character of the listed building and would further reduce the remaining garden space at the site. It would also not fully solve the issue of congestion.
99. The width of the side passageway would not satisfy the DfT Inclusive Mobility standard of one metre, but wheelchair access is possible to the site as tested by the applicant and as experienced during the site visit undertaken during the assessment of the application. The proposal significantly improves disabled access within the building and the widening of the side entrance will improve wheelchair access from the side passageway to a minor degree.
100. Assessment of public safety risk would be a matter considered under Building Regulations. Norfolk Fire and Rescue Service have raised no objections to the proposal.
101. Any lighting of the passageway would fall under the lighting scheme which would be required by condition.
102. Gladstone House is serviced via St Giles Street, a one way street with on-street loading and pay and display car parking bays. The NCW would be subject to the existing peak hour loading ban adjacent to Gladstone House. The applicant will be advised by way of an informative that the vehicle access to the Police lower ground car park shall not be used for purposes of loading.
103. Existing cycle parking facilities in the surrounding area are already nearing full capacity during weekday daytimes although there is under use in the evening. The Council's Highways Officer has assessed the application for the level of cycle provision required for the conversion. Such is the limited amount of space at the rear of the building that it has not been possible to provide on-site cycle parking provision for staff and visitors. On the basis of the proposed use and anticipated maximum users on site, it is suggested that a

minimum of 10 cycle stands be provided off-site. Cycle provision will be secured by way of a Grampian Condition requiring that there be no occupation of the proposed NCW until 10 new cycle stands have been provided off-site in the near vicinity.

104. Refuse storage has been proposed at the rear of the site and the Management Plan indicates that collection will be arranged by a private contractor who will have access to the site before being returned to their positions after they have been emptied. Although wheeling the bins along the side passageway is not ideal, there is no other viable solution. Returning the wheelie bins to the rear courtyard area will prevent the possibility of obstruction on St Giles Street and will also prevent obstruction of the Police car park entrance.
105. The Council's Highways Officer has confirmed their satisfaction with the Travel Plan and it is suggested that a condition be added to require compliance with the Travel Information Plan in the interests of publicising and promoting sustainable travel to and from the site.
106. Subject to conditions therefore, it is considered that the transport and highways implications of the proposal are acceptable with regard to saved policies TRA3, TRA5, TRA6, TRA7, TRA8 and TRA12 of the adopted Local Plan.

Environmental Issues

Archaeology

107. The site is located within an area of Main Archaeological Interest and the proposed works will involve elements of ground disturbance, especially with regard to the erection of the garden auditorium. The Council's archaeology advisor has raised no objections to the scheme subject to the imposition of conditions requiring compliance with a written scheme of investigation and potentially reporting and archiving of results if archaeological remains are uncovered. It is also suggested that photographic survey be conditioned to add to the Historic Environment Record (HER).

Energy Efficiency and Renewable Energy

108. Policy 3 of the JCS requires that development proposals involving over 1000 sq.meters of non-residential floorspace include sources of renewable energy or low carbon energy, providing at least 10% of the scheme's expected energy requirements. The opportunity for providing such sources of on-site renewable energy are heavily constrained by the significance of the heritage asset and desire to avoid harm to the listed building. The applicant has set out a series of measures in the Design and Access Statement that are intended to improve the energy efficiency of the building, including low energy lighting, improved insulation and water saving sanitary fittings and appliances.
109. It is proposed to install photovoltaic panels to the south facing slope of the north-most dual pitched roof on the main building, where they will be almost entirely obscured from view by the roof in front and behind and where the maximum amount of solar radiation will be captured. It is proposed that a condition be added to any permission requiring a scheme for the PV panels to be submitted to the local planning authority for approval to ensure that the panels are acceptable in design, location and specification. It is highly unlikely that the PV panels will satisfy the 10% requirement, but it is considered that the applicant has taken every available measure to provide renewable energy on site.

Sustainable Construction

110. The applicant has indicated that construction materials will be locally and sustainably

sourced.

Water Conservation

111. The applicant has indicated that water saving sanitary appliances and taps will be fitted in order to promote water efficiency. Green water recycling will be incorporated in the form of water butts for garden use.

Lighting and CCTV

112. The applicant has indicated the intention to install external lighting at the site although further detail is not provided. Planning consent would be conditioned to require a detailed lighting scheme to be submitted to the local planning authority for approval. It is also apparent that during the consultation undertaken by the applicant, the issue of CCTV was raised by an interested party. The applicant has responded that CCTV will form part of a later design stage. Norfolk Constabulary have not highlighted any need for the NCW to provide CCTV and state that the proposal will improve security at the site by creating a more secure boundary and providing natural surveillance through the wrier in residence's apartments. It is not therefore deemed necessary to impose a condition requiring CCTV installation but any such installation would require a separate planning application to be submitted at a future date, which would be assessed on design grounds.

Trees and Landscaping

Loss of Trees or Impact on Trees

113. The proposal involves the removal of two Leylandi trees in the rear garden to make way for the auditorium. Following discussions with the Council's Tree Protection Officer it has been determined that the loss of the trees can be mitigated for by the replanting of a street tree in the surrounding area. A Grampian Condition will be added to require a scheme to be agreed and replacement tree to be replanted within 12 months of the implementation of the proposal.
114. There are not considered to be any trees or hedges in the rear gardens of the adjacent properties that will either influence the development or form an important part of the local landscape.

Landscaping

115. Whilst the loss of the garden and green space is regrettable, the quality of the existing garden and planting is low and the area is underused. Plans show that the site will be planted in areas to side and front of the auditorium as well as the auditorium being fitted with a green sedum roof. It is suggested that a condition be imposed upon planning consent requiring a detailed landscaping scheme for both soft and hard landscaping to be submitted to the local planning authority for approval. The scheme would also include detail on the green roof in order to ensure appropriate species and maintenance for its survival.

Ecology

116. There is a small possibility that bats may be roosting in the roof of the annex to be demolished. If bats were discovered during works then the applicant would be required by cease works and seek advice from Natural England before any further works could commence. In order to avoid disturbance to birds that may be roosting in the trees on site, any felling should be undertaken between October and early March. An informative will be added to remind the applicant if the need to address both of these matters.

Local Finance Considerations

117. The new build floorspace created in this proposal is liable for the Community Infrastructure Levy (CIL) by virtue of the floorspace of the new build elements of the scheme exceeding 100 sq. metres. However, the Sui Generis use of the auditorium is more akin to a D1 use for which the CIL charge is set at £0. The floorspace of the annex extension would not exceed 100 sq. metres. Therefore the proposal will not be required to contribute a CIL charge.

Other

118. Under the management plan smoking will not be permitted within the site or on the narrow side passageway. Smoking would therefore have to take place in the surrounding area. This is not ideal and in very extreme cases where considerable people desired to smoke at the same time, could lead to obstruction on St Giles Street. However, such a scenario is not considered likely to occur with any frequency that could establish a significant issue of concern. Preventing smokers from using the site would also be beneficial in terms of minimising an additional source of disturbance to neighbouring properties.
119. The applicant has indicated that the writers in residence apartments are only to be used by writers visiting the NCW. It is suggested that a condition be imposed preventing the apartments from being sold or leased as separate units of living accommodation and limiting the occupancy to persons linked to the operation of the NCW. This is because the apartments have not been assessed by the normal standards expected for a dwelling house. For example, the apartments provide no external amenity space.
120. Several objectors have questioned the extent to which the applicant has consulted with the public contrary to that declared by the applicant. This has not been investigated but it is considered that the Council's own consultation process has allowed for adequate opportunities for public comment, consistent with the Council's Statement of Community Involvement.
121. The rear boundary wall between the application site and Old Barley Market remains unaltered, although excavation works would be taking place near to the foundation level of the wall. The Party Wall Act may be relevant here but is separate to planning permission and does not form a material consideration in the assessment of this application.
122. An objector has raised the possibility of the proposal having a negative impact upon the value of properties located to the rear of the site. This is not a material planning consideration.
123. The financing of the project is not a material planning consideration.
124. Norfolk Fire and Rescue Service have been consulted and have raised no objections to the scheme provided that the proposal meets the necessary requirements of the current Building Regulations. The scheme would be required to satisfy Building Regulations requirements in order to permit implementation, but in terms of fire safety Norfolk Fire and Rescue Service are of the opinion that the building can be made to work. Comments at pre-application stage stated that the basement should not be open into the ground floor without any separation. The applicant proposes to install double doors at basement level which, taken together with the other doors installed at the basement rooms leading off the

basement stair hall/lobby, would provide separation from the basement to the ground floor.

Conclusions

125. In arriving at the recommendation for approval of the application for conversion of Gladstone House to a National Writers' Centre, a finely balanced assessment of the particulars of the application has been undertaken. The principle of the conversion is considered to be acceptable with notable benefits in terms of strengthening the cultural status of Norwich and promoting development that supports the arts and educational provision. A wide and high quality provision of vacant office space has been demonstrated to exist in the surrounding area to justify the loss of the office space in this particular location.

Whilst the proposal carries implications for the amenity of surrounding properties, the design of the scheme and imposition of conditions are considered to adequately mitigate against any significant impacts of noise and disturbance

Considerable weight and importance has been given to the desirability of preserving the heritage asset and its setting. The proposal will result in a certain degree of harm to the listed building and will also affect the setting of the designated heritage asset. This harm is considered to amount to "less than substantial harm", which is a view shared by English Heritage. However, even this level of harm should not be regarded lightly – clear and convincing justification is required and considerable weight should be attached in the balancing exercise to the desirability of preserving the heritage asset and its setting. In this instance it is considered that the applicant has set out sufficient justification for the proposed alterations and although the setting of the listed building from the rear will be compromised, the ability to experience the rear elevation of Gladstone House will not be lost, with views of the entire elevation still possible from certain positions within the auditorium. In opening up public access to the rear garden, the opportunity to experience the heritage asset is likely to be enhanced.

The application will benefit the public in terms of opening access to the listed building, improving access within the listed building and providing a prestigious cultural/educational facility in a highly accessible location within the City Centre. The proposal will also utilise all areas of Gladstone House as well as bringing life to what is a much underused garden space at present. In the current economic climate it is difficult to envisage a similar level of investment being proposed for many other planning uses in this location that might be considered acceptable. With the "less than substantial harm" to the listed building considered to be adequately justified by the applicant and the investment and use of the heritage asset that is being proposed, the conversion of Gladstone House to the NCW is considered to constitute an optimal viable use and is likely to secure the long-term use of the building. It is considered that sufficient justification has been provided for the "less than substantial" harm to the listed building and that this harm is necessary in realising the optimum viable use.

Access to the site is not ideal but is considered workable. The scheme is car free and located in a highly accessible location in the City Centre. The proposal is commendable in promoting inclusive access throughout the site.

The application does not need to be referred to the National Planning Casework Unit (for reference to the Secretary of State) as it does not satisfy the relevant criteria. As such the decision is one for this committee.

The recommendation of approval has had due regard to Sections 1, 4, 7, 10, 11 and 12 of the

National Planning Policy Framework (March 2012), Policies 1, 2, 3, 5, 6, 8, 11 and 20 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), saved policies NE9, HBE3, HBE8, HBE9, HBE12, EP16, EP18, EP22, TVA1, TVA4, EMP3, TRA3, TRA5, TRA6, TRA7, TRA8 and TRA12 of the City of Norwich Replacement Local Plan (2004), relevant policies of the Development Management Policies Development Plan Document – Pre submission (April 2013) and all other material considerations.

RECOMMENDATIONS

To approve application no 13/01296/F and grant planning permission subject to the following conditions:-

- 1) Standard time limit
- 2) Development to be in accordance with plans
- 3) No works shall take place on the site in pursuance of this permission until the following details have submitted to and agreed in writing with the local planning authority:
 - (a) details of all external joinery [to include the proposed main and service gates to the garden east wall, the proposed inward opening doors and split cill below 2 No. ground floor rear elevation windows of 28 St Giles Street, and all new external doors] to include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:20 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2;
 - (b) details of proposed roof lights: round roof lights over proposed outdoor toilets (6 No.); and roof lights over lift shafts (2 No.) which should be flush fitting 'conservation' type roof lights;
 - (c) details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
 - (d) large scale details of proposed eaves and verges at a scale not less than 1:20;
 - (e) details of external decoration to render, joinery and metalwork;
 - (f) details and samples of external roofing materials (to inc. lead) including manufacturer, product name and colour;
 - (g) details and samples / sample panels of; brick, bond, pointing style, mortar mix and coping detail for: proposed garden south and east walls; new brickwork to south and west elevations of 'Annexe' building; new elements of brickwork to east wall of 'Annexe' building (inc. rubbing brick flat arch lintels over new 1st floor windows); and brickwork to proposed auditorium building and outdoor toilets & bin store buildings.
 - (h) details of rainwater goods (see informative for further detail)
 - (i) full details of the proposed external spiral staircase to 26 St Giles Street
 - (j) details of proposed Photovoltaic Panels – (to include sections (to show slim profile and flush fitting), roof attachment details, trade literature / images and structural calculations (to show that the historic roof (including any historic timber structural members) is capable of withstanding the proposed load).
 - (k) details of the proposed new garden walls (to east and south boundaries).
- 4) No installation of any amplified sound equipment shall take place within the application premises unless details of the maximum noise levels, expressed in dB LAeq (5 minute) and measured at a point 2 metres from any loudspeaker forming part of the amplification system, have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the maximum noise levels from any amplified sound equipment within the premises shall not exceed those approved at any time.
- 5) No extract ventilation system shall be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority. The detailed scheme shall include the position of ventilation flue outlet points and the type of filtration to be installed and used in the premises in pursuance of this permission, together with a schedule of maintenance. No use of the premises as hereby permitted shall take place unless the approved scheme has been installed and is operational and thereafter it shall be retained in full accordance with the approved details and the maintenance of the extract ventilation

- system shall be carried out in accordance with the scheme as agreed.
- 6) No development shall take place until a scheme specifying the maintenance schedule for the approved extract ventilation or fume extraction system specified in document/drawing ref. [] has been submitted to and agreed in writing with the Local Planning Authority. Following installation, the maintenance of the system shall be carried out in accordance with the scheme as agreed.
 - 7) The installation of any plant or machinery on the premises shall be in accordance with a scheme approved by the Council as Local Planning Authority for the reduction, where necessary, of the level of noise and vibration emanating from the premises.
 - 8) No use of any plant or machinery shall take place on the premises unless it has been adequately enclosed with sound insulating material, and also mounted in such a way which will minimise transmission of structure borne sound, in accordance with a scheme to be first approved in writing by the local planning authority.
 - 9) No loudspeaker, amplifier, relay or other audio equipment shall be installed or used outside the building.
 - 10) No use of the premises as the National Centre for Writing unless in full compliance with the approved Management Plan
 - 11) No use of the premises as the National Centre for Writing shall take place until sound insulation measures have been installed in accordance with a scheme to be submitted to and agreed in writing by the local planning authority and shall be retained as such thereafter. The scheme shall satisfy the standards set out in par.5.1 of Section 5 of the Acoustic Assessment report ref.10872/1 [received 08 August 2013]
 - 12) No use of the premises as the National Centre for Writing until a scheme for how the NCW will enable public access to the auditorium outside of events has been submitted to and approved in writing by the local planning authority. The auditorium shall thereafter be open to the public in accordance with the approved scheme.
 - 13) The premises which form the subject of this permission shall not be open to the public, trading, nor have members of the public, as customers or guests on the premises with the exception of overnight guests staying in the two writers in residence apartments, after 22:30 hours and before 07:00 hours on any day.
 - 14) No trade deliveries or collections including trade waste shall take place between the hours of 19:00hrs and 07:00hrs Monday to Saturday. There shall be no trade deliveries or collections on Sundays or Bank or Public Holidays.
 - 15) The spiral staircase shall only be used for purposes of emergency exit from the writers in residence apartments and the respective doors leading from the apartments to the staircase landing shall be designed to a standard to be submitted to and approved in writing by the local planning authority prior to installation.
 - 16) No use of the development hereby approved shall take place until details have been submitted to and agreed in writing by the local planning authority of all external lighting for the site, including any security or other intermittent lighting. Such details shall include specifications for the lighting proposed, its location and position within the site, height and levels of illumination proposed. The details shall also specify that any external lighting includes cowling, or other similar device, to ensure that the lighting only illuminates the site directly. The development shall be carried out in accordance with the details as agreed and retained as such thereafter.
 - 17) No development shall take place in pursuance of this permission until a detailed landscaping scheme has been submitted to and agreed in writing with the Local Planning Authority (to include both soft and hard landscaping detail)
 - 18) Scheme to be agreed and replacement tree to be replanted off-site within 12 months of the implementation of the proposal.
 - 19) No development until 10 cycle stands have been provided off-site in accordance with a scheme to be agreed with the local planning authority
 - 20) The Travel Information Plan shall be made available in accordance with the Plan as

agreed and, once made available, shall be maintained thereafter in accordance with the agreed details.

- 21) Archaeology: No development until a written scheme of investigation has been submitted to and agreed in writing by the local planning authority.
- 22) Archaeology: Demolition/development in accordance with the written scheme of investigation
- 23) Archaeology: No occupation until site investigation and post investigation assessment completed
- 24) No development shall take place in pursuance of this permission until exact details for the provision of the renewable energy measures [photovoltaic panels] have been submitted to and agreed in writing by the local planning authority. No occupation of the development shall take place unless the renewable energy measures have been provided in full accordance with the agreed details and thereafter managed and retained.
- 25) The writers in residence apartments shall not be sold or leased as separate dwelling units
- 26) (a) No development shall take place, including any works of demolition, in pursuance of this permission until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.
(b) The approved Statement shall be adhered to throughout the construction period.
(c) The Statement shall provide for:
 - (i) the parking of vehicles of site operatives and visitors;
 - (ii) loading and unloading of plant and materials;
 - (iii) storage of plant and materials used in constructing the development;
 - (iv) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
 - (v) wheel washing facilities;
 - (vi) measures to control the emission of dust and dirt during construction; and
 - (vii) a scheme for recycling/disposing of waste resulting from demolition and construction.

Informatives:

- 1) Vehicle access to Police lower ground car park shall not be used for purposes of loading/unloading
- 2) Loading restrictions adjacent to Gladstone House
- 3) Bins to be purchased by the applicant prior to occupation
- 4) No eligibility for on-street parking permits
- 5) Cycle stands and paving scheme – all costs to be met by applicant
- 6) Street naming and numbering enquiries
- 7) If any bats are discovered, all works should cease and advice be sought from Natural England before re-commencing
- 8) Restricted building working hours
- 9) Any signage must be the subject of an additional application for advertisement consent

Article 31(1)(cc) Statement

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

To approve application no 12/01297/L and grant listed building consent subject to the following conditions:

- 1) Standard time limit
- 2) Development to be in accordance with plans
- 3) No works shall take place on the site in pursuance of this permission until the following details have submitted to and agreed in writing with the local planning authority:
 - (a) details of all internal joinery [to include proposed bi-fold doors for spine walls, and proposed double doors adjacent to basement staircase], at a scale of not less than 1:20 and horizontal/frame sections at not less than 1:2;
 - (b) details of proposed levelling of basement floor (to produce level access);
 - (c) details of proposed internal service routes and re-wiring;
 - (d) schedule of internal finishes to walls, ceilings and floors;
 - (e) details of proposed alterations to hinging / opening direction of historic doors
 - (f) details of proposed alterations to 1790s splayed plinth course limestone capstones to the plinth of the rear elevation
 - (g) details of any secondary glazing proposed for the sash windows of 28 St Giles Street elevations at a scale of not less than 1:20 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2;

The development shall be carried out in accordance with the detail as approved.

- 4) The developer shall afford reasonable access to a historic building consultant to allow for a full photographic survey [to include: the 1790 service staircase (all floors of the staircase, associated service corridors with timber panelled walls and historic roof light above); full rear elevation as viewed from end of garden; and detail of 1790s rear ground floor sash windows and limestone plinth detail below - to be converted to sashes with gates below] on site to be carried out before and during the course of works hereby approved. No works shall take place until details of the consultant, the type and manner of access to be provided, the level of survey proposed and the submission and presentation of the survey results have been agreed in writing with the local planning authority and the works shall be carried out in accordance with those details as approved.
- 5) The demolition of: (a) the 1790 brick work and 1790s splayed plinth course limestone capstones to the plinth of the rear elevation below the rear ground floor sash windows of 28 St Giles Street; (b) the removal of the tripartite sash window from the ground floor east elevation of 26 St Giles Street; (c) the demolition of portions of the spine walls of the basement, ground floor and first floor of 28 St Giles Street; (d) the demolition of part of the basement hallway wall 28 St Giles Street (e) the demolition of the 1790s service stairwell (f) The demolition of any elements of the south and west elevations of 26 St Giles Street, shall be carried out by hand [*by hand-held tools*] only and the works shall provide for the retention and storage for re-use of [*bricks for any 'making-good' the rear elevation brickwork of 28 St Giles Street and east elevation of 26 St Giles Street and the re-use of the tripartite sash window at first floor on east elevation of 26 St Giles Street*].
- 6) The demolition hereby permitted shall not take place until a contract for carrying out the works of redevelopment on the site has been made and planning permission granted for the redevelopment for which the contract provides. Evidence of this contract shall be provided to and approved in writing by the local planning authority prior to any demolition being undertaken
- 7) Any damage caused to the listed buildings (28 & 26 St Giles Street) by the works hereby approved shall be made good in accordance with a scheme first submitted to and agreed in writing by the local planning authority and the making good in accordance with the scheme as agreed shall take place within three months of the approval of the scheme.

- 8) No works shall take place on the site in pursuance of this consent until a detailed scheme of work outlining the proposed measures of protection for the following features, which shall enable them to remain undisturbed in their existing position and fully protected during the course of the work on the site, has been submitted to and approved in writing by the local planning authority:
- (a) The 1790 mahogany staircase (ground, first and second floor) and panelled mahogany dado (up to first floor)
 - (b) The 1790 service flight of the main staircase (ground floor to basement)
 - (c) 1790s Timber ceiling joists in basement
 - (d) 1790s splayed plinth course limestone capstones to the plinth of the rear elevation
 - (e) Sash windows and timber shutters,
 - (f) Internal doors, door cases and fan lights
 - (g) External door cases (2 No.)
 - (h) External stone steps to the front porch of 28 St Giles Street
 - (i) Internal stone steps and stone flags within the front vestibule
 - (j) Fireplaces
 - (K) Timber panelling, dados, skirting, ceiling roses and cornices
 - (l) Any historic floorboards and or parquet flooring
 - (m) historic floor finishes such as pammments, quarry tiles and floor bricks

The development shall be carried out in accordance with the details as approved.

- 9) No works shall take place on site until a structural engineer's report, setting out the nature of and suggested remedial work to *(a)Install photovoltaic panels on the historic roof structure (b)Remove the historic cast iron structural support pillar adjacent to the foot of the basement stairwell (c)Remove the 1790s service stairwell and install a platform lift and (d)Remove the 1790s masonry from below two of the 1790s ground floor rear sash windows (e)Remove portions of the spine walls at basement, ground floor and first floor (f)remove part of the basement hallway wall to 28 St Giles Street (g)Remove / re-build the south and west walls of the 26 St Giles Street, whilst providing structural support for the historic east elevation of the same building (h)Remove the large tripartite sash window from the ground floor of the east elevation of 26 St Giles Street and install it in the first floor of the same elevation*, is submitted to and agreed in writing by the local planning authority. All works shall be carried out in accordance with the report as agreed.
- 10)No works to treat or prevent damp, rot or timber infestations shall be undertaken until a specification has been submitted to and agreed in writing with the local planning authority. All works on site shall be carried out in accordance with the specification as agreed.
- 11)No works to remove paint (or staircase surface finishes) internally or clean the building externally shall take place until:
- (a) a specification outlining the proposed methodology has been submitted to and agreed in writing by the local planning authority; and
 - (b) a sample area showing the proposed paint removal or level of clean has been agreed in writing with the local planning authority.
- All such works on site shall be in accordance with the details as agreed.
- 12)No works to repoint the external brickwork or stonework shall take place until:
- (a)details of the extent of repointing have been submitted to and approved in writing by the local planning authority; and
 - (b) a sample panel of not less than 1 metre square to show the proposed mortar composition and colour and the method of pointing has been prepared on site, inspected and approved in writing by the local planning authority.
- All such works shall be carried out in accordance with the details as agreed.

- 13)(a) No works shall take place on site until details of any proposed methods of fire protection, sound proofing and insulation for the walls, floors, ceilings and doors, including 1:5 sections through walls and ceilings, 1:20 elevations of doors and 1:2 scale moulding sections have been submitted to and agreed in writing by the local planning authority.
- (b) All existing original doors shall be retained and where they are required to be upgraded, no such upgrading shall take place until a schedule and specification of works has been submitted to and agreed in writing by the local planning authority.
- (c) Self-closing mechanisms, if required, shall be of the concealed mortice type.
- (d) All works of fire protection, sound proofing and insulation shall be carried out in accordance with the details as agreed.

Informatives:

- 1) Double opening 'doors' below ground floor sash windows on rear elevation of No.28 to be inward opening (as annotated on 'Proposed South Elevation' plan and in the Design & Access Statement), not outward opening as shown on 'Proposed Ground Floor' plan).
- 2) Baby Changing Facilities (a wall-mounted hinged table and nappy bin) should be provided within a ground floor disabled toilet, as a minimum.
- 3) Any signage (internal or external) would need to be applied for in a separate Listed Building consent and/or Advert consent.
- 4) Any secondary glazing would need to be applied for in a separate Listed Building consent
- 5) Historic floor, ceiling and wall finishes on all four floors of 28 St Giles Street should be retained as existing.
- 6) All new brickwork to 26 St Giles Street to match the brickwork of 28 St Giles Street.
- 7) Rainwater goods shall be cast iron for 26 & 28 St Giles Street, and cast iron or cast aluminium for the new auditorium building.
- 8) Fireproofing – Any fireproofing measures would need to be applied for in a separate Listed Building Consent application. The applicant is advised that there may be limitations to what alterations can be made to the listed building in order to achieve this, for instance all historic doors will need to be retained (including the less architecturally 'sophisticated', but equally historically interesting and important 1790s two panelled 'service' doors on the second floor and any historic doors to the basement).
- 9) Acoustics - The Acoustics Assessment (17.07.2013) submitted by the applicant mentions a number of potential physical interventions for acoustic attenuation measures for 28 St Giles Street. Any such measures will require a separate Listed Building Consent, as they have not been included in the current application. Any such LBC should include a full Acoustics Survey of the listed house, so that the need for such interventions can be demonstrated.

The applicant should be advised that some of the physical alterations mentioned in the acoustics assessment, already submitted, may not be appropriate for this Listed Building. The advice below (provided by the Conservation & Design Officer on 6.11.13), identifies specific areas of the acoustics assessment that need further investigation in a Full Acoustics Survey and that may not be permissible within 28 St Giles Street, in any future LBC application:

'Sound Insulation' requirements identified by the applicant in the acoustics assessment, for which detailed plans and a Full Acoustics Survey would be required, before they could be assessed:

- Non-opening front windows with secondary glazing and mechanical ventilation or acoustically attenuated ventilators – *Limitations – secondary glazing may be*

possible, but mechanical ventilation may be too damaging to fabric.

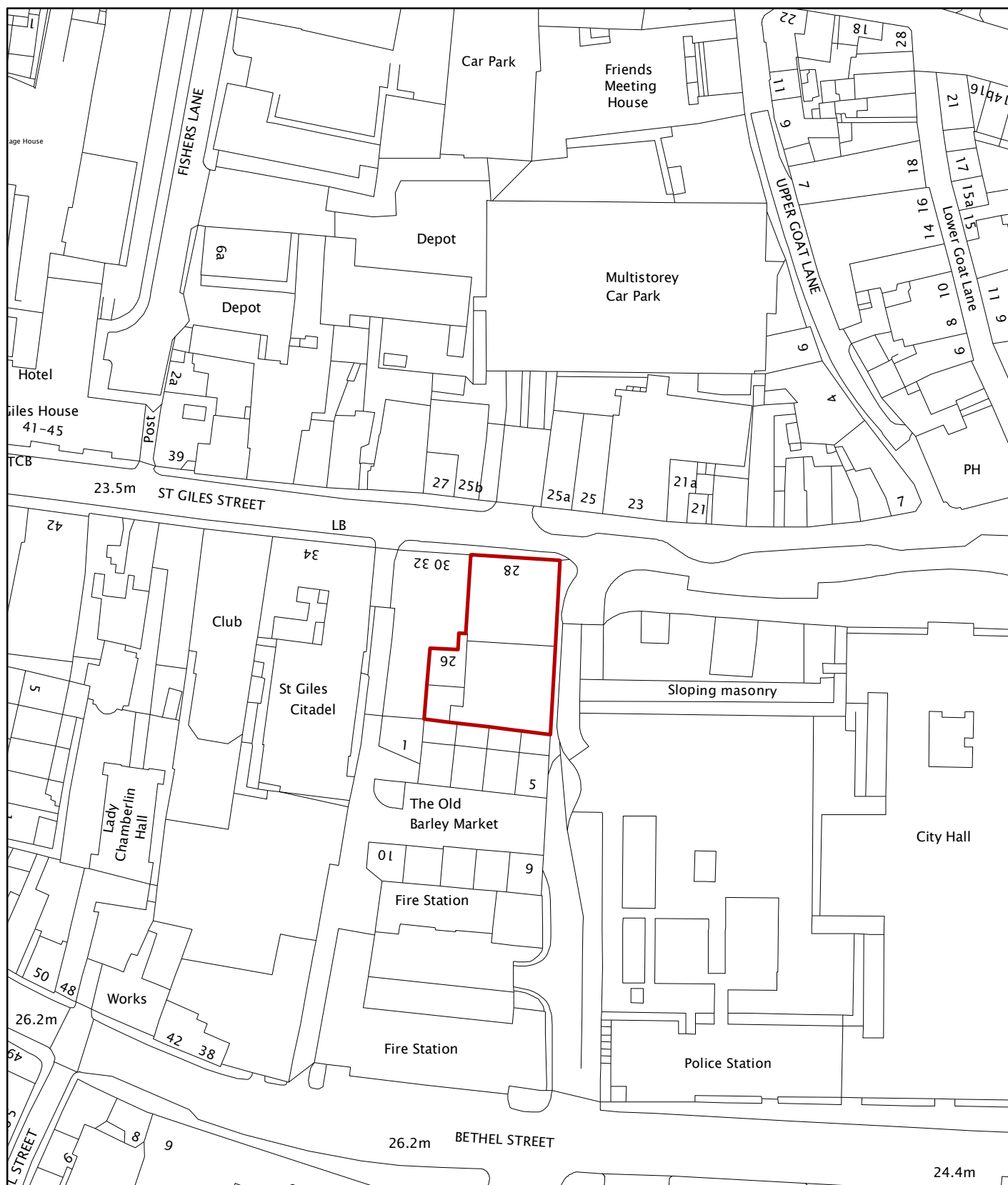
- Floor/ceiling sound insulation – *Limitations - some of the rooms are thought to have parquet flooring, most ceilings have ceiling roses and cornices.*
- Basement wall insulation - *Limitations - vaulted brickwork walls/ceilings, wall mouldings and historic door cases.*
- New solid wooden close-fit doors and seals to seminar rooms, offices and writers spaces – *Limitations – All historic doors must be retained, there may or may not be limited scope for adaptations to upgrade.*

'Acoustic Absorption' requirements identified by the applicant in the acoustics assessment, for which detailed plans and a Full Acoustics Survey would be required, before they could be assessed:

- Wall panels, suspended absorbers (from ceilings), sound curtains/drapes on walls – *Limitations – potential damage to interiors and detrimental effect on historic and architectural character of the listed building (especially for suspended absorbers from ceiling).*
- The annexe part of the proposed café is identified as needing 'significant areas of acoustically absorbent finishes to control reverberant noise levels' – *There are few constraints in the annexe, but there are limitations to providing the same level of acoustic absorption in the café room within 28 St Giles Street with sash/doors open all the time.*

Article 31(1)(cc) Statement

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



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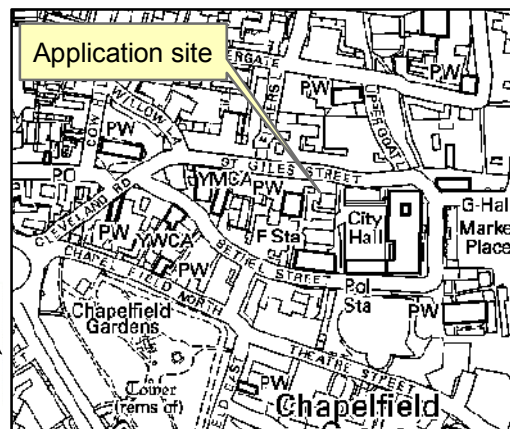
Planning Application No 13/01296/F & 13/01297/L
 Site Address Gladstone House, St Giles Street

