

## **Planning applications committee**

**Date: Thursday, 13 February 2020**

**Time: 09:45**

**Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH**

### **Pre-Application Presentation at 9:00**

Please note that there will be an informal pre-application presentation for members of the committee, ward councillors and other interested parties on the revised proposal for a new refectory at the **Norwich School following refusal of 19/00403/F** at 9:00 in the Mancroft room (before the formal business of the committee).

### **Committee members:**

#### **Councillors:**

Driver (chair)  
Maxwell (vice chair)  
Bogelein  
Button  
Huntley  
Lubbock  
Neale  
Peek  
Ryan  
Sands (M)  
Sarmezey  
Stutely  
Utton

#### **For further information please contact:**

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### **Information for members of the public**

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website

## **Agenda**

	<b>Page nos</b>
<b>1 Apologies</b>	
To receive apologies for absence	
<b>2 Declarations of interest</b>	
(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)	
<b>3 Minutes</b>	<b>5 - 8</b>
To approve the accuracy of the minutes of the meeting held on 9 January 2020	
<b>4 Planning applications</b>	
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 10:00 on the day before the meeting.	
Further information on planning applications can be obtained from the council's website: <a href="http://planning.norwich.gov.uk/online-applications/">http://planning.norwich.gov.uk/online-applications/</a>	
Please note:	
<ul style="list-style-type: none"><li>• The formal business of the committee will commence at 9.45;</li><li>• The committee may have a comfort break after two hours of the meeting commencing.</li><li>• Please note that refreshments will not be provided. Water is available</li><li>• The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.</li></ul>	
<b>Summary of planning applications for consideration</b>	<b>9 - 10</b>
<b>Standing duties</b>	<b>11 - 12</b>

<b>4(a)</b>	<b>Application no 19/01389/F and 19/01390/L - 191 King Street, Norwich, NR1 2DF</b>	<b>13 - 66</b>
<b>4(b)</b>	<b>Application no 19/01581/F - Chiswick House, 3 Christchurch Road, Norwich, NR2 2AD</b>	<b>67 - 82</b>
<b>4(c)</b>	<b>Application no 19/01365/F - 66 Clabon Road, Norwich, NR3 4HG</b>	<b>83 - 94</b>
<b>4(d)</b>	<b>Application no 19/01597/F - 73 College Road, Norwich, NR2 3JP</b>	<b>95 - 102</b>
<b>4(e)</b>	<b>Application no 19/01702/F - 47 Connaught Road, Norwich, NR2 3BP</b>	<b>103 - 112</b>

Date of publication: **Wednesday, 05 February 2020**





**Planning applications committee**

**09:30 to 10:45**

**9 January 2020**

Present: Councillors Driver (chair), Maxwell (vice chair), Bogelein, Button, Lubbock, Neale, Oliver (substitute for Councillor Sarmezey), Peek, Ryan, Sands (M), Stutely and Utton

Apologies: Councillors Huntley and Sarmezey

**1. Declarations of Interest**

None

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meeting held on 19 December 2019, with reference to Item 5, Application no 19/01511/F - Garages adjacent to 83 Belvoir Street, Norwich, subject to noting that Councillor Neale's vote had been incorrectly recorded and that he had voted in favour on this item and therefore committee's resolution should read as follows:

**"RESOLVED**, with 11 members voting in favour (Councillors Driver, Button, Bogelein, Neale, Peek, Ryan, Sands, Sarmezey, Ryan, Oliver and Utton) and 1 member voting against (Councillors Lubbock) to approve application no. 19/01511/F - Garages Adjacent 83 Belvoir Street, Norwich and grant planning permission subject to the following conditions:"

**3. Application no 19/00875/F - 82 - 96 Prince of Wales Road, Norwich, NR1 1NJ**

The senior planner presented the report with the aid of plans and slides.

During discussion, the senior planner and the area development manager (inner), referred to the report and answered members' questions. Members were advised that the café would not be open overnight but that it had not been considered necessary to restrict the time of operation for the office use. A taxi company could not operate out of the offices without a change of use planning consent. Permitted development rights had been removed from the office element of the proposal to prevent the offices being changed to residential use and maintain the commercial use at street level. The committee also noted that the building had originally been an apartment building and there had been large apartments occupied by members of the previous owners. Apartments at the top of the building would be duplex comprising two floors. Members also sought reassurance about noise mitigation measures to protect the amenity of future occupants; the assessment of liability for

contributions for affordable housing and an explanation of the application of the vacant building credit; and the relationship of the proposed development and adjoining buildings. In reply to a member's questions, the senior planner explained that the location of the 10 per cent lifetime homes would be agreed with the applicant when discharging the conditions. A member of the committee also sought reassurance about the discharge of conditions relating to renewable energy, water efficiency measures and the use of heritage interpretation. The applicant was proposing solar roof panels to achieve the 10 per cent of low carbon energy.

The chair moved and the vice chair seconded the recommendations as set out in the report.

Councillor Utton, Thorpe Ward councillor, commented that he was impressed with the proposal for this high quality building which would enhance the area.

Discussion ensued in which members welcomed this application which would enhance the appearance of Prince of Wales Road. Members commented that there could be an opportunity to increase the percentage of low carbon energy to around 50 to 60 per cent; and stressed that the internal works should be of high quality.

**RESOLVED**, unanimously, to approve application reference 19/00875/F at 82-96 Prince of Wales Road and grant planning permission subject to the following conditions and completion of a Section 106 agreement to secure a contribution to affordable housing:

1. Standard time limit;
2. In accordance with plans;
3. External materials;
4. Details of external joinery;
5. Details of rear (north facing windows);
6. Lifetime homes/Accessible, adaptable dwellings;
7. Removal of permitted development rights for change of use of office and café;
8. Finished floor levels;
9. Heritage interpretation;
10. Renewable energy details;
11. Water efficiency commercial and residential;
12. Landscaping details;
13. Residents parking only;
14. Dropped kerb for bin store to be provided;
15. Details of noise mitigation measures in accordance with approved report;
16. Specification of extract system for car park;
17. Café premises not to open between 22.00 and 07.00;
18. Construction method statement;
19. Archaeological written scheme of investigation;
20. Stop work if unidentified features revealed;
21. Ecological mitigation/enhancement details;
22. Unknown contamination;
23. Details of external flues/extract equipment.

**4. Application no 19/01352/F - Site at rear of 67 - 69 Magdalen Street, Norwich, NR3 1AA**

The area development manager (inner) presented the report with the aid of plans and slides. He explained that there was outline planning permission on the site but that the only reserved matters related to landscaping. He also referred to the supplementary report of updates to reports which was circulated at the meeting and summarised a late representation from a third party about air quality and the officer response.

The member of the public, whose concerns about air quality were summarised in the supplementary report, addressed the committee. He said that he had submitted a document for inclusion in the body of evidence being collated for the Anglia Square public inquiry. He suggested that because of the poor air quality and Anglia Square's proximity to Magdalen Road, ground floor dwellings would not be suitable for human habitation. He also considered that a decision on this planning application would affect the planning inspector's decision on Anglia Square.

The area development manager (inner) referred to officer response in the supplementary report of updates to reports and explained that all of central Norwich was in the City Centre Air Quality Management Area (AQMA). This application was very different to the Anglia Square development and its determination would have no impact on the planning inspector's consideration at the public inquiry into Anglia Square.

During discussion, the area development manager (inner) referred to the reports and answered members' questions. The committee was advised that if this application were refused, the applicant could develop the site in accordance with the outline planning permission and subject to planning permission on the reserved matters of landscaping. A member commented that the balcony at the rear of an adjacent property on Magdalen Street had been approved without any concerns about air quality.

Discussion ensued on air quality in which the area development manager (inner) explained that whilst most of the city was within the AQMA it was not usual to request all developments to provide an air quality impact assessment. He pointed out that environmental health officers had commented that the location was within a management area but had not raised objections to this application. A member said that it should not be up to the applicant to satisfy themselves about the impact but that the council should be more objective and methodical, and request air quality impact assessments from applicants. Another member said that whilst it was no reason to refuse this application, he considered that it would be useful if information on pollution was included in reports.

Discussion also ensued on the impact of the development and amenity of the property at no 69c. Members were advised that the proposed condition 5, relating to the change of layout and external door of no 69c would need to be discharged before the development could commence. Members were concerned that the window of no 69c would look out on to a brick wall. The senior planner said that the applicant was proposing to insert roof lights into the roof to replace the loss of light from the kitchen window. The committee was also advised that the bike shed would be open and not block light to the bedroom windows of the adjacent apartment. The

area development manager (inner) also confirmed that there would be no loss of parking spaces for people with disabilities arising from this proposal.

**RESOLVED**, with 11 members voting in favour (Councillors Driver, Maxwell, Bogelein, Button, Neale, Oliver, Ryan, Peek, Sands (M), Stutely and Utton) and 1 member abstaining (Councillor Lubbock because of insufficient information relating to air quality), to approve application no. 19/01352/F - Site at rear of 67 - 69 Magdalen Street, Norwich, NR3 1AA and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Archaeology – standard condition;
4. SUDS to be agreed;
5. Works to 69c to be completed prior to commencement of works;
6. Landscaping to be agreed;
7. Refuse collection arrangements to be agreed;
8. In accordance with construction method statement;
9. Wall to be protected as per the submitted documents;
10. Works to stop if previously unidentified contamination found;
11. Water efficiency – standard condition;
12. All windows on the west elevation to be obscure glazed;
13. Refuse and recycling facilities to be provided and retained;
14. External lighting to be installed as per the submitted documents;
15. No microwave antenna to be installed without consent.

Informatives:

1. CIL liable
2. No parking permits
3. Archaeological brief available from HES



13 February 2020

Item no	Application no	Location	Case officer	Proposal	Reasons for consideration at committee	Recommendation
4(a)	19/01389/F & 19/01390/L	Ferry Boat Site, 191 King Street	Lara Emerson	Partial demolition of buildings, construction of 41 dwellings and associated works.	Objections	Approve subject to the satisfactory completion of a legal agreement
4(b)	19/01581/F	Chiswick House, Christchurch Road	Maria Hammond	Side extensions.	Objections	Approve
4(c)	19/01365/F	66 Clabon Road	Stephen Polley	Sub-division of rear garden and construction of two storey dwelling.	Objections	Approve
4(d)	19/01597/F	73 College Road	Stephen Polley	First floor rear extension.	Objections	Approve
4(e)	19/01702/F	47 Connaught Road	Stephen Little	Single storey rear extension.	Objections	Approve



## **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** Planning applications committee

**Item**

13 February 2020

**Report of** Area development manager

**Subject** Application no 19/01389/F & 19/01390/L - 191 King Street, Norwich, NR1 2DF

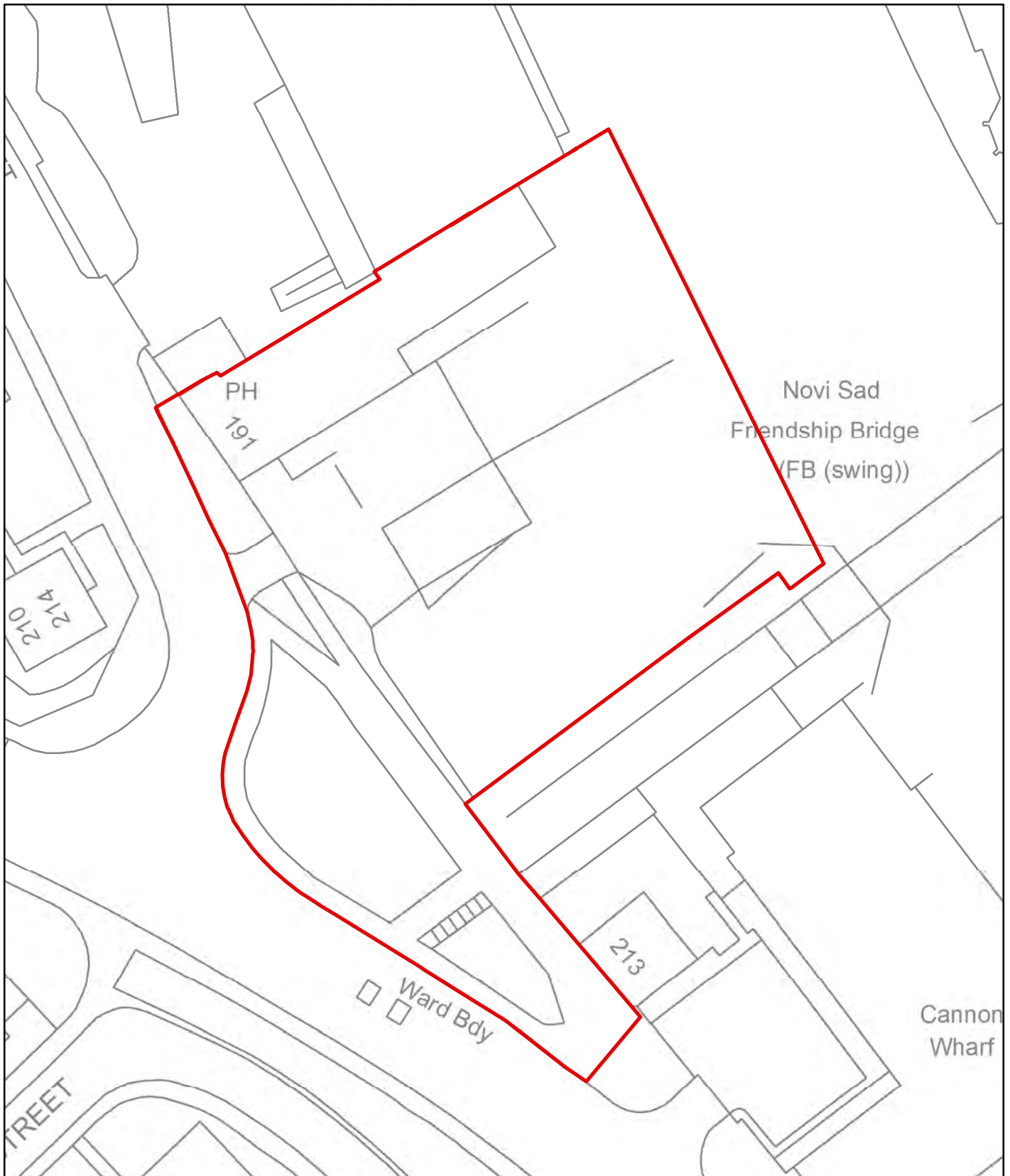
**Reason for referral** Objections

4(a)

<b>Ward</b>	Thorpe Hamlet
<b>Case officer</b>	Lara Emerson - <a href="mailto:laraemerson@norwich.gov.uk">laraemerson@norwich.gov.uk</a>

Development proposal		
Partial demolition of buildings, construction of 41 dwellings and associated works.		
Representations		
Object	Comment	Support
1	0	0

Main issues	Key considerations
1. Design & Heritage	Height, scale, massing and detailing of new buildings. Impact on listed building, impact on conservation area, protection of mediaeval arch.
2. Landscaping and open space	On-site and off-site landscaping, riverside walk and provision of moorings.
3. Transport	Access, car parking, cycle parking, refuse storage and collection.
4. Amenity	Impact on surrounding neighbours, amenity for future residents.
5. Flood risk	Flood risk of development, water management and disposal, evacuation plans.
6. Affordable housing	Outcome of viability assessment, s106 agreement.
<b>Expiry date</b>	21 <sup>st</sup> February 2020 (extended from 10 January 2020)
<b>Recommendation</b>	Approve subject to the satisfactory completion of a legal agreement



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Planning Application No 19/01389/F & 19/01390/L  
 Site Address Ferry Boat Site 191 King Street

Scale 1:500

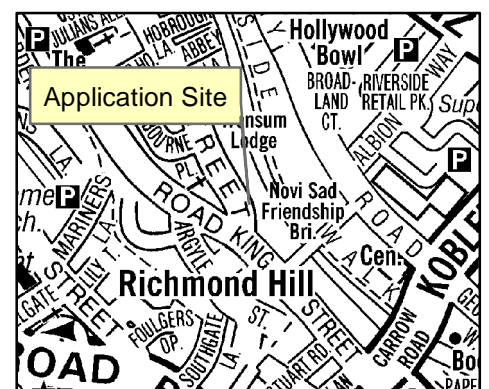


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 City Council

PLANNING SERVICES



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## **The site and surroundings**

1. The site is located to the east of King Street at its junction with Rouen Road and the Novi Sad footbridge. Currently the site is occupied by the Ferry Boat Inn which is a Grade II listed building of 2½ storeys in height, in three bays with three large gable dormers extending west over King Street. To the south of the main building is a long stretch of flint wall which forms the south boundary wall to a number of extensions to the rear of the main building. There are also a series of single storey extensions which project eastwards towards the main river including a boat house at the eastern end.
2. A detached outbuilding, dating from the 17<sup>th</sup> century is located to the south of the main building and contains evidence of an earlier medieval building with an arch thought to be from that date. The outbuilding is not historically connected to the Ferry Boat and is a survival of residential slum clearance and has later formed part of the curtilage along with the car park further to the south which dates from the 1980s.
3. The site is particularly prominent in views from the east side of the river and from the south on King Street and the site slopes from King Street down to the river. The River Wensum, which forms part of the Broads National Park, is located to the east of the site. On the other side of the river there are residential flats forming part of a wider mixed use riverside area. To the north is an allocated site on which there are brick former warehouse buildings hard up against the river. On the west of King Street there are flat roofed post-war residential properties originally constructed as council housing, and to the south of this is a small green space at the junction of Rouen Road and King Street. The Novi Sad footbridge is located to the south of the site, while further south is the residential Cannon Wharf scheme which forms part of the wider Read Mills development. To the northwest corner of the Cannon Wharf site is 213 King Street (Cannon House) a small two storey Grade II listed building which is in residential use.

## **Constraints**

4. The former Ferry Boat Inn pub on the site itself is Grade II listed and on the council's Buildings at Risk Register. Adjacent to the site is 213 King Street which is Grade II listed. The King Store warehouse is also adjacent to the site and is locally listed.
5. City Centre Conservation Area – King Street Character Area
6. The site is at risk of flooding.
7. King Street forms part of the South City Centre Regeneration Area.
8. The site sits within the Area of Main Archaeological Significance.
9. The site runs directly down to the River Wensum, which forms part of the Broads National Park.

## **Relevant planning history**

10. The Ferry Boat Inn has been vacant since 2006 and the site has been subject to an extensive planning history over the past decade, detailed below. Most recently,

permission was granted for 41 dwellings in 2016 (reference 15/01810/F), but this permission was not implemented within the required 3 years and lapsed in October 2019.

Ref	Proposal	Decision	Date
10/01471/F	Alterations and extensions to provide a 150 - 200 bed backpackers' hostel (amended proposals).	Withdrawn	09/11/2010
10/01472/L	Alterations and extensions to provide a 150 - 200 bed backpackers' hostel (amended proposals).	Withdrawn	09/11/2010
10/02177/F	Alterations and extensions to the Ferry Boat Inn and construction of new accommodation block to provide a 150 - 200 bed backpackers' hostel.	Approved	18/07/2011
10/02178/L	Alterations and extensions to the listed building and removal of curtilage buildings to provide a 150 - 200 bed backpackers' hostel.	Approved	18/07/2011
11/01970/D	Details of Condition 5: schedule of works for retention of flint wall and door arch, Condition 6 (a) window and door joinery; (b) colour finish of for new external windows and doors; (c) external timber cladding; (d) colour finish of lime render; (e) details of roof materials; (f) solar panels; (g) flues; (h) rainwater goods; (i) eaves details; (j) provision of living roof; (k) brick, chalk and flint walls; (l) car park entrance barrier; (m) grilles to car park openings; (n) bird and bat boxes; Condition 8: archaeological evaluation (parts a _ b), Condition 10: cycle stands, Condition 15: surface water runoff and Condition 19: flood proofing measures of previous planning permission 10/02177/F 'Alterations and extensions to the Ferry Boat Inn and construction of new accommodation block to provide a 150 - 200 bed backpackers' hostel.'	Approved	26/03/2012
11/01978/D	Details of Condition 3: schedule of works for retention of flint wall and door arch and Condition 4: schedule of works detailing all internal and external alterations of previous planning permission 10/02178/L 'Alterations and extensions to the listed building and removal of curtilage buildings to provide a 150 - 200 bed backpackers' hostel.'	Approved	26/03/2012



Ref	Proposal	Decision	Date
15/00273/F	Redevelopment of site to provide 43 dwellings including partial demolition of buildings on site and erection of a riverside walkway/staithe.	Refused	09/09/2015
15/00274/L	Redevelopment of site to provide 43 dwellings including partial demolition of buildings on site.	Refused	09/09/2015
15/00329/DCON	Erection of a riverside walkway/staithe on the river Wensum associated with proposed residential development at the former Ferry Boat Inn.	Withdrawn	21/10/2015
15/01810/F	Redevelopment of site to provide 41 dwellings including partial demolition of buildings with associated works.	Approved	12/10/2016
15/01811/L	Redevelopment of site to provide 41 dwellings including partial demolition of buildings with associated works.	Approved	12/10/2016
17/00549/D	Details of Condition 6: Archaeological written scheme of investigation; Condition 7: Site investigation report; Condition 19: Written statement confirming 10% of dwellings will be designed to and meet M4(2) of 2015 Building Regulations; Condition 27: Written statement confirming 10% of dwellings will be designed to and meet M4(2) of 2015 Building Regulations of previous permission 15/01810/F	Approved	12/05/2017
17/01121/NMA	Non-material amendment of previous permission 17/01121/NMA to regularise differences of window and door openings.	Cancelled	17/10/2017
17/01957/D	Details of Condition 3: Construction Method Statement of planning permission 15/01810/F.	Approved	06/02/2018
17/01960/D	Details of Condition 6: Archaeology of planning permission 15/01810/F.	Withdrawn	29/08/2019
17/01963/D	Details of part condition 17: (a) details of works to river wall; (b) details of glazed structure in King Street block; (c) internal elevations facing private courtyards (Burgage plot and Ferry Boat Inn); (d) details of balconies; and (e) details of gates of previous planning permission 15/01810/F.	Withdrawn	29/08/2019
17/01964/D	Details of Condition 10: compensatory flood storage; Condition 11: basement flood proofing and Condition 13: surface water drainage of previous planning permission 15/01810/F.	Approved	16/03/2018
17/01970/D	Details of Condition 5(a): photographic record of the buildings to be demolished;	Part-approved,	30/08/2019

Ref	Proposal	Decision	Date
	5(b): reclamation and re-use of materials assessment and 5(c): a program of conservation measures to protect the feature during the construction phase of previous permission 15/01810/F.	part-refused	
17/02000/D	Details of Condition 16c: Windows of previous permission 15/01810/F.	Withdrawn	29/08/2019
17/02001/D	Details of Condition 7b: Contamination remediation strategy of previous planning permission 15/01810/F.	Approved	16/02/2018
17/02002/D	Details of Condition 14: landscaping of previous planning permission 15/01810/F.	Withdrawn	29/08/2019
18/00011/NMA	Non-material amendment of previous permission 15/01810/F to allow alterations to balcony design, window positioning and addition of gutters and downpipes.	Refused	01/02/2018
18/01433/D	Details of condition 15: Demasting moorings of previous permission 15/01810/F.	Approved	30/08/2019
19/00984/VC	Variation of Condition 2: record of buildings; Condition 3: schedule of repairs; Condition 4: fire and soundproofing insulation and Condition 5: joinery and materials of previous listed building consent 15/01811/L to allow for demolition of the buildings located to the rear of the site as a first phase of development.	Withdrawn	30/08/2019

### The proposal

11. The proposed development includes provision of 41 dwellings, ranging in size from studio flats to 4 bedroom houses. A full breakdown of the types of units to be provided can be found within the 'Summary information' section, below.
12. The proposals are almost identical to those which were approved in 2016 (reference 15/01810/F & 15/01811/L – full committee report attached at Appendix A). The development includes the following elements:
  - a) Demolition of outbuildings and modern single storey element at rear of Ferry Boat Inn.
  - b) Refurbishment & conversion of the Ferry Boat Inn to residential apartments.
  - c) A group of 2 storey townhouses running from the rear of the Ferry Boat Inn down to the river (known as the burgage plot).
  - d) A 2-3 storey townhouse block on King Street adjacent to the Ferry Boat Inn.
  - e) A 5 storey residential block on the corner of King Street and the Novi Sad footbridge.

- f) A 4-5 storey wharf-style block fronting the river adjacent to the bridge.
  - g) Basement providing car parking and cycle parking.
  - h) Courtyard, riverside walk and landscaping to highway verge.
13. Due to the sloping nature of the site, an additional storey of development is viewable from the river than from King Street, so a block which reads as 4 storeys from King Street (plus basement) would read as 5 storeys from the river.
  14. There are two small differences between the previously approved scheme and the current application. These differences are summarised below.
  15. A historic arch and section of wall was discovered within one of the outbuildings on the site a number of years ago. It is considered likely that the arch dates from the medieval period and it is agreed amongst heritage professionals that the arch is of relatively high historic significance. The previously approved scheme (15/01810/F & 15/01811/L) showed the arch being retained, but surrounded by a stairwell providing access from ground level to the basement car park. The approval included a condition which required the applicant to provide a method statement for protection of the arch during construction. The developer attempted to discharge this condition but after extensive negotiation with the council, no solution could be found and it became clear that the form of development on this part of the site would likely cause damage to the arch. As such, during the course of this application, the applicant has been required to redesign this area of the site. The resultant design removes the stairwell. A method statement has been provided which shows how the arch would be protected during construction.
  16. As per the request of the council's transport officer, some minor changes have also been made to cycle storage, car parking and refuse storage arrangements during the course of the application.

### Summary information

Proposal	Key facts	
<b>Scale</b>		
Total no. of dwellings	Studios	7
	1 bed flats	7
	2 bed flats	21
	3 bed flats	2
	3 bed houses	1
	4 bed houses	3
	Total	41
No. of affordable dwellings	0	
No. of storeys & heights	Riverside 'Wharf' building	4 stepping up to 5 storey (plus basement car park) Height: 15–20.7m (above bank level)

Proposal	Key facts	
	Corner Tower	5 storey (plus basement car park below street level) Height: 16.4m above street level
	Bridge link block	3 storey (plus basement car park below street level). Height: 10.8–11.6m above bridge ramp
	King Street block (adjacent to Ferry Boat Inn)	2–3 storey Height: 6.2–9.5m
	Burgage plots (extending to the rear of the Ferry Boat Inn to the river frontage)	2–3 storey Height: 11.4m above bank level
Details		
Materials	Brick including textured brick bond, render, zinc cladding, fibre cement roof tiles, profiled metal cladding	
On-site energy generation	Air source heat pumps (providing 23% of the site’s predicted energy consumption)	
Transport matters		
Vehicular access	Via King Street	
No of car parking spaces	20 car parking spaces (incl 3 disabled spaces) 1 electric charging point to be provided	
No of cycle parking spaces	80 secure spaces for residents, 6 spaces for visitors	
Servicing arrangements	Communal bin store, collections via King Street	

## Representations

17. The application has been advertised on site and in the press, and adjacent and neighbouring properties have been notified in writing. 1 letter of representation has been received citing the issues as summarised in the table below.

Issues raised	Officer Response
The corner tower element is out of keeping with the scale of the listed Ferry Boat Inn and the listed cottage (213 King Street) opposite. Whilst there are larger buildings to the south of the Novi Sad Friendship Bridge that reflect the warehouses of the old industrial area, the scale of buildings north of the bridge along King Street is much smaller. The gap between the Ferry Boat Inn and 213 King Street should not be infilled with such a large building as it will negatively impact on the setting of both listed buildings and adversely affect this part of the Norwich City Centre Conservation Area.	See Main Issue 1: Design & Heritage.

## Consultation responses

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

## Design and conservation

19. The design & conservation team have had extensive involvement in the evolution of this scheme, including requesting design changes to better accommodate the medieval arch. Verbal comments suggest that they are content with the overall design of the scheme (which is as previously approved) and, following the submission of revised plans and method statements, that it should be possible to protect and retain the medieval arch within this development. Additional method statements should be required via condition prior to the commencement of works. Further advice will be sought prior to the committee meeting and reported to members through the updates report.

## Historic England

### *Original comments – November 2019*

20. The current application is essentially the same scheme and we therefore support it in principle. During development of the original scheme the remains of a possibly 14th century undercroft were discovered on the site. This masonry arch is an exposed structure on the surface, but is probably associated with archaeological deposits as well. Retaining the arch in situ was an important part of the scheme as this heritage asset - designated as part of the conservation area – is of particular historic interest given its context on King Street. Pre-application discussion for an alternative scheme earlier this year raised the possibility of dismantling and relocating the structure, but we raised serious concerns about this in our advice to the applicants.
21. We understand that in discussion of the current, resubmitted proposals the Council officers have sought information on precisely how the arch would be retained in place during construction works, details which are the subject of a condition placed on the previous consent. This has raised concerns that the building design of the approved scheme might not be capable of being built without damage to the arch. If that is the case the plans now submitted could in fact entail harm to a designated heritage asset. Further information to establish this and possible amendments to the scheme to avoid the harm are needed.
22. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of listed buildings and conservation areas irrespective of the level of harm caused (paragraphs 193 and 194).
23. Paragraph 189 requires applicants to submit sufficient information to allow the local authority to establish the impact of proposed development on the heritage assets affected. While we would not oppose this application in principle we consider it necessary for further information to be submitted concerning the impact of the development on the surviving medieval undercroft arch and, if appropriate, amendments to the design to ensure its conservation in situ.

### *Updated comments – January 2020*

24. Thank you very much for consulting Historic England on the additional details submitted which relate to the proposed retention of the surviving medieval arch as part of this development. Since receiving the details we have taken the opportunity to visit the site and discuss the matter with the applicant and are broadly content with the proposals.
25. In the previously consented version of the scheme the arch was also to be retained but concerns have been raised about the practicality of the retention given the amount and proximity of new development around it. The new proposals would place the historic wall in an open area between the ranges of new building. Levels will require to be changed across the site and in the Wickham Yard area. This could result in the loss of archaeological material and potentially evidence associated with the arch. Providing a construction process is established that would protect the wall during building and a suitable archaeological program is agreed we would not object to the new design.
26. This is perhaps a better location for the wall than previously approved but would make it more exposed to the weather. The proposed soft capping to the top of the wall is acceptable in principle, but needs to be carefully installed following the best current practice and suitably maintained. It would also be advantageous to explore removal of the masonry paint on the wall so any moisture in the core of the wall is not trapped.

### **Environmental protection**

27. The information provide with this application included a Desk Study by AF Howland Associates Limited, a Site Investigation produced by Harrison Group Environmental Limited and a Remediation Methodology produced by Anglia Demolition Limited. The Desk Study identified potential sources of contamination and the Site Investigation identified some sources of contamination on site. The remediation methodology is considered to be generally acceptable at a basic level and is suitable for use by a remediation contractor. But the Remediation Methodology report is not considered to have sufficient detail to represent a Remediation Method Statement. The reports also indicate that there may be unexpected contamination present on site, and that soils will be imported for placement within the garden areas. Therefore I recommend the following conditions:
  1. Remediation strategy; verification plan; and monitoring, maintenance and contingency plan.
  2. Works to stop if unknown contamination is found.
  3. Topsoil certification to be submitted.

### **Environment Agency**

#### *Original comments – November 2019*

28. We have reviewed the submitted flood risk assessment (FRA), by Clancy Consulting referenced 8/0968/FRA and dated 1st October 2019, and consider it does not comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change, Reference ID: 7-030-20140306. It does not,

therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to

1. Use the correct flood levels.
2. Correctly demonstrate the location of the development in comparison to Flood Zones 2 and 3.
3. Ensure no building works or land raising is to take place within Flood Zone 3b (functional floodplain).
4. Correctly calculate the expected flood depths on site and within the buildings.
5. Provide Finished Floor Levels above the design flood level with climate change and freeboard.
6. Provide safe refuge above the extreme flood level including climate change and freeboard.
7. Demonstrate adequate flood storage compensation for the proposed development.

*Updated comments – December 2019*

29. Following our response referenced AE/2019/124576/01-L01 and dated 4 November 2019, a revised flood risk assessment (FRA) has been submitted in support of this application.
30. The site lies within the 1% (1 in 100) annual probability with climate change flood extent and the submitted flood risk assessment (FRA) prepared by Clancy Consulting, referenced 8/0968/FRA and dated 1 October 2019 (with revisions) fails to show that the proposed development will not result in a net loss in floodplain storage. As a result, the proposed development could impede flood flow and reduce flood storage capacity, thereby increasing the risk of flooding elsewhere.
31. The applicant can overcome our objection by revising their development proposals or flood storage compensation arrangements to a level for level scheme to ensure that there will be no loss of flood storage capacity on site, and the scheme will work adequately. The FRA should cover the deficiencies highlighted above and demonstrate that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application.

*Final comments – January 2020*

32. Thank you for your reconsultation dated 9 January 2020. We are able to remove our previous objection, and instead condition that the required information on the design on the compensatory flood storage scheme is provided prior to the commencement of the development, and therefore we have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility. We recommend the following conditions:

## Condition 1

33. Prior to the commencement of development, full details of how compensatory flood storage shall be provided on site, including (but not limited to) hydrographs, calculations, design drawings, cross-sections, details of flow pathways, and maintenance details, for a range of flood events shall be submitted in writing to demonstrate that lost storage will always be replaced at the same level and rate at which it is lost and that flood water will return to the river as water levels fall.

## Reason for condition 1

34. To ensure no net loss of flood storage for all events up to and including the 1% annual exceedance probability event (1 in 100 year event), inclusive of climate change, so that flood risks on and off site are not increased as a result of building within the floodplain.

## Condition 2

35. Any excavated material arising from the provision of the compensatory flood storage scheme shall be removed from the flood plain.

## Reason for condition 2

36. To ensure flood storage is not lost as result of the development.

## Highways (local)

37. Generally positive about the scheme and the transport arrangements. Specific comments regarding the layout of facilities.

## *Final comments following amendments – January 2020*

38. The cycle and car parking layout appears to be much improved, happy to agree to this revision. It would be wise for all the parking spaces to have an EV chargepoint
39. Will access to the riverside walk be gated, otherwise it will get targeted with crime and ASB as occurs under the bridge adjacent?
40. Will we receive a financial contribution towards the landscaping scheme for the King Street verge to be done with TCF?

## Landscape

## *Original comments – October 2019*

41. The submitted documents appear to be broadly in line with what was previously submitted under the original application. The landscape strategy however is unclear with conflicting plans across the submission. It is therefore difficult to assess the acceptability of the external landscape elements of the proposal and subsequently appearance of the development.
42. It is recommended that as a minimum the case officer secures a coherent landscape strategy prior to approval. A detailed landscape scheme can then be conditioned as required.



43. Heritage and Highway colleagues have also brought to my attention parts of the application which may require further consideration and could have effect on landscape. It would therefore be beneficial for officers to collaborate prior to responding to the applicant to ensure clarity of what is expected.
44. Given the uncertainty as to what is currently proposed with regard to landscape, a holding objection is raised.

*Final comments – January 2020*

45. The submitted documents appear to be broadly in line with what was previously submitted under the original application. Additional and amended documentation has been submitted since meeting with the applicant in December 2019. These comments are made only in respect of the additional and revised information received.
46. Uncertainties remain with regard to landscape however, sufficient principles have been established for on-site landscape to enable a detailed scheme to be conditioned. Off-site public realm improvements remain to be clarified and should be conditioned as notwithstanding the layout plans submitted as part of this application. Subject to the above, and the below conditions, the holding landscape objection is overcome.
47. The following conditions are recommended:
  - Given the proposed materials and furniture outlined in the Design and Access Statement Addendum to be used near the retained arch, the case officer, in consultation with the conservation officer, may wish to condition DE14 Heritage Interpretation.
  - Condition requiring public realm improvements. Exact wording to be discussed with the case officer. For the avoidance of doubt, a plan outlining the area would be beneficial with condition wording adapted from the previous permission.
  - Full landscaping details condition

### **Strategic Housing**

48. As discussed, we have looked at the viability assessment prepared by the DV and agree that it is not viable for the scheme to provide any affordable housing. However, we would suggest the s.106 contains a review clause if development does not commence within 12 months and then built out within two years.

### **Norfolk County Planning Obligations**

49. There is spare capacity at Early Education, Primary and High school levels, therefore Norfolk County Council does not require contributions on this occasion. No fire hydrants are required due to sufficient infrastructure already being in place. New development will have an impact on the library service and mitigation will be required to develop the service, so it can accommodate the residents from new development and adapt to user's needs. Mitigation for new and existing GI features identified as strategic shall be funded by the Community Infrastructure Levy (CIL) through the Greater Norwich Investment Programme.

## **Norfolk County Council Historic Environment Service**

50. I can confirm that we have received and reviewed an updated method statement for archaeological mitigation from the applicant's archaeological contractor and we have identified a number of issues with the method statement which mean it cannot be approved in its present form.
51. Our recommendations remain unchanged from that given in our meeting on 07/11/2019, additional archaeological evaluation by ground penetrating radar survey is required in accordance with National Planning Policy Framework 2019 paragraph 189. The ground penetrating radar survey is required to provide more information on the archaeology of the site in general and specifically address the issue of the arch.
52. At present we don't know if the arch is attached to any below-ground structural remains. A worse-case scenario is that the arch is attached to the remains of a medieval undercroft with side chambers extending beyond the existing boundaries of the site. Further information is required in order to assess the impact of piling around the margins of the underground carpark.

## **Norfolk Police Architectural Liaison**

53. Various detailed recommendations regarding controlling public access to vulnerable private spaces.

## **Citywide Services**

54. I have now looked at the design and access statement and confirm the number of bins and location is sufficient for capacity and collection. The D & A statement mentions an email from 2014 with my colleague Siobhan O'Neill. I have read this email and can confirm the agreement was as long as the surface is even between the bin store and the collection point then the distance to the bin store is not an issue (if you wish to view this email please take a look at process EH19/16711).

## **Anglian Water**

55. There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that an informative be included within your Notice should permission be granted.
56. The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows.
57. We note that the site falls within a Source Protection Zone, we have assessed the potential impact of the site and have concluded that there is no risk to our potable water source.
58. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

59. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

### **Lead Local Flood Authority**

60. I can confirm that the County Council as Lead Local Flood Authority has no comments to make.

### **Council for British Archaeology**

61. Detailed comments concluding as follows.
62. The CBA is strongly opposed to this application because it will result in substantial harm to the Listed Grade II Ferry Boat Inn and substantial harm to non-designated heritage assets which have the potential to be nationally important. We therefore find the application to be contrary to paragraphs 195, 196 and 197. We strongly recommend that this application is withdrawn or refused, and a revised application submitted that is properly informed by an assessment of heritage significance and impact as required by paragraph 189 and 190 of the NPPF.

*Further comments were sought following the submission of revised proposals, but no response has been received.*

### **Society for the Protection of Ancient Buildings**

63. Detailed comments concluding as follows.
64. Section 189 of the NPPF states that in determining applications 'local authorities should require an applicant to describe the significance of any heritage assets affected'. The applicant should therefore be asked to carry out a more detailed heritage assessment of the flint wall and outbuildings.
65. Section 190 of the NPPF states that 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal' and clearly you will not be able to meet this requirement until the applicant has produced this information.
66. Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. We consider that, in the absence of all the information outlined above, the application in its current form fails to meet this requirement.
67. Once the outstanding information is available The SPAB would be very happy to review it and make further comments on the application at that stage.

*Further comments were sought following the submission of revised proposals, but no response has been received.*

### **Broads Authority**

68. I can confirm that the Broads Authority does not wish to raise an objection. However, I would like to make the following comments:
69. The site is within a prominent position on the edge of the Broads Executive Area, the river delineating the boundary here. There is no objection to the level of development proposed and the overall design. The inclusion of a path down to and along the edge of the river is welcomed, as well as the river access which existed historically.
70. The Ferry Boat Inn is an attractive Listed property. The buildings stepped down in scale along the thin burgage plot down the river here. This has meant that historically there has been views to the Ferry Inn from the river, these views help the historic relationship with the river to be read. The relationship the building had with the river peaked, as the heritage statement highlights, when it became the Ferry Boat Inn during WW1 (when Boulton and Paul opened their works on the other side of the river) and a ferry operated to take the workers across. The inclusion of a three storey building behind will block important views to the Ferry Inn. There are therefore concerns that the historic relationship that the Ferry Inn had with the river will be lost. It is therefore considered that through should be given to reducing the height of the proposed development, to replicate the previous form of the burgage plot, and allow views from the river to the Ferry Inn to be retained.

## **Assessment of planning considerations**

### **Relevant development plan policies**

71. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
  - JCS6 Access and transportation
  - JCS7 Supporting communities
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS11 Norwich city centre
  - JCS20 Implementation
72. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM4 Providing for renewable and low carbon energy
  - DM5 Planning effectively for flood resilience
  - DM6 Protecting and enhancing the natural environment
  - DM8 Planning effectively for open space and recreation
  - DM9 Safeguarding Norwich's heritage
  - DM11 Protecting against environmental hazards
  - DM12 Ensuring well-planned housing development
  - DM22 Planning for and safeguarding community facilities
  - 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

### **Other material considerations**

#### **73. Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**

- Section 2 Achieving sustainable development
- Section 5 Delivering a sufficient supply of homes
- Section 8 Promoting healthy and safe communities
- Section 9 Promoting sustainable transport
- Section 12 Achieving well-designed places
- Section 14 Meeting the challenge of climate change, flooding & coastal change
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment

#### **74. Supplementary Planning Documents (SPD)**

- Affordable Housing Supplementary Planning Document adopted July 2019
- Open Space & Play Supplementary Planning Document adopted October 2015
- Landscape & Trees Supplementary Planning Document adopted June 2016
- Heritage Interpretation Supplementary Planning Document adopted Dec 2015

### **Case Assessment**

75. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the council's standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.
76. Given the site's planning history the principle of this form of development has been established. Although the recent planning permission (15/01810/F) has now lapsed, there have been no material changes to planning policy or to the site itself which warrant re-assessment of the principle of development.

### **Main issue 1: Design & Heritage**

77. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF sections 12 and 16.
78. The development includes the following elements:
- a) Demolition of outbuildings and modern single storey element at rear of Ferry Boat Inn.
  - b) Refurbishment & conversion of the Ferry Boat Inn to residential apartments.
  - c) A group of 2 storey townhouses running from the rear of the Ferry Boat Inn down to the river (known as the burgrave plot).

- d) A 2-3 storey townhouse block on King Street adjacent to the Ferry Boat Inn.
  - e) A 5 storey residential block on the corner of King Street and the Novi Sad footbridge.
  - f) A 4-5 storey wharf-style block fronting the river adjacent to the bridge.
79. The scheme is almost identical to that approved in 2016 (refs 15/01810/F & 15/01811/L) and there have been no significant changes to the site's surroundings or planning policy in the intervening years. The committee report for that application (attached at Appendix A) thoroughly assessed heritage and design, and concluded as follows.
- The Ferry Boat Inn conversion works facilitate the use of the former pub for residential purposes. It should be noted that the public house use is only evident at ground and basement level as the upper floors are laid out as residential accommodation. Two flats are proposed, one at ground floor level and the second split across the upper floors. The proposals seek to retain the historic room layout and where modifications are proposed this involves the removal of modern partition walling. In particular the open layout of the former public bar area is retained as well as the broad pattern of circulation between ground floor rooms. Historic internal features including significant staircases/steps and fire places are retained as integral parts of the scheme. It is considered that the scheme responds well to the significant elements of the listed building and as such the re-use for residential purposes is acceptable. The works include the repair and refurbishment of the external and internal fabric which will secure the long term future of this historic building, which is currently on the council's Buildings at Risk Register.*
80. A historic arch and section of wall was discovered within one of the outbuildings on the site a number of years ago. It is considered likely that the arch dates from the medieval period and it is agreed amongst heritage professionals that the arch is of relatively high historic significance, although it should be noted that the structure is not listed in its own right. The previously approved scheme (15/01810/F & 15/01811/L) showed the arch being retained, but surrounded by a stairwell providing access from ground level to the basement car park. The approval included a condition which required the applicant to provide a method statement for protection of the arch during construction. The developer attempted to discharge this condition but after extensive negotiation with the council, no solution could be found and it became clear that the form of development on this part of the site would likely cause damage to the arch. As such, the applicant has now redesigned this area of the site to remove the stairwell and provided a method statement showing how the arch would be protected during construction and safeguarded in the long term. This approach also allows the heritage asset to be better appreciated by the public by incorporating it into a publicly accessible landscaped area. Historic England have issued their final comments which offer support for this proposal. While the method statement provides adequate information regarding the protection of the arch during construction, it is considered necessary to request additional information regarding the long-term proposals for the arch and surrounding area.
81. Historic Environment Services, have stated that a ground penetrating radar survey is required to provide more information on the archaeology of the site since the arch may be connected to below-ground structural remains. They highlight that the arch could be attached to the remains of a medieval undercroft with side chambers

extending beyond the existing boundaries of the site. However, this information was not requested (by Historic Environment Services, or the council as decision makers) during the previously approved application, and there have since been no material changes to the site or planning policy. As such, it is not considered reasonable to request additional information at this stage. Although a written scheme of investigation (WSI) has been submitted with this application, a condition is recommended which requires revised WSI to be provided by the applicant, since the current one is not acceptable to Historic Environment Services.

82. The buildings collectively form a coherent group which modulate in scale and character creating a distinctive development with a strong sense of place. The scheme responds positively to the historic context by incorporating many of the design features highlighted as objectives for new development within the King Street character area. The development has a strong and distinct appearance which reflects the predominant historic building form, layout, scale and materials of the area and also creates a place that has its own locally - inspired character. The scheme's distinctiveness in part is attributable to the quality of materials and architectural detailing and it is also this design quality that justifies a high density contemporary design approach in this part of the conservation area. The National Planning Policy Framework confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and any harm to a designated heritage asset requires clear and convincing justification. The design qualities of the proposal, along with the benefits associated with securing the long term future of the listed building and the delivery of housing, are considered to outweigh the less than substantial harm identified in this case.

### **Main issue 2: Landscaping and open space**

83. Key policies and NPPF paragraphs – DM3, DM8, NPPF sections 8, 12 & 15.
84. The proposed landscape strategy includes a number of elements focused on the river frontage, the residential courtyard and King Street.
85. Given the proposed development requires modification of the highway fronting the site to allow for servicing, there is both the justification and opportunity to secure an appropriate level of enhancement on the area of highway verge on King Street. This area of land provides an important pedestrian junction between King Street, Rouen Road and the Novi Sad footbridge. The application provides a broad vision for this area and suggests that there would be an enhanced cycle way, pedestrian walkways, a servicing bay for the development itself, some seating and some soft landscaping within a sustainable drainage scheme (rain gardens/swales). Full details are to be agreed via condition.
86. Across the river frontage a partially enclosed river walkway is proposed. This would be assessed via the existing Novi Sad bridge ramp and via Wickhams Yard. The route would provide access to the river frontage to a small 'staithe area' which would function as a small amenity area. The Broads Authority have indicated support for a demasting facility in this location and are supportive of the details submitted with this application.
87. A landscaped courtyard is proposed in the internal space created by the perimeter buildings. This area will function as space from which residents would access

parking and refuse facilities but also as an area of communal amenity space. Although the space is constrained in size and will be overshadowed by the development, provided the space is landscaped to a high standard the space will function well as a private courtyard. Given the changes which have been made to the area around the medieval arch, this courtyard space will also incorporate the arch at a lower level, along with some visitor cycle stands. Full landscaping details are to be agreed by condition.

### **Main issue 3: Transport**

88. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9.
89. It is proposed that the site is accessed from King Street. A basement car park, accessed via a ramp, provides 20 car parking spaces. Within the basement and ground floors, there are three secure cycle stores which provide space for a total of 80 cycles. The site also includes 6 Sheffield cycle stands which provide further space for the storage of 12 visitors' cycles. These provisions accord with local plan policies and are considered acceptable.
90. A communal bin store is proposed on the ground floor fronting King Street. The store provides a sufficient number of bins and would be accessible for collection from King Street.

### **Main issue 4: Amenity**

91. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
92. DM2 seeks to ensure satisfactory living conditions for existing occupiers living close to the development and future occupiers of the scheme. The amenity impacts of the development have not changed since the previous consent was granted (15/01810/F). The assessment which was contained within the previous committee report is repeated below for completeness (full report attached at Appendix A).
93. There are no residential properties immediately adjoining the site but within the vicinity there are a large numbers of residential properties, particularly Cannon House, apartments that form part of the Cannon Wharf and Sidestrand developments and to the west properties on King Street. A number of objections have been received from these residents on the basis that given the height and proximity of the development there will be an unacceptable impact on their amenities as a result of loss of light, overshadowing, overlooking and loss of privacy.
94. The Sidestrand development is situated on the opposite side of the River Wensum approximately 35m from the site boundary. The separation afforded by the river and the riverside walk will minimise direct impacts of the development on these dwellings, although given the orientation there will be some degree of overshadowing of the river. To the south, Cannon House (213 King Street) and apartments forming part of the Cannon Wharf development are closer to the site boundary – 11.6m to the garden boundary of Cannon House, 13.4m to north facing fenestrated elevation of Cannon Wharf. This façade of Cannon Wharf includes a large number of windows and balconies which face the site with views towards the city, including of the cathedral.