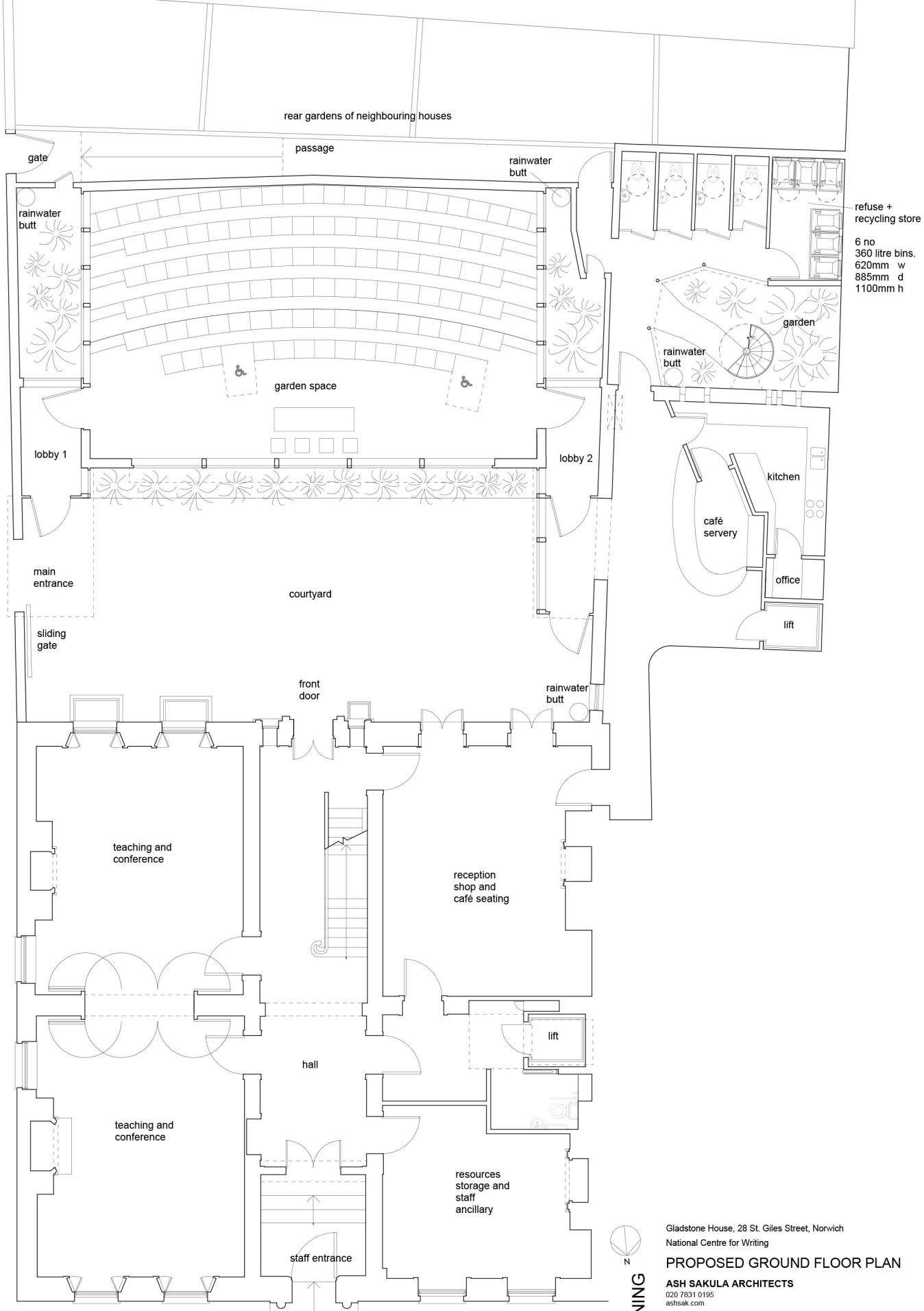
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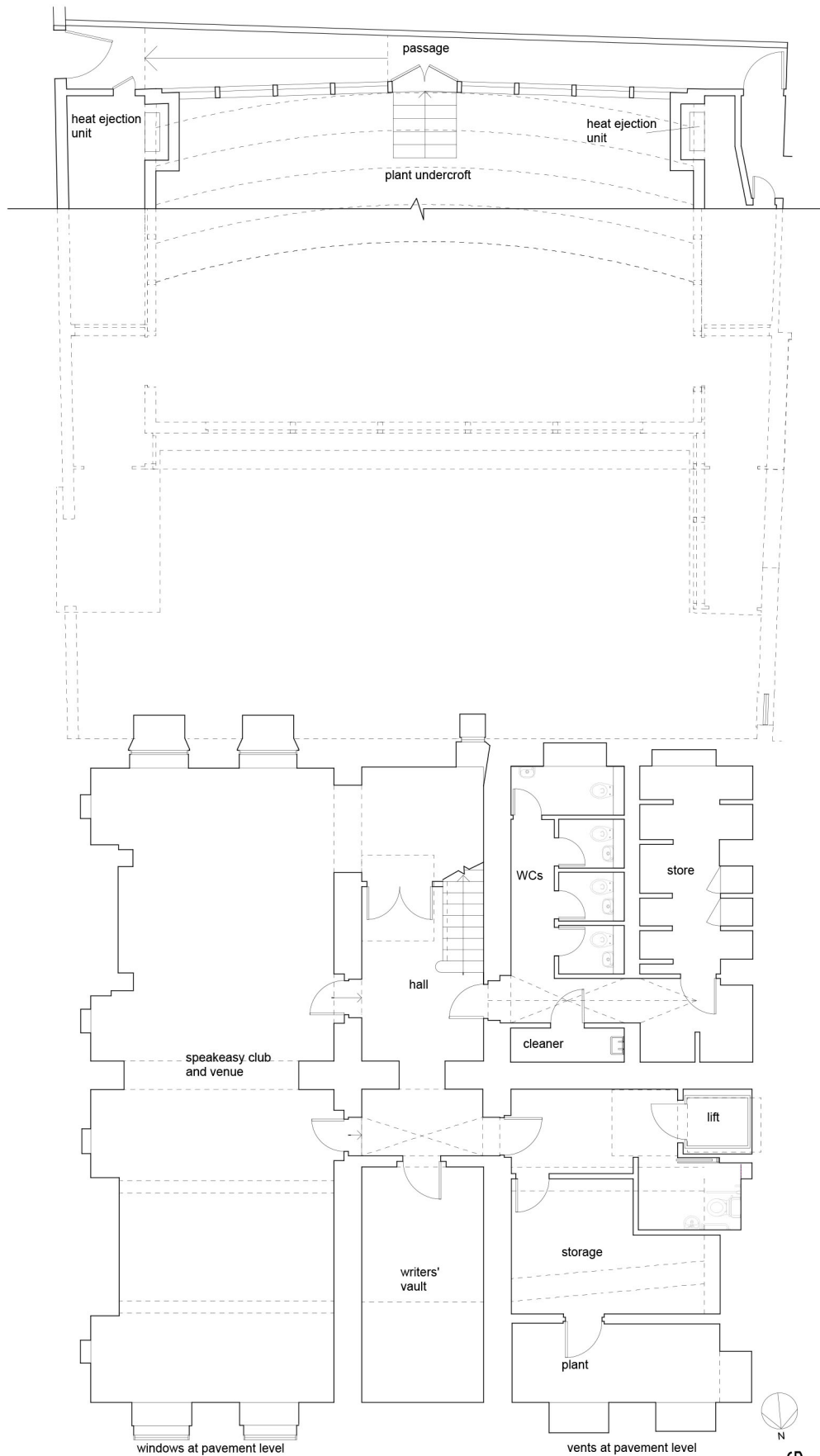


NORWICH
 City Council

PLANNING SERVICES







Gladstone House, 28 St. Giles Street, Norwich
National Centre for Writing

PROPOSED BASEMENT FLOOR

ASH SAKULA ARCHITECTS

020 7831 0195
ashsak.com

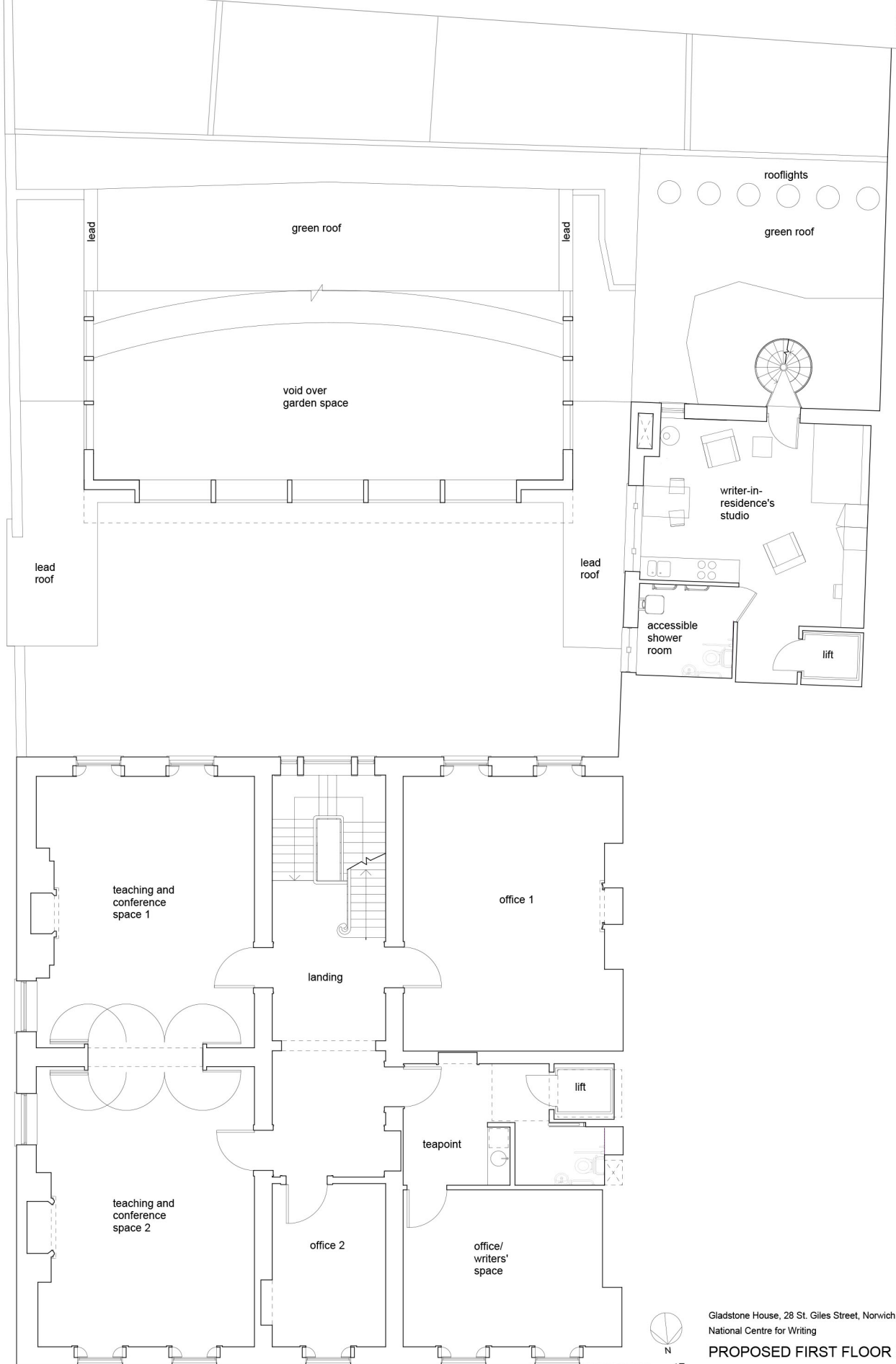
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06 August 2013

WCN

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PLANNING



Gladstone House, 28 St. Giles Street, Norwich
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PROPOSED FIRST FLOOR PLAN

ASH SAKULA ARCHITECTS
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Scale 1/100 @ A3

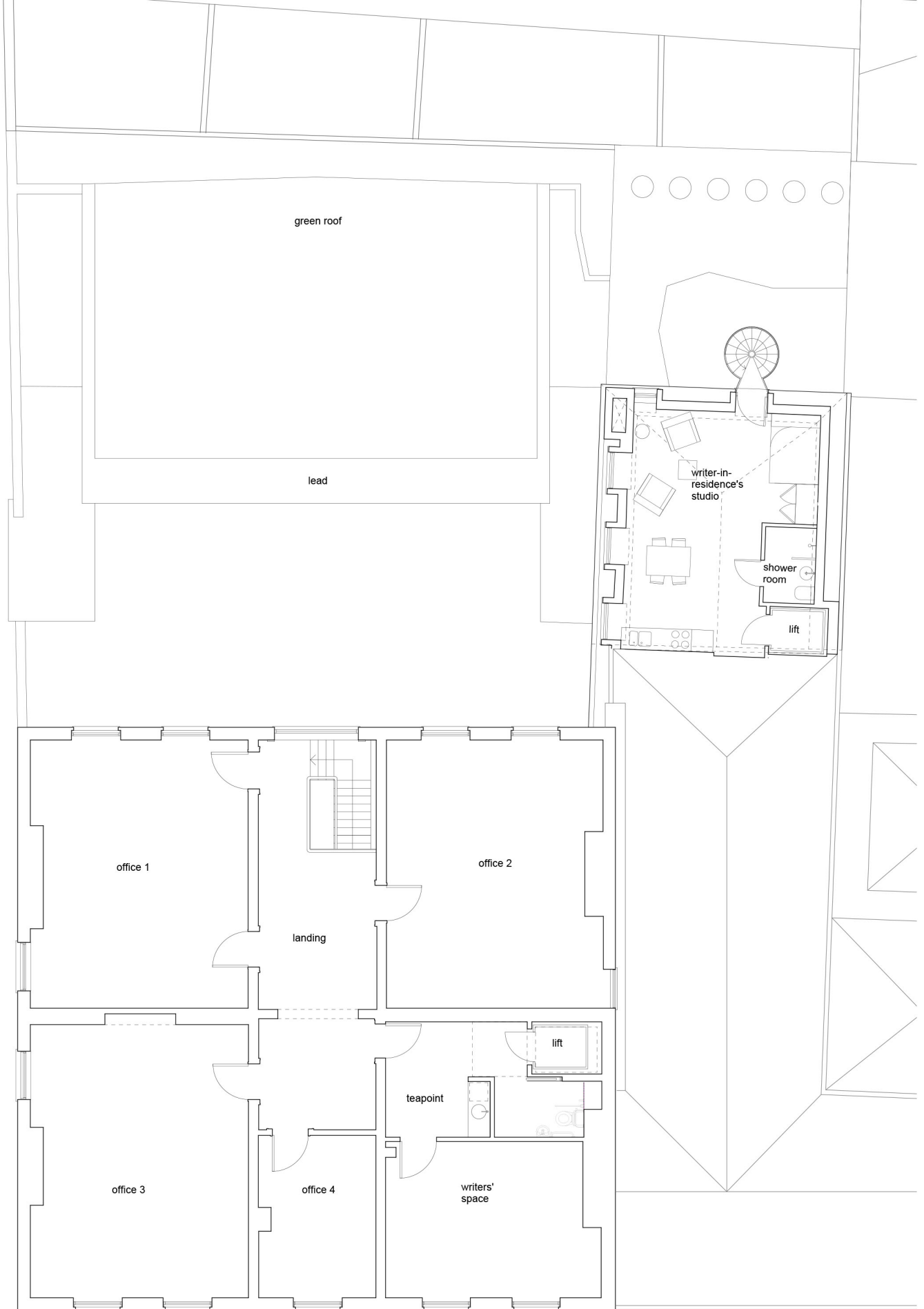
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PLANNING



PLANNING

Gladstone House, 28 St. Giles Street, Norwich
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PROPOSED SECOND FLOOR PLAN

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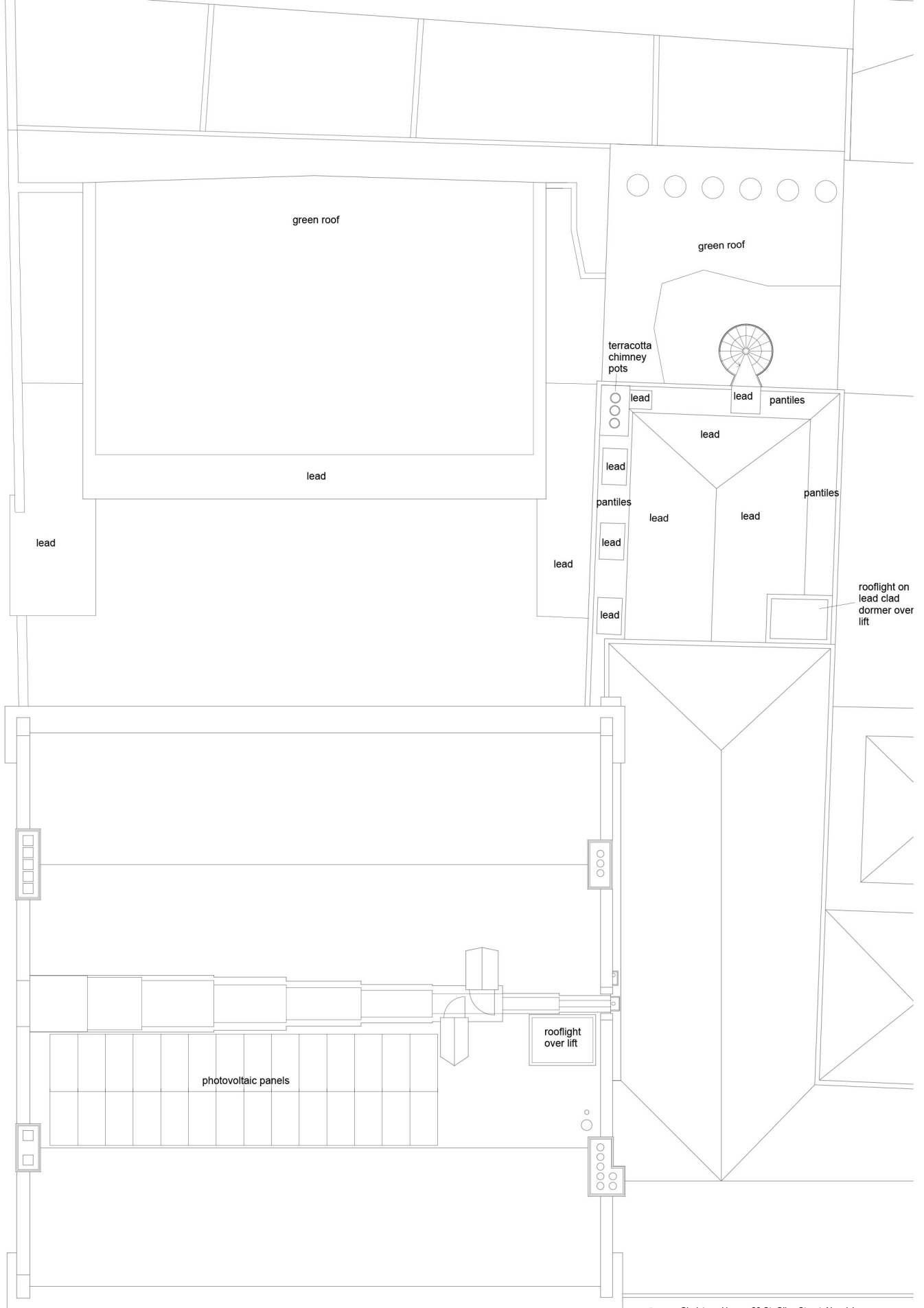
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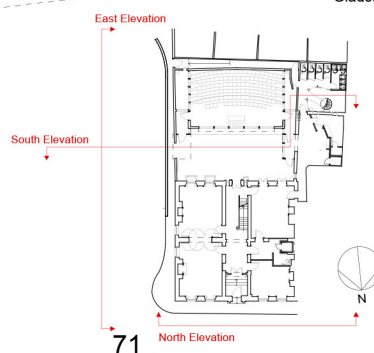
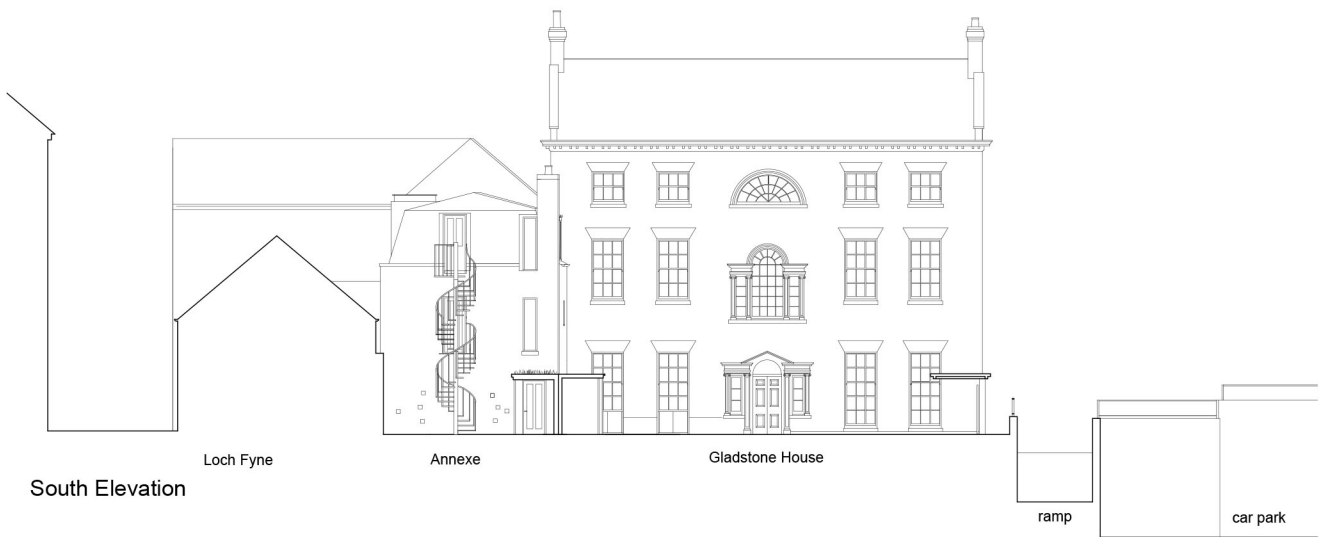
06 August 2013

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PROPOSED CONTEXT ELEVATIONS

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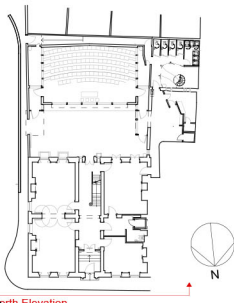
PLANNING

Note
No changes proposed to North Elevation.



Gladstone House
28 St. Giles Street

Loch Fyne Restaurant
30-32 St. Giles Street



Gladstone House, 28 St. Giles Street, Norwich
National Centre for Writing
PROPOSED NORTH ELEVATION

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06 August 2013

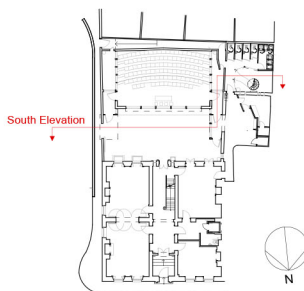
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PLANNING

KEY

- 1 Matching brickwork
- 2 Pantiles
- 3 Lead
- 4 Obscured glass fixed light, precast concrete sill
- 5 Obscured glass fixed light in lead clad dormer
- 6 Painted timber batten FR door
- 7 Painted timber half glazed door in lead clad dormer, obscured glass
- 8 Lead clad dormer housing lift, rooflight over
- 9 FR glass brick fixed lights
- 10 Timber fully glazed door
- 11 Green roof supported on painted steel tubular supports
- 12 Glazed lobby, glazed door, lead roof
- 13 Lead roofed entrance, oak sliding gate
- 14 Inward-opening painted timber half doors below retained existing sash window
- 15 Existing single leaf door restored to inward opening double leaf
- 16 Sage green painted metal helix stair



Gladstone House, 28 St. Giles Street, Norwich
National Centre for Writing
PROPOSED SOUTH ELEVATION

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Scale 1/100 @ A3

06 August 2013

WCN

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PLANNING

KEY

- 1 Matching red brick wall, brick coping
- 2 Naturally finished oak sliding gate
- 3 Lead roofed porch
- 4 Naturally finished oak gate
- 5 Existing brick wall remains unaltered
- 6 Green roof with lead edgings

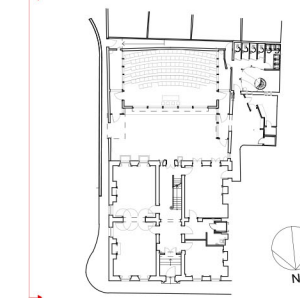
Note

Side elevation of Gladstone House unaltered.



line of ramp to car park

East Elevation



PLANNING

Gladstone House, 28 St. Giles Street, Norwich
National Centre for Writing

PROPOSED EAST ELEVATION

ASH SAKULA ARCHITECTS

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Scale 1/100 @ A3

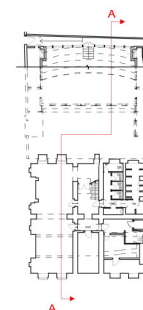
06 August 2013

WCN

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KEY

- 1 Matching brickwork
- 2 Double glazed white painted casement window in lead-clad dormer
- 3 Lead
- 4 Pantiles
- 5 Existing ground floor window and sill relocated to first floor. Matching rubbed brick flat arch over
- 6 New white painted window in existing opening
- 7 Existing brickwork
- 8 Existing window retained
- 9 Lead roof
- 10 Glazed screen
- 11 Terracotta chimney pots
- 12 Photovoltaic panels
- 13 New openings
- 14 Matching brick garden wall, brick-on-edge coping



Gladstone House, 28 St. Giles Street, Norwich
National Centre for Writing

PROPOSED SECTION AA

ASH SAKULA ARCHITECTS
020 7831 0195
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Scale 1/100 @ A3

06 August 2013

WCN

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PLANNING

Report for Resolution

Report to Date	Planning Applications Committee 03 April 2014
Report of Subject	Head of Planning Services 13/01686/F & 13/01687/L 24 Cattle Market Street Norwich NR1 3DY

Item
4(2)

SUMMARY

Description:	<p>13/01686/F - Demolition of building to rear of Crystal House with the exception of the end east wall; change of use and extension to the first floor of Crystal House from retail (Class A1) to 1no. two bed flat (Class C3); rebuilding at rear to provide 4no. two bed dwellings and 3no. three bed dwellings.</p> <p>13/01687/L - Demolition of building to rear of Crystal House with the exception of the end east wall; Alterations to building to enable change of use and extension to the first floor of Crystal House from retail (Class A1) to 1no. two bed flat (Class C3); rebuilding at rear to provide 4no. two bed dwellings and 3no. three bed dwellings.</p>
Reason for consideration at Committee:	Objection
Recommendation:	<p>Approve application No 13/01686/F subject to the completion of a satisfactory S106 agreement by 22nd April 2014 and subject to conditions or where a satisfactory S106 agreement is not completed prior to 22nd April 2014 that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 13/01686/F</p> <p>Approve application No 13/01687/L and grant listed building consent, subject to conditions</p>
Ward:	Thorpe Hamlet
Contact Officer:	Mrs Joy Brown Planner 01603 212543
Valid Date:	23rd November 2013
Applicant:	Mr Richard Pratt
Agent:	Mr Peter Snell

INTRODUCTION

The Site

Location and Context

1. The site is situated on the eastern side of Cattle Market Street opposite the Castle Mall. The site consists of two main elements – Crystal House which fronts onto Cattle Market Street and workshops, offices and storage to the rear, access to which is gained via an unadopted lane to the north of the site. Crystal House is a grade II listed two storey building which was originally constructed as a showroom, workshop and foundry for

Holmes and Sons, who manufactured and assembled agricultural machinery. The most significant part of the building is the front range, in particular the iron framed two storey glazed façade fronting onto Cattle Market Street. The building is currently used as a café at ground floor and as a furniture shop at first floor level.

2. Workshops occupy the entire site to the rear of Crystal House. These have undergone later alterations and are more utilitarian in nature. The workshops are still in use but the building is considered to be in poor state of repair.
3. The surrounding area is mixed in terms of its uses. Directly to the south of the site are offices and directly to the north is a public house. The site is opposite the Castle Mall which is in the primary retail area and to the rear of the site is St Peter Parmentergate Church and churchyard. To the north/east of the site are residential properties on St Martin at Bale Court.

Constraints

4. Crystal House is grade II listed. The site is situated within the City Centre Conservation Area and the Area of Main Archaeological Interest. St Peter Parmentergate Church, which is to the rear of the site, is grade I listed.
5. The churchyard which abuts the rear of the site is identified as being publicly accessible recreational open space. The unadopted lane to the north of the site which links Cattle Market Street to King Street via the churchyard forms part of the green links network.
6. The site is situated within the City Centre Leisure Area. The site is not within a retail area but is opposite the Castle Mall which is within primary retail area.

Topography

7. The site slopes down significantly from Cattle Market Street to St Peter Parmentergate Church.

Planning History

4/1989/0381 - Re-development of former storage building at rear by erection of four storey building to provide basement car park and service area, shops (648sq m) and offices (661sq m) with glazed link. Conversion of existing showrooms to three shops. (APCON - 03/08/1989)

4/1989/0382 - Demolition of rear storage building. (APCON - 03/08/1989)

4/1989/0383 - Removal of internal staircase, re-instatement of floor and formation of new opening to provide glazed link. (APCON - 03/08/1989)

11/01911/U - Retrospective application for change of use for part of ground floor from retail (Class A1) to café (Class A3). (APPR - 13/06/2012)

12/00611/L - Demolition of building to rear. Alterations and extensions to form 8 No. residential apartments including change of use of first floor to residential (Class C3). (CANCLD - 20/05/2013)

12/00612/F - Demolition of building to rear. Alterations and extensions to form 8 No. residential apartments including change of use of first floor to residential (Class C3). (CANCLD - 20/05/2013)

- 8.

Equality and Diversity Issues

There are no significant equality or diversity issues. All flats have been designed to comply with Lifetime Homes Standards and the apartments are served by a lift.

The Proposal

9. Planning permission and listed building consent is sought for the following:
- The demolition of the existing workshop building with the exception of part of the three storey back east facing wall which contains earlier flint fabric.
 - The change of use of the first floor of Crystal House from retail (Class A1) to 1 no. two bedroom flat (Class C1). Also included in the proposal is the refurbishment of Crystal House, the removal of the existing mezzanine floor and staircase, the installation of a new mezzanine floor and staircase, the subdivision of the existing first floor area into the principal rooms of flat 8 and the installation of an internal glazed wall (bifold doors) around 1.2m behind the existing front external windows. The ground floor is to be subdivided into two retail units. Centrally there will be an entrance area which will provide access to both retail units and towards the rear of the ground floor it is proposed to have revolving doors which will provide secure access to the flats.
 - Construction of seven apartments (4 no. two bedroom and 3 no. three bedroom apartments) to the rear of the site and the provision of eight car parking spaces (one for each of the flats), cycle storage, bin storage and ancillary storage for the ground floor retail units. The proposed building is five storeys, although only levels one and two will occupy the full available area of the site with levels three, four and five each being set back and staggered. Amenity space for the residents will be provided by a combination of roof terraces and balconies. The new building will be attached to Crystal House by a three storey link.

Representations Received

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Five letters of representation have been received citing the issues as summarised in the table below. This includes a letter on behalf of the St Martin at Bale Court residents association.
11. During the process of assessing the application slight amendments were made to the balconies on the south elevation of the proposal. A letter was sent to the two properties to the south (The Old Drill Hall [23A Cattle Market Street] and St Peters House [23 Cattle Market Street]) notifying them of this change and providing them with the opportunity to comment further on the change. A letter has been received from The Old Drill Hall confirming that the revisions take no consideration of their comments made previously and their objection still stands.
- 12.

Issues Raised	Response
Design and impact upon listed building <ul style="list-style-type: none">• The proposal is an overdevelopment of the site, with the density being too high and the scale of the development will have a detrimental impact upon Crystal	See paragraphs 21-32

<p>House.</p> <ul style="list-style-type: none"> • The proposed building is over dominant and will dominant the skyline. • The new building is of insufficient architectural quality and the development appears somewhat piecemeal. • There should be a more industrial approach to the elevational treatment with the skillfull use of brick, metal and timber. 	
<p>Use of Crystal House</p> <ul style="list-style-type: none"> • Crystal House should be retained in its present use and should not be subdivided on the ground or first floor. • Residential use is inappropriate for this building. 	See paragraphs 20-23
<p>Overlooking, overshadowing, loss of light and noise</p> <ul style="list-style-type: none"> • The proposal will lead to overshadowing and loss of light to properties at St Martin at Bale Court due to the height and overbearing design of the proposal. This will affect the interior and the garden areas of the properties. There will also be overlooking which will result in a loss of privacy. The scale of the development should be sympathetic to neighbouring properties. • The property to the south is currently in use as offices/studios. Due to the height of the building and the distances involved the proposal will lead to loss of light and loss of privacy. • The proposed residential development and in particular the provision of balconies on the south elevation will result in noise which will impact upon the offices to the south. 	See paragraphs 33-39
<p>Living conditions for future residents</p> <ul style="list-style-type: none"> • On the south elevation the only windows look onto recessed balconies. • Future occupiers of the site could be affected by noise from the live music played at the public house opposite. 	See paragraphs 42-44
<p>Access and highway safety</p> <ul style="list-style-type: none"> • There is potential for there to be a conflict between pedestrians using the lane and traffic accessing the car parking area. • Access to the churchyard should be restricted during the hours of darkness 	See paragraphs 45-47

by gating it. <ul style="list-style-type: none"> • There will be an increase in traffic noise and pollution along the lane. • There is concern regarding the need for access across land to the south for ongoing maintenance and emergency access. 	
Drainage <ul style="list-style-type: none"> • This application should address the problem of rain water runoff which currently exists. The down pipes that take water from the roof do not align with the drains which results in water flowing down the lane and into the churchyard. 	See paragraph 50
Future development <ul style="list-style-type: none"> • The scale of the development will have a detrimental impact upon the property to the south (Old Drill Hall). The scale of the proposal and as the development will extend to the boundary will limit development opportunities at the Old Drill Hall. There has also been no correspondence relating to the Party Wall Act. 	See paragraph 39
Construction <ul style="list-style-type: none"> • Noise during construction will impact upon residents of St Martin at Bale Court. • The occupiers of the property to the south (Old Drill Hall) have concerns regarding construction in particular relating to foundations and the party wall line, safe construction and loss of parking and security. 	Informative to be added to any permission regarding hours of construction. Issues regarding foundations, party wall and safe construction are not a material planning issue.

Consultation Responses

13. English Heritage – We have no objection to the subdivision of the ground floor into two units but recommend historic fixtures and features are retained where possible. Full details should also be provided on the junction between the glass elevation and the new partition. With regards to the upper floor the use of a new glazed wall is preferable to double glazing but the proposal will impact on the volume of space. It is also likely to have a visual impact on the glazed façade from inside and outside the building so will have an impact on the appearance and significance of the building. Your authority should therefore be satisfied that the change of use which necessitates this is justified and ensure you have sufficient details of the structure. With regards to the new development to the rear, we would prefer the north and east walls to be retained however if the authority is satisfied that the walls are beyond repair we have no objection to their demolition subject to appropriate recording prior to demolition. The design has been revised in line with previous advice given. Should the authority be minded to grant consent, it should be conditional on the recording of the rear ranges and subject to conditions requiring approval of new materials and details and subject to the retention of historic fixtures.