95. The scheme includes a continuous development frontage abutting the Novi Sad bridge access ramp. The elevation visible from Cannon wharf includes the side elevations of the 'bridge tower' and the 'wharf' block and the three storey link building. This south facing elevation has a large number of windows, balconies and the link building has a top floor private roof terrace. This frontage has been designed as an outward facing principal elevation of the development and includes windows to bathrooms, bedrooms and open plan living space. The residential use of rooms and balconies will therefore be apparent from the Novi Sad bridge and to residents living in Cannon Wharf and Cannon House.
96. In terms of impact, given the development is to the north, the extent of overshadowing of buildings to the south will be limited although daylight levels are likely to be affected to some extent given the massing and height of the development. However, the variation in height of the development and in particular the three storey link block will reduce this impact and assist in reducing the possible overbearing appearance of the development. For residents living to the south, the change in outlook will be substantial, views across a largely vacant site replaced with a high density urban form of development. Existing privacy levels will be negatively affected since overlooking will be possible between existing and proposed windows and balconies. However, these impacts need to be assessed in the context of the location – a location close to the city centre where the prevailing character of development is high density. In addition the development has been designed to provide a varied and active frontage to the Novi Sad bridge - an important public route for pedestrians and cyclists and which separates the site from established development to the south. A less outward looking design would not be as successful in responding to this 'street' frontage. In these circumstances it is not considered necessary or desirable to prevent overlooking/loss of outlook but to avoid levels that are considered unacceptable in this location. On this basis the amenity levels for both existing and future occupiers of the development are considered acceptable.
97. In terms of general amenity levels for residents of the new development, the dwellings have been designed to meet nationally described space and to have access to outdoor amenity space. Most of the dwellings are dual aspect with principal windows outward facing with good outlook and light levels. Given the density and mix of development, balconies function as outdoor space for the flats, whereas houses and duplex apartments have small courtyards. In addition the layout provides for an area of communal private courtyard and for a public open space adjacent to the River Wensum. On this basis the development meets the requirements of DM2.

### **Main issue 5: Flood risk**

98. Key policies and NPPF paragraphs – JCS1, DM5, NPPF section 14.
99. The site lies within fluvial Flood Zone 3a which is defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for a residential development of 41 flats, which is classified as a 'more vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific Flood Risk Assessment (FRA).

100. The site lies partly within the flood extent for a 1% (1 in 100) annual probability event, including an allowance for climate change. The site does not benefit from the presence of defences.
101. Finished ground floor levels for Burgage Plot have been proposed at 2.65m AOD. This is 0.3m above the 1% (1 in 100) annual probability flood level including 35% climate change of 2.35m AOD and therefore dry in this event. Flood resilience/resistance measures have not been proposed to be included Burgage Plot building, even though it is at risk of flooding by 0.45m in the extreme 0.1% (1 in 1000) annual probability flood with a flood level of 3.10m AOD. The houses in Burgage Plot are proposed to be three-storey houses so they will have a first floor to provide refuge above the extreme 0.1% (1 in 1000) annual probability flood level of 3.10m AOD.
102. Finished ground floor levels for Wharf Building have been proposed at 4.65m AOD. This is 2.3m above the 1% (1 in 100) annual probability flood level including 35% climate change of 2.35m AOD and therefore dry in this event and 1.55m above the 0.1% (1 in 1000) annual probability flood level of 3.10m AOD, so also dry in this extreme event. The site level outside the apartments is around 2.53m AOD and therefore not at risk of flooding in the 1% (1 in 100) annual probability flood event including climate change. Therefore this proposal does have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain up to a 1% (1 in 100) / 0.5% (1 in 200) annual probability including climate change flood event.
103. The lowest site level is around 1.29m AOD along the riverside walkway and therefore at risk of flooding by 1.06m depth in the 1% (1 in 100) annual probability flood event including climate change. Therefore assuming a velocity of 0.5m/s the flood hazard on the riverside walkway is danger for most including the general public in the 1% (1 in 100) annual probability flood event including climate change. As such, an Emergency Flood Plan has been proposed by the applicant but you should determine its adequacy to ensure the safety of the occupants.
104. Compensatory storage has been provided using voids beneath Burgage Plot and the basement car park, with water entering through grills or permeable sections of wall. The Flood Risk Assessment has stated that the scheme will provide sufficient compensatory volume and that the floodwater is designed to enter the storage areas at the correct levels, to try to mimic a level for level compensatory storage scheme. The design is acceptable in principle, but further information will be required at the discharge of conditions stage to ensure that the scheme performs adequately in any future flood events. This will include plans and drawings of the proposed openings, details of their future maintenance, and the rate of flow through the openings based on the flood hydrographs.

## **Main issue 6: Affordable housing**

105. Key policies and NPPF paragraphs – JCS4, DM33, NPPF section 5.
106. JCS4 requires developments of this scale to allow for 33% of the new dwellings to be affordable. On the basis of 41 dwellings this equates to 14 units. The policy indicates that this requirement may be reduced and the balance of expected tenures amended where it can be demonstrated that site characteristics, including infrastructure provision together with the requirement for affordable housing would

render the site unviable in prevailing market conditions. Policy DM33 goes on to state the council's approach to securing planning obligations and development viability. It sets out a general principle that planning obligations will be used to secure, amongst other things, the delivery of affordable housing. It also states that policy requirements may be negotiated if scheme viability was demonstrably compromised, and requirements may be reduced by agreement.

107. The scheme does not provide for an affordable housing contribution of any type either on site or in the form of a commuted sum. This absence of affordable housing has been justified on the basis that any level of contribution would render the development unviable. A viability appraisal has been submitted to substantiate this position and this includes a detailed cost appraisal.
108. The costs of the development along with projected development values have been reviewed by planning officers, the council's senior housing development officer and the District Valuer. The assessment indicates a profit level of 11.2% for a 100% market housing scheme. This is well below the expected profit of 15-17.5% as set out in the council's SPD. On this basis the development would not be viable if an affordable housing contribution was to be sought. The applicant has stated their commitment to developing this site within a short time period, indicating a start within 15 months and completion within a further 24 months.
109. The adopted Affordable Housing SPD states that where reduced affordable housing is accepted a Section 106 Agreement will be required and include an affordable housing viability review clause. This will require development viability to be reassessed in the event of development not being delivered within an agreed timescale. Given the complexities of this particular site an appropriate timescale would be commencement within 15 months and occupation within 24 months from commencement. Such a delivery timescale would ensure the early development of a key site within the south city regeneration area, secure the future use of the listed Ferry Boat Inn and provide new homes that would contribute to the five year land supply.

#### **Compliance with other relevant development plan policies**

<b>Consideration</b>	<b>Relevant policy</b>	<b>Compliance</b>
Renewable energy provision	JCS 1 & 3; DM3	<b>On-site air source heat pumps to provide 23% of the site's energy demands, exceeding the 10% policy requirement</b>
Water efficiency	JCS 1 & 3	<b>Water efficiency strategy submitted demonstrating how the scheme's fittings would reduce water consumption to an acceptable level (103.2 litres per person per day)</b>
Biodiversity	DM6	<b>Yes subject to installation of bat boxes as per ecological report recommendations</b>
Contamination	DM11	<b>Yes subject to conditions as recommended by Environmental Protection</b>

#### **Equalities and diversity issues**

110. There are no significant equality or diversity issues.

## **S106 Obligations**

111. A Section 106 Agreement is necessary to require an affordable housing review if the development has not commenced within 15 months of planning permission being granted, or if the development is not occupied within 24 months of commencement.

## **Local finance considerations**

112. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

113. Both the NPPF and DM9 require all development to have regard to the historic environment and maximise opportunities to preserve, enhance or better reveal the significance of designated assets. These policies are rooted in the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 which imposes a duty on local authorities to have special regard and pay special attention to development affecting listed building and their settings and conservation areas. The site is located in one of the most historic parts of Norwich and development directly affects a building which functioned as a public house for almost 200 years. The comprehensive proposals for a high density, high rise and contemporary form of urban development have been carefully assessed in this context. It is considered that the scheme is of an appropriate design for the location; delivers housing in a highly sustainable location and secures the regeneration and use of an important heritage asset and a site which has now been vacant for a substantial number of years.
114. The development is therefore assessed as being in accordance with the requirements of the National Planning Policy Framework and the adopted Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 19/01389/F - 191 King Street Norwich NR1 2DF and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Archaeological written scheme of investigation to be provided
4. Materials and details to be agreed
5. Heritage Interpretation scheme to be agreed
6. Full on-site landscaping details condition, including biodiversity measures

7. Details of public realm improvements to highway verge
8. External lighting scheme to be agreed
9. Bin storage and car parking to be laid out as shown on the approved plans, made available for use prior to occupation and retained as such thereafter
10. Full details of cycle storage to be submitted, including product, layout and security measures
11. Details of electric charging points
12. Management, maintenance, and public accessibility arrangements for whole site including riverside walk to be agreed
13. Full details of works to and around historic arch
14. Photographic record of buildings to be demolished
15. Construction method statement
16. Flood warning and evacuation plan to be provided
17. SUDS details to be agreed and provided
18. Remediation strategy; verification plan; and monitoring, maintenance & contingency plan
19. Works to stop if unknown contamination is found
20. Topsoil certification to be submitted
21. Details of compensatory flood storage
22. Any excavated material arising from the provision of the compensatory flood storage scheme shall be removed from the flood plain
23. Demasting moorings to be provided prior to occupation
24. Water efficiency measures to be installed in accordance with submitted strategy
25. Renewable energy to be provided in accordance with submitted energy strategy
26. No works during bird nesting season without prior consent
27. 10% of the dwellings to meet requirement M4(2) of the 2015 Building Regulations for accessible and adaptable dwellings
28. PD rights removed – extract flues, plant & machinery
29. Prior to first occupation of any part of the development the approved works to the listed building shall be completed to the written satisfaction of the local planning authority

**Informatives:**

1. Six informatives regarding Anglian Water assets and consents as per AW consultation comments
2. This permission is subject to a legal agreement
3. The landscape works within the highway will require a S278 agreement and will be subject to the payment of fees
4. A planning brief for the archaeological Written Scheme of Investigation will be provided by Norfolk County Council, Historic Environment Service and will specify the nature of the investigation required for this site
5. Residents will not be eligible for on-street parking permits

To approve application no. 19/01390/L - 191 King Street Norwich NR1 2DF and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Photographic survey
4. Full schedule of repairs
5. Details to be submitted, including:
  - a. New/replacement external joinery

- b. New/replacement internal joinery
  - c. Fire protection
  - d. Internal finishes
  - e. Rainwater goods
  - f. Bricks, including samples
  - g. Service routes
  - h. External decoration
- 6. Any damage to be made good
  - 7. All works of repair to match adjacent work
  - 8. Any historic features not previously identified to be retained and reported

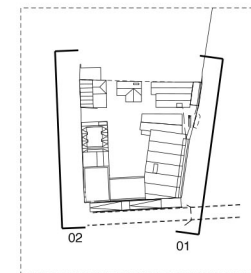
Informatives:

- 1. Only the works shown are approved
- 2. Original historic fabric to be retained
- 3. It is an offence to carry out work to a listed building until conditions have been complied with





**01** Wharf  
Proposed North East Elevation  
1:200 @ A1



KEY PLAN



**02** Wharf  
Proposed South West Elevation  
1:200 @ A1

REV	DATE	NOTES
A	17.02.15	PLANNING SUBMISSION
B	19.06.15	REVISED PLANNING SUBMISSION
C	20.11.15	REVISED PLANNING SUBMISSION
D	18.12.15	REVISED PLANNING SUBMISSION

**5<sup>th</sup>  
studio**

**Architecture  
& Urbanism**

Project:	FERRY BOAT INN SITE
Drawing Title:	Proposed Site Elevations
Scale:	1:200@A1
Status:	PLANNING

FBI-PL-131C





**Report to** Planning applications committee

**Item**

10 March 2016

**Report of** Head of planning services

**Subject** Application nos 15/01810/F and 15/01811/L -  
191 King Street, Norwich, NR1 2DF

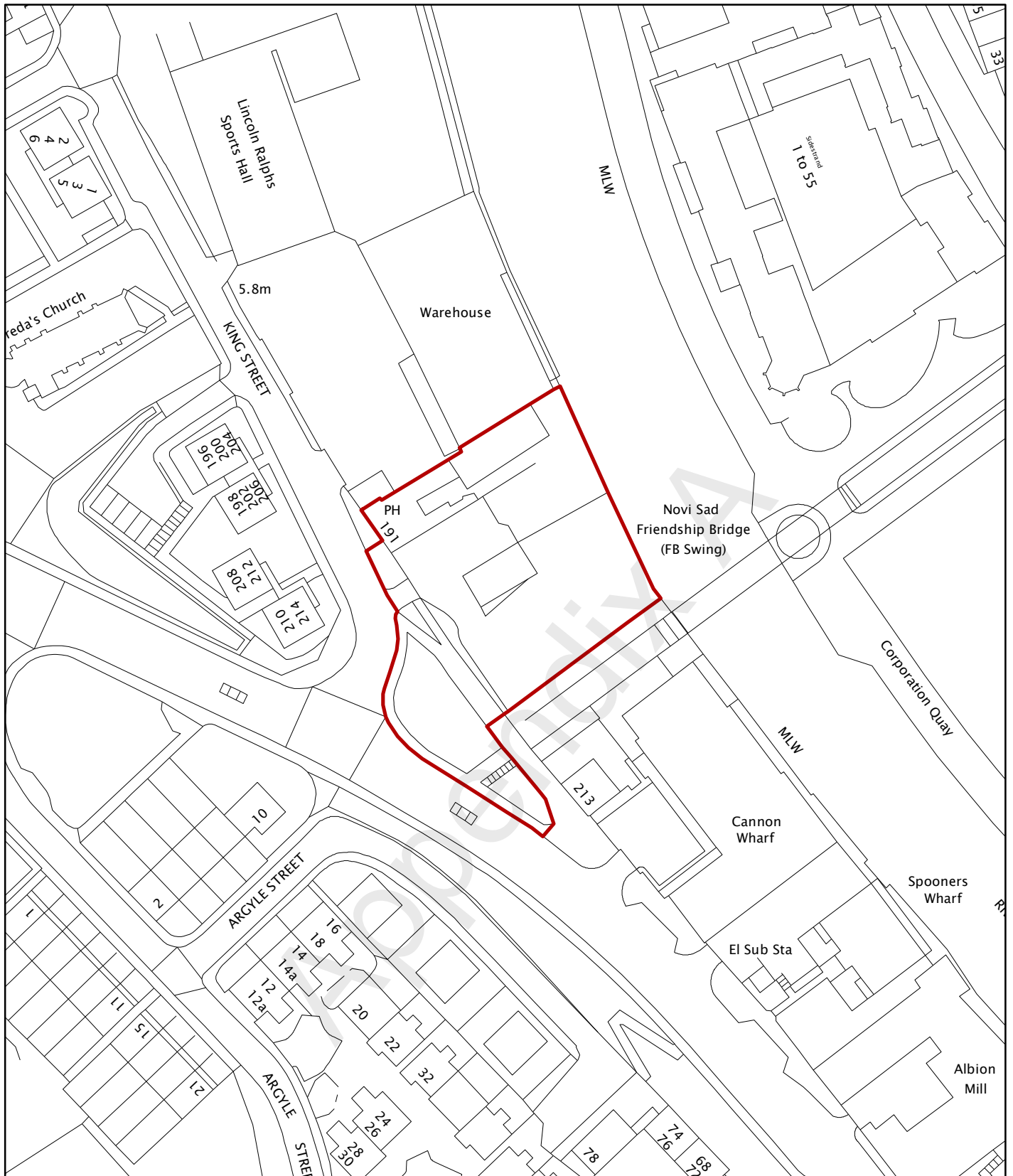
**4(a)**

**Reason for referral** Major, previously refused at committee.

<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Tracy Armitage - <a href="mailto:tracyarmitage@norwich.gov.uk">tracyarmitage@norwich.gov.uk</a>

Development proposal		
Redevelopment of site to provide 41 dwellings including partial demolition of buildings with associated works.		
Representations		
Object	Comment	Support
	2	

Main issues	Key considerations
1 Design and heritage impacts	Height and massing of the development. Whether the design respects the context and pays special attention to the desirability of preserving or enhancing the character and appearance of the conservation area.
2 Open space and landscape	Landscape strategy for the site Public benefit of waterfront proposals Landscape strategy for the site
3 Amenity	Impact on residents living close to the site Level of amenity for future occupiers
4 Affordable housing	Whether provision of affordable housing is viable
5 Works to Listed building	Demolition of existing outbuildings and works to the listed Ferry Boat Inn - whether they have special regard to the desirability of preserving the listed building and its setting.
<b>Expiry date</b>	17 March 2016
<b>Recommendation</b>	APPROVE 15/01810/F, subject to S106 and conditions APPROVE 15/01811/L, subject to conditions



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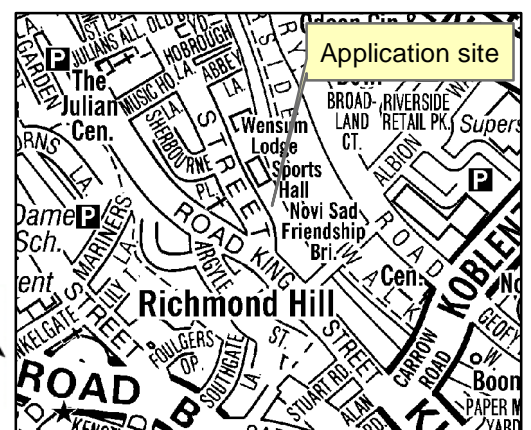
Planning Application No 15/01810/F & 15/01811/L  
 Site Address Former Ferry Boat PH  
 191 King Street

Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES



## The site and surroundings

1. The site is located to the east of King Street at its junction with Rouen Road and the Novi Sad bridge. Currently the site is occupied by the Ferry Boat Inn a grade II listed building of 2½ storeys in height, in three bays with three large gable dormers extending west over King Street. To the south of the main building is a long stretch of flint wall which forms the south boundary wall to a number of extensions to the rear of the main building, there is also a series of single storey extensions which project eastwards towards the main river including a boat house at the eastern end.
2. A detached outbuilding is located to the south of the main building and contains evidence of an earlier 15th century building with a head of a door way from that date. The outbuilding is not historically connected to the Ferry Boat and is a survival of residential slum clearance and has later formed part of the curtilage along with the car park further to the south which dates from the 1980s.
3. The site is occupied by a number of trees, three Alders are located immediately adjacent to the river on the eastern boundary of the site a Sycamore and an Ash are located more centrally within the site and a Robinia and a three Rowans are located close to the sites access. Two of the Alders and the Ash are identified within the Arboricultural Implications Assessment as category grade B trees (of moderate quality and amenity value), the remaining trees are category C trees (of low quality and amenity value).
4. The River Wensum is located to the east of the site and forms part of the Broads opposite which are residential flats forming part of the wider mixed use riverside area. To the north are brick former warehouse buildings hard up against the river which are utilised by community music east. Opposite the site to the west are flat roofed post-war residential properties original constructed as council housing, to the south of this is a small green space at the junction of Rouen Road and King Street. The Novi Sad Bridge is located to the south and offers important views of the site, further south is Cannon Wharf a residential scheme which forms part of the wider Read Mills development. To the northwest corner of the Cannon Wharf site is 213 King Street (Cannon House) a small two storey grade II listed dwelling which is residential use. The site is particularly prominent in views from the east side of the river and from the south on King Street.

## Constraints

- City Centre Conservation Area – King Street Character Area
- Listed buildings:
  - On site: Former Ferry Boat Inn pub – Grade II listed. On the council's Buildings at Risk Register
  - Adjacent to the site - 213 King Street Grade II, King Store warehouse locally listed
- Flood risk - Parts of the site are at risk of flooding
- Sloping site - slopes down from King Street to the River Wensum

- Regeneration Area – King Street forms part of the South City Centre Regeneration Area
- Main area of archaeological significance
- Broads – The site backs directly on to the River Wensum, part of the Broads.

## Relevant planning history

5.

Ref	Proposal	Decision	Date
10/01471/F	Alterations and extensions to provide a 150 - 200 bed backpackers' hostel (amended proposals).	Withdrawn	09/11/2010
10/01472/L	Alterations and extensions to provide a 150 - 200 bed backpackers' hostel (amended proposals).	Withdrawn	09/11/2010
10/02177/F	Alterations and extensions to the Ferry Boat Inn and construction of new accommodation block to provide a 150 - 200 bed backpackers' hostel.	Approved	18/07/2011
10/02178/L	Alterations and extensions to the listed building and removal of curtilage buildings to provide a 150 - 200 bed backpackers' hostel.	Approved	18/07/2011
11/01970/D	Details of Condition 5: schedule of works for retention of flint wall and door arch, Condition 6 (a) window and door joinery; (b) colour finish of for new external windows and doors; (c) external timber cladding; (d) colour finish of lime render; (e) details of roof materials; (f) solar panels; (g) flues; (h) rainwater goods; (i) eaves details; (j) provision of living roof; (k) brick, chalk and flint walls; (l) car park entrance barrier; (m) grilles to car park openings; (n) bird and bat boxes; Condition 8: archaeological evaluation (parts a _ b), Condition 10: cycle stands, Condition 15: surface water runoff and Condition 19: flood proofing measures of previous planning permission 10/02177/F 'Alterations and extensions to the Ferry Boat Inn and construction of new accommodation block to provide a 150 - 200 bed backpackers' hostel.'	Approved	26/03/2012

Ref	Proposal	Decision	Date
11/01978/D	Details of Condition 3: schedule of works for retention of flint wall and door arch and Condition 4: schedule of works detailing all internal and external alterations of previous planning permission 10/02178/L 'Alterations and extensions to the listed building and removal of curtilage buildings to provide a 150 - 200 bed backpackers' hostel.'	Approved	26/03/2012
15/00273/F	Redevelopment of site to provide 43 dwellings including partial demolition of buildings on site and erection of a riverside walkway/staithe.	Refused	09/09/2015
15/00274/L	Redevelopment of site to provide 43 dwellings including partial demolition of buildings on site.	Refused	09/09/2015

## The proposal

6. The proposed development is a revised scheme following the refusal of planning permission and listed application consent for the redevelopment of the site with 43 dwellings, application refs. 15/00273/F & 15/00274/L (decision date 8 September 2015), for the following planning reason:

*The proposed development, by reason of its layout, height, scale and massing would be unduly dense and visually dominant form of development, with buildings of excessive mass and scale adjacent to King Street, the Novi Sad Bridge and the River Wensum. As such the proposals would represent an inappropriate overdevelopment of the site, which would detract from the character and appearance of the conservation area, and the setting of the adjacent listed building. The proposals are therefore contrary to policies DM3 (Delivering high quality design), DM9 (safeguarding Norwich's heritage) and DM12 (Ensuring well-planned housing development) of the Norwich Development Management Policies Local Plan 2014, and paragraphs 9, 17, 56, 60-66, 132, 134, and 137 of the National Planning Policy Framework.*

7. The previous application was considered by planning applications committee on 3 September 2015 and the report can be viewed [here](https://cmis.norwich.gov.uk/live/Meetingscalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/167/Committee/3/SelectedTab/Documents/Default.aspx) (or on the city council's website <https://cmis.norwich.gov.uk/live/Meetingscalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/167/Committee/3/SelectedTab/Documents/Default.aspx> ) Since the decision to refuse the applications, the applicant and his architects have reconsidered the scheme and made a number of changes taking into account the concerns raised by Planning Applications Committee. The revised proposals include:

- Demolition of existing single storey buildings on the site;
- Renovation and residential conversion of the listed Ferry Boat Inn into 2 dwellings;
- Associated works to listed building – planning ref:15/01811/L;

- New build residential units - 39 dwellings (compared to 15/00273/F - a reduction of 2 units);
- The reduction in the height of the previously proposed 'bridge tower by two storeys; creating a 5 storey corner block building (plus basement).
- Revision to the form and appearance of the building fronting King Street - linked to the corner block and extending towards the listed Ferry Boat Inn.
- Excavation of the site to create lower level parking area with vehicular access from King Street.
- River side pedestrian route across the river frontage of the site.
- Landscaping of the highway land on the corner of Rouen Road/King Street.

### Summary information

Proposal	Key facts	
Scale		
Total no. of dwellings	<b>41</b>  Studios - 6 1 bed flats - 8 2 bed flats - 19 2 bed duplex - 2 3 bed flats - 2 Houses - 4	
No. of affordable dwellings	Nil	
Lifetime home standard	23/41 (56%)	
No of storeys	Riverside 'Wharf' building	5 stepping up to 6 storey (includes basement car park). Height: 15 – 20.7m approx. (above bank level)
	Corner Tower	5 storey (plus basement car park below street level). Height: approx. 16.4m above street level
	Bridge link block	3 storey (plus basement car park below street level). Height: 10.8 – 11.6m (approx.) above bridge ramp

Proposal	Key facts	
	King Street block (adjacent to Ferry Boat Inn)	2-3 storey  Height : 6.2 – 9.5m (approx.)
	Burgage plots (extending to the rear of the Ferry Boat Inn to the river frontage)	2 – 3 storey (Max height:11.4m above bank level)
Appearance		
Materials	Brick including textured brick bond, render, zinc cladding, fibre cement roof tiles, profiled metal cladding	
Transport matters		
Vehicular access	Access from King Street	
No of car parking spaces	20 spaces  3 x disabled use  Car charging point	
No of cycle parking spaces	80 spaces	
Servicing arrangements	Communal - From King Street	

## Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. A total of 2 letters of representation have been received citing the issues as summarised in the table below. It should be noted that one of the representation is from Cannon Wharf Residents Association, who represent residents of Cannon Wharf and Spooners Wharf. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Concern that proposed apartment facing the Novi Sad bridge have balconies and windows facing Cannon Wharf – privacy of residents in Cannon Wharf will be affected	See – para. 55
Riverside walk and area under the bridge Concern over antisocial behaviour	See – para. 48



## Consultation responses

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

### Ancient Monuments Society

10. Welcome the re-use of the site. Regarding the Ferry Boat Inn request a detailed schedule of works in relation to the outbuildings and a detailed assessment of their significance.