14. Norfolk Landscape Archaeology – The report is satisfactory but a programme of archaeological works is needed for the works taking place at the rear of the site. There is a possibility that the burial ground associated with the church could encroach onto the site. Conditions should be attached to any approval.
15. Local Highway Authority – The principle of the development is acceptable. Bin and cycle storage is adequate and as well sited as is practicable. Car parking accords with policy. The Juliet balconies are unlikely to cause a problem in terms of access although there is a risk that a high sided van could strike the level two balconies so it is recommended that some sort of bollard is in place to minimise the risk.
16. Environmental Health Pollution Enforcement – There is potential for an impact from road traffic noise to affect flat 8 so a full noise impact assessment is required. With regards to the layout of the flats there is potential that people using the terrace could create noise to neighbouring flats and noise from the car park could impact upon flat 1. Due to a mix of uses there will be a need to control impact affecting the different uses.
17. Strategic Housing – There has been no interest from Registered Providers and as such an offsite commuted sum should be paid.
18. Norfolk Constabulary – The development should seek to achieve full Secured by Design Certification. The integral car parking area must be designed to prevent unauthorised access as should the internal door that gives access to the flats. External doors, windows, glazing and post boxes should be the relevant standards and external entry into the building should be restricted. The internal cycle store should be a purpose built room. External and internal lighting can have an impact on the wellbeing of residents.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 1 – Building a strong, competitive economy

Statement 2 – Ensuring the vitality of town centres

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

Statement 10 – Meeting the challenge of climate change, flooding and coastal change

Statement 11 – Conserving and enhancing the natural environment

Statement 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 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 6 – Access and transportation

Policy 7 – Supporting communities

Policy 11 – Norwich City Centre

Policy 20 – Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE9: Comprehensive landscaping scheme and tree planting

HBE3: Archaeological assessment in Area of Main Archaeological Interest
HBE8: Development in Conservation Areas
HBE9: Listed buildings and development affecting them
HBE12: Design
EP22: High standard of amenity for residential occupiers
HOU13: Criteria for other housing site proposals
HOU15: Criteria for conversion of other uses to housing
TRA3: NATS strategy expressed in policy terms re modal shift from car to other modes
TRA5: Sustainable design to reduce car use to minimum
TRA6: Parking standards
TRA7: Cycle parking standards
TRA8: Servicing
TRA14: Design of pedestrian routes and areas

Supplementary Planning Documents and Guidance

City Centre Conservation Area Appraisal

Other Material Considerations including:

Written Ministerial Statement: Planning for Growth March 2011
The Localism Act 2011 – s143 Local Finance Considerations

Local Financial Considerations

The provision of eight units of residential accommodation will provide the Council with additional funding through the New Homes Bonus.

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM1 - Achieving and delivering sustainable development
DM2* - Ensuring satisfactory living and working conditions
DM3* - Delivering high quality design
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

* These policies are currently subject to objections or issues being raised at pre-submission stage and so only minimal weight can be applied in particular instances. However, the main thrust of ensuring adequate design and amenity is held in place through the relevant Local Plan policies listed above.

Principle of Development

Policy Considerations

19. The provision of eight residential units on this site will help to meet the housing needs within Norwich as identified within policy 4 of the adopted Joint Core Strategy. The site will provide 5 no. two bedroom apartments and 3 no. three bedroom apartments of which each of the units are relatively spacious and would be suitable for family living. Due to the proposed building being five storeys, the density will be relatively high but it is not considered that the density will be out of keeping with the character of the city centre and the proposal also provides outdoor amenity space for all but one of the units and one car parking space per flat. Policy 4 of the Joint Core Strategy and policies HOU13 and HOU15 of the City of Norwich Replacement Local Plan set out the criteria against which residential developments will be assessed. These issues along with other material considerations are discussed within the report.
20. The proposal retains retail at ground floor level but will result in the loss of retail at first floor level. Given that the site is not within a retail area, the principle of its loss is considered acceptable. The main issue with regards to both the subdivision of the ground into two retail units and the change of use of the first floor to residential is whether this can be achieved without harming the significance of the listed building. This is discussed below.

Design and impact upon listed building and conservation area

Impact on Listed Building

21. Crystal House is a two storey grade II listed building which was originally constructed as a showroom, workshop and foundry for Holmes and Sons, who manufactured and assembled agricultural machinery. The use of the building is related to the cattle market, which for many years was located on the bailey area of the Castle prior to the Castle Mall redevelopment. The west (front) elevation is the most significant part of the building with windows making up the majority of the elevation. It was designed in this way to catch the eye of passers by and to allow goods within to be displayed to maximum effect. The building has a five bay frontage with huge windows in each bay except the central bay of the ground floor which is the entrance. The design of the building was highly fashionable for its date (c1863) and the design of the frontage clearly draws upon the design and innovation of Paxton's Crystal Palace of 1851. The frontage utilises an iron frame and curtain glass wall with the ironwork displaying an elegant use of detail with a lily pattern copied from Crystal Palace. Internally the large open plan ground and first floors enabled the flexible display of agricultural machinery and a clear view in from the street. It remains an eye catching building within the townscape.
22. Due to the significance of the front façade, it is important that no changes are made to the glazing and that a sense of space is preserved. The ground floor is to continue to be used as retail and although it will be subdivided into two smaller units, the space remains relatively open and the front façade unaltered. Full details will be required on the junction between the glass elevation and the new partitions. The mezzanine and stairs are a later insertion and therefore their remove and the provision of a new mezzanine and staircase is acceptable.
23. With regards to the conversion of the upper floor to residential, it is considered that the proposal will still retain a sense of space as the levels have carefully been divided so that

the larger room are situated towards the front of the building and the corridor and smaller room towards the rear. It is also proposed to have a recessed glazed element which will consist of a screen of bi-folding doors set back around 1.2m from the front glazing which will in effect create an 'internal' conservatory and help retain a sense of unbroken space. This will provide the opportunity to have secondary glazing without altering any of the glazing on the front façade, which will be necessary to provide both thermal and noise insulation. Secondary glazing will be necessary on the existing side windows, details of which should be conditioned.

24. In addition to the front façade there are a number of other interesting and original fixtures and features such as the cast iron threshold, which is a footplate from a steam engine and a winch. It is important that these are retained and an inventory should be produced to ensure that these features are not lost in any demolition process for the workshops. The application does also say that all fixtures and fittings are to be removed at first floor level; however there is an historic fireplace that should be retained along with some remnants of previous activities in the wall. These should be preserved and a condition should be attached to any permission ensuring that all historic features are retained. Furthermore it is possible that the floor could be original and does have some historic pits, the form of which should be retained for historic referencing. Ideally, since this is a retail unit, it would be preferable to retain the existing timber floor, however there may be some advantages to relaying a sustainable floor underneath (e.g. limecrete) and then reinstalling the flooring.

Demolition of the workshops

25. The rear workshops have undergone later alterations and are more utilitarian in nature, although they are still considered to be of some historic interest as they are a remnant of a larger group of industrial buildings. The proposal includes the retention of the lower section of the east wall which faces onto St Peter Parmentergate church. This section of the wall contains earlier flint fabric and its retention will provide a historic transition to the churchyard setting of the church.
26. The retention of the north elevation was discussed at pre-application stage and English Heritage would have preferred to see the north and east walls retained, however the applicant has submitted details in the form of a surveyor's report which provides evidence of quite severe structural failure. The surveyor's report concludes that the north wall is not fit for retention and cannot be viably refurbished. Furthermore as the building is in a poor state of repair and the building has a thin brick skin, it would be difficult to achieve a conversion to meet modern building regulations without extensive internal work. English Heritage has commented that if the authority is satisfied with the structural report then they have no objection to its demolition subject to appropriate recording prior to demolition.

Layout, form, height, scale and materials

27. Although the site fronts onto Cattle Market Street, it is also publically viewable on the north and east elevations from the alleyway which links through to the churchyard of St Peter Parmentergate and is viewable from the Castle Gardens. On the opposite side of the alleyway is the 19th century public house, (currently called the Marque). This building has structural issues at the rear, but being locally listed there would be a presumption of retaining and repairing the existing building rather than demolition. To the south is a car park, behind which lies the very tall form of St Peter House, which to some extent dominates the backdrop in views. Crystal House is adjacent to the Old Drill Hall which is a three storey building currently in use as offices.
28. In considering the impact of the new build, it is important that it does not dominate over the

retained front range and does not have a detrimental impact upon the setting of Crystal House and St Peter Parmentegate church; however taking into consideration the size and footprint of the existing building, it is also important that the building is designed with its own strong and distinctive form that is clearly readable as a separate element from the historic front range. The buildings will be attached, but it is considered that the front range will retain its identifiable independent form both internally and externally.

29. The existing workshops currently occupy the entire footprint of the rear section of the site and the ridge height of the workshop ranges from 8m at the eastern most point to 6.3m where the building connects to Crystal House. The proposed building will occupy the same footprint but in terms of the overall height, it is proposed to increase this significantly. At its highest point, the new building will be 13m high and the link between the new apartments and Crystal House will be 9m high. However due to the topography of the site, the overall height will not go above the ridge line of the front range which is 12.2m so will not be visible from Cattle Market Street when looking straight on at Crystal House. Furthermore although the overall height of the rear building will be significantly higher than the existing building, levels three, four and five are recessed and set back so that they do not over dominate when looking down the lane and do not detract from the setting of the churchyard and the dominance of the church to the east. On balance although the new building is of some height, the broken and recessive massing should ensure that the overall building form is recessive and 'sits back' into the site rather than becoming overly dominant.
30. The north and east elevation are modelled with a fenestration that provides an active frontage onto the lane which will increase surveillance significantly, whereas the south elevation has been designed to minimise overlooking to the offices to the south with recessed balconies, screening and obscure glazing. The fenestration has also been designed to provide some vertical emphasis to counteract the horizontal emphasis of the overall form, replicating the traditional approach to elevation treatment.
31. The materials proposed include brickwork to match the east facing wall, timber boarding and terracotta tile or eternit panel rainscreen cladding with the roof being a lightweight steel frame, timber joist and single ply membrane flat roof or precast concrete. The principle of these materials are considered acceptable and details of these materials should be conditioned

Conservation Area – Impact on Setting

32. The site is situated within the Ber Street character area of the City Centre Conservation Area and as such saved policy HBE8 of the City of Norwich Replacement Local Plan, policy 1 of the Joint Core Strategy and section 12 of the NPPF are of particular importance. Saved policy HBE8 relates to both the demolition of buildings in conservation area and the design of new development. With regards to the demolition it is not considered that the loss of the workshop building will be of significant harm to the area's character and appearance, particularly given that the most important section (east wall) is to be partially retained and incorporated into the new development. Furthermore it is considered that the layout of the proposed building respects historic plots and that the design does not dominate over the retained front range and does not have a detrimental impact upon the setting of Crystal House and St Peter Parmentegate church. Furthermore by virtue of the upper floors being recessed on the north and east elevations, this allows views of the church to be retained. As such it is not considered that the proposal will have a harmful impact upon the character and appearance of the conservation area.

Impact on Living Conditions

Impact on neighbouring properties – overlooking, overshadowing and loss of light

33. With regards to the impact upon neighbouring residents and occupants the main issues for consideration are the impact upon the Old Drill Hall to the south which is currently in use as offices and the residential dwellings at St Martin At Bale Court to the north/east.
34. Concern has been raised by the occupants of the offices to the south that the proposal will result in a loss of privacy and loss of light due to the height and proximity of the building. With regards to overlooking, although it is proposed to have balconies on the south elevation, these have been well designed in order to minimise overlooking. The balconies are all recessed with the level 2 balconies being screened by a brick wall and the level 3, 4 and 5 balconies having louvers on two-thirds of the opening and either high level windows or obscure glazing internally. It is considered that this will minimise overlooking to the property to the south to an acceptable level.
35. With regards to loss of light and overshadowing, it is acknowledged that the proposal may have an impact due to the height of the proposed building being greater than the existing building. However due to the orientation, the level of overshadowing will be at a minimal level and although the distance between the two properties is only around 15m, it is considered that this is a sufficient distance to ensure that the loss of light is at an acceptable level.
36. In relation to the properties to the north/east, the main issue for consideration is the impact upon 12 St Martin at Bale Court as this property is situated only round 5m from the site. The other properties at St Martin at Bale Court are all situated at least 15m from the site with most of the windows facing onto the churchyard rather than onto the site so the loss of light and overshadowing should be minimal. 12 St Martin at Bale Court does however have a window within the rear elevation which faces directly onto the lane and the site. With regards to loss of light and overshadowing, it is acknowledged that there may be some impact; however where the proposed building is closest to the neighbouring property (the north east corner of the site) the height of the building is no greater than the existing building due to the building only being two storey at that point. As such it is considered that light levels are not likely to be significantly worse than they are currently and any loss of light will be at an acceptable level. The loss of privacy has also been raised by neighbouring residents and due to there being roof terraces on the north and east sections of the proposed building at levels 3, 4 and 5, it is considered that there is potential for some overlooking. This will however been at a minimal level and it is considered that the benefits of increased surveillance over the lane and churchyard outweigh the slight increase in overlooking to neighbouring properties.

Impact on neighbouring properties - noise and disturbance

37. The provision of balconies on the south elevation has been an area of concern for the offices to the south particularly due to the proximity to the boundary. The distance between the buildings is around 15m so it is acknowledged that if people are using their balconies during the day when people are working in the offices, there may be minimal levels of noise. However this is a city centre location where there is background noise already and a certain level of noise can be expected. Furthermore the balconies are more likely to be used at weekends and in the evenings when the offices are unlikely to be in use.
38. Neighbouring residents at St Martin at Bale Court have also raised concern that an increase in traffic using the lane to access the car park will result in an increase in noise and disturbance. It is proposed to fit an electronic operated roller shutter which will aid the entrance and exit of cars meaning that cars are not waiting on the lane for any length of

time with their engines running. There are also a number of Juliet balconies on the northern elevation and roof terraces which face onto the lane. Therefore there may be some additional noise to residents at St Martin at Bale Court; however this is not considered to be at a significant level particular bearing in mind the city centre location.

39. In summary it is considered that the impact upon the living and working conditions of the neighbouring properties is acceptable, particularly taking into consideration that this is a city centre location where an existing workshop building exists on the site. Furthermore it is not considered that the proposal will prejudice the future development of the neighbouring site. The proposed building is five storey and will be built on the boundary of the site however this does not rule out the extension of the building to the south. It should also be noted that new permitted development rights means that the offices to the south could be converted to residential without the need for planning permission but given that the balconies on the south elevation have been design to minimise overlooking, this will not cause any residential amenity problems.

External amenity space for future residents

40. Clause (v) of policy HOU15 and clause (iii) of policy EP22 of the City of Norwich Replacement Local set out that residential use should be permitted subject to the provision of satisfactory external amenity space (private or communal) adjoining the property with appropriately located bin storage, cycle storage and drying areas.
41. Due to the constraints of the site, it is not possible to provide a large amount of amenity space however all flats other than flat 2 has either a recessed balcony or terrace with some flats having more than one area of outdoor space. Although it is regrettable that one of the flats has no outdoor space, given that the site is adjacent to two areas of publicly accessible recreational open space (St Peter Parmentergate Churchyard and Castle Mall gardens) it is considered acceptable and meets the requirements of policy HOU15 and EP22.

Internal living conditions

42. The internal space for all eight of the apartments is considered sufficient to meet the needs of future residents. On the south elevation, concern was raised that there may not be sufficient light into some of the living areas in particular to flats 3 and 5. The application as submitted ensured that overlooking to the south was reduced to a minimal level however it was felt that this resulted in a proposal which could potential result in a lack of light for future residents of the site. As such the proposal has been revised slightly. Some of the high level windows have been removed and they have been replacing with full height glazing to the middle panel. This will however be obscure glazed to ensure that overlooking of the site to the south is still at an acceptable level.
43. One area of concern is the impact that road traffic will have upon the living conditions of flat 8. The main living areas and bedroom will face onto Cattle Market Street which is a relatively busy road through the city centre. A brief noise impact assessment has been submitted with the application but this does not make a full assessment of noise levels during early morning rush hour and late night prime time use. Without having this information it is difficult to ascertain what mitigation measures are required to ensure satisfactory living conditions; however the provision of a new glazed wall around 1.2m back from the front façade will offer opportunities to provide a good level of sound insulation. It is however likely that some form of mechanical ventilation will be necessary. This should be achievable on site both from a visual and residential amenity point of view and as such it is proposed to condition a full noise impact assessment and to ensure that all works that are required are carried out prior to occupation of flat 8. Although the

remainder of the flats are set back from the road, the noise impact assessment should also cover this aspect to ensure that the proposed glazing is satisfactory particularly taking consideration the position adjacent to a public house.

44. The other areas of concern raised by Norwich City Council's environmental protection officer is the use of the balconies and roof terraces and potential noise from the car park, With regards to the areas of amenity space, there are cases where the terrace of one flat is adjacent to the bedroom of a different flat. Although this raises potential issues, it is considered that well insulated walls and glazing will mitigate noise levels to an acceptable level which is also the case with noise associated with the car park. This issue should be addressed within the full noise impact assessment.

Transport and Access

Vehicular Access, Traffic Generation and Car Parking

45. The proposal includes parking for eight cars which is acceptable and accords with the requirements of policy TRA6 of the local plan. Advice from the local highway officer is that spaces 1 and 8 will require a lot of manoeuvring to access and egress, however, there is no reasonable alternative layout, so it is acceptable on balance. The spaces should be numbered. The car park is situated on level 1 of the new development so does not dominant the layout of the proposal at all.
46. Access to the car park will be via the existing unadopted lane to the north of the site. The entrance to the car park area is positioned as far as possible up the lane and the width of the entrance is satisfactory. It is proposed to fit an electronic operated roller shutter which will aid the entrance and exit of cars thereby minimising disruption on the lane to pedestrians and meaning that cars are not waiting on the lane for any length of time with their engines running.

Cycle Routes and Pedestrian Links

47. The lane to the north of the site is identified within the proposals map as forming part of the green links network. The lane is considered to form a key pedestrian link between Cattle Market Street, Castle Mall and the wider primary retail area with King Street and Riverside. It is considered that this proposal will help promote this link as both the lane and churchyard will have better surveillance due to the presence of a number of windows on the north and east elevations. It has been suggested by local residents that access to the churchyard should be restricted during the hours of darkness by gating it. Given that this is a key pedestrian link which the Council has been trying to promote, it is considered that restricting the use of it during the hours of darkness would be contrary to this approach.

Cycling Parking and bin storage

48. An area of covered and secure cycle parking is to be provided which will be of sufficient size to accommodate eight cycles, one for each flat. Cycle parking for the retail units will also be made available within one of the secure stores. This accords with the requirements of policy TRA7 of the City of Norwich Replacement Local Plan. Details have not been provided of the cycle store so this will need to be conditioned to ensure that a suitable method of tethering the cycles is provided and that it is suitably laid out to accommodate eight cycles.
49. It is proposed to have a bin store within the new part of the development, access to which is via double doors positioned alongside the side entrance door. The bin store is located as close to Cattle Market Street as feasibly possible. The store will serve both the

residential and retail units but it is considered to be a sufficient size to accommodate the required bins. A condition should be attached to any permission to ensure that the store is provided prior to occupation of the residential units or the retail units.

Environmental Issues

Drainage

50. There is an existing surface water management problem on the lane with water flowing down the lane and into the churchyard. This is due to the existing down pipes discharging onto the lane surface and not utilising the drains and sewer which also runs down the lane. As part of the proposal, the applicant has indicated that the foul and surface water will connect to the existing sewer (subject to approval by Anglian Water) and this should resolve the existing problem that exists. It is not normal practice within new developments for surface water to connect to the existing sewer but given the constraints of the site, there are limited opportunities for other means such as soakaways. This is an issue which will need to be resolved by the applicant and Anglian Water; however there is no policy basis to refuse an application on the basis of there being some uncertainty as to whether Anglian Water will give permission for a surface water connection. Furthermore it should be noted that both the existing and proposed buildings will occupy the same footprint so there is no change to the amount of impermeable surfacing of the site.

Archaeology

51. The site is situated within the Area of Main Archaeological Interest and there is a possibility that the burial ground associated with the church could encroach onto the site. A programme of archaeological works is needed for the works taking place at the rear of the site. Conditions should be attached to any approval to ensure that this is carried out.

Energy efficiency and water conservation

52. The proposal is for less than 10 dwellings and as such there is no policy requirement for the development to provide any of the expected energy requirement through renewable energy. In relation to water efficiency, policy 3 of the Joint Core Strategy sets out that new housing development must reach Code for Sustainable Homes level 4 for water. The calculations submitted with the application indicate that the total water consumption will be 104 litres per person per day which is within the requirement. A condition should be attached to any permission to ensure that the development is constructed in accordance with these details.

Landscaping

53. There is little scope for landscaping on the site due to the proposed new building occupying the entire site; however there are amenity areas for all but one of the flats and it is important that these are well landscaped to maximise their use. Therefore a condition should be attached to any permission requiring details of any hard and soft landscaping to these amenity areas. Furthermore the lane adjacent to the site is unadopted and works may be required to improve the surface. A condition should be attached to any permission to ensure that this retains the character of a yard.

Plant and machinery

54. Currently there are no proposals for any plant, machinery, ventilation or extraction to be installed on this site. As discussed in paragraph 43 should a noise impact assessment show that there is a need for mechanical ventilation, then some form of plant will be necessary. It is considered that this would be achievable on the site both in terms of residential and visual amenity; however full details of the specification and siting would be

required so this should be included as a condition of any consent. Furthermore it is proposed that this is a mixed use site and although currently there is no need for any form of extraction relating to the retail units, a condition should be attached to any permission requiring full details of any extraction should the nature of the business at ground floor level change which necessitates this in the future.

Lighting

55. No details of external lighting have been provided with the application. This should be conditioned to ensure that there is sufficient lighting and surveillance whilst making sure that it does not have a detrimental impact upon the living conditions of future and existing residents.

Planning Obligations and Community Infrastructure Levy Affordable Housing

56. Policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk requires the provision of 20% affordable housing on all sites of 5 or more dwellings. In this case this would equate to two units. The applicant and the Council have contacted Registered Providers within the area and none of the Registered Providers are interested in taken on the units. The Interim statement on the off-site provision of affordable housing December 2011 sets out that where it can be demonstrated that RPs are reluctant to take on the management of a small number of affordable units on relatively small sites proposed for flatted developments, the provision of a contribution to allow affordable housing to be provided off site may be acceptable.
57. Appendix 1 of the interim statement sets out a schedule of level of payments that will be acceptable in lieu of on site provision which is set at a level that will enable the city council to typically deliver a unit equivalent in type to those being provided for the development. In this case the contribution would equate to £215,426.22. The applicant has agreed to sign up to a policy compliant s106 which means that the full contribution towards affordable housing will be payable upon occupation of the first flat. The recommendation for approval of the application is subject to the signing of the s106 agreement.
58. The development is CIL liable. The current payment has been calculated at £76,100 and will be payable on commencement. The level of payment may change if rates change between the date of decision and date of commencement.

Local Finance Considerations

59. Under Section 143 of the Localism Act the council is required to consider the impact on local finances. It is a material consideration when assessing this application.

Financial Liability	Liable?	Amount
New Homes Bonus	Yes	Based on council tax band. Payment of one monthly council tax amount per year for six years.
Council Tax	Yes	Band not yet known
Community Infrastructure Levy	Yes	£76,100 (The level of payment may change if rates change between the date of the decision and

		date of commencement.)
Affordable housing offsite contribution	Yes	£215,426.22

60. The benefits from the finance contributions for the council must however be weighed against the above planning issues.

Conclusions

61. The principle of the conversion of the upper floors of Crystal House to a single residential unit and the erection of a new building to accommodate a further seven flats is considered acceptable and will help meet the housing needs in Norwich. The alterations to Crystal House will be achievable without harming the significance of the building as in particular no changes are being made to the front façade and a sense of space is preserved. The demolition of the workshop building to the rear is also considered acceptable as the applicant has demonstrated that the north facing wall is in such a poor state of repair that its retention is not viable. With regards to the new build, although the overall height is significantly higher than the existing building, due to the topography of the site, the overall height will not go above the ridge line of the front range of Crystal House. Furthermore due to levels three, four and five being recessed and set back, the building does not appear overly dominant and does not detract from the setting of the churchyard and St Peter Parmentergate church.
62. The proposal provides for satisfactory living conditions for future residents of the site with generous internal space and all but one of the flats having private external amenity space in the form of balconies or roof terraces. There is potential for the residents of flat 8 to be exposed to significant road traffic noise but this can satisfactorily be dealt with by condition. Each flat also has one car parking space and cycle storage space access to which is via the unadopted lane to the north. Bin storage for the flats and retail units is well located given the constraints of the site. Although the proposal may result in some loss of light to the offices directly to the south, it is considered that this will be minimal and at an acceptable level. The levels of overlooking to the south will also be minimal due to the provision of screening on the balconies. The proposal may also have a minimal impact upon the neighbours at St Martin at Bale Court given the number of windows and Juliet balconies on the north elevation but it is considered that the increased surveillance to the lane and churchyard will be significantly beneficial to the safe use of the lane and churchyard and this will outweigh the slight increase of overlooking to residential properties.
63. The proposal will also provide an off site contribution towards affordable housing (in accordance with policy 4 of the Joint Core Strategy) and CIL contribution.

RECOMMENDATIONS

To approve:-

(1) Application No 13/01686/F – Crystal House, 24 Cattle Market Street and grant planning permission, subject to:

- (i) the completion of a satisfactory S106 agreement to include the provision of contributions to affordable housing
- (ii) the following conditions:
 - 1) Standard time limit
 - 2) In accordance with plans
 - 3) No development shall take place until details (including manufacturer, product, colour finish and samples where required) of the materials to be used in the construction of the external surfaces have been submitted to and approved in writing. The development shall be carried out in accordance with the materials as approved.
 - 4) No development shall take place until the following details have been submitted to and approved in writing:
 - (a) external doors and windows
 - (b) rainwater goods
 - (c) balconies
 - (d) Juliet balconies
 - (e) roof terraces
 - (f) roof and eaves
 - (g) coping
 - (h) the design and placement of the roller shutter to the car park
 and the development shall be carried out in accordance with the details as agreed and thereafter on completion retained as such.
 - 5) No occupation until details have been submitted of all external lighting
 - 6) No development shall take place until details on how the new build will be attached to the building known as Crystal House have been submitted and agreed in writing. The development shall be carried out in accordance with the approved details.
 - 7) The two central panels for the windows to the balcony serving flat 5 (level 3) as shown on plan CH/12/41R4 shall be obscure glazed to a specification of not less than the equivalent of classification 5 of Pilkington Glass and shall be retained as such.
 - 8) The development shall be designed and built to achieve a water consumption rate of no more than 105 litres per person per day, equivalent to Level 4 of the Code for Sustainable Homes for water usage. No occupation until confirmation from code assessor and measures to be permanently retained.
 - 9) No development shall take place until a detailed landscaping scheme has been submitted to and agreed in writing. The landscaping scheme shall include the following information:
 - a) planting on the terraces
 - b) materials for the surface of the balconies/roof terraces
 - c) surfacing of the lane
 To be carried out in accordance with approved details and retained thereafter.
 - 10) No development shall take place until details of the following on site provisions have been submitted to and agreed in writing by the local planning authority:
 - (a) car parking;
 - (b) bicycle storage residents and staff; and
 - (c) servicing, including waste and recycling bin storage and collection facilities.
 No occupation of the development shall take place until these have been provided and they shall be retained as such thereafter.
 - 11) No demolition to take place until recording of the workshop building has taken place and a photographic record has been placed on the Norfolk Historic Environment Record.
 - 12) No demolition or development shall take place until an archaeological Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority.
 - 13) No demolition or development shall take place unless in accordance with the

- archaeological Written Scheme of Investigation
- 14) No occupation until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation
 - 15) No demolition shall take place until a detailed schedule of the methods of works to the retained east wall has been submitted to an agreed in writing. The works shall be carried out in accordance with the approved details
 - 16) No development shall take place until a full noise impact assessment has been submitted to and agreed in writing. The noise assessment should identify the noise exposure, noise exposure category and where the noise exposure is high, identify mitigation measures to achieve acceptable levels of noise exposure. The proposed mitigation measures should include full details of the design of the inner glazed area. The assessment should cover early morning rush hour periods and late night prime time use.
 - 17) The building envelope of flat 8 shall be constructed so as to provide sound attenuation against external noise and ensure internal sound levels no greater than:
 - (a) 35dB LAeq(16 hour) in the main living rooms of the dwelling(s) (for daytime and evening use); and
 - (b) 30dB LAeq(8 hour)/45dB LMax(fast) in the bedrooms of the dwelling(s) (for nighttime use)in line with World Health Organisation guidance, with windows shut and other means of ventilation provided.
 - 18) No plant or machinery or extract ventilation or fume extraction system shall be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority.
 - 19) The retail premises which form the subject of this permission shall not be open to the public, trading, or have members of the public, as customers or guests, on the premises between the hours of 22:00 and 07:00 *on any day*.
 - 20) No trade deliveries or collections shall take place before 07:00 hours and after 19:00 hours Monday to Saturday. There shall be no trade deliveries or collections on Sundays or Bank or Public Holidays.
 - 21) No development shall take place until precise details of the slab levels of the new building hereby approved have been submitted to and agreed in writing. Such details shall also provide comparative levels with Crystal House and details of the levels of any ground levels proposed. To be carried out in accordance with the approve details.

Informatives:

1. Considerate construction and timing to prevent nuisance
2. Bins to be purchased by the applicant prior to occupation
3. Street naming and numbering enquiries
4. If any bats are discovered, all works should cease and advice be sought from Natural England before re-commencing

(Reasons for approval: Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.)

(2) Application No 13/01687/L – Crystal House, 24 Cattle Market Street and grant listed

building consent, subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. No works shall take place until an inventory of historic fixtures and fittings has been undertaken and a detailed scheme outlined the proposed measures of protection and repair has been submitted to and approved in writing.
4. No works shall take place until the following details have submitted to and agreed in writing with the local planning authority:
 - a) main entrance doors
 - b) internal joinery including revolving doors to flats, doors to retail unit 1 and 2 and glazed screen at first floor level.
 - c) junction between the glass elevation and the new partition
 - d) secondary glazing to the existing side windows
 - e) schedule of internal finishes to walls and ceilings
 - f) schedule of construction and internal finishes to the floors including an indication of where the pit is to be retained
 - g) steel and glass circular staircaseThe development shall be carried out in accordance with the details as approved.
5. No works to repoint the external brickwork or stonework shall take place until:
 - (a) details of the extent of repointing have been submitted to and approved in writing; and
 - (b) a sample panel to show the proposed mortar composition and colour and the method of pointing has been prepared on site, inspected and approved in writing.All such works shall be carried out in accordance with the details as agreed.
6. No ventilation system shall be installed within the building known as Crystal House, unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority
7. No sprinkler system shall be installed within the building know as Crystal House, unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority.
8. Any damage caused to the building by the works hereby approved shall be made good in accordance with a scheme first submitted to and agreed in writing.

(Reasons for approval: Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.)



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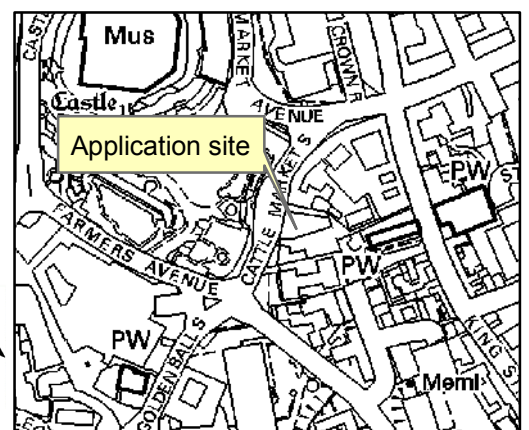
Planning Application No 13/01686/F & 13/01687/L
 Site Address 24 Cattle Market Street

Scale 1:1,000

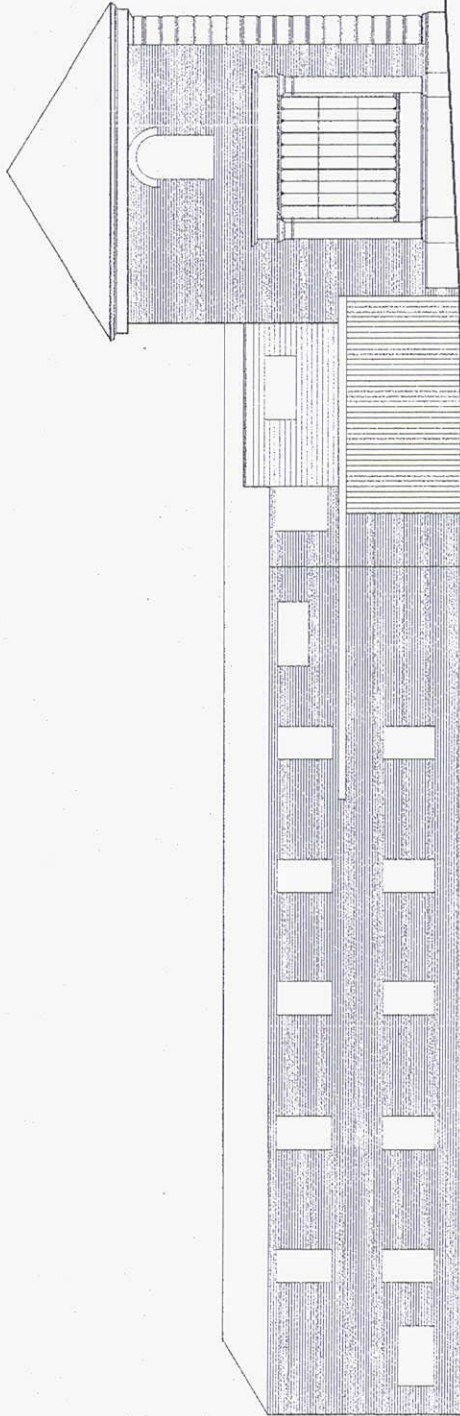


NORWICH
 City Council

PLANNING SERVICES



DRAWING NUMBER CH/12/47F



EXISTING LANE [NORTH] ELEVATION
(FOR PROPOSED ELEVATION SEE DRAWING CH / 12 / 46 R3)

B1.1 - West, North and South walls.

Grade II listed Crystal House has long been recognized as an important building due to its decorative cast iron and large glass windows. Particular care is to be given to all restoration / rehabilitation works. All features of the west (Facing Carlin Market Street), north (Facing Pegg Lane) and south walls are to be completely retained as necessary and remain at existing other than alterations to the doors to the existing front entrance (see description below under B1.2).

81.2-front entrance.

The proposed new door to the existing front entrance can also be the first means of escape from the new staircase / lift core in the new building at the rear, subject to Building Regulation approval.

The roof is also to be fully retinished without alteration, including retention of the two existing chimneys if so required. This may require stripping the existing states (to be reused where possible) as part of the upgrading necessary (insulation etc.) for the proposed residential use of the first floor. Where rainwater goods etc. have to be replaced, these are to match exactly with the existing roof iron fittings.



EXISTING CATTLE MARKET STREET [WEST] ELEVATION
[AND PROPOSED ALTERATIONS -- FRONT ENTRANCE AND NOTES]

FRONT ENTRANCE SECURITY DOORS
EVALUATION TO BE A CREDIT

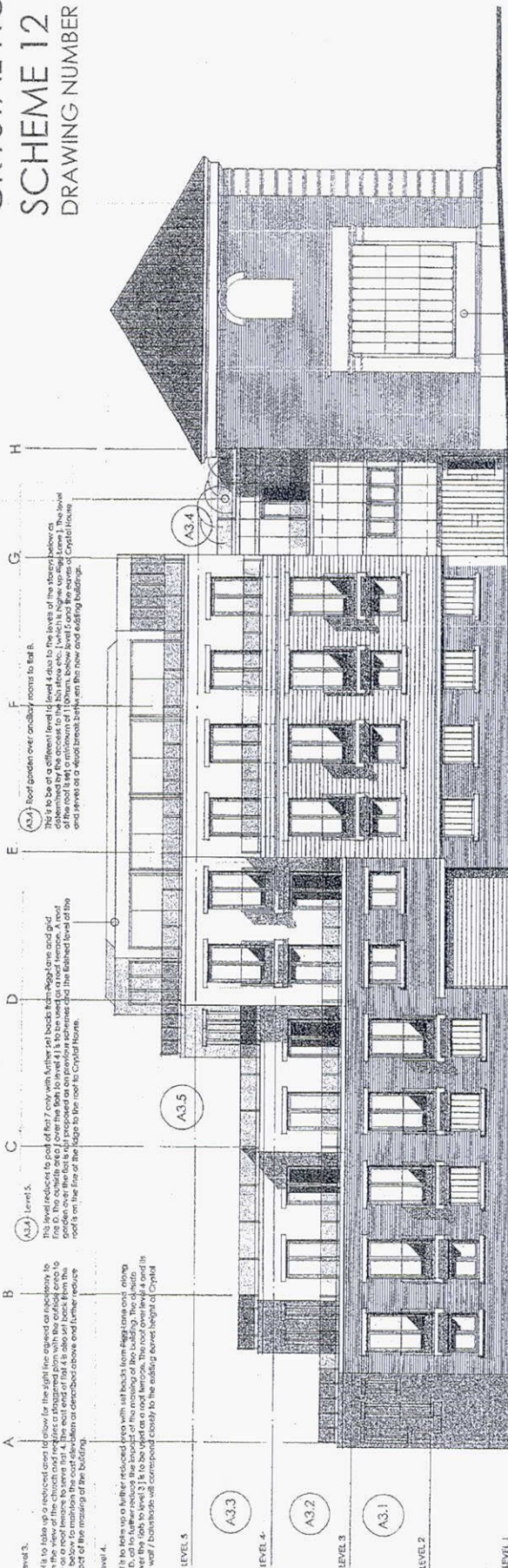
ALL CIRCLED NOTES REFER TO THE
DESIGN AND ACCESS STATEMENT

B1.2

job title	PROPOSED PART DEMOLITION; ALTERATIONS AND EXTENSIONS TO FORM EIGHT APARTMENTS AT CRYSTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12	div title	EXISTING STREET ELEVATION ENBANCING
client	RICHARD PRATT	date	MARCH 2001

SNELL ASSOCIATES
THE STUDIO THE STREET SHOESHAM NORFOLK NR15 1AP
T/01508 585854 mobile 07710 572772 email - ps@petersnellplus.com
DESIGN & ARCHITECTURE
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CRYSTAL HOUSE SCHEME 12 DRAWING NUMBER CH/12/46R



B.1. West, North and South walls.

Inside Crystal House has been recognised as an important building due to its decorative cast iron and large glass windows. Therefore it is to be given the highest priority in the conservation process. The proposed alterations are to be given the highest priority in the conservation process. The proposed alterations are to be given the highest priority in the conservation process.

A.3.1. Roof frame etc.

Subject to structural Engineer's opinion in due course, the proposed alterations are to be given the highest priority in the conservation process. The proposed alterations are to be given the highest priority in the conservation process.

A.3.2. Walls.

The proposed alterations are to be given the highest priority in the conservation process. The proposed alterations are to be given the highest priority in the conservation process.

This above window frame is to be set between the steel frame which is to be created with the addition of a non-structural steel channel fitted over the top of the existing window frame.

At other external walls above the blacktop one is to be fully insulated (insulation to be applied to the exterior face of the wall) and the existing window frame is to be replaced by a new window frame.

By James A. Taylor or a qualified person in structural engineering to be signed and dated on a suitable form (see item under A.3.2. below).

ALL CIRCLED NOTES REFER TO THE DESIGN AND ACCESS STATEMENT

Job title	PROPOSED PART DEMOLITION ALTERATIONS AND EXTENSION TO FORM EIGHT APARTMENTS AT CRYSTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12
Client	RICHARD PRATT
Drawn by	OCT 2011
Scale	1:100 [A2]
Drawn by	CH/12/46 R4

SNELL ASSOCIATES
THE STUDIO THE STREET SHOTESHAM NORFOLK NR15 1AP
T/01508 558554 mobile 07710 572772 email - ps@snellassociates.com
DESIGN & ARCHITECTURE

A.2.2. A.2.2.

The site and existing buildings have yet to be thoroughly surveyed and all dimensions / angles / levels etc. to be checked. The approximate total internal floor areas, including the flats and all stairs, lift and common areas (based on information available and the scheme drawings), in square metres and in square feet in brackets, at each level are as follows -

Ground floor of Crystal House - Entrance and 2 nos. shops - 178 [1915].
First floor of Crystal House - part of flat 8 - repeat of above 178 [1915].

Level 1 - car parking etc. as above - 433 [4639].

Level 2 - flats 1, 2 and 3 etc. - 406 [4369] not including 3 nos. external south terraces, levels over bedrooms to flats 2 and 3 at level 2.

Level 4 - flats 6, lower level of flat 7 and part flat 8 etc. - 248 [2648] not including roof terraces and balconies.

Level 5 - upper level of flat 7 and spiral staircase from lower level of flat 8 to roof garden - 108 [1142] not including roof garden to flat 8, roof terrace and balcony.

Total internal floor areas of new building - 1,472 [15,839].

Approximate floor areas of each flat are as follows -

Flat 1 [on two levels] - 56 [603], level 1 and 107 [1151], level 2 - total 143 [1754] not including terraces.

Flat 2 107 [1173].

Flat 3 143 [1502] not including terraces.

Flat 4 143 [1502] not including roof terrace.

Flat 5 93 [1001] not including roof terrace.

Flat 6 80 [861] not including roof terrace.

Flat 7 [on two levels] - 77 [827], level 4 and 87 [936], level 5 - total 144 [1765] not including roof terraces and balconies.

Flat 8 Within new build - 58 [624], levels 4 and 5 and first floor of Crystal House - 178 [1915] - total 236 [2539].

Total floor areas of flats - 948 [10,201].

PROPOSED LANE [NORTH] ELEVATION

A.3.1. The lower levels 1 and 2.

These two levels are to be built up most of the height of the original north side of the existing building and include in the new work, the end and east facing walls (see A.3.1.1. below) and the top of the building. Correspond with the existing line of existing, so showing the same view as existing of the church from Regal Lane.

The top level 2 (flat 7) is to be made open and extremely glazed on its north and east sides with large (sliding) height windows looking over a panoramic terrace. Given the size of the elevation will not be nearly seen from Regal Lane, its highly different structure is thought to be a qualification and also appropriate to this particular fabric.

The building and potential wall detail (see item A.3.1.1) is to be respected throughout the elevation including the flat roof of level 2.

The entrance to the car park (level 1) is to be positioned as far as possible as Regal Lane and the entrance to the car park (level 2) is to be positioned as far as possible as Regal Lane.

The 'existing' section of building between gold lines 0 and 1 is to be retained in its original form and the new work is to be constructed in a way that it is to be retained in its original form and the new work is to be constructed in a way that it is to be retained in its original form.

As a result of the existing and other cladding are to be retained subject to preservation of original building over the original entrance and the cladding in the front could be in a darker, perhaps contrasting colour to the cladding to the main body of the north elevation.

A.3.2. North elevation [see drawing number 12/46].

The frontage directly on Regal Lane is to be as described under item A.3.2. and the flat roof will be the pattern element of this design. It is intended to reflect the structure of the building and the flat roof will be the pattern element of this design. It is intended to reflect the structure of the building and the flat roof will be the pattern element of this design.

The middle grey 0 windows, to meet windows 1 (external side opening or closing) continue the vertical pattern and these are two windows to each bay where these serve as a vertical pattern and these are two windows to each bay where these serve as a vertical pattern.

However, these grey 0 windows, to meet windows 1 (external side opening or closing) continue the vertical pattern and these are two windows to each bay where these serve as a vertical pattern and these are two windows to each bay where these serve as a vertical pattern.

Further balconies are shown on level 3 in the boarded (painted or oiled) section of the building and one is to be within the chimney width, required for the chimney. Further balconies are shown on level 3 in the boarded (painted or oiled) section of the building and one is to be within the chimney width, required for the chimney.

In addition, the openings described above there are to be respect French windows opening on to the various flat balconies at levels 4 and 5.

and east sides of the building if so required.

DRAWING NUMBER CH/12/

Organisational Development

12 FEB 2014
Planning Reception

METAL OR TIMBER VERTICAL LOUVRES
| SEE DRAWING 44 - SECTIONS BB DD EE

ROOF - 13400

LEVEL 5 - 1075

MINERAL RAILING BALUSTRADE WITH
PLANTING BOX BEHIND (SEE DESIGN
STATEMENT REF OVERLOOKING OF
ADJOINING PROPERTY)

LEVEL 4 - 8100

LEVEL 3 - 5450

LEVEL 2 - 2800

13.1

PROPOSED SOUTH ELEVATION

A5.3

SCREEN WALL TERRACE BEHIND

A4.1

A4.2

A4.2

EXISTING SOUTH ELEVATION

13 FEB 2014
POST ROOM

PROPOSED EAST ELEVATION

EXISTING EAST ELEVATION

EXISTING FLINTWORK WALL TO BE RETAINED
END WALL ABOVE FLINTWORK AND ANY SAVE
BRICKWORK IS TO BE REBUILT IN RETAINED BRICK
TO MATCH EXISTING. STRUCTURAL ENGINEER TO
INVESTIGATE CORNER ETC. TO SOUTH SIDE AND
DESIGN NEW CONSTRUCTION TO BE IN EXISTING
WALL AS NECESSARY

EXISTING WINDOW TO BE RE-USED

A1.1

job title	drug title	date	scale	drug no.
PROPOSED PART DEMOLITION ALTERATIONS AND EXTENSION TO FOUR DEPTH APARTMENTS AT CHRISTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12	EXISTING BACK (EAST) AND SIDE (SOUTH) ELEVATIONS AND PROPOSED EAST / SOUTH ELEVATIONS	OCT 2011	1:100 (A3)	CH/4/2009/005
RICHARD PRATT				

RICHARD PRAT

1:100 [AZ]	CH/12/43K5
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CCCTA

SHOTESHAM NOBLE & SONS LTD.

STUDIES IN NORFOLK NR15 1A

0 512772 email - ps@petersnell.plus.com

A B C WHITE C T I D E

THE ORDER OF THE CUCKOO

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ons. The proffice should be notified of any discrepancy immediately.

Item
4(3)

SUMMARY

Description:	<p>13/01536/F - Alterations to create new kitchen and WCs in existing concealed ground floor yard location. New escape route via new gateway in south boundary wall into adjacent redundant Churchyard. Reduction in level to west half of Churchyard and reinstatement of stone steps at southwest corner secured by cast iron gates. Erection of new ground to first floor staircase to the east elevation, repositioning of garage doors to accommodate stair and a new store area in garage for Coffee House use.</p> <p>13/01537/L - Alterations to create new kitchen and WCs in existing concealed ground floor yard location. New escape route via new gateway in south boundary wall into adjacent redundant Churchyard. Reduction in level to west half of Churchyard and reinstatement of stone steps at southwest corner secured by cast iron gates. Erection of new ground to first floor staircase to the east elevation, repositioning of garage doors to accommodate stair and a new store area in garage for Coffee House use.</p>
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Thorpe Hamlet
Contact Officer:	Mr Kian Saedi Planner 01603 212524
Valid Date:	7th December 2013
Applicant:	Mr Malcolm Crowder
Agent:	Mrs Janet Jury

INTRODUCTION

The Site

Location and Context

1. The Briton's Arms tea house is situated on the east side of Elm Hill at its junction with Waggon and Horses Lane. The building is timber-framed and rendered with characteristic jettied upper floors and a steeply pitched reed-thatch roof. It dates from the 15th century and is of considerable historic and architectural significance as the only original building in Elm Hill to survive an extensive fire of 1507, and one of only five thatched buildings now

remaining in Norwich city centre.

2. Formerly an inn, the Britons Arms is now used as a restaurant/café on the ground floor and rear first floor with living accommodation in the front part of the first floor and on the second floor. Elm Hill is surfaced in cobble flints with a particularly fine historic streetscape characterised by a mix of speciality shops and galleries interspersed with period houses.
3. This part of the centre is indicated in the City Centre Conservation Area Appraisal as being of very high significance: all the buildings in Elm Hill are on the statutory list of buildings of architectural and historic interest. The building is City Council-owned.
4. Access to the rear garden is currently provided from steep steps leading up from the rear of the Britons Arms. There is also a gated entrance to the churchyard from Princes Street, but this is outside the application site. It is understood that this gate is normally locked.

Constraints

5. The Britons Arms is a grade II star listed building. The site is located within the City Centre Conservation Area and an Area of Main Archaeological Interest. St Peter Hungate Church is located directly to the south of the site and is a grade I listed 13th Century former parish church, which now operates as a centre for medieval art.
6. The site is located within the City Centre Leisure Area.

Topography

7. Excavation works have already begun in the churchyard, but prior to works commencing, the land sloped down gradually from the east towards the west of the site where it then sloped more steeply close to the boundary with Elm Hill.

Planning History

4/1988/1004 - Internal alterations to first and second floors. (APCON - 14/11/1988)

08/01253/L - Complete strip of thatched roof, oak roof repairs and re-thatching with reed. (APPR - 10/02/2009)

10/00010/F - Demolition and reconstruction of external stairs to courtyard including installation of waterproof membrane. (APPR - 22/03/2010)

10/00011/L - Demolition and reconstruction of external stairs to courtyard including installation of waterproof membrane. (APPR - 07/05/2010)

13/00489/F - Reformation of window at attic level in south gable and new signage and addition of rainwater pipe at southwest corner. (APPR - 24/06/2013)

13/00490/L - Reformation of window at attic level in south gable and new signage and addition of rainwater pipe at southwest corner. (APPR - 24/06/2013)

Equality and Diversity Issues

There are no significant equality or diversity issues. The proposal does not affect the entrance to the building from Elm Hill and the alterations to the churchyard are intended for purposes of emergency exit rather than for creating disabled access.

The Proposal

8. Alterations to create new kitchen and WCs in existing concealed ground floor yard

location. New escape route via new gateway in south boundary wall into adjacent redundant Churchyard. Reduction in level to west half of Churchyard and reinstatement of stone steps at southwest corner secured by cast iron gates. Erection of new ground to first floor staircase to the east elevation, repositioning of garage doors to accommodate stair and a new store area in garage for Coffee House use.

Representations Received

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Nine letters of representation from six persons have been received citing the issues as summarised in the table below. Several letters express support for the proposals to refurbish the Britons Arms but raise concern with the proposals for the churchyard.
- 10.

Issues Raised	Response
Opening in the flint wall that has been revealed in the south elevation should be limited to where a previous opening has been blocked	Par.28
The route of the emergency exit path should follow the historical route of the path between the Britons Arms and the door in the north porch of the church	Par.27
Retaining wall and handrail should be of an acceptable and appropriate design	Par.27
Hungate need to provide disabled access to the church	Par.44
Hungate need to expand their boiler house and toilet	Par.44
Impact on the setting of the neighbouring church once landscape remodelling has taken place	Par.31-33
Unity of churchyard is heavily compromised by the 45 degree slope that effectively cuts it in two	Par.31
Harm to the churchyard resulting from landscaping works	Par.30-33 & 39-42
Concern for remains buried in the churchyard	Par.29
Concern for future use of churchyard and possible loss of amenity for neighbouring properties if greater access is provided	Par.34-38

Consultation Responses

11. English Heritage – Originally consulted and requested more detailed plans which were subsequently submitted by the applicant. In response to the revised plans English Heritage are content for the proposals to the Britons Arms although some concern was raised regarding the choice of Sarnifil for the roof. The treatment of the re-created steps into the churchyard from Elm Hill is much improved but it is not considered that pieces of headstone should be reused as rubble walling. The railings fan beside St Peter Hungate

Church should be of a simpler design.

12. Environmental Health – No comments

13. Norfolk Landscape Archaeology – No objection to the principle of the development. A Method Statement has been produced which is acceptable but it has not been submitted with the application. Remains have been discovered at the site but an archaeological contractor is involved in the works, which have now ceased pending a license from the Ministry of Justice. Conditions to be added to planning approval.

14. Tree Protection Officer – Satisfactory provided that any planning permission is conditioned to require full compliance with the Arboricultural Impact Assessment.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 1 – Building a strong, competitive economy

Section 7 – Requiring good design

Section 11 – Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014

Policy 2 – Promoting good design

Policy 5 – The economy

Policy 11 – Norwich City Centre

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE3 - Tree protection, control of cutting and lopping

NE9 - Comprehensive landscaping scheme and tree planting

HBE2 – Protection of standing remains in Cathedral Precinct and other priority areas

HBE3 – Archaeology assessment in Area of Main Archaeological Interest

HBE8 - Development in Conservation Areas

HBE9 – Development affecting Listed Buildings

HBE12 - High quality of design in new developments

EP22 - High standard of amenity for residential occupiers

Supplementary Planning Documents and Guidance

City Centre Conservation Area Appraisal (September 2007)

National Planning Practice Guidance – NPPG (March 2014)

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these

to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM1 - Achieving and delivering sustainable development

DM2* - Ensuring satisfactory living and working conditions

DM3* - Delivering high quality design

DM9 - Safeguarding Norwich's heritage

* These policies are currently subject to objections or issues being raised at pre-submission stage and so only minimal weight can be applied in particular instances. However, the main thrust of ensuring adequate design and amenity is held in place through the relevant Local Plan policies listed above.

Principle of Development

Policy Considerations

15. The NPPF requires that the planning system does everything it can to support sustainable economic growth and that the local planning authorities should do everything it can to support the development needs of businesses. The proposals will enable the Britons Arms café/restaurant to bring their kitchen facilities up to modern standards, resolve the damp issue affecting brickwork and improve access both within the building for the occupier of the upper floor apartment, but also for patrons of the business in the event of emergency.

Design and impact upon listed building and conservation area

Impact on Listed Building

16. The Britons Arms is a grade II* listed building and is listed as the following:

“Former beguinage, now restaurant. Early C15 and later. Timber frame. Rendered. Thatched roof. Brick ridge-chimney. 3 storeys and cellar, one bay to gable front with bracketed first and second floor jetties. Only a second-floor jetty on right side elevation. High rendered plinth. One step up to C19 half-glazed door to left. One C19 ground-floor window with large panes. One mullioned first-floor casement of 6-lights. Scattered fenestration on side elevation includes 3 mullioned casements, one with leaded lights. Plain barge-boards. Current repairs revealed second floor to be arcaded, which is to be left exposed on West and South elevations. Interior has door with 2-centred head and fireplaces on all floors. Reputed to be the only house in Elm Hill to escape destruction by fire in 1507 and one of the few remaining thatched roofs in Norwich.”

17. Alterations to the listed building can be broken down into two main areas, namely the alterations to the kitchen and the internal works relating to providing better access to the upper floor flat and the alterations to the adjoining garage to provide a dedicated store for the café/restaurant as well as accommodating the new stair enclosure serving the flat.

Alterations to the kitchen:

18. The new kitchen will be of flat roof construction and extend further to the west than the current arrangement. This will involve the removal of some of the 19th and 20th century walls that surround the current WC arrangement. This is considered acceptable as there is

little historic merit to these structures in the context of the Britons arms itself. The materials and samples of the new walls will need to be submitted as part of conditions attached to any approval. The way these walls interact with historic existing material will also need to be detailed.

19. It is proposed to install a new oak framed glazed screen to the kitchen face of the of the existing ground floor internal window and this is considered an acceptable compromise to satisfy Building Regulation requirements for fire separation between the back room and the new kitchen. The new fire door will be conditioned to ensure its suitability.
20. A glazed lantern will be set into the flat roof providing light to the kitchen. The design and method of fixing is considered to be acceptable, but drawings will need to be produced to demonstrate the exact method of attachment and impact it will have upon the historic fabric. This detail will be conditioned. It is proposed to cover the roof of the kitchen with Sarnafil. English Heritage have expressed concern that this may not be an appropriate material due to its poor performance as a material exposed to practical use. A condition will be added to planning approval to require detail and samples of external materials to be submitted to the local planning authority for approval. This will enable an assessment of the roofing material to be made to ensure suitability. The kitchen roof will serve as an additional seating area and this is considered to be acceptable. In order to avoid the potential for disturbance to surrounding properties from the use of the roof, opening hours will be restricted by condition.
21. It is proposed to replace the door that is located on elm hill itself that provides access to the refuse area and toilets. The new disabled WC will be located here and therefore a disabled access compliant doorway will be required. Detail of this door will be conditioned but during informal discussions with the applicant it was suggested that the door to be removed might be relocated to provide the door to the stairwell entrance to the apartment. This would be welcomed and would avoid the loss of historical fabric.

Internal works relating to providing better access to the upper floor flat and the alterations to the adjoining garage:

22. Currently the flat that occupies part of the first floor and the entire second floor only has access through the tearooms. For obvious reasons this is not ideal and an independent access is desirable. It is proposed to erect a new stairwell on the east elevation in order to provide a private access/egress for the upper floor flat.
23. The proposals involve removing some brickwork to create a doorway through to an external staircase on the eastern elevation. The loss of this historic material is justified by the requirements previously indicated. Opening up has confirmed that the masonry at the head of the new staircase is not medieval. The stair 'tower' will sit comfortably in matching materials adjacent to the current protruding building. The materials and exact way the new buildings will intersect into the historic building will need to be conditioned. The stair up to the second floor is to be modified to accommodate a new doorway. This is indicated on the plans but further detail will be conditioned.
24. The garage doors on the north elevation are to be moved slightly to the east and a new door inserted to the west. This is so vehicle access can be maintained to the garage as the proposed stair 'tower' will obstruct the current door arrangement. Part of the garage will be separated off to provide additional storage which is acceptable. The buttresses that are to be adjusted need to be assessed carefully to estimate the date of construction and whether there is actually a vault behind. This will determine what takes place here. The

box gutter design between the garage and the Britons arms is a good design and should improve maintenance.

25. English Heritage have expressed contentment for the alterations proposed for The Britons Arms, which result in very little harm to the historic fabric of the listed building. It is considered that the alterations have been adequately justified by the applicant and that they are necessary for helping to secure the optimum viable use of the heritage asset in accordance with paragraph 134 of the NPPF and saved policy HBE9 of the adopted Local Plan.

Works to the adjacent Hungate churchyard and gateway to link the two sites and the resultant impact upon the setting of the listed building and conservation area

26. It is proposed to landscape the churchyard in order to provide level emergency egress from the Britons Arms leading into the churchyard. The landscaping will effectively involve dividing the churchyard into a more private space to the east and a more open space to the west. The artificially high ground at the north boundary wall of the churchyard will be reduced and improved drainage will be introduced along its length in order to assist in reducing damp issues affecting the historic yard walls of the Britons walls. Historic images show that this will return the level of the west part of the churchyard to similar levels seen in the 19th Century.
27. The new gateway into Hungate Churchyard and associated pathway will enable emergency access from the Britons Arms. Currently emergency access is via the proposed new kitchen area which will not be possible after completion. There is the possibility that the two buildings were linked at some point historically. Some archaeological investigation (17/12/2013) has revealed evidence of a chalk path leading from the Britons arms into the churchyard. It is proposed to reintroduce a path at this location leading from steps in front of the churchyard entrance to The Britons Arms as well as introducing a grassed and ramped path further to the west, which both lead to the ultimate exit at the south west corner of the site. The two paths are proposed with the understanding that visually impaired users may prefer use of the steps. The retaining wall adjacent to the path will be constructed of a flint rubble mix and will feature simple metal railings at the top as a guard from the elevated eastern part of the churchyard. The design of the retaining wall and railings are considered to be acceptable.
28. There is also a secondary inner wall (to the churchyard) that is made of flint and brick. It is difficult to determine if there has previously been an opening within this wall, but the applicant only proposes to breach the wall at the point necessary to gain access to the churchyard. The flint wall will otherwise remain in situ and no objections have been raised by English Heritage to this part of the proposal.
29. A number of undisturbed graves have been discovered in this area and a license has been obtained by the Ministry of Justice to enable their removal and re-interment to a nearby site. It is understood that a ceremony will be held with those ancestors that have been identified prior to the remains being removed.
30. Works to the churchyard also involve re-introducing the steps at the south-west corner of the site, which are shown to have previously existed as early as 1883. It is understood the steps were closed off towards the middle of the 20th Century. In re-instating the historic gateway, it is also proposed to install a cast iron security fan at the south end of the site where the overall height is less than 1.585 metres above the footpath level in order to

prevent unauthorised access to the churchyard. Existing railings are to be retained although some will be temporarily removed for refurbishment. Heritage style cast iron gates will be installed at the south-west entrance to the site from Elm Hill. English Heritage are satisfied with the design of the gates and the security fan has been re-designed following negotiations with the applicant in order to achieve a more simple and sympathetic design.

31. As already discussed the landscaping works will involve reducing the level of the churchyard back to similar levels seen in the 19th Century. In doing so, the rear elevation of the Britons Arms will be better revealed when viewed from the south. The setting of St Peter Hungate Church is largely preserved although views onto the church from the base of the steps opposite the new emergency exit from the Britons Arms may be slightly restricted owing to the reduction in the level of the land. However, the applicant has justified the reduction in the level of the site for providing adequate emergency egress from the restaurant/café and the setting of the church is otherwise unaffected. The reduction in levels has also necessitated the change in levels between the west and east areas of the churchyard, but it is considered that the churchyard will still read as one and English Heritage have raised no objection to this aspect of the proposal.
32. The western side of the churchyard the subject of this application, prior to the excavation works that have already begun, was characterised by planting that has now largely been removed. The applicant proposes to lay down turf and introduce planting around the site, which has the potential to contribute positively both to the appearance of the site and for providing a natural guarding where the path borders the steeper parts of the slope adjacent to Elm Hill. The churchyard contributes positively to the setting of both The Britons Arms and Hungate Church and it will therefore be important to ensure that the landscaping works are of a high standard. It is proposed to condition planning approval to require a detailed landscaping scheme covering both hard and soft landscaping details to be submitted to the local planning authority for approval. Subject to conditions therefore, it is considered that the proposal will avoid any harm to the setting of the grade II listed Britons Arms or the Grade II* listed St Peter Hungate Church.
33. The reinstatement of the steps at the south-west corner of the site will re-introduce a historical feature and the gates have been designed sympathetically to respect the historical significance of the site. As discussed already, the external alterations are also considered to be acceptable in design and are justified in terms of realising the optimal viable use of the building. Subject to conditions therefore, it is considered therefore that the proposal will not have any harmful impact upon the character and appearance of the conservation area in accordance with the NPPF and saved policy HBE8 of the adopted Local Plan.

Impact on Living Conditions

Noise and Disturbance

34. The proposal involves the creation of a single-storey kitchen in place of the existing WC block, atop which seating will be provided for patrons of the Britons Arms restaurant/café. Whilst the seating area is small and large enough to accommodate only about 14 persons, it is located below a living room window of the flat above the restaurant/café and there would be nothing to prevent this room being used as a bedroom in the future. It is proposed to add a condition requiring the outside seating area to not be used between the hours of 19:00 and 09:00 in order to protect the residential amenity of neighbouring

properties.

35. Concern has been raised regarding the potential for the proposal to enable public access to the churchyard which could result in disturbance to the neighbouring row of terraced properties along the eastern boundary of the churchyard, approximately 15m from the site. Access to the churchyard is currently provided through St Peter Hungate Church itself or via the gate on Princes Street, which is usually locked except at times when the tenants of St Peter Hungate wish to make greater use of the churchyard. The proposal will involve re-instating the stairs to the churchyard from Elm Hill and concern has been raised that this will lead to uncontrolled access to the churchyard.
36. The applicant has stated that the gateway at the south-west corner of the site will not be unlocked to allow uncontrolled access to the churchyard. The tenants of St Peter Hungate may wish to make use of the western part of the churchyard (the subject of this application) on specific occasions, but future use of the churchyard gate would be managed and restricted by the tenants of the Church, as per the existing arrangement. If either the tenants of the church or Britons Arms wished to use the churchyard for any other purposes they would need to gain consent from NPS Norwich and the City Council as landowners.
37. The gate providing access from the Britons Arms to the churchyard will be lockable and emergency egress hardware will be located from within the main building. It is not the intention of the applicant to allow access to the churchyard unless emergency egress from the main building is necessary.
38. In consideration of the above and subject to conditions the proposal is considered acceptable with regards to saved policy EP22 of the adopted Local Plan.

Trees, Landscaping & Environmental Issues

Loss of Trees or Impact on Trees

39. The proposals require the removal of two trees that are identified in the accompanying AIA as being of low quality/value. The Council's Tree Protection Officer has expressed satisfaction with the proposal provided that the AIA is fully complied with to ensure the protection of those trees left on or adjacent to the site.

Landscaping

40. Prior to excavation works the churchyard featured planting adjacent to the boundary with Elm Hill, which contributed positively to the street scene. The applicant has indicated new planting and paving within the churchyard. Planning approval will be conditioned to require a detailed landscaping scheme to include both hard and soft landscaping to ensure adequate planting specification and to ensure the satisfactory appearance of the site.
41. The headstone remains that are currently leant against a wall in the churchyard will be left on site and their re-positioning negotiated as part of the landscaping details. This will provide both historic legibility and an interesting landscaping feature within the churchyard.
42. Following negotiations with the applicant, several areas previously marked with railings will now instead be replaced with planting to act as guarding. One such example of this is adjacent to the grassed path where the land slopes steeply toward the boundary with Elm Hill. This will enable a softer and more natural feel to be achieved in the churchyard as

well as contributing positively to the wider streetscape.

Archaeology

43. Norfolk Landscape Archaeology (NLA) have expressed no objection to the proposal subject to conditions. It is understood that a Method Statement has already been assessed (informally to this application) and is considered to be acceptable.

Other matters

44. Concern has been raised that St Peter Hungate Church should be improving access to the site for disabled persons as well as improving facilities for disabled persons within the church. Both of these matters would need to be addressed by a separate application submitted on behalf of St Peter Hungate Church and cannot be considered as part of this application.

Local Finance Considerations

45. The new build floor space is below the 100 sq.m threshold for minor development and will not therefore incur a fee for CIL

Financial Liability	Liable?
New Homes Bonus	No
Council Tax	No
Community Infrastructure Levy	No
Business Rates	Possible

Conclusions

46. The proposed alterations to the Britons Arms will bring the kitchen facilities up to modern standards, provide independent access to the upper floor flat and address the issue of damp currently affecting the brickwork of the retaining wall with the churchyard. The proposed landscaping works to the churchyard will enable satisfactory emergency egress from the main building, which it is currently lacking. In this respect the proposal will support the development needs of the Britons Arms in accordance with the NPPF and any harm to the fabric of the listed building is minimal and justified in terms of delivering the optimal viable use of the heritage asset.

The setting of The Britons Arms is likely to be enhanced by the proposed works to the churchyard in terms of better revealing the south gable elevation. The reduction in the level of the churchyard may restrict views onto St Peter Hungate Church when stood at the base of the proposed emergency exit steps, but views onto Church will otherwise be retained. The proposed works will not result in any harm to the character or appearance of the conservation area subject to appropriate materials being ensured by condition.

The proposed gate from the Britons Arms is to be used for emergency only and access to the churchyard from the Elm Hill gate would be managed and restricted by the tenants of St Peter Hungate Church. The proposal does not involve use of the churchyard except to allow emergency egress from the main building. It is proposed to provide seating on top of the roof of the new kitchen. Hours of use of the kitchen roof will be restricted in order to prevent potential noise disturbance to the adjacent upper floor flat.

Subject to conditions therefore, the proposal is considered to be acceptable and in

accordance with the objectives of Sections 1, 7, 11 and 12 of the National Planning Policy Framework (2012), policies 2, 5 and 11 of the Joint Core Strategy for Broadland, Norwich or South Norfolk (2014), saved policies NE3, HBE2, HBE3, HBE8, HBE9, HBE12 and EP22 of the City of Norwich Replacement Local Plan (2004), relevant policies of the Development Management Policies Development Plan Document – Pre submission (April 2013) and all other material considerations.