### Anglian Water

11. Confirm available capacity in the foul sewage network and wastewater treatment works. Recommend condition relating to Anglian Water Assets in the vicinity

### Broads Authority

12. The Broads Authority has been consulted on previous schemes for this important riverside site and as there appear to be no substantial changes to the elevation facing the river in this submission, many of the following observations reiterate previous comments. The reduction in height of the block adjacent to Novi Sad Bridge was broadly welcomed, although the scale and massing of the buildings directly on the riverside frontage remain a concern as they contribute to the canalisation of the river between the two bridges, and this may prejudice any aspiration to achieve a lower scale on upstream sites, even though that may be appropriate. The historic photograph of the site in the Design and Access statement shows that previous development on the site was small scale (maximum four storeys) and on narrow plots fronting the river. Whilst it may not be possible or desirable to replicate this form of development, the scheme could take reference from this by breaking up the 'slab' construction of the block adjacent to the Novi Sad Bridge with some articulation, and through providing more permeability of the site with a physical or visual connection with the landscaped centre courtyard from this part of the site.
13. The inclusion of an area for a walk along the riverside is welcomed in principle, but the current provision seems to be a token one at best, in that it is in the main, narrow and almost completely overshadowed by the balconies and soffit of the building above. This together with the use of metal cladding to the soffit and wall of the building would not, in my opinion, make it an attractive space and it is difficult to see who would want to access it and for what purpose. A better alternative would be to set the whole building back from the river side to allow an open area at the water's edge. Previous comments suggested incorporating the vertical planting elements shown on the elevation to the bridge along the riverside walk as an alternative to the vertical metal cladding. The slight increase of depth at the 'staithe' area may be of more use, although the landscaping appears to be limited to one small planting bed. There is no obvious means of using it as a 'boat launch'. The connection to the courtyard via the reinstatement of Wickham's Yard is positive, but given the size of the scheme, the potential number of occupants and that it has also to cater for vehicle access to the undercroft parking, the overall amount of landscaped areas seems somewhat meagre.

14. It is hoped that a high standard of materials and detailed design will be achieved for this significant site
15. In conclusion, concerns remain about the scale of the development adjacent to the river, the width of the riverside walk and the lack of permeability of the site through a physical or visual connection to the inner courtyard, other than via a route shared with vehicles at Wickham's Yard.
16. Navigation and Waterways - The Broads Authority is pleased that the design has been amended from the last application so that the proposed riverside walkway is within the boundary of the existing river frontage as this means that there will be no encroachment on navigable width in the River Wensum. The applicant hasn't provided sufficient detail on the proposed staithe or launching area for the Authority to be able to comment on this properly. We will require a detailed drawing of this showing cross sections and dimensions of the steps and the height of the drop to the water. We also need to know exactly how it will be used – what type of boats they are proposing to launch or moor there and for what purposes, how the boats will get to the staithe/launch area and whether the use of the site will be restricted to residents. As regards the riverside walkway the Authority does not see how this will contribute towards the City's ambitions to create a network of riverside walkways as the public will not be able to use it. A better way for the development to contribute towards providing better riverside access would be to allow the public to access the river from King Street through the recreated Wickham's Yard and then return to King Street by walking along the riverside walkway and along the path which runs parallel to the bridge ramp.
17. As regards the form and mass of the buildings the Authority also feels that these will add to the canalisation of this section of river which is not welcomed.

### **Environmental protection**

18. No objection subject to imposition of standard relating to contamination and construction method statement.

### **Environment Agency**

19. The Environment Agency have requested further details regarding: volumes of compensatory storage; the routing of flood water and the functioning of the surface water scheme at time of river flooding. These details have been submitted and are being discussed. Until these are agreed the Environment Agency are maintaining a holding objection.

### **Highways (local)**

20. The proposed development on a Ferry Boat Inn site has considerable merit with regard to highway and transportation matters and so I have no objection in principle. mid-rise residential land use on this highly accessible city centre location offers highly sustainable development as its location helps to reduce car dependency. Residents of this scheme would enjoy all of the benefits the city centre has to offer within easy walking and cycling distance. A car club is located adjacent to the site on King Street offer residents the option of the mobility of a car without privately owning a vehicle. For this reason a 'low car' development as proposed is an entirely viable position for prospective residents and conforms to Local Plan policy.

21. Cycle storage - The location and capacity of the cycle storage is adequate
22. Parking and traffic - 20 parking spaces for 41 units is proposed and is acceptable. As a new residential development in a CPZ the properties will not have parking permit entitlement. Experience from elsewhere in the city centre indicates that car ownership is lower than elsewhere in the urban area and is often less than 50% of households. Therefore the amount of parking spaces is acceptable.

### **Historic England**

23. This application proposes the erection of new residential buildings on a vacant site adjacent to the grade II listed Ferry Boat public house. The content of the associated application for listed building consent has been the subject of previous consultation with Historic England. We are content with the principle of the replacement building to the rear and the works to the listed building, although we would be happy to offer additional advice on the latter if the Council's conservation officer wishes. The new building adjacent to the Ferry Boat was the subject of a previous application about which we raised concerns. These chiefly involved the scale of new building on the King Street side of the site and how it affected the character of this part of the conservation area. The current application shows this part of the development has been significantly amended to reduce the height of the corner building and change some elements of the ranges adjoining it. We consider this reduction in height a significant improvement and would not wish to oppose the granting of consent in principle.
24. The quality of the new buildings' cladding materials and detailing will be essential in their success. We would therefore recommend the Council apply suitable conditions to any consent controlling these aspects as well as one requiring a program of conservation for the medieval arch which will be preserved within the development.

### **Housing strategy**

25. Having reviewed the viability study provided for the revised scheme I am comfortable that the scheme shows that delivery of any affordable housing is not viable. In light of the nature of the development I would be happy to see the S106 to state this providing we insert a clause for review.

### **Landscape**

26. This revised scheme maintains the positive landscape design principles proposed within previous application for development on this site, these being well defined private, semi-private and public open space at a range of scales, and visual and physical access between King Street and the river. The proposals in general provide adequate private external amenity space, this is enhanced by the revised design of the units fronting King Street making good use of additional terrace space provided.
27. Trees - The tree officer should confirm if the proposed number and specification of tree planting is adequate to offset the loss of trees as part of the proposals. In terms of a courtyard planting an alternative to the Bald Cypress should be considered. We suggest a *Cornus controversa Variegata* would be a more interesting choice than the *Cornus alba* 'Sibirica' proposed within the lower courtyard.

28. Riverside walkway and Staithe - the following details should be conditioned railings along the river edge , details of design of the staithe including levels, materials, seating, planting etc.

29. Planting proposals generally : Proposed positioning of hard and soft landscape elements and treatments as shown are acceptable, however the design of planting and species mixes should be reviewed to maximise plant diversity and interest and a style in keeping with the high quality contemporary design proposed for built form. Plant mixes should be reviewed to ensure enough diversity and interest is provided, in particular the groundcover mix could be diversified and bulb planting introduced. Detailed design needs more careful consideration and should be conditioned

#### **Norfolk historic environment service**

30. No objection subject to the imposition of standard archaeological condition.

#### **Natural areas officer**

31. The ecology report concentrates mainly of the possible impact of the development on bats which are known to forage along the adjacent stretch of the River Wensum. Bat mitigation measures should be addressed and external lighting and light spillage should be minimised. New planting offers limited opportunity for biodiversity enhancements and loss of existing trees unlikely to be compensated by the new shrub and tree planting. Where planting is proposed is should use a high proportion of plants of value to wildlife through their flowers, fruits or seeds. Proximity of the building to the river provides no scope for a 'green corridor'.

#### **Norfolk police (architectural liaison)**

32. Detailed recommendation made regarding security of entrances to the buildings and undercroft parking area.

#### **Norwich Society**

33. Successful measures have been taken to reduce the visual impact of the development on the river frontage. The " tower" on the south corner of the site offers a more controlled massing of the elevations at this point. These alterations to the previous application offer a much more acceptable scale. We fully support this application which will provide a high quality contemporary design.

#### **Tree protection officer**

34. Further to your recent request I have visited the above-mentioned site and can confirm that the proposed development will require the removal of all the existing vegetation on site including a number of trees. Whilst unfortunate, the trees are not particularly good specimens and their removal as part of the proposed development should be used as a conduit for the planting of a number of replacement trees in the locality. It is recognised that this is not possible on site and therefore consideration should be made to the planting of new trees along Kings Street, or a contribution to planting elsewhere in the locality as part of the Councils future Tree Planting Strategy

# Assessment of planning considerations

## Relevant development plan policies

- Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)

JCS1      Addressing climate change and protecting environmental assets

JCS2      Promoting good design

JCS3      Energy and water

JCS4      Housing delivery

JCS11     Norwich city centre

JCS18     The Broads

- Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)

- DM1      Achieving and delivering sustainable development
- DM2      Ensuring satisfactory living and working conditions
- DM3      Delivering high quality design
- DM5      Planning effectively for flood resilience
- DM6      Protecting and enhancing the natural environment
- DM7      Trees and development
- DM9      Safeguarding Norwich's heritage
- DM11     Protecting against environmental hazards
- DM12     Ensuring well-planned housing development
- DM13     Communal development and multiple occupation
- DM22     Planning for and safeguarding community facilities
- DM31     Car parking and servicing
- DM32     Encouraging car free and low car housing
- DM33     Planning obligations and development viability

## Other material considerations

- Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

NPPF0     Achieving sustainable development

NPPF4     Promoting sustainable transport

NPPF6     Delivering a wide choice of high quality homes

NPPF7     Requiring good design

NPPF10   Meeting the challenge of climate change, flooding and coastal change

NPPF11   Conserving and enhancing the natural environment

- Supplementary Planning Documents (SPD)

Affordable housing SPD adopted - March 2015

## Case Assessment

35. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations
36. The following assessment focuses on the key changes that have been made to the proposed development and matters that have arisen during the assessment. The report considered by Planning Application Committee at the meeting on the 3 September 2015 [here](#) and provides a full appraisal of all other matters.

### Main issue 1: Design and Heritage Impact

- Design - Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
  - Heritage - Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-141.
37. The design of the development was the principal consideration in the assessment of application 15/00273/F and the focus for the reason for refusal. The revised scheme maintains the broad design strategy to that proposed previously and includes the following core design parameters (set out in the Design and Access Statement):
- (a) Creating a group/ensemble of buildings - creating a tight urban grain, a significant feature of the pattern of development within the King Street character area of the Conservation Area
  - (b) Re-creation of a lost historic narrow lane - Wickhams Yard, linking King Street with the water front. The Conservation Area Appraisal recognises the historic significance of narrow lanes leading to the riverfront and includes a management and enhancement objective that they should be retained.
  - (c) Re-creation of a 'burgage plot', an historic form of building plot – the plot includes the Ferry Boat Inn and new buildings in a narrow plot extending to the water front
  - (d) Buildings which vary in character and scale. It is stated that this is a response to the domestic scale of the Ferry Boat Inn, industrial riverside buildings and the 'pivotal' location of the site. The location being distinctive given the position adjacent to the Novi Sad bridge; 'corner' position at the junction of Rouen Road/King Street; and in a location within the conservation area where building types change from lower domestic buildings to larger format large factories

38. The proposed revisions to the scheme change two of the buildings within the group/ensemble that front King Street. The changes have focused on the massing, height, form and appearance of these buildings .
39. The revised King Street frontage re-establishes Wickhams Yard (a historic lane) adjacent to the Ferry Boat Inn and proposes a three storey building immediately to the east. Wickhams Yard is intended to function as a primary access point serving the development, framed by the historic Inn and the new three storey building. Although the equivalent number of storeys to the Ferry Boat, the eaves and ridge height of the building are higher. The roof form takes a cue from the bay proportions of the listed building and the street elevation has a domestic appearance created by the pattern of fenestration and entrance doorways. The contemporary appearance of the block creates a strong association between this building and the other new buildings on the site.
40. The corner of King Street with the Novi Sad bridge is now marked by a five storey building linked to the King Street frontage block by a lower two storey building. The roof of this link building includes a recessed glazed entrance which provides access to a third storey apartment, the remaining roof space functioning as an external private terrace area . The taller 5 storey block is intended to mark the location of the foot bridge and the transition in the street scape which occurs at this point. This building has a contemporary appearance with recessed windows and brick bays. A secondary access point into the development is created by an opening through this building at street level. A brick colonnade with planting areas forms the remaining street frontage of this building. This facade conceals a communal bin store located in this position and which allows servicing from King Street. This elevational treatment restricts surveillance and level of animation on this corner but it is acknowledged that given pedestrian activity a residential unit in this position would have compromised amenity levels.
41. The reduction in the height of the corner building by two storeys has significantly reduced the massing of this element of the scheme and improved the view of the development particularly from the west and from Rouen Road. In the context of the surrounding area the revised King Street frontage is considered a more a sympathetic gradation between the Ferry Boat Inn and Cannon Wharf than the previous refused scheme. In comparison to Cannon Cottage (Grade II listed) the contrast in massing and height remains marked but the relationship is not dissimilar to the existing juxtaposition of the listed building with Cannon Wharf. The revised design approach to the King Street frontage creates visual interest and variety and positively responds to the listed Ferry Boat Inn and the significant characteristics of the conservation area.
42. The height of the corner building was a particular focus of concern in relation the previous scheme, with Historic England raising an objection to this, the new building adjacent to the Ferry Boat and the impact on the character of these building on the conservation area and the listed building. In relation to this revised scheme Historic England state that 'the current application shows this part of the development significantly amended to reduce the height of the corner building and some elements of the ranges adjoining it'. It is stated that 'this reduction in height a significant improvement and would not wish to oppose the granting of consent'.

43. The remaining buildings in the group, the Riverside Wharf building, the bridge link and the burgage plots remain unchanged and are as previously proposed as part of 15/00274/F. It should be noted that the reason for refusal made reference to the *layout, height, scale and massing of the development and excessive mass and scale of buildings adjacent to the River Wensum*. The Riverside Wharf building remains the largest single building within the group and will be prominent when viewed from the river, the riverside walk and the bridge. The Broads Authority maintain their objection to this element of the scheme given the building's height, close proximity to the river and canyonising effect. The Broads Authority have commented that the riverside block would benefit from a greater degree of articulation and a physical break, which would create a visual connection with the landscaped centre courtyard. However, it should be noted that such a break would be difficult to achieve given the change in levels which raise the court yard a storey higher than riverside level. The design of this element was assessed in some detail previously and considered an appropriate response to the location. The stepping down of the buildings on the river frontage from 6 to 3 storeys is well considered in the context of Cannon Wharf and the locally listed King Street Stores to the north. The scale is also considered consistent with the scale of development either side of the Novi Sad bridge on the opposite side of the river - the approved 66 unit Wherry Road scheme extending to 7 storey in height.
44. In terms of the development immediately to the rear of the Ferry Boat Inn, the 'burgage plot' development reflects, although does not replicate the traditional form of building, and this is considered positive. The three family houses proposed within this plot, range in height between two and three storey and are taller than the buildings they replace. Distinctive materials are proposed, including significant areas of zinc cladding. As such the building will contrast with the listed building but aim to evoke the historic use of this part of the site as a boat yard. This design approach when viewed from the river is considered positive and the scale of the buildings will relate well to the locally listed building to the north – King Street Stores. However, the development will mean that the historic association of the Ferry Boat Inn and the river frontage is reduced and that much of the visual link between the building and the river will be lost, particularly given the height and proximity of the development. In terms of heritage impact this is considered to result in less than substantial harm.
45. The changes to the buildings fronting King Street have been made in order to address the reason for refusal of the previous scheme which centred on the impact on the development on the conservation area and the listed Ferry Boat Inn. In this regard the changes are considered successful and this is apparent in the consultation responses from both Historic England and the Norwich Society. However, significantly the changes have not reduced the design connection of these buildings with the remainder of the development. The buildings collectively form a coherent group which modulate in scale and character creating a distinctive development with a strong sense of place. The scheme responds positively to the historic context by incorporating many of the design features highlighted as objectives for new development within the King Street character area. The development has a strong and distinct appearance which reflects the predominant historic building form, layout, scale and materials of the area and also creates a place that has its own locally - inspired character. These design qualities along with the benefits associated with the securing the long term future of the listed building and the delivery of housing outweigh the less than substantial harm identified in para. 44. The scheme's distinctiveness in part is attributable to the quality of materials and architectural detailing and it is also this design quality that justifies a high density



contemporary design approach in this part of the conservation area. In the event of planning permission being approved it will be necessary to ensure that this design approach is adhered to during the construction phase.

## **Main issue 2: Open space and landscaping**

45. Key policies and NPPF paragraphs – DM3, DM8, NPPF paragraphs 9, 17 and 56.  
Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
46. The proposed landscape strategy includes a number of elements focused on the river frontage, the residential courtyard and King Street.
47. In terms of King Street, the scheme includes landscape works to an area of existing highway land fronting the site. This land is currently unsightly not aided by the high concentration of utilities and services located on this road junction. When the previous application was considered there remained some uncertainty over the extent to which this area could be improved given the significant constraints imposed by these services. However, this land is one of only small number of open spaces within the King Street Conservation area and given the proposed development results in loss of trees and biodiversity and requires modification of the highway fronting the site to allow for servicing, there is both the justification and opportunity to secure an appropriate level of enhancement. This open area has therefore been examined in more detail as part of the current application. Having considered a number of options the modifications are likely to focus on widening the space across the site frontage to create a shared space for pedestrians, cyclists and servicing. This would include resurfacing and likely to necessitate the construction of a new retaining wall. Depending on utility constraints this may allow for seating to be incorporated as well as containerised pits for the planting of a small tree. The latter will be conditional on a detailed site survey which will establish the precise routing of existing services. In addition it is proposed to reseed the remaining open space with a mix to improve biodiversity. This will improve not only visual interest but also create compensatory semi-natural habitat close to the wildlife corridor of the River Wensum. Furthermore the scope for street planting at the modified junction of King Street and Rouen Road will be explored. This package of measures is considered appropriate compensation for the loss of trees from the site and will allow the appearance and function of this open space to be improved.
48. Across the river frontage a partially enclosed river walkway is proposed. This would be assessed via the existing Novi-Sad bridge ramp and via Wickhams Yard. Although this section of walkway would not at this time connect to an existing river walkway route it should be noted the adjacent site is allocated for residential development in the SA Plan (policy CC8) and includes a requirement for a riverside walk. In the meantime the route would provide access to the river frontage to a small 'staithe area' which would function as a small amenity area. The Broads Authority have indicated that given the proximity of the site to the Novi Sad bridge they would not support the use of the river frontage for permanent mooring. In addition they have indicated that the current height of the river bank/nor the height of the proposed staithe area would be suitable for the safe launching of boats. They have however supported a de-masting facility in this location and advised that a detailed scheme should be agreed through the imposition of a suitable condition.
49. Representations have raised concerns over antisocial behaviour which may result from unrestricted public access to the river frontage and staithe area. Although there

is a risk that this may occur, it is not considered that public access should be prevented on this basis. The routes into and across the site create a good level of permeability, recreate a historic layout and introduce activity onto the river frontage which will enliven the development. Public access to the river and the staithe area is considered a benefit of the development and a matter that should be secured as part of a planning decision. However, it is also accepted that there will be a need to manage public access and restrict it entirely after dark. Such management arrangement will be secured through a legal agreement.

50. A landscaped courtyard is proposed in the internal space created by the perimeter buildings. This area will function as space from which residents would access parking and refuse facilities but also as an area of communal amenity space. Although the space is constrained in size and will be overshadowed by the development, provided the space is landscaped to a high standard the space will function well as a private courtyard. The council's landscape officer has indicated that a detailed scheme should include suitable tree planting and diverse planting which creates visual interest and texture. She has also indicated that planting should extend towards Wickhams Yard to assist in creating a green link with the river.

### **Main issue 3: Amenity**

51. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
52. DM2 seeks to ensure satisfactory living conditions for existing occupiers living close to the development and future occupiers of the scheme.
53. There are no residential properties immediately adjoining the site but within the vicinity there are a large numbers of residential properties, particularly Cannon House, apartments that form part of the Cannon Wharf and Sidestrand developments and to the west properties on King Street. A number of objections have been received from these residents on the basis that given the height and proximity of the development there will be an unacceptable impact on their amenities as a result of loss of light, overshadowing, overlooking and loss of privacy.
54. The Sidestrand development is situated on the opposite side of the River Wensum approximately 35m from the site boundary. The separation afforded by the river and the riverside walk will minimise direct impacts of the development on these dwellings, although given the orientation there will be some degree of overshadowing of the river. To the south, Cannon House (213 King Street) and apartments forming part of the Cannon Wharf development are closer to the site boundary – 11.6m to the garden boundary of Cannon House, 13.4m to north facing fenestrated elevation of Cannon Wharf. This façade of Cannon Wharf includes a large number of windows and balconies which face the site with views towards the city, including of the cathedral.
55. The scheme includes a continuous development frontage abutting the Novi Sad bridge access ramp. The elevation visible from Cannon wharf includes the side elevations of the 'bridge tower' and the 'wharf' block and the three storey link building. This south facing elevation has a large number of windows, balconies and the link building has a top floor private roof terrace. This frontage has been designed as an outward facing principal elevation of the development and includes windows to bathrooms, bedrooms and open plan living space. The residential use of rooms and balconies will therefore be apparent from the Novi Sad bridge and to residents living in Cannon Wharf and Cannon House.

56. In terms of impact, given the development is to the north, the extent of overshadowing of buildings to the south will be limited although daylight levels are likely to be affected to some extent given the massing and height of the development. However, the variation in height of the development and in particular the three storey link block will reduce this impact and assist in reducing the possible overbearing appearance of the development. For residents living to the south, the change in outlook will be substantial, views across a largely vacant site replaced with a high density urban form of development. Existing privacy levels will be negatively affected since overlooking will be possible between existing and proposed windows and balconies. However, these impacts need to be assessed in the context of the location – a location close to the city centre where the prevailing character of development is high density. In addition the development has been designed to provide a varied and active frontage to the Novi Sad bridge - an important public route for pedestrians and cyclists and which separates the site from established development to the south. A less outward looking design would not be as successful in responding to this 'street' frontage. In these circumstances it is not considered necessary or desirable to prevent overlooking/loss of outlook but to avoid levels that are considered unacceptable in this location. On this basis the amenity levels for both existing and future occupiers of the development are considered acceptable.
57. In terms of general amenity levels for residents of the new development, the dwellings have been designed to meet nationally described space and to have access to outdoor amenity space. Most of the dwellings are dual aspect with principal windows outward facing with good outlook and light levels. Given the density and mix of development, balconies function as outdoor space for the flats, whereas houses and duplex apartments have small courtyards. In addition the layout provides for an area of communal private courtyard and for a public open space adjacent to the River Wensum. On this basis the development meets the requirements of DM2.

#### **Main issue 4: Flood risk**

58. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
59. The site is at risk of flooding. The NPPF and DM 5 seek to direct new residential development to sites at the lowest risk of flooding. The site extends across three flood risk zones. Approximately 44% of the site is at low flood risk whilst the remainder falls into zones 2 and 3, at medium and high flood risk. In accordance with policy, a sequential test has been applied in order to assess whether the development could be accommodated on alternative site/s at lower flood risk. Given the application relates to development within an identified area for regeneration, DM 5 requires only sites within the southern and northern city centre regeneration areas to be considered. These two regeneration areas cover significant geographical areas of the built up part of the city and much of this area is at low risk of flooding (flood zone 1). Within the south city centre area a number of sites have been allocated for residential development and some of these are in low risk areas. In addition given the nature of the area there is likely to be a number of brownfield /possible windfall sites which may be capable of redevelopment. These sites are theoretically available for residential development of a similar scale to that proposed by this application.
60. However, the development of these alternative sites would not result in the same level of wider sustainability benefits compared to the development of the Ferry Boat Inn site. These benefits are referred to in the report but in summary include:

- The development of a long term vacant site within an area identified for regeneration
- Secure the long term future of a historic building currently on the council's Building at Risk register
- The development of a site prominently located within City Centre Conservation Area and highly visible from the River Wensum.
- Provision of public access to the river
- Provision of new homes
- Enhanced public realm area

61. Where such wider sustainability benefits exist the NPPF allows development in flood risk areas provided the 'Exception' Test is met. In terms of meeting this test development must 1) provide wider sustainability benefits to the community that outweigh flood risk and 2) be safe for its lifetime without increasing flood risk elsewhere. In terms of 1) and with reference to DM1, the development will provide a number of sustainability benefits, in particular: deliver 41 new homes in a highly accessible part of the city; result in environmental improvements to a long term vacant site; secure the future of a listed building which has been vacant and neglected for a number of years and provide off site public realm improvements to King Street.