RECOMMENDATION

To approve application no 13/01536/F and grant planning permission subject to the following conditions:-

- 1) Standard time limit
- 2) In accordance with plans
- 3) No works shall take place on the site in pursuance of this permission until the following details have submitted to and agreed in writing with the local planning authority:
 - (a) details of all external joinery to include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:20 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2;
 - (b) details of proposed rooflights, which should be flush fitting 'conservation' type rooflights;
 - (c) details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
 - (d) large scale details of proposed eaves and verges at a scale not less than 1:20;
 - (e) details of external decoration to render, joinery and metalwork;
 - (f) details and samples of external materials (e.g. bricks/tiles) including manufacturer, product name and colour;
 - (g) details of brick bond and mortar;
 - (h) details of rainwater goods [which shall be cast iron or aluminium]
- 4) No use of the outdoor seating area between the hours of 19:00 and 09:00 on any day
- 5) No development shall take place in pursuance of this permission until a detailed landscaping scheme has been submitted to and agreed in writing with the Local Planning Authority to include soft and hard landscaping details and scheme for the relocation of headstones.
- 6) No demolition or development shall take place unless in accordance with the archaeological Written Scheme of Investigation
- 7) No occupation until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation
- 8) No demolition shall take place until a detailed schedule of the methods of works to the retained east wall has been submitted to and agreed in writing. The works shall be carried out in accordance with the approved details

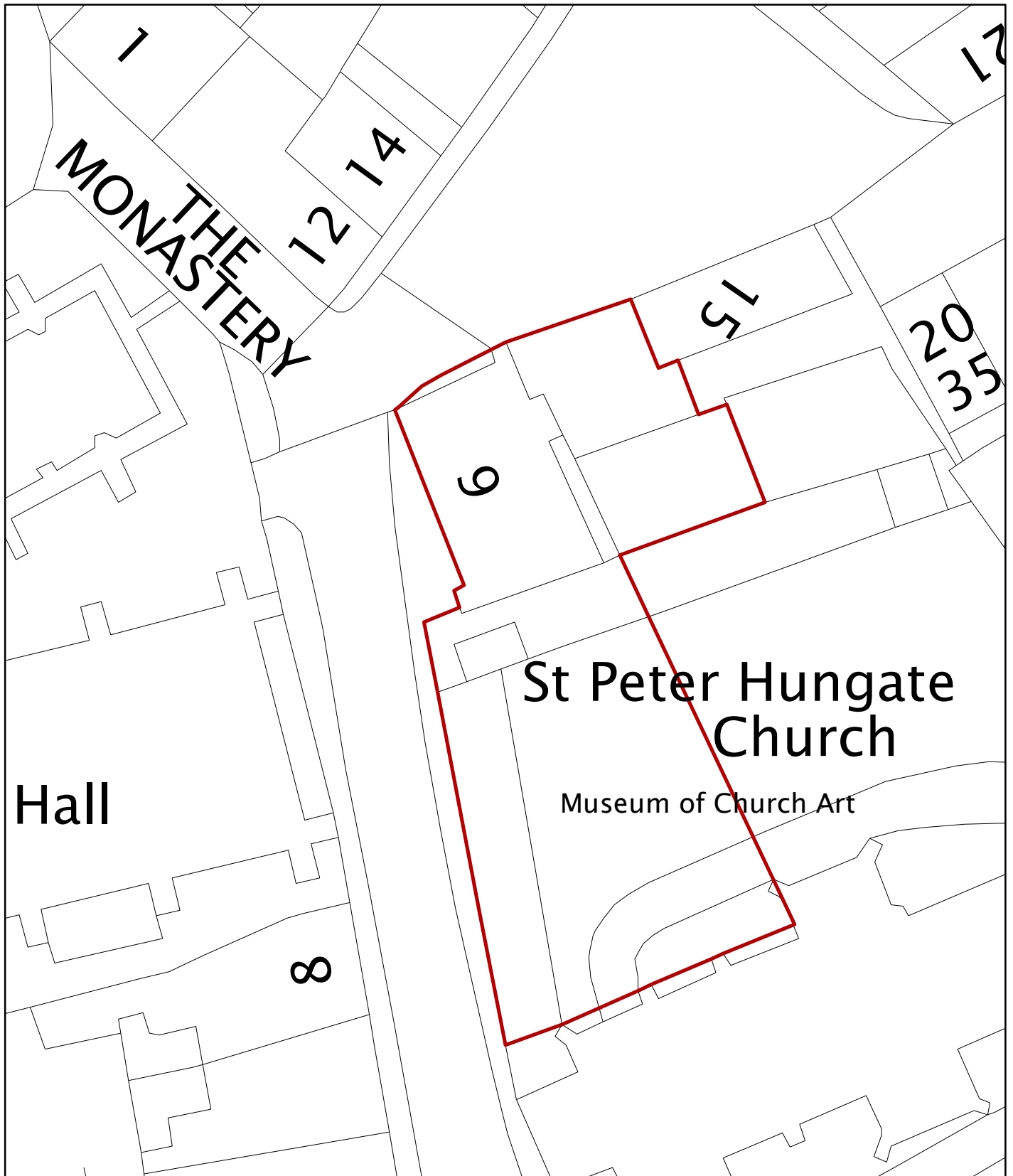
To approve application no 13/01537/L and grant listed building consent subject to the following conditions:-

- 1) Standard time limit
- 2) In accordance with plans
- 3) No works shall take place on the site in pursuance of this permission until the following details have submitted to and agreed in writing with the local planning authority:
 - (a) details of all internal joinery at a scale of not less than 1:20 and horizontal/frame sections at not less than 1:2;
 - (b) details of proposed internal service routes;
 - (c) schedule of internal finishes to walls, ceilings and floors;

The development shall be carried out in accordance with the detail as approved.

Article 31(1)(cc) Statement

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



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Planning Application No 13/01536/F & 13/01537/C

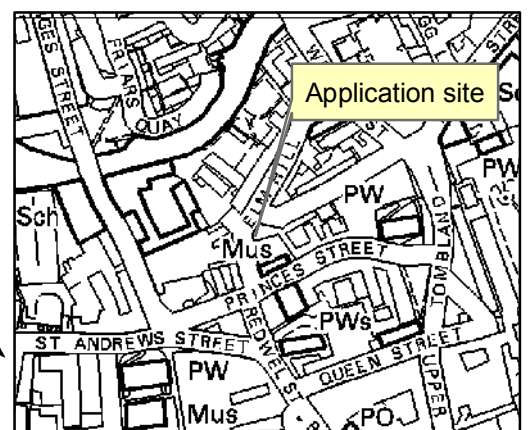
Site Address Britons Arms
Elm Hill

Scale 1:250



NORWICH
City Council

PLANNING SERVICES

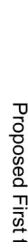




REVISION	26/11/13	ADR	Additional survey info added to garage and Toilet areas
A		DRAM	DESCRIPTION
DATE			
CLIENT	Newrich Preservation Trust		
PROJECT NAME	Works to Britons Arms, Elm Hill, Newrich		
DRAWING TITLE	As Existing Ground Floor plan		
DRAWING SCALE	1:50 @ A2	DRAM BY	ADR
		DATE	17-09-13
DRAWING PREPARED BY NOT SCALE, CHECK FOR DIMENSIONS ON SITE, REPORT DISCREPANCIES			
INCORPORATING WEARING, JASINOS & NOTION CHARTERED ARCHITECTS			
REYNOLDS JAY ARCHITECTURE LTD, 23 MARKET PLACE, 16 SPALM NEWRICH, WMT 6EL, TEL: 01283 733066 FAX: 01283 733077 E-MAIL: reynolds@reynolds-jay.co.uk			
REGISTERED IN ENGLAND REGISTRATION NO. 297806 DIRECTORS: MICHAEL REYNOLDS AND JANE JAY, REGISTERED OFFICE: 76-80 THE			



Proof over V/C



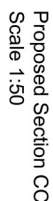
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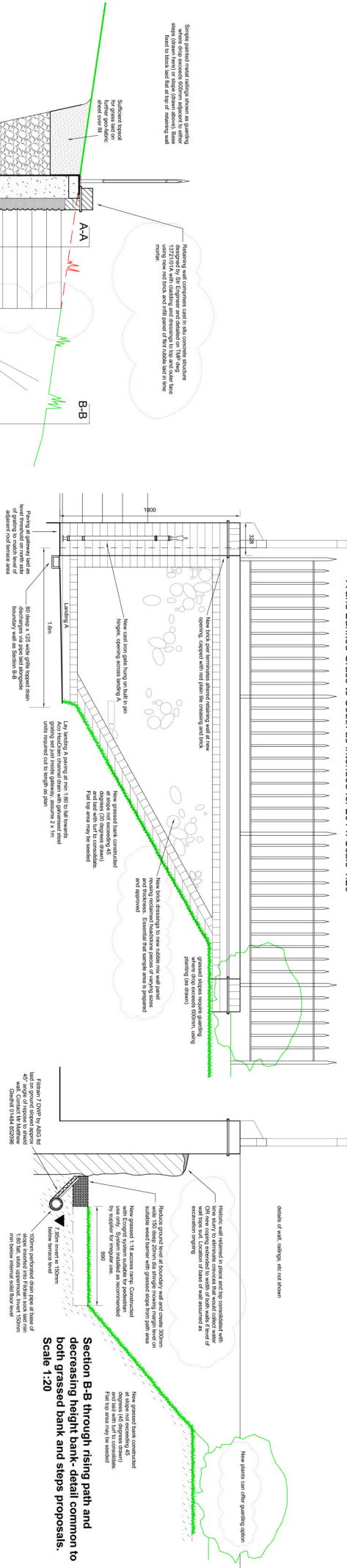
Proposed Section BB Scale 1:50



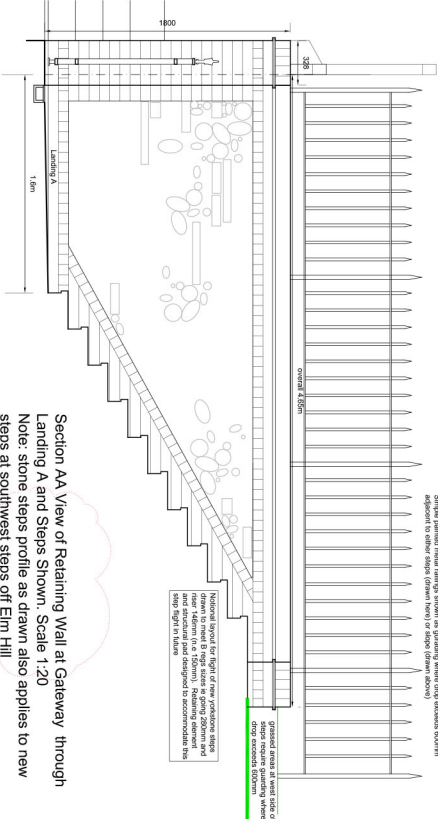
Proposed Section BB Scale 1:50



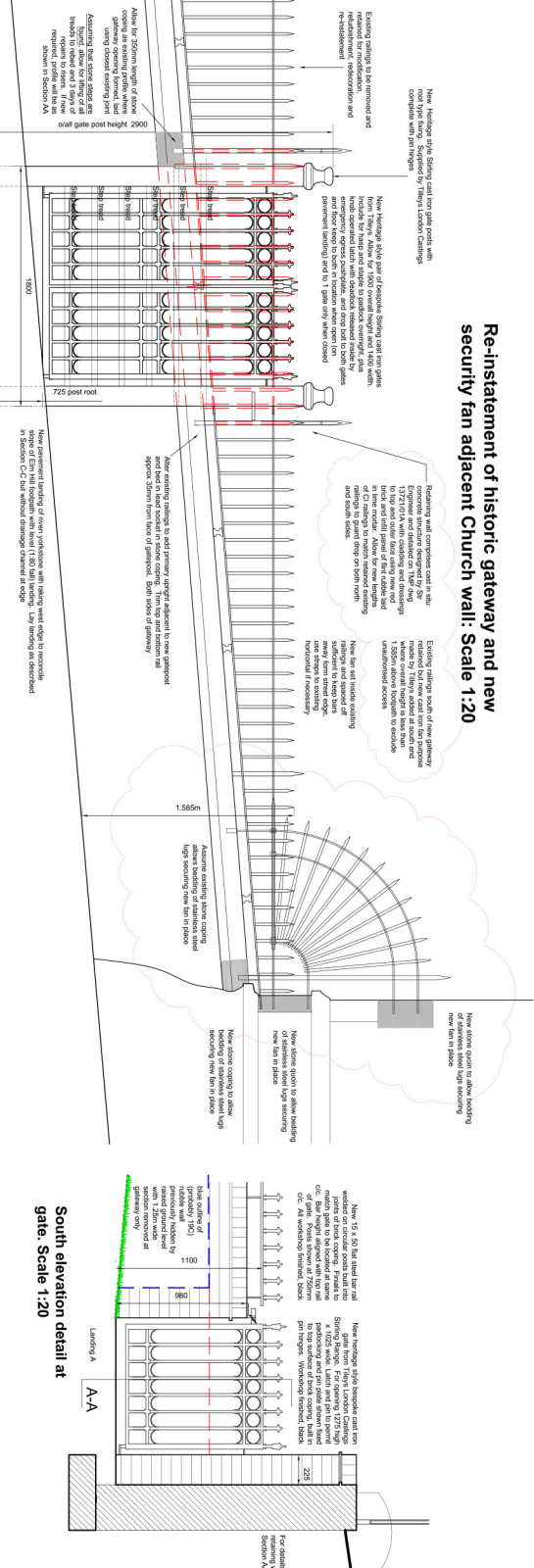
A and Banked Grass to South as intended for 2014. Scale 1:20



Detail of Retaining Wall at Landing A identified as Section CC on drawing 1331.07.
Steps shown in background. Scale 1:20
Note: retaining wall as drawn also applies to new steps at southwest steps off Elm Hill



Re-instatement of historic gateway and new security fan adjacent Church wall: Scale 1:20



South elevation detail at gate. Scale 1:20

Section B-B through rising path and decreasing height bank-detail common to both grassed bank and steps proposals.
Scale 1:20

See drawing 1331.07 for section line locations

Color and planning

CLIENT	DATE	PROJECT NAME	DRAWING TITLE	DRAWING SCALE	DRAWN BY (S)	DATE	CHECKED BY (S)
<p>CLIENT</p> <p>Johnson International, Inc.</p>	<p>DATE</p> <p>2/12/13</p>	<p>PROJECT NAME</p> <p>the Williams and Eleanor Riggs of Brown Farm, Vermont</p>	<p>DRAWING TITLE</p> <p>As Proposed: Plans to Add 2 Bedrooms and Additions</p>	<p>DRAWING SCALE</p> <p>1/8" = 1'-0" (2) A1</p>	<p>DRAWN BY (S)</p> <p>REYNOLDS</p>	<p>DATE</p> <p>16-06-13</p>	<p>CHECKED BY (S)</p> <p>1331</p>
<p>REVISIONS</p> <p>1. 1/13/13: REVISIONS TO ADDITION AND PORCH</p>							

Reynolds
JULY

Report to Planning Applications Committee
Date 3 April 2014
Report of Head of Planning Services
Subject 13/01540/VC Land And Buildings on the NE of King Street
 Norwich

Item
4(4)

SUMMARY

Description:	Variation of Condition 9 from "Prior to the first occupation of the development mooring provision shall be provided on the river frontage in accordance with a scheme to be first submitted to and approved by the Council as Local Planning Authority and shall thereafter be permanently retained" to "Within 3 months of the date of this decision moorings shall be provided in full accordance with drawing numbers 046-M-1001, 046-SW-220 _ 046-FY-264/1 and shall be retained as such thereafter" of planning permission (App. No. 04/00274/F) 'Conversion of former flour mills and redevelopment of site to provide 160 residential apartments and restaurant (Class A3) with associated car parking and landscaping' for the provision of moorings.	
Reason for consideration at Committee:	Objection	
Recommendation:	Approve	
Ward:	Thorpe Hamlet	
Contact Officer:	Mr Kian Saedi	Planner 01603 212524
Valid Date:	25th September 2013	
Applicant:	P J Livesey Country Homes (Eastern) Limited	
Agent:	P J Livesey Country Homes (Eastern) Limited	

INTRODUCTION

The Site

Location and Context

1. The site is located to the east of King Street between Carrow Bridge and Novi Sad Bridge and is the Read Mills Development which comprises the flatted residential blocks of The Malt House, New Half Moon Yard, New Ferry Yard, Albion Mill, Spooners Wharf and Cannon Wharf. The River Wensum runs to the east of the site and forms part of the Broads. The site is located within the Norwich City Centre Conservation Area.

Planning History

04/00273/L - Demolition of non-listed buildings and alterations to former mill buildings and 213 King Street for conversion to residential use. (APPR - 29/10/2004)

04/00274/F - Conversion of former flour mills and redevelopment of site to provide 160 residential apartments and restaurant (Class A3) with associated car parking and landscaping. (APPR - 30/06/2005)

10/01696/D - Details of condition 9: mooring provision of previous planning permission 04/00274/F. (APPR - 29/10/2010)

12/01120/VC - Removal of Condition 9 of planning permission (App. No. 04/00274/F) for the provision of moorings and amendment of the S106 agreement associated with 04/00274/F to remove the requirement for provision of public access to the River. (REF - 27/07/2012, subsequent appeal dismissed)

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal & Background

2. The application seeks to vary condition 9 from "Prior to the first occupation of the development mooring provision shall be provided on the river frontage in accordance with a scheme to be first submitted to and approved by the Council as Local Planning Authority and shall thereafter be permanently retained" to "Within 3 months of the date of this decision moorings shall be provided in full accordance with drawing numbers 046-M-1001, 046-SW-220 _ 046-FY-264/1 and shall be retained as such thereafter".
3. The moorings were never provided and details were not agreed prior to first occupation. A scheme for the moorings was approved under application ref. 10/01696/D, which involved the provision of two pairs of mooring posts set between 1-1.5m from the west bank for demasting sail boats before passing the bridge. The mooring posts were 110m apart one 50m south of Novi-Sad Bridge and one 40m north of Carrow Bridge. The moorings were for short stay moorings with no overnight mooring and offered no access to the river bank.
4. Subsequent to this approval the applicant wished to explore an alternative solution whereby boats would moor up to the riverbank for demasting purposes. Such a solution was discussed with the Broads Authority who indicated that this would be acceptable subject to certain improvements to the riverbank at the two mooring locations. The solution was discussed but not formally agreed with officers who indicated that such a solution would work so long as the security of private parts of the development was achieved. The two mooring locations were in areas of narrow river bank adjacent to private basement parking areas where unauthorised access to the bank would be undesirable. Railings were subsequently discussed and erected to provide security, however this resulted in further security concerns being raised by residents of the development. These concerns related to potential unauthorised access to balconies from railings below as well as noise and disturbance from moored boats.
5. Planning application ref.12/01120/VC proposed to remove condition 9 of previous planning permission 04/00247/F. This application received officer recommendation for approval but the decision to refuse planning consent was decided at planning applications committee of 19 July 2012. The Council contended that the imposition of condition 9 was reasonable and necessary and application ref.12/01120/VC was refused because the loss of the proposed moorings was considered contrary to saved policy TVA3 of the adopted Local Plan and policy 18 of the JCS. Saved policy TVA3 of the Local Plan requires access by river craft to

development sites and promotes access to the river for visitors and other users. Policy 18 of the JCS promotes the recreational value and navigational use of the river on sites close to the Broads.

6. This decision was subsequently appealed and the appeal was dismissed . The Inspector agreed with the Council's decision to refuse planning consent for the removal of condition 9 and found that the need for condition 9 "remains as necessary now as it was in 2005". The Inspector also gave significant weight to the Broads Authority's advice that de-masting/lay-by moorings should be provided at all four quadrants of a bridge to ensure safe de-masting on a lee shore. In coming to this decision the Inspector had regard for the living conditions of local residents and considered that any loss of privacy, noise or disturbance, or anti-social behaviour near the apartments could be minimised with careful attention to the location and configuration of the moorings on the river frontage. The appeal hearing was also told that limitations on the use of the moorings could be imposed by the landowner.
7. The current application seeks to vary condition 9, which can now technically not be complied with by virtue of being "prior to first occupation". Instead it is proposed to re-word the condition to provide moorings in accordance with the plans submitted with this application and then to provide the moorings within three months of the date of this decision.

Representations Received

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 29 letters of representation have been received citing the issues as summarised in the table below.
- 9.

Issues Raised	Response
The previously approved provision allowed for demasting only, but has changed to providing "a mooring for all craft with a 2 hour limit and no overnight stay". This subtle change allows for activity beyond demasting.	No time restriction on original (also refe Broads Authority comments) Se par. 20. , nothing changed from 2010 approved
Demasting points on the riverbank would go against the Planning Inspector's Report to give careful attention to the location and configuration of moorings on the river frontage.	Par. 15, 16, 19-24
Impact on residential amenity (noise/disturbance).	Par. 15-19
The proposal represents a major fire risk.	Par. 25-27
Who will be responsible for any litter deposited on the bank?	Para 22
Antisocial behaviour associated with mooring for longer than permitted.	Para 22
Risk of crime.	Para 22 and 23
Who will be responsible for ensuring that the mooring restrictions are adhered to?	Landowner. Also, Broads Authority have certain powers over navigation on the river.
Positioning of moorings on wharf side requires agreement of the landowner.	See par. 29
The planning application has changed without consultation.	Par. 30

There is no other safety equipment buoys or escape ladders in this location.	Par. 28
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Consultation Responses

10. The Broads Authority:

The Broads Authority expressed concerns with previous proposals to remove the layby moorings required by this consent and, accordingly, the Authority welcomes this new application.

The timescale proposed (within three months of the determination of this application) is considered reasonable and the proposed mooring detail is in accordance with the specification previously discussed.

Consequently, the Broads Authority supports this application and the in-river infrastructure it will deliver.

The mention of “in-river infrastructure” raised the possibility of the Broads Authority having seen the 2010 approved plans rather than the revised so the Broads Authority were re-consulted and directly sent the revised plans to avoid any possible confusion. In their follow up response the Broads Authority stated the following:

The basic thrust of the response is the same as previously stated: The Broads Authority welcomes the provision of demisting moorings in this location and considers the proposed timescale as appropriate

I Satisfied that the moorings proposed will, notwithstanding the revised locations, provide a facility for boats navigating along this part of the Wensum.

Further comments were provided in response to some of the questions asked of them by the local planning authority and these are discussed further in the report.

Norfolk Fire and Rescue:

The moorings are far enough away from the car park vents and face of the flats, that they do not present an increased risk a of fire spreading between them and endangering the occupants. Additionally, as moorings will be for temporary use only the boats will be licensed and hence subject to the boat safety inspections etc.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 4 – Promoting sustainable transport

Section 7 – Requiring good design

Section 8 – Promoting healthy communities

Section 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014

Policy 2 – Promoting good design
Policy 18 – The Broads
Policy 20 - Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE8 - Development in Conservation Areas
EP22 - High standard of amenity for residential occupiers
TVA3 – Waterborne tourism and river moorings

Supplementary Planning Documents and Guidance

Green Links and Riverside Walks adopted December 2006
City Centre Conservation Area Appraisal (September 2007)

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM1 - Achieving and delivering sustainable development
DM2* - Ensuring satisfactory living and working conditions
DM3* - Delivering high quality design
DM9 - Safeguarding Norwich's heritage
DM28* - Encouraging sustainable travel

* These policies are currently subject to objections or issues being raised at pre-submission stage and so only minimal weight can be applied in particular instances. However, the main thrust of ensuring adequate design and amenity is held in place through the relevant Local Plan policies listed above.

Principle of Development

Policy Considerations

11. Saved policy TVA3 of the adopted Local Plan sets out the requirements for riverside moorings. The policy requires development with a frontage onto the river to be designed to take advantage of the opportunities for access by river craft. In particular the policy sets out a requirement for provision of public moorings and appropriate bankside access at Cannon Wharf within 50m of Novi-Sad Bridge. Policy DM28 of the emerging Development Management Plan requires that where development adjoins a navigable section of the river, opportunities should be taken to provide residential and/or commercial moorings to facilitate access by water where this is appropriate and reasonably practicable to do so. Policy 18 of the JCS states that opportunities should be taken to maintain and enhance the recreational value and navigable use of the Broads.

12. Following the dismissal of the appeal against the decision to refuse application ref/12/01120/VC, the Inspector determined that the need for condition 9 requiring moorings to be provided remains as necessary now as it was in 2005 when imposed upon the original permission and significant weight was given to the Broads Authority's requirement for demasting/lay-by moorings at "all four quadrants of a bridge".

Design of Moorings

13. The proposal will result in mooring posts being made available at all four quadrants of the river between the Novi Sad Bridge and Carrow Bridge. The Broads Authority have expressed their satisfaction with the proposal and the moorings will enable safe demasting on the lee shore of this stretch of the river. In turn, this will provide the conditions to ensure that river craft can safely navigate the stretch of river between Carrow and Novi Sad Bridge in accordance with saved policy TVA3 of the adopted Local Plan, policy 18 of the JCS and policy DM28 of the emerging Development Management Plan.
14. The mooring posts and iron fencing is considered of an acceptable design and will not result in any harm to the character or appearance of the conservation area. Only one new mooring post is to be installed, the remaining three will be refurbished to bring them up to an operational standard.

Impact on Living Conditions

Noise and Disturbance

15. In coming to his decision the Inspector stated that "provided that careful attention is given to the location and configuration of the moorings on the river frontage, this should minimise the risk of any loss of privacy, noise or disturbance, or anti-social behaviour near the apartments". The Inspector did not state that moorings should be provided in the riverbed. The plans agreed in 2010 proposed two pairs of demasting mooring posts in the river bed 1-1.5 metres from the west bank, one 50m south of Novi-Sad Bridge and one 40m north of Carrow Bridge. The current application sees mooring posts proposed on the river bank with one 55m north of Carrow Bridge and one 65m south of Novi-Sad Bridge.
16. In terms of providing mooring posts on the river bank it would not be possible to locate the posts any closer to either bridge such is the raised level of the riverbank further towards each bridge. Both sets of mooring posts would be located adjacent to undercroft parking, above which are residential apartments.
17. Much concern has been raised regarding the potential for noise and disturbance to the neighbouring apartments resulting from people using the mooring provision.
18. The moorings are proposed to be temporary moorings (short stay, no overnight stay) provided to give boats demasting moorings before each bridge. This is the same as the mooring provision proposed and agreed as part of application ref. 10/01696/D. The applicant also proposes to attach a sign to each of the mooring poles indicating that the moorings are for short stay, lay by use and that no overnight mooring is permitted. Details of the sign would be conditioned as part of any approval.
19. The applicant has avoided locating the mooring posts directly opposite the flats at Albion Mills where residential units are located at ground floor level directly opposite the river frontage. Mooring posts in this location would have been more likely to raise issues of loss of privacy and noise disturbance for neighbouring residents. The mooring posts have instead been located opposite Spooners Wharf and Ferry/Half Moon Yard where car parking

undercrofts are located at ground floor level with flats above. In terms of the potential for noise disturbance from people using the mooring provision (assuming no unauthorised use), the proposed location of the moorings is not considered to increase the potential for noise disturbance to neighbouring properties from the mooring posts in the river bed agreed in the 2010 scheme.

20. Whilst the applicant has not specified the length of time permitted by “short stay”, the Broads Authority have stated that the standard for demasting moorings at opening bridges (which Carrow Bridge and Novi Sad Bridge are), would be two hour maximum stay. The principle requirement for the moorings is to provide for masting and demasting of sail boats, but the moorings could also provide a useful temporary mooring where another vessel might be travelling down the channel and thus reducing the size and width of the navigable channel. The Broads Authority have stated that restricting the use of the moorings to demasting only would be “impractical (and difficult to enforce)”. The Broads Authority has also stated that there would not be a need to leave the boat whilst using the mooring and signage should reinforce this.
21. The restrictions imposed on the moorings in terms of the duration of stay would be the responsibility of the landowner. The Broads Authority has referred to demasting moorings that exist a short distance further upstream adjacent to St James’ Mill. These moorings are short stay/demasting and the Broads Authority are not aware of there being any incidence of overstaying at these moorings. A condition will be added to approval requiring detail of signage to be submitted to the local planning authority for approval and this will ensure that clear notification of the mooring restrictions is provided.
22. Much concern has been raised about the increased potential for disturbance, anti-social behaviour, crime and littering to occur due to the moorings being on the bank. As already stated by the Broads Authority, demasting does not require people to leave the boat at any stage during the demasting process. Departing the boat and entering private land would therefore constitute an act of trespassing and civil offence. There is no reason to believe that positioning the moorings on the river bank will increase the incidence of crime, anti-social behaviour or trespassing, and the moorings are available to river craft only for the purposes of navigating the river. There is no reason to suspect that people will drop litter on the river bank, but in such an event responsibility would fall to the landowner for its proper disposal.
23. Furthermore, the applicant proposes to secure the mooring area with 6ft wrought iron fencing to improve security on the site.
24. It is therefore considered that the location of the mooring posts is acceptable with regards to avoiding any significant noise or disturbance to neighbouring properties and that the proposal accords with saved policy EP22 of the adopted Local Plan.

Other issues

Fire risk

25. Representations have raised concern regarding the increased risk of fire that will result from boats mooring close to the parking undercroft. Norfolk Fire and Rescue have been consulted on the application and have stated that the moorings are far enough away from the car park vents and face of the flats that they do not present an increased risk of fire spreading between them and endangering the occupants. Additionally, as moorings will be for temporary use only the boats will be licensed and hence subject to the boat safety inspections etc.

26. The Broads Authority have stated that all boats must be tolled and in order to be tolled, boats must show evidence of appropriate insurance and have the relevant boat safety scheme certificate. Fire safety on boats is included as part of the safety scheme.

27. It is therefore considered that the risk of fire from boats moored adjacent to the flats is not a significant issue and does not affect the acceptability of this proposal.

There is no safety equipment, buoys or escape ladders in this location

28. The Broads Authority has stated that the provision of escape ladders etc is not required in this instance. There are historic moorings already in place at the site and a number of means of escaping the water are provided, including the presence of ladders and low banks at a reasonably close distance to both of the proposed new demasting moorings. Most falls/incidents are also understood to occur when disembarking from boats, which the demasting of a boat would not necessitate.

The positioning of the moorings on the wharf side requires the agreement of the landowner

29. Whilst the ownership of the land is understood to have changed hands since the submission of the original application, the applicant has completed the correct ownership certificate in the application form and indicated that they have given requisite notice on the landowner. Any development would require the consent of the landowner, but this would amount to a civil matter.

The planning application has changed without consultation

30. The Council has served requisite notice for the purposes of this application. Direct notification has been sent to neighbours and the application has been advertised on site and in the press.

Procedural guidance

31. Any approval of the variation would issue a new consent which could be implemented independently of the original outline consent and therefore it is necessary to re-impose any conditions which are not subject to the request for variation under this application. It will also be necessary to link the S106 agreement for the original consent to any new consent via a deed of variation to the original agreement.

32. Certain conditions of the original planning consent (04/00272/F) have not been discharged nor had details agreed. The appeal decision for previous application 12/01120/VC contained a list of suggested conditions that would have been re-imposed had planning permission been granted for that application. These conditions along with the revised condition 9 and a condition requiring details of the signage should be imposed upon any approval.

Conclusions

33. The proposal will provide moorings at all four quadrants of the stretch of river between Carrow Bridge and Novi Sad Bridge. This will enable river craft to safely demast and navigate the river. The location of the moorings on the river bank is considered acceptable and will not result in any significant harm to the amenity of neighbouring residents. The moorings are for demasting only and signage will ensure that people are properly notified of the associated mooring restrictions, including a restriction on the duration of stay and that boats should not be disembarked whilst moored. Subject to conditions therefore, the

proposal is considered acceptable and in accordance with the objectives of Sections 4, 7, 8 and 12 of the National Planning Policy Framework (March 2012), Policies 2, 18 and 20 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), saved policies TVA3, HBE8 and EP22 of the City of Norwich Replacement Local Plan (2004), relevant policies of the Development Management Policies Development Plan Document – Pre submission (April 2013) and all other material considerations.

RECOMMENDATIONS

Recommended to approve application 13/01540/VC subject to the completion of a deed of variation to link the former obligations of the S106 agreement (linked to permission 04/00274/F) to the new consent and the following conditions:

- 1) Within six months of the date of this decision landscaping, planting and site treatment works shall be completed in full accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme shall provide landscaping details of the north, south and east boundaries of the site with Novi-Sad Bridge, Carrow Bridge and the River Wensum respectively and shall include the following details:
 - Details of the materials for the paved areas
 - Details of all new boundary treatments at the site
 - Details of new lighting
 - Planting plans
 - Planting schedules
 - Written specifications

The landscaping scheme shall thereafter be retained in accordance with the approved details

- 2) Any trees or plants which comprise part of the landscaping scheme and within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season.
- 3) Cycle parking, refuse storage, access, car parking and forecourt areas of site shall be retained in perpetuity and made available for use by residents of the development
- 4) Within three months of the date of this decision moorings shall be provided in full accordance with approved drawings and retained as such thereafter
- 5) Mooring signage to be submitted for approval prior to installation. Signage to be retained in perpetuity thereafter.