62. In terms of 2) and that of safety, the scheme involves modification of existing site levels to create a basement car park above which the development would be constructed. Most of the new residential units are therefore raised above both the 1:100 and 1:1000 flood level. The Burgage plot dwellings are at a lower level but it is recommended that these are set at minimum of 2.53AOD which protects these units from a 1:100 year flood event. The basement car park is designed to flood and will provide 180m<sup>3</sup> of flood water storage. The Environment Agency requested additional information to be submitted in relation to a number of matters including 1 in 20 year flood events and where water would be stored and routed during these times. A revised Flood Risk Assessment has been submitted indicating storage capacity within external areas adjacent to the river and beneath the footprint of the burgage plot. The Environment Agency is in the process of considering this proposal along with the further information requested they requested. It is expected that the EA will provide their final response prior to the meeting of Planning Applications Committee and that it is likely that outstanding details will be capable of being agreed through the imposition of appropriate planning conditions. An update will be provided at Planning Applications Committee.

63. It is proposed that surface water will drain via an attenuation feature into the River Wensum. This strategy is considered acceptable and a planning condition is recommended to secure a detailed scheme.

### **Main issue 5: Affordable housing viability**

64. Key policies and NPPF paragraphs – JCS4, DM33, Affordable Housing SPD, NPPF paragraph 50.

65. JCS4 requires on developments of this scale for 33% of the new dwellings to be affordable. On the basis of 41 dwellings this equates to 14 units. The scheme does not provide for an affordable housing contribution of any type either on site or in the

form of a commuted sum. This absence of affordable housing has been justified on the basis that any level of contribution would render the development unviable. A viability appraisal has been submitted to substantiate this position and this includes a detailed cost appraisal.

66. The costs of the development (including CIL payment of approx. £322,390 along with projected development values have been reviewed by planning officers and the council's senior housing development officer. The assessment indicates a marginal profit level of just below 15% for a 100% market housing scheme. On this basis the development would not be viable if an affordable housing contribution was to be sought. The applicant has stated his commitment to developing this site within a short time period, indicating a start within 15 months and completion within a further 18 months. Such a delivery timescale would ensure the early development of a key site within the south city regeneration area, secure the fabric and future use of the listed Ferry Boat Inn and provide new homes that would contribute to the five year land supply.
67. The adopted Affordable Housing SPD states that where reduced affordable housing is accepted a S106 Obligation will be required and include an affordable housing viability review clause. This will require development viability to be reassessed in the event of development not being delivered within an agreed timescale. Given the complexities of this particular site an appropriate timescale would be commencement within 15 months and occupation of within 18 months.

#### **Main issue 6: Heritage**

68. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-141.
69. The impact of the development on the conservation area and the setting of the listed Ferry Boat Inn has been assessed in the previous paragraphs. In this section the demolition of existing buildings is assessed along with the works to the Ferry Boat Inn. These works are included within 15/01811/L.
70. The Ferry Boat Inn comprises a number of buildings which vary in age and historic significance. The building fronting King Street dates from around 1630. However, the range immediately to its rear is likely to pre-date that, with the Ferry Boat building being built up against it. Both parts of the building are therefore of significance being of relatively early date. At the rear of the buildings there is a series of single storey extensions that step down towards the river and which historically would have housed river related functions. These single storey buildings along with a flint and brick outbuilding to the south are proposed for demolition. The council's conservation and design officer has advised that the single storey buildings are later than the King Street fronting buildings, with sections possibly dating to the late 19<sup>th</sup> century. These buildings have been substantially modified and altered but historically housed a boat yard use from which a ferry service was also operated. The existing structures have retained limited architectural and historic significance, with the exception being a substantial external flint wall which lined the original Wickhams Yard. This wall is to be retained as part of the scheme. Given the retention of this feature the design and conservation officer has confirmed that she has no objection to demolition, subject to the historic recording of the buildings.
71. The outbuilding to the south has similarly been heavily modified in the 19<sup>th</sup> and 20<sup>th</sup> centuries but does include a brick up arch of an earlier structure from around the 14<sup>th</sup>

century. The proposed scheme retains this archway feature where it will be incorporated into the lower ground floor level. Given the retention of this feature the design and conservation officer has confirmed that she has no objection to demolition, subject to the historic recording of the buildings.

72. The Ferry Boat Inn conversion works facilitate the use of the former pub for residential purposes. It should be noted that the public house use is only evident at ground and basement level as the upper floors are laid out as residential accommodation. Two flats are proposed, one at ground floor level and the second split across the upper floors. The proposals seek to retain the historic room layout and where modifications are proposed this involves the removal of modern partition walling. In particular the open layout of the former public bar area is retained as well as the broad pattern of circulation between ground floor rooms. Historic internal features including significant staircases/steps and fire places are retained as integral parts of the scheme. It is considered that the scheme responds well to the significant elements of the listed building and as such the re-use for residential purposes is acceptable. The works include the repair and refurbishment of the external and internal fabric which will secure the long term future of this historic building, which is currently on the council's Buildings at Risk Register.

### **Compliance with other relevant development plan policies**

73. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Refuse Storage/servicing	DM31	Yes subject to condition.
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition  An air source heat pump system is proposed to provide a centralised heating and hot water supply to 15 dwellings within the development. The Energy, water and Construction Planning Statement demonstrates that by serving the riverside frontage units with the heat pump system, 23% of the development's estimated energy consumption will be derived from a renewable sources.
Water efficiency	JCS 1 & 3	Yes subject to condition.
Sustainable urban drainage	DM3/5	Yes subject to condition.

### **Other matters**

74. The officer report for application ref. 15/00273/F ([report to planning applications committee, 3 September 2015](#)) assessed in detail the principal of residential

development on this site. The site is not allocated for a specific type of development in the Local Plan and is located within the south city centre regeneration area identified in the JCS, policy 11, as an area of change, suitable for mixed use development and improved public realm. The proposal consists of the comprehensive redevelopment of the site solely for residential purposes. In accordance with the NFFP and the national objective of boosting housing supply, DM 12 is permissive of residential development except where sites are: designated for non-residential purposes; within a specified distance of a hazardous installation; within or immediately adjacent to the Late Night Activity Zone or at ground floor within the primary or secondary shopping area. None of these exceptions apply to this site.

75. The Ferry Boat Inn building dates from the 17<sup>th</sup> century, its use as a public house being first noted in 1822 when it was called the Steam Packet. The use as a public house continued until 2006. DM 22 seeks to safeguard community facilities, including public houses, for the benefit of the communities they serve. In terms of market interest, the pub has now been closed for 10 years and marketing over that period of time has not generated interest by a developer wishing to continue with the public house use. Given the deterioration in the condition of the listed building and associated outbuildings, it is highly likely that the viability of re-opening the public house or re-using it for an alternative community purpose will have further reduced over this time period. Although it is considered regrettable that the historic use of this site will be permanently lost, in the context of both DM22 and DM 9 and securing the future viable use of the listed building (on the City Council's Buildings at Risk Register) the principle of re-using the building for non-community purposes is considered acceptable.
76. In addition the following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: parking and servicing, contamination, archaeology.

### **S106 Obligations**

77. The following matters would be secured through a S106 Obligation:

- Affordable housing review clause
- Public access arrangements along Wickhams Yard and the river frontage
- De-masting arrangements (if not able to secure through planning condition)

### **Local finance considerations**

78. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
79. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
80. In this case local finance considerations are not considered to be material to the case.

## Conclusion

81. Both the NPPF and DM9 require all development to have regard to the historic environment and maximise opportunities to preserve, enhance or better reveal the significance of designated assets. These policies are rooted in the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 which imposes a duty on local authorities to have special regard and pay special attention to development affecting listed building and their settings and conservation areas. The site is located in one of the most historic parts of Norwich and development directly affects a building which functioned as a public house for almost 200 years. The comprehensive proposals for a high density, high rise and contemporary form of urban development have been carefully assessed in this context. It is considered that the revised scheme is of an appropriate design for the location; delivers housing in a highly sustainable location and secures the regeneration of a building and site which have now been vacant for a substantial number of years. The development is therefore assessed as being in accordance with the requirements of the National Planning Policy Framework and the adopted Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## Recommendation

To approve:

- (1) application no. 15/01810/F - 191 King Street Norwich NR1 2DF and grant planning permission subject to the completion of a satisfactory legal agreement to secure those items listed at paragraph 76 and subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. Construction Management Plan
  4. Standard contamination conditions - investigation/remediation and monitoring
  5. Standard archaeological conditions
  6. Prior to demolition historic recording of buildings - placed on the HER
  7. Details of piling/foundation design
  8. Details of river wall works
  9. Full details of SUDs and long term management arrangements
  10. Conditions required by EA regarding flood risk management
  11. Detailed landscape scheme for all hard and soft /seating and planters etc – details to include biodiversity enhancements
  12. Scheme for off-site improvements to adjacent highway land – including street trees
  13. Scheme for de-masting -design and long term management
  14. Materials
  15. Details of; balconies, windows, external doors and gates, bonding, joint treatment, mortar mix, decorative/textured brick work, gates.
  16. Details of external lighting
  17. Completion of Ferry Boat Inn works prior to first occupation of any part of the development
  18. Details of heritage interpretation - public house/14th arch
  19. Compliance - lifetime homes
  20. Compliance - water efficiency



- 21. Compliance - Energy strategy
- 22. Compliance - electric car charging ,cycle parking and refuse facilities

Note required by Anglian Water re assets, no parking permits

(2) application no 15/01811/L - 191 King Street Norwich NR1 2DF and grant listed building consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Prior to commencement full schedule of works including sound proofing/fire proofing measures, including method statements for opening up areas currently lined (ground floor back room and fireplaces)
4. Details of light-well lighting, method for blocking of stairs, where new openings full details of elevations, architrave/lining details
5. Record of building and provided to the HER
6. All internal/external features shall be retained unless stated otherwise
7. Details of any replacement windows /doors/secondary glazing if proposed
8. Details of routes/specification and locations of all extracts; boiler flues, heating/hot water systems, plumbing
9. External decoration

**Article 35(2) 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.



**Report to** Planning applications committee

**Item**

13 February 2020

**Report of** Area development manager

**Subject** Application no 19/01581/F - Chiswick House, 3  
Christchurch Road, Norwich, NR2 2AD

**Reason  
for referral** Objections

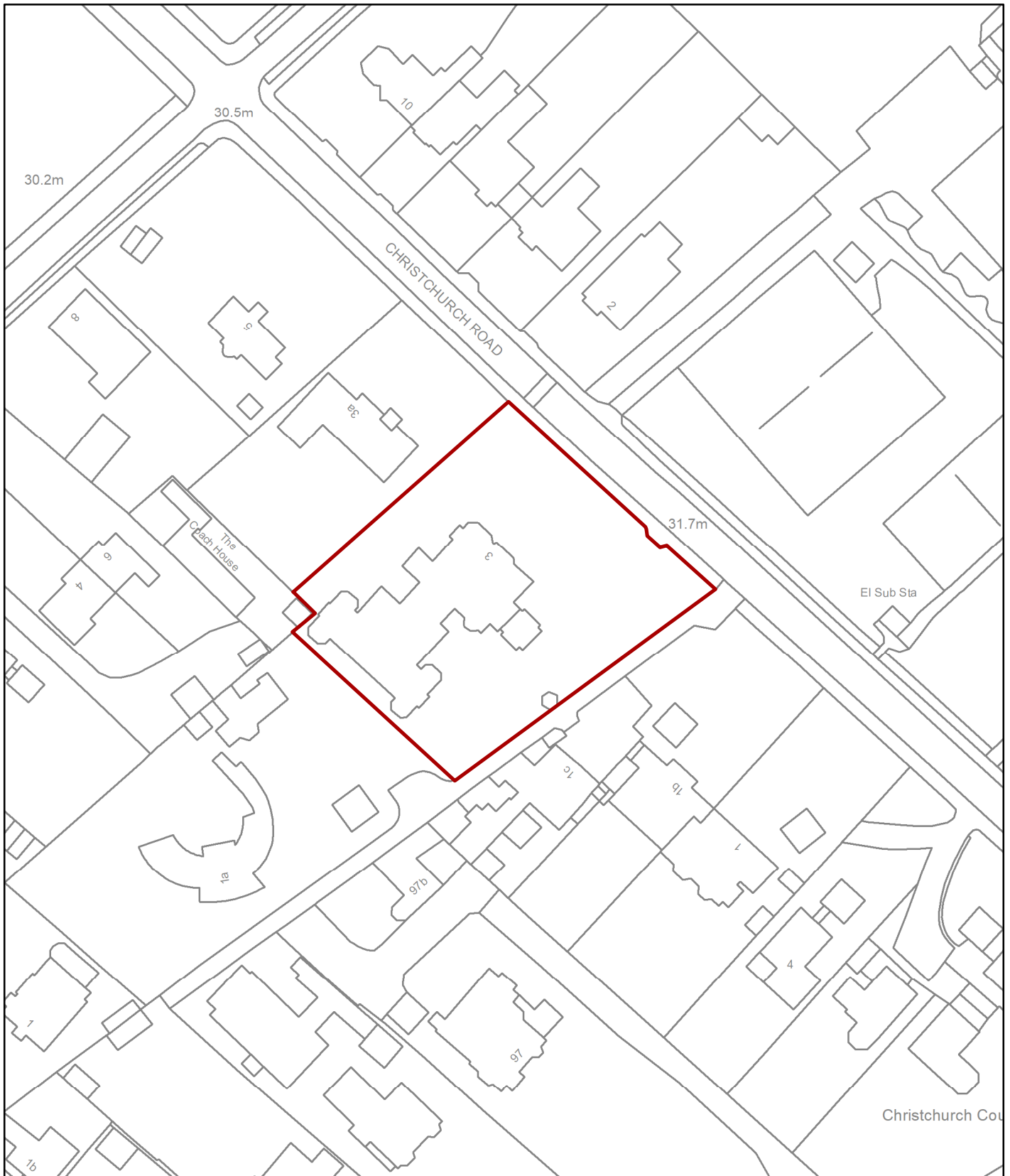
4(b)

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<b>Ward:</b>	Eaton
<b>Case officer</b>	Maria Hammond - <a href="mailto:mariahammond@norwich.gov.uk">mariahammond@norwich.gov.uk</a>

Development proposal		
Side extensions.		
Representations		
Object	Comment	Support
8	0	0

Main issues	Key considerations
1	Principle of extension
2	Design
3	Heritage
4	Trees
5	Transportation
6	Amenity
<b>Expiry date</b>	18 February 2020
<b>Recommendation</b>	Approve



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Planning Application No 19/01581/F  
 Site Address Chiswick House  
 Christchurch Road  
 Scale 1:1,000

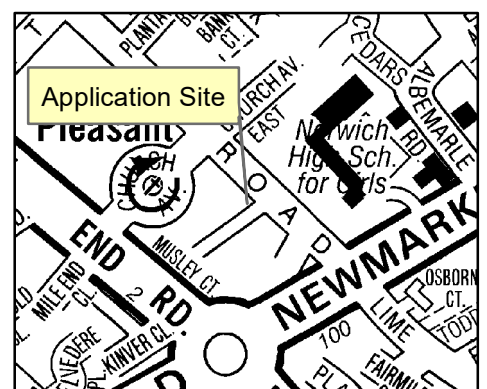


**NORWICH**  
 City Council

PLANNING SERVICES



Page 68 of 112



## The site and surroundings

1. The site is located to the south west side of Christchurch Road, close to the junction with Newmarket Road. The surrounding area is largely residential, with the High School grounds being located opposite the site. Properties vary in scale from large houses set within their own grounds to semi-detached houses and some apartment development.
2. The building is a large double fronted house that would have originally been a single dwellinghouse in spacious gardens. It is now in use as a care home and has previously been extended to the side and to the rear with single storey extensions. It is accessed by a sweeping driveway and screened from the road by protected trees and very mature hedges. A soft landscaped garden exists to the southeast side.
3. Three dwellings border the site on its northwest and southwest boundaries and further residential development extends off a private driveway along the southeast boundary. Norwich High School for Girls and neighbouring dwellings lie across Christchurch Road. The neighbouring dwellings vary in scale, form and age and many have developed as a result of sub-division of earlier, larger plots.

## Constraints

4. The site is a locally listed building in the Unthank and Christchurch Conservation Area. There is a group of TPO trees to the road frontage and the area is a critical drainage catchment.

## Relevant planning history

5.

Ref	Proposal	Decision	Date
4/2002/1067	Extension to provide 3 additional bedrooms.	APPR	22/11/2002
4/1999/0499	Single storey extension to provide two further bedrooms.	APPR	26/08/1999
08/00177/F	Extension and alteration to existing property to form new elderly care facilities.	REF	02/05/2008
08/00753/F	Extensions and alterations to rear of existing premises to form new elderly care facilities.	REF	29/08/2008
09/00954/A	Display of 1 No. non-illuminated freestanding single sided sign board.	APPR	14/01/2010
09/01452/F	Extension and alterations.	REF	24/02/2010

Ref	Proposal	Decision	Date
11/00698/F	Erection of extension and alterations.	REF	03/06/2011
12/00113/F	Erection of rear extension, infill extension and alterations to provide new bathroom/shower rooms, relocation of laundry and net gain of 4 additional bedrooms.	APPR	11/04/2012
12/01386/D	Details of Condition 4: Materials; Condition 5: Revised AIA and TPP; Condition 9: Mitigatory replacement tree planting and Condition 10: Water conservation measures of previous permission 12/00113/F 'Erection of rear extension, infill extension and alterations to provide new bathroom/shower rooms, relocation of laundry and net gain of 4 additional bedrooms.'	APPR	17/09/2012
13/01498/F	New side conservatory extension, addition to existing side conservatory and provision of solar panels to the rear roof slope of the rear extension permitted under 12/00113/F.	APPR	04/11/2013
13/01874/D	Details of Condition 4) materials to be used for the eaves, verges, windows, bricks, slates and mortar mix of previous planning permission 12/00113/F. 'Erection of rear extension, infill extension and alterations to provide new bathroom/shower rooms, relocation of laundry and net gain of 4 additional bedrooms'.	APPR	13/06/2014
14/00060/VC	Variation of condition 2 - approved plans and drawings of previous permission 12/00113/F 'Erection of rear extension, infill extension and alterations to provide new bathroom/shower rooms, relocation of laundry and net gain of 4 additional bedrooms.'	APPR	28/05/2014
14/01408/F	Insertion of dormer window to front elevation.	APPR	14/11/2014
19/00435/F	Insertion of dormer window to front elevation.	APPR	21/05/2019

## The proposal

6. It is proposed to add two single storey side extensions to the care home. One would be along the northwest side of property and occupy much of this area. A smaller extension of approximately 13sqm is proposed on the opposite side elevation off an existing extension.
7. The larger extension on the southwest side would provide six bedrooms, however it would facilitate an internal reorganisation, so the net gain would in fact be four bedrooms and take the total number of residents to 30. The smaller extension would allow two existing bedrooms to have en suite bathrooms installed.
8. The extension to the southwest side would have a staggered arrangement with protruding bays. At the closest point it would be approximately 1.1 metres from the boundary with the neighbouring dwelling at 3a Christchurch Road. A new fence and landscaping is proposed along this boundary.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total floorspace	165 sqm net additional (20sqm demolition)
No. of storeys	One
Max. dimensions	21.5 metres long, a maximum of 11 metres wide and 5 metres high and 6 metres by 2.2 metres and 4.4. metres high.
<b>Appearance</b>	
Materials	Brick and tile to match existing
<b>Operation</b>	
Ancillary plant and equipment	None specified
<b>Transport matters</b>	
Vehicular access	As existing
No of car parking spaces	At least 16
No of cycle parking spaces	Cycle shelter proposed
Servicing arrangements	As existing

## Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 8 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Commercial activity in residential area	See main issues 1 and 6
Create a property out of proportion	See main issues 2 and 3
Increased traffic will add to road congestion	See main issue 5
Increase in noise for deliveries, general activity and traffic	See main issue 6
Building within 1 metre of boundary will have negative visual impact and together with noise and activity will detract from enjoyment of neighbouring property	See main issue 6
Creeping expansion over the years, further destruction of asset	See main issues 2 and 3
Christchurch Road is at maximum capacity	See main issue 6
Would create a business property out of all proportion with the surroundings, dwarfing the neighbouring residential properties	See main issues 2 and 3
Noise and traffic which would degrade the character of this peaceful residential road	See main issue 6
Unreasonable level of development in what is a residential conservation area. High-density building coverage is not in keeping with the requirements of the Unthank and Christchurch Conservation Area.	See main issues 2 and 3
Noise and light pollution has been very obvious giving reason to complain a number of times, specifically about a near-constant low hum, neon blue light and floodlight	See main issue 6
Extension proposed will produce a considerably heightened nuisance	See main issue 6
Apart from the car parking area and few remaining trees, most of the ground area will be covered in buildings after this expansion	See main issues 2 and 3



Issues raised	Response
Frequent (daily) large delivery and refuse collection vehicles have an impact on the health and welfare of local residents, mostly due to congestion, noise, air and light pollution	See main issue 6

## Consultation responses

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

### Tree protection officer

11. No objections, however, applicant should take into account, a). the requirement to replace the dead mulberry (T33 - condition 6 of 19/01385/TPO), and b). their obligation to replace the windblown beech (G1, TPO 76). Ensuring that there is adequate space for both replacement trees to thrive, and reach their full potential whilst having minimum impact on built structures.
12. The spot for the replacement beech looks ok. Regarding planting spec, I'd be looking at a heavy standard, 12-14cm girth, planted during Nov-Apr. The tree should be sourced from a domestic nursery that retains its trees for a minimum of one year within the UK before sale.

## Assessment of planning considerations

### Relevant development plan policies

13. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS7 Supporting communities
14. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM5 Planning effectively for flood resilience
  - DM7 Trees and development
  - DM13 Communal development and multiple occupation
  - DM30 Access and highway safety
  - DM31 Car parking and servicing

## **Other material considerations**

### **15. Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF9 Promoting sustainable transport
- NPPF7 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF16 Conserving and enhancing the historic environment

### **16. Supplementary Planning Documents (SPD)**

- Trees, development and landscape SPD adopted June 2016

## **Case Assessment**

17. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### **Main issue 1: Principle of development**

18. Key policies and NPPF paragraphs – DM13, DM9, NPPF sections 5 and 16
19. There is no objection to the extension of an existing care home in principle.
20. Objections have raised concern about having a large ‘commercial’ operation in a predominantly residential Conservation Area, however this is an established use that is not, in principle, out of character with or inappropriate for the area.

### **Main issue 2: Design and heritage**

21. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12
22. The original building here has been significantly extended in different phases and as noted in some of the representations, this is already a large property relative to some of the neighbouring dwellings. The proposed extensions would further increase the scale of the building and reduce the amount of open space around it.
23. The area along the southwest boundary which the larger extension would infill is largely operational space, cluttered with a collection of small outbuildings which would be removed as a result of the development. The space to be lost to the extension here does not therefore positively contribute to the setting of the building or retain the original more spacious garden setting of the house. The smaller extension on the southeast side would extend into an existing patio area.

24. The scale of the two proposed extensions would be subservient to both the original house and its current extended form. The larger southwest extension has been designed to match the rear extension approved in 2012. The hipped roofs of the both extensions and the plan form of the southwest extension with protruding bays satisfactorily breaks up their scale and mass.
25. As set out at section 4 above, some previous applications for extensions have been refused for reasons including the detrimental impact of cumulative extensions on the character and appearance of the Conservation Area. A scheme refused in 2009 was not dissimilar in footprint to the cumulative scale of the existing development and the extensions proposed in this application.
26. Subsequent to these refusals, a substantial rear extension was permitted in 2012 (12/00113/F, as subsequently amended) as the detailed design of this particular proposal broke up the scale and mass and the bulk would be largely unseen from the public perspective.
27. The extensions now proposed will also be largely unseen from the public perspective due to their positions set back from the front of the original building and the dense tree screening along the road boundary. The detailed design proposed in this application matches that approved for the rear extension in 2012 and the amenity area to the southeast which provides the garden setting to the building would remain in its current form.
28. As the extensions would occupy existing developed areas, rather than the garden area, and have been designed to break up the appearance of the additional scale and mass, the scale and design are not considered unacceptable and would have a negligible impact on the locally listed building and wider Conservation Area. It is also noted the development facilitates the provision of additional care home bedrooms which is considered a public benefit weighing in favour of the development.