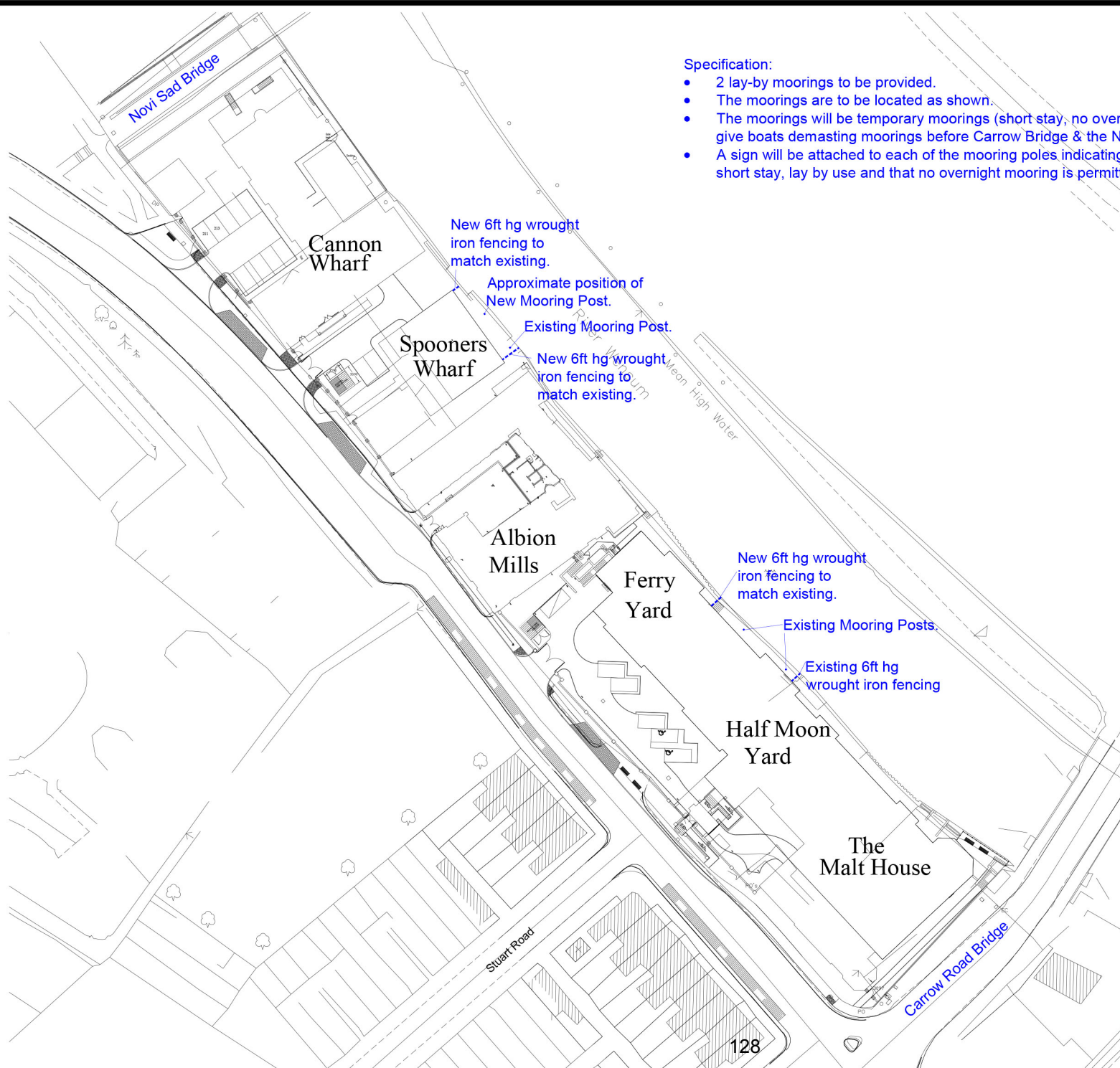
Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the committee report.



Specification:

- 2 lay-by moorings to be provided.
- The moorings are to be located as shown.
- The moorings will be temporary moorings (short stay, no overnight stay) provided to give boats demasting moorings before Carrow Bridge & the Novi Sad Bridge.
- A sign will be attached to each of the mooring poles indicating that the moorings are for short stay, lay by use and that no overnight mooring is permitted.



WARNING
Dimensions must not be scaled from this drawing.
Dimensions required are to be obtained from the
drawing office

Proposed Mooring Positions

046-M-1001

Scale 1:500 Date Sept. 2010
Drawn DMM Checked

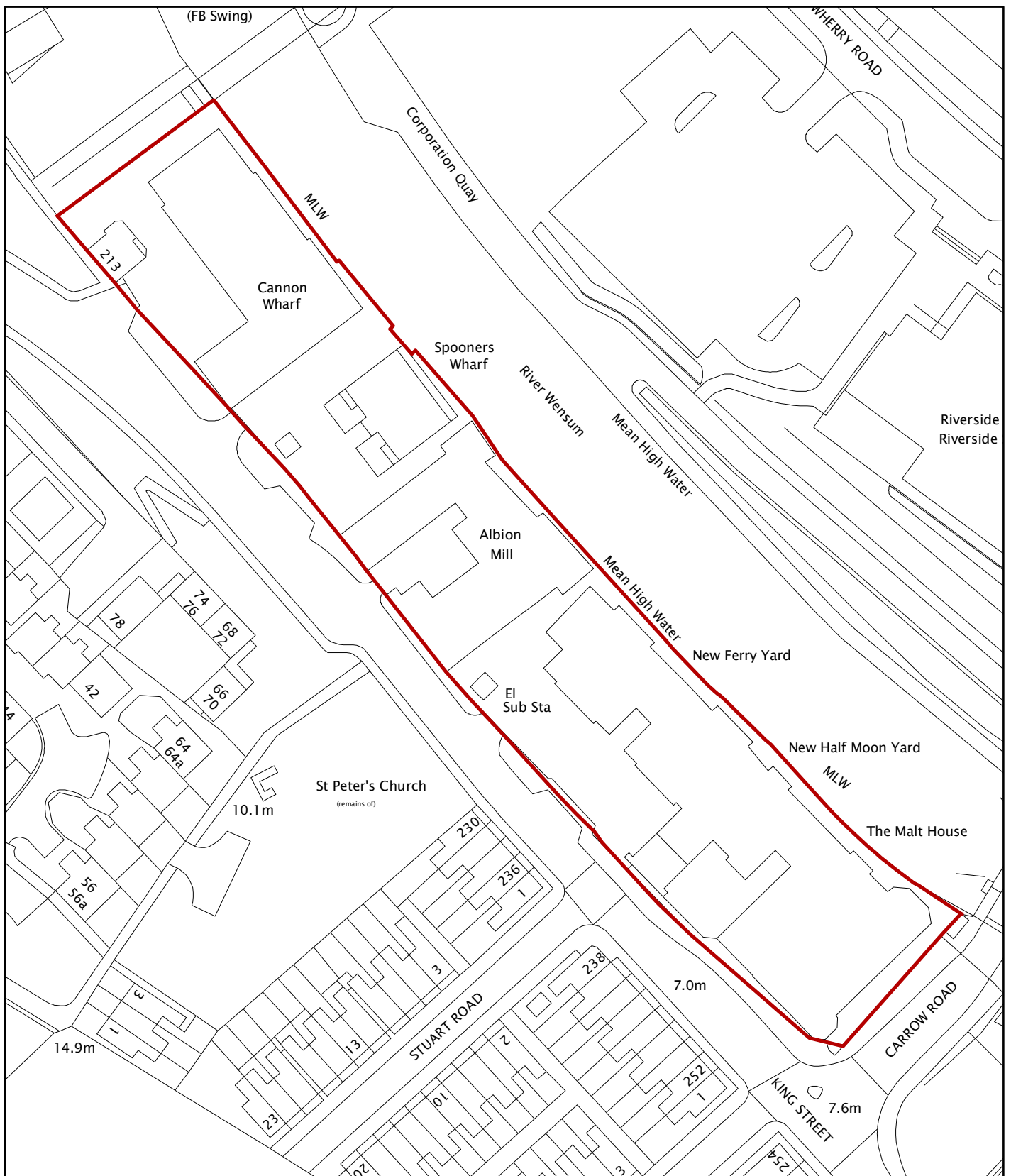
Former Read Mill Site
King Street
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Planning Application No 13/01540/VC

Site Address

Moorings

King Street

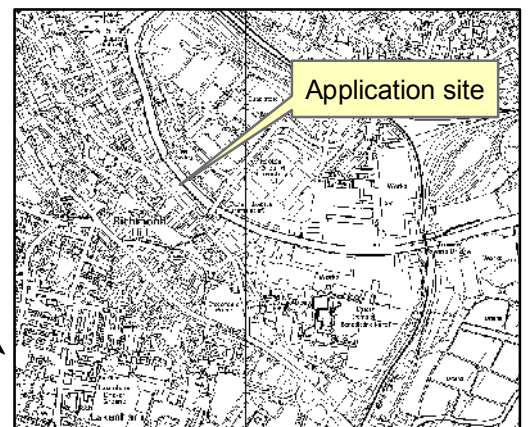
Scale

1:1,000



NORWICH
City Council

PLANNING SERVICES



Report to Planning Applications Committee
Date 3 April 2014
Report of Head of Planning Services
Subject 14/00028/VC McDonalds 162 Barrett Road NR1 2RT

Item
4(5)

SUMMARY

Description:	Variation of condition 10 of previous planning permission 4/1995/0003 to allow 24 hour trading 7 days per week for both the restaurant and drive-thru
Reason for consideration at Committee:	Objections and deferred at the last committee
Recommendation:	Approve
Ward:	Lakenham
Contact Officer:	Mr John Dougan Planner 01603 212504
Valid Date:	9 January 2014
Applicant:	McDonald's Restaurants Limited
Agent:	Savills (UK) Limited

INTRODUCTION

Background

1. This application was referred to planning committee on 6 March 2014 and was deferred on the grounds that members wanted officers to consult Norfolk Constabulary regarding their concerns relating to existing anti-social behaviour associated with the site and the potential for this being intensified as a result of the extended hours.
2. Their full response is appended to this report and summarised at paragraph 15 and is assessed at paras 39-43.
3. In summary, the police concluded that an extension of hours is unlikely to have any significant impact on the levels of anti-social behaviour at the premises. They also concluded that the submitted management plan covers many of the points that the police would associate with good management of a late night venue. The police also recommended a series of improvements to the on-site CCTV system.
4. The applicant agreed to incorporate these recommendations, incorporating them within a revised management plan.
5. On the basis of the above the officer recommendation remains to approve the application subject to the conditions listed below.

The Site

Location and Context

6. This application relates to the McDonalds Restaurant and Drive-through at 162 Barrett

Road, which is immediately adjacent to a BP petrol station. There are small commercial units to the north and residential dwellings to the east of the site. The restaurant is situated close to the northern side of the Outer Ring Road junction with Hall Road.

Planning History

4/1995/0003/F - Demolition of existing PH and construction of petrol filling station and restaurant. Approved February 1995.

09/01100/F - Reconfiguration of drive through lane. Approved December 2009.

09/00731/F - Erection of extension and change to elevations including removal of light beams and dormers from roof and drive through booth and landscaping/ external lighting arrangements. Approved October 2009.

11/00936/VC - Variation of condition 10 of previous planning permission 4/1995/0003 to allow (a) restaurant opening hours between 5am and 11pm and (b) 24 hour opening of the drive through take-away facility. Refused August 2011.

13/01024/VC - Variation of condition 10 of previous planning permission 4/1995/0003 to allow 24 hour trading 7 days per week for both the restaurant and the drive-thru. Withdrawn July 2013.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

7. Condition 10 of the original approval (4/1995/003/F) stated that the restaurant the subject of this permission shall not be open before 8am or after 11pm on any day.
8. The application proposes that this condition be varied to allow the restaurant and drive-thru to operate 24 hours per day and 7 days per week.
9. It is also proposed to replace the existing air handling and extraction units with quieter models.

Representations Received

10. Adjacent and neighbouring properties have been notified in writing. 5 letters of representation have been received citing the issues as summarised in the table below.

Issues Raised	Response
Late night noise from users of the car park and customers on foot.	See paragraphs 16-43
Would attract people leaving pubs and clubs.	See paragraphs 16-43
Pollution from idling cars.	See paragraph 45
Smell from the premises.	See paragraph 44
Increased litter.	See paragraphs 34-35
Health implications of fast food.	See paragraph 46

Additional traffic.	See paragraphs 49-52
Concern over staff parking inappropriately in the surrounding area.	See paragraph 52
Concern over cumulative impacts, with petrol station and if the proposals for ASDA on Hall Road go ahead.	See paragraphs 47-48
Why are they allowed to continue to apply.	The previous application in 2013 was withdrawn. There is nothing to prevent an applicant from resubmitting the application.
Devaluation of property.	This is not a material planning consideration.

11. In addition two letters have also been received from Simon Wright MP enclosing some of the above objections and raising concerns that McDonalds have made the application and the disturbance this could cause to nearby residents. The letters request that their concerns be taken into account and responded to.

Consultation Responses

12. Transportation – no comments to make

13. Fire officer – No objection, they make reference to a revised petroleum license and the conditions attached to it which require McDonalds co-operation and requires closure of the accesses and car parks at the site whilst a petroleum delivery takes place.

14. Environmental health - If the conditions set out in the management plan are adhered too and the recommendations set out in the noise impact assessment are implemented then I consider that the opening of McDonalds at 162 Barrett Road Norwich, should not have a detrimental impact on the amenity in term of noise nuisance.

According to Environmental Health records there has been one formal noise complaint relating to the McDonalds site in February 2007 relating to delivery noise, refuse collections, cars revving and bad language of users of the restaurant.

15. Norfolk Constabulary (police) – The police concluded that it is impossible to predict if the extension of hours will result in a significant increase in anti-social behaviour. However, on the basis of observations of a comparative site, it is unlikely that the extended hours would result in a significant increase in anti-social behaviour. Improvements to the CCTV system would assist the police and council investigate any future incidents at the venue if required (the full response is appended to this report).

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Paragraphs 9 and 17 – Amenity

Statement 1 Building a strong a competitive economy

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 5 the economy

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

EP22 High standard of amenity for residential occupiers

EMP2 Growth of existing businesses

TRA8 – Provision in development for servicing

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011

Emerging policies of the forthcoming new Local Plan (submission document for examination, April 2013):

Development Management Policies Development Plan Document – Pre-submission policies (April 2013).

DM2 - Ensuring satisfactory living and working conditions

DM24 – Hot food takeaways

DM30 – Access and highway safety

DM31 – Car parking and servicing

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. The 2011 JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF.

Policy DM2 is subject to a single objection raising concern over the protection of noise generating uses from new noise sensitive uses, this is not relevant here and therefore significant weight can be given to policy DM2. There are no objections to policy DM24 and therefore significant weight can be given to this policy. Policy DM30 is subject to an objection relating to the provision of accesses, it is considered that limited weight be given to this policy. Policy DM31 is also subject to objections relating to car parking provision and existing baseline provision of car parking in considering applications it is considered that limited weight should be given the car parking standards of this policy at the present time with substantive weight to the other matters.

Principle of Development

Policy Considerations

16. The site is an established fast food outlet with restrictive operating hours. There is no principle policy objection to the proposals; indeed the NPPF supports sustainable economic growth. In this case therefore the main issues to consider are neighbour amenity implications, anti-social behaviour, health implications and transport implications including the ability to safely service the petrol station.

Background to Former Applications

17. It should be noted that there was a previously refused application to increase the hours of operation (11/00936/VC), which was refused for the following reasons:
- The proposed variation of the opening hours of the restaurant and the drive through facility would have a significant detrimental impact upon the living conditions of the nearby residents by virtue of noise pollution and disturbance at anti-social hours.
 - The proposed variation of the opening hours to allow a 24 hour opening of the drive through facility would be detrimental to the safe operation of the unassisted tanker deliveries by reason of the restricted shared access and resultant site security problems.
18. On examination of that application there was insufficient supporting evidence to justify that the additional hours would not have a significant additional adverse impact on the amenities of the nearby residential properties or the safe operation of the BP service station.
19. In 2013 the applicant submitted a similar application and was advised by officers that in the absence of any further supporting material or changed circumstances the decision would likely be the same as in the 2011 case. The applicant subsequently withdrew the application.
20. Subsequent to this the applicant commissioned the services of an acoustic consultant to undertake a noise impact assessment, create a site management plan and embarked on discussions with the fire officer in developing an operations plan for petroleum deliveries to the petrol station.

Neighbour Amenity

Noise

21. The applicant has conducted a noise impact assessment (NIA) and submitted this with the application. This assesses the noise implications of the fixed roof top plant, use of the car park and use of the drive through facility.
22. The key receptors are considered to be the residential properties to the east and northeast all of which have external amenity areas next to the car parking and/or drive through areas of the site. With particular consideration given to the closest properties being no.160 Barrett Road and 32-42 Randolph Road.
23. It should be noted that the site already has consent to operate the restaurant and drive-thru and parking areas between the hours of 0800 and 2300. The additional hours occur over the night time period between 2300 and 0800 and therefore it is impact during these hours which is assessed.
24. The noise assessment has assessed the roof top plant in line with BS4142 (rating industrial noise) against background noise levels and noise from the car park and drive through against ambient noise levels.
25. In terms of development plan policy EP22 requires a good level of amenity for existing residential occupiers, emerging policy DM2 requires development to prevent noise disturbance and DM24 details that hot food takeaways will be permitted where there are

no unacceptable environmental effects which could not be overcome via condition and the proposal has safe and convenient access and would not be detrimental to highway safety. The policy details that development will be subject to conditions on hours where necessary to protect the amenities of surrounding occupants. The policy relates to applications such as this seeking the relaxation of restrictive conditions.

Noise – Roof Top Plant

26. In relation to the plant noise environmental health had advised that the plant noise should be 10dB below background noise levels over the night time period. The existing plant did not meet these criteria and therefore the application includes the replacement of the kitchen extract system and air-handling units with new quieter models to meet this requirement. Subject to the replacement of this plant it is not considered that there would be any adverse impact to neighbouring properties as a result of noise from the plant. It is recommended that the replacement of the plant form a condition of any consent.

Noise – Car Park

27. Turning to the car park, it is difficult to determine the exact level of noise emitted from the car park as every activity and occasion could generate different levels of noise. The noise consultant's observation of the site and of similar restaurants indicate that there are generally no significantly noisy activities during early morning, late evenings or overnight night periods. They are also of the opinion that a typical early morning customer is on their way to and from work and tends not to linger on the site and the majority of overnight customers are taxis, shift and emergency service workers so are similarly brief in their time on site.

28. The NIA considers normal customer use of the car park and concludes that the overall noise generated by use of the car park is predicted to be at worst 10dB less than the quietest existing ambient conditions. Maxima levels are predicted to be generally lower than current impulsive noise events. At 160 Barrett Road the slamming of car doors may be audible at certain quiet times of the night, but this is unlikely to be disturbing within the context of existing ambient conditions.

29. This considers normal use and it is acknowledged that there may be events of anti-social behaviour including bad language, revving of cars and loud music which would cause annoyance to nearby residents. It is not considered that such events can reasonably be predicted or assessed as part of the NIA and therefore to tackle these events the applicant has submitted a management plan which covers a number of matters and is discussed further under the anti-social behaviour section below.

Noise – Drive Through

30. The key noise emitters from the drive through are generated by the customer order display (COD) intercom and vehicles using the drive-thru area.

31. The conclusion of the assessment found that the noise from the use of the COD is predicted to be well below the quietest night-time ambient level at the receptor facades during 24 hour trading, not having an adverse impact on any of the receptor facades at any time. However, the noise consultant recommended that the 'night time' volume setting for the COD intercom could be switched on, reducing its noise levels and that this be automatically set to operate between midnight and 0600.

32. The assessment concluded that the level of noise emitted from cars using the drive-thru would not have an adverse impact on any identified receptors at any time.

33. In sum the NIA is considered to be appropriate and confirms that normal use of the premises should not give rise to unacceptable noise impact.

Anti-social behaviour

34. The applicant has identified anti-social behaviour as a concern of local residents and has submitted a management plan which deals with these matters. In particular this details the following:

- .34.1. Litter collection in the surrounding area at least three times a day, the first at 6am and last at 11pm;
- .34.2. Shift managers provided with conflict resolution training so that they can deal with anti-social behaviour and advised to actively engage with customers who may be creating noise or displaying anti-social behaviour, or where health and safety is an issue to engage with the police for support;
- .34.3. To keep a log of any events;
- .34.4. Taking action as a result of external complaints and looking for ways to tackle it, including liaising with the Council and police and taking witness statements where necessary;
- .34.5. Signage requesting customers be respectful;
- .34.6. Setting the intercom at a lower level at night;
- .34.7. CCTV monitoring of the car park and monitoring any anti-social behaviour;

35. It is recommended that the measures in the management plan form a condition of any consent. It is not considered that further mitigation is available and subject to the implementation of the management plan it is not considered that a reason for refusal along the lines of the proposals causing anti-social behaviour could be substantiated.

36. Police records indicate 6 incidences of anti-social behaviour in the last 12 months at the premises. On examination of each incident it is evident that 3 occurred within the restaurant, 1 outside the restaurant, 1 unconnected with McDonalds and with people sleeping rough in a van in the car park.

37. Given that 3 incidents occurred within the restaurant, it is likely that the level of noise would have been low, reducing the level of nuisance to surrounding uses in particular the nearby residential properties to the east and north-east.

38. It is acknowledged that the incident of the verbally abusive customer in the car park may have resulted in some nuisance to the nearby properties. Although, based on this evidence, a single incident cannot be considered significant in the context of the site and its surroundings. Indeed, the police concluded that staff at McDonalds had intervened and requested police assistance when required.

39. The police are of the view that it is very difficult to predict if the extension of hours would result in significantly higher levels of anti-social behaviour. However, for comparative purposes they looked at the MacDonalds on Boundary Road which operates on a 24 hour basis.

40. Since August 2013, the police observed that there were 3 incidences at that site, two of which occurred outside the restaurant. This would indicate that an extension of hours at the application site, is unlikely to have any significant impact on the levels of anti-social behaviour at the premises.

41. The police were of the view that the extension of hours would not result in significant levels

of anti-social behaviour and that the proposed management plan was acceptable for the purposes of good management of a late night venue. Nevertheless, they met the manager at the premises, making a series of recommendations relating to improvements to the CCTV coverage on the site.

- 42. The applicant agreed to incorporate these recommendations into a revised management plan.
- 43. It is also recommended that a condition be added, requiring that prior to extending the hours of operation, details of CCTV coverage be submitted to and approved by the local planning authority.

Odour

- 44. The proposals would extend the period for cooking on the premises and therefore extraction will be in use for a longer period. No significant odour issues have been identified with the existing operation and it is noted that the applicant is proposing to upgrade the extraction system. In the circumstances it is not expected that any significant impact on amenity would occur as a result of odour.

Air pollution

- 45. It is acknowledged that idling vehicles emit fumes from their exhausts which in certain environments can lead to significant pollution. The site is not in an air quality management zone and the levels of vehicle movements during the night would not be expected to generate any significant levels of pollution which could give rise to harmful levels of emissions.

Health Considerations

- 46. Health considerations have been found elsewhere to be a material planning consideration, for example where the proposals are close to schools and the local authority have policies in place relating to this matter. In this case the authority has no such existing or emerging policies on the matter, the proposed hours are in any case outside the hours of operation of nearby schools. It is therefore not considered that a refusal on the basis of the health implications of allowing extended fast food facilities could be upheld.

Cumulative impacts

- 47. The adjoining petrol station is open 24 hours per day. On examination of the representations it is evident that some of the nearby residents are of the view that some of the noise and anti-social behaviour was being emitted from the petrol station and the main road. In addition concern has been raised over the cumulative impact and possible increase in activity in the area should the proposals for ASDA at the Bally Shoe Factory site on Hall Road come forward.
- 48. In this regard it is acknowledged that the area to the east of the site is residential in character however it is also located on the Outer Ring Road with uses in the wider area being varied. This does result in greater activity and road traffic noise and generally higher background and ambient noise levels than might be considered elsewhere in the City and these have been factored into the above assessments. It is not considered that these other uses and approvals considered cumulative would materially alter the assessment made here.

Highways, access and servicing

49. Discussions with the Fire Officer indicate that the 24 hour operation of the site would not compromise the safe refuelling of the petrol station subject to the procedures agreed at the licensing consent.
50. Any traffic movements associated with the use of the site between the hours of 11pm and 8am cannot be considered to be significant in the context of the existing hours of operation. Movements are likely to be less compared to peak traffic during the day and therefore the access is suitable and there are no significant concerns over highway safety.
51. The management plan submitted indicates that deliveries to the restaurant will be limited to between 5am and 10pm and refuse collections limited to between 6am and 10pm. Environmental Health have recommended a restrictive condition preventing deliveries between 7pm and 7am. However given that there are no restrictions on existing delivery operations at the site under its current consent it is not considered that it would be reasonable to now impose such a condition.
52. In terms of parking, the site has sufficient capability to accommodate the reduced demand for staff and customer parking during these evening hours. Staff choosing to park their cars elsewhere is outside planning control.

Local finance considerations

53. The proposals are not considered to give rise to any particularly local finance considerations.

Conclusions

54. On the basis of the noise impact assessment submitted it is not considered that there would be any significant impact on the amenities of neighbouring residents as a result of normal use of the hot food takeaway. Subject to compliance with the management plan it is not considered that the operator has provided adequate mitigation for anti-social behaviour and it is considered that a refusal along these lines would be extremely difficult to uphold. Regard has also been given to odour, air pollution, health considerations, cumulative impacts and access and servicing of the site and the neighbouring petrol station however none of these matters are considered to give rise to significant demonstrable harm as such it is recommended that the application be approved subject to the conditions outline in the recommendation below.
55. The response from police demonstrates that there is insufficient evidence to suggest that the extension of hours would result in significant levels of anti-social behaviour between the hours of 2300 and 0800 and that the extension of hours is unlikely to result in levels of anti-social behaviour which would have a significant adverse impact on the amenities of neighbouring properties.

RECOMMENDATION

To approve application no.14/00028/VC at McDonalds, 162 Barrett Road and grant planning permission, subject to the following conditions:-

1. Standard time limit

2. In accordance with the approved plans
3. Replacement of roof top plant in accordance with the Noise Impact Assessment;
4. Compliance with the management plan in terms of litter collection, noise and disturbance management and CCTV operation.
5. Prior to commencement, details of CCTV coverage to be submitted for approval

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant during the previously withdrawn application (13/01024/VC) including provision of appropriate supporting information (noise impact assessment and site management plan), the application has been approved subject to appropriate conditions and for the reasons outlined above.



NORFOLK

CONSTABULARY

Our Priority is You

Mr John Dougan
Planning Services
Norwich City Council
City Hall
Norwich
NR2 1NH

17th March 2014
Ref No: 14/00028/VC

Norfolk Constabulary

Norwich Operational Partnership Team
Bethel Street Police Station
Norwich
Norfolk
NR2 1NN

Tel: 01603 276087
Fax: 01603 276007
Email: davisonp@norfolk.pnn.police.uk

www.norfolk.police.uk
Non-Emergency Tel: 101

Dear Mr Dougan,

Application Number: 14/00028/VC

Location: McDonalds 162 Barrett Road Norwich NR1 2RT

Proposal: Variation of condition 10 of previous planning permission 4/1995/0003 to allow 24 hour trading 7 days per week for both the restaurant and the drive-thru.

Thank you for allowing me to comment on the above proposal, as the Architectural Liaison / Crime & ASB Reduction Officer for Norwich, I have viewed the application and associated paperwork together with the crime figures and incident reports at the location for the last 12 months. I have also spoken with colleagues on the Police Licensing Team and Inspector Jonathan Papworth who is the Local Policing Commander for Norwich South.

In the last 12 months Norfolk Constabulary have recorded the following incidents of Anti-Social behaviour as taking place at the premises:-

CR25476/13/6	Tue 11/06/13 1600 - 1630	ASB – 2 males verbally abusive to another customer inside restaurant
NC-07082013-111	Wed 07/08/13 0930 - 1000	ASB – 2 males verbally abusive and threatening to another customer inside restaurant
CR53731/13/9	Wed 20/11/13 1515 - 1535	Common Assault – Students from nearby school involved in scuffle outside restaurant (<i>unconnected to McDonalds</i>)
CR8006/14/1	Wed 20/11/13 2130 - 2135	ASB – Male verbally abusive to female on restaurant car park
NC-24012014-635	Fri 24/01/14 2240	Environmental ASB – People sleeping rough in van on restaurant car park
NC-05022014-437 CR9070/14/0 CR5863/14/9	Wed 05/02/14 2030	Common Assault – Altercation between 2 females inside restaurant, staff member intervened and also assaulted by one of the females.

Four of the above incidents involve persons under the age of 18; all appear to be a disagreement between customers (excluding the Environmental ASB on 24/01/14). In the majority of these incidents the staff at McDonalds have intervened and requested Police assistance when required.

We will answer letters within 10 working days, where information is available.
Where this is not possible, an explanation will be given for any delay.



You asked “Would the extension in hours result in significantly higher levels of anti-social behaviour?” Clearly this is very difficult to predict although the potential for an increase in Anti-Social Behaviour cannot be ruled out. As a comparison I have looked at the McDonalds Restaurant on Boundary Road, Norwich, the two restaurants are comparable in terms of location and demographic of surrounding area. The restaurant and drive thru at this location has been open 24 hours a day 7 days a week since August 2013. Since this time Police have recorded three incidents of Anti-Social behaviour between 2300 and 0800 hours:-

NC-19112013-45	Tue 19/11/13 0330 hours	ASB – Group of drunk males being abusive to staff and refusing to leave
NC-01012014-195	Wed 01/01/14 0400 hours	ASB – Group of rowdy males banging on windows of drive thru
CR12488/14/4	Sun 16/03/14 0130 hours	Criminal Damage – Male kicked glass entrance/exit door causing it to smash

Three incidents in seven months at a comparable McDonalds indicate that an extension of hours is unlikely to have any significant impact on the levels of anti-social behaviour at the premises.

The ‘Management Plan’ covers many of the points that we would associate with good management of a late night venue. On Friday 14th March 2014 I attended the restaurant and had a meeting with the Manager Dean Marshall in relation to CCTV. Dean kindly agreed to show me the CCTV system that is currently in operation at the restaurant and I have made a number of recommendations on how the system can be improved:-

- The CCTV coverage on the Northern side of the car park is limited; two cameras attached to the restaurant face in this general direction but are unlikely to provide any useable footage of this area (particularly during the hours of darkness). *I recommend that additional cameras should be provided to cover this area.*
- The Management Plan states that the CCTV system can be used to capture footage of vehicle registration plates, whilst this may be possible for vehicles that use the drive- thru, I do not believe this will be possible for vehicles that enter or leave the car park without using the drive-thru. *I recommend that the CCTV should be upgraded so that the registration of all vehicles entering the car park can be identified.*
- The CCTV coverage within the Restaurant is good and would allow officers investigating an offence to observe what has taken place. However the most common failings in a CCTV system is having image sizes that are too small to enable identification and recognition. A key element of most systems is the ability to identify persons entering and leaving the premises. *I recommend that an additional internal camera should be installed that is capable of recording large images (100% screen height) at the restaurant entrance i.e. clear image of face plus characteristics of clothing, items carried etc.*
- I understand that the recorded image is a noticeably lower standard than the live view. *I recommend that the recorded image should be of similar quality to that of the live view. The video should be recorded at its original size with a minimal amount of compression.*
- Recorded images are currently available for two weeks following an incident. *I recommend that the system should have sufficient storage capacity for 31 days of good quality footage (see above).*

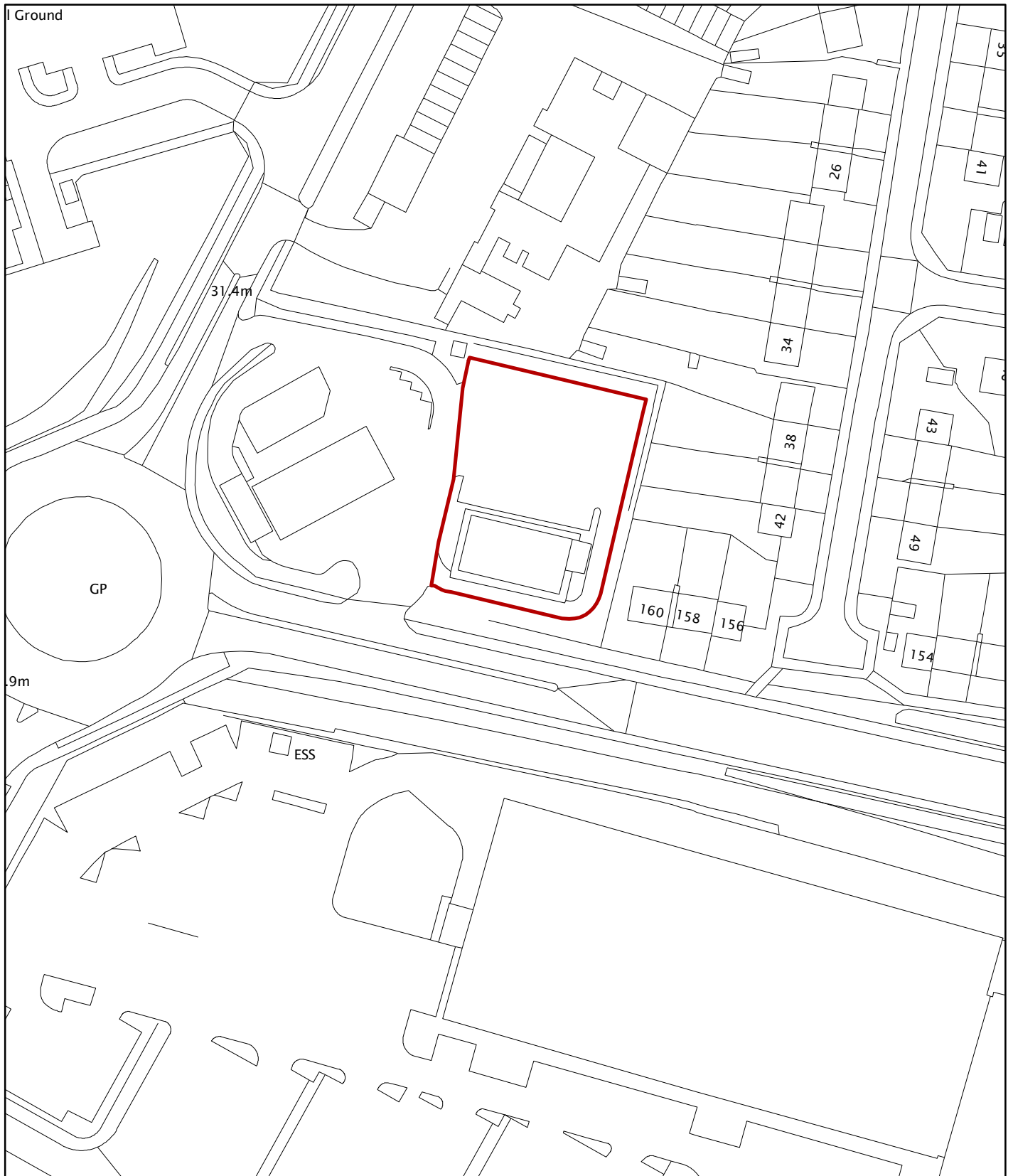
I trust that this information is helpful and will assist the Planning Committee in making an informed decision. As stated above it is impossible to predict if the extension in hours will result in a significant increase in Anti-Social behaviour, however the recommended improvements to CCTV would assist the Police and Council investigate any future incidents at the venue if required.