### **Main issue 3: Trees**

29. Key policies and NPPF paragraphs – DM7, NPPF paragraph 127
30. Protection measures are proposed to the group of TPO trees at the front of the site. As these will be retained, they will continue to screen the site from this public aspect.
31. A significant mature beech tree in the area of the southwest extension, which was protected by TPO, came down in a storm in 2018. In accordance with the TPO regulations, this tree should be replaced and the application proposes planting a new tree on the southeast side of the building. This is considered an appropriate position for a replacement tree within the constrained garden area and completion of the planting should be secured by condition.
32. Further individual trees in the garden area to the southeast are also protected by TPO. A mulberry tree within the lawn area has died and consent has been granted to remove it (19/01385/TPO), subject to a condition requiring it to be replaced. It is considered there is adequate space for this to be replaced in accordance with that consent without further impinging on the amenity space or existing and new trees.

## **Main issue 4: Transport**

33. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9
34. The application states there are at least 16 parking spaces on site. In accordance with parking standards, the site would require a total of six as a result of the proposed development. In reality, the existing car park has capacity for approximately 20 vehicles and at the time of a site visit three cars were parked in the area of the proposed southwest extension. The proposal would, therefore, reduce parking capacity from the existing level, but it would remain more than sufficient for the proposed development.
35. Six cycle spaces are also required for staff and visitors and a shelter close to the entrance is proposed. Details of the design can be agreed by condition to ensure this is appropriate to the site and Conservation Area.
36. The access arrangements for delivering and servicing would not change and there is an existing bin store with adequate capacity. It is not considered the four additional bedrooms would result in any significant additional movements to contribute to the traffic congestion reported in representations.

## **Main issue 5: Amenity**

37. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 180 to 182.
38. Each proposed new and extended bedroom would have an en suite and at least one window. The two projecting bays on the southwest elevation would be close to the site boundary so have limited outlook and present privacy issues, so the proposal has been amended to provide obscure glazing to those windows and additional windows in the flank walls. A new closeboard fence is proposed along the inside of this boundary to supplement the existing low wall as vegetation along this boundary which provides screening between the two properties is outside the site and therefore beyond the applicant's control. One existing small bedroom with poor outlook would be replaced with a laundry.
39. Externally, the existing garden area to the southeast would need to accommodate the needs of the four additional occupants (and associated staff). This area, as the one remaining part of the original garden, is constrained in size and enclosed on two sides by mature planting. It is not insufficient to meet the needs of the additional residents, but it is considered unlikely that the site could accommodate any further extensions without becoming detrimental to the amenity of occupants of the site and neighbouring dwellings.
40. As noted above, the southwest extension would be in proximity with the boundary to the rear garden of the neighbouring dwelling. The distance from the dwelling itself and single storey form of the extension means there are not considered to be any significant adverse impacts from overbearing or overshadowing.
41. The proposal would increase occupation of the care home by four bedrooms which is not considered to be of such a scale to result in a significant intensification of use, activity or additional deliveries that would be unacceptably detrimental to the amenity of the local area.

42. The internal reorganisation would relocate the laundry and kitchen, two of the more intense activities, to more central positions within the building whereas they are both currently on the southwest elevation. It is noted that existing plant and lighting has given rise to complaints from neighbouring occupiers and this development provides an opportunity to address that by requiring any new or re-located plant and lighting to be agreed by condition.
43. It is acknowledged that the site is a large non-domestic operation that has a close relationship with neighbouring residential properties, however it is not considered the proposal would result in any unacceptable impacts on the amenity of their occupiers.

### **Compliance with other relevant development plan policies**

44. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

### **Equalities and diversity issues**

45. There are no significant equality or diversity issues.

### **Local finance considerations**

46. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
47. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
48. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

49. The application proposes two extensions to an existing care home. It is acknowledged that the form and setting of the original building has been significantly altered and the proposals would further contribute to this, however it is considered that they have been designed to respect the original building and are of a scale and siting that would have a negligible effect on the character and appearance of the locally listed building and surrounding Conservation Area.

50. The presence and use of the extensions in isolation and cumulatively with the existing care home are not considered to result in any unacceptable impacts on the amenity of neighbouring occupiers or contribute to any existing congestion. It is considered the development would provide an acceptable standard of amenity for occupants.
51. Approval of the application can secure replacement of a TPO beech tree and the provision of appropriate cycle parking for staff and visitors.
52. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

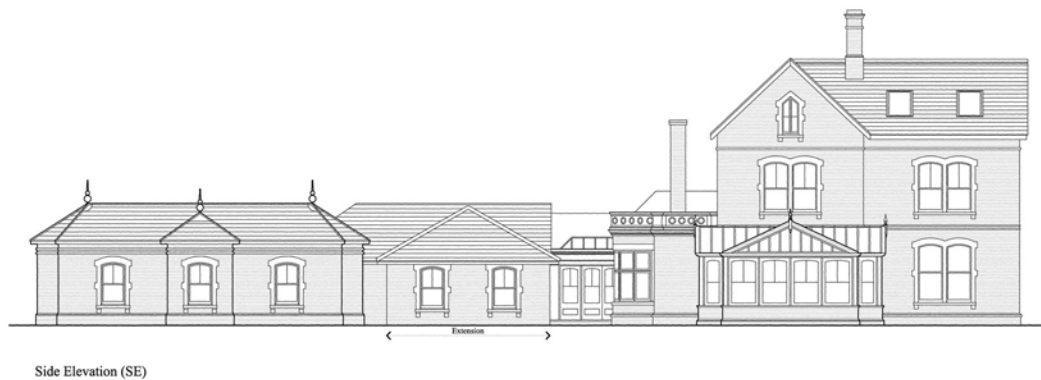
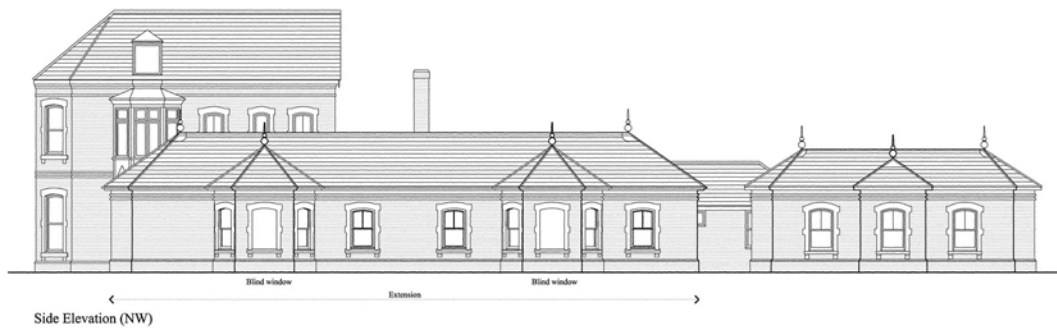
## **Recommendation**

To approve application no. 19/01581/F - Chiswick House 3 Christchurch Road Norwich NR2 2AD and grant planning permission subject to the following conditions:

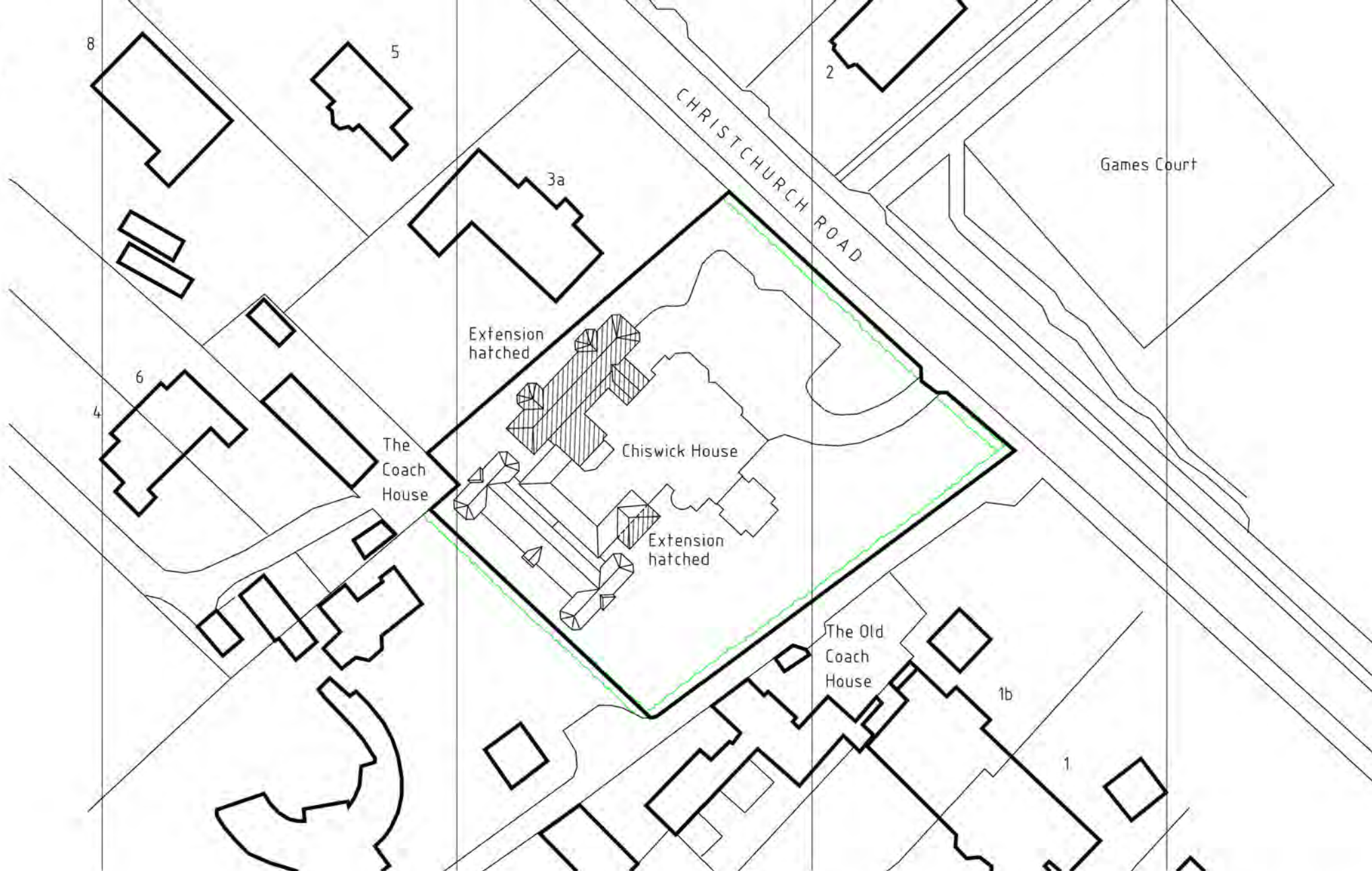
1. Standard time limit;
2. In accordance with plans;
3. Materials to match
4. Replacement tree planting
5. Landscape scheme along southwest boundary
6. Cycle storage to be agreed
7. Lighting to be agreed
8. Plant to be agreed
9. Surface water drainage to be agreed
10. Water efficiency

## **Article 31(1)(cc) statement**

The local planning authority in making its decision has had due regard to paragraph 38 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 to openings and additional information concerning trees and amenity the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.







#### Revisions

**MARK PERKINS**  
Bsc (Hons.) Dip. Arch. (Hons.) RIBA  
*Partnership*  
CHARTERED  
ARCHITECT  
HAMILTON HOUSE  
LANGENHOE PARK  
LANGENHOE  
COLCHESTER  
ESSEX CO5 7JJ  
TELEPHONE & FAX  
01206 735990

PROJECT: PROPOSED EXTENSION  
CHISWICK HOUSE, 3 CHRISTCHURCH ROAD  
NORWICH, NORFOLK, NR2 2AD

CLIENT: BLACK SWAN INTERNATIONAL LTD

DATE: JULY 19

SCALE: 1:500 @ A3

DRG. No. 1100/07

No dimensions to be scaled. Check all dimensions on site. Any discrepancies to be reported.





Christchurch Road

Approx Line of existing parking area

10 No. 2 tier  
Cycle store within an Echelon or similar cycle shelter, see  
<https://uk.gladson.com/echelon-cycle-shelter>

Proposed replacement Beech Tree stock 2M high

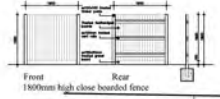
Entrance

Car Park

NOTE  
Existing layout based on information provided by others

Proposed Soakaway

Proposed 1.8M CBF

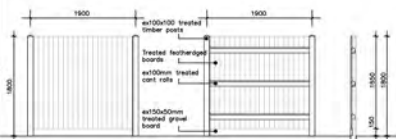


Proposed Ground Floor Plan

Key  
Existing  
Proposed  
Demolition

Scale (m)  
0 1 2 3 4 5

Page 81 of 112 Proposed Soakaway



Front  
1800mm high close boarded fence  
1:50

D	Minor amendments for LA queries	20.01.20
C	Minor amendments for LA queries	20.12.19
B	Car park Layout amended to match existing	30.08.19
A	Client amendments	15.07.19

**MARK PERKINS**  
Architects  
100 Church Street, 2nd Floor  
Norwich, Norfolk, NR2 2AD  
Tel: 01603 254555  
Email: [info@markperkins.co.uk](mailto:info@markperkins.co.uk)  
Website: [www.markperkins.co.uk](http://www.markperkins.co.uk)

PROJECT: PROPOSED EXTENSION  
CHISWICK HOUSE, 3 CHRISTCHURCH ROAD  
NORWICH, NORFOLK, NR2 2AD

CURVE: BLACK SWAN INTERNATIONAL LTD

TITLE: PROPOSED GROUND FLOOR PLAN

DATE: OCT. 18 SCALE: 1:100 @ A1 DRAWING: 1100/05D

No dimensions to be used. Check all  
dimensions on the drawing and  
specification.

© Copyright of Mark Perkins



**Report to** Planning applications committee

**Item**

13 February 2020

**Report of** Area development manager

**Subject** Application no 19/01365/F - 66 Clabon Road, Norwich,  
NR3 4HG

**Reason  
for referral** Objection

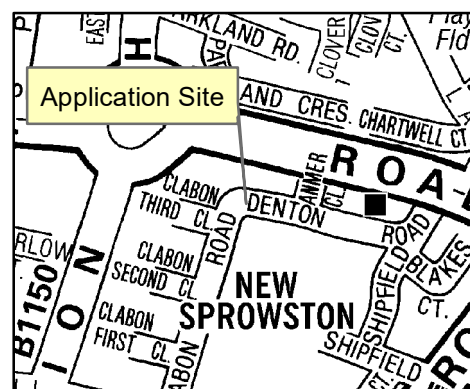
4(c)

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<b>Ward:</b>	Catton Grove
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

Development proposal		
Sub-division of rear garden and construction of two storey dwelling.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1	Principle of development
2	Design
3	Amenity
4	Transport
5	Trees
<b>Expiry date</b>	25 December 2019
<b>Recommendation</b>	Approve



## The site and surroundings

1. The site is formed of a corner plot located at the northern end of Clabon Road, at the junction with Denton Road. The site is a rectangular plot featuring a small front garden / parking area, a two-storey semi-detached dwelling to the front of the plot and a long rear garden. The site boundaries are marked by a mature hedgerow fronting Denton Road, an embankment and mature planting across the rear and close boarded fencing to the side. The rear garden is roughly divided in half between a lawn area adjacent to the house and vegetable plots to the rear.
2. The site is boarded by the adjoining semi-detached dwelling to the south, no. 64 Clabon Road, and a similar two-storey semi-detached dwelling to the rear no. 55 Denton Road. Opposite the site to the north are no. 50 Denton Road, a two-storey detached dwelling and nos. 48 and 46 Denton Road, a pair of two-storey semi-detached dwellings.
3. The prevailing character of the surrounding area is residential. Clabon Road is of a clearly defined area of inter-war housing. The majority of the tree-lined road is flanked by two-storey semi-detached dwellings constructed during the 1930's. Properties, including the parent property, predominantly feature small front gardens (some of which have become parking areas) driveways to the side and larger, narrow rear gardens. There is a more varied character at the junction of Denton Road, with there being a number of individually built dwellings. Denton Road is of a similar layout and scale, however the properties were all constructed in the post-war period.

## Constraints

4. Critical Drainage Catchment: Catton Grove and Sewell

## Relevant planning history

5. There is no relevant planning history.

## The proposal

6. The proposal seeks consent for the sub-division of the original plot to facilitate the construction of a two-storey, two bedroom detached dwelling.
7. The proposal has been revised during the determination of the application. Consent was originally sought for the construction of a larger three bedroom dwelling featuring an integral car port.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>One dwelling</b>
Total floorspace	<b>83.6m<sup>2</sup></b>

<b>Proposal</b>	<b>Key facts</b>
No. of storeys	<b>Two storeys</b>
Max. dimensions	<b>9m x 5.4m main footprint over two storeys + 5.35m x 1.2m single storey section to front. 5.1m at eaves, 7.4m maximum height.</b>
<b>Appearance</b>	
Materials	<b>Brick walls Clay pantiles White UPVC windows and doors</b>
<b>Transport matters</b>	
Vehicular access	<b>New access formed from Denton Road, to eastern end of existing plot.</b>
No of car parking spaces	<b>Two car parking spaces, to front and side of proposed dwelling.</b>
No of cycle parking spaces	<b>To be provided by cycle store to rear of proposed dwelling</b>
Servicing arrangements	<b>Bin store to be site adjacent to proposed site entrance</b>

## Representations

8. Adjacent and neighbouring properties have been notified in writing by way of two consultation periods for the original and revised plans. Three letters of representation have been received during the first consultation period citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

<b>Issues raised</b>	<b>Response</b>
Proposed development is out of character	See main issue 2
Loss of private amenity space / insufficient amenity space	See main issue 3
Loss of outlook / overshadowing of neighbouring properties	See main issue 3
Proposed dwelling too close to junction of Denton and Clabon Roads	See main issue 4

## Consultation responses

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

### Highways (local)

10. No objection on highway grounds. The proposed means of access to Clabon Road is acceptable. The vehicle access will require a crossover/dropped kerb to be built to adoptable standards

### Tree protection officer

11. As long as the recommendations contained within the arb report are implemented (specifically the protective fencing for T3), I have no objections to this application.

### Citywide Services

12. Having viewed the plans I do not see a problem with the arrangements for bin provision and collection. Bins can be presented on Denton Road for collection. There is a bin store on the proposed plans within the boundary of the property. The collection crews will not collect from this bin store so bins will need to be pulled to the edge of the property for collection and returned afterwards.

## Assessment of planning considerations

### Relevant development plan policies

13. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS4 Housing delivery
  - JCS6 Access and transportation
14. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM5 Planning effectively for flood resilience
  - DM6 Protecting and enhancing the natural environment
  - DM7 Trees and development
  - DM12 Ensuring well-planned housing development
  - DM30 Access and highway safety
  - DM31 Car parking and servicing
  - DM32 Encouraging car free and low car housing



## **Other material considerations**

### **15. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change

## **Case Assessment**

16. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### **Main issue 1: Principle of development**

17. Key policies and NPPF paragraphs – DM12, NPPF 5 paragraphs 49 and 14.
18. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 70 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate development in residential gardens, for example where development would cause harm to the local area. The council considered this matter as part of the development of policies in the local plan and concluded that the criteria based policies in DM3 and DM12 are satisfactory to determine applications for dwellings in gardens. Therefore there are no specific policies restricting new dwellings in the gardens of existing properties.
19. The principle of residential development is acceptable on this site under policy DM12 subject to the criteria in the second part of DM12 and subject to the other policy and material considerations detailed below given that:
- The site is not designated for other purposes;
  - The site is not in a hazardous installation notification zone;
  - The site is not in the late night activity zone;
  - It does not involve the conversion of high quality office space; and
  - It is not in the primary or secondary retail area or in a district or local centre.
20. The proposed development is also not considered to compromise the delivery of wider regeneration proposals, does not have a detrimental impact upon the character and amenity of the surrounding area which cannot be resolved by the imposition of conditions (subject to more detailed assessment below), contributes to achieving a diverse mix of uses within the locality and contributes to providing a mix of dwellings within the area. The proposal would make a small contribution to housing supply in Norwich.



21. The proposed development is therefore considered to accord with the requirements set out in policy DM12 and is acceptable in principle.

## **Main issue 2: Design**

22. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
23. The proposed dwelling is to be constructed within the rear garden of no. 66 Clabon Road, a semi-detached dwelling constructed on a plot largely typical of the street. The prevailing inter-war housing character is evident, although it is noted that the rear garden is longer than the majority of other properties to the south of the site. It is also noted that the property is the last of the inter-war semi-detached dwellings located on Clabon Road, with the junction of Denton Road marking the end of this type of development. The siting of the proposed dwelling to the rear of the site would result in a new property being created facing onto and accessed from Denton Road. The area around the junction of Clabon and Denton Roads is defined by a more varied character represented by a number of individually built dwellings in a variety of designs. A more clearly defined character of post-war semi-detached dwellings begins beyond the rear boundary of the application site.
24. It is acknowledged that the creation of a new dwelling within the rear gardens of nearly all other properties on Clabon Road would result in a significant erosion of the original inter-war character of the street. In this instance however, as the site fronts Denton Road, close to the junction, in an area where the character is more varied, the creation of a new dwelling within the rear garden of 66 Clabon Road can be considered to have far less impact on the clearly defined inter-war character of the street.
25. The proposed dwelling is of a two-storey hipped roof design that features a single-storey mono-pitched roof section to the front elevation. The design is broadly reflective of the neighbouring semi-detached dwellings which also feature hipped roofs. The proposed dwelling is to be sited 2.5m from the eastern boundary shared with no. 55 Denton Road, helping to ensure that a visual gap between dwellings broadly similar to neighbouring properties is created.
26. The proposed sub-division will result in the removal of a 13m section of existing hedging fronting Denton Road. The mature hedge extends along the majority of the northern boundary, contributing to the visual amenity of the street scene. It is acknowledged that the loss of the hedge, and a number of small fruit trees from within the site, will result in an erosion of the existing verdant character. It is not however considered that this will result in significant harm being caused to the character of the area. It is noted that three mature trees and 16m section of hedge is to be retained. A detailed hard and soft landscaping scheme is to be required by way of condition to ensure a suitable appearance of the site.
27. The proposed dwelling at a maximum height of 7.4m is no taller than any of the neighbouring two-storey dwellings. Its siting, layout, scale and appearance are all considered to be appropriate for the location. The proposed dwelling is therefore considered to be acceptable in design terms.

### **Main issue 3: Amenity**

28. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
29. The proposed dwelling provides a total of approximately 83.m<sup>2</sup> of residential floorspace, which satisfies the nationally described space standard for a two-storey, two-bed dwelling. The first floor layout includes a double and single bedroom, as well as an en-suite and family bathroom. Both bedrooms satisfy the nationally described space standards. Externally, the layout provides approximately 121m<sup>2</sup> of garden to the side of the proposed dwelling, as well as spaces to the rear, front and opposite side, primarily allocated for storage or parking.
30. The parent property will retain approximately 130m<sup>2</sup> of external amenity space to the rear provided by the original garden. Although smaller than some of its immediate neighbours, the provision is not considered to be unacceptably low, ensuring that the occupants of the parent property benefit from an acceptable level of residential amenity.
31. The siting, scale and presence of existing screening will assist in ensuring that the proposed dwelling does not result in significant harm being caused to the amenity of neighbouring residential occupiers, by way of overshadowing, loss of outlook or by being overbearing. The design does not include any windows on the first floor side elevations, the rear facing first floor windows are to serve an en-suite bathroom and landing only and will be conditioned to be obscure glazing. The windows to the front elevation face onto Denton Road with the views of the neighbouring properties located opposite typical of the area. The proposed dwelling is therefore not considered to result in a loss of privacy to the parent or other neighbouring properties.

### **Main issue 4: Transport**

32. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
33. The proposed development includes the creation of a new access to the site from Denton Road. The access involves the creation of a new vehicular crossover of the existing footway. The siting of the proposed access is sufficient distance from the junction to ensure that highway safety is not significantly impacted upon. The layout provides space for parking a minimum of three cars, with spaces laid out to the front and side. The proposed layout includes the provision of cycle and bin stores.

### **Main issue 5: Trees**

34. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
35. The proposed development requires the removal of several fruit trees and a hawthorn to facilitate the construction of the proposed dwelling. The proposal also requires the removal of 13m of hedge along the northern boundary. A detailed arboricultural report has been submitted which includes mitigation measures to ensure that the remaining mature trees are not harmed during the construction. The details submitted are considered to be acceptable and the loss of the existing trees can be mitigated by the planting of replacement trees, which can be secured by way of condition.

### **Compliance with other relevant development plan policies**

36. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes, two spaces provided on site
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	The scheme is below the threshold for decentralised renewable or low carbon technologies.
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

### **Equalities and diversity issues**

37. There are no significant equality or diversity issues.

### **Local finance considerations**

38. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
39. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
40. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

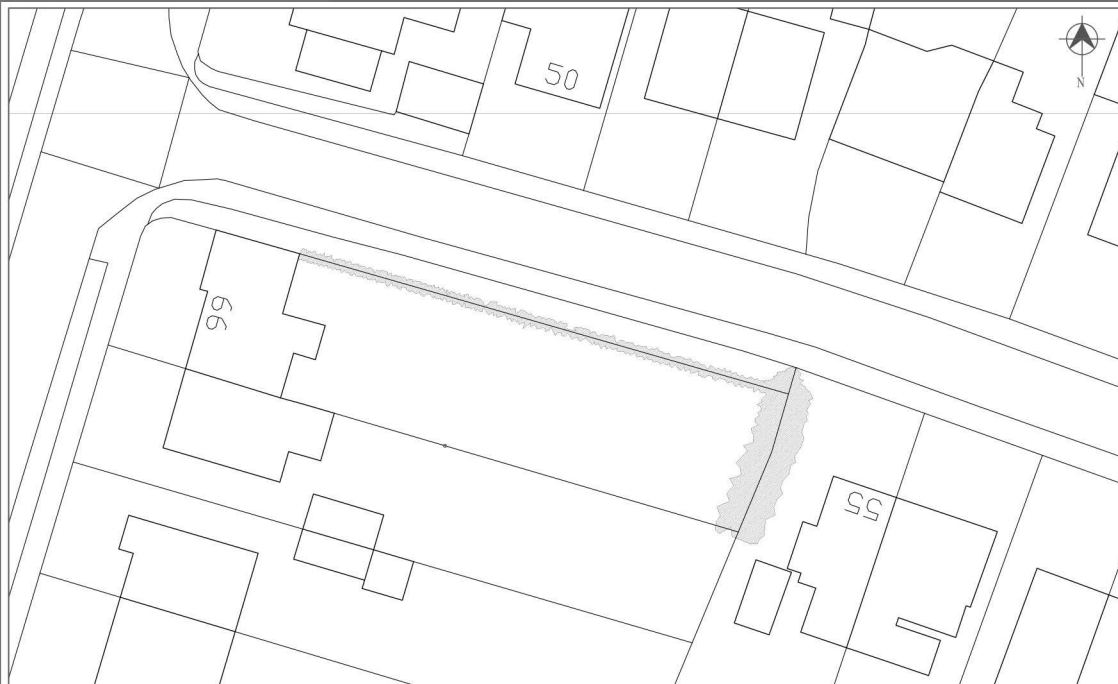
41. The proposal will result in the construction of a new dwelling within an acceptable location without causing significant harm to the residential amenities of the occupiers of neighbouring properties.

42. The design and layout of the dwelling and site is considered to be of an appropriate scale and design which will not cause harm to the character and appearance of the surrounding area.
43. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

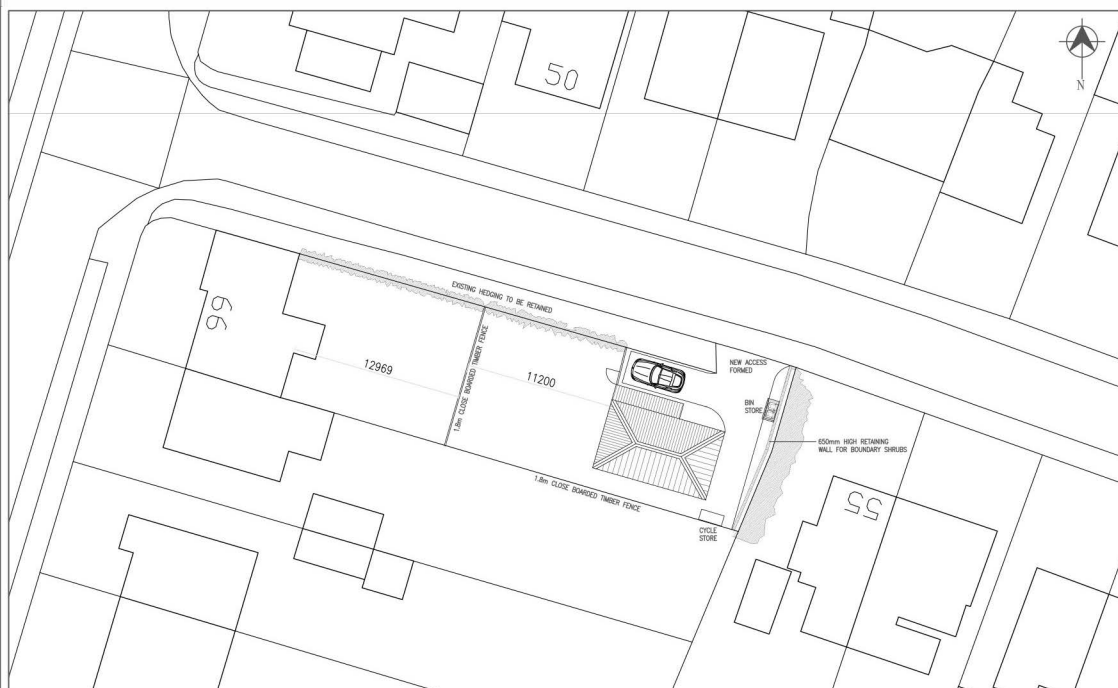
## **Recommendation**

To approve application no. 19/01365/F - 66 Clabon Road, Norwich, NR3 4HG and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. In accordance with arboricultural impact assessment and method statement;
4. Landscaping scheme & replacement planting;
5. Bin/bike store details and provision;
6. Surface water drainage scheme;
7. Water efficiency;
8. Obscure glazing to first floor south landing and bathroom windows.



BLOCK PLAN AS EXISTING @ 1:200

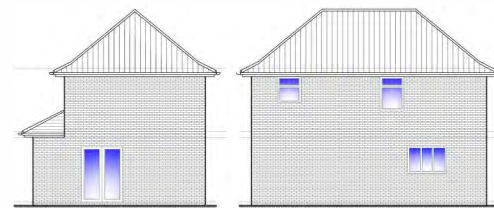


BLOCK PLAN AS PROPOSED @ 1:200



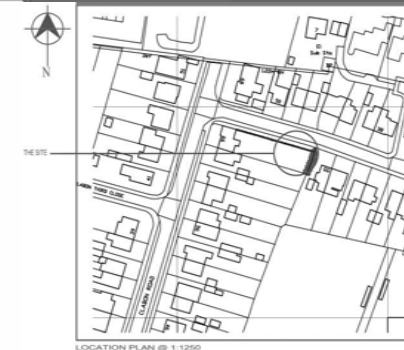
FRONT ELEVATION AS PROPOSED @ 1:100

SIDE ELEVATION AS PROPOSED @ 1:100

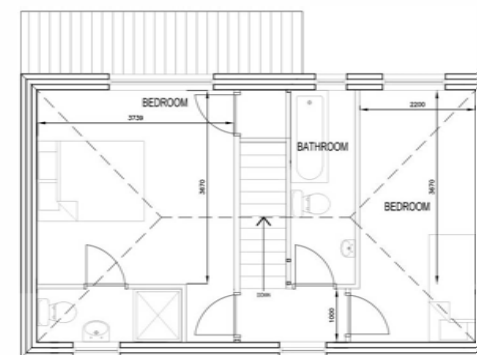


SIDE ELEVATION AS PROPOSED @ 1:100

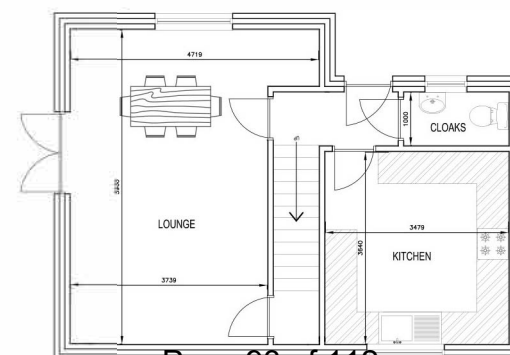
REAR ELEVATION AS PROPOSED @ 1:100



LOCATION PLAN @ 1:1250



FIRST FLOOR PLAN AS PROPOSED @ 1:100



GROUND FLOOR PLAN AS PROPOSED @ 1:100

Rev. C: Proposal reduced from 3 Bedroom house to 2 Bedroom.  
Date revised 18.12.19  
Rev. B: "GABLE" element removed at Planners request. Date revised 4.12.19  
Rev. A: Cycle Storage added, retaining wall added. En Suite removed and room sizes amended. Date revised 25.11.19

**APS** Anglian Planning Services Ltd.  
48 Cote Road, Sproughton, Norwich, NR7 6JL  
Tel: 01603 400517 Mob: 07703 630035  
email: alan.henning@anglianps.com  
www.anglianplanning.co.uk

**CLIENT:**  
MR. MEL HARVEY

**PROJECT:**  
PROPOSED SUB-DIVISION OF PLOT  
AT  
183 CLABURN ROAD  
NORWICH

**DRAWING TITLE:**  
PLANS & ELEVATIONS AS  
EXISTING & PROPOSED

DATE	BY	CHKD	SECT
AS SHOWN	BH		
REV	NOI	484	01
			C



**Report to** Planning applications committee

**Item**

13 February 2020

**Report of** Area development manager

**Subject** Application no 19/01597/F - 73 College Road, Norwich,  
NR2 3JP

**Reason  
for referral** Objection

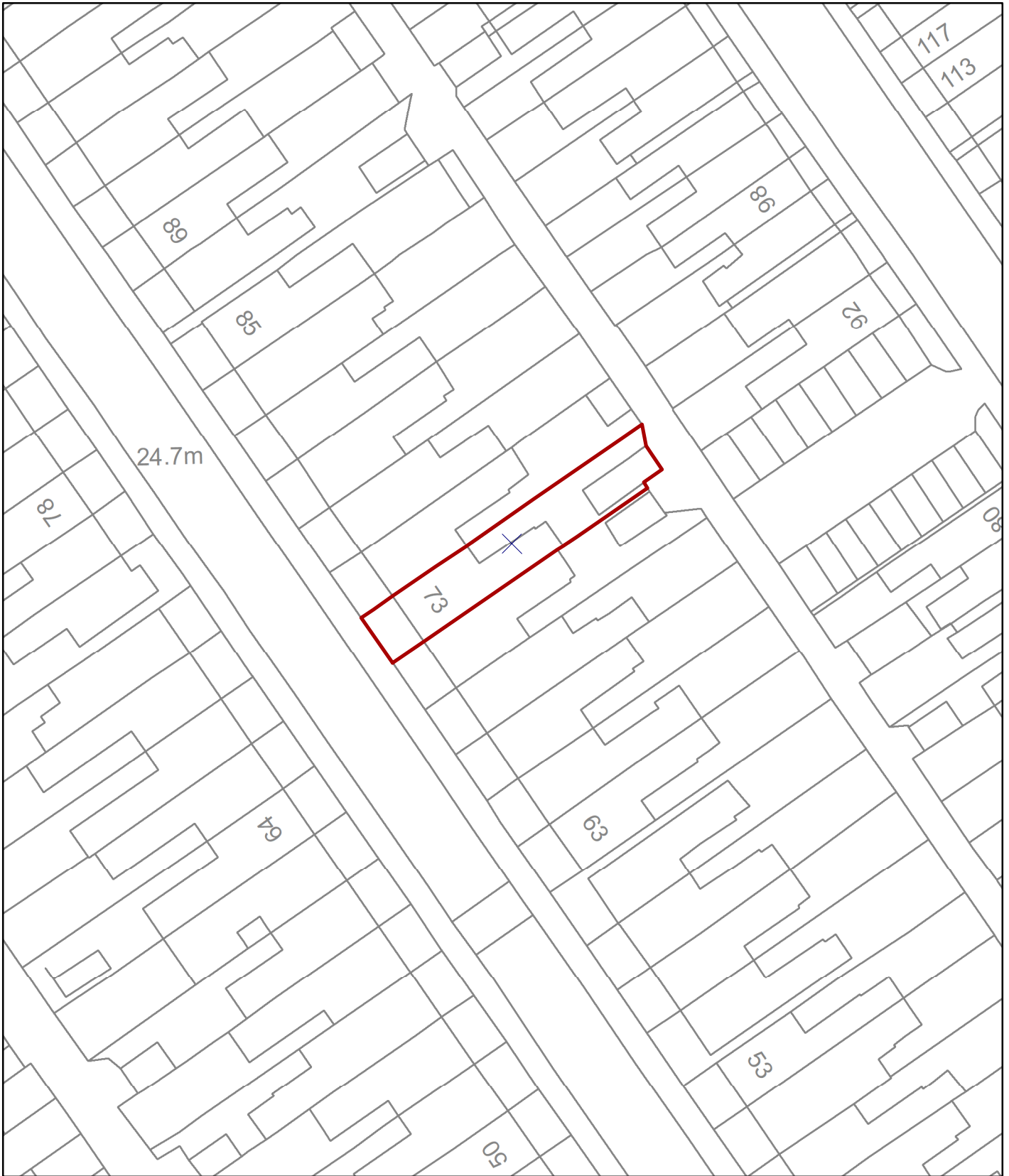
4(d)

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<b>Ward:</b>	Nelson
<b>Case officer</b>	Stephen Polley - stephenpolley@norwich.gov.uk

Development proposal		
First floor rear extension.		
Representations		
Object	Comment	Support
7	0	0

Main issues	Key considerations
1 Scale and Design	The impact of the development within the context of the original design / surrounding area
2 Residential Amenity	The impact of the development on the neighbouring properties nos. 71 and 75 College Road; outlook, loss of light
<b>Expiry date</b>	7 January 2020
<b>Recommendation</b>	Approve



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Planning Application No 19/01597/F  
Site Address 73 College Road

Scale 1:500

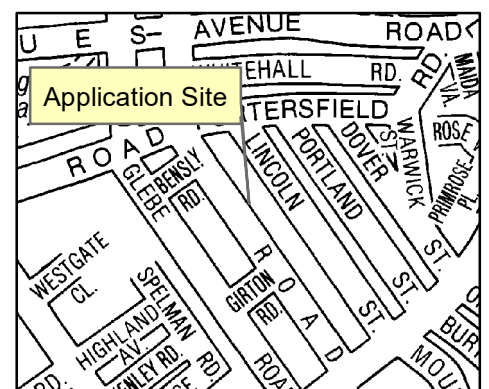


**NORWICH**  
City Council

PLANNING SERVICES



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## The site and surroundings

1. The site is located to the east side of College Road to the southwest of the city. The predominant character of the area is residential, primarily consisting of two-storey terrace dwellings constructed circa 1900. Properties have typically been constructed on rectangular plots with small front and larger rear gardens.
2. The subject property is two-storey mid-terrace dwelling constructed circa 1900 using red coloured bricks, clay coloured pantiles and white coloured windows. The property is arranged over an 'L' shaped footprint with a two-storey projecting gable to the rear, shared with the adjoining property to the north. The footprints of the terrace properties results in the creation of a series of shared side returns to the rear. The site features a small front garden area and a larger rear garden, within which a shed and garage have been added, facing directly onto an alleyway to the rear.
3. The site is bordered by the adjoining terrace dwellings to the north and south, nos. 75 and 71 respectively. The rear projecting gable is shared with no. 75, and the side return with no. 71. The site boundaries are marked by a brick wall and timber panelling.

## Constraints

4. There are no particular constraints.

## Relevant planning history

5. There is no relevant planning history.

## The proposal

6. The proposal is for the construction of a first floor extension to the rear of 75 College Road. The 3.1m x 1.5m extension is to be constructed above an existing single-storey flat roof extension and has been designed with a mono-pitched roof 4.95m at the eaves and 5.5m at the highest part. The proposed extension provides an enlarged bedroom and a new en-suite WC.

## Representations

7. Adjacent and neighbouring properties have been notified in writing. Seven letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
The proposed extension is out of character with the area.	See main issue 1

<b>Issues raised</b>	<b>Response</b>
The proposed extension will result in a loss of outlook from the rear of no. 71	See main issue 2
The proposal will result in a overshadowing of the rear rooms of no. 75	See main issue 2
The use of the property as an House of Multiple Occupancy (HMO)	See other matters
The proposal will result in an increase in parking problems within the area	See other matters

## **Consultation responses**

8. No consultations have been undertaken.

## **Assessment of planning considerations**

### **Relevant development plan policies**

9. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
10. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design

### **Other material considerations**

11. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
  - NPPF7 Requiring good design

### **Case Assessment**

12. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

## **Main issue 1: Design**

13. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
14. The proposed extension is to be constructed over the same footprint as the existing single-storey flat roof extension. The mono-pitched roof features a shallow pitch from the top of the proposed window to the level of the eaves behind. The size and style of the proposed window is close to the size and style of the existing and neighbouring window.
15. The siting of the extension to the rear ensures that it has a limited impact on the character and appearance of the subject property. It is however noted that it will be visible from the alleyway to the rear. The character and appearance of the rear of the terrace properties is more varied when viewed from the alleyway, with there having numerous extension and modifications carried out over the years, including a number of first floor extensions. The extension is to be constructed using matching materials including red bricks, clay coloured pantiles and a white window, helping the extension to blend with the existing. The overall impact of the proposed extension on the appearance of the subject property and character of the wider area is therefore considered to be limited. The proposed extension is therefore considered to be of an acceptable scale, form and design.

## **Main issue 2: Amenity**

16. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
17. Policy DM2 seeks to protect the amenities of the neighbouring occupiers with particular regard given to overlooking, overshadowing, loss of light/outlook and the prevention of disturbance from noise, odour, vibration, air or artificial light pollution. In this case the proposed extension will have only a limited impact on the amenity of neighboring residential occupiers. The orientation of the site and the scale of the proposed extension will ensure that significant harm is not caused to the residential amenity of no. 71. It is however acknowledged that the flank wall of the extension will be visible from the adjacent rear facing window belonging to no. 71. The impact on the outlook from this room will however be very limited with the majority of the current view remaining.
18. The proposed extension will have only a limited impact on the residential amenity of no. 75. The extension will be visible from the neighbouring side and rear facing windows of no. 75, however there will only be a slight amount of overshadowing occurring during a limited part of the day caused by the extension. A daylight / shadow assessment of the proposed extension has been submitted which indicates that a small amount of overshadowing of the neighbouring property will occur for a brief period during the middle part of the day. It is therefore considered that the proposed extension will not result in a significant change to the current situation in terms of overshadowing.

## **Other matters**

19. Use of the property: It is understood that the property is currently in use as a small scale HMO, operating within the student housing market. The proposed development creates an enlarged bedroom and an en-suite WC only. The proposal does not involve any change of use of the property, neither does it intensify the use of the property.
20. The use of the property is to remain the same, as the level of use. It is therefore unlikely that the proposal will have any impact on the provision of car parking spaces within the area.

## **Equalities and diversity issues**

21. There are no significant equality or diversity issues.

## **Local finance considerations**

22. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
23. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
24. In this case local finance considerations are not considered to be material to the case.

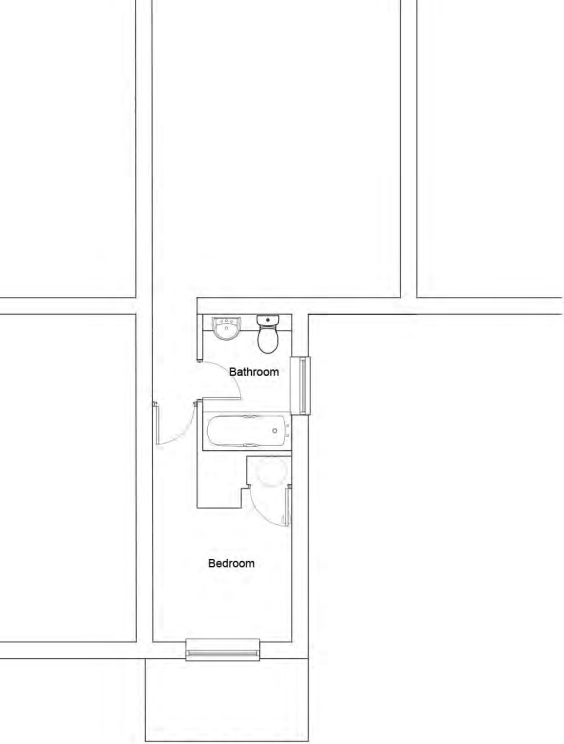
## **Conclusion**

25. The proposal will result in an enlarged dwelling which is considered to be of an appropriate scale and design, which does not cause significant harm to the character and appearance of the subject property, or surrounding area.
26. The proposed development will have a limited impact upon the amenity of neighbouring residential occupiers, with no significant harm being caused by way of overshadowing, overlooking or loss of outlook.
27. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

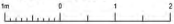
## **Recommendation**

To approve application no. 19/01597/F - 73 College Road Norwich NR2 3JP and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.



FIRST FLOOR PLAN  
SCALE 1:50



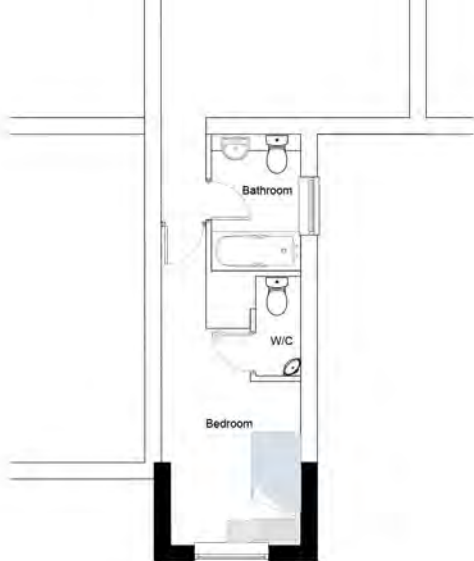
SIDE ELEVATION  
SCALE 1:50



REAR ELEVATION  
SCALE 1:50



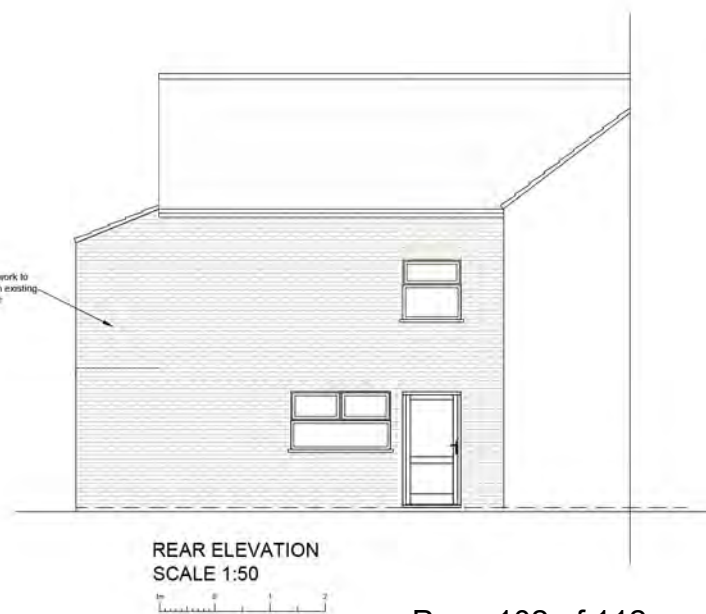
LISA ALLARD MCAT CHARTERED ARCHITECTURAL TECHNOLOGIST  27 Dereham Road, Easton, Norwich, NR9 5EH t: 07504678013 e: lisaallard838@gmail.com	
Project Details 73 College Road, Norwich First Floor Rear Extension	
Client Mrs A Richardson	
Drawing Existing Plans & Elevations	
Date Oct 2019	
Scales 1/50@ A1	Drawn: LA Checked
Drawing No. 064-19-01	Issue PLANNING
All dimensions must be site checked and not scaled from this drawing	



FIRST FLOOR PLAN  
SCALE 1:50



SIDE ELEVATION  
SCALE 1:50



REAR ELEVATION  
SCALE 1:50

<b>LISA ALLARD MCTAT</b> CHARTERED ARCHITECTURAL TECHNOLOGIST 27 Dereham Road, Easton, Norwich, NR9 5EH t: 07504678013 e: lisaallard83@gmail.com	
<b>Project Details</b> 73 College Road, Norwich First Floor Rear Extension	
<b>Client</b> Mrs A Richardson	
<b>Drawing</b> Proposed Plans & Elevations	
<b>Date</b> Oct 2019	
<b>Scales</b> 1/50@ A1	<b>Drawn</b> LA Checked
<b>Drawing No.</b> 064-19-02	<b>Issue</b> PLANNING
All dimensions must be site checked and not scaled from this drawing	