Please do not hesitate to contact me should you wish to discuss the contents of this letter further.

Yours sincerely



PC 313 Peter Davison
Crime & ASB Reduction Officer / Architectural Liaison Officer (Norwich)



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Planning Application No 14/00028/VC

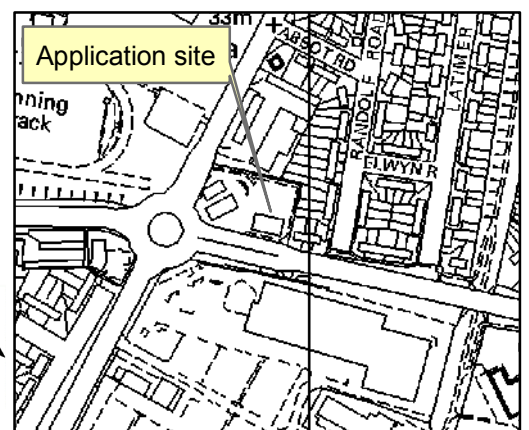
Site Address McDonalds
Barrett Road

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



Report to Planning Applications Committee
Date 3 April 2014
Report of Head of Planning Services
Subject 14/00187/NF3 Garages Rear Of 28 To 30 Trory Street
 Norwich

Item
4(6)

SUMMARY

Description:	Demolition of 3 No. garages to form new parking area and install tree protection area.
Reason for consideration at Committee:	Objection to application relating to council owned land
Recommendation:	Approve
Ward:	Town Close
Contact Officer:	Mrs Joy Brown Planner 01603 212543
Valid Date:	19th February 2014
Applicant:	Mr Terry Dartnell
Agent:	Mr Terry Dartnell

INTRODUCTION

The Site

Location and Context

1. The site is located on the north side of Trory Street. It is an existing garage site which is situated to the rear of 28 and 30 Trory Street and to the side of 32 Trory Street.
2. The site currently consists of 10 garages. The six garages to the south east of the site are attached to 28/30 Trory Street whereas the rear wall of the four garages on the north west side of the site form the boundary with the curtilage of 32 Trory Street. The four garages are split into two blocks with there being a single detached garage to the north of the site and a block of three garages to the south. A large beech tree is situated between the two blocks. The tree is not within a conservation area or covered by a Tree Preservation Order so it is not formally protect but it is within the Council's ownership.
3. The surrounding area is mainly residential although the site is in close proximity to a public house and the Elim Pentecostal Church. The character of the area is mixed. To the east of the site are Council properties and Winchester Tower, to the west is 32 Trory Street which is a 19th century detached two storey locally listed building and to the south is a row of two storey terrace properties which are also locally listed due to their group value and historic development.

Constraints

4. The site is not situated within a conservation area but is adjacent to and opposite the Heigham Grove Conservation area. The neighbouring property (32 Trory Street) is also locally listed as is the terrace opposite.

Topography

5. The site is flat.

Planning History

6. No relevant recent planning history

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

7. The application seeks full planning permission for the demolition of the block of three garages to the south west of the site. One of the three garages has structural damage which is too severe to rectify. The damage was caused by the mature beech tree on the site. The block of six garages and the single detached garage are to remain. As part of the proposal the rear wall of the garages is to be retained and reduced in height to the level of the existing brick boundary wall (1.4m in height). Three new piers will be constructed to support the boundary wall. The northern wall of the existing garages is also to be retained but reduced in height to six brick courses.
8. The area of land where the garages currently stand will be used as three car parking spaces. The existing raised planting area towards the front of the site is to remain in situ and the existing beech tree is to be protected during the works and the existing raised brickwork planter is to be repaired to better support the tree in the long term. Finally two hardwood bollards are to be set into ground to the north of the tree to prevent car parking in this area.

Representations Received

9. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received, one letter of support and one letter of objection. The issues raised are summarised in the table below.

10.

Issues Raised	Response
The proposal will remove the unsightly and insecure garages.	See paragraph 17
The future of the tree will be secured.	See paragraph 22
Lowering the wall of the existing garages will increase overlooking to 32 Trory Street especially from the upper floors of the terrace opposite.	See paragraph 15
Lowering the height of the wall will reduce security to 32 Trory Street. The secure by design guidelines suggest a minimum	See paragraph 16

boundary height of 1.8m to prevent easy viewing and access to gardens.	
The proposed remaining wall and single garage will not complement or enhance the view towards the conservation area. Better quality and more sympathetic materials should be used.	See paragraphs 17-21

Consultation Responses

11. Local Highway Officer – No objection
12. Tree officer – The proposal is acceptable subject to full compliance with the AIA.
13. Asset and City Management (Landowner) – No comment

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 7: Requiring good design
Section 11: Conserving and enhancing the natural environment
Section 12: Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amendments 2014):

Policy 1 – Addressing climate change and protecting environmental assets
Policy 2 – Promoting good design

Relevant Saved Policies of the adopted City of Norwich Replacement Local Plan 2004:

NE3 – Tree protection, control and cutting and lopping
EP22 – General amenity.
HBE8 - Development in Conservation Areas
HBE12 - High quality of design in new developments

Other Material Considerations including:

Written Ministerial Statement: Planning for Growth March 2011
Interim statement on the off-site provision of affordable housing December 2011
The Localism Act 2011 – s143 Local Finance Considerations

Emerging DM Policies (submitted for examination):

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM1 Achieving and delivering sustainable development – Significant weight can be applied.

- DM2* Ensuring satisfactory living and working conditions - Significant weight can be applied.
DM3* Delivering high quality design – Several objections, only limited weight.
DM7 Trees and development – Significant weight can be applied
DM9 Safeguarding Norwich’s heritage – Significant weight can be applied.

*These policies are currently subject to objections or issues being raised at pre-submission stage. Even where DM policies have been objected to, the objection may concern only one aspect of the policy and significant weight may be applied to that policy depending on what extent the objection relates to this proposal. For clarity, the level of weight that can be attributed to each DM policy has been indicated above.

Principle of Development

Policy Considerations

14. The principle of the demolition of the block of three garages and their replacement with three car parking spaces is considered acceptable. The proposal will not change the amount of car parking that is available on the site and will not alter the access arrangements. As such there are no highway implications. The main issues for consideration therefore are design and the impact upon the neighbouring conservation area, the impact on trees and the impact upon neighbouring residents.

Impact on Living Conditions

Overlooking and loss of privacy

15. Concern has been raised by the neighbouring resident of the property to the west (32 Trory Street) that the removal of the garages and the lowering of the wall will increase levels of overlooking particularly from the first floor of the terrace properties opposite. It is acknowledged that their removal will open up the views across the site and therefore into the curtilage of 32 Trory Street; however due to the distances involved it is considered that the increase in overlooking will be minimal and at an acceptable level, particularly bearing in mind the urban setting and the screening providing by trees.

Security

16. The neighbouring resident has also raised the issue that the reduction in height of the boundary has the potential to reduce security to their property as it would be easier to access their garden. Although a 7.5m section of the wall will be reduced in height from 2.4m to 1.4m it must be acknowledge that where there are currently no garages the wall is already 1.4m in height. As such it is not considered that the proposal will significantly affect the levels of security to the neighbouring property.

Design and impact upon the conservation area

17. The existing garages are utilitarian in construction and are of no particular architectural merit and as such their loss is considered acceptable. Furthermore although the garages are not situated within the conservation area they are adjacent to the conservation area and currently appear somewhat incongruous and unsightly within the conservation area views.
18. The demolition of the garages will open up the views and will particularly improve the setting of the neighbouring locally listed building (32 Trory Street). The rear wall of the garages is to be retained and lowered in height to the level of the existing boundary wall. Although the

type of brick is not of the highest quality, the wall is in relatively good state of repair and the provision of a single wall of a uniformed height will be an enhancement to what is currently there.

19. The resident of the neighbouring property has commented that they would like to construct a wall to the front of their property which uses the same brick as the coach house to the west of 32 Trory Street and that a similar brick should be used to reconstruct the wall between their property and the garages. They have suggested that a discussion is taken place with themselves, the Council as land owner and the Council as the planning authority to look at alternative schemes on the site.
20. Although it is acknowledged that a different type of brick may be preferable in design and conservation terms, it is important to be mindful that the application needs to be assessed on its own merits. In this case it is considered that the proposal as submitted is an enhancement to what is already there and therefore it is not considered that there are any reasons why the application should be refused.
21. The resident of the neighbouring property has indicated that he would be prepared to provide a higher quality boundary wall adjacent to 32 Trory Street however he would have the opportunity to submit an alternative scheme as a separate application should he wish to do so and he would also be able to plant vegetation along his side of the boundary should he wish to increase the level of screening or to soften the appearance of the brick wall.

Trees and Landscaping

22. The proposal includes the retention and protection of the mature beech tree that is on the site and the existing brickwork planter is to be repaired to support the tree in the long term. The proposal also includes the retention of the raised planting area to the front. Norwich City Council's Tree Officer has confirmed that the proposal is achievable subject to compliance with the AIA and subject to other conditions which are set out below.
23. With regards to the hard landscaping, the surface is to remain as existing. Although it would be preferable for the area to be resurfaced, the existing surface is satisfactory and is acceptable.

Local Finance Considerations

24. Under Section 143 of the Localism Act the council is required to consider the impact on local finances.

Financial Liability	Liable?
New Homes Bonus	No
Council Tax	No
Community Infrastructure Levy	No

Conclusions

25. It is considered that the demolition of the block of three garages is acceptable in design

terms and will open up and enhance views into the conservation area. The reduction in height of the rear garage walls to the level of the existing boundary wall will create a uniform boundary between the garages and 32 Trory Street and although the height of part of the wall will be reduced, it is not considered that it will significantly impact upon the neighbouring resident to the west taking into consideration overlooking and security. The existing tree and planting is to be retained on the site and the tree is to be protected during the works. Repairing the existing planter for the beech tree will also help support the tree in the long term. As such the proposal accords with the criteria set out within policies NE3, HBE8, HBE12 and EP22 of the City of Norwich Replacement Local Plan, policies 1 and 2 of the Joint Core Strategy, the National Planning Policy Framework and policies of the emerging Local Plan.

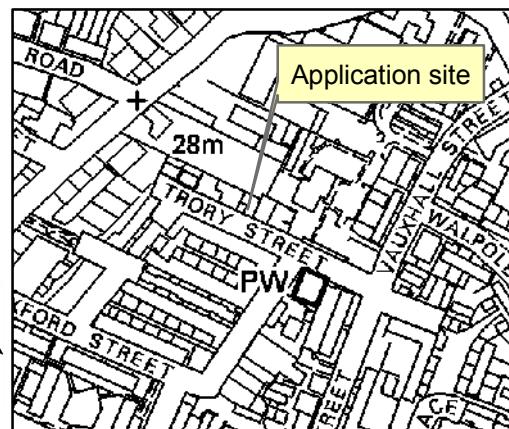
RECOMMENDATIONS

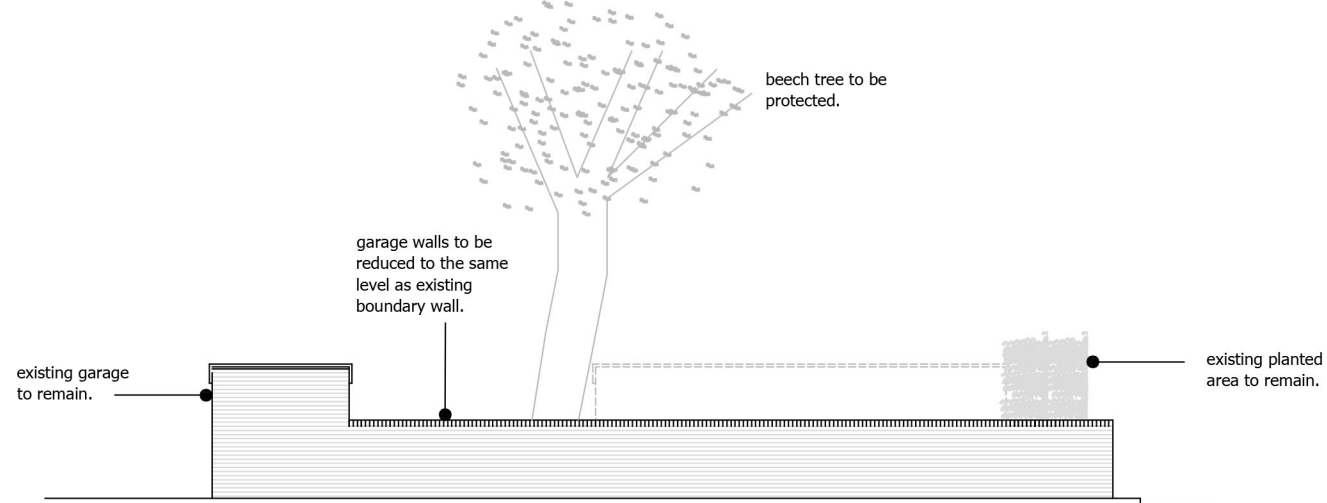
To approve Application No 14/00187/NF3, Garages rear of 28-30 Trory Street and grant planning permission, subject to the following conditions:-

- 1) Standard time limit
- 2) In accordance with plans
- 3) In accordance with the AIA
- 4) No works until a pre-commencement site meeting take place with regards trees
- 5) Arboricultural supervision during demolition and build phases
- 6) Tree protective barriers as per drawing TROR11
- 7) Working practices to accord with section 5.0 of AIA

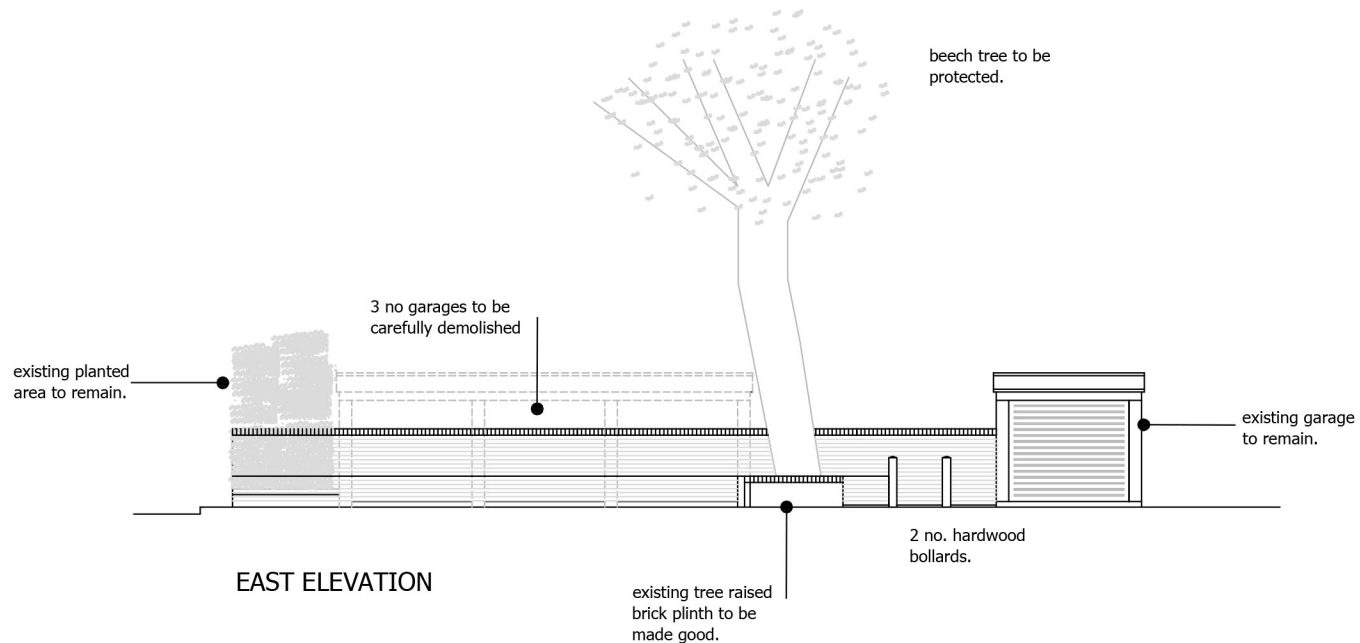
(Reasons for approval:
Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.)





WEST ELEVATION



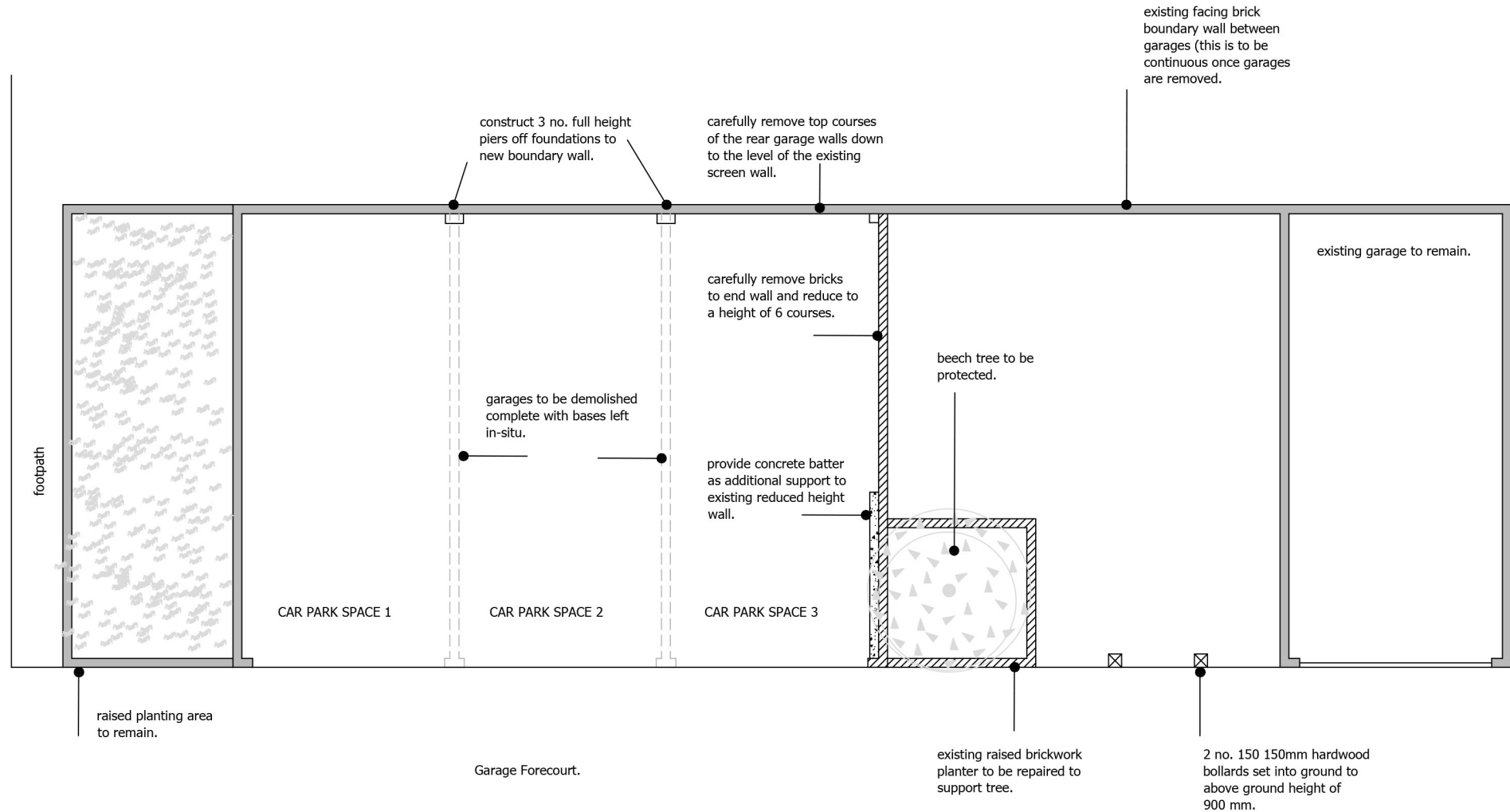
EAST ELEVATION

PROPOSED DEMOLITION OF GARAGES TO FORM PARKING AREA AND TREE PROTECTION WORKS AT TRORY STREET NORWICH NR2 2RH PROPOSED EAST AND WEST ELEVATIONS



NORWICH
City Council
Housing Property
Services
City Hall, Norwich, NR2 1NH

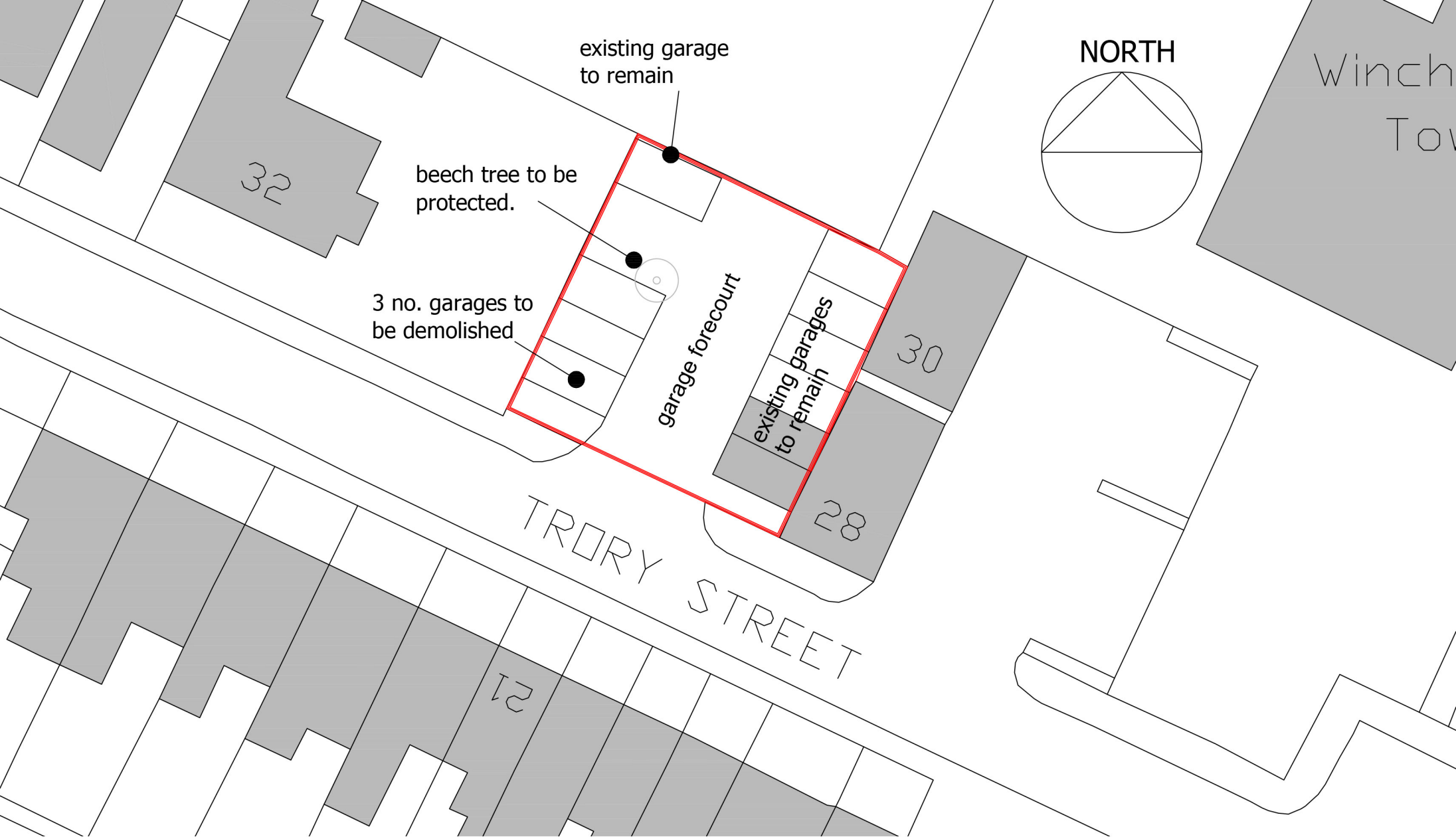
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February 2014	T.W.D.
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DRAWING REFERENCE	REV.
TROR - 04	



PROPOSED DEMOLITION OF GARAGES TO FORM PARKING AREA AND TREE PROTECTION WORKS AT TRORY STREET NORWICH NR2 2RH PROPOSED PLAN

153

 <p>NORWICH City Council</p> <p>Housing Property Services</p> <p>City Hall, Norwich, NR2 1NH</p>	DATE	DRAWN BY
	February 2014	T.W.D.
	SCALE	
	1:50	
DRAWING REFERENCE		REV.
TROR - 03		



PROPOSED DEMOLITION OF GARAGES TO FORM PARKING AREA AND TREE PROTECTION WORKS AT TRORY STREET NORWICH NR2 2RH SITE PLAN



NORWICH
City Council
Housing Property
Services
City Hall, Norwich, NR2 1NH

DATE	DRAWN BY
February 2014	T.W.D.
SCALE	
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DRAWING REFERENCE	REV.
TROR - 02	

Report to Planning Applications Committee
Date 3 April 2014
Report of Deputy Chief Executive
Subject 13/02098/F 11 Mount Pleasant Norwich NR2 2DH

Item
4(7)

SUMMARY

Description:	Demolition of garage and erection of a single storey extension; provision of glazed roof/canopy to basement; replacement fencing to front boundary wall; re-opened window at first floor level; enlarge existing rooflights.
Reason for consideration at Committee:	Objection
Recommendation:	Approve subject to conditions
Ward:	Town Close
Contact Officer:	Mrs Joy Brown Planner 01603 212543
Valid Date:	1st February 2014
Applicant:	Mrs Sara Bower
Agent:	Mr Mark Ashurst

INTRODUCTION

The Site

Location and Context

1. The property is situated on the south west side of Mount Pleasant opposite the junction with Newmarket Street. The property is an early 19th century two storey dwelling with accommodation in the roof space and a basement. The property is a locally listed building which was once a larger dwelling which was subdivided into three properties probably in the late 20th Century. The portion that forms number 11 has some nice architectural features including a large portico and sash windows. The property is painted white with a slate roof.
2. Forward of the existing dwelling is a double garage which is a modern addition to the property. The garage is also painted white and has a hipped pantile roof. Within the front garden there is a large area of hardstanding which is sufficient in size to accommodate two to three cars. Due to screening provided by the existing fence and trees the front garden is not visible from the highway and is private.
3. The 'rear garden' which is the main area of private amenity space for the enjoyment of residents is situated to the side of the property due to the subdivision of the dwelling. Due to its size and the fact that it has boundary walls rather than fences gives it more of a courtyard feel.
4. The area is characterised by having large detached properties which are well set back

from the highway. A number of the properties in the area, including the application site, are well screened from the road by boundary fences and mature trees and planting.

Constraints

5. The property is locally listed and is situated within the Newmarket Road conservation area. There are a number of mature trees on and adjacent to the site.

Planning History

04/00657/F - Erection of 1.2m fence on front boundary. (APPR - 19/11/2004)

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

6. The proposal has been amended significantly during the process of assessing the application. The proposal as submitted and the revised proposed are outlined below:

Proposal as submitted

7. The application sought planning permission for the conversion of the existing double garage into a new kitchen and utility room. This also involved changing the hipped roof to a gable roof to create more headroom within the new kitchen area. To the rear of the garage (south-west) it was proposed to erect a new flat roof single-storey extension which would create a link between the garage and the main house. This would have bifolding doors which would provide access to the terrace and garden area. It was proposed that the extension would extend to the boundary of the neighbouring property to the south east and that the extension would be used as a dining area.
8. A second flat roof single storey extension was proposed to the front (north) of the garage which would extend to the boundary of the neighbouring property and to the front boundary of the application site. This would have double doors and would be used as a store. It was not of sufficient size to be used as a garage.
9. A number of other external alterations were also proposed which are set out below:
 - The replacement of the existing front boundary fence with a brick wall and new timber entrance gates
 - Alterations to the lightwell in the basement.
 - The replacement of the existing French windows
 - The opening up of an existing bricked up window at first floor level within the front elevation.
 - The replacement and enlargement of rooflights on the side elevation.
 - The replacement of the existing tarmac hardstanding within the front curtilage with resin bonded gravel.

Revised proposal

10. The proposal as submitted was considered to be unacceptable on a number of design and conservation grounds. It was considered that the proposed extensions did not relate well to each other and appeared rather piecemeal due to differing roof designs and as the overall depth was not consistent. Furthermore the flat roof of the store would appear out of keeping and of detriment to the conservation area and this would be exacerbated due to the loss of trees on the front boundary. In this case it was also considered that the provision of a wall on the front boundary was out of keeping with other properties in the area.
11. Discussions were held with the applicant and the proposal was subsequently revised. Rather than converting the existing garage, it is now proposed to demolish it and to erect a single extension in its place. The extension will be no closer to the boundary of the neighbouring property than the existing garage and it would be set back from the front boundary by 0.7m. The proposed extension will link to the existing house and bifolding doors will provide access to the terrace and garden. The proposed extension will be used as a store, utility room and family room with the kitchen and dining area being situated within the main dwelling house. The height to the eaves of the proposed extension is 2.8m with the height to the ridge being 4.4m.
12. It is no longer proposed to replacement the front boundary with a wall. Instead the existing fence is to be replaced with a new fence of the same height and the existing gates are to be retained. The other alterations described in paragraph 9 are still proposed.

Representations Received

13. The application as submitted was advertised on site and in the press and adjacent and neighbouring properties were notified in writing. However due to a tree report not being submitted with the application the case was made invalid and revalidated on receipt of this information. A second site and press notice was issued and neighbours were re-notified.
14. Three letters of representation were received citing the issues as summarised in the table below.

Issues Raised	Response
Out of scale – The proposal is an over urbanisation within the conservation area.	See paragraphs 22 and 27
Out of keeping and unsympathetic to the conservation area – All front boundaries in the area consist of hedging, low walls and some fencing or railings. Nowhere is there a high brick wall.	It is no longer proposed to replace the front boundary with a high brick wall.
Overlooking – the new roof lights will overlook our property and garden	See paragraph 20
Trees – the single storey extension and new brick wall will cause root disturbance. The loss of Yew trees and an oak tree is unsympathetic and not acceptable.	See paragraph 28 and 29
There will be noise disturbance and air pollution during the construction works	See paragraph 21

15. Following discussions with the applicant, the proposal was revised significantly. Another site notice and press notice was issued and neighbours were notified of the amendments. The expiry date for comments is not until the 2nd April. Any additional representations received will be included in the update report. To date one letter has been received from a neighbour that had previously objected to the application, confirming that they are now happy with the revised plans, subject to the tree officer confirming that the trees are dealt with satisfactorily in all respects.

Consultation Responses

16. Local Highway Officer – No comment as there are no highway implications and parking is still available within the curtilage.
17. Tree officer – The proposal will be achievable provided that it is carried out in full compliance with the revised AIA. Further details will be required of the specialist foundation to be used within the RPA in terms of tree protection, construction methodology and arboricultural supervision of any construction activities. Furthermore, it should be noted that T1 and the suggested works are subject to conservation area obligations in terms of notice required prior to carrying out tree work and all works will need to be subject to agreement with the tree owner if tree removal or more than 'abatement of an actionable nuisance' is the preferred course of action.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 7: Requiring good design

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amendments 2014):

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Relevant Saved Policies of the adopted City of Norwich Replacement Local Plan 2004:

NE3 – Tree protection, control and cutting and lopping

EP22 – General amenity.

HBE8 - Development in Conservation Areas

HBE12 - High quality of design in new developments

Other Material Considerations including:

Written Ministerial Statement: Planning for Growth March 2011

Interim statement on the off-site provision of affordable housing December 2011

The Localism Act 2011 – s143 Local Finance Considerations

Emerging DM Policies (submitted for examination):

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies

have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM1 Achieving and delivering sustainable development – **Significant weight can be applied.**

DM2* Ensuring satisfactory living and working conditions - **Significant weight can be applied.**

DM3* Delivering high quality design – **Several objections, only limited weight.**

DM7 Trees and development – **Significant weight can be applied**

DM9 Safeguarding Norwich's heritage – **Significant weight can be applied.**

*These policies are currently subject to objections or issues being raised at pre-submission stage. Even where DM policies have been objected to, the objection may concern only one aspect of the policy and significant weight may be applied to that policy depending on what extent the objection relates to this proposal. For clarity, the level of weight that can be attributed to each DM policy has been indicated above.

Principle of Development

Policy Considerations

18. The principle of the demolition of the existing garage and the erection of a single storey extension is acceptable and as such the main issues for consideration are design, impact upon the conservation area, impact upon the living conditions of neighbouring residents and impact upon trees on and adjacent to the site. There are no highway implications.

Impact on Living Conditions

Overlooking, overshadowing and loss of light

19. It is not considered that the proposals will increase overshadowing or loss of light to any of the neighbouring properties due to the positioning of the extension, the distances involved, the height of the extension, the existing boundary treatments and taking into consideration the positioning and height of the existing garage. With regards to the proposed extension it is also not considered that it will increase overlooking to neighbouring residents.

20. Concern has been raised by neighbours that the new rooflights within the side elevation of the main dwellinghouse will increase overlooking to their property and garden. Taking into consideration that there is already an existing rooflight in this position and that the proposal is to only increase its size, it is considered that any increase will be minimal and of an acceptable level.