**Report to** Planning applications committee

**Item**

13 February 2020

**Report of** Area development manager

**Subject** Application no 19/01702/F - 47 Connaught Road,  
Norwich, NR2 3BP

**Reason  
for referral** Objections

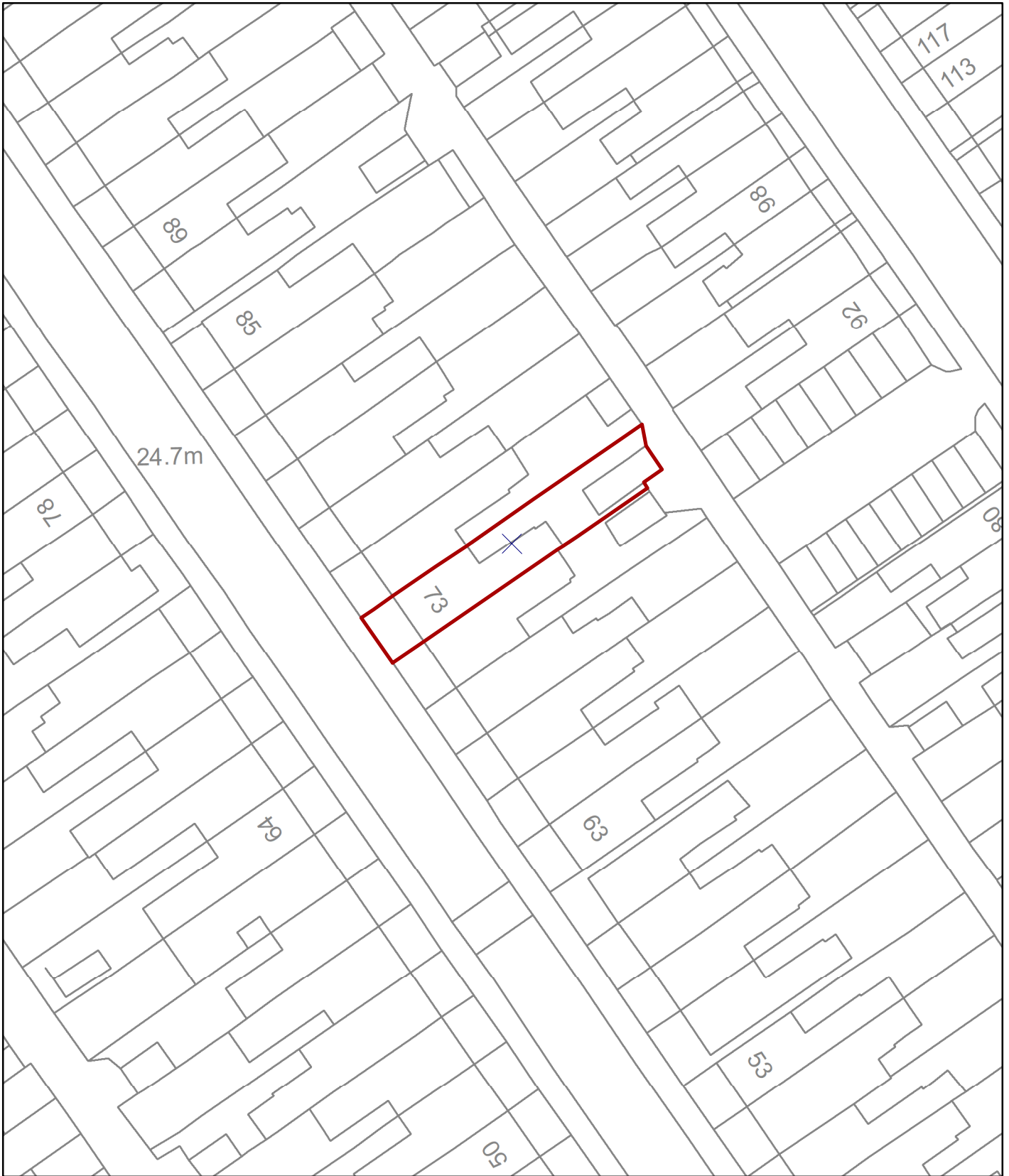
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<b>Ward:</b>	Nelson
<b>Case officer</b>	Stephen Little - <a href="mailto:stephenlittle@norwich.gov.uk">stephenlittle@norwich.gov.uk</a>

Development proposal		
Single storey rear extension.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Residential Amenity	The impact of the proposals on neighbouring properties; loss of light & outlook.
<b>Expiry date</b>	17 February 2020
<b>Recommendation</b>	Approve



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Planning Application No 19/01597/F  
Site Address 73 College Road

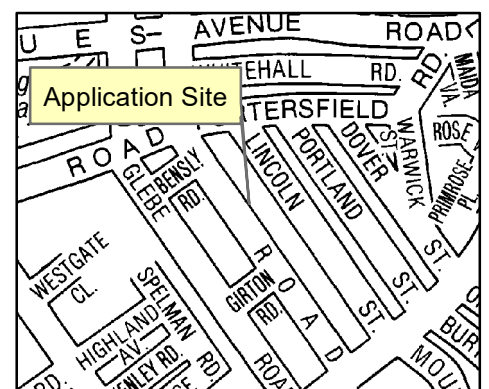
Scale 1:500



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PLANNING SERVICES



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## The site and surroundings

1. The subject dwelling is situated on the west side of Connaught Road, a residential suburban street 1km west of the city centre. The street is characterised by two-storey Victorian terraces of which the subject dwelling is typical. The terraces are relatively uniform in appearance, though many have been altered to the front and rear.
2. The subject dwelling is buff brick to the front and white render to the rear with a red pantile roof. Along its north boundary it has a small two-storey pitch-roofed section original to the house (as other terraces in the row) and also a single storey flat roofed extension projecting 5.5m further to the rear. The garden extends 28m further to the rear.
3. To the north is no.45 which has a two-storey section and single storey rear extension of matching length adjoined to those of the subject property. However, there is a drop in land toward no.45 meaning that these elements are 800mm lower than those of the subject property. It has a rear-facing box room window.
4. To the south is no.49. No.49 has recently been extended to the rear, its extension being approved concurrently (ref: 19/01118/F) with the former application at no.47 (ref: 19/01119/F). The design of the extension closely matches/reflects the approved, but unimplemented, proposals for the subject dwelling.

## Constraints

5. Critical drainage area (Policy DM3, DM5 - Critical Drainage Catchment)

## Relevant planning history

Ref	Proposal	Decision	Date
19/01119/F	Single storey rear extension.	APPR	27/09/2019
19/01547/NM A	Non-material amendment to 19/01119/F to change the roof type on the proposed extension and to upgrade the existing flat roof.	WITHDN	28/11/2019

## The proposal

6. The previously approved application (19/01119/F) was for an extension to match that next door, infilling an area 4.6m long to the side of its rear single and two-storey elements. Reflecting that next door, it is to have a shallow pitch roof facing to the side and to the rear, the latter element partially covering the existing rear extension.
7. The new application varies that proposal by the following:

- a) Existing flat roof on rear extension (5.5m in length) replaced with a side-facing mono-pitch roof and parapet wall. On the boundary with no.45, this will raise the height of the roof by 0.8m.
- b) Side-facing glass roof (originally proposed to match the next door conservatory) replaced with tiled roof and rooflights.

## Representations

8. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Loss of outlook - with an increase in height of 80cm, the raised roof will obscure the view out of the neighbouring box room window.	See main issue 1.
Loss of light – the raised roof will block sunlight to the neighbouring box room window and two neighbouring properties	See main issue 1.

## Consultation responses

9. No consultations have been undertaken.

## Assessment of planning considerations

### Relevant development plan policies

10. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
11. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design

### Other material considerations

12. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF7 Requiring good design

## **Case Assessment**

13. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### **Main issue 1: Amenity**

14. Key policies and NPPF paragraphs – DM2, NPPF paragraph 127.
15. As the former plans for the extension have been approved, the assessment below principally focuses on the proposed amendments. The main issue for consideration relates to loss of outlook and increased overshadowing for the box room window of the neighbouring property by the raising and replacing of the flat roof with a pitch roof (paragraph 8a).
16. With the former approved plans the rear-facing pitch roof did raise the current height of the roof, where it meets the existing house and close to the box room window, by 0.6m. With the amended plans this is raised to 0.8m and, as the newly proposed roof pitches to the side, there is now no reduction in height toward the rear. The parapet along the boundary will be roughly level with the top of the glazing in the neighbouring box room window, which is positioned 0.75m from the boundary.
17. The raised roof/wall is directly to the south of the neighbouring window and property. This means that the sun will be at a relatively high trajectory when shining from the direction of the roof. The window will get some light all year, and this will vary from winter months, when just the top of the window will still get some sunlight, to summer months when the window will be scarcely affected. When considering that, for ground floor extensions, it is very common for eaves on the boundary to be notably higher than the top of a neighbouring window, with a greater degree of overshadowing than would be experienced here, the impact in this case will be at a level which can be considered acceptable.
18. In terms of loss of outlook, while most of the immediate view to the left side of the window will be blocked, the window is set 0.75m distant from the boundary and available view of the sky and surrounds, along with levels of diffuse daylight, will still be well within acceptable levels.
19. While the objections also mention the potential for overshadowing to both neighbouring properties, the raising of the roof will not have a noticeable effect on any other windows.
20. There are no amenity implications relating to the change of the side facing pitch from glass to tile/rooflight (paragraph 8b).

21. In conclusion, though there will be some loss of light and outlook to the neighbouring box room window, this impact is not considered to be significant enough to warrant objection and the proposals are acceptable in terms of amenity.

### **Other issues**

22. In terms of design, the pitch roof will represent an aesthetic improvement on the existing flat roof, though the significance of this in determining the application is limited given the lack of visibility of the extension from the public realm. With no other material concerns, the changes are acceptable in terms of design, scale and form.

### **Equalities and diversity issues**

23. There are no significant equality or diversity issues.

### **Local finance considerations**

24. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
25. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
26. In this case local finance considerations are not considered to be material to the case.

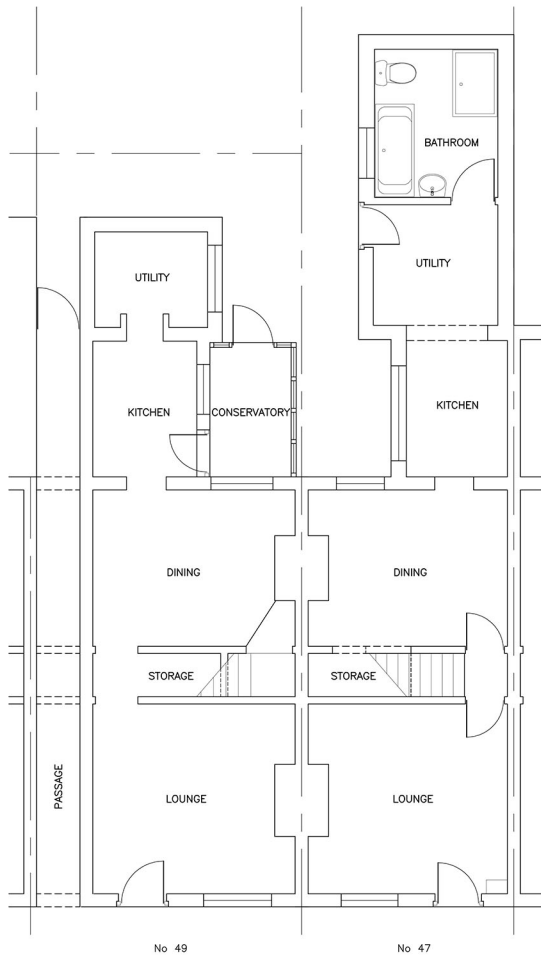
### **Conclusion**

27. Though there will be some impact on neighbouring amenity in terms of loss of light and outlook, this is not considered to be significant enough to warrant refusal. With no other material concerns, the amended proposals are acceptable.

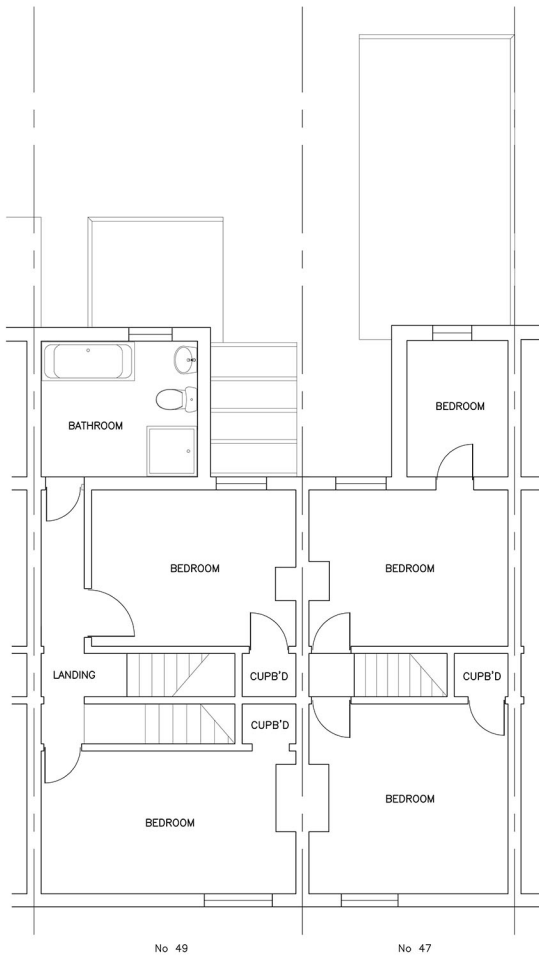
### **Recommendation**

To approve application no. 19/01702/F - 47 Connaught Road, Norwich, NR2 3BP and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.



GROUND FLOOR PLAN



FIRST FLOOR PLAN

NOTES

This drawing to be read in conjunction with JSCE drawing no. 559/01 to 04.

JSCE 3 Old Forge Close, Woodton, Bungay, NR35 2LJ  
Tel: 07717 842131

Job  
47 CONNAUGHT ROAD  
NORWICH  
NR2 3BP

Title  
EXISTING FLOOR PLANS

Client  
Mr & Mrs R Baker

Scales 1:50 @ A1 Drawn JS Date July 2019

REVISIONS

REV	DATE	DESCRIPTION
—	02.08.19	PLANNING ISSUE

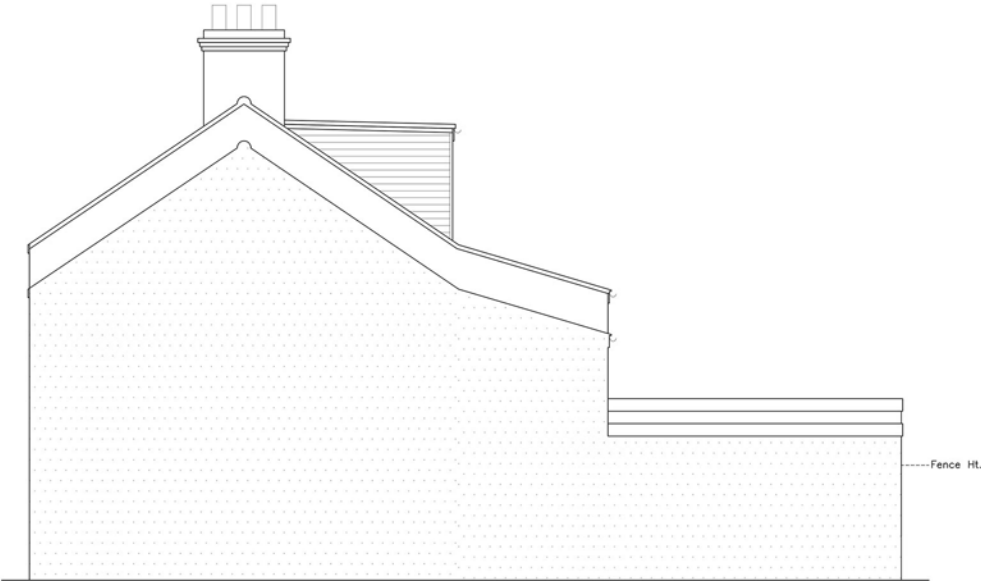
Drawing No. JSCE 559/01 Rev —



EXISTING REAR ELEVATION



EXISTING NORTH ELEVATION



EXISTING SOUTH ELEVATION

NOTES

This drawing to be read in conjunction with JSCE drawing no. 559/01 to 04.  
All materials to match existing.

JSCE 3 Old Forge Close, Woodton, Bury, NR35 5LJ  
Tel: 07717 842131

Job  
47 CONNAUGHT ROAD  
NORWICH  
NR2 3BP

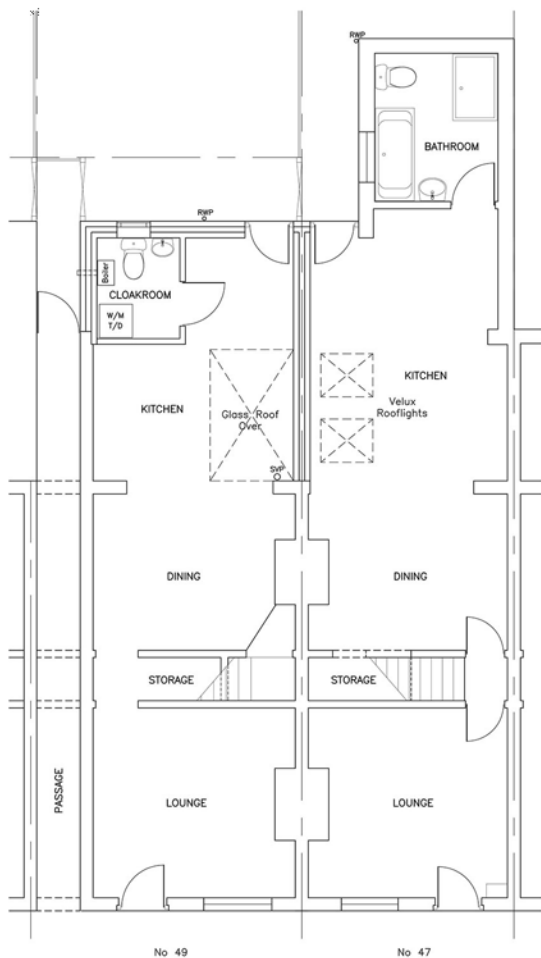
Title  
EXISTING ELEVATIONS

Client  
Mr & Mrs R Baker

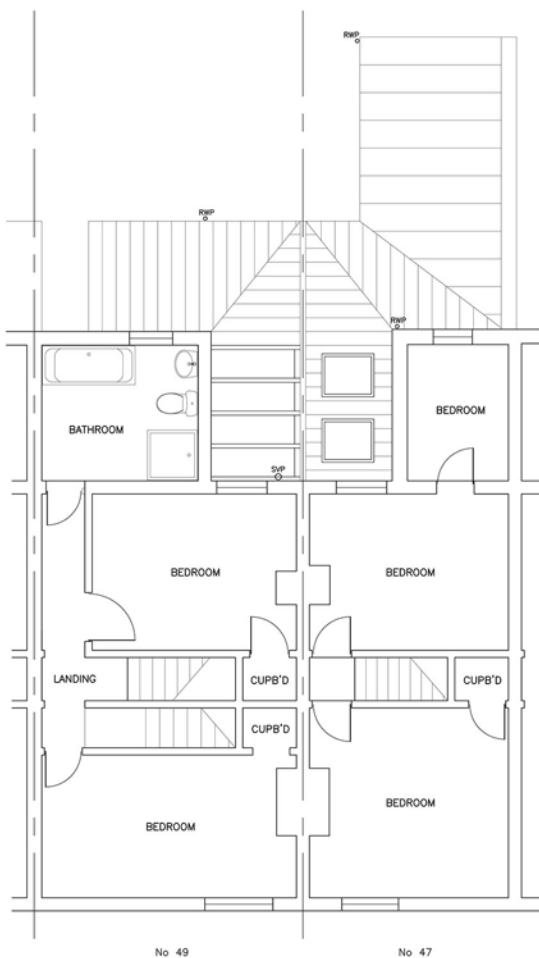
Scales 1:50 @ A1 Drawn JS Date July 2019

REVISIONS		
REV	DATE	DESCRIPTION
—	02.08.19	PLANNING ISSUE

Drawing No. JSCE 559/03 Rev —



GROUND FLOOR PLAN



FIRST FLOOR PLAN

NOTES

This drawing to be read in conjunction with JSCE drawing no. 559/01 to 04.

JSCE 3 Old Forge Close, Woodton, Bury, NR35 5LJ  
Tel: 07717 842131

Job  
47 CONNAUGHT ROAD  
NORWICH  
NR2 3BP

Title  
PROPOSED FLOOR PLANS

Client  
Mr & Mrs R Baker

Scales 1:50 @ A1 Drawn JS Date July 2019

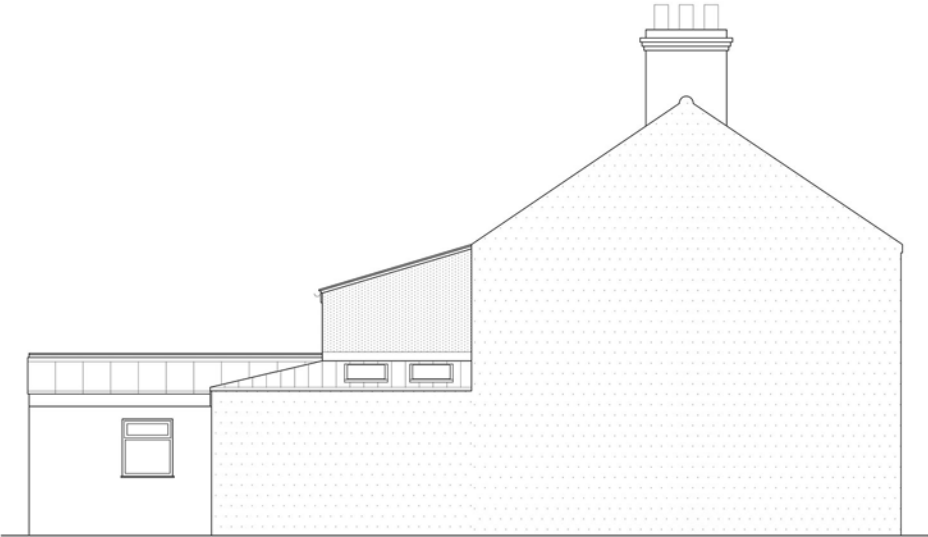
REVISIONS

REV	DATE	DESCRIPTION
—	02.08.19	PLANNING ISSUE
A	04.10.19	EXTENSION ROOF AMENDED
B	31.10.19	ROOFLIGHTS ADDED TO GROUND FLOOR PLAN

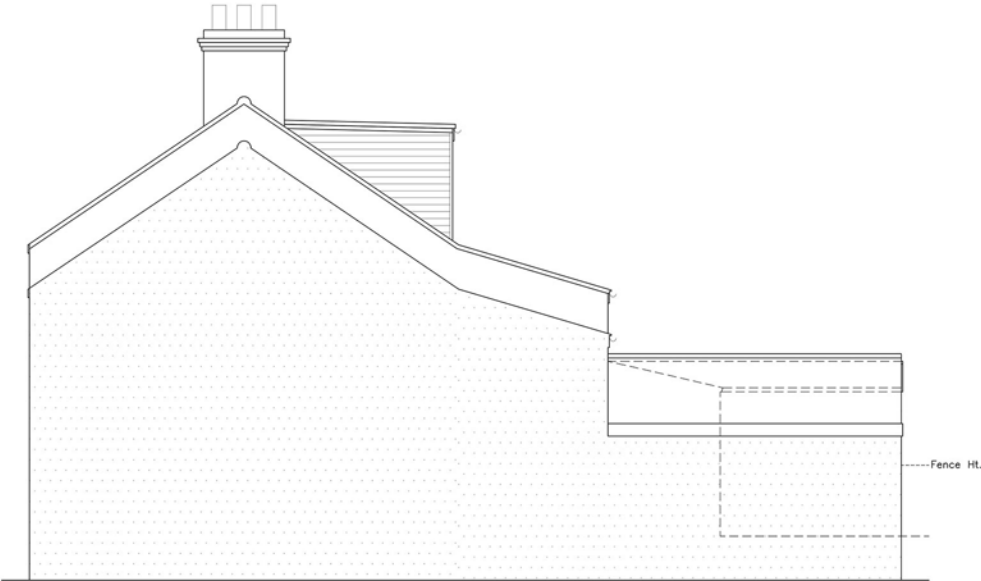
Drawing No. JSCE 559/02 Rev 8



PROPOSED REAR ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION

NOTES

This drawing to be read in conjunction with JSCE drawing no. 559/01 to 04.

All materials to match existing.

JSCE

3 Old Forge Close, Woodton, Bury, NR35 5LJ  
Tel: 07717 842131

Job

47 CONNAUGHT ROAD  
NORWICH  
NR2 3BP

Title

PROPOSED ELEVATIONS

Client

Mr & Mrs R Baker

Scales 1:50 @ A1

Drawn JS

Date July 2019

REVISIONS

REV	DATE	DESCRIPTION
—	02.08.19	PLANNING ISSUE
A	20.08.19	SOUTH ELEVATION TITLE AMENDED
B	04.10.19	EXTENSION ROOF AMENDED
C	31.10.19	SOUTH ELEVATION PARAPET WALL ADDED

Drawing No.

JSCE 559/04

Rev

c