Noise and Disturbance

21. Concern has been raised by a neighbouring resident that during the construction there will be an increase in noise and air pollution. This will only be a short term issue and when living in an urban area such as this it is reasonable to expect neighbouring properties to undertake works to their property from time to time. With larger schemes an informative is often attached to a permission setting out the hours that construction work would normally be expected to take place but for householder proposal, this is only done in exceptional

cases where there is a justified reason. In this case it is not considered that there are any reasons which should restrict works from being undertaken at weekends and in the evening.

Design and impact on the conservation area

Design, form, scale and height

22. The proposed single storey extension is relatively large (9.7m by 5.8m) and is to be situated forward of the existing dwellinghouse. However the front garden of the property is large and can easily accommodate an extension of this size without harming the character of this locally listed building, particularly bearing in mind that there is an existing double garage in this position which is to be demolished. Furthermore the proposed extension has a relatively shallow pitch which further helps the extension appear subservient to the main dwellinghouse when viewed from the front elevation.
23. The design of the roof has been simplified during the process of assessing the application and its form now relates better to the proportions of the main dwellinghouse. Although the store area is set in from the main elevation to allow movement and the doors to open effectively, the roof line follows the main extension which allows the extension to be read as one structure and not a group of different structures with different roof pitches and heights.
24. The proposed extension is relatively contemporary in its design and it can clearly be read as a new addition to this locally listed building. The materials proposed include render which will be painted to match the existing dwellinghouse, slate roof and powder coated aluminium windows. The principle of this is considered acceptable, although full details should be conditioned to ensure that the proposal is of a high quality design.
25. With regards to the changes to the front boundary, it is now only proposed to replace the existing fence with a new fence. This is considered acceptable subject to a condition requiring further details of the fence. The replacement of the existing tarmac with resin bonded gravel is considered to be an enhancement of the front curtilage.
26. All of the other external alterations are considered to be acceptable in design terms. Reinstating the window in the front elevation will provide a better sense of balance to the existing dwellinghouse and the alterations to the lightwell will help provide more light into the basement area without materially affecting the external appearance of the property. The replacement of the patio doors will tie in with the doors which are proposed within the extension and the enlargement of the rooflight does not significantly alter the appearance of the roof slope as there is already an opening there.

Conservation Area – Impact on Setting

27. The property is situated within a conservation area; however even though the extension is forward of the dwellinghouse, it will not be overtly visible from the highway due to screening provided by existing boundary trees. It is now also proposed to retain the dwarf wall and timber gates on the front elevation and rather than building a higher wall, the fence will be replaced. Subject to a condition requiring details of the fence, this will not materially alter the appearance of the front of this property. Therefore it is considered that the proposals would not have a significantly detrimental impact upon the overall character of the area.

Trees and Landscaping

Loss of Trees or Impact on Trees

28. The proposal no longer results in the loss of any trees and subject to compliance with the revised Arboricultural Implications Assessment and Arboricultural Method Statement should be achievable without harming any of the trees on or adjacent to the site. Specialist foundations will however be required for development within the root protection areas and further details of these should be submitted to the Council for approval prior to the commencement of development.
29. An informative should also be attached to the permission notifying the applicant that any works to the trees will be subject to conservation area obligations and works will need to be subject to an agreement with the tree owner if tree removal or more than 'abatement of actionable nuisance' is the preferred course of action.

Local Finance Considerations

30. The sum of the new floorspace is under the minimum of 100 square metres so the proposal will not incur a CIL fee.

Financial Liability	Liable?
New Homes Bonus	No
Council Tax	Possibly, if the property is revalued.
Community Infrastructure Levy	No

Conclusions

31. It is considered that the extension and other external alterations will not result in a significant loss of residential amenity for the adjoining properties by overlooking, loss of light or overshadowing. Although the extension is forward of the existing dwellinghouse and is relatively large, the design is acceptable due to the size of the front curtilage and due to screening provided by the mature trees on the site. As such it is considered that the proposal will not have a detrimental impact upon the appearance of this locally listed building or on the overall character of the conservation area. As such the proposal accords with the criteria set out within policies NE3, HBE8, HBE12 and EP22 of the City of Norwich Replacement Local Plan, policies 1 and 2 of the Joint Core Strategy, the National Planning Policy Framework and policies of the emerging Local Plan.

RECOMMENDATIONS

To approve Application No 13/02098/F, 11 Mount Pleasant and grant planning permission, subject to the following conditions:-

- 1) Standard time limit
- 2) In accordance with plans
- 3) Details of render, roof, windows and doors
- 4) Details of the fence and hardstanding
- 5) In accordance with AIA/AMS

6) Further details of specialist foundations in RPA.

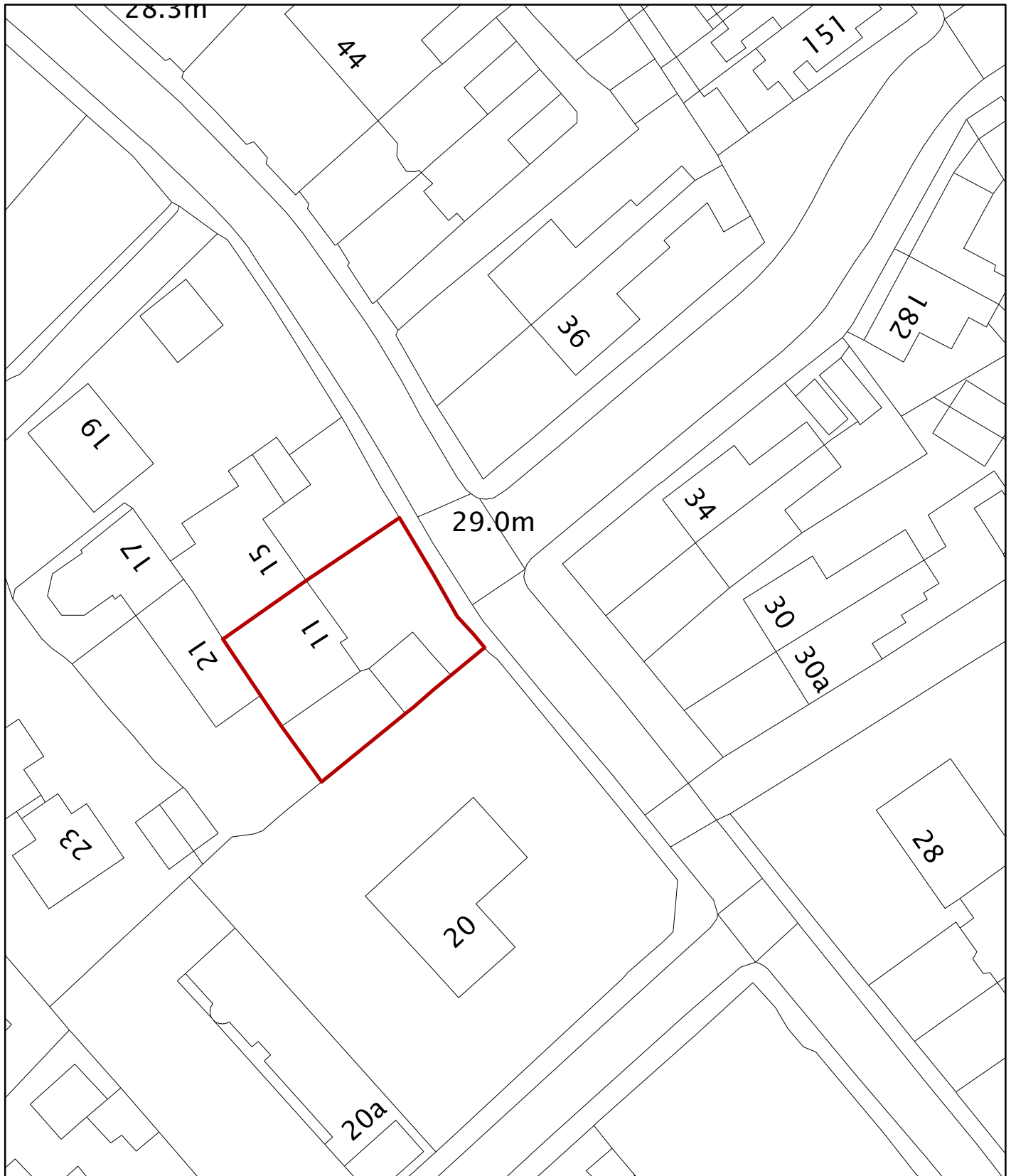
Informatives:

- 1) CIL
- 2) Works to trees

(Reasons for approval:

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.)



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Planning Application No 13/02098/F

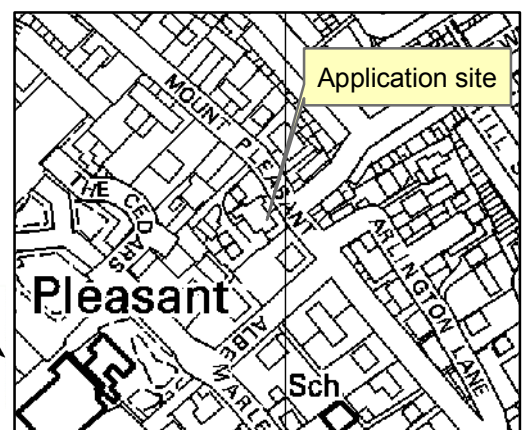
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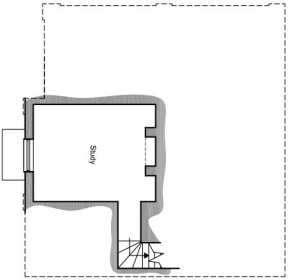
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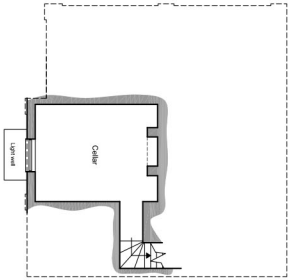
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PLANNING SERVICES

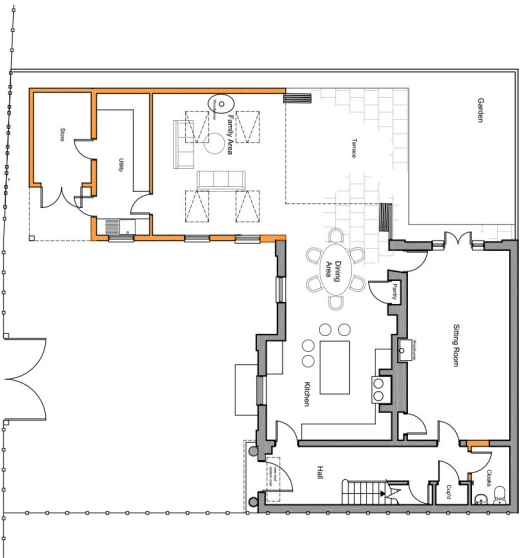




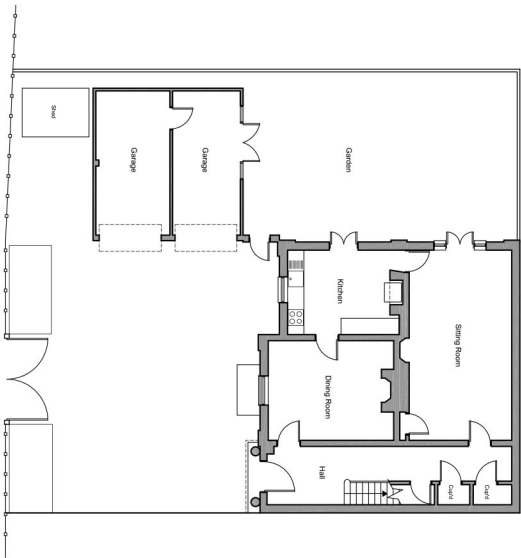
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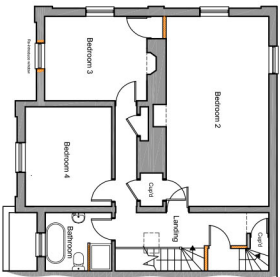
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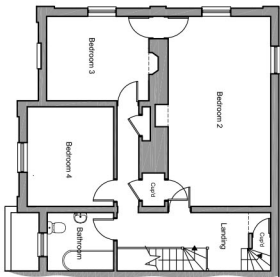
Proposed ground floor



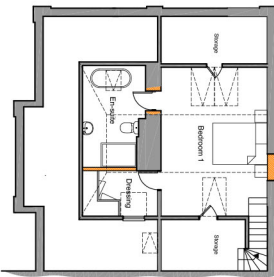
Existing ground floor



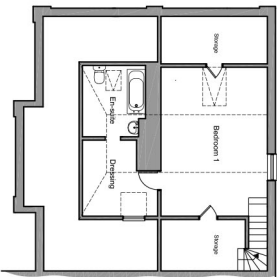
Proposed first floor



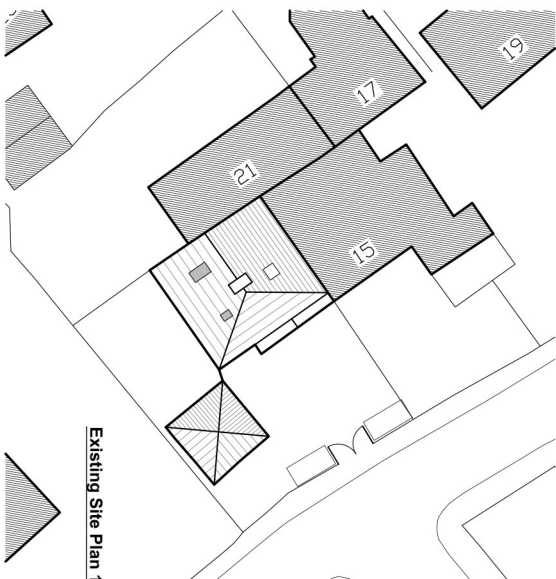
Existing first floor



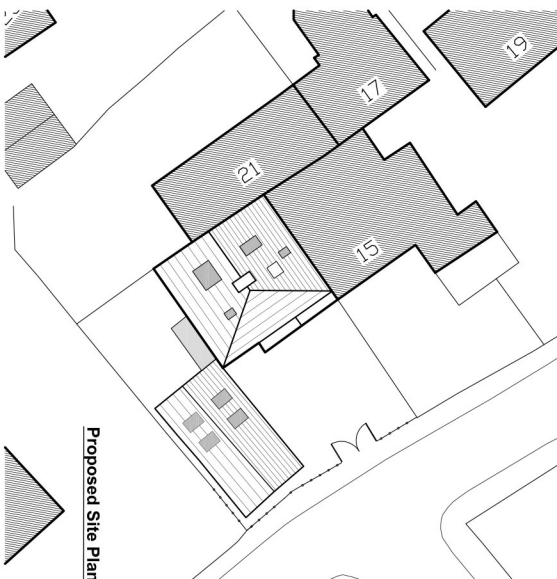
Proposed second floor



Existing second floor



Existing Site Plan 1:200



Proposed Site Plan 1:200



Location Plan 1:1250

Notes			
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2.	Corrections must be made by the architect.	A	17/11/14
3.	This drawing is the sole property of A Squared Architects Ltd and no part of it may be reproduced without the written consent of the architect.	B	18/01/14
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5.	Site Location Shown and Shaded from the Customer Survey Maps with the location of the Customer of 14.5.2014. Customer: 14.5.2014		

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Client: Mr & Mrs Bower

Job: Extension & Alterations to 11 Mount Pleasant Norwich

Existing & Proposed floorplans

Scale: 1:100@A1

Date: December 2013

Drawn By: mja

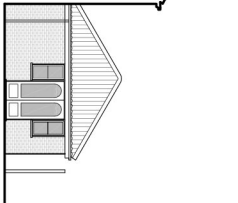
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Job No:

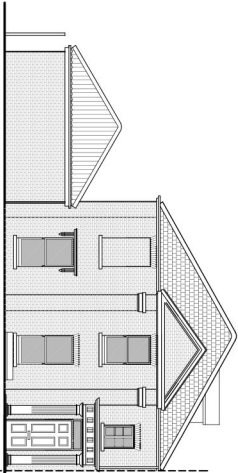
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No.	Revisions	By	Date
A	Vertical dimensions	mja	07.12.14
B	Plot removed	mja	06.03.14
C	Structure Revised	mja	10.03.14

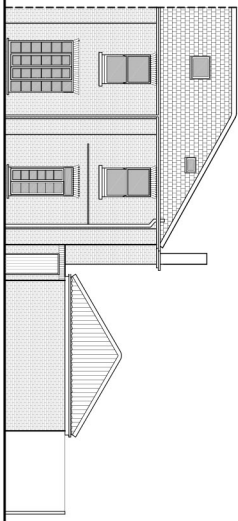
Existing Elevations



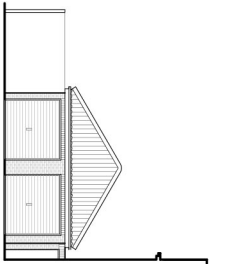
Side (South-West) elevation



Front (North-East) elevation

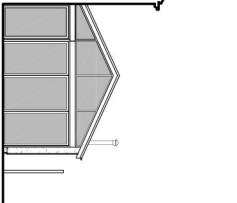


Rear (South-East) elevation

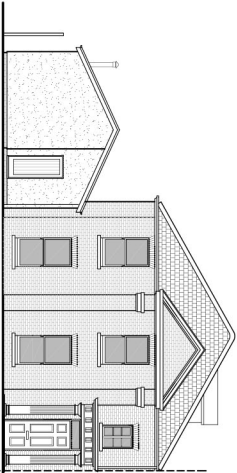


Side (North-West) elevation

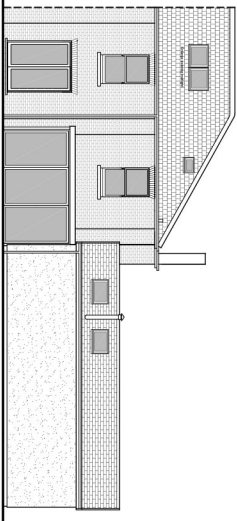
Proposed Elevations



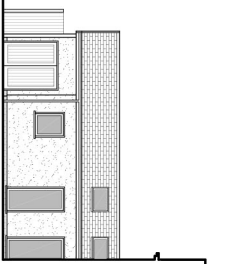
Side (South-West) elevation



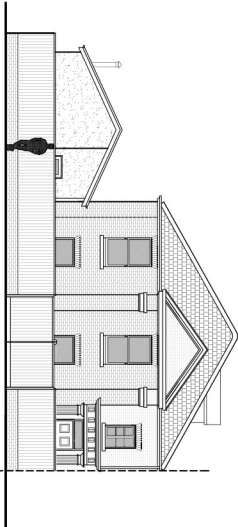
Front (North-East) elevation



Rear (South-East) elevation



Side (North-West) elevation



Street (North-East) elevation

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Client

Mr & Mrs Bower

Job

Extension & Alterations to 11 Mount Pleasant Norwich

Drawing Title

Existing & Proposed elevations

Scale

1:100@A1

13 43 02 C

Report to Planning Applications Committee
Date 3 April 2014
Report of Head of Planning Services
Subject 14/00164/F Land Adjacent To And West Of Vulcan House
Vulcan Road North Norwich

Item
4(8)

SUMMARY

Description:	Erection of a single storey Valeting centre for in house vehicle valeting.
Reason for consideration at Committee:	Objections
Recommendation:	Approve
Ward:	Catton Grove
Contact Officer:	Lara Emerson Planner 01603 212257
Valid Date:	8th February 2014
Applicant:	Desira Group Plc
Agent:	AP Property Services

INTRODUCTION

The Site

Location and Context

1. The site is currently used for storing vehicles and is located on the edge of the airport industrial estate and adjacent to residential properties. The site lies on the edge of Norwich City Council's jurisdiction adjacent to Broadland District Council's area.

Constraints

2. There are trees along the west border of the site close to the proposed building. The site is within an area designated as a general employment area under policy EMP5 of the Replacement Local Plan 2004.

Planning History

07/00251/U

Installation of acoustic screen adjacent to residential properties and retrospective application for use of land for bus parking (40 vehicles); bus driver car parking; and erection of 2 No. temporary mobile lighting units.

Refused 06/07/2007

09/00320/F

Proposed bus parking (60) spaces for First Eastern Counties, plus site resurfacing, site lighting and the creation of a landscaped mound with acoustic fence.

Approved 03/11/2009

The Proposal

3. The proposal is for the erection of a single storey valeting centre in the south-west corner of the site. It is intended for the valeting centre to be used solely to clean and service the cars stored on-site and not for use by the general public. The building measures approx 20m by approx 8m. The application states that the facility is to be used between 08:00-18:00 Monday to Friday and 08:00-13:00 on Saturdays and not at all on Sundays or Bank Holidays.

Representations Received

4. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below.
- 5.

Issues Raised	Response
Hours of use should be restricted	Paragraph 14
Noise must be kept to a minimum	Paragraphs 13 & 14

Consultation Responses

6. Consultee: NCC Tree Officer

Comments: Following direct discussions with the agent, the tree officer has managed to secure a satisfactory Arboricultural Impact Assessment (AIA). The tree officer is satisfied that trees will have sufficient protection so long as compliance with the AIA is conditioned.

7. Consultee: NCC Environmental Health (Pollution Enforcement)
- Comments: Requested the valeting centre to be moved away from residential dwellings or a noise impact assessment to be submitted. The agent chose to submit a noise impact assessment. Environmental health were satisfied with the assessment and the likely noise impacts of the valeting centre, and recommended a number of conditions to limit its impact on neighbouring properties.
8. Consultee: Broadland District Council
- Comments: No comments received.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 7 – Requiring good design

Statement 11 – Conserving and enhancing the natural environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE3 - Tree protection

HBE12 - High quality of design

EP7 – Prevention of noise pollution

EP22 - High standard of amenity for residential occupiers

EMP5 - Policy for General Employment Areas

Emerging DM Policies

DM2 - Ensuring satisfactory living and working conditions

DM3 - Delivering high quality design

DM7 - Trees and development

Supplementary Planning Documents and Guidance

Trees and Development (Adopted September 2007)

Other Material Considerations

The Localism Act 2011 – s143 Local Finance Considerations

Principle of Development

Policy Considerations

9. The valeting facility will be ancillary to the main storage function of the site (use class B8) and will be used only for on-site vehicles and not for use by the public. A condition is recommended as such. The development accords with policy EMP5 for development within General Employment Areas, subject to any impacts on adjoining residential occupiers not being “significantly detrimental”.
10. The most relevant policies are NE3, EP7 and EP22 of the Replacement Local Plan which

relate to the protection of trees, the prevention of noise pollution and the protection of residential amenity.

Impact on Living Conditions

11. The proposed building lies approximately 15 to 20 metres from the nearest residential properties.

Loss of light, outlook and privacy

12. No loss of light, outlook or privacy can be expected due to the building being single storey and screened by trees.

Noise

13. The facilities will be in use only to clean the vehicles stored on-site and not for use by the public. This will lead to an increase in vehicle movements within the site and noise from the equipment within the proposed facility.
14. An Acoustic Report has been submitted in support of the application which shows that if certain mitigation measures are put in place, the noise impact on residential neighbours will only be of marginal significance. As such, the impact of the noise created is considered acceptable, subject to several recommended conditions. The conditions aim to minimise the impact of the facility by limiting noisy activities and equipment to internal use on and by restricting the hours of use.

Design

15. The proposed building will be well screened from nearby residential dwellings by trees on the western boundary. In any case, the design is functional and appropriate within its light industrial/commercial setting.

Trees and Landscaping

Impact on Trees

16. The valeting centre is to be built approx. 6m from a Leylandii hedgerow and a Black Poplar. In order to facilitate the development, the tree officer has agreed to allow the felling of the Black Poplar and the protection of the Leylandii hedgerow.
17. The tree officer is keen to ensure that the boundary hedgerow is retained since it offers a natural buffer between the airport industrial estate and residential dwellings.
18. An Arboricultural Impact Assessment (AIA) has been submitted which offers sufficient protection to those trees which are to remain. A condition is recommended which ensures that development takes place in accordance with the submitted AIA.

Local Finance Considerations

19. Under Section 143 of the Localism Act the council is required to consider the impact on local finances as a material consideration. The benefits from the finance contributions for the council however must be weighed against the above planning issues. In this case the financial considerations are relatively limited and therefore limited weight should be given to them.

Financial Liability	Liable?	Amount
Council Tax	No	-
New Homes Bonus	No	-
Community	Yes	£5/m ² for all additional

Infrastructure Levy		floorspace (146m ²) = £730 total
Business Rates	Yes	Business rates for the land may be adjusted as a result of these works.

Equality and Diversity Issues

There are no significant equality or diversity issues.

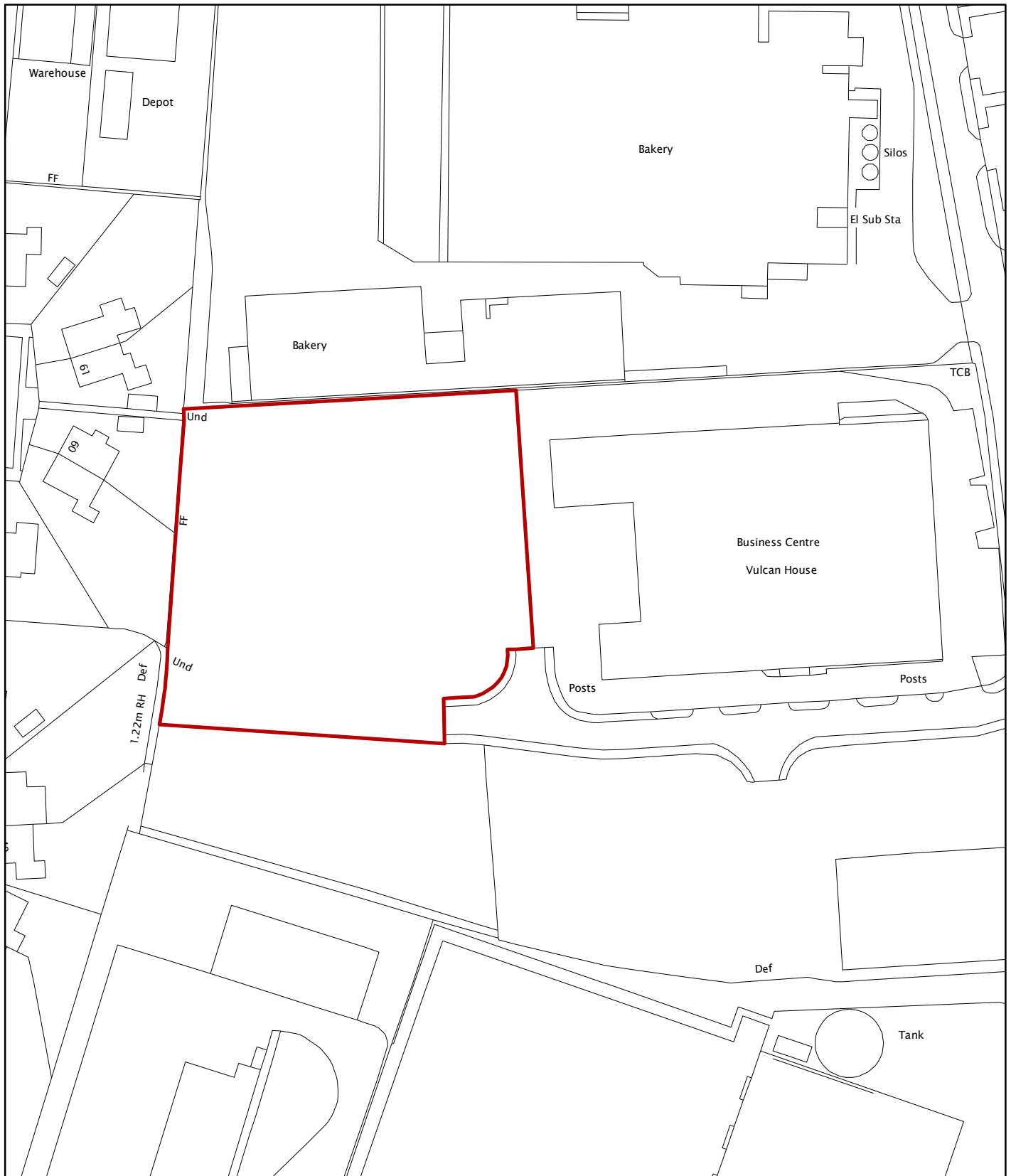
Conclusions

20. It is considered that the proposals, subject to the conditions recommended below, are acceptable in terms of their design, impact on residential neighbours and impact on trees. As such, the development accords with the NPPF and saved policies NE3, HBE12, EP7 and EP22 of the City of Norwich Replacement Local Plan 2004.

RECOMMENDATIONS

Approve application no. 14/00164/F subject to the following conditions:

- 1) Time limit
- 2) According to plans
- 3) In accordance with AIA
- 4) Limited hours of use (8am-6pm M-F, 8am-1pm Sat)
- 5) No trade deliveries or collections between 7pm-7am Mon-Sat or at any time on Sundays or bank holidays
- 6) Not for use by the public
- 7) No machinery or power tools to be used outside the building
- 8) No extract ventilation to be installed
- 9) All doors to be kept closed except for access and egress



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Planning Application No 14/00164/F

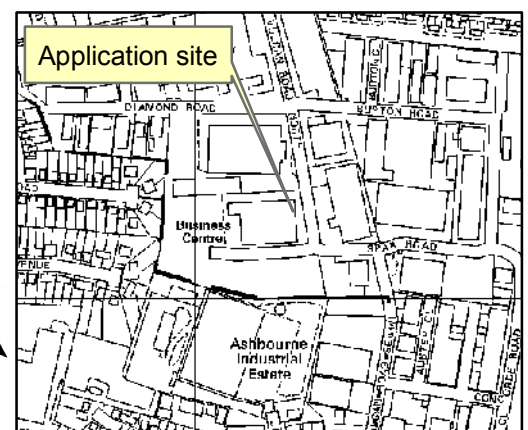
Site Address Land adjacent to & West of
Vulcan House Vulcan Road North

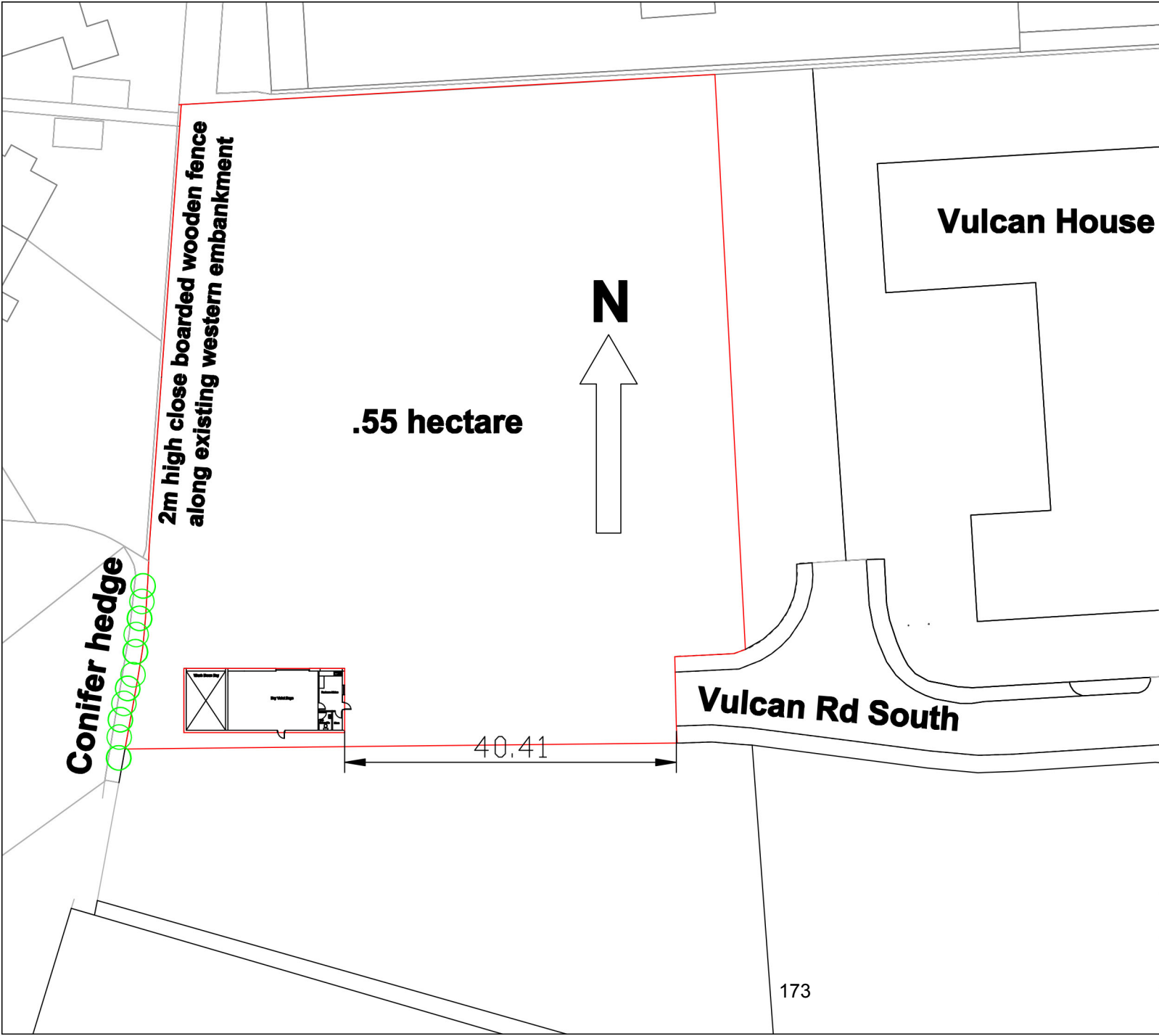
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NORWICH
City Council

PLANNING SERVICES





AP Property Services
Ridge House,Bungay Rd
Scole,IP21 4DX
07836 544855

Site Plan
Vulcan Rd South

622007 / 312076

PDF Print A3

Valeting bay and
washbay .

Rev A shows 2m high wooden
fence to western boundary.Also
valeting centre is 40.41m from
entrance gate and 6.8m from
the nearest conifer tree.

Scale 1:500 DWG DES851B Rev A

Drawn by Andy Phillip

25th Nov 2013